

MEMORANDUM

TO: Michael McGovern, Town Manager
FROM: Maureen O'Meara, Town Planner
DATE: May 3, 2016
SUBJECT: Paper Streets

Introduction

In 1997, the Cape Elizabeth Town Council extended its rights in almost all paper streets for 20 years, which is provided for in Maine state statutes. That extension will expire in 2017, so the town has initiated another review of paper streets in preparation for Town Council consideration prior to the 2017 deadline. Below is a summary of the review.

Data Collection

In 1997, the town commissioned a paper street report. That report has now been updated. The 2015 Paper Street report updated the paper street inventory in the 1997 report and added paper streets omitted from the earlier report.

Paper streets were then evaluated for functions important to the town. Town staff, including the Public Works Director, Fire Chief, Police Chief, as well as the Portland Water District, have reviewed the inventory and provided comments. In addition to a map showing each paper street, the report includes a chart summarizing the elements of each street. Features of each street include approximate length of street, year recorded, and the presence of a driveway or private road, utilities, lot access, turnaround, trail, potential trail and open space proximity.

The report was received by the Town Council at the February 9, 2015 meeting and is also posted on the town website. As a result of comments made at the neighborhood meetings, additional paper streets and information have been added to the report. Attached are the updated paper street inventory chart and supplemental pages to the original report.

Paper Street Engagement Plan

Following receipt of the 2015 report, the Town Council held an executive session to receive legal advice on March 16, 2015. At the April 6, 2015 meeting, the Town Council adopted a public engagement plan intended to provide for public review of the report. The Paper Street Engagement Plan is included as Attachment 3 and lays out a 3-part process.

Part 1 is a review of the 2015 report by the Planning Board and the Conservation Commission. The committees were directed to provide for public comment as part of their routine practice. Both the Planning Board and the Conservation Commission submitted recommendations to the Town Council on July 28, 2015. (See Attachments 4 and 5) The report chart has been expanded to include the Conservation Commission and Planning Board recommendations.

Part 2 of the public engagement plan provided for neighborhood area meetings. Four neighborhood focused meetings were held as follows:

Date	Neighborhood
January 27, 2016	Brentwood neighborhood
February 24, 2016	Shore Acres neighborhood Broad Cove neighborhood Hannaford Cove neighborhood
March 16, 2016	Oakhurst neighborhood Shore Rd area
March 30, 2016	Great Pond neighborhood Mitchell Rd area

About 2,000 total invitations were mailed to neighborhood residents and each meeting was well attended. Each meeting began with a 15-minute presentation that included an overview of paper streets. Meeting notes were prepared for each meeting and are included as Attachments 6-9.

Part 3 of the Public Engagement Plan is the traditional Town Council public hearing process.

Public Comment

In addition to the public participation at the neighborhood meetings, many written comments were received. These are included in Attachment 10.

Next Steps

In order to facilitate Town Council discussion, added to the inventory chart are additional columns providing space to indicate the town's rights in a paper street should be extended, accepted or vacated.

Attachments:

1. Updated Paper Street inventory chart
2. Supplemental 2015 Paper Street Report pages
3. Paper Street Engagement Plan
4. Conservation Commission recommendation
5. Planning Board recommendation
6. Brentwood neighborhood meeting notes
7. Shore Acres/coves neighborhood meeting notes
8. Oakhurst/Shore Rd meeting notes
9. Great Pond/Mitchell Rd meeting notes
10. Written public comments

U1-4



U1-4 (est. 190'): Cliff Ave (east)

Existing conditions: Includes existing driveways, private road, possible turnaround, possible casual trail

U15-1



U15-1 (est. 130'): Lighthouse Point Rd

Existing conditions: Immediately abuts Coast Guard land, which includes an existing pedestrian trail network.^{23.1}

U15-2



U15-12 (est. 30'): No significant features are identified.

U23.2

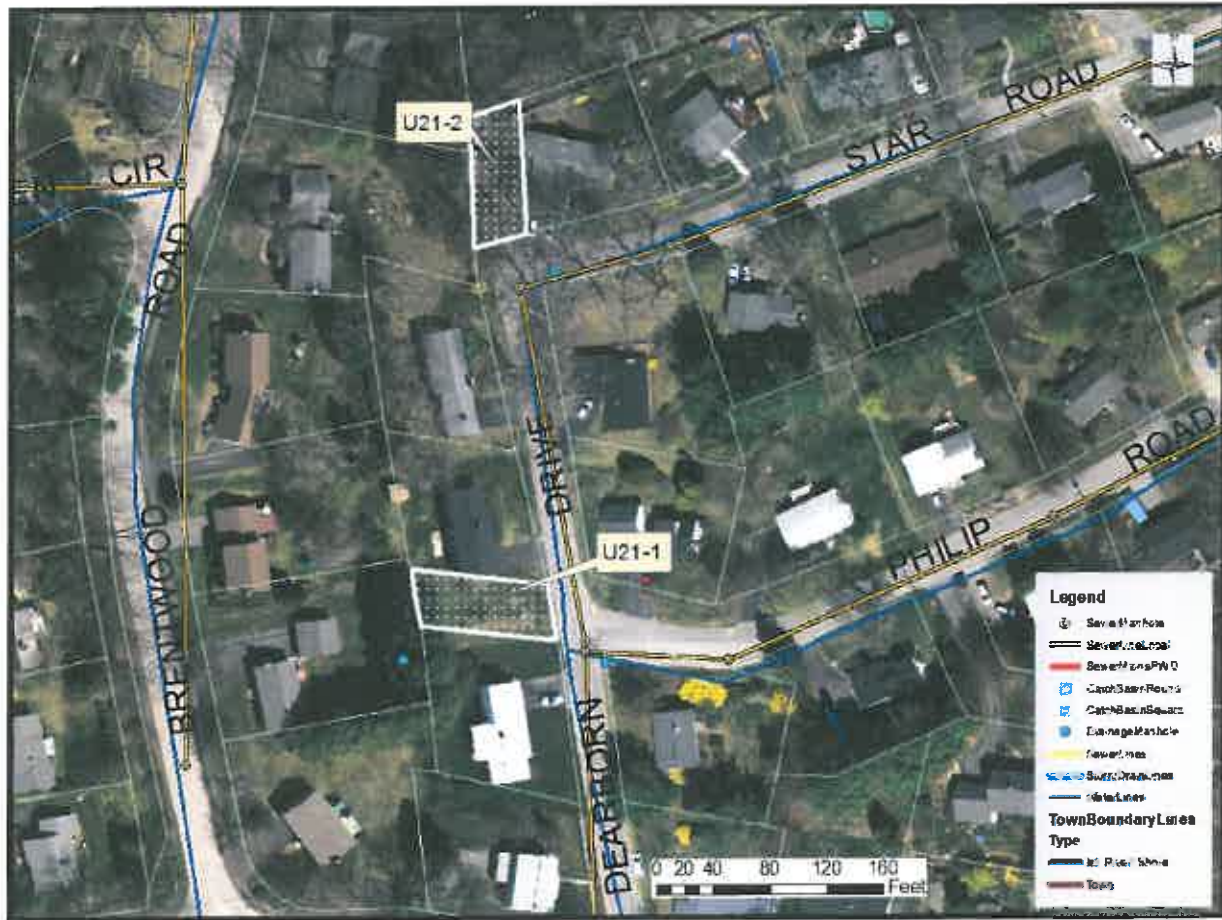
U15-3



U15-3 (est. 500' long, 25' wide): Two Lights (north)

No significant features are identified.

U21-1, U21-2



U21-1 (est. 90'): Dearborn Drive (north)

Existing Conditions: Includes private driveway and possible pedestrian access.

U21-2 (est. 90'): Dearborn Drive (south)

Existing Conditions: vacant, may be a good candidate for vacation.

U33-3, U33-4, U33-5

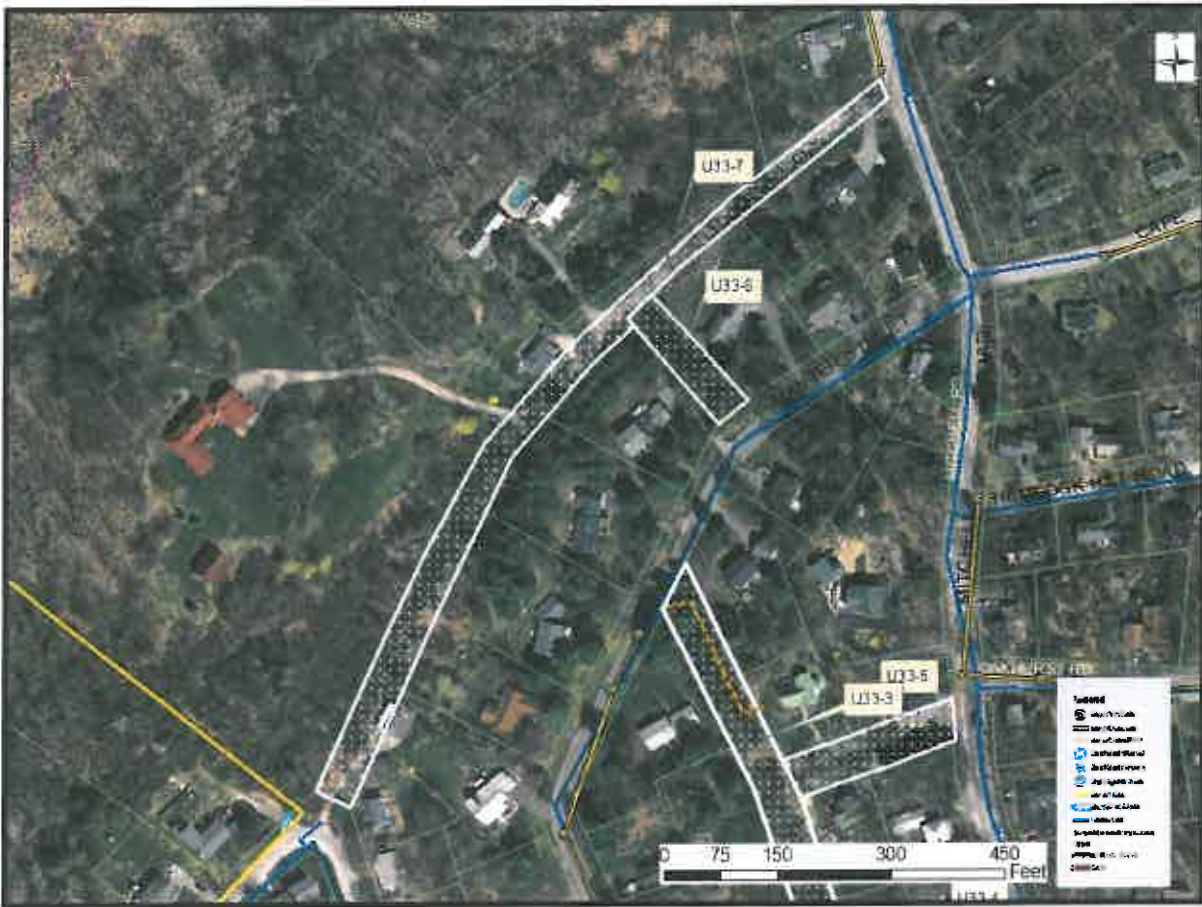


U33-3 (est.580'): Highland Street
Existing conditions: Includes lot access

U33-4 (est. 440'): Valley Rd/S Curve Street
Existing conditions: Includes a private driveway.

U33-5 (est. 200'): Moonshadow Rd (Labeled Pine St on subdivision plan)
Existing conditions: Includes private road, private sewer line connecting to Highland St

U33-6, U33-7



U33-6 (est. 180'): Hill Place

Existing conditions: vacant; potential second access for 3 homes on dead end Lydon Ln

U33-7 (est. 1,200'): Lydon Lane

Existing conditions: Includes 4 private driveways on unbuilt portion of Lydon Ln (portion of Lydon Lane is built and an accepted town road); May include private utilities.

Town Council Paper Street Engagement Plan

Introduction

The Town Council has received an updated status report on paper streets in Cape Elizabeth, and legal advice on options. The Town Council extended the town's rights in paper streets in 1997 for 20 years. The town may want to take some action before the 1997 extension expires in 2017. Prior to making a decision on paper streets, the Town Council will undertake a public engagement effort.

Why adopt a Public Engagement Plan?

Town policy and practice includes public comment periods, public hearings and unlimited written comment opportunities for the public to participate in local government decision-making. The treatment of paper streets, however, has generated tremendous public interest, controversy and communal tension. Many paper streets include important public infrastructure and, by their nature, are most often located in compact neighborhoods. These elements merit a special effort by the Town Council to engage the public in a discussion that includes the facts about paper streets and the community's future vision for paper streets.

Public Input Gathering

The paper street engagement process will include three parts, as follows:

Part 1: Review of updated Paper Street Report

The Planning Board and Conservation Commission are requested to conduct a review of the 2015 Paper Street Report. While the Planning Board and the Conservation Commission routinely allow public comment at their meetings, the main focus of Part 1 is a policy recommendation for Town Council consideration. Board recommendations should be prepared expeditiously with the understanding that the main opportunities for public comment are planned for Part 2 and Part 3.

The Conservation Commission should focus on the portion of the report where paper streets are or could be used as additions to the Greenbelt. They should provide a recommendation that includes:

1. A list of paper streets that include existing trails;
2. A list of paper streets that include potential trails to be added to the Greenbelt;
3. A list of paper streets that they recommend should be retained by the town in order to preserve and/or extend the Greenbelt.
4. A list of paper streets that include trails or may include trails that they would not recommend the town retain.

The Planning Board should focus on the need for paper streets to support potential new development in an orderly manner. The board should consider vehicular access, pedestrian access and orderly extension of infrastructure. The Planning Board recommendation should include:

1. A list of paper streets that they recommend should be retained by the town with a description of possible future needs that the paper street may meet.
2. A list of paper streets that they recommend may not be needed.

Part 2: Neighborhood Area Meetings

As part of the Town Council's Citizen Engagement Goals, the Town Council will host 4-6 neighborhood area meetings. Each meeting will focus on one area of town and residents from that area will be asked to comment on a range of local government topics, including paper streets. The neighborhood area meeting is a pilot project of the Town Council to provide another opportunity for meaningful public engagement. Each meeting will include an informational presentation with the bulk of the meeting devoted to public discussion in a less formal format than traditional public hearings.

Part 3: Town Council Public Hearing

The public engagement process will conclude with a traditional public hearing, held at a Town Council meeting, and include legal notice as required by law. The Town Council may also choose to schedule 1 or more workshops to discuss paper streets. The Town Council decision may include both extensions of rights and vacation of rights in paper streets.

Supporting public engagement actions

The town website shall be extensively used to post information about paper streets, including the 2015 Paper Street Report (already on the website), dates of upcoming meetings, agendas of meetings, minutes of meetings and materials developed to support this engagement process.

Conclusion

It is the Town Council's intent to fully vet public needs and opinions before making a decision to serve the needs of all town residents now and in the future.

MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Conservation Commission
DATE: July 28, 2015
SUBJECT: 2015 Paper Street Report Recommendation

Introduction

The Town Council referred to the Conservation Commission a review of the 2015 Paper Street Report as part of the Paper Street Public Engagement Plan. A summary of the Conservation Commission process and its recommendation follows. Attached is the 2015 Paper Street Report chart which contains the Conservation Commission recommendation for each paper street.

Process and Recommendation

The Conservation Commission reviewed the Paper Street Report in detail at the May 12, 2015 meeting. An aerial photo depicting the paper street and adjacent area including related features was reviewed for each paper street. The Conservation Commission discussed the elements identified in the report, with the most emphasis on paper streets related to public open space/trail connections. The commission prepared a recommendation to "retain" or "vacate" for each paper street.

No members of the public elected to comment on paper streets at the May Conservation Commission meeting. An excerpt from the July 14, 2015 Conservation Commission meeting minutes follows:

5. Paper Street Public Engagement Plan. The Planning Board has completed their review and is scheduled to finalize their recommendation to the Council.

There are two little sections in the Brentwood neighborhood, U21-1 and U21-2. Ann Cranshaw is interested in the vacation of U21-2 off Star Road at the end of Dearborn Drive, so she can do some work on her property. The paper street is currently used by students to walk to school, and bikes go through there. She would be willing to grant a pedestrian easement.

Motion: To vacate paper street U21-2 with the retention of a pedestrian and bicycle easement.

Passed unanimously

Motion: To vacate paper street U21-1.

Passed 5-2

Lighthouse Point Road, U15-1, abutting Coast Guard land, and U15-2 at the end of Balsam.

Motion: To retain paper street U15-1.

Passed unanimously

Motion: To vacate paper street U15-2.

Passed unanimously

Motion: To send the Conservation Commission's amended list regarding paper streets to the Town Council.

Passed unanimously

MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Planning Board
DATE: July 28, 2015
SUBJECT: 2015 Paper Street Report Recommendation

Introduction

The Town Council referred to the Planning Board a review of the 2015 Paper Street Report as part of the Paper Street Public Engagement Plan. A summary of the Planning Board process and its recommendation follows.

Process

The Planning Board reviewed the Paper Street Report in detail at the June 3, 2015 workshop. An aerial photo depicting the paper street and adjacent area including related features was reviewed for each paper street. The Planning Board discussed the elements identified in the report, with the most emphasis on paper streets needed to preserve access to unbuilt lots, paper streets where utilities are located, and open space/trail connections. The board prepared a recommendation to "retain" or "vacate" for each paper street.

At the June 16, 2015 meeting, the Planning Board tabled a draft recommendation to the July 21, 2015 meeting, when a public hearing was held. At the public hearing, the Planning Board heard from 3 speakers and also discussed written comments submitted by members of the public. The recommendation for Thompson Rd (U10-1) was discussed and revised. The Board encouraged members of the public to participate in the "Part 2" neighborhood meetings to be hosted by the Town Council.

Public Comment

The Planning Board received comment from the following:

Ellen and Steve Brewster, 4 Drew Rd South Portland (Paper Street id U2-2) - Request to vacate

Anne Cranshaw, Dearborn Dr (Paper Street id U21-1, U21-2) - Request to vacate

Maureen Quinlan and Eric Kruger, 33 Beach Bluff Terrace (Paper Street id U10-1) - Request to retain

Chris Boulos, 67 Edgewood Rd (Paper Street id U1-1a) - Request to vacate

Susan Murray Guerrette, Katahdin Rd (all paper streets) - Request to retain

Russ Keenan, 3 Spoonrift Ln (Paper Street id U36-1) - Request to vacate

Summary of Recommendation

Attached is the Paper Street Inventory Chart with the Planning Board recommendation for each paper street shown in column 15. Please note that the Planning Board supports vacation of paper street id U21-2 as long as a pedestrian easement is retained to provide for continued pedestrian access currently used by school children.

