

GREAT DIAMOND
ISLAND SHORES
SOB.D. (1976) - DAVID
ELLIOT

Chris Hammonds
5 Blaine I - Palmyra P.I.S.

CITY OF PORTLAND, MAINE
PLANNING BOARD



June 17, 1976

KENNETH H. CADIGAN, CHAIRMAN
HARRY E. CUMBRINGS, VICE CHAIRMAN
JOHN H. CONWAY
THEODORE T. RAND
JEAN E. GILPATRICK
D. MASON PRATT, JR.
JAMES I. HOLZEN, SR.

Mr. David L. Elliott
Jocelyn Road
Scarborough, Maine 04074

Dear Mr. Elliott:

As you know, following considerable deliberation, at the Planning Board meeting on Tuesday evening, June 8, 1976, the Board voted unanimously to grant preliminary approval for Great Diamond Shores Subdivision, Phase I, subject to the following conditions:

1. That a statement of financial capacity be furnished in accordance with existing State law. (This statement has been received).
2. That adequate access be provided as indicated on the revised preliminary plat; and all streets be extended and improved according to public standards for acceptance by the City, and constructed with materials acceptable to the Public Works Department.
3. That natural drainageways and swales will be accommodated and wherever necessary culverts and drainageways will be provided.
4. That water lines will be extended to serve the subdivision, hydrants and street lighting will be provided as required.
5. That a name will be shown on the final plat for Great Diamond Shores, Phase I, for the new proposed street to be installed, providing improved access for Lots 13, 14 and 15, the Robert B. Laughlin lot and Phase II of the future residential development.
6. That a subdivision bond to cover the estimated cost of public improvements will be furnished by the sponsor of the development in accordance with the 'Public Works' estimate. (This estimate has been determined to be \$15,142).

It is understood that a waiver of curbs and sidewalks may be granted by the City Council upon receipt of a petition by the developer.

Receipt of the final plat will be required at least five days in advance of the meeting of the Planning Board at which it is to be considered. If possible, additional time should be allowed for coordination of the final plat among the several City departments.

Letter to Mr. David L. Elliott
June 16, 1976
Page 2

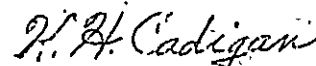
Would it be possible for your consultants to complete their work on the final plat prior to June 28th, in the event you wish to have it included on the July 13th agenda of the Planning Board? Or prior to August 3rd, if your consultants prefer to have the final plat scheduled for the meeting of the Planning Board on August 10th? During the summer months, the Board usually holds only one regular meeting per month.

Please furnish this office with a copy of your application to the Department of Environmental Protection, when such application is completed for submission.

Mr. David Haynes of Land Use Consultants, Inc., has advised that he will discuss your proposed time table for completion of the final plat with you and advise us as to which meeting you prefer for consideration of the final plat. As you know, the time element may be more critical or important to you than it is for the Planning Board.

However, if there is to be a deferral in order to allow for surveying work and other details to be completed, a letter over your signature should be sent to the Chairman of the Planning Board, or the Planning Director, indicating that this request for additional time is being made by the developer. I am certain that the Planning Board would agree to abide by such a request on the part of the developer, if he finds that the consultants' work load precludes giving immediate attention to the preparation of the final plat.

Sincerely,



Kenneth H. Cadigan
Chairman

cc: Members of the Planning Board
George A. Flaherty, Director of Public Works
William J. O'Brien, Jr., Corporation Counsel
Donald E. Megathlin, Jr., Planning Director
R. Lovell Brown, Director, Building and Inspection Services
Paul Frinsko, Attorney
David Haynes, Land Use Consultants, Inc.
Gerald A. Holtenhoff, Assistant Planning Director
Warren J. Turner, Planning Department

CITY OF PORTLAND, MAINE
PLANNING BOARD



KENNETH H. CADIGAN, CHAIRMAN
HARRY E. CUMMINGS, VICE CHAIRMAN
JOHN H. CONWAY
THEODORE T. RAND
JEAN E. GILPATRICK
S. MASON PRATT, JR.
JAMES I. HOLDEN, SR.

September 17, 1976

Mr. Richard B. Anderson
Maine Audubon Society
118 Old U.S. Route One
Falmouth, Maine 04105

Dear Mr. Anderson:

As you may know, the Planning Board of the City of Portland voted last evening by a vote of 4 to 3 to recommend approval to the City Council of the proposed zoning amendment from R-2 and R-3 Residence to RPZ - Resource Protection Zone in the vicinity of Hillcrest Avenue between Stroudwater Road and Capisic Street, as requested by the Maine Audubon Society and Mr. and Mrs. Carleton E. Lane, for 65.5 Acres of land.

This matter will be forwarded to the City Council for consideration in the near future, with a report by the Planning Board recommending its approval, you will be notified of the vote of the City Council meeting.

Sincerely,

K. H. Cadigan

Kenneth H. Cadigan
Chairman

cc: Mr. & Mrs. Carleton Lane
Mr. Thomas Jewell
Donald E. Megathlin, Planning Director
A. J. Wilson, City Manager

WILLIAM BOOTH
FOUNDER

CLARENCE WISEMAN
GENERAL



FOUNDED 1858

BRAMWELL TRIPP
TERRITORIAL COMMANDER

BRIGADIER HARTWELL B. FLEMING
DIVISIONAL COMMANDER

THE SALVATION ARMY (INCORPORATED)

NORTHERN NEW ENGLAND DIVISION

297 CUMBERLAND AVENUE
PORTLAND, MAINE 04111
TELEPHONE (207) 774-6304

MAILING ADDRESS
BOX 3647
PORTLAND, MAINE 04104

September 15, 1976

MR. WARREN J. TURNER, Zoning Specialist
City of Portland
389 Congress Street
Portland, Maine 04111

Dear Mr. Turner:

Thank you for your bulletin relative to the re-zoning and classification of properties between Stroudwater Road, Hillcrest Avenue and Capisic Street.

It is noted that the land to be realigned to become appropriate only for park, recreational and national resources. I have noticed this land, and, on behalf of our organization, would agree with the reasoning applied accordingly. There doesn't seem to be any valid reason for zoning this for residential use when the same is not functional, under such circumstances. Therefore, I would endorse a change of zoning provision for this particular area.

Very sincerely yours,

Brigadier H.B. Fleming
Divisional Commander

HBF/ra

APPENDIX B

List of Abutting Property-Owners
And Interested Parties

1. Robert E. Laughlin & G. Adaline
561 Ridgebury Road, Ridgefield, Conn.
2. Robert F. & Constance A. Noring, Great Diamond Island, Maine 04109
3. Earle D. and Jeannette G. Reed, 1183 Shore Road, Cape Elizabeth, Maine
4. Charles Crouch, Resetar Hotel, Box 71, Watsonville, Calif. 95076
5. Clarice E. Abbott, 17 Amerescoggin Rd., Falmouth, Maine 04105
6. Robert W. Laughlin, 15 Ocean View Ave., South Portland, Maine 04106
7. Betty L. Smith, 175A Pine St., Portland, Maine 04102
8. Wood O. Merrill, Devs., c/o Ferné Kimball, Great Diamond Island, Maine
9. Jeannette F. Rose, 62 Grant St., South Portland, Maine 04106
10. Great Diamond Island Association, Great Diamond Island, Maine
11. Maine Department of Transportation, Augusta, Maine 04330
12. Maine Port Authority, 40 Commercial St., Portland, 04111
13. Margaret M. Harris, Valley Avenue, Great Diamond Island, Maine
14. William M. and Barbara D. Jewell, Great Diamond Island, Maine
15. Eleanor W. Wichart, Great Diamond Island, Maine
16. Theodore Yonan & Edith, 21 Pine Knob Circle, Wapping, Conn. 06087
- ~~17. Florence R. Laroche, Devs. (Address located)~~
18. Casco Bay Lands Co., c/o King Resources Co., Box 9698, So. Denver Sta.
Denver, Colorado, 80209
19. David L. & Diane B. Elliott, Jocelyn Road, Scarborough, Maine
20. Mr. ~~David Hayes~~ ^{Stanley Goodnow}, Land Use Consultants, Inc., 1100 Forest Avenue
Portland, Maine 04103
21. Mr. Paul Frinsko, Attorney, One Monument Square, Portland, Maine 04111
22. Mr. Stanley Williamson, President, Casco Bay Island Development Association
Peaks Island, Maine 04108

James M. Hutchinson, 536 Linton St., Cincinnati, Ohio 45219

Elizabeth Picking, Warner, Falmouth, Maine 04105

Diamond Island Association, c/o Curtis Laughlin, 68 Prospect St. Portland 04103

Portland Water District, 225 Douglass Street, Portland, Maine 04102

Ernest L. Laughlin, 68 Prospect St., Portland, Maine 04103

Peter L. Murray, 38 Exchange St., Portland, Maine 04111

Mrs. John H. Chapman, Island Avenue, Peaks Island, Maine 04109

CITY OF PORTLAND, MAINE
PLANNING BOARD



KENNETH H. CADOGAN, CHAIRMAN
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THEODORE T. AND
JEAN E. GILPATRICK
B. MASON PRATT, JR.
JAMES I. HOLDEN, SR.

August 11, 1976

Mr. David L. Elliott
Jocelyn Road
Scarborough, Maine 04074

Dear Mr. Elliott:

As you know, the Planning Board at its meeting of August 10th voted by a vote of 6 yeas (with one member abstaining - Mr. Pratt) to grant final approval to the final plat for Great Diamond Shores, Phase I, as amended by Land Use Consultants, Inc. The final plat incorporates recommendations by the Planning Board and several City Departments, as follows:

1. Typical Street Section was added to the final plat per the request by Public Works Department;
2. Flood prone area in Lot #1 has been shown from official flood prone areas maps;
3. The following Lots #1 (major portion), #2 and #17 have been shown by a notation on the final plat as "Not Suitable for Dwelling Units";
4. Street right-of-way for Sunset Avenue Extension has been adjusted to ease curve in the street, per request by the Public Works Department; and
5. Regarding placement and description of monuments, an agreement has been reached between the Director of Public Works and Mr. Elliott whereby the City will install the monuments for those accepted portions of the streets and the developer will install all the monuments for those portions of streets for which he assumes responsibility.

