

RONALD G FITCH

loc rd
4/13/00

6A Diamond Cove

Great Diamond Island, Me 04109

207-766-5886

207-766-5693

March 29, 2000
Planning Board
City of Portland
389 Congress Street
Portland, Me 04104

083 F A 034

Dear Sirs:

Enclosed please find a petition addressed to the State of Maine DEP, regarding the Stowaways restaurant/bar located at Diamond Cove, Great Diamond Island. We bring it to your attention because as property owners at Diamond Cove we are concerned about this operation and believe it should also be of concern to your board.

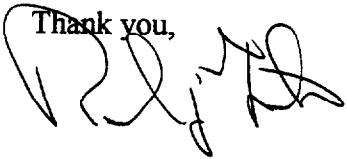
This business operates on a parcel of common property that is designated "open space recreational" in the Diamond Cove document package, Amended and Restated General Declaration of Covenants and Restrictions. Of additional concern is the fact that the structures in which Stowaways operates are located within the shoreline zoning restriction of 75 feet as mandated by the state. The third concern is that the wastewater treatment plant is licensed for only one 75 seat restaurant, this facility being the Diamond's Edge Restaurant. We question whether permits for these buildings and several others in the area were ever granted by your board, or any other agencies.

per Jonathan PRATT
licensed since 1992
renewed
Lester
1993

The homeowners who have signed this petition feel very strongly that this unauthorized operation must cease.

Enclosed please find a copy of the petition sent to the DEP, along with maps of the area showing current zoning. Also attached is the DEP license for the wastewater treatment plant.

We would appreciate your attention in this matter of great concern for so many of us who live at Diamond Cove.

Thank you,


keep Tom Forlier up to date on this

Planning Board
City of Portland
389 Congress Street
Portland, ME 04101

Dear Sirs:

We are homeowners at Diamond Cove on Great Diamond Island within the City of Portland. When the Diamond Cove development was approved, it included a maximum of 5 commercial lots, as set forth in (i) the recorded Declaration for Diamond Cove, (ii) various Planning Board and Department of Environmental Protection approvals for Phase I, as well as (iii) a private agreement among Diamond Cove Associates, Maine Audubon Society, Conservation Law Foundation, and the Island Institute dated March 2nd 1989, as amended. We understand that there have been some informal discussions with the Planning Board regarding the possibility of increasing the commercial lots by changing the zoning on Lot 44 from IR3-Residential to Commercial.

Any such proposed change to commercial use should be rejected. The Diamond Cove community was carefully planned, including the provision for a limited number of commercial properties consistent with the island and its residential character. Any rezoning or variances which expands the commercial properties is totally inconsistent with the overall plan of the community, as reflected in the original approvals and agreements of the Planning Board, the DEP and others, and takes away valuable aspects of the community intrinsic to the properties which each of the property owners bought. In addition, it raises serious environmental issues and concerns regarding the island ecosystem, as well as putting greater demands on the Diamond Cove infrastructure.

Furthermore, Lot 44 has been used for certain commercial functions, weddings, corporate gatherings and the like, over the last several years in violation of the City of Portland zoning regulations, which illegal use should be ended by enforcement of the current zoning regulations. (We would suggest that, out of courtesy, events already scheduled for this summer be permitted, but no future functions be booked for this summer, and that no continuation of this illegal use continue after this year).

There is no permitted basis for the granting of a zoning change or a variance -- no hardship, no general change in circumstances, no emergency or public policy considerations or otherwise. This is just a case of someone desiring to use a property zoned residential for commercial use in violation of zoning and taking away certain rights of enjoyment of the existing residential community. Such violation should not be permitted, and should not be further encouraged or rewarded by consideration of a change in zoning or a variance.

TENT SITE (LOT 44) PETITION SIGNATURE LIST

Signature	Printed Name	Property(s) Owned	Date
	Ronald G. Fitch	6A, 6B, Lot 5	02-03-2000
	MARTHA CLAPP	17A	2/3/00
	Robert Dunning	8A	2/3/00
	TERRY DUNNING	8A	
	Schafer Bean	7A	2-3-00
	R. Holly Fitch	7B	2/5/00
	W.A. ANDERSON	15C	2/5/00
	Karen Tibbets	15C	2/5/00
	Barbara A Young	15H + Lot 31	2/5/00
	JAMES W FAST	15H + LOT 31	2/5/00
	Robert A. Levine	16E + F	3/5/00
	Vilean Taggersell	16E + F	3/5/00
	John H. Mizersell, Jr.	UNIT 5B	3/25/00

RONALD G FITCH

.....
6A Diamond Cove

Great Diamond Island, Me 04109

207-766-5886

207-766-5693

March 30, 2000
State of Maine
Department of Environmental Protection
State House Station 17
Augusta, Me 04333

Dear Sirs:

Enclosed please find a petition addressed to the State of Maine DEP, regarding the operation of Stowaways restaurant and bar, located at Diamond Cove, Great Diamond Island. We bring it to your attention because, as property owners at Diamond Cove, we are concerned about this operation and believe it should also be of concern to your office

We feel there are two violations in the present operations of this establishment. The first is that two of the buildings from which Stowaways operates are located within the restricted 75 foot shoreline zone. The second concerns the wastewater treatment facility, for which your agency granted a license on December 12, 1986. It specifically approved the operation of only one restaurant, with a maximum seating capacity of 75 people. We assume that restaurant is Diamond's Edge.

There are now two non DEP approved dining and bar areas, the Stowaways beach bar and a tent site operation on residential lot #44, both of which cater large weddings and corporate functions. During the summer months there are at times multiple daily gatherings numbering attendees in the hundreds. Last year there were approximately 22,000 guests that came to Diamond Cove for these functions. .