At the July 21st meeting, the following motion was adopted by the Planning Board in a 5-0 vote:

BE IT ORDERED that, based on the meeting materials and the facts presented, the Planning Board recommends that the paper streets shown on the Paper Streets Inventory Chart be vacated or retained. Where paper streets are recommended to be retained, the Planning Board's recommendation is based on the features found in and adjacent to the paper street as identified on the Paper Street Inventory Chart.

Draft Paper Streets Inventory 2015

ID #	Name/Location	Length (ft)	Year recorded	BL/EG	Driveway/Private Rd	Utility	Lot access	Turnaround	Trail	Potential	Open Space Proximity	Current status	2015 Conservation Commission Recommendation	2015 Planning Board Recommendation	
U1-3a	Stone Dr. (north)	65	1904	10/81								Potential greenbelt trail (connects to existing ped easement)	Retain	Retain	
U1-3b	Stone Dr. (south)	200	1904	10/81			X					Possible road turnaround	Retain	Retain	
U1-2	Cliff Ave (south)	400	1902/9/105					25				Turnaround/vacant, existing greenbelt trail	Retain	Retain	
U1-3	Cliff Ave west	200	1904	10/81			X					sewer pump station, boat storage	Retain	Retain	
U2-1	Seaview Ave/Oltawa Rd	150	1900/9/39				50					sewer and water line, abutler has requested vacation	Retain	Retain	
U2-2	Oltawa Rd (water)	75	1900/9/39				50					existing trail	Retain	Retain	
U3-1	Baker Rd ext	120	1907/11/91									wetland abutting town open space, sewer line crosses rd	Retain	Retain	
U3-2	Forest Rd ext	525	1907/11/91				40					vacant	Retain	Retain	
U3-3	Stonybrook (south)	50	1914/12/43				480					drainage easement/wetland, sewer easement (75')	Retain	Retain	
U3-4	Crescendo Terrace (50'w)	470	1910/12/45				110					wetland abutting town open space	Retain	Retain	
U3-5	Crescendo Terrace (40'w)	260	1910/12/45				110					wetland abutting town open space	Retain	Retain	
U3-6	Ocean View Dr	400	1923	15/79								driveway/trail	Retain	Retain	
U4-1	Hershey Rd (35'w)	290	1923	15/79								vacant	Retain	Retain	
U4-2	High Bluff Rd (40'w)	110	1936	23/40			50					stormwater drainage, east-driveway, west-vacant	Retain	Retain	
U4-3	Quarry Rd	770	1931	20/78			20					access CELT open space/lot access w driveway	Retain	Retain	
U4-4	Arbuis Rd (35'w)	425	1923	13/59			20					wetland abutting town open space, drainage	Retain	Retain	
U7-6	Delano Park	740	1899	9/9			125					driveway/vacant	Retain(1)	Retain	
U7-8	Delano Park	500	1899	9/9			20					water line, drainage	Retain	Retain	
U8-1	Woodcock Rd (40'w)	170	1938	25/51			X					lot access (lot may not be buildable)	Retain	Retain	
U10-1	Thompson Rd	1780	1917									private rd/wetland, lots owned by abutters access rd	Retain	Retain	
U12-1	Avon Rd	525	1911	12/45			X					driveway/lot access/potential trail	Retain	Retain	
U12-2	Oak Grove Rd (north) (50' w)	330	1911	19/45			140					stormwater drainage	Retain	Retain	
U12-3	Oak Grove Rd (south)	1130	1911	12/45			200					driveway/lot access/potential trail	Retain	Retain	
U12-5	Surr Slide Ave	2250	1911	12/45			200					potential trail; lot has alternative access	Retain	Retain	
U12-6	Old Hayfield Rd	200	1911	12/45			80					approved private road/accessway (formerly Elizabeth Rd); stormwater drainage	Retain	Retain	
U12-7	Webbin Rd/Bigelow Rd	600	1911	12/45			170					Bigelow Way private rd/lot access	Retain	Retain	
U12-8	Atlantic Place	580	1911	12/45			160					driveway/lot access/ access to potential trail	Retain	Retain	
U12-9	Elizabeth Rd	280	1911	12/45			80					stormwater drainage	Retain	Retain	
U15-1	Lighthouse Point Rd	130	1968	7/6								Adjacent to coast guard land; has potential trail access for neighborhood	Retain	Retain	
U15-2	Shannon Dr	30	1968	7/6								existing trail	Vacate	Vacate	
U15-3	Shannon Dr	60	1963	12/14								existing trail	Retain	Retain	
U15-4	Harrison Rd	250	1968	7/5/31			150					private rd/drainage easement/access to vacant land	Retain	Retain	
U15-5	Harrison Rd/Penny Ln (50'w)	200	1968	7/5/31			100					Access to vacant land; stormwater drainage	Retain	Retain	
U15-6	Sweet Fern Rd (50'w)	120	1968	7/5/31			100					existing trail	Retain	Retain	
U20-1	Grover Rd	100	1959	5/20								potential trail	Vacate	Vacate	
U21-1	D-starbarn Rd south	90	1955	4/12								Connects to Brentwood neighborhood owned open space/trail	Vacate (2)	Vacate (2)	
U21-2	Dearborn Rd north	90	1955	4/12			20					potential drainage easement/vacant	Retain	Retain	
U28-1	Harrison Ave	200										existing trail	Retain	Retain	
U28-3	North St	610	1925	16/52			610					private road/trail access/ major sewer line	Retain	Retain	
U28-4	Stephenson St	350	1925	16/52			350					sewer line	Retain	Retain	
U29-6	South St	475	1925	16/52			450					driveway/access to private open space, private stormwater drainage	Vacate	Vacate	
U30A-1	Allen Rd	400	1984	143/46								lot access/vacant	Retain	Retain	
U32-1	Westwood Rd (40'w)	590	1962	61/56			100					driveway/vacant	Retain	Retain	
U32-3	HIGHLAND ST	580	1904	9/19			X					driveway/vacant	Retain	Retain	
U33-4	Valley Rd/S Curve St	440	1904	9/19			100					lot access/potential trail access	Retain	Retain	
U35-1	Spodgriff (north)	170	1964	77/39								driveway	Retain	Retain	
U35-2	Spodgriff (west)	160	1964	77/39			60					existing trail/ abutting town open space	Retain	Retain	
U35-3	Pine Ridge Rd	1250	1964	77/39			50					abutting town open space	Vacate	Vacate	
U35-4	off Pine Ridge Rd	200	1964	77/39								lot access	Vacate	Vacate	
U45-2	Katandin Rd	75	1964	69/24			75					lot access	Retain	Retain	
TOTAL		20,285					4,415	4,645	18k	25	3,770	3,790	10k		

(1) The Conservation Commission recommends retaining this paper street for non-greenbelt reasons, specifically due to the presence of utilities in the paper street.
 (2) The Conservation Commission and Planning Board recommend that this street be vacated with a pedestrian and bike easement retained to preserve the existing neighborhood path, which is commonly used by school children.



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Request for information on paper road decisions for Cape Elizabeth

9 messages

Steven Brewster <brewsterfam@gmail.com>
To: maureen.omeara@capeelizabeth.org

Fri, Jan 9, 2015 at 5:34 PM

Ms. O'Meara,

My husband and I talked with you back in Nov. regarding paper roads in Cape Elizabeth, and the best way forward for a planned renovation. You mentioned that all the paper roads are up for review, possibly this year? Our house sits on the border of Cape Elizabeth & South Portland (4 Drew Road) - we pay property taxes in both - and we want to build a garage in the rear of our home that would connect with a paper road and give us access to Ottawa. You were

very helpful, and, as per our conversation, we have subscribed to notices of town meetings and made effort to get legal advice. However, we would like to get an idea of when this issue will appear on the agenda of the Planning Board/Town Council. I have been looking at the agendas and I believe there is no mention thus far. We are eager to get started on plans with our architect/builder, but until we have clarification the way forward is unclear.

Please inform us at your earliest convenience if & when this issue will be addressed - even a rough idea is better than no idea. Are we wiser to ask for a variance based on hardship? Currently we share a driveway with our neighbor and cannot park on the driveway as 2 vehicles will not fit abreast: we would block access to their garage and vice versa. Also, while the driveway is parallel to their garage, it is perpendicular to ours. In order to ingress/egress, we have to execute a 90 degree turn up/down into our garage. On days where there is significant ice, we run the risk of hitting their garage when we back out of ours as their garage sits partially in the path of our exit.

Finally, on the survey I will attach to this email, you can see that there are 3 possible locations for the paper road, which, according to our deed, we have access to. One is not very favorable for us, so there is another possible issue for us to deal with. It certainly is complicated. We appreciate your time and any information you can impart.

Kindest regards,

Ellen & Steven Brewster
brewsterfam@gmail.com
(360) 515-6806

 4 Drew Survey.pdf
755K

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Steven Brewster <brewsterfam@gmail.com>

Mon, Jan 12, 2015 at 10:12 PM

Mr. Brewster,

I am completing the paper street report this month. It is in draft being reviewed by my other staff. I have included a reference to your desire to vacate the road in the report. So, there should be more information on next steps around the beginning of February.

Maureen

Sent from my iPad

> On Jan 9, 2015, at 5:34 PM, Steven Brewster <brewsterfam@gmail.com> wrote:

>

> Ms. O'Meara,

>

> My husband and I talked with you back in Nov. regarding paper roads in Cape Elizabeth, and the best way forward for a planned renovation. You mentioned that all the paper roads are up for review, possibly this year? Our house sits on the border of Cape Elizabeth & South Portland (4 Drew Road) - we pay property taxes in both - and we want to build a garage in the rear of our home that would connect with a paper road and give us access to Ottawa. You were

> <mime-attachment>

> <4 Drew Survey.pdf>

Brewster Family <brewsterfam@gmail.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Jan 13, 2015 at 1:52 PM

Maureen,

Thank you very much for the update. We appreciate that you have indicated on your report that we would like the paper road vacated, and we will hope for favorable progress in Feb.

Kindest regards,

Ellen & Steve Brewster

[Quoted text hidden]

Brewster Family <brewsterfam@gmail.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Fri, Feb 13, 2015 at 8:11 PM

Maureen,

Is there any update on the paper street report for Cape Elizabeth? Any idea when recommendations will be finalized or voted on?

Kind regards,

Ellen & Steven Brewster

[Quoted text hidden]

Brewster Family <brewsterfam@gmail.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Fri, Apr 24, 2015 at 3:34 PM

Ms. O'Meara,

My husband and I were wondering if there were yet any dates set for public engagement on Cape Elizabeth's plans for paper roads? We have been in contact with Norman Twaddel, a right of way agent for the Portland Water District, and have asked him to mark our sewer line. In his opinion, the PWD would have no objections to the vacation of the paper road abutting our property.

We want to be sure not to miss any meetings where this issue will be discussed--hence this email. Thank you for all your assistance, and your forbearance.

Kind regards,

Ellen & Steve Brewster

[Quoted text hidden]

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Brewster Family <brewsterfam@gmail.com>
Bcc: Michael McGovern <michael.mcgovern@capeelizabeth.org>

Mon, Apr 27, 2015 at 12:44 PM

Mr. and Mrs. Brewster,

No meeting dates have been set yet. I expect the Planning Board and Conservation Commission review to happen in May-July, then the Town Council sponsored neighborhood meetings at dates yet to be determined. In case you have not yet seen it, attached is the Town Council adopted Paper Street Public Engagement Plan.

Maureen

[Quoted text hidden]

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Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

 **Public Engagement Plan 4-6-2015.docx**
133K

Michael McGovern <michael.mcgovern@capeelizabeth.org>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Apr 27, 2015 at 1:17 PM

I am confused, This references marking their sewer line. I thought the PWD had their lines in this area. Either water or sewer.

Michael K. McGovern
Town Manager
Town of Cape Elizabeth, Maine
PO Box 6260, 320 Ocean House Road
Cape Elizabeth, ME 04107
michael.mcgovern@capeelizabeth.org
www.capeelizabeth.com
Phone: 207-619-6716

[Quoted text hidden]

Brewster Family <brewsterfam@gmail.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Jun 1, 2015 at 3:36 PM

Ms. O'Meara (Maureen),

My husband and I are very interested in Cape Elizabeth's paper road report and the proposed public engagement meeting dates. Will Wednesday's meeting (June 3rd) decide the dates for engaging the public in discussion of paper roads--or discuss anything about our particular paper road (Ottawa)? As mentioned in previous emails, and in person with you, we want to build a garage in the rear of our house (4 Drew Street, SoPo) with access to Ottawa, commencing construction just after Labor Day. A survey the previous owner commissioned indicates 3 possible paper roads; the determination of the actual paper road location for setback purposes is crucial to our ability to build. Also, if the paper road is eventually to be vacated by Cape Elizabeth, it will still be necessary to determine its location so that it may be equitably divided among the property owners abutting it and so that we can meet setback requirements.

If the determination of whether to vacate the paper road--or not--will not occur before we would like to begin construction, is there the possibility of petitioning Cape Elizabeth to recognize one paper road as being more

accurate? Our deed states that our property extends "fifty feet, more or less, to the Northeasterly sideline of Sea View Avenue (Sea View & Ottawa being synonymous) which would make the the 2 paper roads closest to us ineligible for consideration as possibilities anyway. The 3rd paper road gives us the opportunity to meet Cape Elizabeth's rear setback guidelines.

PWD and Cape Elizabeth both came out to mark our sewer and storm drain lines. Neither poses any difficulty to our building plans as both actually arc southward away from our house towards the sewer station on Ottawa.

As you mentioned late last year, there exists the possibility of petitioning Cape Elizabeth for a variance based on hardship caused by our current garage/driveway situation. To recap, we share a driveway with our neighbor at 2 Drew, but unlike them, have to execute a 90 degree turn into our garage. Their garage is positioned in such a way that if we pull straight out of our garage, we will damage theirs; moreover, the entry into our garage has an incline which causes winter snow and ice to make ingress/egress hazardous; there were weeks this winter where we simply could not use our garage because of ice and the danger of sliding into their garage. Of course this option entails the most time and cost, and we would like to avoid it; however, we will have been in our house a year in August, and worry about facing another winter without adequate garage coverage. Too, we have engaged a designer, but she cannot design a garage until we get this paper road issue settled.

We look forward to hearing from you and thank you for all your assistance.

Kindest regards,

Ellen & Steven Brewster
4 Drew Road
South Portland
(360)515-6806
brewsterfam@gmail.com

[Quoted text hidden]

Maureen O'leara <maureen.omeara@capeelizabeth.org>

Mon, Jun 1, 2015 at 4:30 PM

To: Brewster Family <brewsterfam@gmail.com>

Cc: Benjamin McDougal <benjamin.mcdougal@capeelizabeth.org>, Michael McGovern <michael.mcgovern@capeelizabeth.org>

Bcc: Carol Anne Jordan <cajordan@jordansfarm.com>, Elaine Falender <gayerfal@maine.rr.com>, Henry Steinberg <henrysteinberg@yahoo.com>, Hiromi Dolliver <thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalat <azimuth@maine.rr.com>, Peter Curry <peterlc.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>, Garvan Donegan <Garvan.Donegan@maine.edu>, Jeremy Gabrielson <jeremygabrielson@hotmail.com>, Jim Tasse <jamestasse@mac.com>, Mark Fleming <mffleming@maine.rr.com>, Marti Blair <martiblair@maine.rr.com>, Mitch Wacksman <mitch_wacksman@hotmail.com>, Molly MacAuslan <mmacausan@gmail.com>, Zach Matzkin <zmatzkin@mac.com>

Mr. and Mrs. Brewster,

The public engagement plan included three steps. Step 1 was a review by the Conservation Commission and Planning Board. The Conservation Commission has almost completed their review and will probably conclude at the June 4th meeting. The Planning Board will begin their review at the June 3rd workshop. No public comment is allowed at the Planning Board workshops, but I have forwarded your comments to the Planning Board. The Conservation Commission allows public comment at every meeting and I have also forwarded your comments to them.

The public engagement plan proposes to focus public comments on steps 2 and 3 and that scheduling will be decided by the Town Council. I am skeptical that those steps will be completed by Labor Day. I am not sure how the town would make a decision as to the "right" location of Seaview Ave prior to completing the paper street process. As for a variance, I do not know what success you might have. You would need to pursue that with Ben and an application to the Zoning Board.

Maureen



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Conservation Commission meeting

2 messages

Anne Cranshaw <acransh1@maine.rr.com>

Tue, Jul 14, 2015 at 8:59 AM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hi Maureen,
I am planning on attending tonight's meeting.

An update on the paper street next to our property on Star Road:
The President of the Brentwood Association and a Brentwood resident attorney have determined that the association does not belong to them by virtue of it not being on the assessor list and that there is apparently no insurance on the property. They have stated that they will not contest a vacation of the property.

Thanks,
Anne Cranshaw
232-3265

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Jul 14, 2015 at 11:10 AM

To: Anne Cranshaw <acransh1@maine.rr.com>

Cc: Benjamin McDougal <benjamin.mcdougal@capeelizabeth.org>

Bcc: Garvan Donegan <Garvan.Donegan@maine.edu>, Jeremy Gabrielson <jeremygabrielson@hotmail.com>, Jim Tasse <jamestasse@mac.com>, Mark Fleming <mfleming@maine.rr.com>, Marti Blair <martiblair@maine.rr.com>, Mitch Wacksman <mitch_wacksman@hotmail.com>, Molly MacAuslan <mmacauslan@gmail.com>, Zach Matzkin <zmatzkin@mac.com>, Carol Anne Jordan <cajordan@jordansfarm.com>, Elaine Falender <gayerfal@maine.rr.com>, Henry Steinberg <henrysteinberg@yahoo.com>, Hiromi Dolliver <thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalot <azimuth@maine.rr.com>, Peter Curry <peterlc.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>

Mrs. Cranshaw,

That appears consistent with what I found. Your comments will be forwarded to the Conservation Commission and the Planning Board.