The Board also voted to recommend to the City Council approval of your petition for a waiver of the requirement for curbs and sidewalks for Great Diamond Shores, Phase I, at such time as you may present such a petition to the City Council. Please inform the Planning Department when you wish to present this petition to the Council.

When the subdivision bond for \$15,142 is received in the Planning Department, your approved final plat will be delivered to you for registration at the

Letter to David L. Elliott
Page 2 August 11, 1976

Cumberland County Registry of Deeds. Prior to that action, however, the City requires that five copies of the approved final plat be provided for distribution among the several City Departments.

A copy of this letter plus staff report #78-76 is being submitted to the Department of Environmental Protection for their review under the Site Location Act.

Sincerely,

K. H. Cadigan

Kenneth H. Cadigan
Chairman

cc: Stanley Goodnow, Land Use Consultants, Inc.
Henry Warren, Department of Environmental Protection
George A. Flaherty, Director of Public Works
R. Lovell Brown, Director, Building Inspection & Services

August 11, 1976

Mr. David L. Elliott
Jocelyn Road
Scarborough, Maine 04074

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Letter to David L. Elliott
Page 2 August 11, 1976

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Sincerely,

Kenneth H. Cadigan
Chairman

cc: Stanley Goodnow, Land Use Consultants, Inc.
Henry Warren, Department of Environmental Protection
George A. Flaherty, Director of Public Works
R. Lovell Brown, Director, Building Inspection & Services

Y
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C

D R A F T

*OK
go - [Signature]*

August 11, 1976

Mr. David L. Elliott
Jocelyn Road
Scarborough, Maine

Dear Mr. Elliott:

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3. The following Lots #1 (major portion), #2 and #17 have been shown by a notation on the final plat as "Not Suitable for Dwelling Units";
4. Street right-of-way for Sunset Avenue Extension has been adjusted to ease curve in the street, per request by the Public Works Department; and
5. Regarding placement and description of monuments, an agreement has been reached between the Director of Public Works and Mr. Elliott whereby the City will install the monuments for those accepted portions of the streets and the developer will install the monuments for those portions of streets for which he assumes responsibility.

to the City Council

The Board also voted to recommend approval of your petition for a waiver of the requirement for curbs and sidewalks for Great Diamond Shores, Phase I, at such time as you may present such a petition to the City Council. *Please inform the Planning Department when you wish to present this item to the Council.*
When the subdivision bond for \$15,142 is received in the Planning Department, your approved final plat will be delivered to you for registration at the Cumberland County Registry of Deeds. Prior to that action, however, the City requires that five copies of the approval final plat be provided for distribution among the several City Departments.

Agency of this letter plus staff report # 76-76 is being submitted to DEP for their

Sincerely,

K. H. Cadigan, Chairman

CC: Director of Public Works
Director, Building Inspection
& Services

review under the Site Location Act.

*From Stanley Woodbury
Kendall Street
Dept. of Civil Eng.*

LIST OF RECOMMENDED CHANGES
TO THE FINAL PLAT FOR
GREAT DIAMOND SHORES, PHASE I

For Land Use Consultants, Inc.:

It is recommended that the following changes be incorporated into the final plat in order to have it ready for signature by the Planning Board on Tuesday evening:

1. Add Typical Street Section to the final plat, per request by Public Works.
2. Show Flood Prone area in Lot #1, from official flood prone areas maps.
3. On appropriate areas of the following Lots #1, 2, and 17 add the following label: "Not Suitable for Dwelling Units."
4. Adjust street right-of-way alignment for Sunset Avenue Ext. per attached memorandum from Public Works Department.
5. Location and Description of Monuments. In accordance with Sec. 603.6.4, paragraph f, of the Subdivision Ordinance, desired locations of street monuments should be shown on the final plat, as previously determined by Mr. David Haynes and Mr. John Chesebro, Chief Engineer, Public Works Department.

August 9, 1976

Warren J. Turner
Planning Department

INTER-OFFICE CORRESPONDENCE

CITY OF PORTLAND, MAINE

FIRE DEPARTMENT

To: Warren Turner, Planning

DATE: 8/5/76

FROM: Fire Chief Clement O. Dodd

SUBJECT: Review of Final Plat for Great Diamond Shores, Phase I - David Elliott,
Developer.

The final plat for the above named has been reviewed by the Fire Department, and
meets with its approval.

Clement O. Dodd

Clement O. Dodd
Chief of Fire Department

MURRAY, PLUMB & MURRAY
ATTORNEYS AT LAW
30 EXCHANGE STREET
PORTLAND, MAINE 04111

PETER L. MURRAY
E. STEPHEN MURRAY
PETER S. PLUMB

JOHN C. LIGHTBODY
PHILIP F. W. AIRENS, III

OF COUNSEL
RICHARD H. FIELD

RECEIVED
JUN 28 1976
PUBLIC WORKS TELEPHONE
(207) 773 8651

June 25, 1976

Mr. George A. Flaherty
Director of Public Works
City of Portland
389 Congress Street
Portland, ME. 04111

Re: Great Diamond Walkway Project.

Dear George:

I have received correspondence from you and from David Elliott concerning the location of the proposed walkway on Great Diamond Island. It is my understanding based upon that correspondence as well as upon a conversation with you that Mr. Elliott will not consent to any walkway at any location other than that described as "Location A" on the various maps that have been made on the project.

As I or my clients stated on our recent visitation to the Island, the proposed Location A is so far from the traditional route of the walkway and offered so little improvement of the present network of public roads that my clients do not believe that it would be worthwhile to establish a new walkway in that location. The use of city funds to construct such a walkway would not appear to be well justified.

Accordingly, we would suggest that the money set aside by the City for this project be employed in some other useful fashion on the Island. I am sure you are aware of the many needs for funds for public improvement on Great Diamond Island and that these monies will be well spent.

I am very sorry that this effort by all parties has come to this disappointing conclusion. For awhile, I was most hopeful that Mr. Elliott would agree to a location more

Mr. George A. Flaherty
June 25, 1976
Page 2

closely in line with the traditional route. At any rate, I would like to thank you for your cooperation and that of your staff.

With best wishes, I am

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter L. Murray".

Peter L. Murray

PLM:clf

cc: Paul Frinsko, Esquire



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AUGUSTA, MAINE 04330

RECEIVED JUL 26 1978

WILLIAM R. ADAMS, JR.
COMMISSIONER

TO: D.E.P. REVIEW AGENCIES

FROM: Portland
(Agency)

SUMMARY OF APPLICATION - PROJECT REQUIRING Site Location REVIEW.

Please return your comments, if any, to this office, in writing, or by telephone, no later than August 11, 1978. Otherwise, we will assume that you have no objections to this project.

PROJECT

APPLICANT

NUMBER: 86-2981-05170

NAME: David L Elliot

NAME: Great Diamond Shores (Phase I)

ADDRESS: Jacelyn Rd, RFD #2

LOCATION: Great Diamond Island (Portland)

Scarborough, Me. 04074

After a thorough review of the above project, as presented to us, and consideration of the project's effects on the environment and our programs and responsibilities, the following comments are submitted to the Department of Environmental Protection:

1. Aspects of the proposed project fall within the jurisdiction and/or interests of this agency: YES NO .
2. The proposed project is in accord with our programs and responsibilities: YES NO . (If "NO" please submit details on a separate sheet.)
3. It is our opinion that the proposed project does warrant a Public Hearing: YES NO .
4. In lieu of a Public Hearing, the following comments should be considered in the approval decision:

(Date)

Signed: _____
(For the Agency)

