(11th 75?)

25

found.

NAME ADDRESS

Mary Cincotta 88 Welch St, Ptld.
JoAnn Downing 50 Island Ave, Peaks Is.
Alan Williams Park Ave. Peaks
Meghan Casey Box 44 Peaks
Cynthia Parker 11 Ocean Peaks
Syndi Nemos
Phyllis M LaClair 9 Elizabeth St. Peaks Is.
Margaret Harmon 76 Ledgewood Rd, P.I.
Harry Miller Seashore Ave P.
Doreen McCann 113 Island Ave
Diane M. Patterson 4 Greenwood St.
Nancy E. Perkins Maple St.
Phillip S. Cincotta 3 Veteran St.
Albert J. McCann 88 welch st
Wendy M. Files 4 Greenwood St
Bonnie Filipes 51 Fuller St Portland
Adam Gorman 32 Evergreen Ledge
Greg Vandry 14 Centennial St.
Craig Forbes 12 Merriam St.
Elizabeth Baker 80 New Island Av
Cheryl L Jensen 32 Reed ave Peaks
Stephanie Bracket Tolman Rd. Peaks
Maurice Bracket 54 UPPER A PEAKS I
Christina F. Winter 54 UPPER A PEAKS Is
Sandra L Boyd Island Ave Peaks
Epp St Peaks

We, the undersigned residents of Peaks Island, are [illegible] opposed to the proposed placement of a Wastewater Facility in the public parking lot at the foot of Welc[illegible] Peaks Island. The entrance to the Island is an inap[illegible] location for such a facility, and we feel another locatio[illegible] found.

NAME	ADDRESS
Verny Lathan	Sargent Rd. Pea[illegible]
Thomas D. Mace Jr.	New Island Ave, Peaks
Robin Lee Flynn	Centennial Street Peak[illegible]
Michele Dale	Sunset Rd Pea[illegible]
[illegible]	Adams St. Peak[illegible]
Richard Whaley	Trefethen Ave Peak[illegible]
[illegible]	Greenwood St Peak[illegible]
[illegible]	400 Seashore Ave[illegible]
John E. [illegible]	Hussey Rd Peaks Island
Betty Ann Croy	141 New Island A[illegible]
Angela Kelso	42 Willow Lane, Peaks[illegible]
Kerry Flynn	93 Island Avenue P[illegible]
John Corbett	5th Maine Ave Pe[illegible]
[illegible]	C Street, Peaks I[illegible]
[illegible] McDowell	Woods Rd Peaks[illegible]
Larry Wall	Centennial St. Peaks I[illegible]
Theodore J. Warren Jr.	Seashore Ave, Peaks Is[illegible]
Mary Carol Ward	101 Island Ave P[illegible]
Elvin Clark	130 Island Ave Pea[illegible]
Wayne Curtis	6 Tolman Rd, Peaks
Susan Merron	Wiley Ave Peaks I[illegible]
Robert J. Foley	Island Ave P I
Carol Eisenberg	Luther St Peaks Island

23

We, the undersigned residents of Peaks Island, are ve[illegible] opposed to the proposed placement of a Wastewate[r] T[illegible] Facility in the public parking lot at the foot of Welch [illegible] Peaks Island. The entrance to the Island is an inapp[ropriate] location for such a facility and we feel another locatio[n] [should be] found.

NAME	ADDRESS
Bill Wanger	Island Ave
Daniel Moore	Island Ave
[illegible]	Mendres St.
Polly Pattison	Luther St.
Janet A. Anderson	New Island Ave.
Howard Rosell	Seashore Ave.
John Hegler	Pleasant Avenue
Joseph A. Kilmartin	Ledgewood Ave
Michael J. [illegible]	Island Ave.
Willard Goodman	
Meghan J. McLaughlin	City Point Road
Gayle E. Clair	Luther St. Peaks Is.
Susan Brunner	18 8th Maine Ave. Peaks
Alexander Mills Jr.	118 Upper "A" St. Peaks
Dennis W. Rockwell	40 Welch St Peaks
Patricia A. Cowley-Rockwell	40 Welch St. Peaks.
David S. [illegible]	21 Island Ave P.I.
Kim [illegible]	21 Island Ave Peaks
Barbara G. Saunders	35 Lakewood Rd. P.
Kathryn B. Klopp	32 Hadlock's Cove Rd.
D. W. Klopp MD	32 Hadlock's Cove Rd
[illegible]	Pleasant Ave Peaks Island
Judith L. Morris	20 Sunset Road Peaks

We, the undersigned residents of Peaks Island, are vehemently opposed to the proposed placement of a Wastewater Treatment Facility in the public parking lot at the foot of Welch Street Peaks Island. The entrance to the Island is an inappropriate location for such a facility and we feel another location must be found.

NAME	ADDRESS
Jack Morris	20 Sunset Rd Peaks Is. Me.
M Harmon	88 TREFETHEN AVE P I
[illegible]	Beach Road, P.I.
[illegible]	Sunset Rd, Peaks
Elizabeth Mallet	Beach Rd, Peaks
Paul Brown	Welcome Rd Peaks
[illegible]	
[illegible]	11 Seaview Ave
[illegible]	17 Pleasant Ave
[illegible]	Central Ave.
[illegible]	7 Luther Peaks Is
[illegible]	
[illegible]	Central Ave P.I.
[illegible]	325 Island Ave Peaks Island.
[illegible]	8 Sunset Road P.I.
[illegible]	92 Luther St. P.I.
[illegible]	65 Sterling St. Peaks Isl.
[illegible]	42 Espy St. Peaks Isl.
[illegible]	35 Central Ave. Peaks Isl.
[illegible]	34 Sterling St Peaks Island
[illegible]	New Island Ave Peaks Is.
[illegible]	Island Ave Peaks Is.
[illegible]	
[illegible]	Elizabeth St.

17

We, the undersigned residents of Peaks Island are vehemently opposed to the proposed placement of a Wastewater Treatment Facility in the public parking lot at the foot of Welch Street Peaks Island. The entrance to the Island is an inappropriate location for such a facility and we feel another location must be found.

NAME	ADDRESS	
FRANK DAVIS	LUTHER ST, PI	Frank L Davis
~~Barbara~~		
BARBARA DAVIS	" "	Barbara Davis
Robert Davis	Robert Davis I Ave., Pks. I.	
Wendell W Lang	NEW ISLAND AVE	W.W. LANG
[illegible]	New Island Ave	P.I.
Dave McDermott	Luther St	P.I.
[illegible]	LUTHER ST	P.I.
RON W. BEUMER	8th MAINE AVE.	P.I.
James J WATSON	Central Ave	P.I.
John J Curran (John Curran)	Sterling St	P.I.
Kenneth Brown	Central Ave	P.I.
Benny Brown	Island Ave	P.I.
SARAH MANZO	Central Ave	P.I.
[illegible]	[illegible]	P.I.
Joe Casey	Yussey Road	P.I.
Philip G. Cincotta	Welch st.	P.I.
Porter McCarthy	Seashore	P.I.
Joe Falconieri	Sterling St.	P.I.
[illegible] Vinyard	Welch	P.I.

14

We, the undersigned residents of Peaks Island, are vehemently opposed to he proposed placement of a Wastewater Treatment Facility in the public parking lot at the foot of Welch Street Peaks Island. The entrance to the Island is an inappropriate location for such a facility and we feel another location must be found.

NAME	ADDRESS	
Dennis Cangioni	13 Brackett Ave,	Peaks Island 04[illegible]
Arthur H. Keller	20 Island Ave	Peak Is. 04108
Stanley [illegible]	576 Seashore Ave	Peaks Is. 0410[illegible]
Paul [illegible]	12 MERRIAM St	PEAKS IS 04[illegible]
[illegible] HARMON JR.	ELIZABETH ST.	PEAKS ISL[illegible]
Steve [illegible]	WOODS RD.	PEAKS IS.
Mike ZANEK	UPPER "A" St.	PEAKS, ISL.
Michael J. Joyce	Oakland Ave	Peaks ISL
Suzanne B. Corbett	8th Maine	Peaks Isl.
Carroll W. Mountfort	19 Brackett Ave.	Peaks Island
Bertha C. [illegible]	48 Pleasant Ave.	Peaks Island
Joseph Lovegren	56 Island Ave.	Peaks Island
Marjorie [illegible]	56 Island Ave	Peaks Island
[illegible] Cangioni	15 Brackett Ave.	Peaks Isl.

9

[illegible] the undersigned residents of Peaks Island are vehemently [illegible] to the proposed placement of a Wastewater Treatment Facility in the public parking lot at the foot of Welch Street [illegible] Island. The [illegible] of the Island is [illegible] inappropriate location for such a facility [illegible] we feel another location must be [illegible]

NAME	ADDRESS	
William A. Brown	Brackett Avenue	Peaks Island
John C. Simonds	9 Brackett Ave	Peaks Island Me
Stephanie Moreau	8 Oakland Ave	Peaks Island ME
James Robert Larivière	10 Island Ave	Peaks Island, Me
Joan Lincoln	50 Luther St	Peaks Isl. Me
Alice Rose	7 Veterans St	Peaks Is, ME
Anne M. Henry	Evergreen Landing	Peaks Isl. ME
K. A. Burns	City Point Road	Peaks Isl, ME
Karen Carpenter	59 Highland Rd	Peaks Isl. ME

10

We, the undersigned residents of Peaks Island, are vehemently opposed to the proposed placement of a Wastewater Treatment Facility in the public parking lot at the foot of Welch Street Peaks Island. The entrance to the island is an inappropriate location for such a facility and we feel another location must be found.

