



*Bustins Island Village Corporation*  
*Established 1913*

## 2016 ANNUAL MEETING WARRANT

Date: July 17, 2016

TO: M. Susan Spalding

FROM: BIVC Board of Overseers

RE: **NOTICE OF ANNUAL MEETING OF THE BUSTINS ISLAND VILLAGE CORPORATION, STATE OF MAINE, COUNTY OF CUMBERLAND**

Greetings:

Pursuant to Article V of the By-Laws of the Bustins Island Village Corporation you are hereby directed to post notice and warn the qualified voters of the Bustins Island Village Corporation (BIVC) to assemble for the Annual Meeting of the BIVC at the Community House on Bustins Island on Saturday, August 6, 2016, at 9:00 a.m. EDT to act on the business of the BIVC as set out in the following articles of this warrant:

### **ARTICLE 1. Elect Moderator**

To choose a moderator and, if need be, a deputy moderator to preside over said meeting.

### **ARTICLE 2. Hear Reports**

To receive reports from the following:

- a) Clerk
- b) Board of Overseers
- c) Planning Board
- d) Superintendent
- e) Finance Committee
- f) Treasurer

### **ARTICLE 3. Budget - Attachment A**

To see if the BIVC will vote:

- a) To receive and appropriate the sum of \$352,750.00 to be expended under the direction of the Board of Overseers for the 2016/2017 fiscal year budget as set forth in ATTACHMENT A, “Bustins Island Village Corporation, Budget 2016-2017” in the column labeled “16-17 Budget;”
- b) To fund the sum so received and appropriated in a) above from the Freeport allocation, any gifts, assessments, and any other revenues; any excess or deficiency therefrom to be reconciled through reserve funds and any amounts otherwise authorized from the CASCO fund;
- c) To authorize the Board of Overseers to:
  - i) Expend monies from the reserve accounts for the general purposes for which such accounts were established; and
  - ii) Make transfers among operating and reserve accounts including any amounts otherwise authorized from the CASCO fund.

Submitted by the Board of Overseers

BOARD OF OVERSEERS REPORT: This Article authorizes the Board of Overseers to receive and spend within the total appropriation and to transfer money among accounts. Attachment A presents a budget history and the expected disposition of funds for the 2016/2017 fiscal year.

The Board of Overseers voted unanimously to recommend approval of this article.

**ARTICLE 4. Proposed Zoning Map Amendment: Addition of the Entirety of Lots E-61 and E-62 to the Resource Protection District**

Shall an ordinance entitled “2016 Amendment 1 to the August 1, 2015 Zoning Map” to add Lots E-61 and E-62 in their entirety to the Resource Protection District” all as otherwise shown on the Zoning Map of Bustins Island dated August 1, 2015 and in more detail on “Plan of Property, West Shore Road & Island Avenue, Section E” dated 06/24/2016 by Island Surveys of Arrowsic, ME be enacted?

Submitted by the Planning Board

PLANNING BOARD REPORT: Last year, the BIVC accepted these lots as a gift from the Mumford Family Trust. Presently, both lots are split between the Shoreland and General Purpose Districts. The report in the 2015 warrant indicated that if the gift were made, the BIVC would likely propose the rezoning of these lots completely into the Resource Protection District. This article is the implementation of that intention.

A copy of the August 1, 2015 zoning map and the ”Plan of Property” map are posted at the Community House for inspection.

The Planning Board recommends approval.

The Board of Overseers recommends approval.

## **ARTICLE 5. Acceptance of Street C in Section B by Metes and Bounds**

To see if the BIVC will vote to:

Confirm the 2007 Annual Meeting acceptance of “Plan of a Standard Boundary Survey, Streets A, B, & C Section B” dated 06/25/07 by Island Surveys and

Accept a certain plan entitled “Plan for Road Acceptance, Street C, Section B, Bustins Island, Freeport, Maine” made for the Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 06/25/07, and also

Accept as a public way for all purposes for which public streets are now or in the future held and maintained by the Bustins Island Village Corporation on Bustins Island, Maine, those portions of Street C in Section B so set out and further described by metes and bounds on said Plan for Road Acceptance.