Maureen
[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

ANNE CRANSHAW

The Neighborhood of Brentwood West

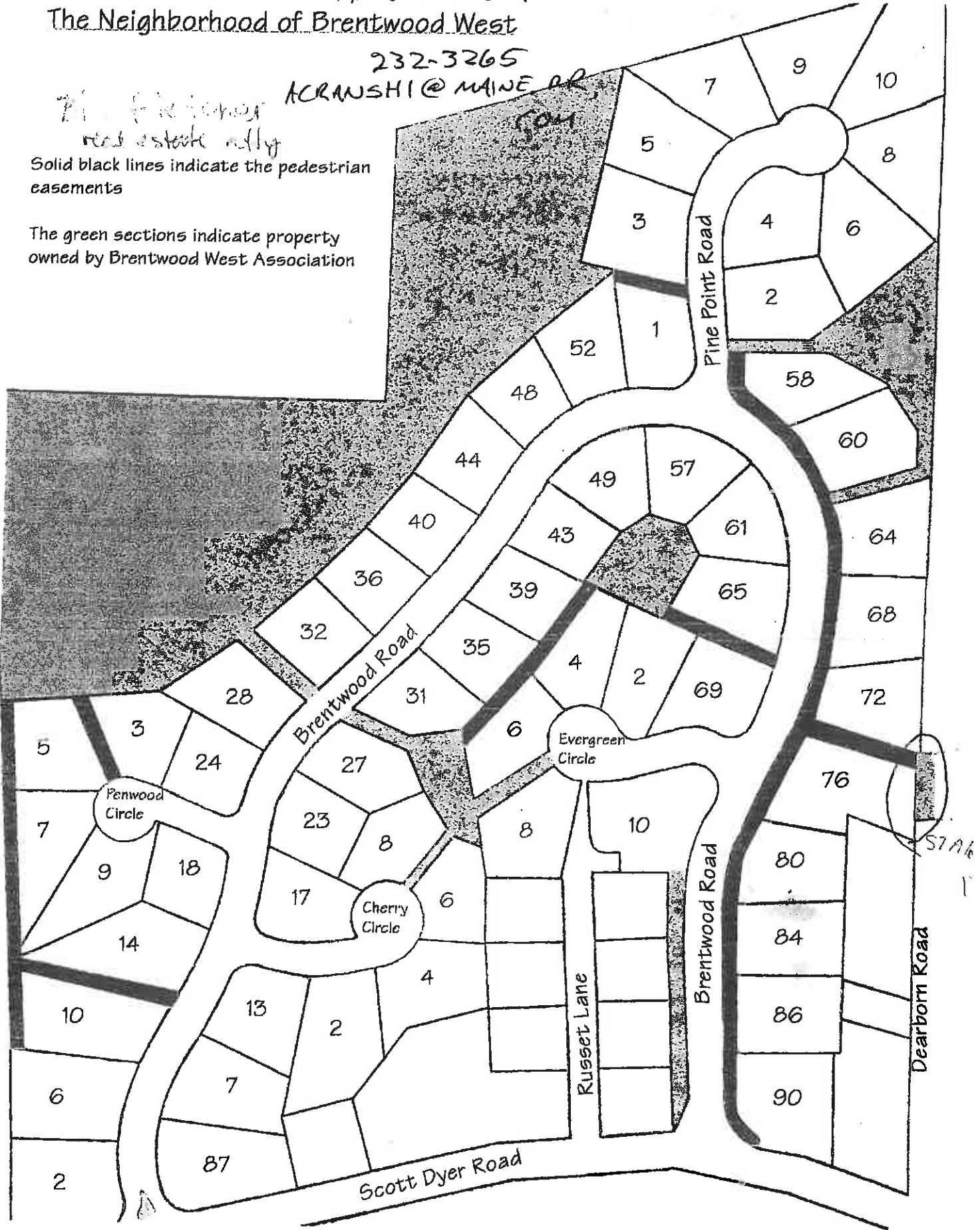
232-3265

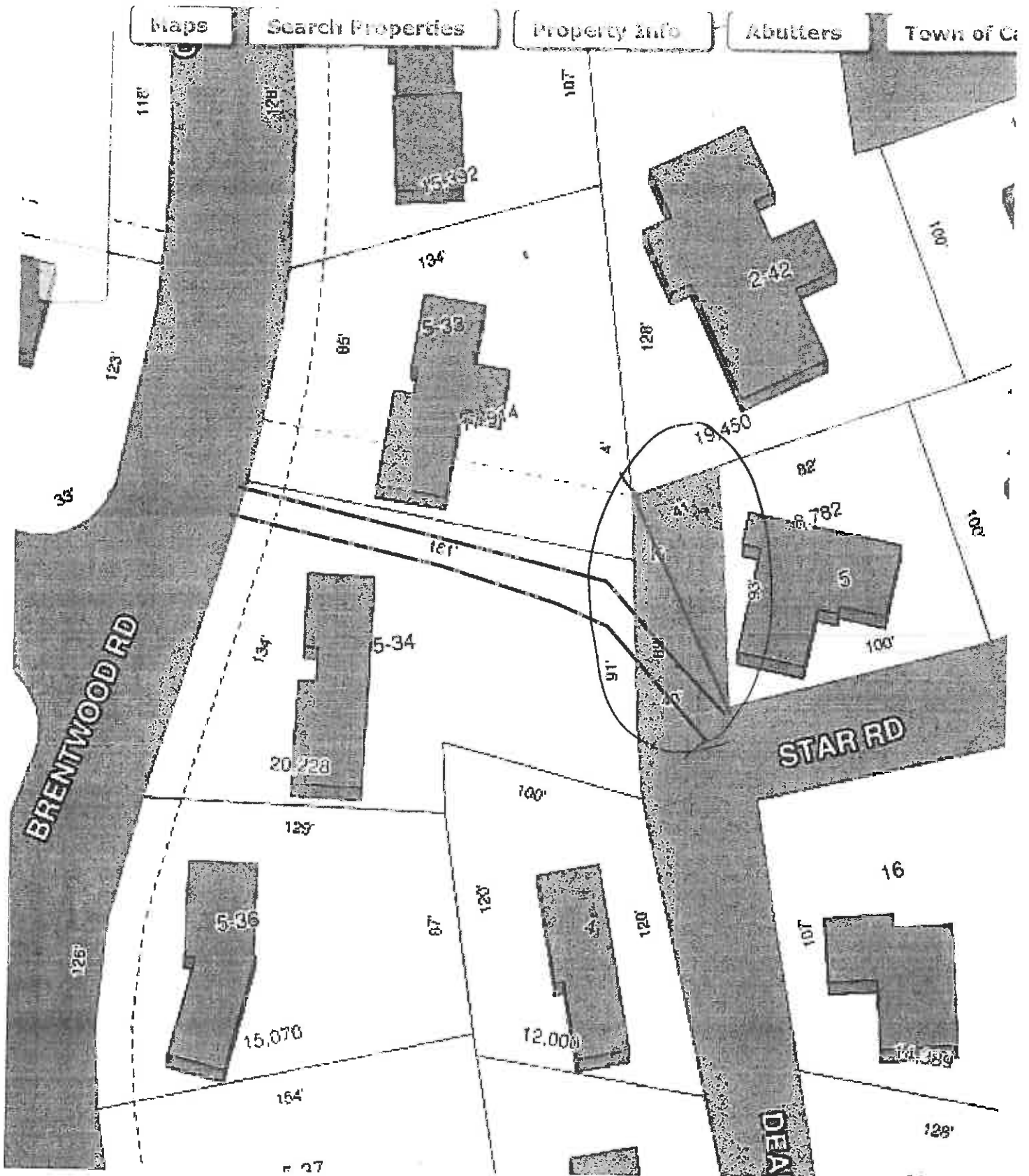
ACRANSHI@MAINE.PA

71 Fletcher
road estate ally

Solid black lines indicate the pedestrian easements

The green sections indicate property owned by Brentwood West Association





Maureen P. Quinlan
Eric R. Kruger
33 Beach Bluff Terrace
Cape Elizabeth, ME 04107

July 12, 2015

Planning Board
C/O Maureen O'Meara
Town Planner
P.O. Box 6260
Cape Elizabeth, Maine 04107

RE: Thompson Road & 33 Beach Bluff Terrace, Cape Elizabeth (Map U10, Lot 026, Account: K0896R)

Dear Mr. Jonathan Sahrbeck, Ms. Carol Anne Jordan, Ms. Victoria Volent, Ms. Elaine S. Falender,
Mr. Henry Steinberg, Mr. Josef Chalat, & Mr. Peter L. Curry,

We are writing to comment on the 2015 Paper Street Report. We wish to express our concerns about the possibility of Thompson Road lapsing and town rights to the road being vacated. We purchased our home, at 33 Beach Bluff Terrace, in 1997. Years later we purchased the property behind our home and lots to the east. As you are aware, Thomson Road runs through these lots.

Our lot borders the second home of the driveway of Thomson Road. It appears the entire length of Thompson Road will not be extinguished. We request the Planning Board allow the paper road to continue at least to our property. If Thompson Road is extinguished it would be difficult for us to access the property via Beach Bluff Terrace. Our home on Beach Bluff Terrace covers a substantial width of our Beach Bluff Terrace frontage, making even a private driveway to the back lot difficult to build. We have a driveway only one car width wide.

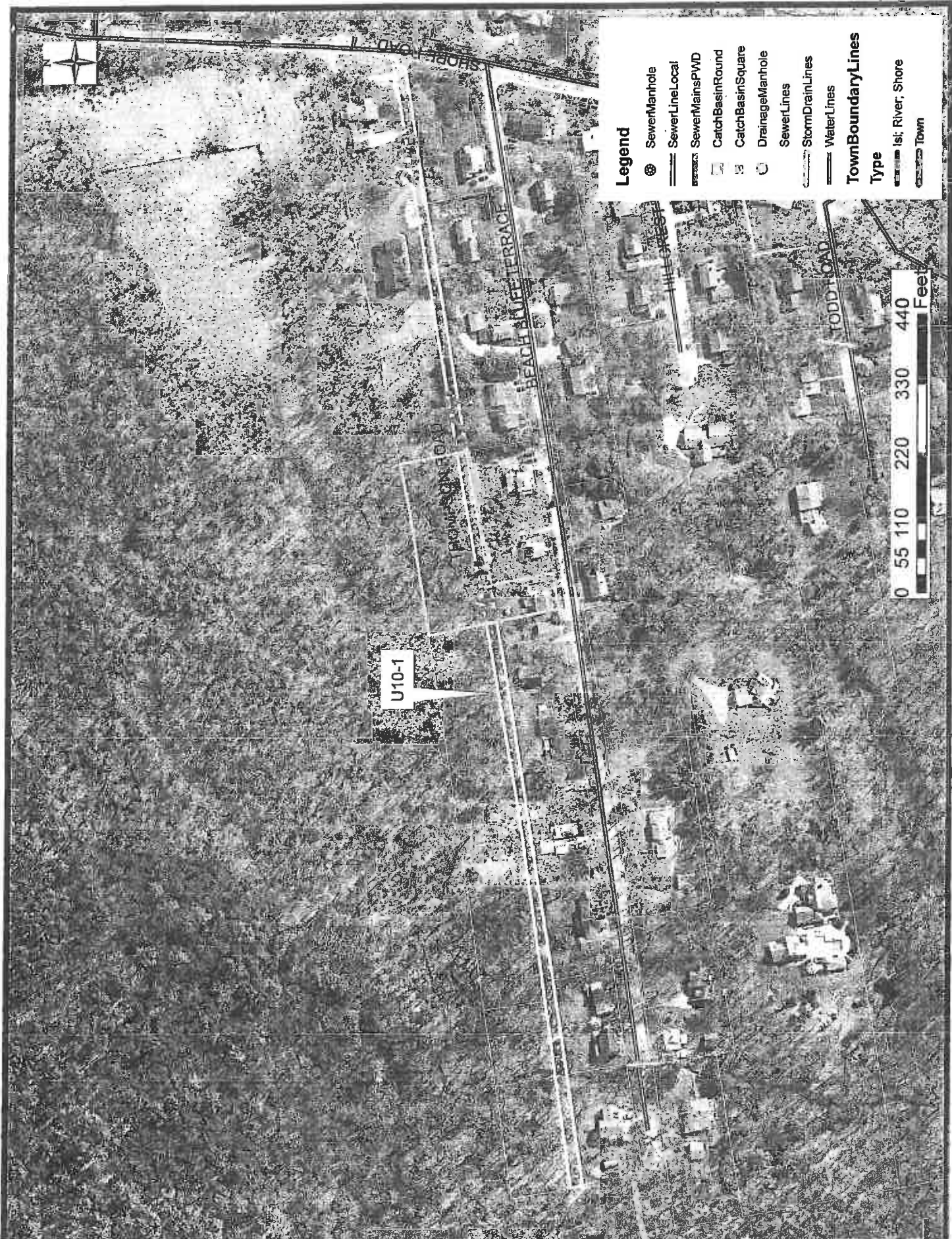
We wish to continue, to have the option, to access the lot from Thomson Road. In the future, it is our wish to sub-divide our lot on Thomson Road from 33 Beach Bluff Terrace. We have two children. We hope to leave the house to one of our children and the lot to the other child, to build a home. In that way they always have a home in Maine. These children are now minors and as such we have not made plans for such a division. We hope and pray to be here for next discussion regarding paper roads in twenty years. We can, if need be, extend the driveway during that twenty year period.

Thank you for your time and consideration in this matter.

Sincerely,

Maureen P. Quinlan
Maureen P. Quinlan

Eric R. Kruger
Eric R. Kruger



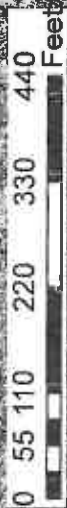
Legend

- Sewer Manhole
- Sewer Line Local
- Sewer Mains PWD
- Catch Basin Round
- Catch Basin Square
- Drainage Manhole
- Sewer Lines
- Storm Drain Lines
- Water Lines

Town Boundary Lines

- Type
- River, Shore
 - Town

U10-1



Office: 207.874.9000 Ext 210 | Cell: 207.671.4576 | Fax: 207.874.7800

HEALTH ENVIRONMENT TECHNOLOGY SUSTAINABILITY

 **3_Spoondrift_Warranty_Deed.pdf**
146K

Wed, Jul 22, 2015 at 9:53 AM

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

To: Russ Keenan <rkeenan@integral-corp.com>

Cc: Durward Parkinson <dparkinson@bergenparkinson.com>

Bcc: Carol Anne Jordan <cajordan@jordansfarm.com>, Elaine Falender <gayerfal@maine.rr.com>, Henry Steinberg <henrysteinberg@yahoo.com>, Hiromi Dolliver <thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalat <azimuth@maine.rr.com>, Peter Curry <peterlc.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>, Patricia Grennon <patricia.grennon@capeelizabeth.org>, Caitlin Jordan <Caitlin.Jordan@capeelizabeth.org>, Deb Lane <Debra.lane@capeelizabeth.org>, James Wagner <jamie.wagner@capeelizabeth.org>, James Walsh <jwalsh@llbean.com>, Jessica Sullivan <jessica.sullivan@capeelizabeth.org>, Kathy Ray <retbank@maine.rr.com>, Michael McGovern <michael.mcgovern@capeelizabeth.org>, Molly MacAuslan <mmacauslan@gmail.com>

Mr. Keenan,

I will forward your comments to the Planning Board and to the Town Council.

Thank you for reviewing the report, and for providing supporting documentation. The potential rights the town may have in paper streets is a legal question, and the Town Council has retained legal counsel specifically for advice about paper streets. Because the Town may have residual paper street rights over the land that you own in fee, I included it in the report. If there may be some rights, this process could benefit you by having the town affirmatively extinguish those rights.

Many of us have been frustrated by the lack of legal clarity regarding paper streets, and we hope one outcome of this effort is definitive answers to legal status.

Maureen

[Quoted text hidden]

--
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

 **3_Spoondrift_Warranty_Deed.pdf**
146K

WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS,

That William J. Bouman and Cynthia A. Bouman a/k/a Cynthia Ann Bouman, of 3 Spoondrift Lane, Cape Elizabeth, Maine 04107, for consideration paid, grant to Russell E. Keenan and Donna L. Keenan, whose mailing address is 597 Sawyer Street, South Portland, Maine 04106, as Joint Tenants and not as Tenants in Common, with WARRANTY COVENANTS, the land in Cape Elizabeth, County of Cumberland, State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon situated on the northerly side of Spoondrift Lane, in the Town of Cape Elizabeth, County of Cumberland and State of Maine, bounded and described as follows: Beginning on the northeasterly side of Spoondrift Lane at the westerly corner of land conveyed by I. Alan Balfour to George J. Scully by deed dated March 23, 1959 and recorded in Cumberland County Registry of Deeds in Book 2465, Page 20; thence North 57 degrees 46 minutes West by the northeasterly side line of Spoondrift Lane, seventy-two and four hundredths (72.04) feet to an angle; thence South 70 degrees 54 minutes West by the northwesterly side line of Spoondrift Lane, seventy (70) feet to a point; thence North 19 degrees 06 minutes West by land now or formerly of I. Alan Balfour, eighty (80) feet to an angle; thence North 27 degrees 42 minutes East by said Balfour land, one hundred ten and five hundredths (110.05) feet to the westerly corner of land conveyed by Pearl G. Goodey to Guy W. Farley by deed dated May 14, 1958 and recorded in said Registry in Book 2409, Page 81; thence South 55 degrees 30 1/2 minutes East by said Farley land, ninety-one and six tenths (91.6) feet to an angle; thence North 58 degrees 54 minutes East by said Farley land, ninety-one and six tenths (91.6) feet to an angle; thence South 53 degrees 55 minutes East by said Farley land, fifty and forty-three hundredths (50.43) feet to the northerly corner of said Scully land; thence South 32 degrees 14 minutes West by said Scully land, one hundred seventy-nine and sixty-one hundredths (179.61) feet to the point of beginning.

Said above described courses are magnetic as of the year 1954.

Being the same premises conveyed to the Grantors herein by deed of Russell C. Briggs and Barbara M. Briggs, recorded in the Cumberland County Registry of Deeds in Book 6339, Page 13.

Also conveying the land in Cape Elizabeth, County of Cumberland, State of Maine, described as follows: Beginning on the northerly sideline of Spoondrift Lane at the southwest corner of land now or formerly of the Grantors herein, being Lot 61 as shown on "Plan of Land in Cape Elizabeth, Maine made for I. Alan Balfour, Broad Cove" by H.I. and E.C. Jordan, dated May 1964, recorded in the Cumberland County Registry of Deeds in Plan Book 77, Page 39; thence North 19° 06' West along the westerly sideline of Lot 61 eighty (80) feet; thence North 27° 42' East along the westerly sideline of Lot 61 one hundred ten and five hundredths (110.05) feet to the northwest corner of Lot 61; thence southwest along southerly line of land now or formerly of Shore Acres Land Company fifty-six (56) feet, more or less, to the northeast corner of Lot 60 on said plan; thence South 27° 42' West along the easterly sideline of Lot 60 ninety (90) feet, more or less, to a corner of said Lot 60; thence South 19° 06' East along the easterly sideline of Lot 60 ninety-seven and thirty-one hundredths (97.31) feet to the northerly sideline of Spoondrift Lane; thence North 70° 54' East along the northerly sideline of Spoondrift Lane forty (40) feet to the southwest corner of Lot 61 and the point of beginning; said land being designated Private Way on said Plan.

The above described parcel of land shown on said recorded plan as a private way aforesaid is hereby conveyed subject to the rights of others which may have been acquired by virtue of deed references to said private way or to said plan or by virtue of the recording of said plan or by use of said way.

Being the same premises conveyed to the Grantors herein by deed of I. Alan Balfour, dated May 15, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6454, Page 125.

WITNESS our hand(s) and seal(s) this 4th day of January, 1991.