NAME	ADDRESS
Janice W. Johnston	173 Island Ave Peaks Island
Norman Proud	95 City Point Rd. Peaks Island
[illegible]	222 Island Ave - Peaks Island
[illegible]	Peaks Island
[illegible]	Peaks Island
David L. Knox	Peaks Is.
[illegible]	Peaks Is.
[illegible]	Peaks Island
Steven A. Pedersen	17 Luther St., Peaks Island
Robert Downing	50 Island Ave Peaks Island ME

needed to find an acceptable solution. Certainly, no one questions the need to deal with the Peaks Island overboard discharge problem.

sorry!

7/12 Mtg. p. 3

Steering Committee response:

1. On April 26, PINA Steering Committee had sent two letters each to both the City and to the Water District objecting to the location of the new-larger secondary treatment plant, stressing the need to address the septage problem and favoring vacuuming (updated from the term:"pumping") the waste to Portland instead of building a plant on Peaks. Thus, we have already gone on record in support of most of the issues discussed.

2. However, although the role of the Steering Committee as stated in our by-laws is to act as a voice of leadership, we cannot speak for our membership without publicizing issues, holding discussions and perhaps polling, in an effort to develop consensus (as was done with the zoning issue).

3. Issues such as outright opposition to the location of the plant or choice of a new site need the attention of the full membership. Action may indeed be needed, depending on the outcome of the meeting next Saturday. Please attend!

The meeting was adjourned at 9:00 pm.

Kay

Peter E. O'Donnell
Mayor

City of Portland
Office of the Mayor and Council
Portland, Maine

June 21, 1990

Mr. Merril Seltzer
Chairman
Zoning Board of Appeals
City Hall
Portland, ME

Dear Chairman Seltzer:

I understand that your June 21st Board of Appeals Agenda includes a Conditional Use Appeal by the Portland Water District for a Wastewater Treatment Facility on Peaks Island.

Over the course of the last few weeks, I have been contacted by many islanders concerning the location and environmental safeguards associated with this facility.

As District Councilor for the Islands, I have discussed these issues with the Portland Water District. I believe, and they agree, that it is important to hold a meeting on Peaks Island to discuss these issues.

I am therefore asking that you delay a decision until such a meeting is held.

Thank you for your consideration of the request.

Sincerely,

Peter O'Donnell

Peter O'Donnell
Mayor

PARK STREET TOWNHOUSE OWNERS ASSOCIATION
53 EXCHANGE STREET
PORTLAND, MAINE 04101
207-774-1887

September 26, 1990

City of Portland, Maine
Zoning Board of Appeals
389 Congress Street
Portland, Maine 04101

Dear Mr. Seltzer and Board Members:

The Board of Directors of the Park Street Townhouse Owners Association, representing the residents of 88, 90, 92 and 94 Park Street, would like to go on record as being in favor of both the "Conditional Use Appeal" and "Space and Bulk Variance" at 153 State Street. (Appeal submitted by Dean Foote of the Cathedral Church of St. Luke)

Sincerely

PARK STREET TOWNHOUSE OWNERS ASSOCIATION

Patricia S. Levandowski

Patricia S. Levandowski
President

#2

VERRILL & DANA
ATTORNEYS AT LAW
ONE PORTLAND SQUARE
P O BOX 586
PORTLAND, MAINE 04112-0586
207/774-4000
FACSIMILE 207/774-7499 OR 774-7884

OFFICES IN
AUGUSTA, MAINE
KENNEBUNK, MAINE
WASHINGTON, D C

CHRISTOPHER S NEAGLE
Partner

September 25, 1990

HAND DELIVERED

Warren J. Turner
Administrative Assistant
Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, ME 04101

Re: Portland Water District
Peak's Island
Sewage Treatment Plant

Dear Warren:

This office represents the Portland Water District, and has been assisting it in its efforts to obtain a Conditional Use Permit from the Portland Zoning Board of Appeals in connection with its proposed secondary wastewater treatment plant located on Welsh Street and Island Avenue on Peaks Island in Portland. As you know, on September 13, 1990, the Zoning Board of Appeals "denied" this application, with a vote of 1 in favor and 4 opposed. Pursuant to Maine state law, 30-A M.R.S.A. §2691(F), the Zoning Board of Appeals is authorized to reconsider a decision within 30 days of the original vote.

We do <u>not</u> want the Board to reopen the public hearing, or to receive more evidence, as I am sure that everyone would agree that there has been ample opportunity for all sides to present evidence to the Board. Rather, we want the Board to reopen the decision-making portion of its deliberations. Therefore, the Portland Water District respectfully requests that the Zoning Board of Appeals reconsider its September 13, 1990 decision, at its meeting on Thursday, October 11, 1990, for the following reasons:

1. The Board never adopted any written findings of fact, or written conclusions of law, as recommended by Charles Lane, its attorney, and as generally required by Maine law. If the District decides to file an appeal of the September 13, 1990 decision, an anticipated first

step of the Superior Court would be to remand the matter to the Zoning Board, to adopt written findings to support its decision, so Superior Court can properly review its decision. Making these findings now would eliminate this procedural step.

2. The Board should reconsider its final vote, because it has misinterpreted Section 14-474(c)(2). It has been the District's position that all three standards must be read together. For instance, assuming the Board determined that the potential for odor from the plant is a unique characteristic (subsection a) which could have an adverse impact on health safety and welfare (subsection b), the Board never determined that such potential for odor differs substantially from that impact which would normally occur from a sewage treatment plant in the ROS Zone (subsection c). Therefore, even applying the emotional "odor" issue to the 14-474(c)(2) standards, the Board incorrectly considered each of the three standards separately. Furthermore, if the Board continues to treat each of the three standards separately, it never made four affirmative votes that the standard subsection (c) had not been met, so it cannot deny the application under this section.

3. The Zoning Board apparently decided that the proposed location was simply an inappropriate location for a sewage treatment plant. Again, the City Council specifically decided that this location was an appropriate location for the sewage treatment plant, and directed the District to obtain the necessary permits by its June 20, 1988 Resolution, which is on page 8 of the material provided to the Board by the District at the last hearing. This policy making decision on location is exclusively reserved to the City Council, and it was inappropriate for the Zoning Board to rethink that decision. There are no standards in your Zoning Ordinance that allow the Zoning Board to rethink this policy decision. Furthermore, its exactly the kind of "legislative-type opinion about what is appropriate for the community" that the Maine Supreme Court has said is inappropriate for a Board of Appeals in many Maine zoning cases.

These issues, together with the fact that an essentially identical application was approved by the Zoning Board of Appeals only last summer, make it appropriate that the Zoning Board of Appeals reconsider its September 13th decision, so that all parties can be comfortable that a proper final decision has been made.

Sincerely,

Christopher S. Neagle

CSN/rah
cc: Joseph B. Taylor
W. Daniel Jellis
Charles A. Lane, Esq.
David A. Lourie, Esq.
Peter B. Webster, Esq.
Michael T. Healy, Esq.
F. Jay Meyer, Esq.

VERRILL & DANA
ATTORNEYS AT LAW
ONE PORTLAND SQUARE
P O BOX 586
PORTLAND, MAINE 04112-0586
207/774-4000
FACSIMILE 207/774-7499 OR 774-7884

OFFICES IN
AUGUSTA, MAINE
KENNEBUNK, MAINE
WASHINGTON, D C

CHRISTOPHER S. NEAGLE
Partner

October 5, 1990

Warren J. Turner
Administrative Assistant
Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, ME 04101

Re: Portland Water District
Peaks Island
Sewage Treatment Plant

Dear Warren:

In connection with the hearing scheduled for October 11, 1990, I have enclosed the following material for the Board's consideration:

1. Letter from the Maine DEP, describing the urgency of the situation.

2. Letter from the Portland Water District to the Department of Public Works, summarizing the two alternatives and updating cost estimates.

3. Report from Woodard & Curran, Inc., summarizing the detailed information to date on the alternative sites.

We hope this information will be helpful to the Board in its reconsideration motion, if it wants to review it.

Sincerely,

Christopher S. Neagle

CSN/rah
Enclosure
cc: Joseph B. Taylor, Portland Water District
W. Daniel Jellis, Portland Water District
Charles A. Lane, Esq.
David A. Lourie, Esq.
F. Jay Meyer, Esq.

RIDERSHIP TO PEAKS ISLAND
CALENDAR YEAR 1989

Month	Total Tickets Sold	Adult Round Trip Tickets Sold
January	28,195	5,639
February	25,065	5,013
March	31,291	6,258
April	32,305	8,076
May	42,357	14,824
June	46,422	16,247
July	70,272	29,514
August	68,558	30,165
September	45,723	16,460
October	36,040	10,091
November	29,760	9,820
December '89	30,299	6,059
	486,287	158,166

Total tickets sold include commuter books, adult round trips, senior citizens, handicapped, children and Portland Public School students.

MAINE

STATE COMPREHENSIVE

OUTDOOR RECREATION PLAN

VOLUME 1

ASSESSMENT AND POLICY PLAN

BUREAU OF PARKS AND RECREATION

1988 MAINE ASSESSMENT AND POLICY PLAN

for OUTDOOR RECREATION

Department of Conservation

Bureau of Parks and Recreation

December, 1988

AINE DEPARTMENT OF CONSERVATION

BUREAU of PARKS and RECREATION

STUDY TEAM

Herb Hartman
Director

Thomas J. Cieslinski
Supervisor, Planning and Research Division

Cynthia Bastey
Planning and Research Assistant

Marie Drew
Word Processing

Nancy Dodge
Word Processing

The Department gratefully acknowledges th edication and assistance of the many organizations and individuals who contributed information contained in his plan. Special acknowledgment is extended to the Technical Advisory Committee for SCORP; the Department of Economic Development (1984 Travel Study); the 1986 Governor's Commission on Outdoor Recreation; the Land for Maine's Future Board and the State Planning Office; John Picher and Michael Gallagher of the Department of Economic and Community Development; staff of the National Park Service; and to all the municipalities and school districts who contributed inventory data.