We have enclosed a copy of the petition that was sent to the City of Portland Planning Board, regarding what we believe to be zoning violations. We are also including maps of the areas in question, as well as a copy of the departments' waste water discharge license #W006931-41-A-N.

Thank you for your concerns in these matters.

Sincerely,



Dear Diamond Cove Homeowners Association Board of Directors:

The undersigned are each homeowners at Diamond Cove. We are concerned about the failure of the Declarant and Association to enforce the provisions of the Amended and Restated General Declaration of Covenants and Restrictions for Diamond Cove with respect to "Stowaways".

Specifically,

1. The property on which Stowaways has been operated is Open Space and Recreation Area. Under Section 7.3.2 of the Declaration, all such spaces are to "remain as open space and shall not be subdivided or built upon or otherwise altered from their natural character,"

2. This restriction cannot be amended or released "without the consent of all lot owners in Phase II, Maine Audubon Society, Casco Bay Island Development Association and Island Institute and any attempted amendment or release thereof with such consent shall be void and of no effect." (Section 7.3.2)

3. We are concerned that the Declarant's and Association's failure to enforce these covenants creates potential risks and liabilities for the Association and its homeowner members.

Many homeowners would like an operation such as Stowaways to exist in the Cove, in particular to provide a family fare option for persons at the Cove. By signing this petition we are not limiting or restricting such a future operation, so long as it conforms to the provisions and requirements of the Declaration.

We ask that the Declarant and the Board of the Diamond Cove Homeowners Association promptly take action so as to properly enforce these provisions, including:

- Immediate notification to the operators of Stowaways that such operations violate the terms of the Declaration and will not be permitted to continue for the future, including the 2000 season.
- Cause the area to be returned to its "natural character" by removal of all the current structures which have been previously permitted in violation of the Declaration.

The undersigned urgently request that the Board take these actions and such other necessary actions regarding Stowaways to fulfill its responsibilities to enforce the Declaration and not permit the continued violation of its express provisions, which violation exposes the Association and the homeowner members to continuing risks and liabilities.

STOWAWAYS PETITION SIGNATURE LIST

Signature	Printed Name	Property[s] Owned
	Ronald G. Fitch	{ 6A 6B Lot 5 16E-16F Lot 2
Robert G. Levine and Vilean Taggersell	Robert A. Levine Vilean Taggersell	
Rachel Taylor	Rachel Taylor	21B
Karen Tibbets	Karen Tibbets	15C
W.A. Anderson	W.A. ANDERSON	15C
Nancy J. Cunningham	NANCY J. Cunningham	17BC LOT 10
	Paul Cunningham	17BC Lot 10
	S.B. Davis	9B
John Sheldon	JOHN SHELDON	8B
John O'Leary	JOHN O'LEARY	1A
John W. Harper	John W. Harper	Lot 3
Martha Clapp	MARTHA CLAPP	17A
Robert W. Dunning	Robert Dunning	8A
TERRY DUNNING	TERRY DUNNING	8A
R. Holly Fitch		7B
	BARBARA A. YOUNG	15H + Lot 31
	JAMES W. FAST	15H + Lot 31
	JOHN H. MISCHEL, JR	UNIT 5B

March 13, 2000

Scott McCampbell
C/o Lyme Timber Company
16 on the Common
P.O. Box 266
Lyme, New Hampshire 03768

Dear Scott,

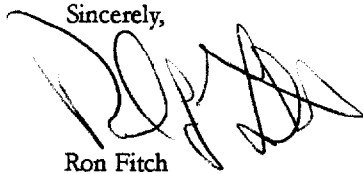
Please find attached a Petition presented to the Diamond Cove Homeowners Association Board of Directors by several concerned homeowners. As outlined this petition concerns the use of Stowaways.

At the time of inception this petition was only presented to homeowners living on the island during the winter in an effort to keep from further inflaming other issues. It was thought that there should be no further divisive issues between homeowners at this time.

I believe that the issues stated in the petition are clear and ask that you take action on this immediately. I would appreciate a written response to this petition. I would further remind you that there are several other related issues with the physical presence of Stowaways. Such issues concern the lack of City of Portland and DEP permits and that the buildings associated with Stowaways all lie within the 75-foot shore lands buffer zone. Additionally, it would appear that the DEP permits only allow for one, seventy-five seat restaurant/bar at Diamond Cove.

Thank you for your attention to this item.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Fitch', written over a light blue horizontal line.

Ron Fitch

GENERAL DELIVERY
6 A DIAMOND COVE

March 13, 2000

Scott McCampbell
C/o Lyme Timber Company
16 on the Common
P.O. Box 266
Lyme, New Hampshire 03768

Dear Scott,

Please find attached a letter directed to the Planning Board of the City of Portland. Out of courtesy to you, McKinley Partners, and those individuals involved in the commercial properties of Diamond Cove we are delaying sending this to the City until we receive a response from you.

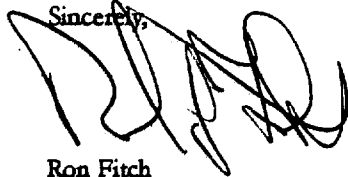
We would like to have some written assurance that an application for rezoning of Lot 44 will not be supported by McKinley Partners or any affiliates. Additionally, we would like some written assurance that Lot 44 will always remain strictly a house lot with no easements granted or implied that would support any commercial function such as has been present in the past years. Any sale of Lot 44 should include a statement prohibiting any commercial activities on that lot. In support of this request we would reference DEP permits surrounding commercial enterprise at Diamond Cove.