SITE LOCATION - PROJECT SUMMARY

APPLICANT: DAVID L. ELLIOTT

CITY/TOWN: PORTLAND

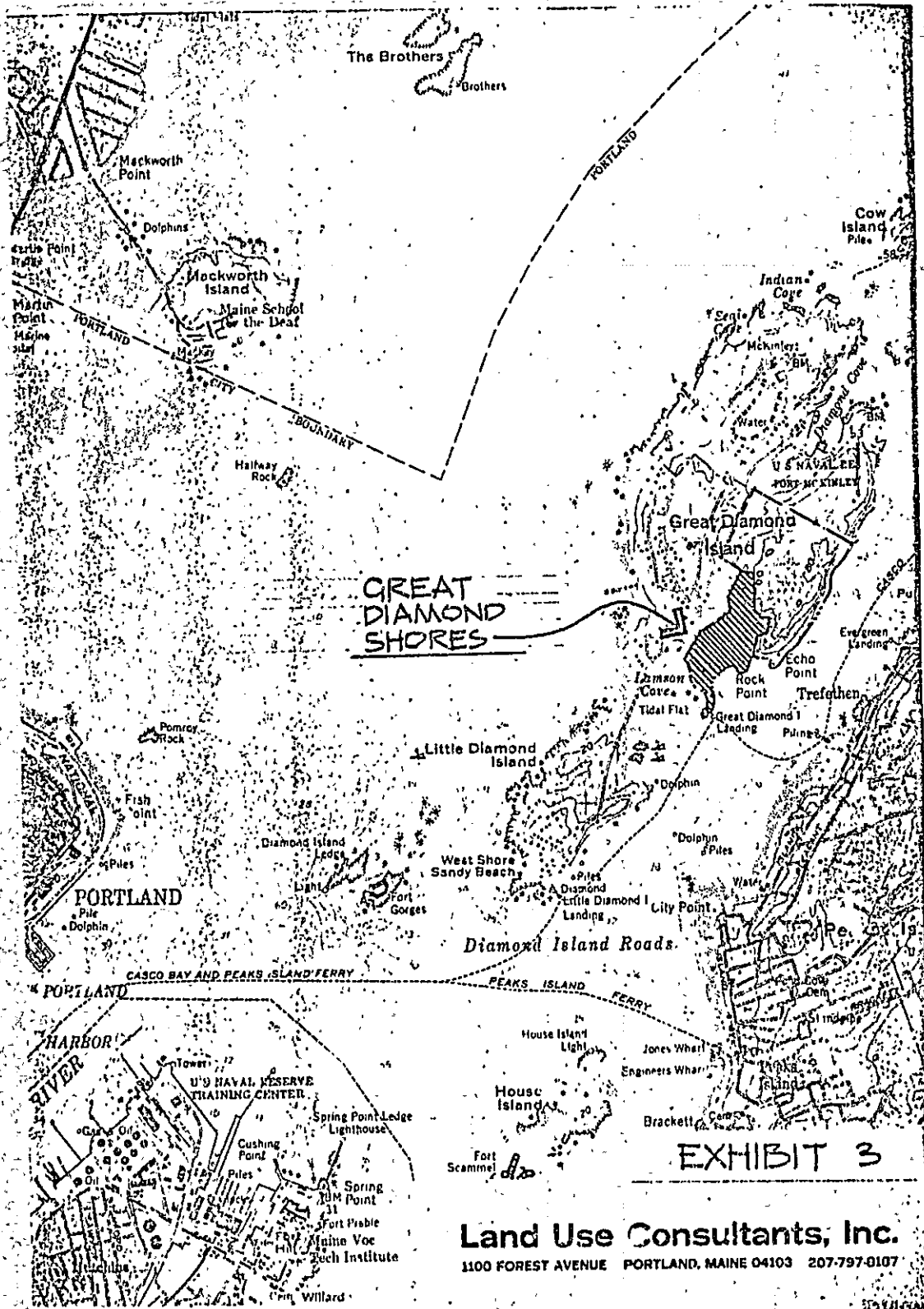
PROJECT NO.: 86-2981-05170

1. Nature of Project: Subdivision of a 24 acre parcel into 17 Lots ranging in size from 12,700 (Lot 2) to 269,900 sq. ft. (Lot 1). Lots 2-17 not suited for residential development.
2. Parcel Size: 24 Acres
3. Title, Right and Interest Established By: Copy of Deed
4. Financial Capacity: Established by Letter from Casco Bank & Trust Company.
5. Solid Waste: Estimated at 120 lb/day for subdivision will be hauled to Great Diamond Island solid waste disposal facility by City of Portland.
6. Water Supply: from off-site utility company. Letter from Portland Water District stating capability to supply for subdivision.
7. Traffic Movement: Public access from city streets with ROW of 40 ft. and travelled way 16 ft. gravel roadway. Interior roads will be the same and conform to standards of Portland Public Works Dept.
8. Adjacent Waterbodies: Surface w. eff flows to Casco Bay.

SITE LOCATION - PROJECT SUMMARY

(page 2)

9. Use of Land in Area: Residential (including seasonal), 80%
overgrown fields and some wooded.
- Titles/Limitations: From Soil Survey: Some Peat & Muck; Hollis VRFSL, E, VP;
Wild LS, B, VP; Hollis FSL, B, P; Scamtic SL, A, VP;
Wetley, GSL, B, VP.
10. Sewer Disposal Method: Lots 1, 3, 14 have existing systems. Lots 2-17
not to be developed. Lots 4-12, 15, 16 to have subsurface disposal
systems. Lot 13 to have overboard discharge system.
12. Erosion Control Plans: All disturbed area to be seeded & mulched.
Lime @ 100[#]/1000 sq. ft. Fertilized (10-10-10) @ 25[#]/1,000 sq. ft.
Grass seed (conservation mix #1) @ 35[#]/acre. Mulch @ 2 bales/1,000 sq. ft.
13. Landscape Plans: NA. On any ditching where erosion appears
imminent, bales of hay will be erected to
prevent such loss.
14. Deed Covenants: lots used only for single family residential purposes.
All buildings shall cost \$4,000. No abandoned vehicles or junk.
No commercial businesses. Erection of building and completion
of lot landscaping within 12 months.
15. Maintenance of Facilities: Police - Fire protection from Portland
Facilities. Developer will maintain roads until taken over by
City of Portland
16. Other: _____



Date: April 30, 1976

To: Land-Use Consultants
1100 Forest Ave.,
Portland, Maine 04101

From: Main-Land Development Consultants, Inc.
401 Water Street,
Ellsworth, Maine 04605

Re: David Elliot Sub-division
Great Diamond Island - Job #76346

Purpose(s) of Investigation: Determine soil suitability for
sub-surface sewage disposal.

Date of Investigation: April 22, 1976

Method(s) of Investigation: Backhoe test pits.

Method(s) of Ground Control: Plot Plan provided at site.

Findings and/or Recommendations:

Log of test pits follows, Test Pit Locations were
placed on the Plot Plan at the site.



LOG OF SOIL TEST PITS AND/OR BORINGS

LCT NO.	TEST PIT NO.	SOIL NAME	SLOPE	PIT	DEPTH, IN INCHES, OF:		
					SEASONAL HIGH WATER TABLE	IMPERVIOUS LAYER	BEDROCK
N/A	17	Elmwood	5%	53"	28"	36"*	--
"	18	Elmwood	6%	55"	20"	--*	--
"	19	Hinckley	6%	60"	41"	51"	--
"	20	Deerfield	5%	60"	27"	48"	--
"	21	Waumbek	6%	60"	32"	--	--
"	22	Elmwood	5%	60"	18"	38"*	--
"	23	Sutton	4%	60"	27"	--	--
"	24	Elmwood	4%	50"	25"	28"*	--
"	25	Elmwood	4%	50"	23"	27"*	--
"	26	Waumbek	5%	55"	26"	--	--
"	27	Hollis	6%	17"	--	--	17"
"	28	Sutton	8%	55"	32"	--	--
"	29	Elmwood	7%	45"	30"	31"*	45"
"	30	Sutton	5%	55"	26"	--	--
"	31	Hollis	5%	27"	--	--	27"
"	32	Hermon	3%	55"	41"	--	--



LOG OF SOIL TEST PITS AND/OR BORINGS

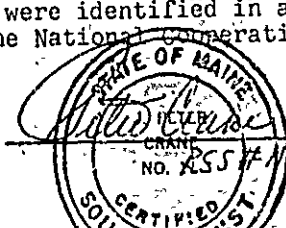
<u>LOT NO.</u>	<u>TEST PIT NO.</u>	<u>SOIL NAME</u>	<u>SLOPE</u>	<u>PIT</u>	<u>DEPTH, IN INCHES, OF:</u>		
					<u>SEASONAL HIGH WATER TABLE</u>	<u>IMPERVIOUS LAYER</u>	<u>BEDROCK</u>
	17	Elmwood		Clay Lenses	(Atypical)		
	18	Elmwood		Discontinuous Clay Lenses	(Atypical)		
	22	Elmwood		Compacted till	(Atypical)		
	24	Elmwood		Compacted till	(Atypical)		
	25	Elmwood		Compacted till	(Atypical)		
	29	Elmwoods		Compacted till	(Atypical)		



Conclusions:

All of the sites tested are suitable for sub-surface sewage disposal, subject to requirements by the Maine State Plumbing Code for the installation of sub-surface disposal system.

I certify that the soil types were identified in accordance with standards developed by the National Cooperative Soil Survey.



Date: March 6, 1976

To: Land Use Consultants, Inc.
1100 Forest Avenue,
Portland, Maine 04103

From: Main-Land Development Consultants, Inc.
401 Water Street,
Ellsworth, Maine 04605

Re: Proposed sub-division, Great Diamond Island,
Portland, Maine - Job #76346

Purpose(s) of Investigation: Site Suitability for development..

Date of Investigation: March 6, 1976

Method(s) of Investigation: Backhoe test pits.

Method(s) of Ground Control: Reference points located on
base map provided at site.

Findings and/or Recommendations:

1. Log of test pits follows.
2. Test pit locations placed on base map at the site.
3. Soils suitable for sewage disposal
 - Belgrade Silt Loam
 - Deerfield Loamy Sand
 - Elmwood Sandy Loam
 - Hinckley Loamy Sand
 - Sutton Fine Sandy Loam

LOG OF SOIL TEST PITS AND/OR BORINGS

KEY BOX	TEST PIT NO.	SOIL NAME	SLOPE	DEPTH, IN INCHES, OF:			
				PIT	SEASONAL HIGH WATER TABLE	IMPERVIOUS LAYER	BEDROCK
1		Hollis	5%	12"	--	--	12"
2		Deerfield	4%	55"	32"	42"(clay)	
3		Sutton	5%	60"	31"	--	--
4		Sutton	10%	60"	32"	--	--
5		Ridgebury	6%	60"	12"	24"	--
6		Ridgebury	4%	50"	12"	26"	--
7		Elmwood	4%	55"	15"	32"	--
8		Deerfield	4%	60"	15"	--	--
9		Elmwood	3%	50"	20"	20"(till)	--
10		Elmwood	3%	55"	29"	29"(till)	--
11		Belgrade	5%	55"	15"	26"	--
12		Elmwood	5%	57"	33"	35"(till)	--
13		Hinckley	3%	60"	41"	53"(clay)	--
14		Elmwood	3%	40-50"	21"	21"(clay)	40-50"
15		Deerfield	4%	55"	26"	27"(clay)	--
16		Hinckley	4%	66"	41"	41"(clay)	--

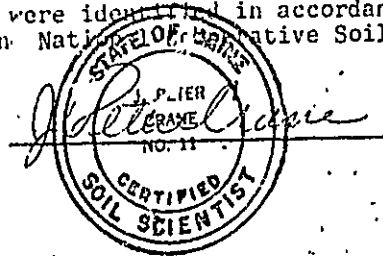
NOTE: All areas tested were located because of suitable conditions and probable building location. These lots may have better soil conditions in other locations, but building site choice would determine if a new area should be tested at a later date.