PREFACE

This document has been prepared in part to satisfy a requirement of the federal Land and Water Conservation Fund Act (P.L. 88-578) passed by the 88th Congress in 1965. The Land and Water Conservation Fund Act (L&WCF) was created to make federal monies available to public jurisdictions for the planning, acquisition, and development of outdoor recreation areas and facilities.

The L&WCF is administered by the National Park Service of the United States Department of the Interior. Monies for recreation projects are appropriated by Congress to the National Park Service for distribution to the States according to a formula determined by law. Each state has a Governor-appointed liaison for administration of the L&WCF. Maine has joint officers, the Director of the Bureau of Parks and Recreation of the Department of Conservation for policy and planning and the L&WCF Grants Officer of the Department of Economic and Community Development for grants administration.

In order to be eligible to spend the monies allocated to it, each state must have an approved Statewide Comprehensive Outdoor Recreation Plan (SCORP), which consists of (1) an Assessment and Policy Plan, (2) Action Programs (prepared every two years in Maine), (3) an Annual Report, (4) a Wetlands Plan, and (5) an Open Project Selection Process (OPSP). The findings presented in the Assessment and Policy Plan guide the State's planning, acquisition, and development programs for outdoor recreation. The plan must be completely updated at least once every five years. This document is a complete update of Maine's last plan prepared in 1983.

The legal authority granting responsibility for Maine's SCORP was provided to the Bureau of Parks and Recreation by Executive Order of the Governor of Maine on February 4, 1970. The Executive Order is available for inspection at the offices of the Bureau of Parks and Recreation in Augusta, Maine.

The preparation of this plan was financed in part through a planning grant from the National Park Service, Department of the Interior, under the provisions of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578). The plan was also financed in part by a general appropriation to the Bureau of Parks and Recreation.

CONTENTS

CONTENTS

CONTENTS

CHAPTER V

REGIONAL NEEDS ANALYSIS

TABLES

MAPS

SUMMARY

Deficiencies for recreation facilities and land acres were examined for 16 outdoor recreation activities for eight Travel Regions of the State. Demand data from a 1984 Travel Study prepared through the State Development Office were compared to supply data collected or updated by the Bureau of Parks and Recreation to estimate deficiencies. The following is a summary of estimated acreage deficiencies identified for each activity examined for 1988 and 1993.

	Acre Deficiencies	
Activity	1988	1993
Inland swim	248	370
Ocean swim	332	483
Family camping	2,471	3,716
Primitive camping	1,917	2,455
Picnicking	355	564
Boating/Fishing Access	420	619
Canoeing access	166	238
Alpine skiing	0	0
Nordic skiing	3,315	5,457
Nature interpretation	0	153
Backpack/Day hiking	6,146	10,169
Horseback riding	4,080	6,426
Snowmobiling	0	0
Golf	535	1,391
Recreation bicycling	399	567
Trail biking	1,009	1,255
Totals	21,395	33,926

The process of identifying acreage deficiencies is not exact. Many assumptions regarding demand and the capacity of existing facilities must be made to determine deficiencies. Seemingly minor changes in these assumptions, especially standards used to estimate the daily capacity in persons of existing facilities, can result in major changes in the acreage deficiencies calculated. With this concern in mind, a needs index was developed by dividing the need in persons for each activity at the Regional level by the number of residents in that Region divided by 1,000, the results of which are presented in Table V-1. This indexing procedure results in a ranking of activity deficiencies by Region on a person basis, which is more meaningful than the absolute acres needed. The ranking of indexed person deficiencies could be further improved by considering seasonal populations in addition to resident populations.

For the purposes of this chapter, insufficient data were available for an acreage analysis of all-terrain vehicle and hunting needs. These activities are discussed, however, in the text of the report.

Table V-1

1988 DEFICIENCY RANKING PER 1,000 RESIDENTS

Activity	Region	Index
Saltwater Swim	Downeast/Acadia	86.18
Family Camping	Downeast/Acadia	73.18
Picnicking	Downeast/Acadia	70.90
Boat/Fish Access	South Coast	54.64
Boat/Fish Access	Katahdin/Moosehead	48.27
Boat/Fish Access	Mid-Coast	45.71
Freshwater Swim	Downeast/Acadia	38.96
Canoe Access	Katahdin/Moosehead	35.22
Boat/Fish Access	Aroostook	33.67
Primitive Camping	Downeast/Acadia	24.96
Saltwater Swim	Mid-Coast	24.59
Family Camping	Katahdin/Moosehead	23.02
Horseback Riding	Katahdin/Moosehead	18.39
Primitive Camping	Kennebec Valley	17.52
Primitive Camping	Sunrise County	17.28
Canoe Access	South Coast	17.06
Backpack/Day Hike	Kennebec Valley	16.65
Backpack/Day Hike	South Coast	16.53
Freshwater Swim	Kennebec Valley	15.00
Primitive Camping	Aroostook	13.83
Freshwater Swim	South Coast	12.79
Saltwater Swim	Sunrise County	12.10
Canoe Access	Mid-Coast	12.08
Primitive Camping	Mid-Coast	11.08
Backpack/Day Hike	Downeast/Acadia	11.03
Boat/Fish Access	Kennebec Valley	10.65
Recreational Bicycling	Mid-Coast	9.00
Trail Biking	Downeast/Acadia	8.10
Picnicking	South Coast	7.57
Horseback Riding	Downeast/Acadia	7.44
Picnicking	Kennebec Valley	7.16
Recreational Bicycling	Aroostook	6.53
Primitive Camping	Western Lakes/Mountains	6.20
Ski Touring	South Coast	6.10
Trail Biking	Mid-Coast	6.07
Trail Biking	Katahdin/Moosehead	5.41
Primitive Camping	South Coast	5.33
Trail Biking	Sunrise County	5.13
Primitive Camping	Katahdin/Moosehead	4.64
Canoe Access	Downeast/Acadia	4.41
Recreational Bicycling	South Coast	4.10
Canoe Access	Kennebec Valley	3.82
Recreational Bicycling	Sunrise County	3.75
Golf	Western Lakes/Mountains	2.28
Recreational Bicycling	Western Lakes/Mountains	1.72
Horseback Riding	Kennebec Valley	1.57
Canoe Access	Western Lakes/Mountains	0.74
Nature Trails	Katahdin/Moosehead	0.39
Golf	Katahdin/Moosehead	0.12

Index is a relative measure of deficiency determined by dividing the need in persons by (regional residents divided by 1,000).

In previous SCORPs, the regional planning agency districts were used as the official planning regions. Because of their configurations (several districts are extremely long from north to south and narrow from east to west because boundaries are determined by major river basin drainages), most of these districts are inappropriate for recreation planning at the regional level. The boundaries of Travel Regions more closely follow the geographic distribution of different recreation resources of the state than do the boundaries of regional planning districts.

REGIONS

Deficiencies in this chapter were determined for 16 outdoor recreation activities for the eight Tourism Regions of Maine. These are:

South Coast
- most of York County and the coastal portion of Cumberland County north to and including Freeport;

Mid-Coast
- most of Sagadahoc, Lincoln, Knox and Waldo Counties, except for a few inland towns;

Downeast/Acadia
- most of Hancock County and the southern portion of Penobscot County, including the Bangor area;

Sunrise County
- most of Washington County, except or Danforth;

Western Lakes and Mountains
- all of Franklin, Oxford and Androscoggin Counties, the inland portion of Cumberland County from Windham west, and Parsonfield and Cornish from York County;

Kennebec Valley
- all of Kennebec County, the southern portion of Somerset County, and western towns from Waldo, Knox and Lincoln counties;

Katahdin/Moosehead
- all of Piscataquis County, the northern portion of Somerset and Penobscot counties, and a few towns from Aroostook County; and

Aroostook The County
- primarily Aroostook County and Danforth from Washington County.

