

## Shapleigh closes tap for water companies

*Residents ignore the Board of Selectmen's position and vote to stop Poland Spring – and others – from harvesting their water.*

**By EDWARD D. MURPHY, Staff** Writer

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Shapleigh residents have banned companies from drawing or selling its water.

During a special town meeting Saturday morning, residents voted 114 to 66 to adopt the ban drafted by Protecting Our Water and Wildlife Resources, which had opposed Poland Spring's efforts to test, draw, bottle and market the town's water.

The ban had been opposed by the town's Board of Selectmen, which had favored instead a set of regulations on drawing water in the town that will be on the warrant for the regular town meeting on March 14.

"The problem in Shapleigh is that all three selectpeople want Nestle (Poland Spring's parent company) in here," said Shelly Gobeille, one of the leaders of POWWR. "This vote says they can't come in."

In September, residents adopted a six-month moratorium on water testing, which was seen as a precursor to Poland Spring's plans to set up a pumping operation. The town's planning board used the time to work on rules and regulations for drawing the town's water, but POWWR wanted to ban all major water extraction operations.

When the Board of Selectmen refused to put POWWR's proposed ban on extraction on the town meeting warrant – arguing that two legal opinions said it was unconstitutional – proponents circulated a petition that led to the special town meeting.

Gobeille said POWWR is now concerned that the selectmen could seek to derail the ban, but Bill Hayes, one of the three selectmen, said he's inclined to let the ban go into force without the selectmen getting involved. However, he said, others could challenge its legality.

"The townspeople voted to enact it," Hayes said. "If they want to incur the legal expenses of defending it if it's challenged, that's up to them."

Hayes said that if Poland Spring wants to draw the town's water, it would be better to regulate the company's operations and make sure the town benefits financially. He said talks with the water bottler never got to the point where a dollar figure was discussed, but the amount the town would earn "would have been significant. This would have been an opportunity to defer" some property taxes.

Mark Dubois, natural resource manager for Poland Spring, said he was disappointed by the vote at the special town meeting.

"It's kind of disconcerting as a company with 400 jobs right now in York County," he said. "It's our home, too, and we're very discouraged we can't have a basic discussion about what we do and do well."

Dubois said the company draws water from nine sites in the state now and has sufficient supplies of water for its current needs. He said the company would have been looking to draw water from Shapleigh in 2011 or 2012, but noted that it takes a long time to gain the state and local permits that are needed.