

Councilors,

I am a 30+ year resident and registered voter of Yarmouth, a retired local retailer married to a retired Yarmouth schoolteacher. In 1987, with two small children, we were drawn to Yarmouth by its small village ambiance, its outstanding local school system and its proximity to Chebeague Island, where my wife's grandparents had built a cottage in 1925. It turns out that we are part of a group of dozens of Yarmouth families who own property or have family on Chebeague, most of whom need the Chebeague Transportation Company (CTC) ferry system in order to enjoy their families' property, and most certainly appreciate the convenient access from Cousins Island.

During these years Yarmouth has been generally supportive of the transportation system that connects the Chebeague community to the mainland at Cousins Island. At one point along this journey, however, a small group of Wharf Road area property owners (islanders themselves, but with a bridge) became acrimonious in their opposition to the historical transportation needs of Chebeaguers. This opposition was strong enough to force the State of Maine (as it has done up and down Maine's Coast in other communities) to take legal action, costing us (Yarmouth taxpayers) thousands of dollars in legal costs and excessive hours of teeth-gnashing time on the part of the Yarmouth Council and Staff. The resulting court-mandated Operating Agreement, and concomitant Eminent Domain actions on several occasions, have cemented in place the permanent uses of local Cousins Island and Route 1 for parking and limited coastline for barging and ferry operations.

The Operating Agreement/Eminent Domain action ultimately led to CTC sub-leasing all of the former Blanchard parking property, even to the deeded low water mark, from the Town of Chebeague (which in turn leases from ME DOT). This lease has no public use easement, and yet CTC has encouraged use of the ramp and the beach by local neighbors. These features are a clear benefit to the neighborhood, with the ramp often used by Yarmouth residents for boating/kayaking, etc. and the beach enjoyed by many adjoining year-round and seasonal Cousins Island property owners and their visitors. In my estimation the beach is sufficiently expansive to allow many Cousins islanders to enjoy it, safely away from any intermittent barging or recreational boaters.

Since the Agreement was finalized, and perhaps because "statutory access" was guaranteed to the island by the State of Maine, Chebeague has enjoyed a popularity renaissance, including increasing numbers of Yarmouth citizens. The Court's mandate, even as it approaches 25 years, nevertheless has needed periodic adjustment. The Agreement's tenor is meant to encourage good faith interactions and court-free operations. Generally, the Yarmouth Council and Staff have acted responsibly, almost always thinking what might happen "if the shoe were on the other foot". It is that ecumenical approach which would serve our community well in these extraordinary circumstances.

This week we are hearing from both new and old neighbors on Cousins Island about the CTC's request for a temporary, emergency COVID response to do its best to provide safe transportation to/from Chebeague using both CDC and Governor Mills' guidelines. And while I applaud those as thoughtful as Dick & Debbie Woodbury for weighing in on this barging issue as new Pogy Shore neighbors, I believe that their concerns were properly addressed in the Operating Agreement and its subsequent amendments over the years. As I read the Consent Decree dated 2/7/96, and understand the perspective of the CTC management, it appears to me as if there are no specific violations of the document's detailed operational guidelines.

In the big picture I think it is fair to conclude that Chebeague, now its own municipality, brings broad and substantial benefits to Yarmouth. Yarmouth's schools, churches, and health care services have all been woven into our joint community relationship. The economic impact of over 2,000 island residents and visitors is substantial for many Yarmouth businesses as well. In my mind, that impact is substantial enough to be an important consideration for the Council as it guides us through the changing circumstances of Chebeague's transportation needs, most particularly during an unprecedented pandemic. We should be good neighbors.

I strongly recommend that the Council adopt the temporary revised guidelines to the Operating Agreement that has been jointly drafted by our Town Manager and the Transportation Company's (CTC) General Manager. This action would be consistent with the recent history of amicable relations and actions by Yarmouth with respect to CTC operations.

Finally, as an interested property owner in both communities, I would offer to assist the Council or Staff if and when it wishes to revitalize the Joint Standing Committee between Yarmouth and Chebeague Island with unelected volunteers. Having studied the issue for many years, I'm also happy to take any calls from the Councilors on my cell at 207 838-3163.

Respectfully,

Jim Van Fleet, 13 Seaborne Dr., Yarmouth

PS – Chebeague Transportation Company operates as a 501 c (3) non-profit corporation, governed by a volunteer Board of Directors.