### Submitted by the Planning Board

PLANNING BOARD REPORT: In 2003 and 2007 Streets A and B in Section B were accepted, but Street C which passes directly in front of the Community House was overlooked. This article will correct that omission.

The Planning Board recommends approval.

The Board of Overseers recommends approval.

## **ARTICLE 6. Acceptance of Street G and Leland Lane in Section C by Metes and Bounds**

To see if the BIVC will vote to accept a certain plan entitled “Plan of a Standard Boundary Survey of Land in Section C, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 07/17/15 and also

Accept a certain plan entitled “Plan for Road Acceptance, Street G & Leland Lane, Section C, Bustins Island, Freeport, Maine” made for the Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 07/17/15, and also

Accept as a public way for all purposes for which public streets are now or in the future held and maintained by the Bustins Island Village Corporation on Bustins Island, Maine, those portions of Street G and Leland Lane in Section C so set out and further described by metes and bounds on said Plan for Road Acceptance.

### Submitted by the Planning Board

PLANNING BOARD REPORT: This article continues the Planning Board’s ongoing program to define the public ways on Bustins Island. It is the last link in the shore road along the southern portion of Bustins Island.

The Planning Board recommends approval.

The Board of Overseers recommends approval.

## **ARTICLE 7. Boundary Adjustments for Streets B and X in Section B**

Shall an ordinance entitled “2016 Amendment 2 to the August 1, 2015 Zoning Map” to adjust boundaries of Streets B and X in Section B be enacted? Said adjustments are to be made by parcel transfers to and from abutters as are shown and described by metes and bounds on “Plan of Proposed Conveyances, Streets B & X, Section B” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 06/24/16 and are described by metes and bounds in Exhibits A, B, C, D and F attached to this warrant.

### Submitted by the Planning Board

PLANNING BOARD REPORT: As the streets have been defined by metes and bounds there have been small parcels that have been ceded by the BIVC to abutters or by abutters to the BIVC. This article is a continuation of that practice along the bounds of Streets B and X in Section B.

The Planning Board recommends approval.

The Board of Overseers recommends approval.

## **ARTICLE 8. Conveyance of Southwesterly Portion of Street O in Section C to Abutter**

To see if the BIVC will vote to convey the southwesterly portion of Street O to the abutter and to receive from the abutter an easement crossing lot C-31, all as shown by metes and bounds on “Plan of Proposed Conveyances involving land on Streets N & O, Section C, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation dated 06/23/16 and more fully described in the Descriptions of Property Parcels SA, SB, and SC attached as Exhibits G, H, and I and to amend the Zoning Map accordingly.

### Submitted by the Board of Overseers

BOARD OF OVERSEERS REPORT: The Shields cottage on Lot 30 in Section C intrudes significantly on Street O, and the Shields shed is located both on Street O and the adjacent Lot 32 in Section C not owned by Shields. To correct this situation, the Overseers propose that the BIVC convey to Shields the portion of Street O lying between lots C-30 and C-32 and that Shields convey to the BIVC an easement along the southeasterly edge of Lot C-30 all as shown on “Plan of Proposed Conveyances involving land on Streets N & O, Section C, Bustins Island, Freeport, Maine made for Bustins Island Village Corporation dated 06/23/16.”

The Board of Overseers recommends approval.

The Planning Board recommends approval.

## **ARTICLE 9. Accept Gifts of Land – Attachment B**

To see it the BIVC will vote:

To accept and receive gifts of certain parcels of land designated as:

Lots E-97, E-99, E-101, E-103 on the Zoning Map of Bustins Island dated August 1, 2015 and in more detail on ATTACHMENT B, “Plan of a Proposed Conveyance, Section E, Bustins Island, Freeport, Maine” dated 07/11/16 made for Bustins Island Village Corporation by Island Surveys, Arrowsic, Maine from owners of those parcels, in fee simple absolute.