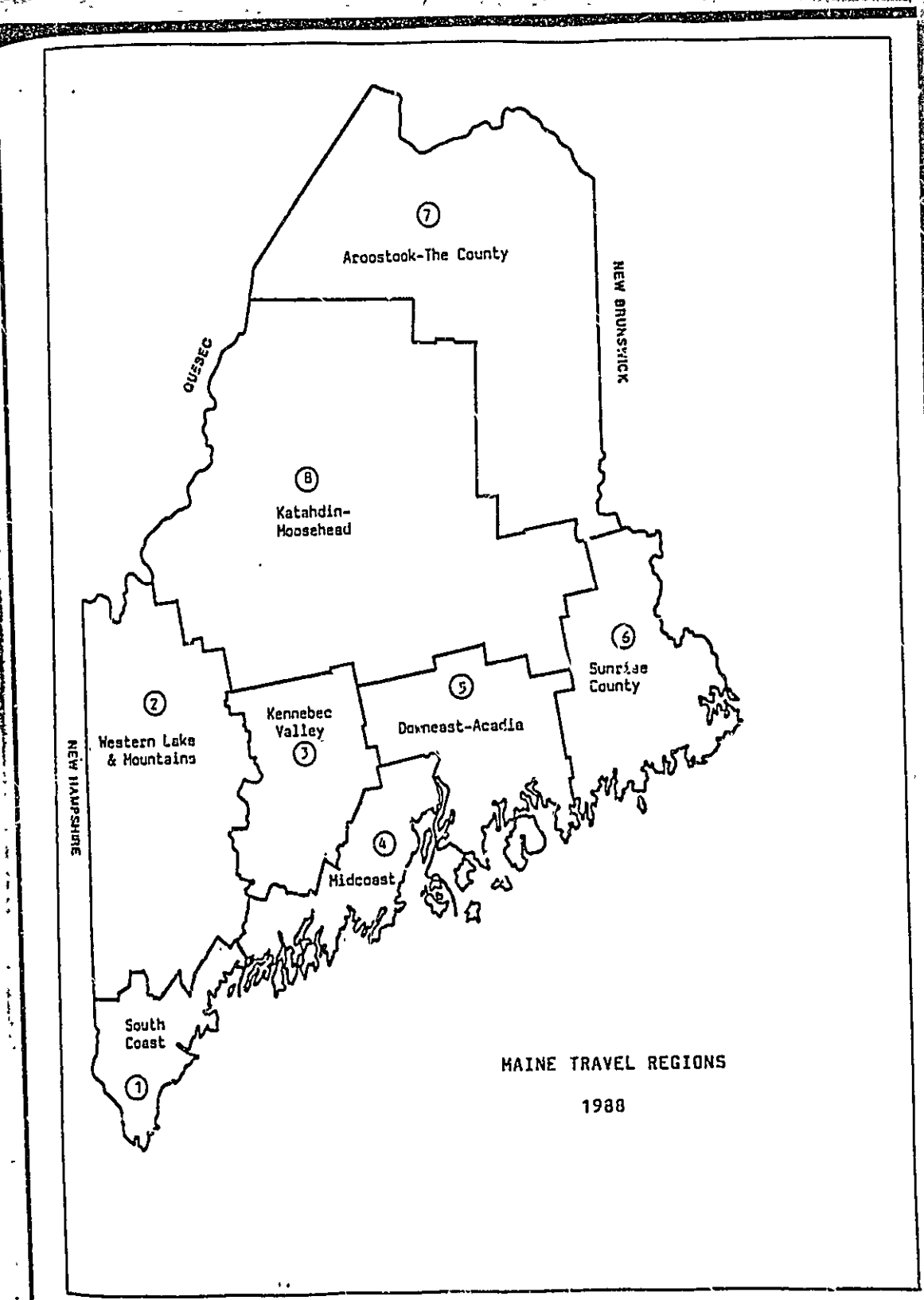
7
Aroostook-The County
QUEBEC
NEW BRUNSWICK
8
Katahdin-
Moosehead
6
Sunrise
County
2
Western Lake
& Mountains
Kennebec
Valley
3
5
Downeast-Acadia
NEW HAMPSHIRE
4
Midcoast
South
Coast
1
MAINE TRAVEL REGIONS
1988

Table V-2

1988 Regional Resident Population

Region	Population
Southern Maine	320,300
Western Lakes/Mountains	231,100
Mid-Coast	143,275
Kennebec Valley	165,430
Downeast/Acadia	148,775
Sunrise County	33,560
roostook The County	89,570
Katahdin/Moosehead	56,510
Totals	1,888,520

Source: 1986-1995 Population Projections. Department of Human Services. June, 1987.

Methodology

The detailed methodology for the Regional Analysis Chapter is presented in Appendix Exhibit K. The peak-day methodology is described, and the formulae used for determining demand, the capacity of existing facilities, and deficiencies is described. A table of standards used in these formulas is included, as well as the needs analaysis tables for each of the 16 activities studied.

Several popular outdoor recreation activities were not studied in detail at the Regional level for a variety of reasons. Driving for pleasure and sightseeing are considered to be too abstract for a detailed analysis. Demand data is available for hunting but capacity information is not; the goal of the State for hunting is to keep as much land open to hunting as possible through a variety of methods, which are discussed near the end of this chapter. Land is acquired by the State for wildlife management but not necessarily to keep land open for public hunting.

The demand for ocean fishing, lake fishing and river fishing, has been combined with the demand for pleasure boating to produce a total demand for recreational access to water. The demand for day hiking has been combined with the demand for backpacking to produce a total demand for hiking trails. Ice fishing has not been examined because of the difficulty of identifying access sites to ice fishing opportunities.

Facilities included as supply in this chapter are all outdoor areas administered at the federal, state, municipal, county, private non-profit, and private commercial levels, except for summer day-camps and overnight camps. Even though attendees of summer camps utilize outdoor facilities at the camp, the experience at camps is considered to be educational rather than recreational. That experience contributes to the demand, rather than satisfying the demand, for recreation.

The inclusion of recreation facilities at military bases and colleges might be questionned were it not for the fact that personnel at those institutions are included as residents in the resident population data for those municipalities.

Acreage deficiencies for each activity studied are summarized by Region at the end of the chapter. Deficiencies are also presented on an indexed per 1,000 residents basis (Table V-1), which is a more objective method of ranking needs. Total acreage deficiencies were determined by adding the regional deficiencies, not by comparing the total state demand to the total state supply.

Freshwater Swimming

Freshwater swimming deficiencies in this analysis were calculated by comparing the current and projected demand for freshwater swimming and the current capacities of freshwater swim beaches. Pool capacities are not included in this analysis; they are considered in the Urban Area and Municipal Analysis chapters. The supply also does not include swim areas at public or private youth camps (considered to be facilities that create future demand rather than satisfying demand), but it does include other private swim facilities. Private freshwater swimming facilities open to the public provide almost 34 percent of the total freshwater swim capacity in Maine.

Daily capacities were calculated using the standards of one person per foot of shoreline (where parking capacity was not available) or four persons per car (where parking capacity was provided) and a daily turnover rate of two. For example, a 100-foot swim beach with a parking capacity of 20 cars would have a daily capacity of 160 persons (20 cars X 4 persons per car X the daily turnover rate of 2). The capacity of an area with 200 feet of beach with no parking capacity provided would be 400 persons per day (200 X 1 person per foot of shoreline X daily turnover rate of 2). In some instances, capacity was estimated conservatively where the beach frontage was high and the parking capacity unknown or where the feet of frontage was not known for a remote area, such as a forest campsite.

Calculated deficiencies for swimming opportunities for feet of beach shoraline and acres of land are greatest for the Downeast/Acadia, South Coast and Kennebec Valley Regions. If private capacities were not considered, deficiencies would also exist for the Mid-Coast Region now and Katahdin/Moosehead in 1993. Based upon the 1988 person deficiency per 1,000 residents, the Downeast/Acadia Region should be considered as highest priority, followed by the Kennebec Valley and South Coast regions.

FRESHWATER SWIMMING NEEDS BY REGION - 1988
(Persons Per 1,000 Residents)

Region	Index	State Rank
Downeast/Acadia	38.96	7
Kennebec Valley	15.00	19
South Coast	12.79	21
No Additional Regional Needs by 1993		

Because freshwater swimming is normally a day-use activity sought within an hour's drive from home or from where one is vacationing, the Regional deficiencies are additive, resulting in a Statewide deficiency of 248 acres in 1988 and 370 acres in 1993, if no new facilities are provided by then.

A continuing problem with the freshwater swimming analysis is accurate measurement of the daily capacity of beaches. In updating the inventory for the 1988 SCORP, parking capacity and linear feet of beach shoreline was available for most federal and state beaches and many municipal beaches. At some municipal beaches, only linear feet was available. To more accurately determine beach capacity, parking capacity and square feet of beach is desirable.

Action Proposed - investigation by the Bureau of Parks and Recreation of the feasibility of compiling a comprehensive inventory of all freshwater swim beaches of 100 feet or greater on lakes and rivers including beach length, width, square feet of sand above water, owner, parking capacity if any, restrictions on use, water quality, and water velocity (if applicable) in cubic feet per second.

Saltwater Swimming

Saltwater swimming in this analysis is a comparison between the current and projected demand for coastal beach swimming and the current capacities of public and private saltwater swim beaches. Private coastal beaches open to the public provide 12 percent of the total saltwater swimming capacity in Maine. A complete list of public and private coastal beaches is included as Appendix Exhibit L in the Technical Appendix.

Capacities have been calculated using the standards of one person per foot of shoreline (where parking capacity was not provided), or 3.6 persons per car (where parking capacity was provided) and a daily turnover rate of two. For example, a 500-foot swim beach with a 100-car parking lot would have a daily capacity of 720 persons (100 cars X 3.6 persons per car X the daily turnover rate of 2). The capacity of an area with 500 feet of beach with no parking capacity provided would be 1,000 persons per day (500 feet X 1 person per foot of shoreline X daily turnover rate of 2). This latter example seldom occurred with saltwater beaches; parking capacity usually was available. Where only beach frontage was available, capacity usually was estimated conservatively, especially in instances where the beach frontage was high.

Calculated deficiencies for saltwater swimming opportunities for feet of beach shoreline and total acres of land (including supporting areas) are greatest for the Downeast/Acadia, Mid-Coast, and South Coast regions. If private capacities were not considered, deficiencies would be greater in all regions. The 1988 person deficiency per 1,000 residents suggest that the Downeast/Acadia Region should be highest priority for the provision of new facilities on saltwater beaches, followed by the Mid-Coast and Sunrise County regions.

SALTWATER SWIMMING NEEDS BY REGION - 1988
(Persons Per 1,000 Residents)

Region	Index	State Rank
Downeast/Acadia	86.18	1
Mid-Coast	24.59	11
Sunrise County	12.10	22
South Coast Capacity will be Insufficient by 1993		

Because saltwater swimming is normally a day-use activity sought within an hour's drive from home or from where one is vacationing, the regional deficiencies are additive, resulting in a statewide deficiency of 334 acres in 1988, and 483 acres in 1993 if no new facilities are provided by then.

Like the freshwater swimming analysis, there is concern regarding the accurate measurement of the daily capacity of saltwater beaches. Parking capacity has been measured for the Bureau of Parks and Recreation by student interns in the past, and capacity information was updated for this analysis by town officials. Nevertheless, an up-to-date, accurate inventory of parking capacity would be desirable.