[Signature]

William J. Bouman
William J. Bouman

Cynthia A. Bouman a/k/a Cynthia Ann Bouman
Cynthia A. Bouman a/k/a Cynthia Ann Bouman

STATE OF MAINE

January 4, 1991

COUNTY OF Cumberland ss:

Personally appeared the above-named William J. Bouman and Cynthia A. Bouman a/k/a Cynthia Ann Bouman, and acknowledged the above instrument to be their free act and deed.

Before me,

[Signature]
Notary Public/Attorney at Law

My Commission Expires: March 31, 1992

Typed Name of Notary/Attorney: W. J. Bouman

Brentwood Neighborhood Paper Street Meeting Notes

Wednesday, January 27, 2016
7:00 p.m. - 8:00 p.m.
Cape Elizabeth Town Hall

Welcome/ Introductions

The meeting opened with an introduction by Town Manager Mike McGovern, who introduced Jim Tasse, Conservation Commission Chair, Jessica Sullivan, Town Councilor, and Maureen O'Meara, Town Planner. Mr. McGovern emphasized that the purpose of the meeting is to hear public comment and that there is no preconceived assumptions.

Paper Street Update

Ms. O'Meara presented a powerpoint presentation summarizing the following:

- What are Paper Streets
- Why now
- 2015 Paper Street Report
- Where are paper streets in Brentwood
- Some options

The presentation included pictures of the paper street areas with tracks showing pedestrian use in the snow. At the close of the presentation, the meeting was opened to public comment.

Public Comment

Thomas Caswell, 43 Brentwood Rd - It's common practice for school kids to cut through on Dearborn Dr north. He showed a Brentwood Association map that shows a connection to Dearborn Dr north from Brentwood Rd which has never been paved. The property owners are ok with that continuing. He noted the Scott Dyer Rd sidewalk has no curb to separate the sidewalk from the road, so it is safer for kids to cut into the neighborhood instead of walking the length of Scott Dyer Rd.

Marialice Wallace, 72 Brentwood Rd- She said her deed does not include a pedestrian easement. Maybe the easement is on my neighbor's property, who aren't here tonight. The kids sometimes ride their bikes on her lawn, which she does not like, but most use is fine. Use has changed as kids age and new kids use the path.

Anne Cranshaw, 2 Star Rd - She has no problem with the path. It is not official, but a wonderful path. Her husband snow blowed the snow bank end once last winter. She appreciates the safety of not using Scott Dyer Rd. We would like to expand our side yard to build a deck. The Zoning Board only approved a small deck. She approached the Brentwood Association because we thought they owned the side yard and they had no objection, then we learned that it is a paper street. They determined that the

Brentwood Association does not pay taxes or insure the area. There are 3 other abutters to the paper street.

Doug Cranshaw, 2 Star Rd - The path is used every day, not just by kids but also by adults. He supports protecting the access.

Anne Cranshaw, 2 Star Rd - She said the Dearborn Dr south path, and other casual path, is actually used by grandkids who are visiting their grandparents in the neighborhood.

Tom Caswell, 43 Brentwood Rd - noted that the existing paths are good connectors to other parts of town, such as getting to CVS. There used to be access from the neighborhood to Lions Field, but more recent owners have erected fences and now we have to walk all around. Losing something like this has an impact.

Tom Emery, 12 Juniper Ln - Mr. Emery noted that the Brentwood open space abuts Tall Pines Rd, but just a short leg that is not contiguous. He is a 33 year resident, not abutting these paper streets, but walks through the neighborhood. Everyone moved to this neighborhood for walking distance to the schools. There is a long history of kids and short cuts. If the paper street is too small for a house lot, the trail should be kept. The trails are wonderful with no bad behavior. He noted that the ice storm took a lot of the mature trees in the neighborhood and he would like some replanting.

Mrs. Cranshaw, 2 Star Rd - She said Dearborn Dr north has a lot of trees now. She also asked how the transfer of land would happen if the paper street were vacated.

In response to questions, Mr. McGovern and Ms. O'Meara explained possible property value changes as paper streets are vacated and land is added to abutting properties.

Mike Guimond, 6 Dearborn Dr - He knows residents whose children are using Dearborn Dr south and they have no issue with kids walking through.

Ann Cranshaw, 2 Star Rd - She asked if abutting property owners have refused the paper street land. Ms. O'Meara said that the town would extinguish town rights.

Mr. McGovern noted a real estate attorney could handle it. The town would recognize if a paper street was vacated and land has been added to abutting properties.

Mike Guimond 6 Dearborn Dr - He explained that there is drainage infrastructure in Dearborn Dr south, which outlets onto the rear of the property on Brentwood. The drain is on the McGinty property, in bad shape, and may need some work.

Ms. O'Meara said she would update the Paper street spreadsheet to show it has a drainage function. With that information, the recommendation would probably be to extend the rights in the paper street (U21-1).

No more public comments were offered.

Next Steps

Ms. O'Meara explained that notes of the meeting would be posted on the town website. Additional neighborhood meetings will be held, which have not yet been scheduled. The town council will eventually hold a public hearing before they make a decision. Keep an eye on the website for updates.

Meeting ended at 8:00 p.m.

Attendees

Doug and Anne Cranshaw
Tom Emery
Tom Caswell
Mike and Maryann Guimond
Marialice Davis Wallace
James Tasse

2 Star Rd
12 Juniper Ln
43 Brentwood Rd
6 Dearborn Dr
72 Brentwood Rd
30 Cliff Ave

**Shore Acres, Broad Cove, Hannaford Cove
Paper Street Meeting Notes**

Wednesday, February 24, 2016
7:00 p.m. - 9:00 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 Durward Parkinson, Bergin and Parkinson, who has been retained by the Town Council to provide legal advice on paper streets. Also attending are Town Manager Michael McGovern, Town Planner Maureen O'Meara, and members of the Town Council (Garvin, Grennon, Ray, Sullivan).

What is a Paper Street

Mr. Parkinson explained that paper streets are streets on recorded subdivision plans that were never built, however "incipient rights" were created for the town to accept. Cape Elizabeth has recognized paper streets and extended its rights in 1997.

Paper streets can be important and many were laid out at the turn of the century. When the subdivision plan is recorded, "incipient rights" are incipiently dedicated to the town. The town has a right at a future date to accept the paper street and use it for a public purpose. The first step is the dedication. The town still needs to take the second step to "accept" a paper street, which requires a vote of the town council and recording in the Cumberland County Registry of Deeds.

The Maine legislature required that towns that wanted to preserve rights extend them in 1997. We are coming up on the 20 year extension. It can be extended for 1 more 20 year period. If there is no extension, the street will be deemed vacated and the underlying property will be divided at the center line and added to abutting property.

These rights are separate from private rights, and property owners with questions about their private rights should consult their own attorney, especially as private rights can differ based on whether there are deeded references, and other factors.

It is also possible that a party may bring a court case asserting that, due to the passage of time, town rights have been vacated. He referenced a case where the court found the Town of Boothbay still retained rights in a paper street recorded in 1924.

There is also a question about the allowed use of a paper street. It depends on the intent of the grantor. He is advising that paper streets can be used as trails because it is a "lesser included use" of the original intent of the paper street to be a road.

2015 Paper Street Report

Maureen O'Meara reviewed highlights of the Paper Street report. The report updated the 1997 paper street inventory. The inventory spreadsheet is separated into groups and the focus tonight is on the paper streets in the yellow group. The best maps to view individual paper streets are in the paper street report posted on the town website.

She reviewed the public interest factors that were evaluated in the 2015 Paper Streets Report.

Public Comment

Council Chair MacAuslan opened the meeting to public comment.

Nolan Reichl, 1 Rock Crest Dr - Mr. Reichl represents Imad Khalidi and Carmen Chatmas who own property on Pilot Point Rd where paper streets are shown on the map. There is ongoing litigation on these issues, so he has asked his clients not to speak tonight. They will be submitting written comments.

Eric Taylor, 15 Roundabout Ln - He supports paper street U36-3, Pine Ridge Rd, as a greenbelt trail and great resource. He uses it winter and summer.

Priscilla Armstrong, 18 Avon Rd - My lot does not have a paper street on it [U12-1].

Chuck Rzeszuiko, 6 Waumbek Rd - He has recently retired here and loves the quality of life. He and his wife walk 5-6 days a week. They walk on the paper streets and find it emotionally and physically helpful. They both support the Planning Board and Conservation Commission recommendations to keep the paper streets that have been in place since 1911.

Matt Todaro, 29 Broad Cove Rd - How was the information conveyed to the Conservation Commission and Planning Board? What did they base their decision on?

Councilor MacAuslan asked Ms. O'Meara to respond. Ms. O'Meara stated both boards relied on the 2015 Paper Street Report. Discussions were held at public meetings and minutes of those meetings are on the town website.

Sue Murray Guerette, 2 Katahdin Rd - She supports extending the paper streets for 20 years. We do not need a plan for them today. The Fort Williams Park cliff walk and the Shore Rd path are two examples that we have now but did not imagine in the 1960's or on the original horse and buggy roads.

Russ Keenan, 3 Spoonrift Ln - We own property behind Spoonrift on Avon Rd. I question U36-1 as a paper street because we have a warranty deed. U36-1 is 130' long, abuts our lot and does not go anywhere.

George Foley, 9 Pilot Point Rd - He favors extending paper street rights for 20 years. This gives us time to discuss. Surfside [U12-5 and U12-8] is one of the few places with ocean front access.

Chris McCarthy, 9 Salt Spray Ln - He would like to extend some paper streets, but why are you limiting it to extending for 20 years? Why not take next step and accept on some of the paper streets?

Kelly McDonald, 4 Lighthouse Point Rd - Commenting on U15 Lighthouse Point Extension, she lives in a tiny neighborhood (we have a view of 2 lighthouses) with two small children and the vehicular traffic from visitors starts earlier every year. She has concerns with public safety, sanitary, people walking without a lot of private property respect. She does not understand the value of a small greenbelt trail extending to the Coast Guard land. She understands it is a beautiful site and her family uses town trails. This trail would not encourage local town use, but rather tourist use.

Mitchell Lench, 15 Lighthouse Point Rd - Our neighborhood has a similar view as Kelly McDonald. Everyone has GPS now to locate the lighthouse, there are more references on the internet and the Lobster Shack has become much more crowded. People are parking anywhere and there is a continuous flow of cars. We understand people want to see lighthouses and that is part of what attracted us to the neighborhood, but a trail would serve tourists. The town should do an analysis of how many cars travel our neighborhood, how many are out-of-state and how many people are going in backyards. Lighthouses attract visitors and a really easy access tourist trail would be used by visitors. We all love the trail system but there are some practical issues in our area.

Jim Morra, 5 Waumbek Rd - Paper street rights that are abandoned are gone forever. I want the town to extend rights to all paper streets in Cape Elizabeth that could potentially benefit the majority of residents. Paper street U12-5 has the potential for a 1/4 mile trail along the ocean. Surfside Ave has a potential benefit to a majority of residents. U12-8, U12-2, U12-3, U12-7 and U36-1 have potential to connect to other greenbelt trails. These streets have potential future benefit to the majority of residents of Cape Elizabeth.

Jim Johnson, 2 Lighthouse Pt Rd - I support Mr. Lench's and Mrs. McDonald's comments. He can't mow his lawn without speaking to 2-3 tourists about how can they get to the lighthouse. We already have a situation where people wander around, take a picture, and there is nothing for them to do and they leave, not very happy. It is a dead end. This isn't a good place for a trail. I like the trails and use the other trails.

Chris Bond, 213 Ocean House Rd - I own property on Two Lights Rd on the section with traffic. It is a constant line of traffic through the summertime, and that is just the way it is, what I signed up for when I moved there. It is a beautiful place and I

understand people want to see it. We should regulate parking and make sure people behave responsibly. I look at that big piece of government property and wonder how to get there, and I used to be in the Coast Guard. To find out there is a place where pedestrians can park and walk on that beautiful park is very special for Cape Elizabeth residents. I've lived there for years and never went back there as a private citizen. That opportunity should not be shut down because of traffic and tourists. It's not that bad, a bus goes down once in a while and people try to park on your lawn, but it's not a big deal. I would strongly encourage the town to preserve that paper street and reach an agreement with the United States government to allow public access to the shore.

Sheila Mayberry, 30 Trundy Rd - For several years, many residents have supported the town keeping the paper street rights. Hundreds of people have signed a petition to preserve paper streets. Paper streets provide a public benefit, including along the shoreline. The town should continue to hold the implied rights.

Steve Misterovich, 10 Beacon Ln - He echoes Kelly McDonald's comments on U15. Beacon Lane is 10' wide and private and people park cars there to see the lighthouse. It is frustrating because there are not that many lighthouses located in a small neighborhood. Balsam Rd is more like 60' to 100' long, it ends in our yard and there is no reason to keep that road.

Richard Lemieux, 10 Wabun Rd - U12-5, take exception to keeping it. The neighborhood already has Surfside and Trundy Point for shore access. Surfside Ave was put in place as part of a 1911 development plan, with the purpose to provide lot access. Now that those lots are combined, it is not needed. It would be quite a challenge to install a short trail, which would be close to neighbors who bought homes. It was never an issue in the neighborhood and no one walks there because it is inaccessible. It doesn't serve the town to try to develop this trail.

David Leopold, 25 Pilot Point Rd - I advocate for the town to vacate U12-5. The reasoning to preserve rights does not apply to this paper street because there is no connectivity to open space. It does not add access to an underserved neighborhood. We have Trundy Point and a trail on a portion of Surfside.

Heather Geikie, 12 Surfside Ave - She read a letter from Bruce and Andrea Dunphy, who are out of town. They question why the town has spent so much time on this. The Town Council has much more important things to do affecting all town residents. Other than a few very vocal Shore Acres residents in the area of Pilot Point Rd, demanding access to land that is impassible in front of homes on the cliffside, having heard from numerous others that want the town to adopt the paper streets. We fear this has been generated by a few spiteful residents. The majority of Shore Acres residents do not support their actions. Shore Acres has more ocean front access already than most other communities. Trundy Point provides 4+ acres of preserved land with easy access and and a beautiful beach. There is another lot, with total access of 6 acres, easy access, no cliffs and no litigation. The town should pay attention to other issues.

Mrs. Geikie asked if the intent of the greenbelt is to connect trails and Surfside does not connect to any trails.

Councilor MacAuslan asked Ms. O'Meara to respond, although she wants to stay focused on paper streets instead of the greenbelt plan. Ms. O'Meara said that the town takes a long view on connectivity, working with willing property owners, to put pieces in place over time. The Cross Town trail, which has been 30 years in the making and extends from Fort Williams Park to Crescent Beach, is within 1-2 parcels of being complete. She explained that the Conservation Commission reviewed the paper streets, also created a Greenbelt Plan in 2013. Surfside is on the Greenbelt Plan, but not a top priority.

George Foley, 9 Pilot Point Rd - The original developer of Shore Acres intended Surfside Ave to provide access for everyone. The town manager has said this. We have used that trail from 1964 on and walked it many times. It is beautiful.

Sheila Mayberry, 30 Trundy Rd - We can provide names of people who have walked paper streets in Shore Acres. This corrects some earlier information.

Nicole McCarthy, 9 Salt Spray Ln - She walks the connector to Shore Acres and see folks walking all the time. It is nice to have a connection.

Chris McCarthy, 9 Salt Spray Ln - He is wondering if the Town Council will visit the paper roads?

Councilor MacAuslan said the Town Council has not discussed that at this time, but maybe.

Kelly McDonald, 4 Lighthouse Pt Rd- Because of the high volume of traffic, she insists the town conduct a feasibility study of Lighthouse Point Rd that considers volume and the implications of a "rangerless park" on private property owners.

Mitchell Lench, 15 Lighthouse Pt Rd - He also supports a feasibility study of Lighthouse Pt Rd extension. The issue should be dealt with now before a trail is created next to his house. There are 40 houses in the neighborhood and the issues are connected.

Ian Neilson, 11 Waumbek Rd - He would like to keep the status quo. Don't give up the paper streets. The greenbelt trails is a different discussion.

Attendees were reminded that additional comments can be sent to the town council or the town planner, addressed to the town council.

Chris Bond, 213 Ocean House Rd - He asked if the legal status of paper streets is influenced by current use, such as a private driveway?

Durward Parkinson responded that he would not comment on private rights, but if the town is using a paper street, it should accept its rights.

David Morrill, 20 Ledgewood Ln - If a street is vacated and abutters accept the land on either side, what happens if no one owns the land on one side?

Mr. Parkinson said that is unknown. He noted that in a question of "who owns the shore?" it could be determined as a case of first impression. He generally observed that Cape Elizabeth is further ahead than other towns, and using a better process.

Councilor MacAuslan thanked people for participating. Additional neighborhood meetings are scheduled in March. Once those are completed, the town council will hold at least 1 workshop and a public hearing, not yet scheduled, before taking action.

The meeting ended at 8:30 p.m.

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

**Mitchell Rd, Great Pond
Paper Street Meeting Notes**

Wednesday, March 30, 2016
7:00 - 9:00 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 recognized Councilors Jamie Garvin and Patti Grennon.

She introduced Town Planner Maureen O'Meara.

Paper Streets in Cape Elizabeth

Ms. O'Meara 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. She recommends reviewing 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.

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.

She explained that the town has options on actions to take on paper streets. If the town allows its rights to extinguish, the land of a paper street is split along the center line and added to the abutters lots.

Public Comment

A member of the public asked for an explanation of incipient rights. Ms. O'Meara said the legal status of paper streets is a bit murky, and the town council has retained legal

counsel to advise just on paper streets. The act of recording the subdivision plan creates a right for the town to accept. If the town has not accepted the right, it is pending acceptance, or "incipient."

Jean Scott, 1 Stephenson Street - She said that her street connected to the new development and then was closed off. She asked about the status of the road now that new development has occurred. Ms. O'Meara explained that the portion of Stephenson that is paved is public and the unpaved portion is private. Ms. Scott is concerned with the traffic from new construction, especially construction trucks ignoring stop signs.

Ms. Scott asked if there is a paper street in the new [Cottage Brook] development, because it is closed off. Ms. O'Meara responded that there is no paper street in the new development and the gate is installed on an emergency accessway.

Bill Gilchrest, 18 Sweet Fern Rd - He was here 20 years ago when the first extension was adopted. On Sweet Fern Rd extension, is it a well-traveled access to Great Pond. We have horses, snowmobiles, and four wheelers using the paper street for access. He would like restrictions on cars parking at the access point.

Jeff Flaherty, 15 Gladys Rd - If someone is injured on a paper street, who is liable?

Ms. O'Meara said that if someone is walking on a town greenbelt trail, the town is liable and except for the most egregious situations, is protected. We know there are trails on private property, and one advantage of having the town manage the trail is that the town can assume liability.

Mr. Flaherty wanted to know if there can be parking restrictions. Ms. O'Meara referred to the Road Ordinance, where the Town Council can place restrictions on parking on-street.

Becky Fernald, 313 Mitchell Rd - She supports keeping the status quo with no new development on paper streets.