Conclusions:

Notes:

1. Test Pits 7 + 8, marginal soil conditions to support subsurface sewage disposal.
2. Test Pits 9, 10 + 12 are atypical Elmwood series, outwash over compacted till.
3. Test Pit 11, area marginal to fit system required with necessary fill placement.

I certify that the soil types were identified in accordance with standards developed by the National Cooperative Soil Survey.



Additional Info

LOG OF SOIL TEST PITS AND/OR BORINGS

LOT NO.	TEST PIT NO.	SOIL NAME	SLOPE	PIT	DEPTH, IN INCHES, OF:		
					SEASONAL HIGH WATER TABLE	IMPERVIOUS LAYER	BEDROCK
1		Existing home with sub-surface disposal facilities.					
2		Unbuildable					
3		Existing home with sub-surface disposal facilities.					
4	16	Hinckley	4%	60"	41"	41"	---
4	17	Elmwood	5%	53"	28"	36"	---
5	12	Elmwood	5%	57"	33"	35"	---
5	18	Elmwood	6%	55"	20"	---	---
6	19	Hinckley	5%	55"	41"	51"	---
6	20	Deerfield	5%	60"	27"	48"	---
7	8	Deerfield	4%	60"	15"	---	---
7	15	Deerfield	4%	55"	26"	47"	---
8	25	Elmwood	4%	55"	23"	27"	---
9	14	Elmwood	3%	40-30"	21"	21"	40-50"
9	24	Elmwood	4%	55"	25"	28"	---
10	11	Belgrade	5%	55"	15"	26"	---
10	13	Hinckley	3%	60"	41"	53"	---
11	9	Elmwood	3%	50"	20"	20"	---
11	10	Elmwood	3%	55"	29"	29"	---
12	21	Waumbek	6%	60"	18"	---	---
12	22	Elmwood	5%	60"	27"	38"	---
12	23	Sutton	4%	60"	25"	---	---
13	5	Ridgebury	6%	60"	12"	24"	---
13	6	Ridgebury	4%	60"	12"	26"	---
13	7	Swanton	4%	55"	13"	32"	---
14		Existing house; unsuitable soils, sand filter recommended.					
15	3	Sutton	5%	60"	31"	---	---
15	4	Sutton	9%	60"	32"	---	---
16	2	Deerfield	4%	60"	32"	---	---
17		Unbuildable					



RECOMMENDATIONS FOR SEPTIC SEWAGE DISPOSAL

LOT NO.	IN AREA OF TEST PIT NO.	SOIL TYPE	SYSTEM(s) ¹ ALLOWED	SIZE RATING	RECOMMENDED ² SYSTEM/DIMENSIONS	AMOUNT OF FILL REQUIRED	
						Upper Edge	Lower Edge
1	Existing facilities						
2	Unbuildable						
3	Existing facilities						
4	16	Hinckley	B,T,C	V.S.	Bed 14'X22'	7"	17"
5	12	Elmwood	B,T,C	M.L.	Bed 20'X50'	15"	23"
6	19	Hinckley	B,T,C	V.S.	Bed 14'X22'	7"	17"
7	15	Deerfield	B,T,C	S	Bed 20'X20'	22"	32"
8	25	Elmwood	B,T,C	M.L.	Bed 20'X50'	25"	35"
9	14	Elmwood	B,T,C	M.L.	Bed 20'X50'	27"	33"
10	13	Hinckley	B,T,C	V.S.	Bed 14'X22'	7"	13"
11	10	Elmwood	B,T,C	M.L.	Bed 20'X50'	18"	24"
12	21	Waumbek	B,T,C	M	Bed 20'X40'	30"	44"
13	Unsuitable soils; sand filter recommended.						
14	Existing house; unsuitable soils, sand filter recommended.						
15	3	Sutton	B,T,C	M	Bed 20'X50'	17"	29"
16	2	Deerfield	B,T,C	S	Bed 20'X20'	16"	26"
17	Unbuildable.						

1 B - Bed
 T - Trench
 C - Chambers
 S - Special
 M - Mound
 N - Non-Discharge

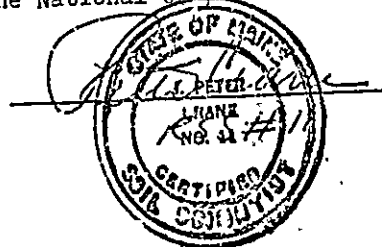
2 Systems recommended are in accordance with
 Maine State Plumbing Code, Part II.



Conclusions:

The lots as indicated by this report will support sub-surface sewage disposal in accordance with the standards and requirements of the Maine State Plumbing Code. Test Pits #9, 10, 12, 22, 24, & 25 described as Elmwood are atypical in that they consist of coarse loams, sands and gravels over compacted fine glacial till. These soils would fall into category 7C of table 9.1 of the Plumbing Code.

I certify that the soil types were identified in accordance with standards developed by the National Cooperative Soil Survey.



Land Use Consultants, Inc.

1100 FOREST AVENUE PORTLAND, MAINE 04103 207 797 8187

May 14, 1976

76346E

Drainage and Erosion Plan

for

Great Diamond Shores
Great Diamond Island
Portland Maine

In preparing a drainage and erosion plan for the proposed subdivision, the objective was to preserve the natural and rural character of the site. The plan responds to the following site characteristics.

1. Generally the soils on the site are fine sandy loams underlain by clay or bedrock. The soil type is significant because it will not permit appreciable vertical movement of water. Therefore considerable lateral movement occurs in and on these soils. They are also somewhat erodible.
2. The slopes on the site vary greatly. The general topography, however, can be described as rolling.
3. There are several defined drainages on the site which convey surface and ground waters off the site and into Casco Bay.
4. Approximately half the site is wooded. The remaining half has a good, well established hay and grass cover.
5. There is no noticeable erosion occurring on the site at this time.

In recognition of the existing site characteristics, the following measures will be incorporated in construction activities to assure control of soil erosion and to provide positive drainage consistent with the natural character of the site.

Drainage

- a. Drainage ditches will be constructed next to all roads (see attached road cross section).
- b. Culverts will be necessary to channel water collected in the

EXHIBIT 7

Land Use Consultants, Inc.

Drainage and Erosion Plan
Great Diamond Island
Page two

ditches under the roads in certain areas. Location of culverts can be seen on attached plan.

- c. Collected water will be discharged into existing intermittent drainages, natural swales, and existing road ditches on accepted City streets.

Soil Erosion

- d. Construction will be scheduled such that all disturbed areas will be left in a non-erosive condition:

- 1. construction completed at finished grade, or
- 2. erosive areas mulched, or
- 3. non-erosive areas left as is.

- e. All disturbed areas will be seeded and mulched.

- f. Where required, seed & fertilizer will be directly applied to the native soil at the following rates:

Lime	1.0#/1,000 s.f.
Fertilizer	(10-10-10) - 25#/1,000 s.f.
Grass	Conservation Mix #1 - 35#/acre

- g. All seeded surfaces will be mulched with 2 bales of hay per 1,000 s.f.

- h. On any ditching where soil loss appears to be imminent, bales of hay will be erected to prevent such loss.

It is the intent of the Developer to generally comply with the recommendations of the Environmental Quality Handbook for Maine, Erosion and Sediment Control, as prepared by the Maine Soil and Water Conservation Commission.

Stephen E. Fournier
Stephen E. Fournier, P.E. 3260

CITY OF PORTLAND, MAINE
MEMORANDUM

W.T.
Thanks for
info

TO: George A. Flaherty, Director of Public Works
FROM: Warren J. Turner, Planning Department
SUBJECT: Great Diamond Shores, Phase I Subdivision

DATE: August 23, 1976

We have no correspondence to substantiate the statement which you have questioned with regard to placement of monuments within the subdivision plat for Great Diamond Shores, Phase I, which has been recently approved by the Planning Board.

The statement was based on a telephone conversation with Mr. David L. Elliott which took place shortly after the meeting with your Department concerning the agreement reached regarding the placement of monuments. According to my recollection, Mr. Elliott was advised that he would assume responsibility for the location of monuments in those portions of the street rights-of-way for which he is to be responsible for construction, and the City will be responsible for those areas within the rights-of-way which are accepted by the City. There was no mention, to my knowledge, as to when such work would be undertaken by the City, other than that the City would assume such responsibility.

I have contacted John Rague of your Department and he says he believes that this was in essence the agreement which was reached by the meeting with Mr. David L. Elliott, the developer of this residential subdivision. However, I was not a party to that discussion.

It is my understanding that the question of location of monuments was raised by Mr. John Rague in his memorandum to me dated August 6, 1976. (See copy attached).

No subdivision bond has yet been received for this development, but a bond in the amount of \$15,142 has been requested. As soon as the bond has been received, copies of the approved final plat will be distributed among the several departments.

Warren J. Turner

enclosure.
1. memo

CITY OF PORTLAND, MAINE
MEMORANDUM

RECEIVED AUG 23 1976

TO: Donald E. Megathlin, Planning Director
FROM: George A. Flaherty, Director of Public Works
SUBJECT: Great Diamond Shores -- Phase I

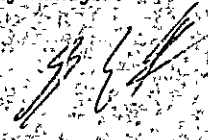
DATE: 8/18/76

This is to acknowledge receipt of a copy of a letter addressed to David L. Elliott dated August 11, 1976. I note that Item 5 makes the notation that placement of markers on the accepted portions of the streets will be done by the Public Works Department.

Would you please forward to me a copy of any correspondence which makes that statement.

To the best of my knowledge, the Public Works Director made no such statement to Mr. Elliott. The only statements made to Mr. Elliott concerned the location of monuments in the development area.

For your information, I am attaching a copy of the minutes of the meeting held with Mr. Elliott and his attorney, Mr. Finsko, and the City Manager.



