

NOTE TO FILE: 90 Crescent Avenue, Great Diamond Island – 083A-E-7-8-10 - IR-2 Zone & Shoreland

I received an anonymous letter with no name, no address to contact and no phone number to call. The letter is concerning a property on Great Diamond Island, called 90 Crescent Avenue. There was a vacant lot that the owners proposed to build upon. The IR-2 zone allows single family dwellings primarily. However, if an applicant can meet the requirements for an accessory dwelling unit as outlined under conditional units, such a secondary unit can be permitted.

On July 16, 2009, the owners of the property applied for and were granted a conditional use appeal for an accessory dwelling unit within a single family dwelling. All conditions were met.

At the meeting there was discussion concerning noticing (apparently there is no direct delivery on GDI). However, local islanders were aware and a few showed up at the meeting. There were several e-mails of support and nonsupport that the ZBA read and discussed. The Board did not feel that notice was improper. There was also a discussion that the notice address was incorrect. The heading on the notice contained the wrong address, but the body of the notice was correct. Again, the Board did not feel that notice was improper. Someone at the ZBA meeting also brought up the fact that the plans showed two septic systems. The felt that issue was more of a building code/plumbing code issue and not something the ZBA could make a determination on. The appeal was granted without special or additional conditions. The applicant must maintain the ordinance listed conditions that outline what an accessory unit is throughout the life time of its existence. If the applicant critically changes what was originally approved, the right for the accessory unit can be taken away.

As far as I am aware, the Building Code reviewer properly reviewed the plans and issued the permits (#09-0584 & 09-0664). Apparently, the septic systems and the electric meters were not an issue during the review.

Nothing has been hidden from the public record. All our files are open. I would have preferred that the author of this letter reveal his/her identity. I would have like to relate this information to them in person so they don't keep thinking that something improper was done.

Marge Schmuckel  
Zoning Administrator

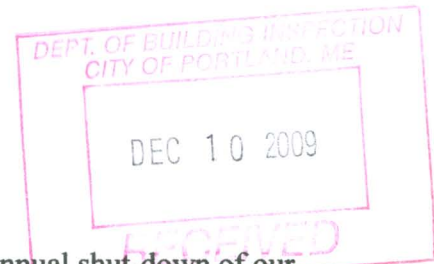
December 7, 2009

083A-E-7,8,10  
permits # 09-0664  
09-0584

In regards to: Current new construction on south end of Great Diamond Island

7/16/09 → ZBA Approved the ADU

Marge Schmuckal  
389 Congress Street  
Portland, Maine 04101



Dear Marge Schmuckal:

I went to Great Diamond Island yesterday to make sure the annual shut-down of our cottage was complete. I had some time to waste before the ferry arrived so I took a walk around the island. I stopped to look at the new construction taking place on Crescent Avenue. I recall that earlier in the summer there was some local discussion regarding a conditional use that would allow an ADU at this location. I also recall that several residents were concerned that a two-family home as opposed to an ADU was being built. Apparently the ZBA did not have any concerns as the proper building permit was issued.

I was surprised to see that it appears as if two separate and distinct underground power lines run from the street to this house. Why would you need two separate power lines for a single family home?

On my walk I ran into another resident that lives on the island year round. I mentioned my concern regarding the two power feeds. She replied that there were also some earlier concerns when this conditional use application first became public. In particular, she mentioned that the construction plans showed two separate and distinct waste disposal systems. Why would you need two separate waste disposal systems for a single family home?

On the surface it appears as if there is a hidden attempt to create a two-family home. If the separate utilities are installed, all one would have to do is board up the door between the two units. The result would be a two family unit and not an ADU as originally intended. Please give this project the same level of scrutiny that you would give to a project of this magnitude that was located on the mainland. Thank you for your consideration.

cc: Mr. Philip Saucier - Chairman of ZBA  
Mr. Gordon Smith - Secretary

No NAME or Address or telephone # to call