

2015 Paper Street Report
Updated 8-2-2016

Introduction

When a subdivision plan is recorded in the Registry of Deeds, a right of incipient dedication is conveyed to the town for any streets shown on the plan. If these streets are not subsequently constructed, they are known as "paper streets."

In 1997, the state required that municipalities take action on the status of paper streets. The Town of Cape Elizabeth conducted an inventory of paper streets, analyzed current and potential future needs for the paper streets, and ultimately extended municipal incipient dedication rights in almost all paper streets. The 20 year extension will expire in 2017. This report updates the original inventory and analysis.

Current status

The attached chart (updated 8-2-2016) lists existing paper streets. Maps showing paper streets are also included. Each paper street has been evaluated for the following elements:

Length: In order to give the Town Council, at a glance, a sense of the magnitude of a paper street, a measurement of the approximate length of the street in linear feet is shown. The width of paper streets is determined by the recorded subdivision plan. Widths generally range from 15'-50' wide.

Year recorded: This is the year that the subdivision plan that created the paper street was recorded. Please note that it is not unusual for one or more amendments to a subdivision to be recorded. Only one recording is referenced.

Driveway/Private Rd: Many paper streets include within a portion of its length a private road or driveway. In 1997, the decision was made to extend all paper streets that included driveways. If a paper street expires, the land under the street is divided between the property owners abutting the street. Property owners could easily find themselves in the situation where their driveway is all or partially on someone else's property. In order to avoid survey/easement/legal costs for residents, extending the paper street continued the status quo.

Utility: Sewer, water, stormwater pipes, drainage channels and other infrastructure have been located in some paper streets. (Symbols include blue line, yellow line, green wavy lines). The length of street that includes infrastructure is indicated.

Lot access: There remain existing, potentially buildable lots created by the original subdivision recording that only have access on paper streets.

Turnaround: A few paper streets serve as the turnaround area for existing, dead-end town roads.

Trail: Many greenbelt trails have been created in paper streets to provide access from a neighborhood to publicly accessible open space.

Potential trail: The 2013 Greenbelt Plan includes recommendations for creating new greenbelt trails in existing paper streets. (Symbol is X)

Open Space Proximity: The Town of Cape Elizabeth has approximately 1,200 acres of open space and some of this open space abuts paper streets. (Symbol for public open space is shaded or striped green areas)

Quantity

Cape Elizabeth has roughly 3.75 miles of paper streets. This measurement includes paper streets where a portion of the paper street may include a private road or driveway. The town currently has 63 miles of public road, so paper streets would equate to roughly 5% of the town road system.

Post 1997 Construction

Several paper streets where municipal rights were extended in 1997 have since been constructed or proposed for construction to create road access. Of the paper streets extended in 1997, approximately 1/2 mile of new road or driveway has been constructed to provide vehicle access.

Public roads: (Waverly Rd 130', Grover Rd 460')	590'
Private roads: (Katahdin Rd, 175', Harvest Ln 175')	350'
Private accessways: (Penny Ln 200')	200'
Approved for construction but not yet built: (Elizabeth Rd/Old Hayfield Ln 200').	200'
TOTAL	1,340' (1/2 mile)

Utilities

Public water, public sewerage, stormwater pipe and open stormwater drainage have been installed in paper streets. Some paper streets include multiple utility lines. There are over 4,645 linear feet (roughly 9/10th of a mile) of utility infrastructure in paper streets. These utilities have relied on the implied public easement rights that run with proposed streets. The Cape Elizabeth Public Works, Fire and Police Departments and the Portland Water District have reviewed the paper street inventory. All utilities referenced by the Portland Water District have been added to the paper street map. Comments are also attached to this report.

Greenbelt Trails

Cape Elizabeth residents can enjoy approximately twenty four miles of public greenbelt trails. Of that, almost 3/4 of a mile of trail is located in paper streets. In addition, another 3/4 of a mile of paper streets has potential as a greenbelt trail.

The importance of greenbelt trails in paper streets is better demonstrated by their location rather than their quantity. By their nature, paper streets offer excellent opportunities as connector trails for neighborhoods to the greenbelt system.

Next Steps

The Town Council will separately receive advice on possible options. This report, however, does identify four paper streets where the Town Council may wish to allow public rights to lapse. These streets include: Hazelwood, Thompson Rd, Allen Rd, and an unnamed road off Pine Ridge Rd, which is surrounded by town open space.