We ask that you respond in writing within ten days of receipt of this letter and attached copy of letter to the Planning Board. It is our sincere request that we are able to work together harmoniously to allow Diamond Cove to develop as designed, allowed and permitted according to existing documents, covenants and permits.

We believe that the issues stated in the letter to the Planning Board are clear and ask that you take action on this immediately.

Thank you for your attention to this item.

Sincerely,



Ron Fitch

McKINLEY PARTNERS LIMITED PARTNERSHIP

16 ON THE COMMON ♦ P.O. BOX 266
LYME, NEW HAMPSHIRE 03768
Tel. 603-795-2129 ♦ Fax. 603-795-4789

March 21, 2000

Ron Fitch
Diamond Cove 6A
Great Diamond Island, ME 04109

Dear Ron:

I am writing in response to your letter of March 13, 2000, regarding Lot 44, and your letter of same date regarding Stowaways. I share your hope that the Diamond Cove community continues to develop harmoniously, particularly as we move towards the transition to a self-sustained status for the homeowners. I am concerned, however, that some of the requests in your letters very severely threaten this harmony, since a temporary status quo for Lot 44 and Stowaways is what the homeowners have told us they desire.

As you may recall, last July the homeowners voted overwhelmingly to have both the Lot 44 functions and Stowaways continue for another season. The \$6,000 lease income from Stowaways and \$15,000 for the tent site is being paid to the Association for this season. Following the homeowner vote, we structured the recent sale of Diamond Cove's commercial properties to have the Stowaways and Lot 44 operations continue for this season and to give the homeowners another opportunity this July to determine whether one or both of these operations would continue beyond this year.

You are, of course, correct that some aspects of the existing operations at Stowaways and Lot 44 do not conform to present zoning and DEP guidelines. Based on votes of the homeowners this summer, we plan to address these issues prior to the transition, either through a change in operations, a change in the relevant zoning (with a corresponding amendment to the covenants and DEP order) or some combination. Ultimately, it is the homeowners who will decide the nature, location and scope of the enterprises currently conducted at Lot 44 and Stowaways. McKinley has not and will not do anything to compromise the ability of the homeowners to make these basic decisions.

Attached please find a copy of all relevant documents connected with the sale of the commercial properties. Our contract with Diamond's Edge, LLC includes both a lease of Lot 44 for the year 2000 and an option to purchase it at any time during the year. In connection with granting the option, we agreed to make "reasonable and appropriate" efforts to have the homeowners approve an amendment to the Declaration to allow Lot 44 to be used commercially and, if successful, to seek a zoning change. If the homeowners do not vote in favor of the change with a two-thirds majority this July, Lot 44 will be sold as a residential lot and we will not pursue any zoning change with respect to the Lot. In connection with both the lease for the coming year and the option, we have

given the homeowners the ability to deal with any noise problems. These provisions are, of course, in addition to the significant protections that appear in Sections 4.16, 4.17, 4.18, 4.19, and 4.20 of the Covenants. The relevant language that appears in the lease and will appear in the deed if the option is exercised is contained in Item 10. These same controls are also part of the deed to the restaurant, the Art Gallery and the Mule Barn. They are significant controls that took months to negotiate and we believe they are a real benefit to the community.

The Stowaways lease recently executed runs for a term of ten (10) years. The Association has the right to terminate it at any time during the year following the transfer of the common properties from McKinley to the Association. Additionally, the lease terminates following an order of the City or the DEP that operations cease. As you indicated, many of the homeowners like Stowaways and the lease will provide a source of revenue for the Association.

We have structured both of these deals in accordance with what we have been told the homeowners want and to give the homeowners maximum flexibility in the future. In the short term, we have contractual obligations to Diamond's Edge, LLC, John Howard and Peter McCullum that we will honor in full. These obligations preclude our consideration of the demands in your letters. We can, however, continue to work with you and other homeowners through this period of transition to ensure that the community continues to evolve in harmony with what drew so many of us to the island in the first place.

It is also important to note that the ferry schedule - particularly of the winter, spring and fall schedule - is very heavily subsidized by the restaurant function business. This year is the first year in Diamond Cove history that the Diamond Cove runs are breaking even. McKinley's subsidy has stopped and the schedule has been set for the year. Casco Bay Lines is willing to lose money on many winter runs and shoulder season runs because the losses are made up by the highly profitable runs dominated by the 20,000 summer restaurant patrons. The impact of any radical change in the restaurant business will throw the entire ferry schedule into a cocked hat. All the homeowners should be given the opportunity to study this issue also.

I hope that you will not send your proposed letter to the City Planning Board regarding Lot 44 - at least not until the end of this season. If and when a change in zoning is sought, you and every other homeowner will have an opportunity to be heard, even if two-thirds of the homeowners have approved the change. Of course, if more than two-thirds of the homeowners oppose the change, there will be no application to the City and no need for your letter.

You have reasonably suggested that the events already scheduled for this summer on Lot 44 be allowed to continue. You should be aware that Stowaways also has events scheduled, deposits taken and contracts signed for this summer. I ask you to refrain from taking any action that would interfere with allowing a full operation to go forward on Lot 44 and Stowaways this summer. There will be an opportunity to discuss these issues again this summer in an orderly fashion with all homeowners participating. The homeowner vote on issues will be scheduled for this July. To try to deal with them now at the request of a dozen homeowners in a manner contrary to the expressed wishes of the majority of homeowners would be a mistake. I believe that it is vital to the success of the transition and to preserve the emotional and financial investments homeowners have made

in Diamond Cove that these and other important issues be aired freely, with the participation of all homeowners. The coming year poses some significant challenges as the community becomes self-sustaining. I look forward to working with all homeowners to make this year and those that follow successful ones.

