

INTER-OFFICE CORRESPONDENCE

CITY OF PORTLAND, MAINE

FIRE DEPARTMENT

To: Mr. Warren J. Turner, Planning Department

DATE: 5/7/70

From: Fire Prevention Bureau

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

The preliminary review plan meets with Fire Department approval providing: - water  
for fire service is furnished as deemed necessary by the Chief of Fire Department.

*Clement O. Dodd*

Clement O. Dodd  
Chief of Department

APPENDIX A

Check List of Criteria for Subdivision Review

Name of Subdivision: Great Diamond Island Shores Phase I

1. Will not result in undue water or air pollution. Will not.
2. Has sufficient water available for the reasonably foreseeable needs of the subdivision. Yes, Portland Water District advises that existing 8-inch year round service lines can be extended to serve this development.
3. Will not cause an unreasonable burden on existing water supply, if one is to be utilized. Will not.
4. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous unhealthy condition may result. Will not
5. Will not cause unreasonable highway or public road congestion or unsafe conditions. Will not, if suggested changes are implemented.
6. Will provide for adequate solid and sewage disposal. Approved for on-site septic disposal. Solid waste is accommodated in a landfill operation on Great Diamond Island, according to Public Works Department.
7. Will not cause an unreasonable burden on the ability of the municipality to dispose of solid waste and sewage if municipal services are to be utilized. Will not.
8. Will not place an unreasonable burden on the ability of local government to provide municipal or governmental services. Will not.
9. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas. Will not.
10. Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any. Yes.
11. The subdivider has adequate financial and technical capacity to meet the above stated standards. Supporting statement has been requested.
12. Whenever situated in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water. Will not.

APPENDIX B

List of Abutting Property-Owners  
And Interested Parties

1. Robert B. 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 Ferne Kimball, Great Diamond Island, Maine
9. Jennette 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. Larochele, Dev..
18. Casco Bay LandsCo., 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 Haynes, 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

Great Diamond Island

23. James M. Hutchinson, 536 Linton St., Cincinnati, Ohio 45219
24. Elizabeth Picking, Warner, Falmouth Foreside, Maine 04105
25. Diamond Island Association, c/o Curtis Laughlin, 68 Prospect St., Portland  
04103
26. Portland Water District, 225 Douglass St., Portland, Maine 04102
27. Ernest L. Laughlin, 68 Prospect St., Portland, Maine 04103

BERNSTEIN, SHUR, SAWYER AND NELSON

ONE MONUMENT SQUARE  
PORTLAND, MAINE

04111

ISRAEL BERNSTEIN (1890-1967)  
BARNETT S. SHUR  
LOUIS BERNSTEIN  
SUMNER T. BERNSTEIN  
HERBERT H. SAWYER  
LEONARD H. NELSON  
WILLIAM W. WILLARD  
JEROME F. GOLDBERG  
GEORGE M. SHUR  
ORF JORY A. TSELIKIS  
F. PAUL FRINSKO  
PETER J. RUBIN  
ALAN R. ATKINS  
RICHARD P. LEBLANC  
ERIC F. SAUNDERS  
GORDON F. GRIMES

RECEIVED JUN 6 1976

June 23, 1976

AREA CODE 207  
TELEPHONE 774-6281

COUNSEL: RICHARD E. POULOS

Kenneth H. Cadigan  
Chairman, Planning Board  
City Hall  
389 Congress Street  
Portland, Maine 04111

Re: David L. Elliott--Great Diamond Shores Subdivision

Dear Mr. Cadigan:

With respect to your inquiry with regard to the completion of the final plat in the above-captioned matter, as set forth in your letter of June 17, 1976, we have been advised by Land Use Consultants, Inc. that they expect to have a final plan prepared for submission to the Planning Board by August 8, 1976, for consideration by the Planning Board at its August 10, 1976 meeting.

I understand from your correspondence of June 17, 1976, that these arrangements would be acceptable to the Planning Board.

In view of the foregoing, and to protect the rights of Mr. Elliott, to proceed to final approval of this application, I would respectfully request that an extension of the 30-day requirement, set forth in Section 603.5.6 of the Portland Subdivision Ordinance, be granted to allow Mr. Elliott's consultants to proceed in accordance with the schedule outlined above and set forth in your letter of June 17, 1976.

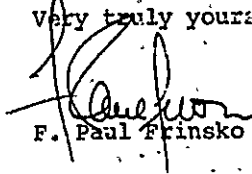
BERNSTEIN, SHUR, SAWYER AND NELSON

to Kenneth H. Cadigan

PAGE 2

Should there be any question with respect to the grant of the extension of time, please notify me immediately. Thank you for your courtesy and cooperation.

Very truly yours,



F. Paul Frinsko

FPF:jlc

cc: Donald Megathlin  
Director of Planning  
Mr. David L. Elliott  
Mr. J. David Haynes



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

RECEIVED JUN 28 1976

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

TELEPHONE  
(207) 773-5651

JOHN C. LIGHTBODY  
PHILIP F. W. AHRENS III

June 25, 1976

OF COUNSEL  
RICHARD H. FIELD

Mr. Donald E. Megathlin, Jr.  
Planning Director  
City of Portland  
389 Congress Street  
Portland, ME. 04111

Re: David Elliott - Great Diamond Island Subdivision

Dear Mr. Megathlin:

I represent a group of residents of Great Diamond Island with respect to the above matter. Specifically, I thought that I should call to your attention that several residents of "the point" area on Great Diamond Island are asserting a claim against Mr. Elliott and the land which is the subject matter of his subdivision application before you, that they are entitled to a right-of-way along the southwesterly portion of the property between the ferry landing and "the point".

For some months now we have attempted to establish the location of this right-of-way at an appropriate spot and to obtain aid from the City in improving and maintaining the right-of-way.

It now appears as if our efforts have come to naught in that Mr. Elliott and my clients cannot agree upon an appropriate location for the right-of-way. My clients are therefore determined to go forward and privately assert a right-of-way over the historical route along the shore.

I am calling this to your attention in the event that it may affect the preliminary or final approval of the proposed subdivision pending before the Portland Planning Board. If there is additional information that I can furnish, please do not hesitate to let me know.

With best wishes, I am

Sincerely,



Peter L. Murray

PLM:clf

cc: Paul Frinsko, Esquire

BERNSTEIN, SHUR, SAWYER AND NELSON

ONE MONUMENT SQUARE  
PORTLAND, MAINE  
04111

RECEIVED JUN 24 1976

ISRAEL BERNSTEIN (1890-1967)  
BARNETT I. SHUR  
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SUMNER T. BERNSTEIN  
HEPBERT H. SAWYER  
LEONARD M. NELSON  
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JEROME P. GOLDBERG  
GEORGE H. SHUR  
GREGORY A. TSELIKIS  
F. PAUL FRINSKO  
PETER J. RUBIN  
ALAN R. ATKINS  
RICHARD P. LEBLANC  
ERIC F. SAUNDERS  
GORDON F. GRIMEZ

AREA CODE 207  
TELEPHONE 774-0291

June 23, 1976

COUNSEL: RICHARD E. POULOS

Kenneth H. Cadigan  
Chairman, Planning Board  
City Hall  
389 Congress Street  
Portland, Maine 04111

Re: David L. Elliott--Great Diamond Shores Subdivision

Dear Mr. Cadigan:

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BERNSTEIN, SHUR, SAWYER AND NELSON

TO Kenneth H. Cadigan

PAGE 2

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Very truly yours,

F. Paul Frinsko

FPF:jlc

cc: Donald Megathlin  
Director of Planning  
Mr. David L. Elliott  
Mr. J. David Haynes

24 areas 17 lots  
Preliminary Approval June 26  
411 streets will be dedicated,  
developed in compact with  
city standards + future acceptance  
Performance Bond \$15,192

\$20,000 HCD

- Pedestrianways #1
- Flood Plain
- Not suitable for development  
soil conditions #2-17
- Unriver cuts + sidewalks

PLANNING DEPARTMENT REPORT

FINAL REVIEW OF GREAT DIAMOND SHORES SUBDIVISION,  
PHASE I, ON GREAT DIAMOND ISLAND - DAVID L. ELLIOTT

- Notice  
28  
no objection

DEP

Submitted to:  
City Planning Board  
Portland, Maine  
August 10, 1976

## BACKGROUND

A revised preliminary plat for Great Diamond Shores, Phase I, (Total Area: 24 acres) was granted preliminary approval by the Planning Board at its meeting of June 8, 1976. This proposed residential development has also been submitted for review by the Department of Environmental Protection, due to the fact that it contains more than twenty acres. A public hearing has been set for August 25th by the DEP, which awaits word of the Board's action. Phase II of the proposed development is not now under consideration although it was schematically shown on the preliminary plat and contains about 80+ acres of additional land for future residential development.