Another concern with saltwater swimming is the proportion of high intensity beach use areas to low intensity use areas. It appears that most of the facilities at beach areas between Portland and Kittery are designed and operated for relatively high intensity use. The development of some facilities for relatively low intensity use, to satisfy the desires of those who seek an experience of relative solitude along beaches during the summer months, should be considered in al coastal regions.

Action Proposed - compilation by the Bureau of Parks and Recreation of a comprehensive inventory of all saltwater swim beaches of 100 feet or greater, including beach length, width, square feet, owner, parking capacity if any, and restrictions on use.

Family Camping

Family camping in this analysis is a comparison between the current and projected demand for family camping and the current capacities of all public and private family campgrounds (primitive campsites not included). Almost all private campgrounds in Maine are open to the public on a first come-first serve basis; therefore, all are included in the analysis. Private campgrounds provide almost 93 percent of the total family camping capacity in Maine.

Currently there are 25,408 campsites in Maine, compared to 21,750 in 1983 and 21,735 in 1977. Capacity for camping in Maine continues to grow in response to increasing demand.

A study of State Park Campgrounds in 1983 by the University of Maine at Orono revealed that 42.4 percent of the State Park campsites are occupied on the average from Memorial Day to Labor Day. Camden Hills State Park has the highest occupancy rate at 63.2 percent. At the private level, 1987 data revealed that 57.8 percent of all private campsites are occupied from Memorial Day through Labor Day. There appears to be sufficient capacity at both the State and private levels to accommodate more campers, especially early and late in the season.

Family camping deficiencies exist in just the Downeast/Acadia and Katahdin/Moosehead regions. On a person per 1,000 residents oasis for 1988, the Downeast/Acadia Region is of highest priority for the provision of new facilities. Total acreage deficiencies, summarized by Region, are 2,471 acres now and 3,779 acres in 1993 if new facilities are not provided by then.

Because saltwater swimming is normally a day use activity sought within an hour's drive from home, or from where one is vacationing, the regional deficiencies are additive, resulting in a statewide deficiency of 334 acres in 1988, and 483 acres in 1993 if no new facilities are provided by then.

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Action Proposed - compilation by the Bureau of Parks and Recreation of a comprehensive inventory of all saltwater swim beaches of 100 feet or greater, including beach length, width, square feet, owner, parking capacity if any, and restrictions on use.

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February 16, 1990

George Flaherty, Director
Department of Parks & Public Works
City of Portland
55 Portland Street
Portland, ME 04101

Subject: Peaks Island Treatment Plant

Dear George:

This is in response to your January 18 letter to Joe regarding installing a pipeline from Peaks to the Marginal Way plant as an alternative to building secondary treatment facilities on Peaks.

As you may recall, the pipeline option was first evaluated in the Woodard & Curran facility plan for the City in 1988. The plan estimated a total present worth for the pipeline option of over $11 million as compared to $4 million for the primary treatment plant option. Although the pipeline costs seemed high, it was felt at the time that a more detailed evaluation would not result in a change to the conclusion to proceed with the primary plant.

The recent decision to look at secondary treatment options resulted in a re-evaluation of the pipeline option. The District has recent experience laying a new water main from Mackworth Island to Great Diamond Island. Those costs were used as a guide for estimating construction costs for a pipeline from Peaks, across the Great Diamond - Little Diamond sandbar to the Eastern Promenade. Costs for a pump station on Peaks and the pipeline were compared with recent estimates from Woodard & Curran for a secondary treatment plant.

The following table summarizes the cost comparison:

	Secondary Treatment Plant	Pump Station and Pipeline
Total Project Capital Cost	~~$3,589,000~~ 3,437,000	~~$5,853,000~~ $5,901,000
Present Worth O&M Cost	933,000	212,000
Total Present Worth Cost	~~$4,522,000~~ $4,570,000	~~$6,065,000~~ $6,113,000

In addition to the total cost comparison, the following issues also support the treatment plant option:

1. New EPA regulations specifically prohibit <u>any</u> funding of options other than the most cost effective, so there is a risk of losing all EPA funding with the pipeline option.

2. DEP funding (25% of eligible costs) may be available for the increased capital costs of secondary treatment. However, DEP stated not to count on the availability of additional EPA or DEP funding beyond the existing grants for the primary treatment plant option. So, most of the additional costs for either option will probably be locally funded from user fees. You should also note that the revised local share is now estimated to be $1,260,330 for the secondary treatment option compared to $730,000 for the primary treatment.

3. The pipeline option would require reapplication for the numerous environmental permits already obtained for the rexisting outfall design. These include Corps of Engineers, Coast Guard, Harbor Commissioners, EPA and DEP. Our cost comparison probably underestimates the cost of reapplying for these permits. In any event, reapplication could significantly delay construction while the pipeline's impact on the environment and harbor activities is debated.

We believe that redesigning the Peak's treatment plant to meet secondary treatment effluent standards is the most cost effective, environmentally sound alternative. Therefore, the District's Trustees have authorized proceeding with the secondary treatment design.

If you have any concerns about the District proceeding on this basis, do not hesitate to call Joe Taylor or me.

Very truly yours,

PORTLAND WATER DISTRICT

W. Daniel Jellis
Director of Engineering

WDJ:p

Copy: Joseph B. Taylor, District General Manager
Robert B. Ganley, City Manager

PEAKS ISLAND: PUMP STATION VS. TREATMENT PLANT 13-FEB-1990

20 YEAR PW

COMMON CAPITAL COSTS:	TREATMENT PLANT	PUMP STATION
ADMINISTRATION	$20,000	$20,000
LAND & R.O.W.	$22,000	$22,000
ENGINEERING (COMPLETED)	$292,000	$292,000
ENVIRONMENTAL SITE, PHASE 1 & 2	$58,000	$58,000
SMALL PUMP STA. & INTERCEPTOR	$380,000	$380,000
CONTINGENCY (20%)	$76,000	$76,000
SUBTOTAL - COMMON CAPITAL COSTS	$848,000	$848,000
NEW CAPITAL COSTS:		
NEW LAND & ROW	$0	$10,000
NEW PERMITS	$0	$20,000
ENVIRONMENTAL SITE, CLEAN UP	$10,000	$1,000
DESIGN ENGINEERING	$222,000 [A]	$150,000
Includes probings & survey		
CONSTRUCTION ENGINEERING	$314,000 [A]	$150,000
CONSTRUCTION	$1,869,000 [A]	$3,935,000 [B]
CONTINGENCY (20%)	$374,000	$787,000
SUBTOTAL - NEW CAPITAL COSTS	$2,789,000	$5,053,000
TOTAL PROJECT CAPITAL COST	$3,637,000	$5,901,000
FUNDING LEVELS:		
EPA	$1,612,537	$1,612,537
DEP	$744,133	$744,133
LOCAL	$1,280,330	$3,544,330
TOTAL PROJECT CAPITAL COST	$3,637,000	$5,901,000
TOTAL PRESENT WORTH COST COMPARISON:		
OPERATION & MAIN'T COSTS		
O&M PRESENT WORTH, PEAKS I.S.	$933,000 [B]	$201,000 [B]
O&M PRESENT WORTH, FIELD. PLT.	$0	$11,000 [B]
COMMON CAPITAL COSTS	$848,000	$848,000
NEW CAPITAL COSTS	$2,789,000	$5,053,000
TOTAL PRESENT WORTH COST	$4,570,000	$6,113,000

[A] - From Woodard & Curran cost estimate.
[B] - See attached for details.

20 YEAR PW

CONSTRUCTION COST ESTIMATE - PUMP STATION:

	PUMP STATION
PIPE LINE, 2 - 8" dia pipes, 14400ft * $200/ft	$2,880,000
LEDGE REMOVAL, 3000ft of 5ft by 5ft trench at $200/cy	$555,000
PIPE & OUTLET STRUCTURE ON MAINLAND	$100,000
PUMP STATION WITH GENERATOR	$400,000
TOTAL PUMP STATION CONSTRUCTION COST	$3,935,000

O&M COSTS - PEARS ISLAND:	TREATMENT PLANT	PUMP STATION
OPER. MANPOWER - REGULAR	$35,500	$7,200
- CALL-INS	$7,500	$0
MAINT. MANPOWER - REGULAR	$9,700	$6,600
- CALL-INS	$3,100	$0
POWER	$12,000	$7,000
CHEMICALS	$8,000	$0
SOLIDS HANDLING	$21,000	$0
OTHER: Snow, Fuel, etc.	$4,500	$1,000
TOTAL ISL. O&M COSTS	$101,300	$21,800
PRESENT WORTH O&M COSTS 20 years at 8 7/8%	$933,000	$201,000

O&M COSTS - PORTLAND PLANT

THICKENING	$0	$100
POLYMER	$0	$100
POWER	$0	$1,000
CHLOR/DECHLOR CHEMICALS	$0	$1,200
TOTAL PTD O&M COSTS	$0	$11,000
PRESENT WORTH O&M COSTS 20 years at 8 7/8%		