Very truly yours,



Stuart J. McCampbell

cc: Petitioners



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

BOARD ORDER
IN THE MATTER OF

DIAMOND COVE ASSOCIATES) FINDING OF FACT
Portland,) WASTE DISCHARGE LICENSE
Maine)

Pursuant to the provisions of Section 414-A, Title 38, Maine Revised Statutes, the Board of Environmental Protection considered the application of DIAMOND COVE ASSOCIATES dated December 19, 1985 with its supportive data, agency review comments, testimony before the Board at a Public Hearing concerning site location issues, and other related material on file. An order dealing with that Application was tabled by the Board on September 24, 1986 to allow the applicant to amend the application. The amendments were submitted on October 14, 1986. Upon review of this matter, the Board finds the following facts:

- 1) The applicant has requested a Waste Discharge License for the discharge of 40,000 gallons per day of treated sanitary wastewaters from:

- 134 condominium units
- 1 75 seat restaurant
- 6 retail shops
- 1 18 room bed and breakfast

The project involves rehabilitation of existing structures located on Great Diamond Island in Portland. The applicant has stated that a second phase project encompassing single family house lots may be applied for as outlined in license application dated December 19, 1985. There is currently no discharge from the property except stormwater runoff.

- 2) Wastewater flow estimations in the application are based on average design criteria of the Maine State Plumbing Code and estimates of infiltration into sewers. Peak wastewater discharge is expected in the summer and should average 40,000 gpd.
- 3) Soils on the site exhibit severe restrictions on development of subsurface disposal fields, including shallow to bedrock soils, hardpan and marine clay restrictive layers, high seasonal groundwater and proximity to drainageways and perennial waterbodies. These restrictions make development of individual leach fields to treat in excess of 500-1000 gpd each unfeasible.

Four areas within the IR 3 zone on the property have been identified as having potential to support small (300-1500 gpd) volumes of wastewater which in total would equal approximately 10% of the projected waste flow.

The applicant has also identified 40 areas of suitable soils for small (300 gpd) leach fields within the IR I zone, particularly on the western peninsula, which in total would accommodate approximately 30% of the projected waste flow.



STATE OF MAINE
Department of Environmental Protection



WASTE DISCHARGE LICENSE

LICENSE NUMBER: W006931-41-A-N
~~W006931-41-A-N~~

EFFECTIVE DATE: DECEMBER 10, 1986
EXPIRATION DATE: DECEMBER 10, 1991

LICENSEE: DIAMOND COVE ASSOCIATES

ADDRESS: P.O. Box 3572
Portland, Maine
04104

is hereby granted a Waste Discharge License from the Board of Environmental Protection pursuant to the provisions of Maine Revised Statutes, Title 38, Sections 414-414-A for the following discharge:

40,000 GALLONS PER DAY OF TREATED SANITARY WASTEWATERS

FROM: A CONDOMINIUM, RESIDENTIAL AND COMMERCIAL DEVELOPMENT

TO: TIDEWATERS OF PORTLAND, CLASS SB

subject to the attached conditions and all applicable standards and regula

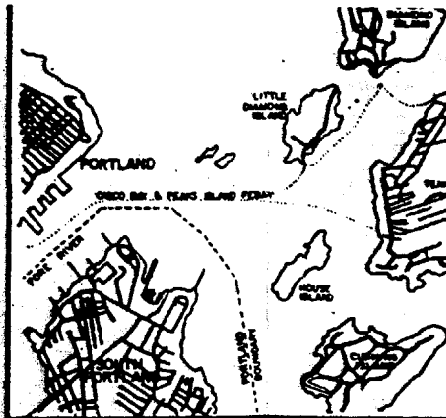
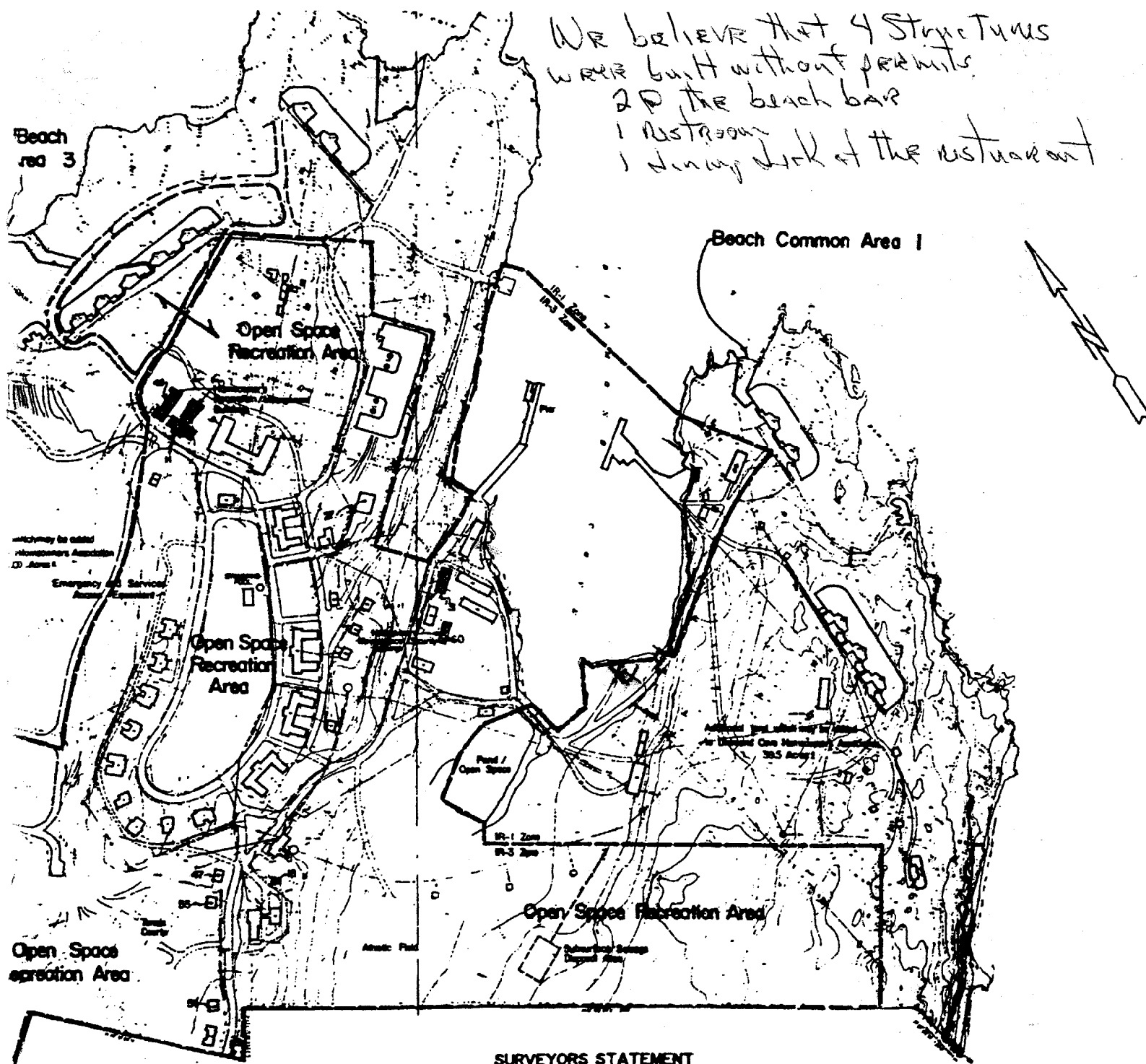
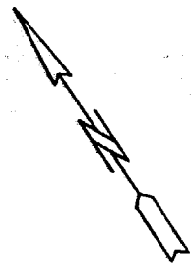
GIVEN UNDER OUR HAND AND SEAL THIS 10TH DAY OF DECEMBER, 1986.

BY: 
PETER J. WILEY, CHAIR
BOARD OF ENVIRONMENTAL PF

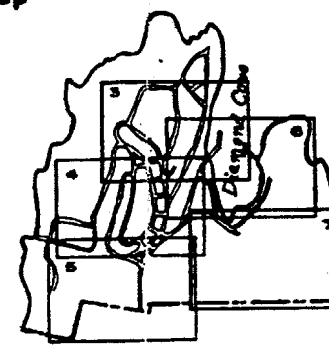
We believe that 4 Structures
 were built without permits
 2 @ the beach bar
 1 restaurant
 1 dining deck at the restaurant

Beach
 road 3

Beach Common Area 1



Key Map



Building / Lot Tabulation

RESIDENTIAL			
RESIDENTIAL	Building No.	Lot	Building No.
	1	1A-1F	20
	2	2A	21
	3	3A-3J	22
	4	4A	23
	5	5A-5B	24
	6	6A-6B	25
	7	7A-7B	26
	8	8A-8B	27
	9	9A-9J	30
	12	12A-12B	46
	13	13A-13H	47
			48
	15	15A-15H	54
	16	16A-16H	55
	17	17A-17H	56
	18	18	
	19	19A-19E	78
COMMERCIAL			
	29	Commercial Lot 29	
	32	Commercial Lot 32	
	34	Commercial Lot 34	
	69	Commercial Lot 69	
	70	Commercial Lot 70	

NOTE: Lot Count per Building may change subject to Architect's rights of Declaration reserved in the Declaration.

COMMON	
1	Recreation Management
31	Maintenance
43	Recreation
60	Maintenance/Security