Phase I encompasses seventeen lots, including two lots with existing residential structures and two which are not suitable for dwelling unit construction.

## FINDINGS OF FACT

1. Pedestrianway - Attached to this report is a letter re the Great Diamond Walkway Project which was considered as an approved Housing and Community Development funded project. Apparently discussions by several people resulted in a decision not to build the walkway. Mr. Peter Murray, local attorney, expresses the suggestion that such money be employed in some other useful fashion on the island.
2. Flood Prone Area - A major portion of the vacant area within Lot #1 (6 acres) lies within the area designated for the 100 year flood plain. This grassy slope is edged along the waterside by alders and crossed by surface drainageways which serve as natural watercourses for the upland areas within the development.

The old farmhouse is located on Lot #1. In response to the inquiry concerning re-subdivision of Lot #1, we are advised by Land Use Consultants, Inc. that the soils are unsuited for subsurface disposal by standard of the existing Plumbing Code (for a major portion of Lot #1) and the cost to construct a sand filtration and overboard discharge system was economically unfeasible. The remainder of this parcel is therefore not developable as a house lot.

3. Access and Street Design - Access within the proposed development has been improved by the planned installation by Mr. Elliott of a new street to be named "Diamond Shore Road", as shown on the final plan. This new street will provide improved access to the Robert B. Laughlin lot and several other properties as well as ultimately to Phase II of the future residential development. The forty foot right-of-way will be extended with a sixteen foot width of graded grave roadway.
4. Available Gravel for Street Construction - On July 27th a copy of a letter to Mr. Elliott from the Public Works Department indicated that the gravel samples obtained from Great Diamond Island do not meet City specifications. If gravel has to be imported from the mainland instead of using the existing supply from the Island, the cost of transportation will be considerably higher.  
  
All portions of street beyond those accepted portions of Nancy and Nicholas Streets will be constructed by the developer according to City standards to prepare them for future acceptance by the City.
5. Designation of Smaller Lots as "Not Suited for Dwelling Units" - Lots #2 and #17 are not suited for residential use. Lot #2 is too small and possibly of interest only to an abutter. Lot #17 is seasonally too wet for dwelling use purposes. Recommend these lots be labeled on the final plat as "Not suitable for dwelling units".

6. Disposal of Solid Wastes - The present landfill operation on Great Diamond Island is deemed adequate to serve this development according to the Public Works Department. It may be necessary to expand this operation in the future, or utilize the baler operation facilities by transporting solid wastes to the mainland. A memorandum is being sent by Frank Bourque of the Public Works Department.
  7. Additional Hydrants for Phase I - Two additional hydrants will be installed in accordance with the request for them by the Chief of the Fire Department: one on Nicholas Street opposite Lot #8 and one on Nancy Lane opposite Lot #4 or 5.
  8. Street Lighting - Wiring for electric service will be overhead. According to Public Works, street lighting will be provided by the City on poles as approved by the Public Works Department.
  9. Subdivision Bond - A subdivision bond in the amount of \$15,142 will be required by the City to cover the installation by the developer of public improvements within Phase I of the Subdivision. This has been computed as follows:
 

Fort Road - Street	310.00	Lin. ft. @ \$8.30/L.F. =	\$ 2,573.00
Nicholas Street	1,085.00	Lin. Ft. @ \$8.30/L.F. =	9,000.00
Diamond Shore Road	430.00	Lin. Ft. @ \$3,569.00 =	3,569.00
			\$15,142.00
  10. Water Service - Existing water service (8-inch pipe) will be extended to serve Phase I of the Diamond Shores residential development.
  11. Surface Drainage - Whenever a natural watercourse crosses private land, the deed to such lot should specify that such use of the land is subject to restrictions for surface drainage. Where appropriate, necessary culverts and storm drains will be required to be installed by the developer.
  12. Curbs and Sidewalks - When the developer wishes to do so, he may initiate a petition to the City Council for a waiver of the curbs and sidewalks requirement due to limited vehicular traffic volumes on Great Diamond Island and the tendency for island residents to walk more frequently than mainland residents. Consequently there are few traffic problems.
- Typical Section of Streets - This plan has been provided and meets with Public Works approval based on the City's standards for Island street construction.
14. Shoreland Zoning - There appear to be no serious problems insofar as Shoreland Zoning restrictions are concerned. However, there are some limits as to the amount of tree clearance and other types of activity, such as filling and grading which may take place on Lots #13, 14 and 15 of this development. This can be reviewed at the time of the building permit process.

RECOMMENDATION

Since it appears that all of the problems have been resolved, the Planning Department recommends that the Board grant final approval for the Great Diamond Shores Subdivision Phase I, subject to the following conditions: -

1. That Lots #1, 2 and 17 be labeled on the final plan "Not Suitable for Unsewered Dwelling Units" and
2. That the Planning Board recommend to City Council approval of the developer's petition to Council for a waiver of the curbs and sidewalks requirement.
3. That the flood prone area be identified on the final plat.

APPENDIX A

Check List of Criteria for Subdivision Review

Name of Subdivision: Great Diamond Island Shores Phase I

1. Will not result in undue water or air pollution. Will not.
2. Has sufficient water available for the reasonably foreseeable needs of the subdivision. Yes, Portland Water District advises that existing 8-inch year round service lines can be extended to serve this development.
3. Will not cause an unreasonable burden on existing water supply, if one is to be utilized. Will not.
4. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result. Will not, provided all of the trees are not removed.
5. Will not cause unreasonable highway or public road congestion or unsafe conditions. Will not.
6. Will provide for adequate solid and sewage disposal. Approved for on-site septic disposal. Solid waste is accommodated in a landfill operation on Great Diamond Island, according to Public Works Department.
7. Will not cause an unreasonable burden on the ability of the municipality to dispose of solid waste and sewage if municipal services are to be utilized: Will not.
8. Will not place an unreasonable burden on the ability of local government to provide municipal or governmental services. Will not.
9. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas. Will not.
10. Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any. Yes.
11. The subdivider has adequate financial and technical capacity to meet the above stated standards. Yes.
12. Whenever situated in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water. Not seriously.

CITY OF PORTLAND, MAINE  
MEMORANDUM

Warren Turner  
RECEIVED  
AUG 03 1976  
PUBLIC WORKS  
DATE: 8/1/76

TO: Mr. George Flaherty, Director of Public Works  
FROM: Frank Bourque, Diamond Island Service Representative  
SUBJECT: Solid Waste Disposal, Great Diamond Island

Please apply the following information in response to memo from Warren J. Turner, Planning Dept., dated 7/27/76.

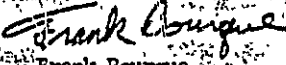
Residences at present on Great Diamond and Little Diamond total 110 properties. During prime residency season, May 31-Sept 5, these properties generate an average of six-seven truck-loads (3/4 ton pick-up) per week.

Great Diamond Sub-Division, Phase I, would increase total properties served by about 14%. At present, approximately 30% of the 110 properties are in use only two days per week, so with 77 properties used all week during the highest periods, Phase I would provide average increase of about 16% in volume of refuse for disposal.

We are presently leasing an area of approximately 40,000 square feet from King Resources for disposal of all refuse. My estimate, confirmed with Mr. Ridgeway, suggests that the present area can be utilized through the season of 1978, with no expansion necessary.

I do not consider that an 16% increase in disposal activity would in any manner change present projections concerning space requirements.

I have also discussed this with Mr. Brewster, and he appears to agree with my observations.

  
Frank Bourque  
Diamond Island Service Rep.