Submitted by the Board of Overseers

### **BOARD OF OVERSEERS REPORT**

The owner of these lots, which are already in the Resource Protection District, has generously offered to donate them to the BIVC. The BIVC ownership would enhance the protection already provided by the Resource Protection zoning.

The Board of Overseers recommends approval.

The Planning Board recommends approval.

## **ARTICLE 10. Election**

To elect a Clerk and Treasurer of the BIVC for a term of one year each; and to elect two members of the Board of Overseers for a three-year term by ballot as provided in the BIVC By-Laws.

## **ARTICLE 11. Hear Committee Reports**

To receive reports from any and all committees not already heard.

(SWEARING IN OF NEW OFFICERS BY THE CLERK OR MODERATOR.)

## **ADJOURNMENT**

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Given unto our hands at Bustins Island, Freeport, Maine this 17th day of July, 2016.

The Board of Overseers of the BUSTINS ISLAND VILLAGE CORPORATION

\_\_\_\_\_  
Robert Boone, Chair

\_\_\_\_\_  
Patricia LaFleur

\_\_\_\_\_  
William W. Cooper, Vice-Chair

\_\_\_\_\_  
Ken Barrows

\_\_\_\_\_  
Roger Leland

As has been the custom, time after the meeting has been formally adjourned will be available for those assembled to discuss any other matters of general interest to Islanders before dispersing.