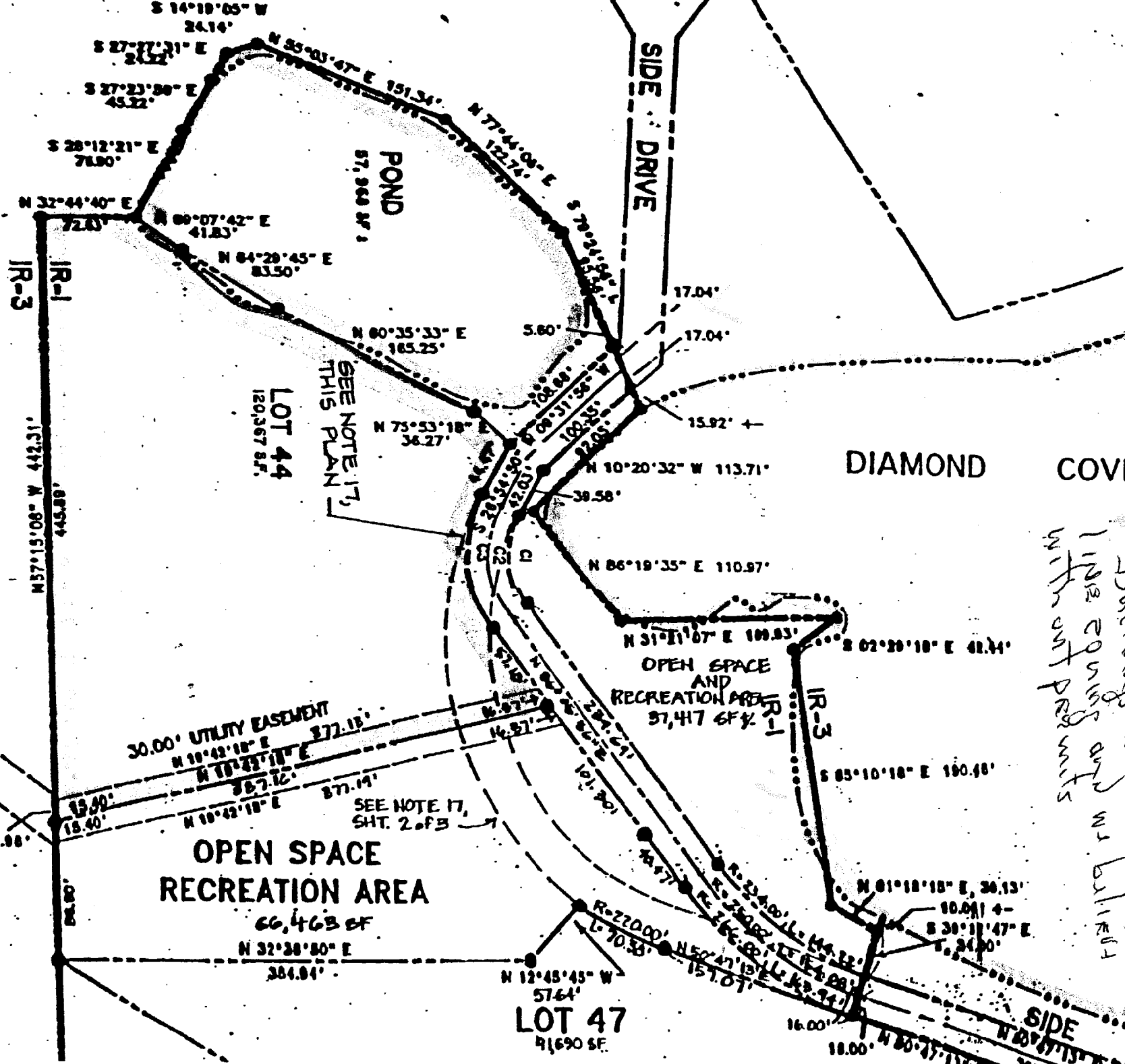
NOTE: Common Buildings are not Lots.

SURVEYORS STATEMENT

I HEREBY CERTIFY TO DICTAR ASSOCIATES, EXCLUSIVELY THAT THESE PLANS DEPICT THE RESULTS OF A FIELD SURVEY MADE BY ME AND IS CORRECT ACCORDING TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF AND THAT THIS SURVEY AND PLAN CONFORMS TO THE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARDS, CATEGORY I, CONDITION B SURVEYS, WITH EXCEPTION MONUMENTATION NOT SET TO DATE AND THERE IS NO CONFLICT WITH THIS SURVEY.



OPEN SPACE
RECREATION AREA



1351/2/2008 with the snow line consists of 1/2 mile out per units

30.00' UTILITY EASEMENT
N 70°32'31" E 386.18'
N 70°32'31" E 400.77'

30.00' UTILITY EASEMENT
N 10°42'18" E 377.15'
N 10°42'18" E 387.12'