GAF/nc
Enclosure
cc: John Chesebro (w/attachments)

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Great Diamond Island Shore Subdivision
FROM: George A. Flaherty, Director of Public Works
SUBJECT: Review of Subdivision

DATE: 8/18/76

Present at a meeting held in the Director's office on August 9, 1976 were Paul Frinsko, David Elliott, John Chesebro, John Rague, and George Flaherty. The developer had three particular questions:

- (1) Monumentation
- (2) Alignment of Sunset Avenue
- (3) Gravel

MONUMENTATION

Mr. Elliott questioned where, in the ordinance, is the provision set forth for monumentation. It was noted that in Section 603.6.4, paragraph "F" in the subdivision ordinance, state monuments shall be as specified by the Department of Public Works. The type of monuments that the City specifies would be a granite type monument three feet in length.

After much discussion it was decided that monumentation would take place in ten areas. The only deviation from this is that in areas of ledge the developer may drill and pin as opposed to setting granite monuments. Also, the decision was made that monuments would be placed on the street's right-of-way line.

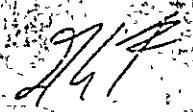
SUNSET AVENUE REALIGNMENT

Review of the proposed realignment, which the developer was proposing, calls for a right angle turn in the road. After some review it was decided that the developer would revise his plan to realign the proposed street in order that a smooth alignment would be realized.

GRAVEL

The Public Works Department stated that they would review the gravel analysis from the island source in order to ascertain whether or not the gravel on the island would be suitable for base material. It was further stated that the gravel on the island would not be adequate for the road surface course.

GAF/pl
cc: John Chesebro
John Rague



CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren J. Turner, Planning Department
FROM: John P. Rague, Department of Public Works
SUBJECT: Review of Final Plat for Ct. Diamond Shores Subdivision

DATE: 8-6-76

This Department has reviewed the subject final subdivision plat and find it acceptable with the minor changes proposed below:

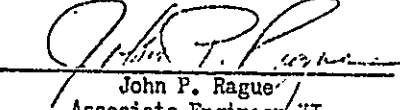
1. R.O.W. Alignment of the Proposed Sunset Avenue Extension:

The proposed alignment of Sunset Avenue Extension appears to be quite prohibitive to proper vehicular turning movements. This Department would recommend that such proposed alignment be changed as shown on the attached sketch.

2. Location and Description of Monuments:

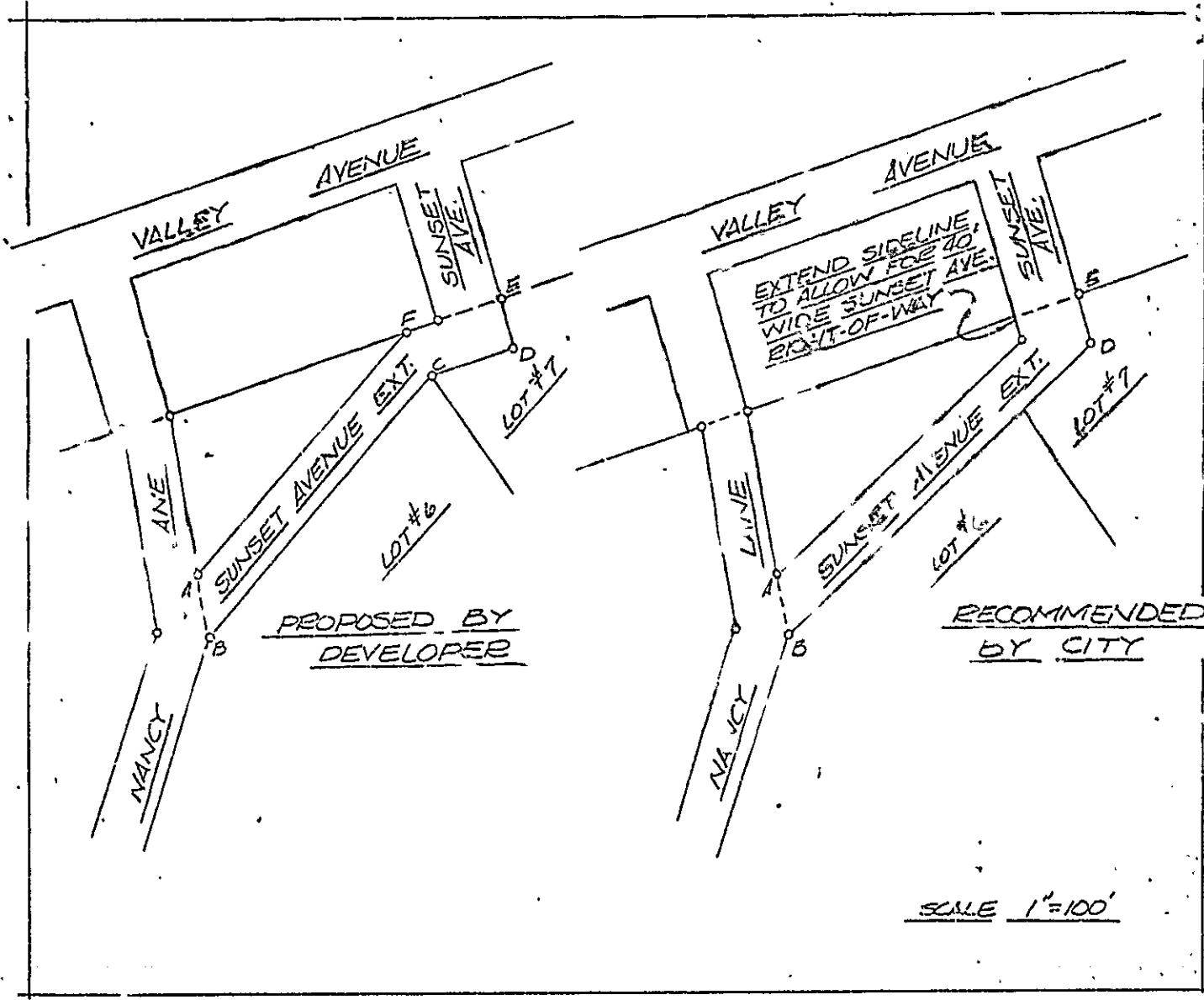
In accordance with Section 603.6.4, paragraph (f) of the Municipal Code, final subdivision plats are required to show the location and description of all street monuments. In the case of this subdivision, the desired locations of street monuments were previously determined at a meeting between Mr. David Haynes of Land Use Consultants, Inc. and Mr. John Chesbro, Chief Engineer of the City of Portland. This Department would expect that such determinations be adhered to by the developer and be so indicated on the final plat.

All other aspects of this final subdivision plat appear to be acceptable to this Department at this time.


John P. Rague
Associate Engineer III

Attachment

JPR/jpr



PROPOSED BY
DEVELOPER

RECOMMENDED
BY CITY

SCALE 1"=100'

EXTEND SIDELINE,
TO ALLOW FOR 40'
WIDE SUNSET AVE.
RIGHT-OF-WAY

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren J. Turner, Planning Department

FROM: John P. Rague, Department of Public Works

SUBJECT: Review of Final Plat for Gt. Diamond Shores Subdivision

DATE: 8-6-76

This Department has reviewed the subject final subdivision plat and find it acceptable with the minor changes proposed below:


1. R.O.W. Alignment of the Proposed Sunset Avenue Extension:

The proposed alignment of Sunset Avenue Extension appears to be quite prohibitive to proper vehicular turning movements. This Department would recommend that such proposed alignment be changed as shown on the attached sketch.

2. Location and Description of Monuments:

In accordance with Section 603.6.4, paragraph (f) of the Municipal Code, final subdivision plats are required to show the location and description of all street monuments. In the case of this subdivision, the desired locations of street monuments were previously determined at a meeting between Mr. David Haynes of Land Use Consultants, Inc. and Mr. John Chesebro, Chief Engineer of the City of Portland. This Department would expect that such determinations be adhered to by the developer and be so indicated on the final plat.

All other aspects of this final subdivision plat appear to be acceptable to this Department at this time.


John P. Rague
Associate Engineer II

Attachment

JPR/jpr

RECEIVED JUL 27 1975

RECEIVED JUL 27 1976

July 22, 1976

Mr. David Elliott
Jocelyn Road
Prouts Neck, ME

Dear Mr. Elliott:

Sometime ago, you requested that the Public Works Department take samples of gravel located on Great Diamond Island to determine if it is acceptable for road construction purposes.

It is my understanding that the area you refer to was an area on the Island the Public Works Department utilized at one time some years ago.

A sample of material was taken in the location which you pointed out. The engineer's analysis of this material shows that the material does not meet City standards, therefore, your request to utilize this material as road gravel is hereby denied.

A copy of our analysis is attached for your information and reference.

Sincerely yours,

G. A. Fisher
George A. Fishery
Director of Public Works

GAF/nc
Enclosure
cc: Donald E. Mogathlin
Land Use Consultants, Inc.

SIEVE ANALYSIS

Agg. Subbase Course Gravel
DEPARTMENT OF PUBLIC WORKS
CITY OF PORTLAND

Sample from ^{Great} DIAMOND Island

SIEVE		SIEVE + WEIGHT RETAINED	WEIGHT RETAINED	WEIGHT PASSING	% FINER BY WEIGHT	REQUIREMENTS
NO.	WEIGHT					REMARKS
1/4	530	744	214	799	79	25-70%
4	528	555	27	772	76	
10	612	689	77	695	69	
40	546	797	251	444	44	5-30%
200	410	768	358	86	8 ^{Not washed}	0-7%
pin	365	451	86	0	0	

TOTAL RETAINED 1013
 INITIAL WEIGHT 1003
 % LOSS 1%

have $\frac{1479}{476}$
1003

George: I would not recommend this for use as roadway gravel

*Skip
7/15/76*

JOB: Great Diamond Subdivision
 DATE: 7/15/76
 BY: R.E.W.