**ATTACHMENTS AND EXHIBITS:**

**Attachment A** (Article 3) – Budget

**Attachment B** (Article 9) – Accept Gifts of Land

**Exhibit A** – (Article 7) Boundary Adjustments Streets B and X in Section B Description of parcel A

**Exhibit B** – (Article 7) Boundary Adjustments Streets B and X in Section B Description of parcel B

**Exhibit C** – (Article 7) Boundary Adjustments Streets B and X in Section B Description of parcel C

**Exhibit D** - (Article 7) Boundary Adjustments Streets B and X in Section B Description of parcel D

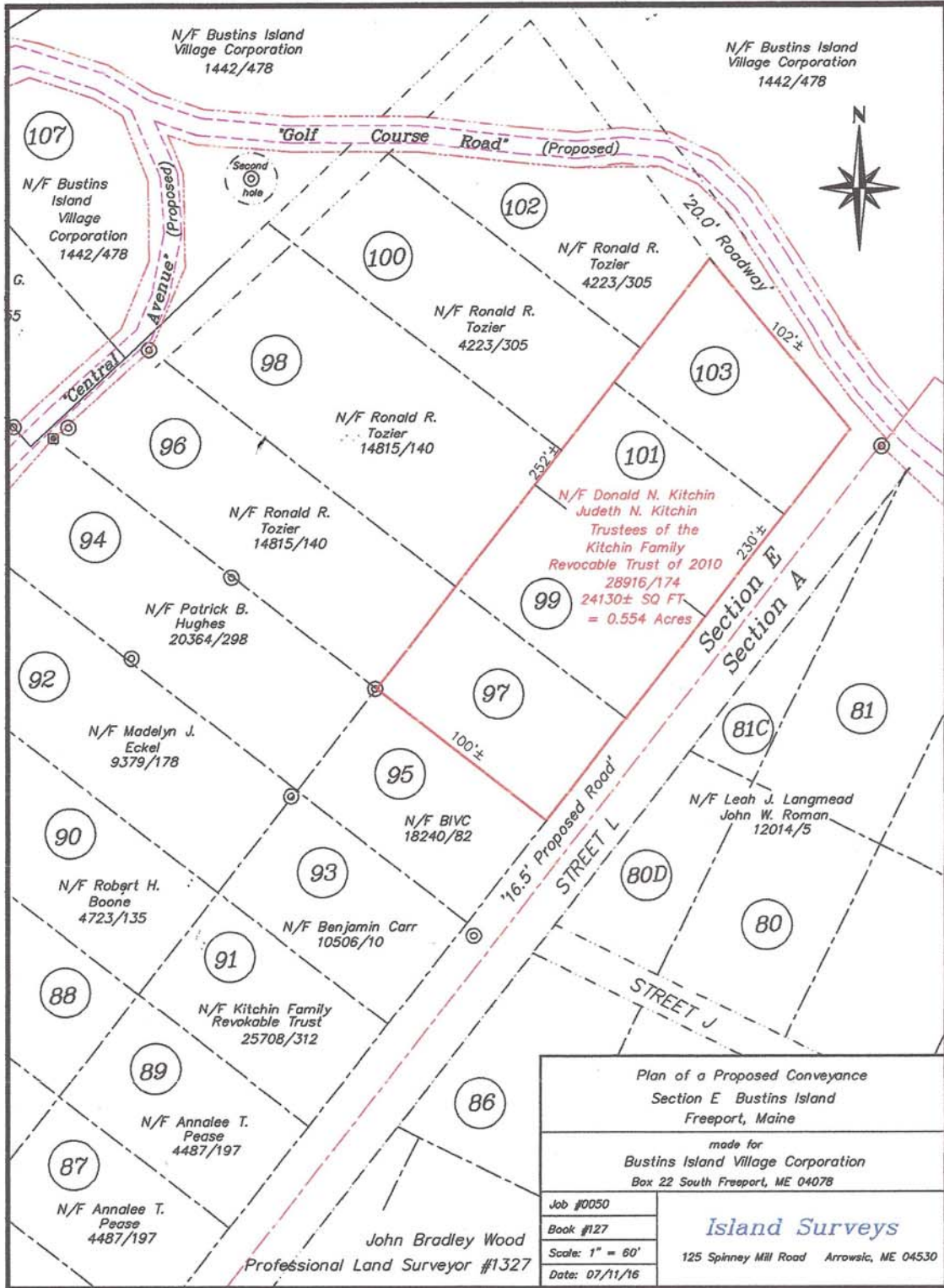
**Exhibit F** - (Article 7) Boundary Adjustments Streets B and X in Section B Description of parcel F

**Exhibit G** – (Article 8) Description of Property: PARCEL SA

**Exhibit H** – (Article 8) Description of Property: PARCEL SB

**Exhibit I** – (Article 8) Description of Property: PARCEL SC

ATTACHMENT B





## EXHIBIT A

Description of Property: Parcel A  
To be Conveyed to: Bustins Island Village Corporation  
by: Simone A. Shields  
Streets B & D Section B Bustins Island Freeport, Maine  
March 30, 2015

A certain lot or parcel of land on the Southwesterly side of Street B in Section B of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Southwesterly sideline of Street B in Section B as shown on a "Plan of Merrill Brothers Bustin's Island Lots ..." dated 1908 and recorded in the Cumberland County Registry of Deeds, Plan Book 11 Page 127, at the Northerly corner of land now or formerly of Simone A. Shields as described in said Registry, Book 29683 Page 210; thence by the following courses and distances:

- 1) S 46°26'26" E along the Southwesterly side of Street B a distance of Thirteen and 33/100 (13.33) Feet to a point;
- 2) S 70°43'10" W a distance of Twenty-Two and 31/100 (22.31) Feet to a point on the Northwesterly line of said land now or formerly of Shields;
- 3) N 34°33'59" E a distance of Twenty and 10/100 (20.10) Feet to the point of beginning.

The above described parcel of land contains 132 square feet, is a portion of the land now or formerly of Simone A. Shields as described in the Cumberland County Registry of Deeds, Book 29683 Page 210, and is the same as that described in a deed from Ellwood Shields to the Bustins Island Village Corporation dated October 17, 2006, and recorded in said Registry, Book 30217 Page 69.

Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Standard Boundary Survey (of) Streets A & B Section B Bustins Island ... made for Bustins Island Village Corp." by Island Surveys dated August 2, 2003, and recorded in said Registry, Plan Book 207 Page 552.

It is agreed between the parties that this conveyance will have no negative consequences on the minimum zoning requirements of the remaining land of the grantor from which this parcel is a piece. Said consequences shall include but not be limited to any minimum area, frontage, or setback requirements.

## EXHIBIT B

Description of Property: Parcel B  
To be Conveyed to: Bustins Island Village Corporation  
by: Simone A. Shields  
Street B Section B Bustins Island Freeport, Maine  
March 30, 2015

A certain lot or parcel of land on the Southwesterly side of Street B in Section B of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Southwesterly sideline of Street B in Section B as shown on a "Plan of Merrill Brothers Bustin's Island Lots ..." dated 1908 and recorded in the Cumberland County Registry of Deeds, Plan Book 11 Page 127, at the Easterly corner of land now or formerly of Simone A. Shields as described in said Registry, Book 29683 Page 210; thence by the following courses and distances:

- 4) S 30°48'26" W along the Southeasterly line of said land now or formerly of Shields a distance of Nine and 26/100 (9.26) Feet to a point;
- 5) N 30°24'14" W a distance of Thirty-Three and 03/100 (33.03) Feet to a point on the Southwesterly sideline of Street B;
- 6) S 46°26'26" E along the Southwesterly sideline of Street B a distance of Twenty-Nine and 72/100 (29.72) Feet to the point of beginning.

The above described parcel of land contains 134 square feet, is a portion of the land now or formerly of Simone A. Shields as described in the Cumberland County Registry of Deeds, Book 29683 Page 210, and is the same as that described in a deed from Ellwood Shields to the Bustins Island Village Corporation dated October 17, 2006, and recorded in said Registry, Book 30217 Page 73.

Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Standard Boundary Survey (of) Streets A & B Section B Bustins Island ... made for Bustins Island Village Corp." by Island Surveys dated August 2, 2003, and recorded in said Registry, Plan Book 207 Page 552.

It is agreed between the parties that this conveyance will have no negative consequences on the minimum zoning requirements of the remaining land of the grantor from which this parcel is a piece. Said consequences shall include but not be limited to any minimum area, frontage, or setback requirements.

## EXHIBIT C

Description of Property: Parcel C  
To be Conveyed to: Simone A. Shields  
by: Heirs of Ellwood Shields  
Street X Section B Bustins Island Freeport, Maine  
March 30, 2015

A certain lot or parcel of land Southwesterly of, but not adjoining, Street B in Section B of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at an iron pipe found at the Southerly corner of land now or formerly of Simone A. Shields as described in the Cumberland County Registry of Deeds, Book 29683 Page 210; thence by the following courses and distances:

- 7) N 30°48'26" E along the Southeasterly line of said land now or formerly of Shields a distance of Fifty-Two and 13/100 (52.13) Feet to a point;
- 8) S 47°39'44" E a distance of Ten and 42/100 (10.42) Feet to a point;
- 9) S 42°20'16" W a distance of Fifty-One and 08/100 (51.08) Feet to the point of beginning.

The above described parcel of land contains 266 square feet and is the same as that conveyed to Ellwood Shields by the Bustins Island Village Corporation as described in the Cumberland County Registry of Deeds, Book 30217 Page 77.

Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Standard Boundary Survey (of) Streets A & B Section B Bustins Island ... made for Bustins Island Village Corp." by Island Surveys dated August 2, 2003, and recorded in said Registry, Plan Book 207 Page 552.