30 YEAR PW

P.6/7

PEAKS ISLAND: PUMP STATION VS. TREATMENT PLANT 22-JUN-1990

	TREATMENT PLANT	PUMP STATION
COMMON CAPITAL COSTS:		
ADMINISTRATION	$20,000	$20,000
LAND & R.O.W.	$22,000	$22,000
ENGINEERING (COMPLETED)	$292,000	$292,000
ENVIRONMENTAL SITE, PHASE 1 & 2	$58,000	$58,000
SMALL PUMP STA. & INTERCEPTOR	$380,000	$380,000
CONTINGENCY (20%)	$76,000	$76,000
SUBTOTAL - COMMON CAPITAL COSTS	$848,000	$848,000
NEW CAPITAL COSTS:		
NEW LAND & ROW	$0	$10,000
NEW PERMITS	$0	$20,000
ENVIRONMENTAL SITE, CLEAN UP	$10,000	$1,000
DESIGN ENGINEERING Includes probings & survey	$222,000 [A]	$150,000
CONSTRUCTION ENGINEERING	$314,000 [A]	$150,000
CONSTRUCTION	$1,869,000 [A]	$3,935,000 [B]
CONTINGENCY (20%)	$374,000	$787,000
SUBTOTAL - NEW CAPITAL COSTS	$2,789,000	$5,053,000
TOTAL PROJECT CAPITAL COST	$3,637,000	$5,901,000
FUTURE CAPITAL COSTS:		
EQUIPMENT REPLACEMENT AT 20 YRS	$560,000	$160,000
EQUIPMENT REPLACEMENT AT 40 YRS	$560,000	$160,000
PRESENT WORTH OF FUTURE CAPITAL (8 7/8%)	$121,000	$35,000
TOTAL PRESENT WORTH COST COMPARISON:		
OPERATION & MAIN'T COSTS		
O&M PRESENT WORTH, PEAKS ISL.	$1,125,000 [B]	$242,000 [B]
O&M PRESENT WORTH, FILD. PLT.	$0	$13,000 [B]
COMMON CAPITAL COSTS	$848,000	$848,000
NEW CAPITAL COSTS	$2,789,000	$5,053,000
FUTURE CAPITAL, PRESENT WORTH	$121,000	$35,000
TOTAL PRESENT WORTH COST	$4,883,000	$6,191,000

50 YEAR PW

(A) - From Woodard & Curran cost estimate.
(B) - See attached for details.

CONSTRUCTION COST ESTIMATE - PUMP STATION:	PUMP STATION
PIPE LINE, 2 - 8" dia pipes, 14400ft * $200/Ft	$2,880,000
LEDGE REMOVAL, 3000ft of 5ft by 5ft trench at $200/cy	$555,000
PIPE & OUTLET STRUCTURE ON MAINLAND	$160,000
PUMP STATION WITH GENERATOR	$400,000
TOTAL PUMP STATION CONSTRUCTION COST	$3,935,000

O&M COSTS - PEAKS ISLAND:	TREATMENT PLANT	PUMP STATION
OPER. MANPOWER - REGULAR	$35,500	$7,200
- CALL-INS	$7,500	$0
MAINT. MANPOWER - REGULAR	$9,000	$6,600
- CALL-INS	$3,100	$0
POWER	$12,000	$7,000
CHEMICALS	$8,000	$0
SOLIDS HANDLING	$21,000	$0
OTHER: Snow, Fuel, etc.	$4,500	$1,000
TOTAL ISL. O&M COSTS	$101,300	$21,800
PRESENT WORTH O&M COSTS 50 years at 8 7/8%	$1,125,000	$242,000

O&M COSTS - PORTLAND PLANT		
THICKENING	$0	$100
POLYMER	$0	$100
POWER	$0	$1,000
CHLOR/DECHLOR CHEMICALS		
TOTAL PTLD O&M COSTS	$0	$1,200
PRESENT WORTH O&M COSTS 50 years at 8 7/8%	$0	$13,000

June 5, 1990

History of Peaks Island Wastewater Treatment Plant
Site Selection

In 1976, the Greater Portland Council of Governments contracted with E.C. Jordan to prepare a 208 Area Wide Water Quality Management Plan, which included the Portland Islands. As part of this plan, E.C. Jordan submitted a 201 Facility Plan for the Portland Islands. The plan had proposed secondary treatment plants in two of their options. The first location was near Centennial Street, the second behind the ballfield. Both alternatives were rejected by the public.

In 1978, the Final 208 Area Wide Water Management Plan was submitted to the Portland City Council. The recommendation of this report was to do further study into the alternatives and apply for 301(h) waiver of secondary treatment for Peaks Island.

The City of Portland then hired Normandeau Associates to do the necessary work to prepare a 301(h) application to the U.S.E.P.A. The work done was basically floor bottom studies and water current studies to determine acceptable and unacceptable outfall locations for less than secondary water treatment. Their report indicated acceptable locations for the outfall in Hussey Sound and halfway between Peaks Island and House Island. Diamond Roads and Whitehead Passage were found unacceptable.

The 301(h) application limited the service area of the sewer system to the existing sewered area and existing gallons per day flow. The original application was tentatively denied by U.S.E.P.A., but the City was allowed to revise the application to complete the deficiencies of the original application. This revision was done by Woodard & Curran who, in the revision process, reviewed and concurred with the work of Normandeau Associates and City staff.

Woodard & Curran also updated the facility plan for Peaks island in 1988. They reviewed alternatives from no action to secondary treatment including pumping and treatment on the mainland. Their recommended option was for primary treatment with the treatment plant located on the City Loc next to the ferry terminal for two important reasons. First, it is the only parcel of any size large enough for a treatment plant in the vicinity of the service area and the acceptable outfall location. Secondly, additional pumping to get to an alternate treatment plant site would be necessary. U.S.E.P.A. would not fund the additional expense for these pumping facilities and additional outfall length, when a site is available that does not require pumping. This would mean 100% funding of these additional facilities required at an alternate site.

The City's 301(h) waiver application was approved by E.P.A. All work to this date was done under the jurisdiction of the Portland Public Works Department. At this point, the City requested the Portland Water District to design and construct the sewage system approved under

the 301(h) waiver and recommended by Woodard and Curran in their updated Facility Plan.

In January 1989, Woodard & Curran began design of the primary treatment plant at the City Lot site. Upon completion of the design all permits including the conditional use appeal and site plan review were obtained. Concurrently with acquiring these approvals, the Portland Water District discussed the option of upgrading the plant to secondary treatment with DEP and the City in light of all the pressure to clean up Casco Bay and the fact that the 301(h) waiver expired in 1992 with no guarantee of extension. Woodard & Curran did another study of secondary treatment options. The District also reevaluated the option of pumping to the mainland for treatment, which was still significantly more expensive than the various secondary treatment options. The most favorable cost effective option was to redesign the facilities at the existing approved site to secondary treatment.

All the reports and studies referred to in this history are quite large and therefore have not been included. They can be made available upon request.

PROPOSED SEWAGE TREATMENT FACILITY

PEAKS ISLAND

The Zoning Board of Appeals should deny the Portland Water District's application to p e a sewage treatment plant at the "Gateway" to Peaks nd for the following reasons:

1. Not the Least Costly Alternative. The plant is not the least cost lternative.

   a. The capital co estimates utilized by the PWD are suspect.

   b. No "cost of living" factor was applied to assess the impact of the increased operating expenses associated with the proposed facility.

   c. No costs associated with maintaining the new landscaping were included by the PWD.

2. Proposed Facility Cannot Handle Septage. The proposed facility could not handle septage, but a pipline, or a facility built elsewhere on the island, could.

   a. The only dumping site on the island for septage is closing.

   b. Homeowners with septic tanks will have to send their septage by truck to the mainland for treatment at significantly greater expense. Waiting for a truck to come out for a "full load" (at least two septic tanks) is little consolation to a homeowner with a failed system.

   c. The City's proposed zoning ordinance will effectively require homeowners on Torrington Point to hook up to the plant, but the plant is not designed to accommodate them.

   d. The Department of Environmental Protection does not plan to renew permits for private treatment systems [e.g., at Sandy Beach] and

those persons will also have to hook up to the system.

3. Alternative Sites for a Facility are Available. There are over 100 acres of land owned by the City on the island zoned "Open Space" which could accommodate a facility.

   a. The increased capital expenditure for an additional pumping station would be de minimus, and perhaps might even be offset completely by the savings associated with building a "less attractive" building structure.

   b. Septage could also be treated.

   c. None of the adverse effects associated with the proposed facility would result.

4. Pipeline Option. A pipeline would be less costly (with a crossover of expenses in the 20th year or so), even accepting PWD's cost estimates at face value. The PWD's research on the pipeline option was virtually nonexistent.

   a. The cost differential (for increased capital expenditures) would be de minimus.

   b. Septage could also be treated.

   c. None of the adverse effects associated with the proposed facility would result.

5. Water Views. Significant water views would be adversely affected.

6. Shoreway Access Plan. The proposed facility is clearly not in compliance with the Portland Shoreway Access Plan.

7. Casco Bay Lines. Casco Bay Lines' revenues would decline and place them in the "red," possibly ending in bankruptcy.

a. Over 25% of CBL's annual revenues come from "day trippers" to Peaks Island.

b. The smells from the tank trucks hauling sewage off the island would also be obnoxious.

8. Businesses Would Fail. With a decline in tourism due to odors from the proposed facility, businesses would fail and jobs would be lost.

a. Jones Landing Restaurant.

b. The Dockside Restaurant.

c. Downing's Ice Cream Shop.

d. Port Island Realty.

e. Keller's Bed and Breakfast.

f. The Lions Club "Clambakes".

g. A number of other businesses which, when added to the above, comprise all of the businesses on the island.

9. Lost Property Values and Taxes. Millions of dollars in property values will be lost.

a. Property tax revenues for the City will decline.

b. Possible claims for inverse condemnation damages will arise.

10. School Would Close. The health and welfare of the island will also be adversely affected if the population decreases and the school closes.