Planning Report #53-76

PLANNING DEPARTMENT REPORT

REVIEW OF PRELIMINARY PLAT FOR GREAT DIAMOND
SHORES, PHASE I - DAVID L. & DIANE B. ELLIOTT, OWNERS

Submitted to:

City Planning Board
Portland, Maine

June 8, 1976

BACKGROUND

A preliminary plat for 17 lots (including 2 lots with existing structures and 2 lots which are not suited for residential development) has been submitted for review by the Planning Board. This proposed subdivision encompasses 24 acres of land owned by David L. and Diane B. Elliott of Scarborough. This Phase I includes 13 new residential home sites for single family construction, as prepared by Land Use Consultants, Inc. Approval of this plat by the Department of Environmental Protection will be required due to the fact it contains more than 20 acres.

FINDINGS OF FACT

This revised preliminary plat has been prepared by Land Use Consultants of Portland and by Public Works and the Planning Department. The lots are generally large and range from 3/4 of an acre to about 6 acres in size. Phase II of the development will encompass more than 80 acres of adjacent land which borders on the King Resources Company tract (formerly Fort McKinley). The total assessed value of this entire Elliott property is \$116,390. It is carried by the Assessors' Office as Chart 83B Block L Lot 1; Chart 83C Block A Lot 1; and Chart 83D Block A Lot 1, having a total area of 105.8 acres.

1. Possible Pedestrian Easement

A proposed Federally funded Community Development project for the installation of a pedestrian walkway across Lot #1 of the Great Diamond Shores development via an easement to be held by the City was the direct outcome of the citizen participation process and the ensuing action taken by the City Council at its workshop meeting of June 30, 1975. Mr. Brewster of Public Works has been studying the feasibility of such a facility.

Mr. Vaileau has advised that there has been no agreement reached with regard to Alternate Routes A, B, and C; and this matter will therefore be referred back to the City Council for reconsideration as soon as possible.

2. Redesign of Proposed Street Pattern

The revised preliminary plat shows a new street to be installed below the Robert B. Laughlin lot and it will provide frontage for the Laughlin lot and improved access for Lots 13, 14 and 15. This proposed street would ultimately provide access to the acreage which may eventually be developed as Phase II of this residential development, also owned by Mr. and Mrs. Elliott. (A name should be included in the final plat for this new street).

3. Subdivision Bond

The amount of the subdivision bond will be determined by Public Works to cover the estimated costs for public improvements in Great Diamond Shores Subdivision, Phase I.

4. Water Service

Year round water service can be extended to serve this new development according to a statement by Donald E. Wyman, Director of Marketing and Customer Relations, Portland Water District. Mr. Elliott has indicated his willingness to extend this water service.

5. Installation of Additional Hydrants

Two new hydrants will be installed and such locations have been indicated on the revised preliminary plat. These two hydrant locations are acceptable to the Chief of the Fire Department.

6. Street Lighting

Existing overhead wiring can easily be extended, thereby facilitating the use of poles for street lighting along the streets. The revised preliminary plat shows proposed pole locations for street lighting, which have been approved by Public Works Department.

7. Street Improvements

Streets will be constructed in accordance with Public Works requirements for Island roadway construction, so that they will be acceptable to the City. The Street Acceptance Ordinance (Chapter 707 of the Municipal Code) will be useful in conjunction with advice from the Public Works Department. Mr. Elliott has inquired as to the possibility of using gravel from his acreage on Great Diamond for street construction purposes. Public Works has indicated that they would want to see samples of the gravel to determine whether it can be satisfactorily used for street purposes.

8. Surface Drainage

Provisions are being made wherever needed to provide surface drainage, culverts, etc. and keep the drainageways clear whenever possible. The revised preliminary plat shows drainage courses and swales and corrugated metal piping to be utilized for culverts where needed.

9. Waiver of Curbs and Sidewalks by City Council

This waiver may be requested by the subdivider prior to approval of the final plat or following such approval.

10. Access

The owner of the development has agreed to install a new street which will furnish direct access to the Robert B. Laughlin et als lot, as suggested by Mr. Rand at the May 11th meeting. This proposed new street will provide access to Lots 13, 14 and 15 and the northwesterly corner of the Reed parcel and future access to the Phase II development.

11. Statement of Financial Capability

A statement has been requested of Mr. Elliott through Mr. David Haynes of Land Use Consultants, Inc. He indicated that this statement will be furnished prior to the Planning Board meeting.

12. Island Streets

The Director of Public Works has advised that estimates have been made for the costs of improving these proposed but unimproved streets.

"In accordance with Section (c) of the Municipal Code (Street Acceptance Ordinance), one-third (1/3) the costs incurred during such improvements would be assessed against the abutting property owners and two-thirds (2/3) would be borne by the City. Attention is invited to the attached memorandum and enclosure, which provides details for a total estimated cost of \$15,500 (2/3 cost to the City = \$10,333.34 and 1/3 cost to abutters \$5,166.66) for the improvement of Nancy Lane and Nicholas Street on Great Diamond Island.

13. Easing the Sharp Curve in Nicholas Street

The rather sharp curve in the right-of-way for the extension of Nicholas Street has been eased by relocating the street right-of-way across Lot #17 in the preliminary plat. Lot #17 is unbuildable due to seasonal wetness.

14. Typical Section of Street

The Public Works Department has received a plan for the proposed typical section of the streets and has found it to be acceptable.

15. Water Supply

The existing 8-inch water lines were recently installed to furnish year-round water service in the area near the junction of Nancy Lane and Nicholas Street. This water line extends up Nancy Lane to Valley Avenue. The Portland Water District advises that this service may be extended to serve the proposed development.

16. Sewage Disposal

Mr. Ernold Goodwin, City Plumbing Inspector, has advised that he has field-checked the soil test pits on May 6th and he has determined that all of the lots are buildable with the exception of Lots #2 and 17. A memorandum to this effect has been received from Mr. Goodwin.

It is the intent of the subdivider that Lots 1 and 3 through 16 are to be developed for single family use. Lots 1 and 14 are now occupied by existing residential structures; Lots 2 and 17 are not suited for residential development; Lot 2 is under-sized and Lot 17 is subject to seasonal wetness. Lots 2 and 17 will be retained by the owner for future disposition.

Se wge disposal will be by conventional subsurface methods except for Lots 13 and 14. These two lots will be served by a sand filtration and overboard discharge system. All systems will be constructed according to standards as specified in the State Plumbing Code Part II.

RECOMMENDATION

The Planning Department recommends that preliminary approval be granted by the Planning Board subject to the following conditions:

1. That a statement of financial capacity be furnished in accordance with existing State Law;
2. That adequate access be provided as indicated on the revised preliminary plat; and all streets be extended and improved according to public standards for acceptance by the City, and constructed with materials acceptable to that department;
3. That natural drainageways and swales will be accommodated and wherever necessary culverts and drainageways will be provided;
4. That water lines will be extended to serve the subdivision and street lighting will be provided as required;
5. That a name will be shown on the final plat for Great Diamond Shores, Phase I for the new proposed street to be installed, providing improved access for Lots 13, 14 and 15, the Robert B. Laughlin lot, and Phase II of the future residential development; and
6. That a subdivision bond to cover the estimated cost of public improvements will be furnished by the sponsor of the development, in accordance with the Public Works estimate.

REASON FOR RECOMMENDATION

The Planning Department's earlier concerns, as well as those of Public Works, have been substantially satisfied at this time. Given the City's shoreland zoning regulations and the required review by the State Department of Environmental Protection, there is reasonable assurance that the proposed subdivision will be environmentally satisfactory. The Land Development Plan's land use and zoning policy of fostering residential development of Great Diamond Island moreover, will be implemented by subdivision approval.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren J. Turner, Planning Department

DATE: 4-30-76

FROM: John P. Ragae, Department of Public Works

SUBJECT: Preliminary Review of Proposed Subdivision Plat for the David Elliott Property, Gt. Diamond Island

The subject subdivision plat has been reviewed by this Department and the following is offered for your consideration.

1. Typical Section of Streets: The submitted plat failed to show the typical section of the proposed streets, however, I have been in written communication with the developer's consultant concerning such, and have outlined the ordinance requirements in regards to street right-of-way widths and proposed traveled ways. We would not, therefore, disapprove this plat on this basis.
2. Inaccessibility to Existing Lot: The existing lot shown on the plat as being owned by Robert B. Laughlin, et. al., would appear to be land locked by lots #16 and #17. This Department would request the developer to consider a proposed right-of-way to be twenty feet (20') in width and to lie equally on either side of the common division line between proposed said lots #16 and #17.

All other aspects of this subdivision plat appear to fulfill the requirements for a Subdivision Preliminary Plat as outlined in Section 603 of the Municipal Code, and are acceptable to this Department at this time.


JOHN P. RAGAE
ASSOCIATE ENGINEER II

JPR/jpr

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren J. Turner, Planning Department

DATE: 5-11-76

FROM: John P. Rague, Department of Public Works .

SUBJECT: Preliminary Review of Proposed Subdivision Plat for the David Elliott Property, Gt. Diamond Island.