## EXHIBIT D

Description of Property: Parcel D  
To be Conveyed to: Simone A. Shields  
by: Bustins Island Village Corporation  
Street B Section B Bustins Island Freeport, Maine  
March 30, 2015

A certain lot or parcel of land Southwesterly of, but not adjoining, Street B in Section B of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at an iron pipe found at the Easterly corner of land now or formerly of William W. Cooper and Martha P. Cooper as described in the Cumberland County Registry of Deeds, Book 3793 Page 48; thence by the following courses and distances:

- 1) N 42°20'16" E along the Southeasterly line of land conveyed by the Bustins Island Village Corporation to Ellwood Shields as described in said Registry, Book 30217 Page 77, a distance of Twelve and 64/100 (12.64) Feet to a point;
- 2) S 22°54'21" W a distance of Thirteen and 49/100 (13.49) Feet to a point;
- 3) N 46°36'03" W a distance of Four and 49/100 (4.49) Feet to the point of beginning.

The above described parcel of land contains 28 square feet and is a portion of the land now or formerly of the Bustins Island Village Corporation as described in the Cumberland County Registry of Deeds, Book 924 Page 70. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances Streets B & X Section B Bustins Island ... made for Bustins Island Village Corporation" by Island Surveys dated March 30, 2015.

## EXHIBIT F

Description of Property: Parcel F  
To be Conveyed to: William W. Cooper  
Martha P. Cooper  
by: Bustins Island Village Corporation  
Street B Section B Bustins Island Freeport, Maine  
March 30, 2015

A certain lot or parcel of land Southwesterly of, but not adjoining, Street B in Section B of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at an iron pipe found at the Southerly corner of land now or formerly of William W. Cooper and Martha P. Cooper as described in the Cumberland County Registry of Deeds, Book 3793 Page 48; thence by the following courses and distances:

- 1) N 30°48'26" E by said land now or formerly of Cooper a distance of Eighty-Six and 02/100 (86.02) Feet to an iron pipe found at the Southerly corner of land now or formerly of Simone A. Shields as described in said Registry, Book 29683 Page 210;
- 2) S 46°36'03" E a distance of Four and 49/100 (4.49) Feet to a point;
- 3) S 22°54'21" W a distance of Eighty-Seven and 83/100 (87.83) Feet to a point;
- 4) N 52°24'52" W a distance of Sixteen and 58/100 (16.58) Feet to the point of beginning.

The above described parcel of land contains 893 square feet and is a portion of the land now or formerly of the Bustins Island Village Corporation as described in the Cumberland County Registry of Deeds, Book 924 Page 70. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances Streets B & X Section B Bustins Island ... made for Bustins Island Village Corporation" by Island Surveys dated March 30, 2015.

## EXHIBIT G

Description of Property: PARCEL SA  
To be Conveyed by: Bustins Island Village Corporation  
to: Ellwood E. Shields III  
Jeanne M. Shields  
Street N Section C Bustins Island Freeport, Maine  
June 23, 2016

A certain lot or parcel of land on the Northeasterly side of Street N in Section C of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at an iron pipe found at the intersection of the Northeasterly sideline of Street N with the Northwesterly sideline of Street O as shown on a "Standard Boundary Survey ... made for Bustins Island Village Corporation et al." by Titcomb Associates Inc. dated August 17, 1994, and recorded in the Cumberland County Registry of Deeds, Plan Book 196 Page 294; thence by the following courses and distances:

- 1) N 59°40'48" E by land now or formerly of Kim P. Bohen as described in said Registry, Book 31899 Page 308, a distance of One Hundred and Thirty-One and 65/100 (131.65) Feet to an iron pipe found;
- 2) S 30°18'26" E a distance of Sixteen and 50/100 (16.50) Feet to a point;
- 3) S 59°40'48" W by land now or formerly of Ellwood E. Shields III and Jeanne M. Shields as described in said Registry, Book 6208 Page 314, a distance of One Hundred Twenty-Three and 44/100 (123.44) Feet to capped iron rod found on the Northeasterly sideline of Street N;
- 4) N 56°47'07" W along the Northeasterly sideline of Street N a distance of Eighteen and 42/100 (18.42) Feet to the point of beginning.