OPEN SPACE
RECREATION AREA
66,463 SF

OPEN SPACE
AND
RECREATION AREA
57,417 SF

LOT 47
91,690 SF

DIAMOND COVE

SIDE DRIVE

SIDE DRIVE

LEGEND

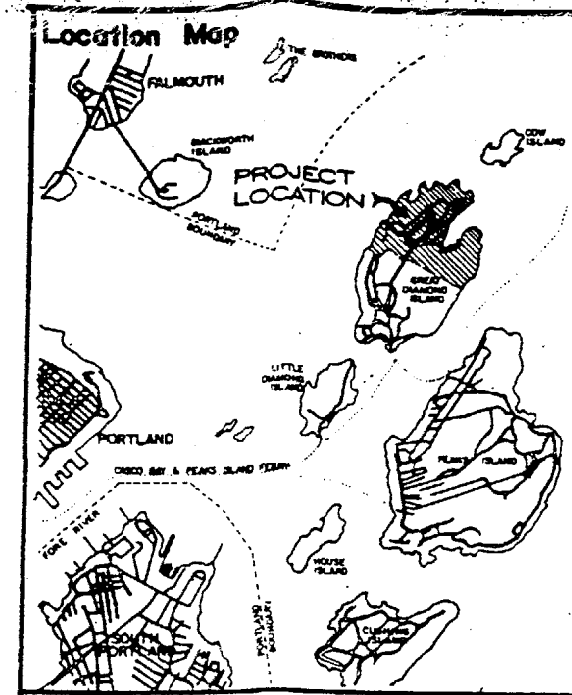
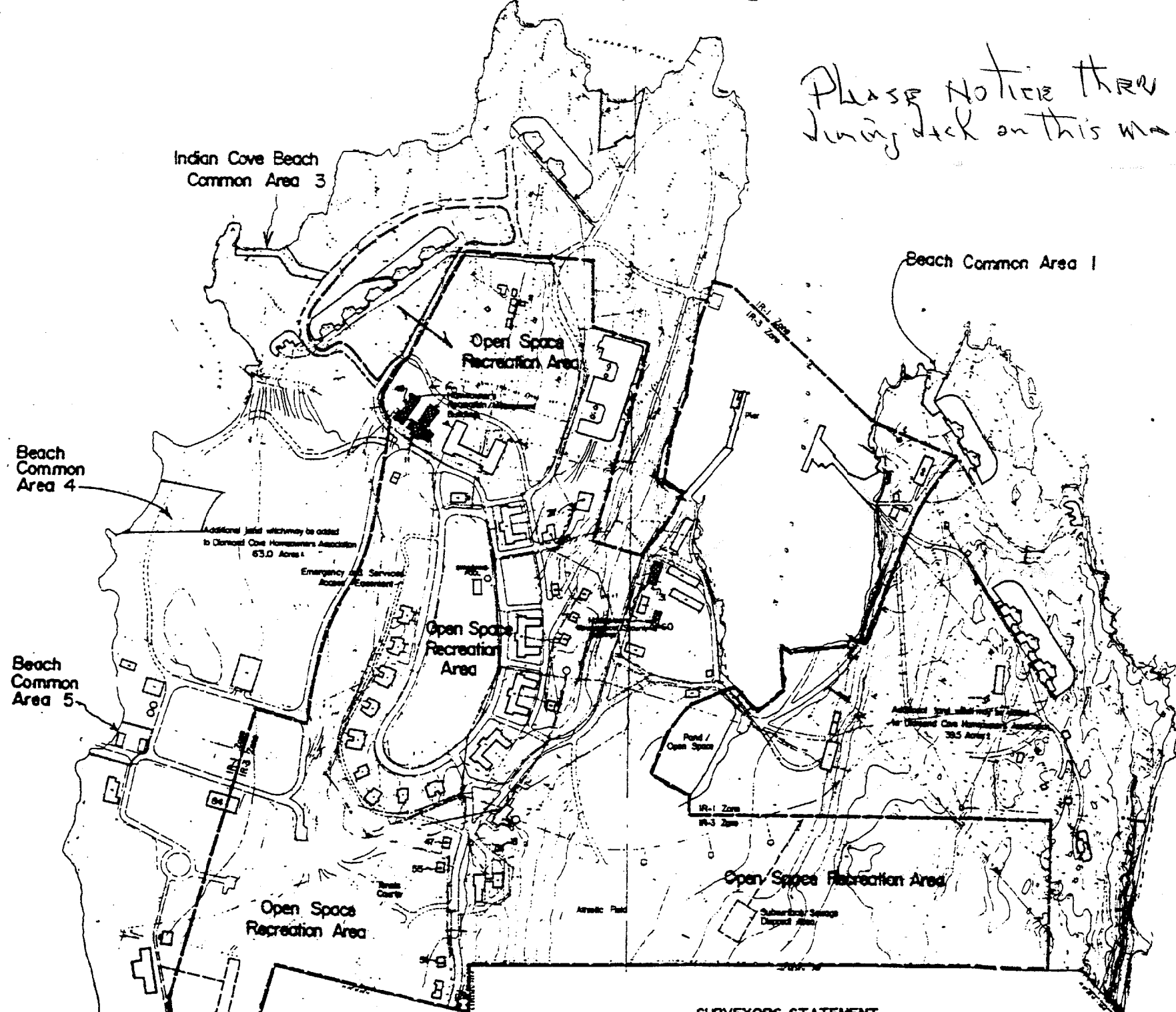
- 4" x 4" GRANITE MONUMENT TO BE SET
- 1/2" DIA. STEEL REBAR TO BE SET

SURVEYORS NOTES

1. LOCAL DEED REFERENCE - DIAMOND COVE ASSOCIATES, C.C.R.D. BOOK 6429, PG. 2777
2. PROPERTY IS LOCATED IN R-3 ZONE.
3. PLAN REFERENCE - "DIAMOND COVE, GREAT DIAMOND ISLAND, PORTLAND, MAINE, PHASE I DEVELOPMENT", BY LAND USE CONSULTANTS, DATED OCT 25, 1988, LAST REVISED AUG 22, 1989.
4. REFERENCE TO NORTH ARROW PER NOTE # 3, MAGNETIC SEPT, 1985.

**Pleasant Cove Beach
Common Area 2**

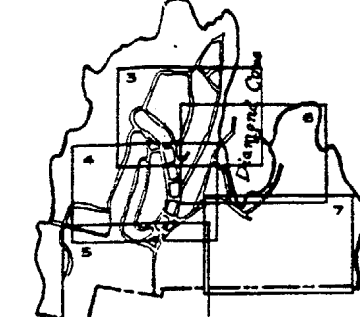
*Please Note there is no
Survey data on this map.*