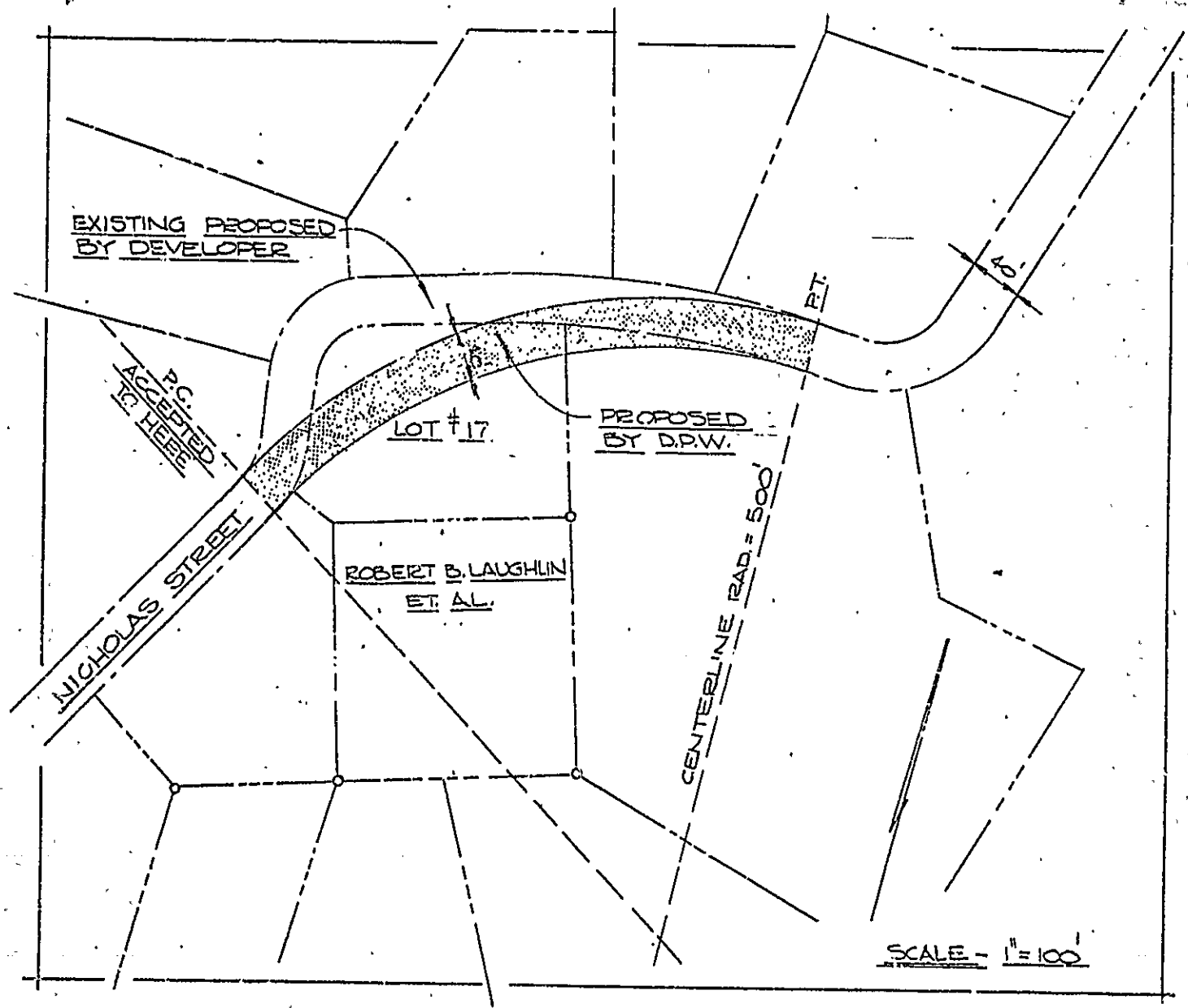
This memo is to more accurately up-date my memo of April 30, 1976, and I offer the following comments for your consideration:

1. Typical Section of Street: Since the date of my last memo concerning the subject subdivision, this Department has received a plan of the proposed typical section of the streets and find it to be acceptable as prescribed.
2. Inaccessibility to Existing Lot: This Department is still concerned with the apparent land locking of the existing lot shown on the plat as being owned by Robert B. Laughlin, et. al.. An in the field inspection, as verified by the soils analysis report, shows lot #17 to be seasonably wet and unfit for building purposes. Such lot #17 being contiguous to the Laughlin lot, the developer could easily provide a twenty (20) foot wide right-of-way access to said Laughlin lot by placing it within the confines of said lot #17 without placing any constraints on the remaining buildable lots.
3. Drainage: Existing natural water course and drainage ways are to be maintained in their natural state unless drainage is accommodated by adequate on-lot storm drainage systems which are to be located within defined easements and made part of the applicable deeds.
4. Sidewalks and Curb: Unless the developer can obtain a proper waiver, sidewalks and curb, of approved material and size, must be provided on either side of the proposed roadways.
5. 80' Radius Curve on Nicholas Street: The proposed curve in the right-of-way of the Nicholas Street extension shown immediately north of the terminus of Nicholas Street, as it is currently accepted, is too severe to provide adequate turning movements for vehicular traffic. This Department recommends that said curve be flattened by relocating it across the aforementioned unbuildable lot #17, as shown on the attached sketch.

All other aspects of the subject preliminary subdivision plat appear to be acceptable at this time.

ATTACHMENT


JOHN P. RAGUE
ASSOCIATE ENGINEER II



CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren J. Turner, Planning Department

DATE: 5-26-76

FROM: George A. Flaherty, Director of Public Works

SUBJECT: Estimated Costs of Possible Street Improvements for Nancy Lane and
Nicholas Street on Great Diamond Island

This is to acknowledge receipt of your memorandum dated May 15, 1976 concerning the above subject.

The estimated cost of improving these accepted but unimproved streets is shown on the attached sheet.

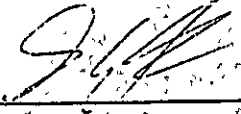
In accordance with Section 707.2 (c) of the Municipal Code, one-third (1/3) the costs incurred during such improvements would be assessed against the abutting property owners and two-thirds (2/3) would be borne by the City. Once again see attached sheet for clarity.

The decision as to the funding of these improvements is a policy decision which is not mine to make. The City Council has the option of funding this work from the following sources:

- (a) Capital Improvement Program
- (b) City's Operating Budget
- (c) H.C.D. Program

You also inquired if "this street project might be more beneficial to the Islanders than the contemplated pedestrian walkway". The walkway project was the direct outcome of the H.C.D. citizen participation process and the ensuing action taken by the City Council at its workshop meeting of June 30, 1975.

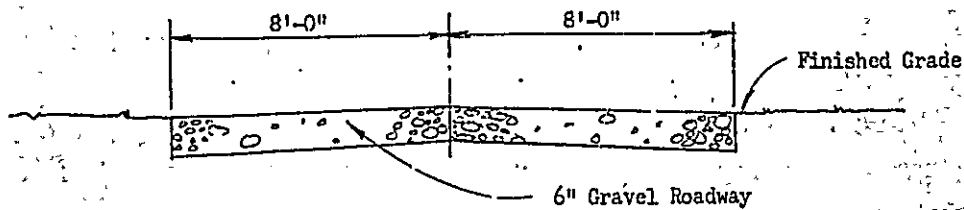
The City's mainland and islands have many needs which are yet unmet as they relate to street and sidewalk improvements. Since the Public Works Department's principal concern and responsibility is the general operation and maintenance of various public facilities and not the direct involvement of the long term planning and financial management of the various City programs, I feel that your question is inappropriate for me to respond to.


GEORGE A. FLAHERTY
DIRECTOR OF PUBLIC WORKS

Attachment:

GAF/JPR/jpr

Cost Analysis of Improving Nancy Lane and Nicholas Street on Gt. Diamond Island:



TYPICAL SECTION

QUANTITY OF ROADWAY MATERIAL:

$$\frac{16' \times 0.5' \times 1'}{27} = 0.2963 \text{ Cubic Yards per Linear Foot of Roadway}$$

NANCY LANE:

$$1,290.59 \text{ Lin. Ft.} \times 0.2963 \text{ Cu. Yds./Lin. Ft.} = 382.40 \text{ Cu. Yds.}$$

$$382.40 \text{ Cu. Yds.} @ \$28.00/\text{Cu. Yd.} = \$10,707.25$$

NICHOLAS STREET:

$$573.24 \text{ Lin. Ft.} \times 0.2963 \text{ Cu. Yds./Lin. Ft.} = 169.85 \text{ Cu. Yds.}$$

$$169.85 \text{ Cu. Yds.} @ \$28.00/\text{Cu. Yd.} = \$4,755.83$$

TOTAL COST:

$$\$10,707.25 \text{ (Nancy Lane)} + \$4,755.83 \text{ (Nicholas Street)} = \$15,463.08$$

(Say \$15,500.00)

ASSESSMENTS:

\$15,500.00 Total Cost of Construction

2/3 Cost to City - \$10,333.34

1/3 Cost to Abutters - \$5,166.66

PER LINEAR FOOT COST TO ABUTTERS:

Nancy Lane - $1,290.59' \times 2 = 2,581.18'$ of Frontage

= \$1.3827 per Linear Foot of Frontage

Nicholas Street - $573.24' \times 2 = 1,146.48'$ of Frontage

= \$1.3827 per Linear foot of Frontage

CHAPTER 707

STREET ACCEPTANCE

Section 707.1 No street or way shall be laid out and accepted as a public street or way by the City of Portland except in accordance with the provisions of this Ordinance.

General
707.1

Section 707.2 A street or way dedicated for public travel prior to July 7, 1948 shall be laid out and accepted as a public street or way by the City of Portland only upon the following conditions:

Acceptance of
streets and ways
dedicated for
public travel
prior to July 7,
1948

(a) Said street or way shall have a minimum width of 50 feet unless the owners of property adjoining said street or way shall convey to the City of Portland sufficient land to lay out a 50-foot street; provided, however, (that the Director of Public Works may permit a lesser width when a 50-foot street is impracticable.) Provided further that any such street or way located on any of the islands in Casco Bay, which is not considered to be a collector street in the opinion of the Director of Public Works and the Planning board, may have a minimum width of 32 feet.

707.2
707.2 (a)

(b) A plan of said street or way shall have been recorded in the Cumberland County Registry of Deeds prior to July 7, 1948.