CAPITAL REQUIREMENTS FOR PIPELINE

	ISLAND TREATMENT	PIPLINE
CAPITAL NEEDED	$3,637,000	$5,901,000
EPA FUNDING	$1,612,537	$1,612,537
DEP FUNDING	$744,133	$744,133
NEW CAPITAL NEEDED	$1,280,330	$3,544,330
DIFFERENCE FOR PIPELINE		$2,264,000

CAPITAL NEEDED	$2,264,000
MORTGAGE INT	0.0725
MORTGAGE TERM	20
MORTGAGE PAYMENT	
MONTHLY	$17,894.11
YEARLY	$214,729

ISLAND TREATMENT PER YEAR	$101,300
PIPLINE PER YEAR	$21,800
YEARLY DIFFERENCE IN CONSTANT DOLLARS	$79,500

NEW ED DIFFERENTIAL	$400,000
MORTGAGE INT	0.0725
MORTGAGE TERM	20
MORTGAGE PAYMENT:	
MONTHLY	$3,161.50
YEARLY	$37,939

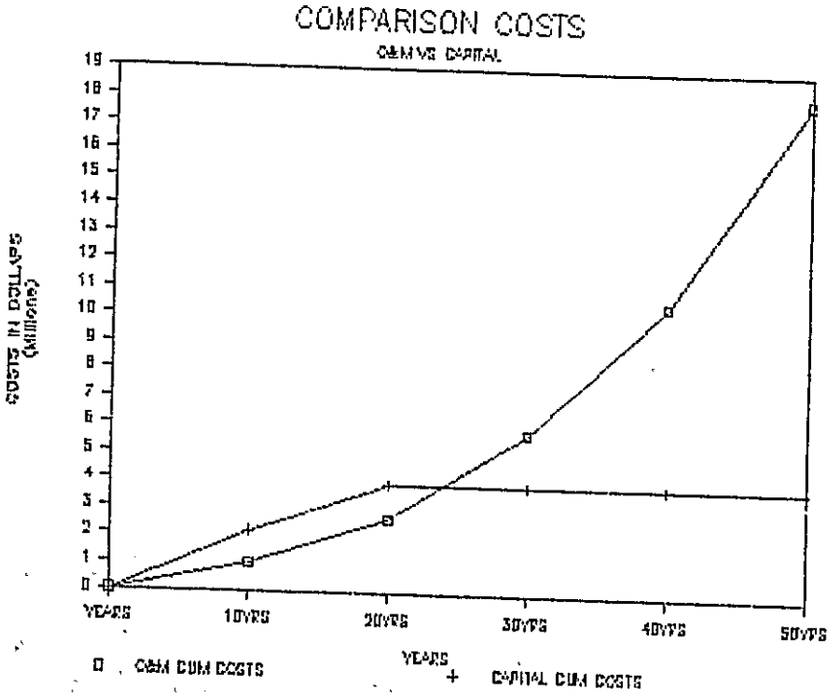
TR	O&M 5%	O&M CUM	NEW EQ	O&M WITH EQ	MTGE PAYMNT	MTGE CUM
1	$79,500	$79,500			$214,729	$214,729
2	$83,475	$162,975			$214,729	$429,459
3	$87,649	$250,624			$214,729	$644,188
4	$92,031	$342,655			$214,729	$858,917
5	$96,633	$439,288			$214,729	$1,073,647
6	$101,464	$540,752			$214,729	$1,288,376
7	$106,538	$647,290			$214,729	$1,503,105
8	$111,864	$759,154			$214,729	$1,717,835
9	$117,458	$876,612			$214,729	$1,932,564
10	$123,331	$999,942			$214,729	$2,147,293
11	$129,497	$1,129,440			$214,729	$2,362,023
12	$135,972	$1,265,412			$214,729	$2,576,752
13	$142,771	$1,408,182			$214,729	$2,791,482
14	$149,909	$1,558,091			$214,729	$3,006,211
15	$157,405	$1,715,496			$214,729	$3,220,940
16	$165,275	$1,880,771			$214,729	$3,435,670
17	$173,539	$2,054,309			$214,729	$3,650,399
18	$182,215	$2,236,525			$214,729	$3,865,128
19	$191,326	$2,427,851	$37,938	$2,465,789	$214,729	$4,079,858
20	$200,893	$2,628,743	$37,938	$2,704,619		$4,079,858
21	$210,937	$2,839,681	$37,938	$2,953,495		$4,079,858
22	$221,484	$3,061,165	$37,938	$3,212,917		$4,079,858
23	$232,558	$3,293,723	$37,938	$3,483,413		$4,079,858
24	$244,186	$3,537,909	$37,938	$3,765,537		$4,079,858
25	$256,395	$3,794,304	$37,938	$4,059,870		$4,079,858
26	$269,215	$4,063,520	$37,938	$4,367,024		$4,079,858
27	$282,676	$4,346,196	$37,938	$4,687,638		$4,079,858
28	$296,810	$4,643,005	$37,938	$5,022,385		$4,079,858
29	$311,650	$4,954,656	$37,938	$5,371,974		$4,079,858
30	$327,233	$5,281,888	$37,938	$5,737,144		$4,079,858
31	$343,594	$5,625,483	$37,938	$6,118,677		$4,079,858
32	$360,774	$5,986,257	$37,938	$6,517,389		$4,079,858
33	$378,813	$6,365,070	$37,938	$6,934,140		$4,079,858
34	$397,753	$6,762,823	$37,938	$7,369,831		$4,079,858
35	$417,641	$7,180,464	$37,938	$7,825,410		$4,079,858
36	$438,523	$7,618,988	$37,938	$8,301,872		$4,079,858
37	$460,449	$8,079,437	$37,938	$8,800,259		$4,079,858
38	$483,472	$8,562,909	$37,938	$9,321,669		$4,079,858
39	$507,645	$9,070,554	$37,938	$9,867,252		$4,079,858
40	$533,028	$9,603,582	$0	$10,400,280		$4,079,858
41	$559,679	$10,163,261	$0	$10,959,959		$4,079,858
42	$587,663	$10,750,924	$0	$11,547,622		$4,079,858
43	$617,046	$11,367,970	$0	$12,164,668		$4,079,858
44	$647,899	$12,015,869	$0	$12,812,567		$4,079,858
45	$680,293	$12,696,162	$0	$13,492,860		$4,079,858
46	$714,308	$13,410,471	$0	$14,207,169		$4,079,858
47	$750,024	$14,160,494	$0	$14,957,192		$4,079,858
48	$787,525	$14,948,019	$0	$15,744,717		$4,079,858
49	$826,901	$15,774,920	$0	$16,571,618		$4,079,858
50	$868,246	$16,643,166	$0	$17,439,864		$4,079,858

TOTAL COST OF O&M OF SEWAGE PLANT	$17,439,864
TOTAL COST OF ADDITIONAL CAPITAL NEEDED FOR PIPELINE	$4,079,858
ADDITIONAL COST OF SEWAGE PLANT AT YEAR 50	$13,360,006

COST COMPARISON
TREATMENT O&M MAINTENANCE VS.
UNDERBAY PIPLINE CAPITAL INVESTMENT

YEARS	O&M	CAPITAL
10YRS	$939,942	$2,147,293
20YRS	$2,628,743	$4,079,858
30YRS	$5,737,144	$4,079.858
40YRS	$10,400,280	$4,079,858
50YRS	$17,439,864	$4,079,858

LIFE CYCLE COST SAVINGS $13,360,006


COMPARISON COSTS
O&M VS CAPITAL
COSTS IN DOLLARS (Millions)
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
0
YEARS
10YRS
20YRS
30YRS
40YRS
50YRS
YEARS
O&M CUM COSTS
CAPITAL CUM COSTS

CITY OF PORTLAND
BOARD OF ZONING APPEALS

Re: Welch & Island Avenue, Peaks Island (84-R-1 through 6)
Application of the Portland Water District
For Conditional Use Permit

MEMORANDUM IN OPPOSITION TO
GRANT OF A CONDITIONAL USE PERMIT

This memorandum is submitted on behalf of William Bonn owner of a residence and of George Clark the owner of the Jones Landing Restaurant, abutting property owners, in opposition to the application of the City of Portland and the Portland Water District ("PWD") for conditional use approval under Sections 14-474(c) and 14-156 of the City of Portland's zoning ordinance for the construction of a sewage treatment plant in the recreational and open space zone. The District proposes to construct and operate a sequencing batch reactor designed to serve 200,000 gallons per day for approximately 135 households, commercial establishments and public buildings. Most of Peaks Island would still be served by on site private sewage disposal systems.

The plant is proposed for city-owned land immediately adjoining the "gateway" to Peaks Island, namely the public ferry landing, across the street from the principal restaurant on the Island with approximately 140 seats of which are outside in the open air and in the midst of the most congested residential area on the Island. It would be hard to find a more prominent or sensitive site on the island upon which to place a sewage treatment plant.

The abutters understand that approximately one year ago the District had sought approval for a subsurface facility to mix chlorine with the sewage in order to provide "primary treatment" for sewage released into Casco Bay. The present proposal would add an elaborate above-ground facility for the purpose of processing this sewage effluent to settle out water and remove solids, and store the solids for transportation by ferry off island every 3 or 4 days. The expected use of the facility would be highly cyclical, with the most intense use coming during the warm summer months when odor control concerns would be at their maximum.

At the time the decision was made to switch from a simple chlorination process to the more elaborate "secondary treatment" for the removal of solids, no significant review was

made by the PWD of alternative sites or facilities on the island.

The abutters are not against the treatment of sewage. Rather their concern is that the choice of a site for the plant appears to ignore a variety of other concerns which are required to be addressed under the City of Portland's zoning ordinance and state law.

1. Recreational and Open Space Zoning.

The parcel is zoned as Recreational and Open Space ("R-OS"), the purposes of which are:

> "(1) To preserve and protect open space as a limited and valuable resource;
>
> (2) To permit the reasonable use of open space, while simultaneously preserving and protecting the inherent open space characteristics to assure its continued availability for public use as scenic, recreational and conservation or natural resource area and for the containment and structuring of urban development; and
>
> (3) To coordinate and carry out federal, state, regional and city recreational and open space plans.