General Notes

1. REFERENCE IS MADE TO A RECORDING PLAN OF DIAMOND COVE, GREAT DIAMOND ISLAND, PORTLAND, MAINE, RECORDED IN THE BARNESLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK NO. PAGE 54, FEBRUARY 4, 1987 AND ANY AMENDMENTS THERETO.
2. INITIAL AREA SUBJECT TO THE GENERAL DECLARATION OF COVENANTS AND RESTRICTIONS (THE "DECLARATION") INCLUDES THE AREA WITHIN THE R-3 ZONE BOUNDARY (EXCEPT THAT PORTION OF THE R-3 ZONE BELOW MEAN LOW WATER AND ALL PIER, WHARF, AND OTHER IMPROVEMENTS AND APPURTENANCES THEREOF LOCATED WITHIN DIAMOND COVE), THE BEACH COMMON AREAS AND CERTAIN UTILITY EASEMENTS AND ACCESS RIGHTS ACROSS REMAINING LAND OF DIAMOND COVE ASSOCIATES, ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION.
3. SHEET 1 OF THIS PLAN IS A GENERAL SCHEMATIC LAYOUT OF THE PROJECT AND THE BUILDINGS AND IMPROVEMENTS THEREON. REFERENCE IS MADE TO SHEET 2 FOR PARTICULAR DESCRIPTIONS OF THE BEACH COMMON AREAS AND TO SHEETS 3-6 FOR THE LOCATION OF INDIVIDUAL LOTS. INDIVIDUAL LOTS ARE INDICATED ONLY FOR RESIDENTIAL BUILDINGS 1, 1A-1L, 21 AND 23-25 AND COMMERCIAL BUILDINGS 29, 32, 34, 69 AND 70. ADDITIONAL PLANS WILL BE RECORDED AMENDING THIS PLAN TO PROVIDE FOR LOTS AT RESIDENTIAL BUILDINGS 1-9, 12, 19-27, 30, 44-48, 54-56 AND 78. THE DECLARANT MAY CREATE A MAXIMUM OF 54 RESIDENTIAL LOTS AND 5 COMMERCIAL LOTS WITHIN THE AREA INITIALLY SUBJECT TO THE DECLARATION. COMMON BUILDINGS 1, 31, 45 AND 60 ARE NOT LOTS.
4. DASHED LINES SHOWN WITHIN BUILDING OUTLINES ARE EXISTING PARTY WALLS AND ARE LOT BOUNDARIES AS PROVIDED IN SECTION 9.5 OF THE DECLARATION EXCEPT THAT NO PARTY WALLS EXIST ALONG THE DASHED LINES SEPARATING THE FRONT PORCH AREAS OF LOTS 130 AND 132, 150 AND 152, 160 AND 162 AND 170 AND 172. (SEE LEGEND).
5. DASHED LINES SHOWN OUTSIDE OF BUILDINGS INDICATE FRONT, SIDE AND REAR YARD BOUNDARIES AS PROVIDED IN SECTION 10.3 OF THE DECLARATION (SEE LEGEND).
6. REFERENCE IS MADE TO ARTICLES 98D OF THE DECLARATION FOR A MORE PARTICULAR DESCRIPTION OF LOT BOUNDARIES AND CERTAIN RESTRICTIVE ZONES AND AREAS APPURTENANT TO LOTS.

Key Map



Legend

- LOT BOUNDARY / EXTERIOR BUILDING WALL
- - - INTERNAL LOT BOUNDARY / PARTY WALL BETWEEN DWELLING
- - - FRONT, SIDE, AND REAR YARD BOUNDARIES
- ▨ PORTION OF FRONT PORCH PART OF LOTS 130 & 132, 150 & 152, 160 & 162 & 170 (THE PORTION OF BACK PORCH OF LOTS 130, 150, 160 AND 170, SUBJECT TO ACCESS EASEMENT IN FAVOR OF LOTS 130, 150, 160, AND 170).
- ▨ PATIO
- ▨ COURTYARD

Building / Lot Tabulation

RESIDENTIAL	Building No.	Lots	Building No.	Lots
1	1A-F	20	20A	
2	2A	21	21A-28	
3	3A-3J	22	22A	
4	4A	23	23A-25B	
5	5A-5B	24	24A-24B	
6	6A-6B	25	25A-25B	
7	7A-7B	26	26A	
8	8A-8B	27	27A-27B	
9	9A-9J	30	30A-30F	
12	12A-12B	46	46A-46B	
13	13A-13H	47	47A-47B	
		48	48A-48B	
15	15A-15H	54	54A-54B	
16	16A-16H	55	55A-55B	
17	17A-17H	56	56A-56F	
18	18			
19	19A-19E	78	78A	
COMMERCIAL	29	Commercial Lot 29		
	32	Commercial Lot 32		
	34	Commercial Lot 34		
	69	Commercial Lot 69		
	70	Commercial Lot 70		

NOTE: Lot Count per Building may change subject to Architectural Plans and rights of Declarant reserved in the Declaration.

COMMON	Building No.	Description
1	1	Recreation Management
31	31	Maintenance
45	45	Recreation
60	60	Maintenance/Security

NOTE: Common Buildings are not Lots.

SURVEYORS STATEMENT

I HEREBY CERTIFY TO DICTAR ASSOCIATES, EXCLUSIVELY, THAT THESE PLANS DEPICT THE RESULTS OF A FIELD SURVEY MADE 8/85 AND IS CORRECT ACCORDING TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF AND THAT THIS SURVEY AND PLAN CONFORMS TO THE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARD CATEGORY I CONDITION 8 SURVEYS, WITH EXCEPTION INCORPORATION NOT SET TO DATE AND THERE IS NO WRITTEN REPORT WITH THIS SURVEY.

John A. Roberts
JOHN A. ROBERTS
No. P.L.A. # 186
LAND USE CONSULTANTS
PORTLAND, MAINE



DATE: SEPT 27, 1989 JOB NO: 1420

DIAMOND COVE
Great Diamond Island
Portland, Maine

Plan of Diamond Cove

DIAMOND COVE ASSOCIATES
PO Box 3572
Portland, Maine

DATE: SEPT 27, 1989 JOB NO: 1420

ORINCEL *ORINCEL* FIELD BK: 142, 186

SCALE: 1" = 200' SHEET 1 OF 7

0 100 200 300
METERS

LUC LAND USE CONSULTANTS
11 Commercial Street, Portland, ME 04101
Tel: 781-211-1111