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

RECEIVED  
JUN 28 1976  
PUBLIC WORKS TELEPHONE  
(207) 773 5651

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

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

OF COUNSEL  
RICHARD H. FIELD

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,



Peter L. Murray

PLM:clf

cc: Paul Frinsbo, Esquire

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Warren J. Turner, Planning Department

DATE: 6-7-76

FROM: John P. Rague, Department of Public Works

SUBJECT: Performance Bonds for Streets in the Gt. Diamond Shores and Glen Oakes,  
Section "D" Subdivisions.

As per your request, the Performance Bonds for the subject Subdivisions have been determined to be \$15,142.00 and \$45,690.00 respectively.

These amounts are broken down as follows:

Gt. Diamond Shores:

Fort Road -

Street: 310.00 L.F. @ \$ 8.30/L.F. = \$ 2,573.00

Nicholas Street -

Street: 1,085.00 L.F. @ \$ 8.30/L.F. = \$ 9,000.00

Proposed Street Off Nicholas Street -

Street: 430.00 L.F. @ \$ 8.30/L.F. = \$ 3,569.00

Total \$15,142.00

Glen Oakes, Section "D":

Christy Road -

Street: 525.00 L.F. @ \$45.00/L.F. = \$23,625.00

San. Sewer: 525.00 L.F. @ \$15.00/L.F. = \$ 7,875.00

Storm Drain: 546.00 L.F. @ \$15.00/L.F. = \$ 8,190.00

Structures: 6.00 Each @ \$1,000/Each = \$ 6,000.00

Total \$45,690.00

If further information is required, please feel free to contact me.

  
JOHN P. RAGUE  
ASSOCIATE ENGINEER XI

JPR/jpr

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

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Warren S. 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:


J.W. Alignment of the Proposed Sunset Avenue Extension:

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

Location and Description of Monuments:

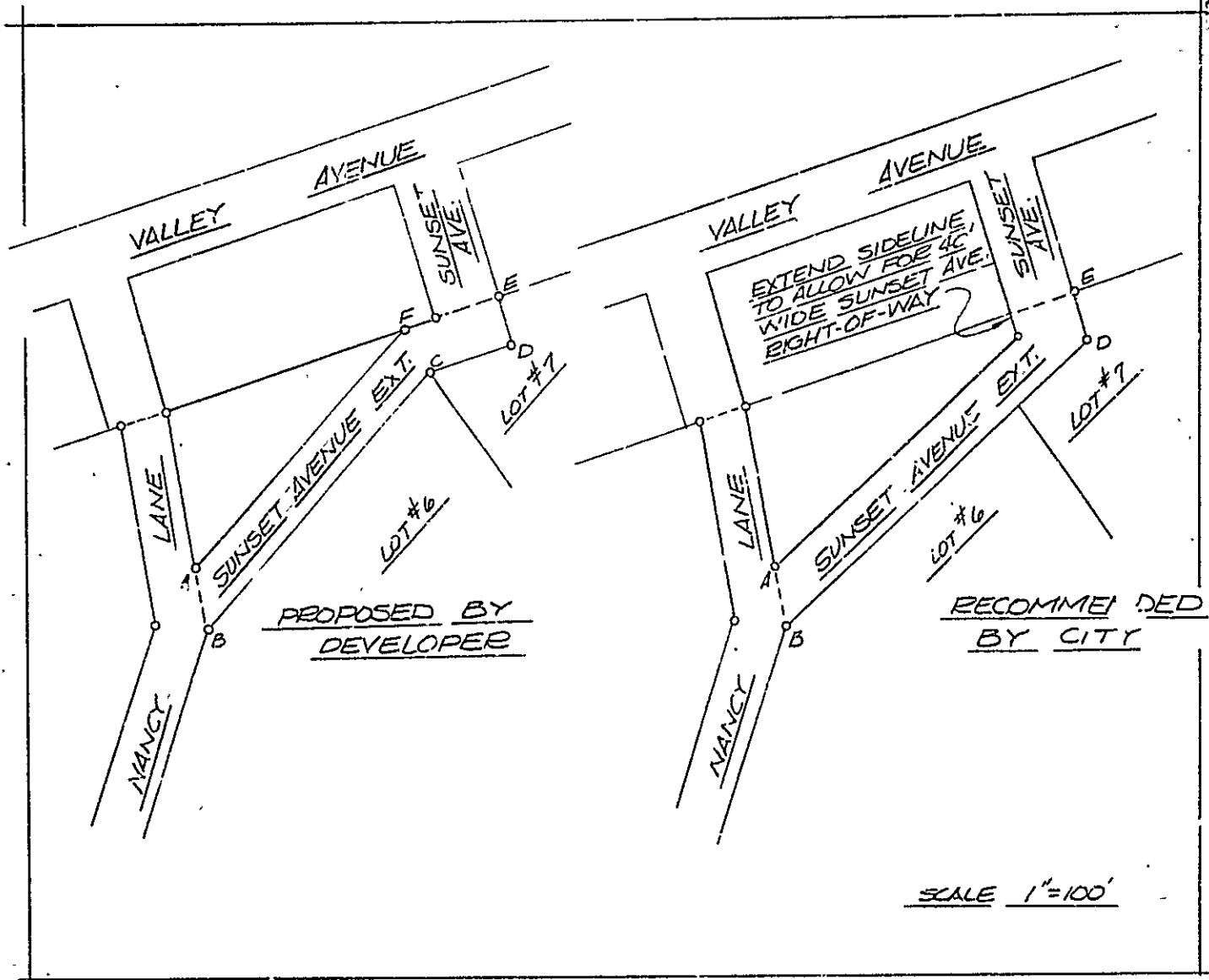
In accordance with Section 603.6.4, paragraph (f) of the Municipal Code, final subdivision plats are required to show the location and description of all street monuments. In the case of this subdivision, the desired locations of street monuments were previously determined at a meeting between Mr. David Haynes of Land Use Consultants, Inc. and Mr. John Chenebro, 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



PROPOSED BY  
DEVELOPER

RECOMMENDED  
BY CITY

SCALE 1"=100'



August 9, 1976

MEMORANDUM FOR: Donald E. Megathlin, Jr., Planning Director

FROM: Warren J. Turner, Planning Department

SUBJECT: Monumentation for Great Diamond Shores, Phase I

Mr. David Elliott called this afternoon to say that he has met with George Flaherty relative to the Department's request for monuments in his subdivision and George has indicated to him that the City will place those within the accepted portions of the streets and that the developer will be expected to place those monuments for those streets for which he is responsible for improvement, prior to the time at which he asks for those streets to be accepted by the City.

This is in agreement with the recommendation by Mr. Goodnow of Land Use Consultants, who have recently relocated their office to 966 Riverside Street.

*Warren*  
Warren J. Turner



## CITY OF PORTLAND

DONALD E. MEGATHLIN, JR.  
PLANNING DIRECTOR

August 3, 1976

TO PROPERTY-OWNERS IN THE VICINITY OF NANCY AND NICHOLAS STREETS ON GREAT DIAMOND ISLAND:

The purpose of this letter is to inform you that the subdivision plat for Great Diamond Shores, Phase I, will be presented to the Planning Board for final approval, at its meeting on Tuesday evening, August 10, 1976, at 7:30 P.M., in Room 209, City Hall, Portland, Maine.

You may wish to attend this meeting in order to obtain additional information concerning this residential development on Great Diamond Island, as proposed by Mr. David L. Elliott of Scarborough, Maine.

If, for some reason, you are unable to attend this meeting, you may wish to send a short letter expressing your views concerning this development to Mr. Donald E. Megathlin, Jr., Planning Director, 389 Congress Street, Room 211, Portland, Maine, 04111. All correspondence received will be shared with the Planning Board prior to their final action on this development plan.

