

Amanda Russell
372 Middle Road
Edgecomb, Maine 04556
207-882-6634

April 27, 2009

To the Select Board, Planning Board and Code Enforcement Officer for the Town of Edgecomb,

I share with Donald Josephson the deeded right-of-way (R.O.W.) that passes between the Highland Cemetery and the business called Marine Parts Express on the Dodge Road located in the barn formally owned by Pat Hannigan Pottery. The Hannigan barn property line is at the edge of this R.O.W. and has no deeded access to the R.O.W.

This R.O.W. shared by Donald Josephson and my family accesses two businesses – Josephson Fine Art and my family's Certified Green Tree Farm, which we harvest wood from for our business.

The two businesses currently housed in the Hannigan barn, one of which is Marine Parts Express, never came before the Planning Board for introduction and review. Dave Bouchard has informed my husband, Andy Abello, that there may be a five-year period of time where a non-home business that never came before the Planning Board for review could be grandfathered. Marine Parts express operating in the Hannigan barn has been operating since Sept. 2004. This letter documents the issues originally discussed with Planning Board members and the Codes Enforcement Officer in December 2008 and January 2009 and are described in this letter are well within that period of time. Marine Parts Express is not grandfathered within those time parameters.

Marine Parts Express located in the Hannigan barn routinely blocks the Josephson/Russell R.O.W. (that the business does not share).

Marine Parts Express routinely and daily has parked on the R.O.W.

On a daily basis, there have been 8-10 vehicles parked on the R.O.W. and flowing into the cemetery property

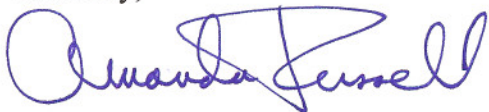
During the winter, the business routinely plows the snow so that the R.O.W. was completely blocked.

Tractor-trailers are routinely backed and parked on the R.O.W., blocking all access for Donald Josephson and my family who have businesses (and Donald's home) that the R.O.W. services. SEE ATTACHED LETTER TO DONALD JOSEPHSON.

The culvert that lies under the R.O.W. is blocked with rocks and riprap, because the owner of the Hannigan barn and Marine Parts Express stated to Donald Josephson that the water ran into his cellar, where he is currently renting space to another illegal business that has not come before the Planning Board for review.

My husband has met with the designer of the septic system when Pat Hannigan owned the property. This septic system for the Hannigan barn is the smallest allowable by the State and served just Pat, who worked alone in her pottery shop. Judging by the number of cars that are parked on a daily basis at the businesses now housed in the Hannigan barn, there is more than one person using a septic system designed for the smallest number of people.

Sincerely,



Amanda Russell

January 11 09

Dear Mr. Josephson

I was very upset after our conversation of last night. What disturbed me greatly was your anger and hate towards me. It seemed like you believed that I was somehow out to get you and that we were trying to ruin your life. This is not true. I have always been impressed with your work and believe it is important to society to have artists and writers being creative.

I have a number of friends who are professional artists and all report that the last year or so has been very tough for the business. I do know many galleries have had substantial reductions in sales. I believe you are transferring your frustrations with a slower market to us rather than to the real reason. Everybody's sales are less than last year.

A "right of way" means just that. You have a right to pass over my property to get to the road. It does not mean that you have a right to park your car on the right of way or demand that I do not use my property at all or, for that matter, that I have to allow anyone but you access. It does mean I can't put up a fence or a building that permanently blocks the passage. We make every effort to keep the way clear and about 98% of the time it is clear. We do have shipments two or three times a day that can cause congestion for about five minutes and while we do ask outside shippers to leave the way clear they sometimes don't. When we see this, we inform them that next time they need to keep the way clear.

This is NOT
his property
Nor his R.O.W.
It is our
R.O.W.

I know you would rather us not be here and the building to be empty, but this area is zoned commercial. I have done everything I can to make sure the area remains neat and clean, but we are a business and, at times, we will be staging shipments in front of the building. Actually it is good the area is zoned commercial as it allowed you to get the business permit to run your gallery out of your home.

Marine Parts
Express has
never done
SO!

We have been here five years now and during that time, I have tried to be responsive and polite to you. I am happy for you to park your car on the right of way and to have your customers and friends go down to your home across my property.

I do admire your lifestyle and your work and truly hope we can, if not become friends, at least not be enemies.


J.D. Neeson

**Maine Short Form
WARRANTY DEED**

PATRICIA HANNIGAN, of 325 Lynch Road, Newcastle, Maine 04553, for consideration paid, grants to **MARGARET GRAHAM NEESON**, of Spruce Head, Maine, whose mailing address is P. O. Box 143, Spruce Head, ME 04859, with **WARRANTY COVENANTS**, the land in Edgecomb, Lincoln County, State of Maine, with the buildings thereon, situated on the westerly side of the Dodge Road, so-called, bounded and described as follows:

BEGINNING at a point on the westerly side of the aforementioned Road at the easterly end of a stone wall marking the southeast corner of land formerly of Charles E. Haggett, now or formerly of Willard R. Marshall;

THENCE westerly by said wall and Marshall land one hundred thirty (130) feet, more or less, to a turn in said wall;

THENCE northerly by said wall thirty one (31) feet, more or less, to a turn in said wall;

THENCE westerly by said wall and said Marshall land three hundred fifty (350) feet, more or less, to a point in said wall where the northerly extension of the westerly line of the cemetery lot of the Highland Cemetery Association would intersect said wall;

THENCE southerly on said extended line to the northerly side of a woods road as described in deed of Paul C. Bates and Elizabeth B. Bates to Anne E. McCourt recorded in Lincoln County Registry of Deeds in Book 915, Page 198 on May 23, 1977;

THENCE in a general easterly direction by the northerly side of said road and the northerly side of the cemetery road to the highway aforesaid;

THENCE northerly by said road one hundred (100) feet, more or less, to the point of beginning.

THE within conveyed premises comprise one (1) acre or in excess thereof.

THE premises are SUBJECT TO the conditions and restrictions set forth in deed to Patrick L. Fagin, dated April 16, 1970, and recorded in Lincoln County Registry of Deeds in Book 658, Page 347.

THE LIFE ESTATE reserved by Maud M. Paquett in a deed dated November 12, 1925, recorded in Book 375 Page 94 of the Lincoln County Registry of Deeds, terminated upon her death in 1957.

✓ *Strout + Payson*
P. O. Box 248
Rochland, Me. 04841