707.2 (b)

(c) A majority of the abutters upon said street or way shall in writing, on a form to be prescribed by the Director of Public Works, petition the City Council to improve said street by grading, curbing, gravelling, macadamizing, paving, or in any other way making a permanent street of the same, or any part thereof; and in said petition shall waive any damages resulting from the laying out and acceptance of said street or way, or any necessary changes in the grade thereof; and shall agree to pay their just proportion of one-third of the cost thereof. For purposes of this ordinance, a majority of the abutters shall mean those abutters who own more than fifty percent of the frontage, both in front-feet and in assessed value.

707.2 (c)

(d) When said street or way shall have been laid out and accepted as a public street or way, and such improvements have been made, one-third of the cost thereof shall be assessed on the property adjacent to and bounded on said street or way in the manner, and with the same right of appeal, provided in Sections 3601-3605 of Title 23 of Maine Revised Statutes Annotated.

707.2 (d)

Section 707.3 A street or way constructed on private lands by the owner thereof, and a street or way not dedicated for public travel prior to July 7, 1948, shall be laid out and accepted as a public street or way by the City of Portland only upon the following conditions:

Acceptance of
streets and ways
not previously
dedicated for
public travel
707.3

Land Use Consultants, Inc.

1100 FOREST AVENUE PORTLAND, MAINE 04103 207-797 8187

June 2, 1976

76346P

Mr. Warren Turner
Portland Planning Department
City Hall
389 Congress Street
Portland, Maine 04111

Great Diamond Shores Subdivision

Dear Mr. Turner:

In behalf of Mr. David Elliott, we forward herewith a response to technical comments of the Planning Department resulting from their review of the subject project. Planning Board comments have been conveyed to us in Mr. Cadigan's letter to David Elliott dated May 13, a meeting with the Planning Board staff on May 17, and Mr. Turner's memorandum to the Planning Director subsequent to our May 17 meeting. This response is supported by letters of documentation and includes revisions and additions to the Preliminary Plan, copy appended.

Roads

New and heretofore unaccepted roads within Phase 1 development will be constructed and/or improved to City of Portland standards for island roads - 40' right-of-way, 16' travel way, 6" gravel base. The short section of existing road from Nancy Lane between Lots 2 and 6 meets island road standards and is one of the best sections of roadway on the island. Nicholas Street from the end of the accepted right-of-way to Lot 11 will be improved and the curve adjacent to Lot 17 will be "flattened out" as recommended by the Department of Public Works.

After much consideration and an on-site inspection on May 20 by Mr. Rand of the Planning Board, Mr. Elliott, and myself, it was decided a new 60' right-of-way would be defined to serve Lots 13, 14, and 15; provide frontage for the Laughlin parcel; and provide future access to Phase 2 development. The right-of-way will start at Nicholas Street between Lot 16 and the Noring parcel and pass easterly between the Laughlin parcel and Lots 13, 14, and 15 to the northwesterly corner of the Reed parcel. A new road to serve Lots 13, 14, and 15 will be constructed under Phase 1 development. The road will be extended for access to Phase 2 at the appropriate time. It is anticipated that the existing easement across the lower portion of the Noring land and Lots 13, 14, and 15 will still be maintained for the present time.

Land Use Consultants, Inc.

Warren Turner/City Hall
Page two

Drainage

In accordance with recommendations of the Department of Public Works, existing drainage patterns will be maintained and utilized insofar as possible. Road drainage along the Nicholas Street extension will flow southwesterly in drainage ditches on each side of the road and be intercepted by a new culvert at the reconstructed curve adjacent to Lot 17. Runoff will be directed westerly into an existing drainage swale between Lots 4 and 5. Drainage along the new road south of the Laughlin land will flow easterly and discharge into a brook which runs between Lot 13 and the Reed property.

Water

Water will be provided by the Portland Water District from an existing 8" service. The developer will arrange with the Water District to install a short section of new service to Lot 7 and extend new service from a hydrant in front of the Noring property along Nicholas Street to Lot 11. Seasonal service over an existing easement will be maintained to serve Lots 13, 14, and 15. A letter from Mr. Wyman of the Portland Water District, dated May 6, is enclosed for your reference.

Two new hydrants will be installed to meet fire safety requirements. One will be located on Nancy Lane between Lots 4 and 5, and one on Nicholas Street opposite Lot 8. Hydrant locations have been reviewed and approved by the Portland Fire Department as indicated in a letter from Chief Dodd to Land Use Consultants dated May 17, copy appended.

Street Lighting

Overhead utility services including electricity and street lighting will be coordinated with Mr. Ridgeway of the Portland Department of Public Works. We have reviewed this project with Mr. Ridgeway and enclosed a letter from him to Land Use Consultants, dated May 25, indicating the extent of his departments responsibility for the installation of overhead services. Probable street light locations as defined by Mr. Ridgeway are shown on the enclosed plan.

Bonding

We have contacted Mr. Chesebro, Chief Engineer of the Public Works Department, regarding the amount of Bonding required for project improvements. He has advised us that his department is working on this matter and that he will inform the Planning Board of the bond

Land Use Consultants, Inc.

Warren Turner/City Hall
Page three

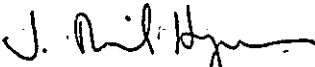
requirements prior to Final Plan approval.

Waivers

It will be necessary to obtain a waiver for curb and sidewalk construction from the City Council. We anticipate this matter will be resolved prior to submission of the Final Plan.

We trust the above information fulfills the requirements for Preliminary Plan approval. Should you need additional documentation and have any questions, we would appreciate the opportunity to respond prior to the Planning Board meeting on June 8, 1976.

Very truly yours,



J. David Haynes
Vice President

cc: Mr. David Elliott
F. Paul Frinsko, Esq.

Encl:

MAY 27 1976

May 6, 1976

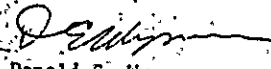
Mr. Warren Turner
City of Portland Planning Dept.
389 Congress St.
Portland, ME

Dear Mr. Turner:

This letter confirms our telephone conversation regarding the availability of water at the David Elliott property on Great Diamond Island.

The District has a deep 8" cast iron water main in Nancy Lane and Nicholas Street that is capable of providing adequate year-round water to the area and meet all normal requirements.

Very truly yours,


Donald E. Wyman
Director of Marketing
and Customer Relations

DEW/sla

MAY 27 1976



CITY OF PORTLAND - MAINE

GEORGE A. FLAHERTY,
PUBLIC WORKS DIRECTOR

May 25, 1976

Mr. Stephen E. Fournier
Land Use Consultants, Inc.
1100 Forest Avenue
Portland, Maine 04103

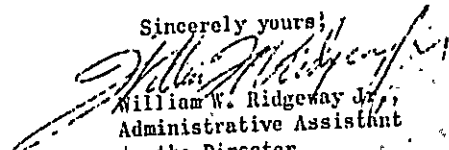
Dear Mr. Fournier:

This letter will serve to confirm the fact that we met in my office on this date to discuss the lighting required for the proposed Great Diamond Shores subdivision.

As per our conversation, all street lighting will be installed by the City of Portland, as is the case in all overhead utility developments. For the general information of all parties concerned, I indicated the general location of the proposed street lighting which will be installed when residential building requires the same.

If you should require further information, or assistance, I am more than happy to co-operate with you.

Sincerely yours,


William W. Ridgeway Jr.,
Administrative Assistant
to the Director

MAY 18 1976



CITY OF PORTLAND MAINE

763467

May 17, 1976

Land Use Consultants, Inc.
1100 Forest Avenue
Portland, Maine 04103

Attn: J. David Haynes - ASLA

Dear Mr. Haynes:

In regards to our meeting on the 17th of May, the following hydrant locations at the subdivision on Great Diamond Island which is to be known as Great Diamond Shores, shall be as follows, one hydrant on Nicholas Street opposite lot #8 and one hydrant on Nancy Lane opposite lot #4 or #5.

Sincerely,

Handwritten signature of Clement O. Dodd in cursive.

Clement O. Dodd
Chief of Portland Fire Department

COD:dg

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Warren Turner, Planning

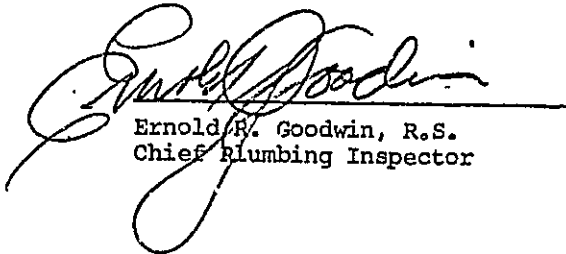
FROM: Ernold R. Goodwin, R.S., Chief Plumbing Inspector

SUBJECT: David Elliott Property, Great Diamond Island, Phase One
(except Lots #2 & 17)

DATE: 5-10-76

Upon inspection May 6 with a representative of Mr. Elliott, I checked and verified the test pits on each individual lot that was taken by a certified site investigator in the employ of Land Use Consultants. All lots confirm in all respects with the State Plumbing Code Part II as buildable house lots, except Lots #2, which is too small and Lot #17 because of seasonable high water table and swampy areas.

NOTE: If dwellings are built on these lots, the private sewage disposal system must be located where test pits were dug, otherwise new tests will have to be performed to locate disposal areas anywhere else.



Ernold R. Goodwin, R.S.
Chief Plumbing Inspector

ERG/mt

cc: W. B. Goodwin, PWD Sewer Div.
John Regue, PWD, Highway
Steve Fournier, LUC, ---



Portland Water District

225 DOUGLASS ST., PORTLAND, ME. 04104

TELEPHONE (207) 774 5991

May 6, 1976

Mr. Warren Turner
City of Portland Planning Dept.
389 Congress St.
Portland, ME

Dear Mr. Turner:

This letter confirms our telephone conversation regarding the availability of water at the David Elliott property on Great Diamond Island.

The District has a deep 8" cast iron water main in Nancy Lane and Nicholas Street that is capable of providing adequate year-round water to the area and meet all normal requirements.

Very truly yours,

Donald E. Wyman
Director of Marketing
and Customer Relations

DEW/s1a