Sincerely,

*Donald E. Megathlin*

Donald E. Megathlin, Jr.  
Planning Director

DEM/wt

Sent to: Robert B. Laughlin & G. Adaline, 561 Ridgebury Road, Ridgefield, Conn.  
Robert F. & Constance A. Noring, Great Diamond Island  
Earle D. and Jeannette G. Reed, 1183 Shore Road, Cape Elizabeth  
Charles Crouch, Resetar Hotel, Box 71, Watsonville, California  
Clarice E. Abbot, 17 Amerescoggin Road, Falmouth, Maine  
Robert W. Laughlin, 15 Ocean View Ave., South Portland, Maine  
Betty L. Smith, 175A Pine Street, Portland  
Wood O. Merrill, Devs., c/o Ferne Kimball, Great Diamond Island  
Jeannette F. Rose, 62 Grant Street, South Portland  
Great Diamond Island Association, Great Diamond Island  
Maine Department of Transportation, Augusta, Maine  
Maine Port Authority, 40 Commercial Street, Portland  
Margaret M. Harris, Valley Avenue, Great Diamond Island  
William M. & Barbara D. Jewell, Great Diamond Island  
Eleanor W. Wichart, Great Diamond Island  
Theodore Yonan & Edith, 21 Pine Knob Circle, Wapping, Conn.  
Casco Bay Lands Co., c/o King Resources Co., Box 9698, So. Denver Station,  
Denver Colorado  
David L. & Diane B. Elliott, Jocelyn Road, Scarborough, Maine  
Stanley Goodnow, Land Use Consultants, Inc., 1100 Forest Avenue, Portland  
Paul Frnsko, Attorney, One Monument Square, Portland,  
Stanley Williamson, President, Casco Bay Island Development Assn., Peaks Island  
James M. Hutchinson, 536 Linton Street, Cincinnati, Ohio  
Elizabeth Picking, Warner, Falmouth, Maine  
Diamond Island Association, c/o Curtis Laughlin, 68 Prospect St., Portland  
Portland Water District, 225 Douglass Street, Portland  
Ernest L. Laughlin, 68 Orisoect Street, Portland  
Peter L. Murray, 38 Exchange Street, Portland  
Mrs. John H. Chapman, Island Avenue, Peaks Island

Florence R. Lapchelle, Devs. (no letter sent - no address located)

July 27, 1976

MEMORANDUM FOR: Donald E. Megathlin, Jr., Planning Director

FROM: Warren J. Turner, Planning Department

SUBJECT: Review of Great Diamond Shores, Phase I

I have this date talked with George Flaherty, who has sent us a letter from Peter Murray advising the City that the pedestrian right-of-way is not being sought by the residents of Great Diamond Island due to failure of a meeting of the minds on the part of those concerned as to its location.

The letter also expressed hope that the Federal funds could otherwise be spent for the improvement of some other project of interest to Great Diamond Island property-owners.

I have this date discussed all of the items concerning which you still had questions in your discussion with me yesterday. These streets which are the responsibility of the developer will be constructed according to City specifications, so that they can be accepted by the City at some future date.

A copy of a letter from Public Works has been received this morning. It stipulates that the gravel samples obtained from Great Diamond Island do not meet City requirements, and Mr. David Elliott is being so advised by Public Works. This will undoubtedly be disappointing to him, since Ted Rand indicated that the City requirements were not as stringent for Island street construction as for the mainland of Portland. If Mr. Elliott has to "import" gravel instead of using the existing supply from the Island, the costs will be considerably higher, as the City well knows.

I have checked the effect of Flood Prone areas on Lot #1 of the Great Diamond Shores, Phase I, and found that Lot #1 for the major part is within the Flood Prone area as set forth by the latest survey received in the Department. Mr. Haynes also has indicated that the remainder of Lot #1 would not pass a soil test for subsurface sewage disposal, except for the area near the old farmhouse. I suggested that a letter accompany the final plat submission explaining this and several other matters. He said that he would prepare such a letter, and that he would try to have the final plat in our hands at least five days prior to the meeting (August 10th). Mr. Haynes will be on vacation during the date of the meeting, but he believed that Mr. Elliott could handle any questions, plus a representative from the Land Use Consultants office.

*Warren*  
Warren J. Turner

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Donald E. Megathlin, Jr., Planning Director

DATE: 5/18/76

FROM: Warren J. Turner, Planning Department

SUBJECT: Minutes of May 17th Meeting with David Elliott and J. David Haynes  
Re: Great Diamond Shores, Phase I - Preliminary Subdivision Plat

Mr. David Elliott said that he would be meeting with several members of the Great Diamond Island Association tomorrow. He took an extra copy of the proposed subdivision plat with him to show them.

Regarding proposed changes in the street pattern, the existing streets are considered to be workable at present, and Mr. Elliott said he would take any Board members down to show them the proposed development, if they desired to see it for themselves. Mr. Holtenhoff suggested that if Mr. Rand were satisfied, the Board would be apt to rely upon his good judgement with respect to the location of the proposed street just southerly of the R. B. Laughlin lot, just off Nicholas Street in view of the Board's discussion last Tuesday. Mr. Elliott said he would be asking Mr. Rand to visit the area with him. Mr. Reed presently has an easement across the other lots to provide him with access to the wharf.

With respect to the proposed pedestrian connector contemplated for possible installation across Lot #1, Mr. Elliott indicated that the development plan is not contingent upon the acceptance of this facility. He felt that the plan could be approved prior to arrival at a decision as to the location of the pedestrian way, and that some decision in the matter should be reached prior to July 1st due to the involvement of HCD funds, which would then revert to the Federal control, if not otherwise used. Brian Nickerson, George Flaherty, and Tom Valleau were mentioned as contacts for Warren Turner concerning the status of this possible pedestrian connector and for a briefing as to the solidity of genuine Council support for this HCD expenditure.

Access to the Reed property is now achieved via an easement across several shore front lots to comply with deeded rights-of-way. A new street, as proposed by Mr. Rand at the May 11th meeting, may not be advisable to install due to the terrain and topographical limitations. This possibility had previously been explored by Mr. Elliott and Mr. Haynes, who indicated that they would be pleased to take Mr. Rand over to see the problems involved to interfere with its implementation, ledge, fill needed, etc.

Determination of the amount of subdivision bond to be required will be made by Public Works Department, through Mr. John Chesebro's office. Mr. Elliott said he would check into this phase. A memorandum request is being initiated by the Planning Department to request an estimate as to the amount of bond required for this subdivision.

May 18, 1976  
Page 2

Mr. Elliott and Mr. Haynes indicated that they would be pleased to take the members of the Board out to see the subdivision first-hand, if they so desired.

Concerning the extension of water lines, a letter from Mr. Wyman has indicated that such extension would be feasible. Mr. Elliott asked as to the restrictions governing the use of wells as a water source. The Portland Water District has indicated that it would be feasible to extend the existing lines, which are adequate to serve the area. Mr. Elliott indicated that a private contractor might be obtained to install the lines, as it would be less expensive for the work to be accomplished in such a manner, he believed.

Additional hydrants will be indicated as soon as a determination is reached as to the number of them to be required. Mr. Elliott will be checking with the Chief of the Fire Department in this regard, and distance apart, etc.

For information concerning the provision of street lighting, it was suggested that Mr. Elliott contact Mr. Bill Ridgeway as to the requirements on the Islands for street lighting, distance apart, etc.

Minor street improvements are to be made by the developer on those sections of street not now accepted, in order to bring them to City standards and specifications for Island street construction.

Information as to the City's responsibility for improvement of the accepted portions of Nancy Lane and Nicholas Street is being sought by Warren Turner from the Public Works Department, including verification of the formula for street assessment, and information as to available funds for financing such a project.

The sponsor of the development is responsible for provisions for surface drainage, insofar as culvert installations for new sections of street, and insuring that existing drainage is not impeded. Mr. Elliott said that George Flaherty has advised him that the next time a back-hoe is available on Great Diamond, the City will assist in restoring the drainage pattern which previously existed across Lot #1.

The request for a waiver for curbs and sidewalks is one aspect which does not need to be resolved prior to the approval of the final plat. Such a request may be submitted to the City Council after the approval by the Planning Board of the final plat.

With reference to Lot of R. B. Laughlin et als, access is guaranteed across the land in front to the street, and this provision is contained in the deed to him, but this is an undefined easement. It was agreed by Mr. Elliott that a specific easement would be provided in the revised preliminary plat, possibly across Lot 17.



May 18, 1976

Page 3

Mr. Holtenhoff, Assistant Planning Director, requested that Warren J. Turner of the Planning Department prepare a memorandum to outline the minutes of the meeting held at 10 A.M. on May 17th in the Planning Department with David Elliott, Owner, and J. David Haynes, Land Use Consultants, Inc. This memorandum is in response to that request.