Kate Shevenell, 2 Moonshadow Ln - She would like the town to accept Moonshadow Ln. Should she put this in writing? Councilor MacAuslan generally encourages people to put their comments in writing.

Joe Shevenell, 2 Moonshadow Ln - We have a sewer line that runs down Highland St to Manter St. What will happen if the paper street is not extended? He wants it to stay a paper street. If the street is vacated, do the abutting lot owners get the land?

Ms. O'Meara explained that the paper street is divided along the center line and the abutting lot owners acquire that land.

Tom Leen, 323 Mitchell Rd - He questioned why we don't deal with the paper streets now rather than extend for another 20 years.

The meeting evolved to a less formal question and answer session.

There was a question about the future of South Street? Ms. O'Meara confirmed it is a paper street and includes a significant sewer line. Most of the area is wetland.

There was a question if you can vacate a portion of a paper street? Ms. O'Meara said that you can vacate only a portion, and the Town Council has done that on individual requests.

There was a question if setbacks change if a paper street is vacated? Yes, setbacks are measured from the property line, which would now extend into the former paper street.

There were questions about if a lot owner does not want the paper street. Ms. O'Meara explained that, actually, the abutters probably already own the land under the paper street, but the paper street rights are so burdensome on any other use of the land, that it does not matter who owns the land under a street. The paper street vacation peels the access rights off the land, leaving the land to abutters.

Mr. Flaherty suggested the town consider a 1 year extension instead of a 20 year extension and see if foot traffic reduces. There are horses and snowmobiles that use the Glew property.

Public comments and questions ended. Councilor MacAuslan noted that this neighborhood meeting had been different from the others because there were more questions rather than just statements of position. There is a better understanding of paper streets, as well as hearing concerns. Notes of the meeting will be posted. The Town Council has a goal to complete its paper street decisions this year.

The meeting concluded at 7:55 p.m.

Eric R. Kruger & Maureen P. Quinlan
33 Beach Bluff Terrace
Cape Elizabeth, Maine 04107
e-mail: ERKMPQ@AOL.COM
Phone: (207) 799-0730

April 24, 2016

Dear Council Members,

We are writing to ask the Cape Elizabeth Town Council to retain the rights to Thompson Road as a paper road, to at least **the eastern end of our property (formerly lots 200-209 per plan Ref 3)**. We purchased our home at 33 Beach Bluff Terrace in the fall of 1997. At the time all the land boarding Thompson Road was owned by the family at **1151 Shore Road**.

Over the next couple of years we had a few conversations with the owner and let him know we were interested in purchasing the land that was behind our property and also boarded Thompson Road. In 2007 the land on Thompson Road was sold and plans were made and submitted to the planning board to develop two (2) lots on Thompson Road.

Upon learning the land had changed ownership to Kenneth Ray (represented by Patrick Tinsman). We approached the new owner's representative and inquired if he would consider selling us the lots that bordered our Beach Bluff Terrace home. The results of the discussions with Kenneth Ray's representative were that he would be interested in selling the remaining land under the condition that **all** remaining lots starting behind 27 Beach Bluff Terrace be purchased. Kenneth Ray and his representative were very clear that all lots must be sold and that there can be no isolated clusters of un-purchased lots in order for this agreement to be executed.

We discussed this opportunity with all abutting neighbors. All abutting neighbors were given first right of refusal to purchase the land directly behind their Beach Bluff Terrace homes. Not all abutting neighbors participated in the lot sale offer, and as a result, some Beach Bluff Terrace residents purchased additional abutting lots. We purchased the three (3) lots behind our house, as well as seven (7) lots behind 29 Beach Bluff Terrace and four (4) lots behind 27 Beach Bluff Terrace for a total of 25,673 square feet.

The developer submitted a new plan to the Cape Elizabeth Planning Board for a lot on Thompson Road and the other lots sold to abutters. After this time, the home on Thompson Road was built.

We wish to leave our property on Beach Bluff Terrace and Thompson Road to our two (2) children. We would like the Town to continue to allow us the same access via Thompson Road as been allowed in the past and to this point in time. In the future, our minor children will be able to build either a permanent home or a summer home in Cape Elizabeth on our Thompson Road lot(s).

We understand that the extension of the paper road is only for the next 20 years. We will make sure that progress is made in developing the road over the next two decades.

We appreciate your time and consideration regarding the issue.

Sincerely,
ERIC R. KRUGER / MAUREEN P. QUINLAN
Owners, 33 Beach Bluff Terrace

Relevant Cape Elizabeth Planning Board Meeting Minutes

Relevant Cape Elizabeth Planning Board Meeting Minutes;

April 2007

http://www.capeelizabeth.com/government/bds_commissions/standing/planning_board/meeting_materials/minutes/2007/20070423.pdf

May 2007

http://www.capeelizabeth.com/government/bds_commissions/standing/planning_board/meeting_materials/minutes/2007/20070515.pdf

August 2007

http://www.capeelizabeth.com/government/bds_commissions/standing/planning_board/meeting_materials/minutes/2007/20070821.pdf



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Public Meeting

2 messages

William Alexander <walexand@maine.rr.com>
To: maureen.omeara@capeelizabeth.org
Cc: Sheila Alexander <siyiyim@maine.rr.com>

Tue, Mar 29, 2016 at 3:55 PM

Maureen:

Thank you for the meeting notice, if we can attend we will.

I want to raise one issue with you regarding the street across from our property at 403 Mitchell Rd. The street on our map is U30A-1. I wanted to comment that the other end of this street may not be a street in Cranbrook development, but it is clearly marked with the distinctive posts of greenbelt walkways in Cape. In other words if you enter off the Cranbrook side you can walk directly to Mitchell rd. We do that often. It allows us to get away from the narrow confines of Mitchell and into quiet walking area of Cranbrook. As we are both seniors now it is safe and convenient. There is a small stone bridge that is quite picturesque. If the town allows neighbors to buy up these properties the walk through capability will end.

If you have a greenbelt overlay take a look at how the end of U30A-1 picks up at the end of the walkway in Cranbrook. Please consider how hard the community has worked for these walkways to visit our beautiful woodlands. Please don't surrender this access for individuals seeking lot enlargement for themselves. Lets keep Cape accessible.

Regards

William Alexander
403 Mitchell Rd.
Cape Elizabeth
[207 400 6795](tel:2074006795)

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: William Alexander <walexand@maine.rr.com>

Wed, Mar 30, 2016 at 11:52 AM

Mr. Alexander,

Your paper street comment will be compiled into a package provided to the Town Council.

Maureen O'Meara
[Quoted text hidden]

--
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Streets U3-4 U4-1

1 message

nlcapeliz@gmail.com <nlcapeliz@gmail.com>

Tue, Mar 29, 2016 at 4:23 PM

To: molly.macauslan@capeelizabeth.org, maureen.omeara@capeelizabeth.org

Cc: file@capeelizabeth.org, Scott Lewis <slcape2012@gmail.com>

Hello Maureen and Molly,

Thank you for hosting public comment sessions on paper streets.

For the public comment records, please see below the photos taken March 2016 of the area where paper streets U3-4 and U4-1 meet Stonybrook Rd. One is of the brook and the other of a drainage pipe. These photos may help inform your process.

Many thanks,

Nicole Lewis
96 Stonybrook Rd

3 attachments



image1.JPG
3150K



image2.JPG
4229K



image3.JPG
4557K







Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Crescendo Terrace - U3-4

2 messages

Maureen McCarthy <mmccart2@gmail.com>
To: maureen.omeara@capeelizabeth.org

Wed, Mar 16, 2016 at 3:56 PM

Dear Ms. Omera:

I would like to express my concern over the town potentially relinquishing the paper street rights for Crescendo Terrace. This property runs directly behind my home; and, as the town is aware, has a large drainage & sewer easement. I know it is currently slated to be retained, but my concern is; if for some reason the town relinquishes, what will happens should something go wrong with the drainage and sewer lines?

Frequently in the late winter when we have snow on the ground and then have very heavy rains, the drainage system becomes clogged and starts to flood the back portion of my property. Currently, I call town public works and they take care of coming to clean out the drainage system. Will the town still have the right and/or responsibility to manage the drainage system?

I will be trying to get to the meeting this evening; however, did want to express my concerns in writing.

Thank you for taking the time to speak with me this afternoon.

Regards,
Maureen McCarthy
16 Stonybrook Road
650-7092

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Maureen McCarthy <mmccart2@gmail.com>

Thu, Mar 17, 2016 at 10:12 AM

Ms. McCarthy,

Your comments will be compiled into a package and forwarded to the Town Council.

Maureen
[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

2015 Paper Street Report

1 message

Victoria Volent <vvolent@gmail.com>

Wed, Mar 16, 2016 at 11:08 AM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Maureen,

I am unable to attend tonight's paper street meeting. Subsequently, I do wish to submit my support for the town to maintain its right to the paper street U1-2 Cliff Ave. (south).

Cliff Ave. (south) provides access between Woodland Road and Cliff Avenue. Students living on Cliff Ave use this paper street to meet the school bus that stops at the corner of Woodland and Cottage Farms Road. Residents of the neighborhoods north of Woodland Road use this paper street to reach Cottage Farms Road. Cottage Farms Road is a gateway to safe access to Fort Williams and the local business district due to its sidewalks, and the crosswalk that connects Cottage Farms Road to the sidewalk on Shore Road.

Cliff Ave. (south) also includes an existing road turnaround (est. 25' long).

The attached pictures show this wide (5'), well traveled pathway looking down towards Woodland Road, and looking from Woodland Rd towards Cliff Ave.

Thank you for collecting citizen input prior to the final submission to the Town Council.

Victoria Volent
58 Cottage Farms Road

3 attachments



IMG_0044.JPG
2614K



IMG_0046.JPG
2734K



IMG_0045.JPG
2797K









Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Thompson Road

2 messages

plnrweare@maine.rr.com <plnrweare@maine.rr.com>

Tue, Mar 15, 2016 at 9:35 PM

To: Maureen.omeara@capeelizabeth.org

To Members of the Cape Elizabeth Planning Board,

Our family lives at 69 Beach Bluff Terrace. The paper street, Thompson Road, runs behind our house and splits our lot. With the location of this paper street, we are unable to build a deck or any project, due to set backs.

We request that Thompson Road be vacated within our lot. Thank you for your consideration in this matter.

Sincerely,

Peter and Linda Weare

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Wed, Mar 16, 2016 at 8:44 AM

To: plnrweare@maine.rr.com

Mr. and Mrs. Weare,

The Planning Board has completed its recommendations regarding paper streets and the Town Council is beginning its process. Your comments will be compiled into a package and forwarded to the Town Council.

Maureen O'Meara

[Quoted text hidden]

--

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Request to Release Paper Street Rights - Portion of Thompson Road2 messages

Alice Grant <Bluesky10@maine.rr.com>
To: cetowncouncil@capeelizabeth.org
Cc: maureen.omeara@capeelizabeth.org

Tue, Mar 15, 2016 at 9:42 PM

March 15, 2016

To: Cape Elizabeth Town Council
& Maureen O'Meara, Town Planner

From: Alice Grant & Matthew Faulkner
61 Beach Bluff Terrace, Cape Elizabeth
Bluesky10@maine.rr.com

RE: Thompson Road - Paper Street ID #U10-1
61 Beach Bluff Terrace, Tax Map U10 Lot 20A

Dear Ms. MacAuslan, Ms. Jordan, Ms. Ray, Ms. Grennon, Ms. Sullivan, Mr. Garvin and Ms. Lennon
and Ms. O'Meara:

We request that the Town release its rights in the portion of the paper street known as Thompson Road (Paper Street ID #U10-1) running through our property at 61 Beach Bluff Terrace (Tax Map U10 Lot 20A). As shown on the attached tax map, this is a portion of Thompson Road toward its westerly terminus.

Our request is not intended to have any impact on Eric Kruger and Maureen Quinlan's earlier request to the Planning Board for the Town to retain rights in the easterly end of Thompson Road between Shore Road and their property at 33 Beach Bluff Terrace. A release of the Town's rights in the westerly end of Thompson would not affect access to the Kruger/Quinlan property.

We purchased our home at 61 Beach Bluff Terrace in 1991, and purchased additional land behind our home from Kenneth Ray in 2009. The later purchase included Lots 242-245 on the 1911 plan of Beach Bluff Addition (on which Thompson Road is a proposed street, copy attached), and all of Mr. Ray's interest and rights in the strip of Thompson Road located between our original lot and the additional land. Specifically, the deed we negotiated with Mr. Ray included a full release of his rights in the paper street running through our property "including all fee title of the Grantor and all rights and easements to use said parcel". See attached copy of the deed recorded in Book 26587, Page 217.

At the time of his deed to us Mr. Ray owned the remaining Beach Bluff Addition lots to the west of our property (Tax Map U10 Lot 37), at the dead end terminus of the Thompson Road paper street. He subsequently conveyed those lots to an abutter who has frontage on Beach Bluff Terrace. As a result of Mr. Ray's release of rights to use Thompson Road for the remaining property, in his deed to us, there is no longer any property to the west of us benefited by easement rights in the portion of Thompson Road crossing our property. All of the other lots on Beach Bluff Addition are located to the east of us and would not use our portion of Thompson Road for access from Shore Road. That being the case, there is no reason for the Town to retain rights to accept dedication of a public way in the portion of Thompson Road crossing our property.

We request that the town relinquish paper street rights in the part of Thompson Road passing through our property. The Conservation Commission has recommended releasing the rights. The recommendation by the Planning Board to retain rights in Thompson Road appears to be based on Eric Kruger and Maureen Quinlan's request for the Town to retain rights from Shore Road at least as far as their lot at 33 Beach Bluff Terrace. Our property is located well beyond the Kruger/Quinlan property. We request that the Planning Board recommendation be modified when this comes before the Town Council. If any rights are retained by the Town, please limit those rights to only a portion of Thompson Road, beginning at Shore Road and ending somewhere short of our easterly boundary.

In addition, we would like to state that we have no plans to exercise our possible rights over Thompson Road as it passes through land of our neighbors. We have no objection to the Town's release of rights in other portions of Thompson Road.

We did not copy this email to the Planning Board, as our understanding is that its role in the paper streets is completed. If that is not the case, please share this email with the Planning Board or any other part of Town government as appropriate.

Thank you for your time and consideration.

Alice Grant & Matthew Faulkner

3 attachments

-  **Deed 26587-217 Ray to Faulkner and Grant.pdf**
204K
-  **Plan of Beach Bluff Addition.pdf**
117K
-  **Tax Map U10.pdf**
1066K



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Fwd: Thompson Road and meeting regarding paper roads

3 messages

MM <vhintl@aol.com>

Mon, Mar 14, 2016 at 4:40 PM

To: maureen.omeara@capeelizabeth.org

Are you around tomorrow to talk about this for 5 minutes? I want to respond to these folks asap but want to be sure I'm fully informed and factual in my response.

Thx.

MM

Molly MacAuslan

-----Original Message-----

From: erkmpq via Cape Elizabeth Town Council <cetowncouncil@capeelizabeth.org>

To: cetowncouncil <cetowncouncil@capeelizabeth.org>

Sent: Sun, Mar 13, 2016 8:38 pm

Subject: Thompson Road and meeting regarding paper roads

March 13, 2016

Dear Ms. MacAuslan, Ms. Jordan, Ms. Ray, Ms. Grennon, Ms. Sullivan,
Mr. Garvin & Ms. Lennon,

We are writing in regard to the paper street Thompson Road. Thompson Road was on the list of paper roads suggested to be abandoned. It was changed to retain, by the Planning Board and is on the list of roads suggested to retain by the Planning Board. We have attached the letter we sent to the Planning Board last year. It expresses our concerns and our request for the Town to retain Thompson Road.

We would like to request the Council to please consider also retaining Thompson Road as a paper road. We appreciate your time in this matter.

Sincerely,

Maureen Quinlan & Eric Kruger
33 Beach Bluff Terrace
Cape Elizabeth, ME 04107

 **Thompson Road.docx**
14K

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Mar 14, 2016 at 10:17 PM

To: MM <vhintl@aol.com>

Sure. Pretty open right now for tomorrow.

Maureen

Sent from my iPad



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street Reef Road Access from Overlook Lane

2 messages

Asher Kramer <akramer6@gmail.com>

Sun, Mar 13, 2016 at 8:35 PM

To: maureen.omeara@capeelizabeth.org

Maureen,

My wife Patricia Callahan and I reside at 10 Reef Road. We were not able to attend the recent public hearing regarding the paper road in the Shore Acres neighborhood. The purpose of this e-mail is to register our strong opposition to any action to convert this paper street into an actual street. We own both the property at 10 Reef Road and the lot behind our house, similar to our abutting neighbors. We have no intent to ever develop that property and given the existing housing in the direction of the ocean there is no purpose in this paper road ever being opened up.

We therefore request that the Town eliminate this paper road,

Thank you,

Asher Kramer and Patricia Callahan
10 Reef Road
Cape Elizabeth, ME
[207-799-8260](tel:207-799-8260)

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Mar 14, 2016 at 9:09 AM

To: Asher Kramer <akramer6@gmail.com>

Mr. Kramer and Ms. Callahan,

Your comments will be compiled into a package and forwarded to the Town Council.

Maureen O'Meara

[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
[\(207\) 799-0115](tel:207-799-0115)
maureen.omeara@capeelizabeth.org

Request to Vacate Paper Street U3-3

Inbox x

To: Cape Elizabeth Town Council

From: John and Lyvia Jensen, 71 Stonybrook Road (Oakhurst Neighborhood)

Date: 10 March, 2016

Subject: Vacate Request for Paper Street U3-3

My family and I have lived in Cape Elizabeth since 2013 at our current residence of 71 Stonybrook Rd and we currently use paper street U3-3 as our primary residence driveway. If you take a look at the aerial views of paper street U3-3 it is a tight property line next to our home and the paper street provides the only reasonable location for parking vehicles other than building a carport in our front lawn. Additionally we have looked at the opportunity to build an attached garage to our home but the current property boundaries make that impossible.

I would put forth that the release of the paper street U3-3 can make a significant impact to our residence, whereas many other paper streets have significantly less impact to the daily lives of those residences abutted to their paper streets. Vacating U3-3 is the only way we would have the opportunity to build a garage, and the impact to the community if we did this would be a net increase in home values in our neighborhood and increase in taxes collected for the community.

In regards to the "wetland" component of our section of U3-3 which was a contention in the past, if you look at the actual terrain of this section of the paper street, the release of the section of U3-3 abutting 71 Stonybrook Rd has almost no impact in the reduction of the cities "wetland" conservation area in our neighborhood.

I would respectfully request that you vote to vacate the section of paper street U3-3 that abuts our property at 71 Stonybrook Rd.

My wife is planning on attending the Public Meeting on paper streets for the Oakhurst Neighborhood on Wednesday March 16th and we would like to thank you for sending out the Public Notices that made us aware of this impending decision on paper streets.