The above described parcel contains 2101 square feet, is a portion of Street O as shown on a "Standard Boundary Survey ... made for Bustins Island Village Corporation et al." by Titcomb Associates Inc. dated August 17, 1994, and recorded in the Cumberland County Registry of Deeds, Plan Book 196 Page 294, and is a portion of the land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 924 Page 70. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances involving land on Streets N & O Section C ... made for Bustins Island Village Corporation" by Island Surveys dated June 23, 2016.

## EXHIBIT H

Location of Easement: PARCEL SB  
To be Conveyed by: Ellwood E. Shields III  
                            Jeanne M. Shields  
                            to: Bustins Island Village Corporation  
Street N Section C Bustins Island Freeport, Maine  
June 23, 2016

A certain lot or parcel of land on the Northeasterly side of Street N and on the Easterly side of Street D in Section C of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a capped iron rod found at the intersection of the Northeasterly sideline of Street N with the Easterly sideline of Street D as shown on a "Standard Boundary Survey ... made for Bustins Island Village Corporation et al." by Titcomb Associates Inc. dated August 17, 1994, and recorded in the Cumberland County Registry of Deeds, Plan Book 196 Page 294; thence by the following courses and distances:

- 1) N 56°47'07" W along the Northeasterly sideline of Street N a distance of Ten and 41/100 (10.41) Feet to a point;
- 2) N 35°30'22" E a distance of Eight and 14/100 (8.14) Feet to a point;
- 3) N 59°40'48" E a distance of Ninety-Seven and 69/100 (97.69) Feet to a point;
- 4) S 30°18'26" E a distance of Sixteen and 50/100 (16.50) Feet to an iron pipe found;
- 5) S 59°40'48" W by land now or formerly of the Trustees of the Spalding Cottage Trust as described in said Registry, Book 29263 Page 178, and by land now or formerly of the Trustees of the Garfield A. Drew Trust as described in said Registry, Book 24261 Page 338, a distance of One Hundred and 50/100 (100.50) Feet to a point on the Easterly sideline of Street D;
- 6) N30°00'54" W along the Easterly sideline of Street D a distance of Three and 85/100 (3.85) Feet to the point of beginning.

The above described easement premises contain 1683 square feet and are a portion of the land now or formerly of Ellwood E. Shields III and Jeanne M. Shields as described in the Cumberland County Registry of Deeds, Book 6208 Page 314. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances involving land on Streets N & O Section C ... made for Bustins Island Village Corporation" by Island Surveys dated June 23, 2016.

## EXHIBIT I

Location of License: PARCEL SC

To be Conveyed by: Kim P. Bohen

to: Ellwood E. Shields III

Jeanne M. Shields

Street O Section C Bustins Island Freeport, Maine

June 23, 2016

A certain lot or parcel of land on the Northwesterly side of Street O in Section C of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Northwesterly sideline of Street O as shown on a "Standard Boundary Survey ... made for Bustins Island Village Corporation et al." by Titcomb Associates Inc. dated August 17, 1994, and recorded in the Cumberland County Registry of Deeds, Plan Book 196 Page 294, said point of beginning lying N 59°40'48" E a distance of Ninety-Six and 78/100 (96.78) Feet from an iron pipe found on the Northeasterly sideline of Street N; thence by the following courses and distances:

- 1) N 35°47'51" E a distance of Twenty-Four and 35/100 (24.35) Feet to a point;
- 2) S 54°29'28" E a distance of Ten and 80/100 (10.80) Feet to a point on the Northwesterly sideline of Street O;
- 3) S 59°40'48" W along the Northwesterly sideline of Street O a distance of Twenty-Six and 69/100 (26.69) Feet to the point of beginning.

The above described license premises contain 131 square feet and are a portion of the land now or formerly of Kim P. Bohen as described in the Cumberland County Registry of Deeds, Book 31899 Page 308. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances involving land on Streets N & O Section C ... made for Bustins Island Village Corporation" by Island Surveys dated June 23, 2016.