*Warren J. Turner*  
Warren J. Turner

HJT/jk

cc: John Chesebro, Chief Engineer, Public Works  
John Rague, Public Works  
David Elliott, Owner  
J. David Haynes, Land Use Consultants, Inc.

Land Use Consultants, Inc.

June 18, 1976

76346P

RECEIVED JUN 28 1976

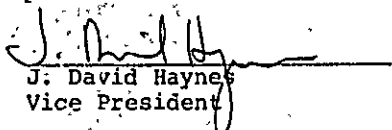
City of Portland  
389 Congress Street  
Portland, Maine

PUBLIC NOTICE AND NOTICE  
TO ABUTTING LANDOWNERS

Please take notice that David L. Elliott of Scarborough, Maine is filing an application with the Department of Environmental Protection under Title 38 M.R.S.A., Sections 481-488 to: subdivide approximately 24 acres on Great Diamond Island in Portland, Maine.

The application will be filed with the Department within ten (10) days of the publication of this notice and will be available for public inspection at the Department's office in Augusta or at the City Hall in Portland, Maine.

Public comments on the application must be sent to the Department in writing within 14 days of filing of the application in the Department's offices to receive consideration.

  
J. David Haynes  
Vice President

Land Use Consultants, Inc.

RECEIVED JUN 28 1976

June 18, 1976

76346P

Portland Planning Board  
City Hall  
389 Congress Street  
Portland, Maine

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\_\_\_\_\_  
J. David Haynes  
Vice President

**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.

August 27, 1976

Mr. Norman L. Magoon  
Maine Bonding & Casualty Co.  
400 Congress Street  
Portland, Maine 04111

Subdivision  
Re: Great Diamond Shores Bond  
# 154158  
Phase I - David L. Elliott

Dear Mr. Magoon:

This is to advise you that the City of Portland has received a Subdivision Bond # 154158 from your firm for Great Diamond Shores Subdivision, Phase I, on Great Diamond Island in Portland, Maine. This bond covers the construction of streets and other public improvements to be completed by David L. Elliott of Scarborough, within a two year period (on or before August 24, 1978). This bond may be extended, subject to Planning Board approval.

Prior to the recording of the original linen at the Registry of Deeds, it is requested that five copies of the final plat, as approved by the Planning Board on August 10, 1976, be provided for distribution among the several City Departments concerned.

Sincerely,

*Warren J. Turner*  
Warren J. Turner  
Planning Department

encl.

cc: Kenneth H. Cadigan, Chairman  
Donald E. Megathlin, Jr., Planning Director  
George A. Flaherty, Director of Public Works  
R. Lovell Brown, Director; Building & Inspection Services  
Mrs. Patricia Meehan, Office of the Corporation Counsel  
David L. Elliott, Scarborough



# MAINE BONDING AND CASUALTY Company

PORTLAND, MAINE

154158

KNOW ALL MEN BY THESE PRESENTS, that We **DAVID L. ELLIOTT**  
Scarborough, Maine

as PRINCIPAL and MAINE BONDING AND CASUALTY COMPANY, Portland, Maine as  
SURETY, are held and stand firmly bound unto the City of Portland, Maine  
in the sum of ~~\*\*\*\*\*~~ Fifteen Thousand, One Hundred Forty Two ~~\*\*\*\*\*~~ DOLLARS  
(\$ 15,142.00 ) for the payment which well and truly to be made the said Principal  
and Surety bind themselves, their heirs, executors, administrators, successors and  
assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has proposed to construct the following improvements in the  
~~\*\*\*\*\*~~  
City of Portland, Maine : construction of 310 linear feet of Sunset  
Avenue extension, 1,085 linear feet of Nichols Street and 430 linear feet of Diamond Shore Road  
and other public improvements.

~~\*\*\*\*\*~~  
WHEREAS, the City of Portland, Maine has approved said proposal  
conditioned upon the Principal filing a Surety bond with the obligee to guarantee  
completion of said improvements.

NOW, THEREFORE, the condition of this obligation is such that, if the above bonded  
Principal shall complete the aforesaid improvements to the satisfaction of the

~~\*\*\*\*\*~~  
City of Portland, Maine on or before Aug. 24, 1978, then this obligation shall be null  
and void; otherwise shall remain in full force and effect. In the event the Principal  
fails to complete said improvements within said period, Surety will (a) within thirty  
(30) days of determination of such default, take over and assume completion of said

~~\*\*\*\*\*~~  
improvements or (b) pay to the City of Portland, Maine in cash the  
reasonable cost of completion. The Surety will make such payment within fifteen  
(15) days after the cost of completion shall have been determined.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals  
this 24th day of August, 1976.

WITNESS:

David L. Elliott

By: David L. Elliott

MAINE BONDING AND CASUALTY COMPANY

By: George M. Frame  
George M. Frame, Vice President

By: Norman L. Magoon  
Norman L. Magoon, Attorney-in-fact

Great Diamond Shores

Subdivision

Great Diamond Island

Portland, Maine

**Land Use Consultants, Inc.**

1100 FOREST AVENUE PORTLAND, MAINE 04103 207-797-8187



# Land Use Consultants, Inc.

1100 FOREST AVENUE PORTLAND, MAINE 04103 207 797 8187

June 24, 1976

76346P

Mr. Henry Warren Supervisor  
Bureau of Land Quality Control  
Department of Environmental Protection  
Augusta, Maine 04330

David L. Elliott, Great Diamond Shores Subdivision, Portland

Dear Hank:

In behalf of David L. Elliott, we are submitting herewith the Site Location Application for the above residential subdivision. In addition to the completed application form, this submission also consists of ten exhibits. Exhibit 2 is in plan form and Exhibit 1 and 3 - 10 are bound with the application form.

<u>Exhibit Number</u>	<u>Title</u>
Plan Exhibits	
2.	Preliminary Plan (11 copies).
Bound Exhibits	
1.	Letter from Casco Bank pertaining to the applicant's financial capability.
3.	USGS map indicating project area.
4.	Deed to property
5.	Letter of Preliminary Plan approval from the Portland Planning Board.
6.	Report of soil investigations and test pit logs by Main-Land Development Consultants.
7.	Drainage and Erosion Plan
8.	Letter from Portland Water District regarding their capability to serve.

Land Use Consultants, Inc.

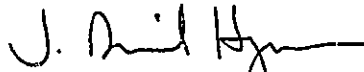
Henry Warren  
Page two

<u>Exhibit Number</u>	<u>Title</u>
9.	Wastewater Discharge Licensing - Status Report.
10.	Typical Road Cross Section

A public notice pertaining to the application is to be published in the Portland Press Herald. All of the adjoining property owners have been notified by mail.

Please feel free to contact us concerning any questions or comments which you may have about the application. We would appreciate receiving a copy of the staff's review prior to its being considered by the Board.

Very truly yours,

  
J. David Haynes  
Vice President

cc: Mr. David L. Elliott  
F. Paul Frinsko, Esq.  
Portland Planning Board  
City of Portland

JDH/mjw

**Land Use Consultants, Inc.**

1100 FOREST AVENUE PORTLAND, MAINE 04103 207-797-8187

RECEIVED JUN 28 1976

June 18, 1976

76346P

Portland Planning Board  
City Hall  
389 Congress Street  
Portland, Maine 04111

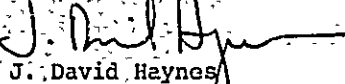
Great Diamond Shores Subdivision - Great Diamond Island, Portland, Me.  
Application for Site Location Approval

Gentlemen:

In accordance with the requirements of Maine Law, enclosed please find a completed copy of the Application for Site Location Approval which has this date been mailed to the Department of Environmental Protection. This application should be kept on file for inspection at your office in accordance with the requirements of the Site Location Act.

Very truly yours,

Land Use Consultants, Inc.

  
J. David Haynes  
Vice President

cc: Mr. Henry Warren

JDH/mw

George A. Flaherty, Director of Public Works

Warren J. Turner, Planning Department

July 27, 1976

Status of Dump on Great Diamond Island

Has any target date been set for the discontinuance of the dump on Great Diamond Island? What effect will the proposed subdivision for Great Diamond Shores, Phase I, have on the use of such facility?

Don Megathlin has asked me to investigate the status of the dump and what, if any, effect these fourteen or so additional dwelling units might have on the solid waste disposal facility for Great Diamond Island.