Respectfully Submitted,
John and Lyvia Jensen

**Maureen O'Meara** <maureen.omeara@capeelizabeth.org>

Request to Vacate Paper Street U3-3

2 messages

J Jensen <Injensen961@gmail.com>
To: maureen.omeara@capeelizabeth.org

Thu, Mar 10, 2016 at 12:10 PM

To: Cape Elizabeth Town Council

From: John and Lyvia Jensen, 71 Stonybrook Road (Oakhurst Neighborhood)

Date: 10 March, 2016

Subject: Vacate Request for Paper Street U3-3

My family and I have lived in Cape Elizabeth since 2013 at our current residence of 71 Stonybrook Rd and we currently use paper street U3-3 as our primary residence driveway. If you take a look at the aerial views of paper street U3-3 it is a tight property line next to our home and the paper street provides the only reasonable location for parking vehicles other than building a carport in our front lawn. Additionally we have looked at the opportunity to build an attached garage to our home but the current property boundaries make that impossible.

I would put forth that the release of the paper street U3-3 can make a significant impact to our residence, **whereas** many other paper streets have significantly less impact to the daily lives of those residences abutted to their paper streets. Vacating U3-3 is the only way we would have the opportunity to build a garage, and the impact to the community if we did this would be a net increase in home values in our neighborhood and increase in taxes collected for the community.

In regards to the "wetland" component of our section of U3-3 which was a contention in the past, if you look at the actual terrain of this section of the paper street, the release of the section of U3-3 abutting 71 Stonybrook Rd has almost no impact in the reduction of the cities "wetland" conservation area in our neighborhood.

I would respectfully request that you vote to vacate the section of paper street U3-3 that abuts our property at 71 Stonybrook Rd.

My wife is planning on attending the Public Meeting on paper streets for the Oakhurst Neighborhood on Wednesday March 16th and we would like to thank you for sending out the Public Notices that made us aware of this impending decision on paper streets.

Respectfully Submitted,
John and Lyvia Jensen

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: J Jensen <Injensen961@gmail.com>

Thu, Mar 10, 2016 at 1:54 PM

Mr. and Mrs. Jensen,

Your comments will be compiled into a package for the Town Council.

Maureen
[Quoted text hidden]

--
Maureen O'Meara



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper streets

2 messages

Susan Payne <susan.m.payne@maine.edu>

Mon, Mar 7, 2016 at 1:22 PM

To: maureen.omeara@capeelizabeth.org

Dear Maureen,

I checked the map about the Oakhurst Neighborhood paper streets and have a question. What is the green space between U 3-3 and U4-5?

Yours truly,
Susan Payne

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Mar 8, 2016 at 2:41 PM

To: Susan Payne <susan.m.payne@maine.edu>

That is land owned by the town.

Maureen

[Quoted text hidden]

--
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Oakhurst Paper Streets

2 messages

Ken Pierce <KPierce@monaghanleahy.com>

Tue, Mar 8, 2016 at 11:36 AM

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>

Cc: Joseph Spagnola <jspags@maine.rr.com>

Hi Maureen:

Will the meeting on March 16 at 7:00 pm in Town Hall involve the following paper streets:

1. A street behind my house at 35 Oakhurst Road – running between Lindenwood and Waverly; and
2. High Bluff Road across Wood Road to Heatherstone Lane?

Many thanks,

Ken Pierce

Monaghan Leahy

95 Exchange Street

Portland, ME 04101

[207-774-3906](tel:207-774-3906)

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Mar 8, 2016 at 3:23 PM

To: Ken Pierce <KPierce@monaghanleahy.com>

Ken,

Yes to both. Have you looked at the 2015 paper street report posted on the town website? I believe the street behind your house is called Hazelwood, identified as U4-2 in the report. High Bluff identified as U4-3 in the report.

Maureen

[Quoted text hidden]

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

[\(207\) 799-0115](tel:207-799-0115)

maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

FW: Paper Roads Query

1 message

Howard Winn <howard-winn@live.com>

Sun, Mar 6, 2016 at 5:19 PM

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>

Dear Maureen O'Meara,

I have questions about "paper roads" in Cape Elizabeth. I am sure they are probably naïve but as a part-time resident from New York, I have never run into the concept before. But let me explain my interest. I own a summer home at 41 Beach Bluff Terrace which we occupy usually from some time in May to October. When I purchased the home, the realtor never mentioned the "paper road" running behind my newly purchased property and in my innocence, I certainly did not ask. I no doubt should have explored the matter further on my own, but I did not, but made the purchase because Cape Elizabeth seemed a perfect place to spend part of spring and summer.

Running parallel to Beach Bluff Terrace also connecting to Shore Road in the direction of the Robinson's Woods is the private way with a couple of houses which I presume is the beginning of the "paper road," and one home seems to straddle and block the "road" at the current dead end. That would appear to preclude access to the rest of the road from there, if I am correct.

My essential questions for you is exactly who currently owns the land abutting Robinson's Woods occupied by the rest of the "paper road" (some originally developer?) and how would a builder gain access under the current conditions? Or is access possible only from Shore Road where the "paper road" ostensibly begins?

Can the town planning office tell me the answers to these questions? Do I need the advice of a real estate lawyer? I would attend the meeting about "paper roads" for which I just received notice, but I will not be able to be in Maine at that time. However, I thank you for any information you may give me via email.

Howard Winn
6 Arthur Lane
Poughkeepsie, NY 12603
(845) 462-1604
howard-winn@live.com



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

paper streets

2 messages

Nicole McCarthy <eugenelives@yahoo.com>

Thu, Feb 25, 2016 at 7:59 AM

Reply-To: Nicole McCarthy <eugenelives@yahoo.com>

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>

Cc: Chris McCarthy <chris.mccarthy@ch2m.com>

Hi Maureen,

Last night I attended the public meeting for the paper streets located in Broad Cove, Hannaford Cove, and Shore Acres neighborhoods. I found the evening to very informative.

I would like the town to retain rights to the paper streets. I would be very disappointed to see the town to give up access to public lands. The paper street on the cliff in Shore Acres that is being disputed should remain a paper street. The property owners bought that land knowing the situation. The land over by the light house should also remain a paper street. Whether trails are established over that land is another debate.

Regardless of trails being established, it sounds like "no parking" signs need to be installed in the Two Lights area and violators towed.

Thank you,

Nicole McCarthy

9 Salt Spray Ln

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Thu, Feb 25, 2016 at 9:01 AM

To: Nicole McCarthy <eugenelives@yahoo.com>

Mrs. McCarthy,

Your comments will be compiled into a package for the Town Council.

Maureen

[Quoted text hidden]

--

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org

11 Rocky Knoll Road
Cape Elizabeth, Maine 04107
February 24, 2016



Cape Elizabeth Town Council
c/o Maureen O'Meara, Town Planner
PO Box 6260
Cape Elizabeth, Maine 04107

RE: Disposition of Paper Street U4-5 (Arbutus Road)

Dear Council Members:

In the Fall of 2011, we (Lot 139A) and our neighbor at 13 Rocky Knoll Road (Lot 139), granted the Town of Cape Elizabeth an easement for storm water drainage across our properties. The buried 12" corrugated metal pipe and the open drainage ditch conveyed by this easement have long existed. They carry storm water from inlets and buried conduits located on the eastern end of Arrow Point Road and the northern end of Rocky Knoll Road, to the Paper Street U4-5 (Arbutus Road). Runoff from Paper Street U3-3, from the town's property on Stonybrook Road (to which Arbutus Road abuts), and from properties on Cedar Ledge Road also contribute drainage to Arbutus Road. *A significant portion of Paper Street U4-5 (Arbutus Road) forms an essential part of the town's storm water drainage system.*

We request that the Town Council consider two options for the future disposition of Paper Street U4-5 (Arbutus Road):

- (1) Extend the Town's right of incipient dedication for Arbutus Road, thereby maintaining its principal function as a natural drainage passage for storm waters running from Arrow Point, Rocky Knoll, Stonybrook, and Cedar Ledge properties; or
- (2) Accept Paper Streets U4-5 and U3-3 as town property, combining them together with the town's existing Stonybrook property to create a perpetual green space, thereby maintaining the natural storm drainage function and conserving the wetlands habitat.

Thank you for your consideration of our request.

Respectfully yours,

Judith A. Dinmore

Grant C. Dinmore, Jr.

gcd



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Re: Open Space Dearborn

5 messages

Anne Cranshaw <acransh1@maine.rr.com>

Thu, Feb 25, 2016 at 10:46 AM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hi Maureen,

Thanks for the update. Apologies for not responding sooner as we've been away. This plan is likely the basis for Brentwood's map that they include with their directory. It shows open space that they believed they owned in green and pedestrian ROWs in heavy black. Clearly, the path became organic and took the shortest route through the space instead of adhering to the actual ROW. I am interested in hearing how that might change the final decision. Would there be a time we could meet to discuss? I am pretty open this week and next.

Anne
232-3265

On Feb 17, 2016, at 3:53 PM, Maureen O'Meara <maureen.omeara@capeelizabeth.org> wrote:

Mrs. Cranshaw,

I am continuing to work on paper streets and found this plan revising the original plan establishing Dearborn Dr. On this plan, the two paper street areas are labeled as open space, and there is a path shown extending from the end of Dearborn Dr. Mike asked me to send this to you as this will influence any final decision.

Maureen

----- Forwarded message -----

From: <acpcopier@capeelizabeth.org>

Date: Wed, Feb 17, 2016 at 3:22 PM

Subject:

To: Maureen <maureen.omeara@capeelizabeth.org>

This E-mail was sent from "RNP37B815" (Aficio MP 2550B).

Scan Date: 02.17.2016 15:22:22 (-0500)

Queries to: acpcopier@capeelizabeth.org

--
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org
<20160217152222358.pdf>

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Anne Cranshaw <acransh1@maine.rr.com>

Mon, Feb 29, 2016 at 12:31 PM

Anne,

I don't know what the final decision will be. The Town Council has not yet completed the neighborhood meeting process and no public hearing has been schedule yet.

Maureen
[Quoted text hidden]

Anne Cranshaw <acransh1@maine.rr.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Mar 7, 2016 at 1:48 PM

Maureen,

I certainly don't expect you to know or even predict the final decision.
On further consideration, I should have asked a question.

It occurs to us in light of the information you sent that a possible recommendation at the appropriate time in the process is whether the property can be split, with the town keeping part and the rest going to abutters.

More specifically, dividing the lot diagonally would easily preserve access to the path and provide us the additional space that would be helpful to us.

Thanks,
Anne
[Quoted text hidden]

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Anne Cranshaw <acransh1@maine.rr.com>

Mon, Mar 7, 2016 at 3:30 PM

Anne,

Do you want me to forward this request to the Town Council.

Maureen
[Quoted text hidden]

Anne Cranshaw <acransh1@maine.rr.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Mar 7, 2016 at 4:56 PM

Maureen,

Certainly. I would rather put the idea forward sooner rather than later.

Thanks,
Anne
[Quoted text hidden]



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street

2 messages

Anne O'Brien <amobrien4@outlook.com>

Thu, Feb 25, 2016 at 7:13 AM

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>, Michael O'Brien <mobrien@rowleyagency.com>

Maureen,

When you have an opportunity, can you please tell me if there is a Paper Street behind 8 Woodcrest Rd.?

Thank you,

Mike O'Brien

Sent from [Mail](#) for Windows 10

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Mar 1, 2016 at 1:52 PM

To: Anne O'Brien <amobrien4@outlook.com>

Mr. O'Brien,

I have checked the 1952 Woodcrest Terrace subdivision plan, which does not show a paper street behind your lot. I also pulled the Cape Woods Condominium plan and a sewer line easement runs along the back of your lot.

Maureen

[Quoted text hidden]

--

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Re: Open Space Dearborn

2 messages

Anne Cranshaw <acransh1@maine.rr.com>

Thu, Feb 25, 2016 at 10:46 AM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hi Maureen,

Thanks for the update. Apologies for not responding sooner as we've been away. This plan is likely the basis for Brentwood's map that they include with their directory. It shows open space that they believed they owned in green and pedestrian ROWs in heavy black. Clearly, the path became organic and took the shortest route through the space instead of adhering to the actual ROW. I am interested in hearing how that might change the final decision. Would there be a time we could meet to discuss? I am pretty open this week and next.

Anne
232-3265

On Feb 17, 2016, at 3:53 PM, Maureen O'Meara <maureen.omeara@capeelizabeth.org> wrote:

Mrs. Cranshaw,

I am continuing to work on paper streets and found this plan revising the original plan establishing Dearborn Dr. On this plan, the two paper street areas are labeled as open space, and there is a path shown extending from the end of Dearborn Dr. Mike asked me to send this to you as this will influence any final decision.

Maureen

----- Forwarded message -----

From: <acpcopier@capeelizabeth.org>

Date: Wed, Feb 17, 2016 at 3:22 PM

Subject:

To: Maureen <maureen.omeara@capeelizabeth.org>

This E-mail was sent from "RNP37B815" (Aficio MP 2550B).

Scan Date: 02.17.2016 15:22:22 (-0500)

Queries to: acpcopier@capeelizabeth.org

--

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org
<20160217152222358.pdf>

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Anne Cranshaw <acransh1@maine.rr.com>

Mon, Feb 29, 2016 at 12:31 PM

Anne,

I don't know what the final decision will be. The Town Council has not yet completed the neighborhood meeting process and no public hearing has been schedule yet.

Maureen

[Quoted text hidden]



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street Extension

2 messages

Larry Amberger <larryamberger@hotmail.com>

Wed, Feb 24, 2016 at 12:28 PM

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>

Ms. O'Meara,

I reside in Shore Acres and I am writing for the purpose of urging the Town Council to exercise the Town's statutory option to extend its incipient dedication rights in the paper streets located in Shore Acres for an additional 20 years.

To me, this should be an easy choice. Failing to extend incipient dedication rights benefits no one but the abutting property owners, and forever forecloses the interests of the Town and its citizens at large (and does nothing to resolve issues surrounding private interests in those paper streets). Extending does no significant harm to anyone and preserves to the Town, its citizens, and the public the potential benefits of exercising the right during those additional twenty years, to meet existing needs or to meet needs that are not foreseen at this time.

Thank you for consideration.

Regards,

Larry Amberger
9 Algonquin Road
Cape Elizabeth

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Wed, Feb 24, 2016 at 1:49 PM

To: Larry Amberger <larryamberger@hotmail.com>

Mr. Amberger,

Your comments will be compiled and provided to the Town Council in a package.

Maureen O'Meara

[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Streets

2 messages

Sheila Mayberry <adr@maine.rr.com>

Wed, Feb 24, 2016 at 3:59 PM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Dear Maureen,

We may be unable to attend tonight's meeting. However, I wanted to make sure that that the Town knows about our thoughts on the matter of paper streets in the Shore Acres neighborhood. For several years many residents, both in and outside of the neighborhood, have expressed their desire to have the Town keep the paper streets in Shore Acres intact and as part of those that the Town has listed in its inventory of non-vacated paper streets. As you know all too well by now, Shore Acres' paper streets provide significant public benefit, especially those that run along the shoreline. We believe that it is in the best interest of the Town, on behalf of its citizens, to continue to hold its implied rights to these lands. The Town has already done a significant amount of work to study this issue and has continually made the right decision to keep it rights in these paper streets in tact. It should continue to do so.

Thank you,

Sheila Mayberry and Alan MacDuffie

30 Trundy Road

Cape Elizabeth, Me

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Thu, Feb 25, 2016 at 8:52 AM

To: Sheila Mayberry <adr@maine.rr.com>

Sheila,

Nice to see you last night. Your comments will be compiled into a package and provided to the Town Council.

Maureen

[Quoted text hidden]

--
Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper streets shore acres

2 messages

Anne Ingalls <aingall2@maine.rr.com>
To: cetowncouncil@capeelizabeth.org
Cc: maureen.omeara@capeelizabeth.org

Wed, Feb 24, 2016 at 4:12 PM

RE: Shore Acres Paper Streets
February 24, 2016

Dear Members of the Town Council:

Thank you very much for your work and effort in consideration of this matter. We unfortunately will not be able to attend the meeting tonight, but wanted to provide our thoughts.

We have reviewed the map provided and would like to urge vacation of one paper street area within Shore Acres: Surfside Road paper street section situated between the shore and the shore-side homes along Pilot Point Road. When I look at the caption provided with the notice describing why the town might want to consider further holding of a paper street, I see nothing that would indicate any further interest for the town.

"Paper streets may be important because they provide access to lots, contain utilities, provide a turnaround for municipal equipment, and provide pedestrian access to town open space."

Paper streets may be important because they provide access to lots, - Not necessary due to double lots along shoreside of Pilot Point. See the overhead map view.

...provide a turnaround for municipal equipment, not necessary...

...provide pedestrian access to town open space. While you may hear from others that this would be a reason to hold over, we would argue that there is no connectivity to any town open space and it would only be a very short Cliffside path in places with significant liability and potential shoreland zoning concerns. Not really anything for which I would expect the town to have much appetite.

Our family has resided at 9 Waumbek Road since 1992 and I can honestly say that we have never passed along the Surfside Road paper street section situated between the shore and the shore-side homes along Pilot Point Road. Nor have we felt the need. We have passed on the dirt road portion and the adjacent undeveloped area between Surfside Road dirt road loop and shore on a regular basis. Shore Acres has been a wonderful neighborhood to have raised our now teen-age children. We have made use of and enjoyed the quiet streets, abundance of open and freely passable land and shoreline access that currently exists within the neighborhood. Already our neighborhood boasts more shoreline access than most neighborhoods in Cape Elizabeth. We do not feel there is any benefit to CE to holding this area.

Please consider vacating town rights to this aforementioned section of Surfside Road.

Thank you.

Sincerely,
Anne & Andrew Ingalls
9 Waumbek Road

Sent from my iPhone

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Anne Ingalls <aingall2@maine.rr.com>

Thu, Feb 25, 2016 at 8:52 AM

Mr. and Mrs. Ingalls,

Your comments will be compiled into a package for the Town Council.

Maureen

[Quoted text hidden]

--

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org

**Maureen O'Meara** <maureen.omeara@capeelizabeth.org>

Paper Streets

2 messages

Ann Barksdale <afbarksdale2@gmail.com>

Wed, Feb 24, 2016 at 4:23 PM

To: maureen.omeara@capeelizabeth.org

February 24, 2016

Dear Maureen,

My husband and I have been residents of Shore Acres for 13 years. We are unable to attend tonight's meeting regarding paper streets, but would like to express our opinion on this matter.

We love to walk through the woods near the old fire tower and also use the paper street heading down toward Broad Cove as well as Surf Side. We would like to see the Town of Cape Elizabeth maintain their rights to all the paper streets in our town especially if they are commonly used or border scenic and wild areas. Many of these paper streets could be incorporated into the town's greenbelt plan. There are never enough open spaces for people to walk, watch birds and wildlife and simple enjoy being outside without the threat of cars whizzing by. This is one of the major reasons we all live in Cape is to enjoy the ocean, woods and farms. This is a rarity being so close to even a small city like Portland. The Town of Cape Elizabeth has had the foresight to preserve land for all residents of the surrounding towns to use, not just for Cape Elizabeth residents. We should continue to be proactive stewards for this lovely little piece of land that sticks out into the Atlantic ocean. Let us be an example for all other communities in southern Maine to follow with a mixture of development and open space.

