

**Oakhurst, Shore Road  
Paper Street Meeting Notes**

Wednesday, March 16, 2016

7:00 - 7:45 p.m.

Cape Elizabeth Town Hall

Welcome/Introductions

Town Council Chair Molly MacAuslan opened the meeting and explained that this meeting is part of the town council goal to address paper streets. She referenced the 2015 Paper Street Report on the town website and also explained the public engagement plan for paper streets, which began with reviews by the Planning Board and the Conservation Commission.

Councilor MacAuslan explained that the purpose of tonight's listening session is to hear public comment on how paper streets are currently used and how they should be used in the future. Once the neighborhood meetings have been held, the town council will hold 1-2 workshops before holding a public hearing.

She introduced Town Manager Michael McGovern and Town Planner Maureen O'Meara.

Paper Streets in Cape Elizabeth

Ms. O'Meara began by recommending review of the 2015 Paper Street Report to see detailed maps of each paper street. The spreadsheet listing all the paper streets has been updated based on public comments and was distributed at the meeting. She described paper streets as streets shown on subdivision plans that were recorded in the Cumberland County Registry of Deeds but not built. The act of recording the plan creates "incipient rights" available to the town and that is the focus tonight. Private rights in the paper streets are also created, but the town is focusing this process on the public rights.

She referenced the 1997 Town Council vote to extend paper street rights for 20 years and that extension is due to expire. As part of this review, the 2015 Paper Street study was prepared. Elements of paper streets that would be important to the public were evaluated, including length of street, date recorded, and whether it includes a private driveway or road, utilities, lot access, turnaround, trail, potential trail or adjacency to open space. Due to public comments, we have added to the inventory, and if you know something about a paper street, please share it and we will add it to the report.

Oakhurst has the most paper streets, which makes sense since it includes some of the oldest neighborhoods. Paper streets on Shore Rd are also included in tonight's meeting.

### Public Comment

Council Chair MacAuslan opened the meeting to public comment.

Mary Page, 39 Forest Rd - She is concerned with three paper roads, Forest Rd, Baker Rd, and Ocean View Rd. They are marked as wetlands and we assumed they would some day be part of the greenbelt/trail. We don't want them developed and do want them kept as open space.

Calien Lewis, 5 Lindenwood Rd- Our property abuts Waverly Rd. We want the town to endorse the report and retain the rights. There is a seasonal vernal pool, trail and driveway there and we don't want to see anything further happen.

David Volin, 17 Lawson Rd - He is speaking on behalf of Woodcock Rd. People bought multiple lots so the paper road would not be built. The road protects a view the neighbors enjoy. Mr. Volin asked what happens when a paper street is vacated? Ms. O'Meara said the road is divided along the center line and ownership is assumed by the abutters.

Maureen McCarthy, 16 Stonybrook Rd - She is interested in Crescendo Terrace, which includes a sewer line and culvert. If the culvert is blocked, it floods her back yard. The Town has kept the water moving and she is concerned that the road be kept.

Peter Weare, 69 Beach Bluff Terrace - He lives in the last house on Beach Bluff Terrace and backs up to Thompson Rd. He would like Thompson Rd vacated. The paper street splits his lot and he cannot install a deck out back due to setbacks.

Livia Jensen, 71 Stonybrook Rd - My property is very small and we use the paper street as a driveway. She would like the paper street [U3-3] released to us so we can build a garage. On the other side of the property are wetlands owned by the town. We don't have a driveway and are using a paper street.

Douglas Miller, 70 Ocean View Rd - He lives next to Baker Rd extension, which leads into open space that is privately owned and used as an informal trail. The end of Ocean View Rd is wetlands and the third street is Forest Rd, which is also wetlands. They should not be built upon.

Claire Ginder, 12 Rocky Knoll Rd - A paper street runs behind us. Rocky Knoll is perpendicular to Stonybrook and the paper street runs behind. The paper street is essential to the drainage of our neighborhood. My neighbor has an easement with a

drain that runs between the two lots so that water can go to the paper street. Some neighbors at the top of the paper street have appropriated it, and it has become their backyard, at the expense of the wetland. We want to retain the paper street status to protect the wetland and protect the drainage for our street.

Alice Grant, 61 Beach Bluff Terrace - Thompson Rd runs behind our lot and we bought the lot behind. We own the next to last house on Beach Bluff Terrace. There would be no one beyond us who want rights in Thompson Rd. Eric Kruger and Maureen Quinlan, who are much closer to Shore Rd, want to retain the paper street. The Planning Board voted to retain rights after Eric and Maureen spoke, but the town should not retain rights further down the road.

Joan Aldridge, 18 Lawson Rd - She has lived on Lawson Rd since 1993 and appreciates the town providing an opportunity to hear from residents. Woodcock Rd has been established since 1939 and is integral to the neighborhood. There was a large tree in the paper street that was used as a neighborhood swing. Property adjacent to the street has recently been sold, and we welcome the new neighbors, but would like the 40' wide street retained as it is valued for its view.

Marti Blair, 2 Cedar Ledge Rd - She would like Arbutus and Waverly to be retained. Arbutus has been used as a walking path for school kids in the past. In a neighborhood with small lots, this has been used as a park. Waverly is a walking path for neighbors and their dogs, enjoying the wooded portion of the street.

Chris Boulos, 68 Edgewood Rd - He owns a lot on Stone Drive that is nonconforming due to an ordinance change. There is a paper street abutting the lot [U1-1a]. If the paper street is vacated, it would bring the lot within 200 sq. ft. of 10,000 sq. ft., which is the minimum size for a buildable lot. The town could also put a pedestrian easement along the side. The Blueberry Ridge subdivision has already been developed so no road can connect on the other side of the paper street.

Bill Nickerson, 3 Thompson Rd - He supports vacating Thompson Rd. His house was built 5 years ago on Thompson Rd. There is 82.5' between the rear of his house and the nearest house on Beach Bluff Terrace, so the 25' of Thompson Rd is significant. The Planning Board approval included trees in the street. We added more trees, so there are now 40 trees in the road. If Thompson Rd were developed, it would have a major impact on me and 3 neighbors.

Renee Norris, 26 Woodland Rd - Referring to the "Cliff east" paper rd, it is a cut through that people use all the time for walking, riding bicycles. I hope you will retain that paper road.

Richard Armstrong, 2 Waverly Rd - He has two questions. He asked the lady who spoke before to speak because he did not hear what she said. He said they were on the same wave length and she agreed the same Waverly Rd. We want the town to retain the paper road and avoid the unknowns of who owns what, etc. She wants the road to stay the way it is. Mr. Armstrong seconded her comment.

Ms. O'Meara clarified that every person who owns a lot on the plan showing the subdivision plan has rights in the paper street. Any of the lot owners can do things that relate to a road, including removing vegetation.

Mr. Armstrong asked about the status of Hazelwood. He wants it to stay the way it is.

Pauli Woodcox, 17 Cape Woods Dr - Not sure this is on the agenda, but she has a question about paths. Councilor MacAuslan wanted to make a distinction between the Paper Streets report and the 2013 Greenbelt Plan, which is a separate issue. Ms. O'Meara said she is aware of the path Ms. Woodcox is referencing.

She asked about putting something behind Cape Woods Drive. Ms. O'Meara said your question is a separate project the Conservation Commission is working on.

Public comment concluded. Councilor MacAuslan said that meeting notes of this meeting will be posted on the town website. The Town Council will also hold meetings, not yet scheduled. Those meetings will be on the town website.

The meeting concluded at 7:45 pm