Will your Department please comment on this question?

Warren J. Turner

Y  
D  
O  
C

CITY OF PORTLAND, MAINE  
MEMORANDUM

George A. Flaherty, Director, Public Works  
TO: Clement O. Dodd, Chief, Fire Department  
R. Lovell Brown, Director, Building and Inspection Services  
FROM: Warren J. Turner, Planning Department

DATE:  
August 4, 1976

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

The final plat for Great Diamond Shores, Phase I, has been submitted by Land Use Consultants, Inc. for Mr. David L. Elliott of Scarborough. This final plat incorporates the recommendations for revision as suggested by the City Planning Board, the Planning Department, and the several other reviewing City Departments.

This plan will be under consideration for final approval at the Planning Board meeting on Tuesday evening, August 10, 1976, at 7:30 P.M. in Room 209, City Hall. Please submit any recommendations and comments to the Planning Department prior to the public meeting.

Enclosures:

Letter dtd August 2, 1976  
Copy of Final Plat

*Warren J. Turner*  
Warren J. Turner

## Land Use Consultants, Inc.

966 RIVERSIDE STREET PORTLAND, MAINE 04103 207-797-8187

LAND PLANNERS ENGINEERS SURVEYORS

August 2, 1976

76346 P

Portland Planning Board  
City Hall  
389 Congress Street  
Portland, Maine 04111

David Elliott: Diamond Shores Subdivision, Great  
Diamond Island, Portland, Maine

Gentlemen:

In behalf of David Elliott, we transmit herewith the Final Plan submission for the Diamond Shores subdivision. This submission complies with requirements of the City of Portland Subdivision Ordinance, Section 603.5.5 Final Plat Filing and Execution; and Section 603.6.4 Final Plat. This submission includes:

1. An original ink on linen plat and five blue-line prints of the Final Plan for Diamond Shores subdivision, prepared by Land Use Consultants, Inc., dated August 1976.
2. A set of blue-line prints showing proposed roadway and drainage improvements, Diamond Shores subdivision, prepared by Land Use Consultants, Inc., dated July 1976.

Plans for proposed roadway design and construction have been forwarded to the Department of Public Works under separate cover for review and approval. It is the intent of the developer to improve roads within new proposed rights-of-way to standards of the Department of Public Works for island construction and request acceptance of the roads by the City. Specifically, Diamond Shore Road is a new proposed road which will require right-of-way definition and totally new road construction; Nicholas Street is an existing road which will require an extension of right-of-way definition and partial road reconstruction; and Sunset Avenue Extension is an existing road in good condition which will require only minor improvement and right-of-way definition.

In a telephone conversation with Mr. Turner on July 27, he conveyed the Planning Board's concern regarding re-subdivision of Lot 1. We evaluated this alternative prior to preparation of the Preliminary

Land Use Consultants, Inc.

Portland Planning Board  
Page two

Plan J concluded the soils were unsuited to subsurface disposal by standards of the existing Plumbing Code, and the cost to construct a sand filtration and overboard discharge system was economically unfeasible. A copy of the Site Location Application as submitted to the Department of Environmental Protection was forwarded to the Planning Board on June 24, 1976. The Department of Environmental Protection is scheduled to act upon the application at its August 25th meeting.

We trust this submission fulfills the requirements for Final Plan Approval. Should the Planning Board have any questions or comments, we shall be pleased to respond.

Very truly yours,

*for Stanley R. Goodwin*

J. David Haynes  
Vice President

cc: David E. Lott  
F. Paul Frinsko, Esquire

JDH/mjw

Planning Report # 78-76

Your technical  
analysis is  
getting better

W.T.

Not a final report.  
Some old problems of  
time, though.

\* Only one concern

This map or a walk map  
should show  
unaccepted, accepted,  
~~existing~~ existing to be  
improved + public or  
private.

PLANNING DEPARTMENT REPORT

FINAL REVIEW OF GREAT DIAMOND SHORES SUBDIVISION,  
PHASE I, ON GREAT DIAMOND ISLAND - DAVID L. ELLIOTT

Have  
Land Use  
Com. make  
changes on  
final plat  
before Tues.  
so B. can  
sign at  
mtg.

Submitted to:

City Planning Board  
Portland, Maine  
August 10, 1976

DM



### BACKGROUND

A revised preliminary plat for Great Diamond Shores, Phase I, (Total Area: 24 Acres) was granted preliminary approval by the Planning Board at its June 8, 1976 meeting. This proposed residential development has also been submitted for review by the Department of Environmental Protection, due to the fact that it contains more than 20 Acres. A public hearing has been set for August 25th by the DEP, which awaits word of the Board's action. Phase II of the proposed development is not now under consideration, *although it was schematically shown on the preliminary plat.* it will contain about 80+ Acres of additional land for future residential development.

Phase I encompasses .17 lots, including two lots with existing residential structures and two which are not suitable for dwelling unit construction.

### FINDINGS OF FACTS

#### 1. Pedestrianway

Attached to this report is a letter re the Great Diamond Walkway Project which was considered as an approved Housing and Community Development funded project. *Apparently discussions by several people resulted in a decision not to fund the walkway.* Mr. Peter Murray, local attorney, expresses the suggestion that such money be employed in some other useful fashion on the Island.

#### 2. Flood Prone Area

A major portion of the vacant area within Lot #1 (6 Acres) lies within the area designated for the 100-year flood plain. This grassy slope is edged along the waterside by alders and crossed by surface drainageways which serve as natural watercourses for the upland areas within the development.

The old farmhouse is located on Lot #1. In response to the inquiry concerning re-subdivision of Lot #1, we are advised by Land Use Consultants, Inc. that the soils were unsuited for subsurface disposal by standards of the existing Plumbing Code (for a major portion of Lot #1) and the cost to construct a

sand filtration and overboard discharge system was economically unfeasible. *The remainder of this parcel is therefore not developable as a house lot.*

### 3. Access and Street Design

Access within the proposed development has been improved by the planned installation by Mr. Elliott of a new street to be named "Diamond Shore Road," as shown on the final plan. This new street will provide improved access to the Robert B. Laughlin lot and several other properties as well as ultimately to Phase II of the future residential development. The 40-foot right-of-way will be extended with a 16-foot width of graded gravel roadway.

### 4. Available Gravel for Street Construction

On July 27th a copy of a letter to Mr. Elliott from Public Works Department indicated that the gravel samples obtained from Great Diamond Island do not meet City specifications. If gravel has to be "imported" from the mainland instead of using the existing supply from the Island, the cost of transportation will be considerably higher, as the City well knows.

All portions of street beyond those accepted portion of Nancy and Nicholas Streets will be constructed by the developer according to City standards to prepare them for future acceptance by the City.

### 5. Designation of Smaller Lots as "Not Suited for Dwelling Units"

Lots #2 and #17 are not suited for residential uses. Lot #2 is too small and possibly of interest only to an abutter. Lot #17 is seasonally too wet for dwelling use purposes. Recommend these lots be labeled on the final plat as "Not Suitable for Dwelling Units."

### 6. Disposal of Solid Wastes

The target date for termination of the landfill operation on ~~Old Fort Road~~ <sup>present</sup> on Great Diamond Island has been set for discontinuance by 1977, *is deemed adequate to serve this development;*

according to Public Works Department. *It may be necessary to expand this operation in the future, or utilize the barge operation facilities by transporting solid wastes to the mainland. A memorandum is being sent by Frank Furber of the Public Works Department.*

6. Additional Hydrants for Phase I

Two additional hydrants will be installed in accordance with the request for them by the Chief of the Fire Department: one on Nicholas Street opposite Lot#8 and one on Nancy Lane opposite Lot #4 or 5.

7. Street Lighting

Wiring for electric service will be overhead. According to Public Works, street lighting will be provided by the City on poles as approved by the Public Works Department.

8. Subdivision Bond

A subdivision bond in the amount of \$15,142 will be required by the City to cover the installation by the developer of public improvements within Phase I of the Subdivision. This has been computed as follows:

Great Diamond Shores:

Fort Road - Street	310.00 Lin. ft. @ \$8.30/L.F. =	\$ 2,573.00
Nicholas Street	1,085.00 Lin. ft. @ \$8.30/L.F. =	9,000.00
Diamond Shore Road	430.00 Lin. ft. @ \$6.30/L.F. =	<u>3,569.00</u>
	Total	\$15,142.00

9. Water Service

Existing year-around water service (8-inch pipe) will be extended to serve Phase I of the Diamond Shores residential development.