Sincerely,
Ann and Henry Barksdale
8 Algonquin Road

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Thu, Feb 25, 2016 at 8:54 AM

To: Ann Barksdale <afbarksdale2@gmail.com>

Mr. and Mrs. Barksdale,

Your comments will be compiled into a package for the Town Council.

Maureen
[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper streets

2 messages

Sarah MacColl <me.fit@me.com>
To: maureen.omeara@capeelizabeth.org

Wed, Feb 24, 2016 at 4:55 PM

Maureen,

I'm in favor of the town not abandoning the paper streets this year.
Our versatility will be well served by this as we make the green belt and other public spaces the best they can be.

sarah

Sarah MacColl IDEA Elite Personal Trainer Certified Medical Exercise Specialist

Distant Journeys Hiking Guide

www.distantjourneys.com

www.fitme.me

207.799.2424

Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Sarah MacColl <me.fit@me.com>

Thu, Feb 25, 2016 at 8:55 AM

Sarah,

Your comments will be compiled into a package for the Town Council.

Maureen
[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street Public Comment

1 message

Brian Livingston <livingstonmaine@gmail.com>
To: cetowncouncil@capeelizabeth.org
Cc: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Wed, Feb 24, 2016 at 5:33 PM

2/24/16

To the Town Council:

We are unable to attend the public meeting but wanted to provide you with the requested public input on your evaluation of paper streets.

I understand you are holding these town meetings to obtain public comment to help you determine whether or not to extend Town rights for an additional 20 years, rather than specific uses or details at this time. Therefore, my assumption is that you are trying to identify any harm in extending those rights or alternatively any benefit to vacating those rights. That is what I'd like to address.

As you are likely aware, the Town evaluated the Surfside paper street area previously in 2000 and determined not to pursue potential interest in Surfside Avenue in part due to "unclear ownership" as voiced by a Conservation Commission member in the 2001 report. The Shore Acres neighborhood did not and does not need Town involvement to access the extensive waterfront views, beaches and walking trails already present. The Town has not exercised its potential rights over Surfside Ave for over 100 years and the implications and ambiguity of these potential rights have recently created an avenue for propagating substantial neighborhood hostility arising for different reasons.

You are undoubtedly well aware of the controversy within Shore Acres related to Surfside Avenue. I believe there are many obstacles and impracticalities, including legal, environmental and safety, that suggest this is not a viable option now or in the future. Extending the Town's potential rights of acceptance for another 20 years would only propagate the controversy that has plagued this neighborhood. However, vacating the Town's potential rights could be the first step in reaching a resolution to allow peace to return to Shore Acres.

Thank you for your time.

Sincerely,

Brian and Sandra Livingston

29 Pilot Point Rd



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street

1 message

RLemieux@aol.com <RLemieux@aol.com>

Tue, Feb 23, 2016 at 4:48 PM

To: cetowncouncil@capeelizabeth.org, maureen.omeara@capeelizabeth.org

Dear Town Councilors and Ms. O'Meara,

I am writing re the meeting tomorrow about the future of the paper street behind Pilot Point Road. I have written before, when the Green Belt was being considered. Perhaps it still is - I haven't heard of a resolution there. I am against it for several reasons - cost, safety, and the reduction of property value to those who would physically be effected, to name a few. Re the future of the paper street, I will reiterate my feelings, briefly. Why the town has hesitated to return the property to the abutters is a mystery to me. They lose nothing, gain tax income, and put the matter to rest. I understand that this is what many towns have done.

Both my husband and I ask you to seriously consider this plan. I believe you are aware that the neighborhood has not been the same since these discussions began. Shore Acres needs some peace. As we see it the facts are thus: every home on the water side of Pilot Point Rd. has improved their properties tremendously. This only improves the property value of all of us. None of us need the use of the paper road to view the ocean - we have the beach and Surfside Road - *you know all that*. Returning the property to the abutters just makes sense. Thank you for your consideration.

Sincerely,

Nancy and Dick Lemieux
10 Wabun Road



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

paper streets

1 message

kbernst@maine.rr.com <kbernst@maine.rr.com>

Tue, Feb 23, 2016 at 6:32 PM

To: maureen.omeara@capeelizabeth.org

Cc: molly.macauslan@capeelizabeth.org, caitlin.jordan@capeelizabeth.org, retbank@maine.rr.com, patricia.grennon@capeelizabeth.org, jessica.sullivan@capeelizabeth.org, jamie_garvin@yahoo.com, sara.lennon@capeelizabeth.org

Maureen and members of the Town Council,

My husband and I reside at 19 Trundy Rd, which is paper street U12-2. We are not able to attend the meeting in person, so I am emailing to ask you to vacate our driveway as a paper street. It has none of these criteria:

1. it does not provide access to any lot
2. there are no utilities
3. it does not provide turn around for any municipal vehicles
4. there is no pedestrian access to any open space

There is truly no reason for our driveway to remain a paper street.

Thank you for your consideration-

Karla and Andrew Bernstein

**Maureen O'Meara** <maureen.omeara@capeelizabeth.org>**Hi Maureen,**

4 messages

Paul Moson <primus10@maine.rr.com>
To: maureen.omeara@capeelizabeth.org

Tue, Feb 23, 2016 at 9:18 AM

Hi Maureen,

Would you please share with me a list of the town officials that will be attending tomorrows paper street hearings.
Thanks – Paul

Paul F. Moson

22 Trundy Road

Cape Elizabeth, ME 04107

(207) 807-6024 cell

primus10@maine.rr.com**Maureen O'Meara** <maureen.omeara@capeelizabeth.org>
To: Paul Moson <primus10@maine.rr.com>

Tue, Feb 23, 2016 at 9:45 AM

Paul,

Not sure. I know I will be there, as well as the Town Council Chair, the town's legal counsel on paper streets, and most likely the town manager. Others may also plan on attending.

Maureen

[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

Paul Moson <primus10@maine.rr.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 23, 2016 at 9:56 AM

Thanks Maureen,

See you there. - Paul

From: Maureen O'Meara [mailto:maureen.omeara@capeelizabeth.org]
Sent: Tuesday, February 23, 2016 9:45 AM

To: Paul Moson <primus10@maine.rr.com>
Subject: Re: Hi Maureen,

[Quoted text hidden]

Paul Moson <primus10@maine.rr.com>
To: maureen.omeara@capeelizabeth.org

Wed, Feb 24, 2016 at 9:39 AM

“I, Paul F. Moson of 22 Trundy Road in Cape Elizabeth support the Town of Cape Elizabeth retaining ALL paper streets and I further support the recommendations of the Conservation Commission and the Town Planning Board”

Paul F. Moson
22 Trundy Road
Cape Elizabeth, ME 04107
[\(207\) 807-6024](tel:(207)807-6024) cell
primus10@maine.rr.com



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Shore acres area paper streets

1 message

Steev Sutton <prfstvstn@gmail.com>

Tue, Feb 23, 2016 at 9:43 AM

To: maureen.omeara@capeelizabeth.org

Cc: matthew.sturgis@capeelizabeth.org, benjamin.mcdougal@capeelizabeth.org, cetowncouncil@capeelizabeth.org

Dear Maureen,

I am writing to implore you NOT to abandon any paper streets along the shore in Shore Acres!

As was reported in the BDN 2 yrs ago (<http://bangordailynews.com/2013/10/11/news/portland/cape-elizabeth-neighbors-fight-over-proposed-trail-that-would-run-through-backyards/>):

“The shoreline paper street was always intended since its inception to be shared by all, not just a select few,” said Connie Pacillo of Reef Road. “This is the last remaining shoreline path. Too often our shoreline is being purchased and privatized to the detriment of all.”

Parking and safety concerns created by the trail are unfounded, Pacillo said.

Four hundred signatures, including 74 from residents of Shore Acres, have been collected in support of adding Surfside Avenue to the Greenbelt, Pacillo said.

Please save Shore Acres paper street "surfside"! I have expressed rights (deeded) to its access, so no matter what is decided by the town, I will always have access. But the good people of CE wont. This is a matter of the good of the many vs the greed of a few!

Thank you!

Steev Sutton
10 Pilot Point Road
Cape Elizabeth, Maine 04107
[207-899-2013](tel:207-899-2013)



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Streets

2 messages

June Eiesland <tje@myopticaldelusions.com>

Mon, Feb 22, 2016 at 12:11 PM

To: maureen.omeara@capeelizabeth.org

Hi Maureen,

I will not be in town to attend the Paper Street public meeting, but as you would expect I do have some comments.

First the maps...

I have reviewed the maps on the website, I found them difficult to interpret using red to mark existing trails when the Legend for the map indicated red line as sewer line is a bit confusing, also the Purple X for "suggested" trails might be better seen in YELLOW and should also be in the Legend. I also tried to zoom in on the pdf to get a better bearing on locations and found the resolution of the PDF documents unable to provide that resolution. Is it possible to post some higher resolution PDFs so we could read street names and such, would make it a lot easier to review.

Paper Streets:

I personally think it makes sense to retain any paper roads as new trail corridors where feasible, as for the shore acres portion I am in agreement with most of the suggest "trails" , The Surf side road trail that exists as a dirt road currently is obvious, the extension of that as a trail in front of the other houses along Pilot point road would be a great addition, but I am certain it would meet with great opposition from the abutting homeowners and not sure it is worth the "fight" that might ensue. This section would be very similar to the Audubon trail that goes around Prouts neck which is a great trail, but that trail provides a large vegetative buffer between residences and the trail. I have only seen this area from a distance, (over at the Broad cove drainage access) and recall some of that area to be very steep. and with little or no buffer between waters edge and the back of these homes. Have you walked along this "paper street"?

The "suggested" trail along the Alewife brook, from Old Ocean House Rd , that appears on the map is that still a possibility? or has the town lost that path to the Rt 77 access on the other end, I though that is what I recall you told me happened with that deal?

Kindly,
June Eiesland
tje@myopticaldelusions.com
(207)799-9059 (cell)

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Feb 22, 2016 at 12:25 PM

To: June Eiesland <tje@myopticaldelusions.com>

June,

I will forward your comments to the town council.

The map on the notice is a very small scale. For better viewing, I recommend reviewing the 2015 Paper Street study on the town website. It is linked under the Paper street story and the "Hot Topics" on the left.

Maureen

[Quoted text hidden]

--

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper streets

1 message

Sandy & Artie <yulia@maine.rr.com>

Mon, Feb 22, 2016 at 7:43 PM

To: cetowncouncil@capeelizabeth.org, maureen.omeara@capeelizabeth.org

Dear Town Councilors and Ms. O'Meara,

We live in Shore Acres at #11 Reef Road. We understand the controversies over Paper Roads of which there are several in our neighborhood. We resided at #28 Reef Road for 20 years and valued our privacy there. When the Land Trust took over the next door property, our privacy was affected. By developing Paper Streets or opening them up to undesignated use will most certainly affect the privacy we cherish here in Shore Acres.

We chose this neighborhood above and beyond many others because of the privacy, safety, peace and quiet that it offers.

We do not want the option for developing these Paper Roads to remain as a possibility. We therefor believe they should be removed from the map permanently.

We are unable to attend the February 24, 2016 meeting, so we appreciate you taking the time to read our letter.

Sincerely,

Sandy and Art Schliesman

#11 Reef Road



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper streets

2 messages

Sandra M Jones <nonijones4@gmail.com>

Mon, Feb 22, 2016 at 8:30 PM

To: maureen.omeara@capeelizabeth.org

Cc: david jones <davidcjones60@yahoo.com>

Dear Maureen. I have been a resident and a tax payer in Cape Elizabeth since 1980. My children have gone to school here and now my grandchildren do. We have all walked, played and enjoyed the trails and pathways that make Shore Acres such a wonderful place to live. I very seldom speak out about town issues but I have strong feelings about the importance of the paper streets. I insist that the town of Cape Elizabeth in accordance with the recommendations of the planning board and the conservation commission retain all of its rights regarding paper streets. Sincerely, Sandra M. Jones 2 Algonquin Rd.

Sent from my iPad

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 23, 2016 at 8:25 AM

To: Sandra M Jones <nonijones4@gmail.com>

Mrs. Jones,

I am compiling all the public comments received and will be providing them to the town council in one package once the neighborhood meetings have been held.

Maureen

On Mon, Feb 22, 2016 at 8:30 PM, Sandra M Jones <nonijones4@gmail.com> wrote:

Dear Maureen. I have been a resident and a tax payer in Cape Elizabeth since 1980. My children have gone to school here and now my grandchildren do. We have all walked, played and enjoyed the trails and pathways that make Shore Acres such a wonderful place to live. I very seldom speak out about town issues but I have strong feelings about the importance of the paper streets. I insist that the town of Cape Elizabeth in accordance with the recommendations of the planning board and the conservation commission retain all of its rights regarding paper streets. Sincerely, Sandra M. Jones 2 Algonquin Rd.

Sent from my iPad

—
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Comments - Paper Streets

1 message

Stewart Wooden <slwooden@maine.rr.com>

Mon, Feb 22, 2016 at 6:24 PM

To: cetowncouncil@capeelizabeth.org, maureen.omeara@capeelizabeth.org

Dear Town Councilors and Ms. O'Meara,

My wife and I live on a paper street and have strong opinions about its potential use. These opinions are likely shared by others who abut old paper streets that were never developed because their originally intended use became unnecessary.

Take ours for example. Our development plan in Shore Acres on Pilot Point Rd was created in 1911. The seven or so lots along the water side of Pilot Point Rd were laid out back to back, one abutting the road and the other, behind it, facing the ocean. In order to access the waterside lots, an access road along the water was needed. The plan shows Surfside Ave as an access way to gain entrance to the waterside lots. However, when the lots along Pilot Point Rd were sold, they were sold as double lots and the access road was no longer needed to gain access to the waterfront lots. They each became a larger lot with direct access from Pilot Point Rd. The Surfside Ave access road over time became designated as paper street as noted on Public Meeting Notice for the February 24, 2016.

Our house was built in 1952 by John Calvin Stevens II on a single waterfront lot adjacent to the double lots. We purchased our home in 1977 from the Stevens' family. We have had a number of conversations with Paul Stevens (original owner's son) who has said no one ever passed along this undeveloped portion of Surfside Ave (in fact it was impassable). Only in the last couple of years have neighbors attempted to pass over this section of Surfside Ave as they have interest in developing a path along the shoreline, without a clear legal right.

In our opinion, if a development plan, especially one over a hundred years old, shows a development road that long ago was unneeded and superfluous because of the change in the way the lots and development took shape, the Town should not hold the paper street for its own future and unintended use. In our case, and we suspect in many other similar situations, home buyers who have purchased their homes adjacent to an unused, unneeded and undeveloped paper street, have planned their home siting and home design to maximize their privacy, now have the threat of losing it. The knowledge that the Town could develop and hold this unused paper street and open it for Public use in the future is, to say the least, an unsettling and worrisome feeling.

The Surfside Ave paper street has remained unused and undeveloped for more than 100 years because there was no purpose for it as originally shown on a development plan. It does not seem right for the Town to hold this specific portion of Surfside Ave in abeyance for the possibility of developing it for an unintended use at the expense of the adjacent homeowners, both in terms of privacy and home value.

Thank you for the opportunity to voice our opinions through this letter, as we are unable to attend the Public Meeting.

Sincerely,
Stewart and Julie Wooden
33 Pilot Point Rd



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Sub Division Info

4 messages

Michael Norton <robert.michael.norton@gmail.com>

Mon, Feb 22, 2016 at 2:54 PM

To: maureen.omeara@capeelizabeth.org

Good afternoon Maureen,

Thank you for your call today. Please see the note below, this was referenced and in conversation he had mentioned that the paper street between the sub division and our lot was identified. If you have any questions please feel free to contact me.

Thank you,

Mike

R. Michael Norton

E: robert.michael.norton@gmail.com

M: 207-632-9577

Mike,

I'm doing well thank you for asking. We did not "do" the subdivision behind you, but we have done survey work within it. The subdivision is known as Two Lights Terraces and was referenced in note 5 C on the plan we did for you. It is recorded in the Cumberland County Registry of Deeds in plan book 76 page 8.

Let me know if you need anything else.

I hope all is well with you.

Matt

Matthew Ek, PLS, LLS
Senior Survey Manager



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 23, 2016 at 10:02 AM

To: Michael Norton <robert.michael.norton@gmail.com>

Mr. Norton,

Thank you for forwarding this information, which I used to identify the paper street. It is, in fact, shown on a subdivision plan, so I believe it qualifies as a paper street. I have added it to the paper street inventory (see

attached) and the online report will be updated shortly.

Because your lot is not in the subdivision that created the paper street, I do not know if you have any rights to use the paper street, except as an extension of the town's right, unless you have specific deeded rights.

Maureen

[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



U15-3.jpg
1040K

Michael Norton <robert.michael.norton@gmail.com>
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 23, 2016 at 10:21 AM

Hi Maureen,

Thank you for keeping me in the loop on this, and glad I could help. I live at 202 Two Lights and according to the map you sent, it looks like the paper street ends at my property line that is beside 200 Two Lights Road. The remaining land that extends from the paper street line to the beach, what would you call this land that was designated as one long paper street by my surveyor?

Thank you!

Mike

R. Michael Norton

E: robert.michael.norton@gmail.com
M: 207-632-9577

On Feb 23, 2016, at 10:02 AM, Maureen O'Meara <maureen.omeara@capeelizabeth.org> wrote:

Mr. Norton,

Thank you for forwarding this information, which I used to identify the paper street. It is, in fact, shown on a subdivision plan, so I believe it qualifies as a paper street. I have added it to the paper street inventory (see attached) and the online report will be updated shortly.

Because your lot is not in the subdivision that created the paper street, I do not know if you have any rights to use the paper street, except as an extension of the town's right, unless you have



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

LP Murray - question about paper streets meeting?

2 messages

LP Murray <skip@lpmurray.com>

Mon, Feb 15, 2016 at 10:44 AM

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hi Maureen

We received the meeting notice for the paper streets meeting 2/24. I am assuming I received it because of Old Sea Point Road, but it was very hard for us to tell what might be near us. Skip had his microscope out trying to read the map, but couldn't find anything. Is there something very close to Old Sea Point that we are missing? Or is it another piece of property we own that is close? Sorry to bother you, just making sure we know what areas we are talking about!