In August, 1989 "sewage treatment facilities" was added as a conditional use in the R-OS zone, but the conditional use standards which had to be satisfied remained unchanged. In addition to the normal Section 14-474 (c) criteria, the standards outlined below must be satisfied.

A. Recreational Plan. First, the use must be "in conformity with federal, state, regional and city recreational and open space plans, including but not limited to the state comprehensive outdoor recreation plan." The City of Portland does not have a plan. The state plan (Preface and index attached as Exhibit A, as obtained from the city planning staff) in its regional needs analysis makes no mention of the use of park or recreational lands for the construction of sewage treatment facilities.

The reason for this standard is clear. Otherwise there would be a temptation to use the nearest vacant land for whatever project was the most pressing at the moment, be it a highway, a public building or a sewage plant, without considering the other criteria. The preface to the R-OS zone makes clear that the zone's purpose is to "carry out" open space plans. The terms of the ordinance simply require that the use must be "in conformity with" the state plan. The PWD's proposed use flatly fails to satisfy the first test established under the ordinance.

B. Cannot be reasonably accomodated elsewhere. The ordinance lists as the first purpose of the R-OS zone as being to preserve and protect open space as a "limited and valuable resource." Here there is no question that other options exist for providing sewage treatment, primarily by a pipeline connecting to the existing East End plant on the mainland. There is also no question that the proposed Peaks Island site will be almost totally taken over by the sewage treatment plant facility, which would preclude the second purpose of the ordinance from being satisfied, namely "simultaneously assuring its continued availability for public use.... "

The PWD already provides water service to the island by a pipeline under the harbor. The question seems to revolve around what is "reasonable" based on the economics to return the sewage by pipeline back to the mainland plant. However, the ordinance requires that the reasonableness also be measured by continuing to permit use of the site for as "scenic, recreation, conservation or natural resource area..." No such balancing is accomplished by the proposed use; rather the site is almost entirely devoted to sewage treatment.

J.M. Smith Associates, PSC, Consulting Engineers has provided its evaluation of the Battery Steele site, which this memorandum will not repeat. It projects an additional cost of $582,000.

The second alternative is to pump the sewage by pipeline to the existing PWD plant on the mainland. The PWD in its February 16, 1990 letter to George Flaherty itemizes the projected costs, which basically involve a tradeoff of the initial higher capital costs of construction of the underwater pipeline for the higher future operating and maintenance costs of a separate treatment plant on Peaks Island. Neither the additional capital costs nor the operating costs will be funded by the federal government; both will be paid for by the ratepayers in the City of Portland.

Two seemingly minor assumptions play a large role in determining how the comparisons come out. Basically the pipeline results in a larger initial capital cost, which will be funded by interest bearing bonds. The interest rate paid on these bonds has a large impact. PWD has assumed an interest rate of 8.75% However the present going rate for 20 year bonds of for borrowers such as the City of Portland is now about 7.30%. The pipeline would cost an additional $2,264,000 in present capital costs, which for 20 year bonds at 7.30% would be $218,713 more per year. On the other hand, The Peaks Island plant would cost $68,500 more to run per year by the PWD's figures and would have the hidden capital cost of completely using up a valuable piece of city land at the "gateway" to the island. Of course at the end of 20 years the bonds will have been paid off, but the operating costs will go on forever.

The second assumption deals determining the "present value" of dollars which must be spent in the future. Most of the additional costs of the PWD Island plant will be incurred in the future through operational and repair costs. Hence measuring the present value of those costs becomes important. The PWD has assumed a discount rate of 8.75%, which dramatically lowers the present value of future costs, particularly where they assume no inflation. The PWD has assumed that costs will remain fixed over the next 50 years. If one assumes a 5.00% inflation rate for costs, in the PWD's estimates are revised as follows by using a 3 7/8% discount rate instead of 8 7/8%:

Future Capital Costs:	Island/	Pipeline	% Rate
Equipment replacement 20 years @ $560,000/$160,000	$261,798/	$ 74,800	@3 7/8%
Equipment replacement 40 years @ $560,000/$160,000	$122,390/	$ 34,969	@3 7/8%
	$384,188	$109,769	

Savings of Pipeline $$274,420

Future Operations and Maintenance Costs:	Island/	Pipeline	% Rate
50 years @ $101,300/$23,000	$2,223,545	$504,852	@3 7/8%

Savings of Pipeline $$1,718692

TOTAL PRESENT VALUE OF SAVINGS OVER 50 YEAR PERIOD

$$ 1,993,112

This is quite close to the extra intial capital cost of the pipeline route. This figure does not take into account the value consumed by the use of the gateway parcel, which the PWD has valued at zero in determining the cost of the Peaks Island plant.

2. General Conditional Use Standards:

In addition to the specific requirements of Section 14-156, the use must satisfy Section 14-474 (c) (2), which provides that if the board determines the following disqualifying tests are met then the conditional use permit shall not be granted:

A. Unique or Distinctive Characteristics: It is hard to argue that a sewage treatment plant will not have unique or distinctive characteristics compared to normal recreational uses in the R-OS zone.

Through an aeration process, the sewage will be processed on site and stored in four to six large tanks containing up to 50,000 gallons each of sewage. Approximately 3,000 gallons of sewage sludge will be transferred onto a truck every 3-4 days for removal to the mainland. This process will be carried on within approximately 100 yards of the abutters' open air restaurant and residence. ALthough the PWD will provide an odor control mechanism, the abutters' visit to the Cape Elizabeth treatment plant cited by the PWD as a comparable facility demonstrates that odor control there is nonexistent. It is invariable that even the best odor control system will occasionally be unable to control a massive biological process involving several hundred gallons of sewage. Every mechanical process will on occasion fail. The greatest strain will occur during the peak demand season of summer, which is when the abutters will be the most sensitive to odor problems. Secondly there is no indication what odor control steps will be taken during the process of transferring the sludge to a truck every 3-4 days.

B. Adverse Impact. The welfare of the surrounding area will be affected considerably, as the above discussion indicates. The proposed use will have a devastating impact.

C. Substantially Different Impact. Again the use will vary radically from the permitted uses in the R-OS zone, which are typically recreational.

3. Future Expansion.

Although the plant is sized to permit some expansion, the city is concurrently considering requiring upgrading of existing subsurface sewage disposal systems, which service the bulk of the island including a large number of homes on 5,000 square foot lots. It is likely that such homeowners would then wish to connect to the sewage treatment system, which unfortunately would be located on a lot with no room for additional expansion. If the island were serviced by a pipeline to the mainland, that capacity would be present.

4. Shoreland Zoning.

The City's present shoreland zoning ordinance provisions do not meet the requirements of 38 Maine Revised Statutes Annotated chapter 809, although the proposed improvement fall within 250 feet of the normal high water mark of a saltwater body. The abutters wish to preserve their objections on that account and

STATE

the failure to obtain the setback variance which appears to be required under 38 M.R.S.A Section 439-A which provides that the setback applies "regardless of any provision in any municipal ordinance to the contrary." A sewage treatment plant does not fall within the definition of "functionally water related uses" established by statute.

Respectfully submitted,

Lawrence R. Clough

Thompson, McNaboe, Ashley & Bull
85 Exchange Street
Portland, Maine 04112
(207) 774-7600

5711H

STATE comprehensive OUTDOOR Recreation Plan EXHIBIT A

Eligibility for Land + Water Conservation Fund money.

CONTENTS

Outdoor Meeting...

CONTENTS

CONTENTS

Aug. 30, 1990

Welch + Island Avenue
Peaks Island

CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

For the Record

Names and addresses of witnesses (proponents, opponents and others):

W. David Tallis — Jay Meyer
John Riordan — William Dorn
Mark Jordan — Glen Perkins
(Chris Neagle) — Pat Rockwell

Exhibits admitted (e.g., renderings, reports, etc.): Annie Carrigan
David Morton Bob Downing George Clark
Arnold Meirowe Howard Heller Mrs. Heller
Joe Lundgren

Findings of Fact

1. The proposed conditional use (is)/is not (circle one) permitted under Section 14- 474 of the Zoning Ordinance, for the following reason(s): 4-4 should be 4-0.

2. The proposed conditional use (does)/does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): 2-2.

3-A. There (are)/are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): 3-1.

3-B. There will/(will not) (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): 2-2.

3-C. The impact does/does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): _____

2 - 2

Conclusion*

After public hearing on Aug. 30, 1990, and for the reasons above-stated, the accompanying application is hereby (check one)

1 granted.

____ granted subject to the following condition(s):

_____

_____

3 denied.

Dated: Aug. 30, 1990 _____
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

Granted

Denied

84-R-1 thru 6
and Parker, [illegible]
Portland Water Dist.

CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

For the Record

Names and addresses of witnesses (proponents, opponents and others):

[illegible] Jellison — Robert [illegible]

John [illegible] — Carolyn Parker

Exhibits admitted (e.g., renderings, reports, etc.):

Findings of Fact

5 1. The proposed conditional use is/is not (circle one) permitted under Section 14-155 of the Zoning Ordinance, for the following reason(s): ______

5 2. The proposed conditional use does/does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): ______

5 3-A. There are/are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): ______

5 3-B. There will/will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s): ______

6 3-C. The impact does/~~does not~~ (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): ______________

____

Conclusion*

After public hearing on 8/10, 1989, and for the reasons above-stated, the accompanying application is hereby (check one)

6 X granted.

____ granted subject to the following condition(s):

____

____

____ denied.

Dated: 8/10/89, 19 ______________
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 2-A, 3-B and 3-C above are each in the affirmative.

Approved

Christopher C. Kleine