10. Surface Drainage

Wherever a natural watercourse crosses private land, the deed to such lot should specify that such use of the land is subject to restrictions for surface drainage. Where appropriate, necessary culverts and storm drains will be required to be installed by the developer.

11. Curbs and Sidewalks

When the developer wishes to do so, he may initiate a petition to the City Council for a waiver of the curbs and sidewalks requirement due to limited vehicular traffic volumes on Great Diamond Island and the tendency for Island residents to walk more frequently than mainland residents. Consequently, there are few traffic problems.

12. Typical Section of Streets

This plan has been provided and meets with Public Works approval based on the City's standards for Island street construction.

13. Shoreland Zoning

~~With the exception of Lot #1,~~ there appear to be no serious problems insofar as Shoreland Zoning restrictions are concerned. However, there are some limits as to the amount of tree clearance and other types of activity, such as filling and grading, which may take place on Lots #13, 14 and 15 of this development.

~~14. Scenic Beauty~~

*can be reviewed at the time of the building permit process*  
Scenic beauty, as indicated in the photographic slides for Great Diamond Shores, abounds on all of the Casco Bay Islands, but this proposed development will afford an opportunity for additional families to share in the enjoyment of these natural wonders.

Recommendation

Since it appears that all of the problems have been resolved, the Planning Department therefore recommends that the Board grant final approval for the Great Diamond Shores Subdivision, Phase I, subject to the following conditions:

1. That Lots #1, 2 and 17 be labeled on the final plan "Not Suitable for *Unsewered* Dwelling Units"; and
2. That the Planning Board recommend to City Council approval of the developer's petition to Council for a waiver of the curbs and sidewalks requirement.
3. *That the flood prone areas be identified on the final plan.*



**Casco Bank  
& Trust Company**

MONUMENT SQUARE · P. O. BOX 678 · PORTLAND, MAINE 04104  
TELEPHONE (207) 774-8221

June 4, 1976

Mr. Warren Turner  
Zoning Specialist  
City of Portland  
Planning Department  
Portland, Maine

Dear Mr. Turner:

Mr. David Elliot of Jocelyn . . . in Scarborough, Maine has applied to your Department for its approval to subdivide 23 acres of land on Great Diamond Island.

Mr. Elliot has been an account of this Bank for a number of years and I will attest to the fact that a project of this scope will tax his financial capabilities only slightly as I understand the development cost to be approximately \$55,000.

If any further information is needed, I will be happy to provide same with Mr. Elliot's approval.

Sincerely,

*Joseph A. Grondin*  
Joseph A. Grondin  
Vice President

JAG/dld  
cc: Mr. David Elliot

**A Casco/Northern Bank**

## 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 40' 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

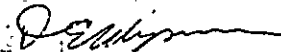
Mr. Warren Turner  
City of Portland Planning Dept.  
389 Congress St.  
Portland, ME

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 18 1976



CITY OF PORTLAND MAINE

76346P

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,

*Clement O. Dodd*  
Clement O. Dodd  
Chief of Portland Fire Department

COD:dg

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 04108

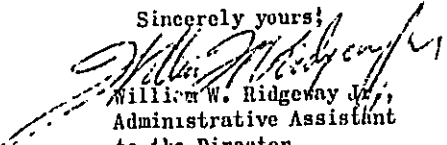
Dear Mr. Fournier:

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

CITY OF PORTLAND, MAINE  
MEMORANDUM

George A. Flaherty, Director of Public Works  
R. Lovell Brown, Director of Building & Inspection  
TO: Clement O. Dodd, Fire Chief

DATE: 4/27/76

FROM: Warren J. Turner, Planning Department

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

A preliminary plan, prepared by Land Use Consultants, has been received for review by the Planning Board for the David Elliott Property on Great Diamond Island.

It is the intent of the developer that parcels 1 and 3 through 16 be developed for single-family use. Parcels 1 and 14 now include existing residential structures. Parcels 2 and 17 are not suited for residential development and are to be retained by the subdivider for future disposition.

Results of backhoe test pits have been made on each of the lots intended for residential use. A log of soil test pit results is included as part of this submission. Sewage 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. Water service is available through the Portland Water District service to Great Diamond.

Access to proposed lots is by existing public rights-of-way (Nancy Lane and Nicholas Street) and extension of these rights-of-way. Where rights-of-way are to be extended, private roads will be improved to public standards for acceptance by the City. Access to lots 13, 14 and 15 is over an existing easement. When these lots are conveyed a 40' right-of-way will be reserved to assure adequate width if a future public right-of-way is desired.

Please review the enclosed proposed plat and relating details and send us your comments on or before Monday, May 3rd for consideration by the Planning Board. This matter will be considered on the agenda for May 11th.

*Warren J. Turner*  
Warren J. Turner

WJT/jk  
Enclosure

CITY OF PORTLAND, MAINE  
PLANNING BOARD



May 13, 1976

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.

Mr. David Elliott  
Jocelyn Road  
Prouts Neck  
Scarborough, Maine 04074

Dear Mr. Elliott:

As you know, the Planning Board at its evening meeting on May 11th received the revised preliminary plat for Great Diamond Shores, Phase I, as prepared by the Land Use Consultants, Inc. This preliminary plat was reviewed by the Planning Board and it was subsequently voted unanimously to table this matter until the June 8th meeting of the Planning Board in order to allow sufficient time for the problems to be resolved.

In the interim period, additional time will be allotted for sending notification to abutting and interested property-owners on Great Diamond Island and to the Great Diamond Island Association. Several problems or issues were revealed at the meeting, which included the following:

1. The possibility of a pedestrian connector across Lot #1 to provide more direct access to the wharf for the Sandy Point area and the reconstruction of a wooden foot-bridge at the head of Lamson Cove, as well as other pedestrian connection alternatives;
2. Redesign of the proposed street pattern to provide for a second public street to supplement the existing shoreland easement as the principal route of access to northeasterly segments of your property;
3. Determination of the amount of the subdivision bond required to cover the estimated costs for public improvements by the Director of Public Works;
4. Extension of water lines to be arranged with Portland Water District;
5. Installation of hydrants in such locations as are acceptable to the Chief of the Fire Department;
6. Provisions for street lighting utilizing overhead wiring on poles along the streets;
7. Minor improvements of streets within Phase I of your development;


Mr. David Elliott  
May 14, 1976  
Page 2

8. Provisions for drainageways, culverts, etc. wherever required;
9. Request for a waiver of curbs and sidewalks from the City Council;
10. Provision for access easement or new street to serve the lot owned by Robert B. Laughlin et als;
11. Statement of financial capability as required by State Law;
12. Construction of streets according to specifications for City acceptance of island streets.

When all of the above-listed items have been resolved and clarified, the Board will then consider this preliminary plat again, aided by a formal report from the Planning Department. In the meantime, Mr. Warren Turner of the Planning staff will be in contact with Mr. Haynes of Land Use Consultants, Inc. to set up a meeting to resolve these remaining concerns and problems.

I hope that you will assist the Planning Department and Land Use Consultants, Inc. in making available as much as possible of the above detailed information prior to the June 8th meeting of the Planning Board, so that the Board may be able to deliberate in a meaningful and informed way.

Sincerely,

  
Kenneth H. Cadigan  
Chairman

KHC/jk

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

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Chairman and Members of the Planning Board  
DATE: May 10, 1976  
FROM: Warren J. Turner, Planning Department  
SUBJECT: Preliminary Review of Great Diamond Island Shores Subdivision, Phase I

The following observations are submitted based on a study of the preliminary plat for the subdivision of 24 Acres of land belonging to David L. and Miune B. Elliott on Great Diamond Island:

Suggested Changes

1. Straighten curve and make minor fill of wet area adjacent to Lot 17.
2. Lot 1 of the Preliminary Plat may be subject to a right-of-way for a pedestrian connector now under study by the Great Diamond Island Association and the City; this pedestrian route would connect Nancy Band more directly to the Wharf and provide a more direct walkway for the residents of the Sandy Point area of the Island.