Thanks

Kris

--

Please note we now have a new email address
Please send all future emails to Skip@LPMurray.com

Kris
L.P. Murray & Sons
P.O. Box 6257
Cape Elizabeth, ME 04107

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 16, 2016 at 9:57 AM

To: LP Murray <skip@lpmurray.com>

Kris,

You should put the magnifying glass away and instead look at the 2015 paper street report on the town website. Please let me know if you have other questions.

http://www.capeelizabeth.com/home/topics/paper_streets/docs/2015%20Paper%20Street%20Report%20w%20appendix_20160125.pdf

Maureen

[Quoted text hidden]

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Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper street question

2 messages

edward <eoperry@hotmail.com>

Mon, Feb 15, 2016 at 6:49 AM

To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>

Is the Pine Ridge Road extension Green Belt path between Pine Ridge Rd. and Broad Cove Rd. still considered a paper street ?

Thank you, Ed Perry, 10 Pine Ridge Rd.

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 16, 2016 at 9:48 AM

To: edward <eoperry@hotmail.com>

I believe so.

Maureen

On Mon, Feb 15, 2016 at 6:49 AM, edward <eoperry@hotmail.com> wrote:

Is the Pine Ridge Road extension Green Belt path between Pine Ridge Rd. and Broad Cove Rd. still considered a paper street ?

Thank you, Ed Perry, 10 Pine Ridge Rd.

--

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street Deliberations Input

2 messages

Grant Dinmore <gcdinmore@maine.rr.com>

Sun, Feb 14, 2016 at 3:10 PM

To: maureen.omeara@capeelizabeth.org

Good morning, Ms. O'Meara:

We wish to submit a written statement pertaining to the disposition of the the Paper Street *Arbutus Road* (U 4-5) to which our property abuts. To whom should this be addressed/delivered?

Judy & Grant Dinmore
11 Rocky Knoll Road

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 16, 2016 at 9:43 AM

To: Grant Dinmore <gcdinmore@maine.rr.com>

Mr. and Mrs. Dinmore,

If you send your comments to me, I will forward them to the Town Council. For clarify, please address the comments to the Town Council and you can use my email address.

Maureen

[Quoted text hidden]

—
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hannaford Cove Area Neighborhood Public Meeting

2 messages

Christopher Bond <bond.christopher.a@gmail.com>

Sun, Feb 14, 2016 at 3:29 PM

To: maureen.omeara@capeelizabeth.org

Hi Maureen, I am Chris Bond and I own property on Sunrise Drive and have easement rights over other "paper" roads in that area. I'm interested in the map that you sent to me but can't read the legend which explains the highlighted areas. Can you give me something that is more legible?

Many thanks,

Chris Bond
207.671.9979

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Tue, Feb 16, 2016 at 9:47 AM

To: Christopher Bond <bond.christopher.a@gmail.com>

Mr. Bond,

Please refer to the 2015 Paper Street report posted to the town website.

http://www.capeelizabeth.com/home/topics/paper_streets/docs/2015%20Paper%20Street%20Report%20w%20appendix_20160125.pdf

Maureen

[Quoted text hidden]

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Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Paper Street off Cliff Ave

3 messages

lisa chase <lisaannchase@gmail.com>

Thu, Feb 11, 2016 at 9:00 AM

To: maureen.omeara@capeelizabeth.org

Hello Maureen,

Following up on my call to you, I live at 26 Cliff Ave and I believe there is a paper street that abuts my property. It does not appear on the current spreadsheet of paper streets.

Thank you.
Lisa Chase

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Thu, Feb 11, 2016 at 9:03 AM

To: lisa chase <lisaannchase@gmail.com>

Thank you.

Maureen

[Quoted text hidden]

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Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Mon, Feb 22, 2016 at 10:38 AM

To: lisa chase <lisaannchase@gmail.com>

Lisa,

I've done some research, pulled some plans and agree with you that there is a paper street abutting your property. I have updated the Paper street report (See page 6.1) with the attached. I will also update the spreadsheet and get that posted.

Thank you for bringing this to my attention.

Maureen

On Thu, Feb 11, 2016 at 9:00 AM, lisa chase <lisaannchase@gmail.com> wrote:

[Quoted text hidden]

--

Maureen O'Meara

Cape Elizabeth Town Planner

320 Ocean House Rd

Cape Elizabeth, Maine 04107

(207) 799-0115

maureen.omeara@capeelizabeth.org

Your message has been sent.

Mail

COMPOSE

Paper street

Inbox x

Inbox (35)

- Starred
- Important
- Sent Mail
- Drafts
- Aerials
- Cons Comm
- Day Camp
- Follow up
- FOSP
- FW
- Golden Ridge
- MAP Conf
- Misc
- NHWL
- Ord Comm
- PACTS
- PB
 - Cell
 - Event Ord
 - Land Use Amdts
 - Resiliency Grant
 - Tech Amdts 2015
- Priority
- Project Canopy
- Rental homes
- Shore Rd
- Sub Ord
- Survey
- SZ
- Town Center
 - TC petition
- Trail Closure List
- Trout Brook
- More

Integlia, Mark <MInteglia@elliott-hs.org> Feb 18 (4 days ago)
to me

Thank you for the helpful conversation yesterday. I was the gentleman who called re the paper street issue; I currently own U-36, lot 33. I live in Bedford, NH.

I did go to the website and found that my property: U36 lot 33 was not listed or cited. I did see U36-1,2,3 and 4 but did not think any of these represented my property as my lot is clearly stated on paperwork as U36.

I would think in this case there are no paper streets which abut or cross my property line and therefore no action/follow up needed on my part?

Look forward to any thoughts/comments you may have in this regard.

Thanks again.

MJI

**** CONFIDENTIAL COMMUNICATION - PLEASE READ PRIVACY NOTICE
 **** This communication is confidential and may be read only by its intended recipient(s). It may contain legally privileged and protected information. If you believe you have received this communication in error, please "Reply" to the Sender and so indicate or call [\(603\) 663-2800](tel:6036632800). Then, please promptly "Delete" this communication from your computer. This communication, and any information contained herein, may only be forwarded, printed, disclosed, copied or disseminated by those specifically authorized to do so. UNAUTHORIZED DISCLOSURE MAY RESULT IN LEGAL LIABILITY FOR THOSE PERSONS RESPONSIBLE.

Maureen O'Meara <maureen.omea@...> 8:55 AM (0 minutes ago)
to Mark

Mr. Integlia,

I have not identified any paper street abutting your lot, U36-33.

Maureen

February 4, 2016

Maureen O'Meara

Town Planner

Cape Elizabeth, Me 04107



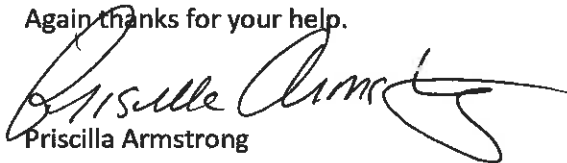
Maureen,

Thank you for taking the time to speak to me today. To reiterate our conversation, I do not feel that my driveway should be included as a paper street on the town maps.

This piece of property was sold to Jeffrey Armstrong in 1984 as a single lot with very clear property markers that delineate the boundaries of the PWD lot and the World War Two Observation (Keenan) Tower property.

Again, I appreciate your willingness to remove my driveway from the Avon Road paper street section. I have included a 2004 Cape Elizabeth Tax Map which appears to have the paper streets mapped out. The oak Grove section is interesting as it does not seem to account for that little section now owned by the Keenan's which was for the US government cables.

Again thanks for your help.


Priscilla Armstrong



For Assessment Purposes Only
As of 04/01/2004

Town map
2004

Scale: 1 inch = 300



U13

U42

U42

R03

U36

BEECH ROAD

TANDY ROAD

WAPLIN ROAD

KATAMUN ROAD

AVON ROAD

ALCOCK ROAD

SPOONDRIFT LANE

WESTFIELD ROAD

HOUSE ROAD

OLD OCEAN ROAD

TANDY ROAD

LANE

1:1 1:1 1:1



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Fwd: Shore Acres paper streets

1 message

Michael McGovern <michael.mcgovern@capeelizabeth.org>

Sat, Feb 6, 2016 at 5:38 PM

To: "Maureen O'Meara (Maureen O'Meara)" <maureen.omeara@capeelizabeth.org>

----- Forwarded message -----

From: **Gerald French** <gfrench18@tampabay.rr.com>

Date: Sat, Feb 6, 2016 at 3:52 PM

Subject: Shore Acres paper streets

To: cetowncouncil@capeelizabeth.org

Dear Town Council Members,

Because we are away for the Feb 24th meeting concerning Shore Acres paper streets, we would like to let you know that we support the extension of all paper streets in our neighborhood. Atlantic Place and Surfside Avenue, in particular, increase our quality of life and our property values in Shore Acres. We have lived in Shore Acres since since 1975. It is the best!

Thank you.

With regards,
Betsy and Jerry French
14 Pilot Point Rd.



Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Brentwood paper streets

2 messages

Tom Emery <temery@foresidearchitects.com>
To: maureen.omeara@capeelizabeth.org
Cc: Tom <temery001@maine.rr.com>

Wed, Jan 27, 2016 at 12:38 PM

Hi Maureen,

Thank you for the public notice regarding paper streets in Brentwood. As a resident of "Old Brentwood" (or is it "Brentwood East"?), my intention is to attend this evening's meeting. However, in the event something were to change that (swimming), I have 3 opinions regarding paper streets as follows:

A. In general

1. If I were an abutter, I would like to have it split between the two abutters assuming it is the same depth as the two abutting lots.

2. As a designer or builder, I would like to explore an option for a creative single family, south-facing home design on an existing, non-conforming lot. 43'x100' provides a building envelope 23 ft. wide by 65 ft. Alas however, the 10,000 sf min lot size and 25% max building coverage put the kibosh on that opportunity. (A cursory look at RC zoning seems that old Brentwood is essentially non-conforming with many - if not most - lots hovering around 10,000 sq. ft. and our mid-block, "estate lot" at 12,000 sq. ft., just squeaking by the minimum lot size for non-conforming lots. but I digress!)

3. As a bird lover, I would like to see it used as passive open spaces with spruce and hemlock planted for cover; deciduous trees for habitat and Weigela and broad leaf evergreen shrubs for summer and winter food source/cover.

B. Pedestrian access/ path. Rumor is that there is a path that runs along the back ("new") Brentwood house lots. If the parcel at the corner of Star Rd. & Dearborn Dr. is a trail head to a deeded pedestrian path, I think it makes sense for the town to maintain that easement.

As an aside, the ice storms of 1998 and Patriot's Day 2006 have significantly impacted the once wooded character of parts of Brentwood. What was not lost due to storm damage, some residents, included us, have taken preemptive measures to remove leaning trees, and trees that overhang buildings. This is particularly evident along Dearborn Dr. in the area of the paper street parcel. If this parcel were to be maintained as open space, it would be a good location for plantings of mixed evergreen and deciduous trees. They don't have to be large; at 1 ft. growth per year, they will be tall enough soon enough.

Thank you Maureen.

Regards,

Tom Emery

12 Juniper Ln.

Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Wed, Jan 27, 2016 at 1:34 PM

To: Tom Emery <temery@foresidearchitects.com>
Cc: Michael McGovern <michael.mcgovern@capeelizabeth.org>

Tom,

So nice to hear from you and thank you for your comments. I hope to see you this evening, but will also forward your comments to the town manager. I expect all comments will also be sent to the town council.

Maureen

[Quoted text hidden]

Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

Maureen P. Quinlan
Eric R. Kruger
33 Beach Bluff Terrace
Cape Elizabeth, ME 04107

July 12, 2015

Planning Board
C/O Maureen O'Meara
Town Planner
P.O. Box 6260
Cape Elizabeth, Maine 04107

RE: Thompson Road & 33 Beach Bluff Terrace, Cape Elizabeth (Map U10, Lot 026, Account: K0896R)

Dear Mr. Jonathan Sahrbeck, Ms. Carol Anne Jordan, Ms. Victoria Volent, Ms. Elaine S. Falender,
Mr. Henry Steinberg, Mr. Josef Chalat, & Mr. Peter L. Curry,

We are writing to comment on the 2015 Paper Street Report. We wish to express our concerns about the possibility of Thompson Road lapsing and town rights to the road being vacated. We purchased our home, at 33 Beach Bluff Terrace, in 1997. Years later we purchased the property behind our home and lots to the east. As you are aware, Thomson Road runs through these lots.

Our lot borders the second home of the driveway of Thomson Road. It appears the entire length of Thompson Road will not be extinguished. We request the Planning Board allow the paper road to continue at least to our property. If Thompson Road is extinguished it would be difficult for us to access the property via Beach Bluff Terrace. Our home on Beach Bluff Terrace covers a substantial width of our Beach Bluff Terrace frontage, making even a private driveway to the back lot difficult to build. We have a driveway only one car width wide.

We wish to continue, to have the option, to access the lot from Thomson Road. In the future, it is our wish to sub-divide our lot on Thomson Road from 33 Beach Bluff Terrace. We have two children. We hope to leave the house to one of our children and the lot to the other child, to build a home. In that way they always have a home in Maine. These children are now minors and as such we have not made plans for such a division. We hope and pray to be here for next discussion regarding paper roads in twenty years. We can, if need be, extend the driveway during that twenty year period.

Thank you for your time and consideration in this matter.

Sincerely,

Maureen P. Quinlan

Eric R. Kruger

Maureen P. Quinlan

Eric R. Kruger

WARRANTY DEED

KENNETH RAY of Cumberland, Maine, whose mailing address is 57 Foreside Road, Cumberland Foreside, Maine 04110 ("Grantor"), for consideration paid, grants to MATTHEW FAULKNER and ALICE L. GRANT of Cape Elizabeth, Maine, whose mailing address is 61 Beach Bluff Terrace, Cape Elizabeth, Maine 04107, as joint tenants, with Warranty Covenants, the following described premises in Cape Elizabeth, Cumberland County, Maine:

A certain lot or parcel of land, located northerly of Beach Bluff Terrace, Cape Elizabeth, Maine, being Lots 242, 243, 244 and 245 as shown on a plan entitled "Beach Bluff Addition" by E.B. Cummings, Engr. dated September 1911 and recorded in the Cumberland County Registry of Deeds in Plan Book 13, Page 89 (the "Plan"), which lots are also shown as a portion of "Remaining Land of Ray" on a plan entitled "Plan depicting a Private Accessway made for Kenneth Ray, Northwesterly Sideline of Shore Road, Cape Elizabeth, Maine" by James D. Nadeau, LLC dated March 1, 2007, revised as of August 14, 2007, and recorded in said Registry of Deeds in Plan Book 207, Page 508.

Also hereby releasing all right, title and interest of the Grantor in the following described lot or parcel of land adjacent to the above described lots, including all fee title of the Grantor and all rights and easements to use said parcel:

A certain lot or parcel of land located in Cape Elizabeth, Maine being a portion of Thompson Road as shown on the Plan, being more particularly described as follows: Beginning at the southwesterly corner of Lot 245 on the Plan; thence generally southerly in a straight line a distance of twenty-five (25) feet, more or less, to the northwesterly corner of land of Matthew B. Faulkner and Alice L. Grant as described in a deed dated October 5, 2007 and recorded in the Cumberland County Registry of Deeds in Book 25552, Page 142; thence generally easterly along the northerly boundary of said land of Faulkner and Grant a distance of eighty (80) feet, more or less, to the northeasterly corner of said land of Faulkner and Grant; thence generally northerly in a straight line a distance of twenty-five (25) feet, more or less, to the southeasterly corner of Lot 242 on the Plan; thence generally westerly along the southerly boundary of Lots 242 through 245 a distance of eighty (80) feet, more or less, to the point of beginning.

The above described interests in Thompson Road are excepted from the warranty covenants herein and are subject to any public or private rights of others that may exist in Thompson Road as a so-called "paper street".

Being a portion of the premises conveyed in a deed from Merton A. Rutherford and Joan T. Rutherford to Kenneth Ray dated October 27, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24537, Page 50.

Witness my hand and seal this 29 day of January, 2009.

MAINE REAL ESTATE TAX PAID

WITNESS

Jean Marie Spickel

Kenneth Ray
Kenneth Ray

State of Maine, County of Cumberland

January 29, 2009

Personally appeared before me the above named Kenneth Ray and acknowledged the foregoing instrument to be his free act and deed.

Jean Marie Spickel
Notary Public/Attorney at Law
Print Name: _____
Commission Expiration: _____

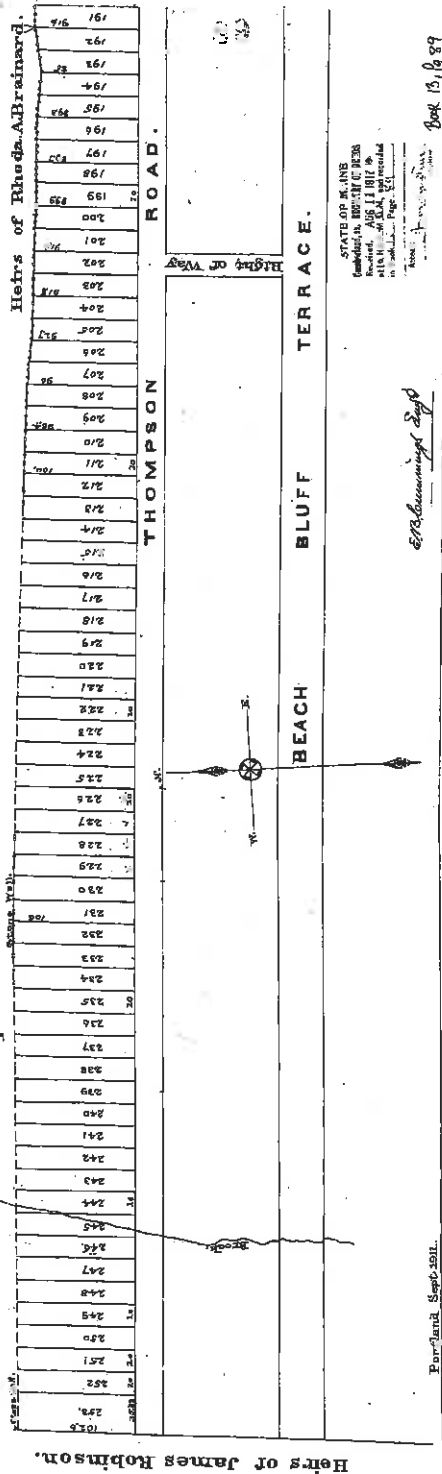
JEAN MARIE SPICKEL
Notary Public, Maine
My Commission Expires August 27, 2013

SEAL

Received
Recorded Register of Deeds
Jan 29, 2009 03:21:15P
Cumberland County
Pamela E. Lovier

BEACH BLUFF ADDITION.

Cape Elizabeth, Maine.





PROPERTY MAPS
TOWN OF CAPE ELIZABETH, MAINE

James H. Thomas
GIS Solutions of Maine
Cumberland, Maine
jht@maine.rr.com

These maps are intended to be used for the purpose of Property Tax Assessments and should not be used for conveyances.
Revised to April 1

Scale: 1 inch = 100'

2015
MAP: U10