Issues of Concern

1. No preliminary plat for the balance of the Elliott Property. This seems reasonable due to the necessity for making soil test pits in that 80 Acre area.
2. Street improvement costs for accepted street portion (possible C.I.P. items estimated at \$24,000). This cost would be borne 1/3 by the City and 2/3 by the abutting property owners.
3. Estimated or Anticipated Value of housing construction. This would be determined by whether these will be seasonal or year around construction. If 14 new houses are to be built at about \$30,000 per structure, the amount of total new construction will represent \$312,000 and have an estimated tax return for those buildings of \$10,527.20 based on 1975 tax rate, exclusive of the land.
4. Re Curbs and Sidewalks: The Developer will have to obtain a waiver of the requirements from the City Council, according to Public Works Department.

Conditions of Final Plat Approval

1. Access: An access easement should be shown across Lot #17 (unbuildable) in order to furnish access to the street for the 1 Acre lot owned by Robert B. Laughlin et al. The Assessors' Office records indicate that an unspecified right to passage exists for that lot by deed provision.

2. Extend water service and hydrants as requested by the Fire Chief.
3. Show lighting appropriate to low-traffic island setting.
4. Broaden acute angle of Nicholas and Nancy Streets roadway intersection. (Roadway - not Street intersection).
5. Respect drainageways, etc.

The foregoing observations were based on a meeting with representatives of the Public Works Department and Mr. J. David Haynes of Land Use Consultants on May 10, 1976 in the Planning Department.

The following is the text of the Planning Department Report:

"Review of Preliminary Subdivision Plat  
For Great Diamond Shores, Phase I -  
David L. and Diane B. Elliott, Owners

I. Background Information

A preliminary plat for 17 Lots (including 2 lots with existing structures and two lots which are not suited for residential development) has been prepared for 24 Acres of land owned by David L. and Diane B. Elliott of Scarborough, by Land Use Consultants, Inc. This preliminary plat would be developed for single family residential construction. Approval of this plat by the Department of Environmental Protection will be required due to the fact it contains more than 20 Acres.

II. Findings of Facts

This preliminary plat has been prepared by Land Use Consultants, Inc.; the lots are generally large and range from 3/4 of an Acre to about 6 Acres in size. A subsequent phase (Phase Two) will encompass approximately 78 Acres of adjacent land which borders on the King Resources tract (which was formerly Fort McKinley). The total assessed value of the entire Elliott property is \$116,390, and 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 approximately 105.8 Acres.

Boat Service is Inadequate and Infrequent

Casco Bay Lines now serves both Great and Little Diamond Islands on notice only. Regularly scheduled boat service should be provided at least from May 1st to October 31st. On May 6th, the 12:05 Noon boat was nearly an hour late in arriving at Great Diamond Island Wharf.

Street Lighting

The developer is investigating the cost of installing additional street lights on poles located within this proposed development.



Wiring will be overhead for electric service; therefore poles should be available for street lighting purposes. Additional information will be provided prior to final subdivision approval.

#### Fire Protection

Additional and improved fire protection is needed for Great Diamond Island. At present there is a trailer unit with hoses which stands ready to be manned by volunteers in the event of an emergency. Chief Dudd has advised that if the existing 8-inch water lines are to be extended, then probably additional hydrants could be installed to serve this new development area. If so, this would then make the development acceptable to the Fire Department. The existing water lines were recently installed to furnish year-round service in the area near the junction of Nancy Lane and Nicholas Street. This water line also extends up Nancy Lane to Valley Avenue.

#### Subdivision Bond

A subdivision bond will be required by the City according to an estimate of the cost of public improvements to be required as determined by the Director of Public Works. Such a bond must be received prior to the release of the final linen for filing at the Registry of Deeds. Five copies of the final approved plat are required by the City for distribution among the several City Departments.

#### Intended Residential Uses

It is the intent of the subdivider that Lots 1 and 3 through 16 be developed for single family use. Lots 1 and 14 now include existing residential structures. Lots 2 and 17 are not suited for residential development and are to be retained by the subdivider for future disposition.

#### Sewage Disposal

Mr. Ernoold 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. Lot #2 is too small, and Lot 17 has a seasonable high water table and swampy areas. Mr. Goodwin indicated that if dwellings are built on those 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.

#### Visit to Site

On May 6th, the representatives of several City Departments visited the site and checked the proposed subdivision location with Mr. Ralph Bonville, representing David Elliott, and Mr. Stephen Fournier, representing Land Use Consultants, Inc.

Sewage 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.

#### Curbs and Sidewalks

A waiver of the curbs and sidewalks requirement will have to be obtained from the City Council, according to Public Works.

#### III. RECOMMENDATION

Subject to approval of soil tests data for the issuance of individual building permits, it is recommended that preliminary approval be granted by the Planning Board to this subdivision plat based upon the check list of criteria in Appendix B herewith and subsequent data relating to this proposed development. A subdivision bond will be required to cover the estimated cost of public improvements, as determined by the Director of Public Works.

#### IV. BASIS FOR RECOMMENDATION

##### 1. Access to be Adequate According to Island Standards

The owner of the development has agreed to provide 40-foot wide rights-of-way for streets to be constructed according to standards outlined in the Street Acceptance Ordinance for Island street construction. Private roads will be improved to public standards for acceptance by the City.

There are presently only six vehicles on the Island. The existing roads would be extended to conform with the portions which have already been accepted by the City. A minimum right-of-way for street purposes on the Islands is 32 feet in width.

##### 2. Water Service

Mr. Wyn of the Portland Water District has advised the Planning Department that adequate year-round water service (an 8-inch pipe) may be extended along Nicholas Street from the Noring property northerly and an 8-inch line already exists along Nancy Lane to Valley Avenue. Several additional hydrants will be required to serve the proposed development, according to the Chief of the Fire Department.

##### 3. Field Check on May 6, 1976

Based on a field inspection of the proposed residential development, it has been verified that Lot #2 is too small in size to meet the State Plumbing Code requirement of 20,000 square feet in size (minimum lot size for unsewered areas). It is therefore not suited for residential development. Lot #17 is also not considered

to be suitable for residential development due to the large seasonal wet area, which it contains.

#### 4. Land-Locked Lot

Proposed Lots 16 and 17 appear to make the 1 Acre lot belonging to Robert E. Laughlin entirely land-locked. However, a notation in the Assessors' Office indicates that a right of passage exists from said Laughlin's lot across subject land to the street. It is recommended that a specific 20 foot easement should be located on the final plat and granted to R. E. Laughlin across Lot 17, which is one of the two lots which are considered unsuited for residential development due to its low-lying and seasonally wet area.

#### 5. Typical Cross Section for Street Construction

In accordance with the request by Public Works Department, a typical cross section for proposed street construction has been furnished by Land Use Consultants, Inc. The minimum requirement for an Island street is 16 feet with 6 inches of gravel fill.

#### 6. Surface Drainage

Wherever a natural watercourse crosses private land, the deed to such lot should specify that the use of such land is subject to certain restrictions for surface drainage. Where appropriate, necessary culverts or storm drains will be required.

#### 7. Pedestrian Route Proposed

Mr. George Flaherty, Director of Public Works, has been in contact with members of the Great Diamond Island Association concerning the proposed alternate routes for a pedestrian connector from the Sandy Point area along the shore and across Lot #1 of this development. Lot #1 contains about six acres and an existing old New England farm-house building. A copy of Mr. Flaherty's letter to Mr. David Elliott is attached to this report.

Mr. Flaherty has explained that about \$20,000 is available for improvements on Great Diamond, and he is awaiting word from the Island Association as to how it may be used. When the City Council considered the several alternatives, the one now advocated by the Association was not the one which City Council approved.

#### 8. Additional Comments by Public Works

Several matters of concern to Public Works have been outlined in a Memorandum dated May 11, 1976, a copy of which is attached and added to this report.



CITY OF PORTLAND MAINE  
MEMORANDUM

TO: Mr. J. Turner, Planning Department

DATE: 11-

FROM: John P. Rague, Department of Public Works

SUBJECT: Preliminary Review of Proposed Subdivision Plat for the 1 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 6' 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.. As 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.

*John P. Rague*

JOHN P. RAGUE

ASSOCIATE ENGINEER II

ATTACHMENT