Draft Paper Streets Inventory 2016

ID #	Name/Location	Length (ft)	Year recorded	Bk/Pg	Driveway/Private Rd	Utility	Lot access	Turnaround	Trail	Potential Trail	Open Space Proximity	Current status	2015 Conservation Commission Recommendation	2015 Planning Board Recommendation	2016 Town Council Proposal
U1-1a	Stone Dr (north)	65	1904	10/81						60		Potential greenbelt trail (connects to existing pedestrian easement)	Retain	Retain	Accept
U1-1b	Stone Dr (south)	200	1904	10/81				X				Possible road turnaround	Retain	Retain	Accept
U1-2	Cliff Ave (south)	200	1902	9/105				25	Casual trail			Turnaround/vacant	Retain	Retain	Accept
U1-3	Cliff Ave west	400	1904	10/81	130		X		410	X		existing greenbelt trail	Retain	Retain	Accept
U1-4	Cliff Ave east	190	1902	9/105	190			X	Casual trail			Existing private gravel road/access			Accept
U2-1	Seaview Ave /Ottawa Rd	150	1900	9/39	50	300						sewer pump station, boat storage	Retain	Retain	Extend
U2-2	Ottawa Rd (water)	75	1900	9/39		50						sewer and water line	Retain	Retain	Extend
U3-1	Baker Rd ext	120	1907	11/91						120	X	existing trail	Retain	Retain	Accept
U3-2	Forest Rd ext	525	1907	11/91		40					X	wetland abutting town open space, sewer line crosses rd	Retain	Retain	Accept
U3-3a	Stonybrook (southeast)	50	1912	12/43							X	vacant abutting town open space	Retain	Vacate	Accept
U3-3b	Stonybrook (southwest)	50	1912	12/43							X	abutter requests vacation to build garage			Vacate
U3-4	Crescendo Terrace (50'w)	470	1910	12/15	110	480	X					drainage easement/wetland, sewer easement (75')	Retain	Retain	Extend
U3-5	Crestway (40'w)	320	1910	12/15	110		X					driveway	Retain	Retain	Extend
U3-6	Ocean View ext	260					X				X	wetland abutting town open space	Retain	Retain	Accept
U4-1	Waverly (40'w)	400	1923	15/39	175					230		driveways/trail	Retain	Retain	Extend
U4-2	Hazelwood (35'w)	290	1923	15/39								vacant	Retain	Retain	Extend
U4-3	High Bluff Rd (40'w)	110	1936	23/40	50	50						stormwater drainage, east-driveway, west-vacant	Retain	Retain	Extend
U4-4	Quarry Rd	770	1931	20/78	100		X				X	access CELT open space/lot access w driveway	Retain	Retain	Extend
U4-5	Arbutus Rd (35'w)	425	1923	15/39	20	120					X	wetland abutting town open space, drainage	Retain	Retain	Extend
U7-6	Delano Park	740	1899	9/9	125	520						driveway/vacant	Retain(1)	Retain	Extend
U7-8	Delano Park	500	1899	9/9		20						water line, drainage	Retain	Retain	Extend
U8-1	Woodcock Rd (40'w)	170	1939	25/51			X					lot access (lot may not be buildable)	Retain	Retain	Extend
U10-1	Thompson Rd	1780	1917		200							private rd/wetland; lots owned by abutters across rd	Vacate	Retain	Extend 650', then vacate
U12-1	Avon Rd	525	1911	12/45			X				X	access to CELT open space	Retain	Retain	Vacate all but frontage along PWD lot
U12-2	Oak Grove Rd (north)(50' w)	330	1911	19/45	120	140						driveway/lot access/potential trail	Retain	Retain	Extend
U12-3	Oak Grove Rd (south)	1130	1911	12/45	200		X				775	stormwater drainage	Retain	Retain	Extend
U12-5	Surf Side Ave	2250	1911	12/45	1200	200	X			300	1330	potential trail; lot has alternative access	Retain	Retain	Extend or accept
U12-6	Old Hayfield Rd	200	1911	12/45	80	10	X					approved private road/accessway (formerly Elizabeth Rd); stormwater drainage	Retain	Retain	Extend
U12-7	Wabun Rd/Bigelow Rd	600	1911	12/45	170	170	X					Bigelow Way private rd/lot access	Retain	Retain	Extend
U12-8	Atlantic Place	580	1911	12/45	160		X				580	driveway/lot access/ access to potential trail	Retain	Retain	Extend or accept
U12-9	Elizabeth Rd	260	1911	12/45	80	260						stormwater drainage	Retain	Retain	Accept
U15-1	Lighthouse Point Rd	130	1968	76/8							130	Adjacent to coast guard land; has potential trail access for neighborhood	Retain	Retain	Accept
U15-2	Balsam Rd	30	1968	76/8								portion where no road is constructed	Vacate	Vacate	Vacate
U15-3	Two Lights (north)	500	1968	76/8								per abutter			Extend
U19-1	Gladys Rd	80	1963	62/14						80		existing trail	Retain	Retain	Accept
U19-2	Hampton Rd/Penny Ln(50'w)	250	1968	75/31	200	150	X				250	private rd/drainage easement/access to vacant land	Retain	Retain	Accept
U19-3	Sweet Fern Rd (50'w)	120	1968	75/31		100	X					Access to vacant land; stormwater drainage	Retain	Retain	Accept
U20-1	Grover Rd	100	1959	51/20						100		existing trail	Retain	Retain	Accept
U21-1	Dearborn Rd south	90	1955	44/12		90						Stormwater drainage, labeled on plan as open space	Vacate	Vacate	Accept
U21-2	Dearborn Rd north	90	1955	44/12	20					90		Connects to Brentwood neighborhood owned open space/trail; labeled on plan as open space	Vacate (2)	Vacate (2)	Accept
U29-1	Harrison Ave	200				200						potential drainage easement/vacant	Retain	Retain	Accept
U29-3	North St	610	1925	16/52		610				610		existing trail	Retain	Retain	Accept (advice from Town attorney)
U29-4	Stephenson St	350	1925	16/52	240	350	X			170		private road/trail access/ major sewer line	Retain	Retain	Extend
U29-6	South St	475	1925	16/52	450	475						sewer line	Retain	Retain	Extend
U30a-1	Allen Rd	400	1984	143/46									Retain	Vacate	Vacate
U32-1	Wedgewood Rd (40'w)	590	1962	61/56	100	150				500	590	driveway/access to private open space, private stormwater drainage	Retain	Retain	Accept
U33-3	Highland St	580	1904	9/19		300	X					lot access/vacant, includes private sewer	Retain	Retain	Extend
U33-4	Valley Rd/S Curve St	440	1904	9/19	100		X					driveway/vacant	Retain	Retain	Extend
U33-5	Moonshadow Rd	200	1902	9/119	200	75						called Pine St in subdivision plan, includes private sewer			Extend
U33-6	Hill Place	180	1902	9/119								Potential second access for dead end w/3 homes on Lydon Ln			Vacate
U33-7	Lydon Ln	1200	1955	43/1	750							May include private utilities, casual trails			Table to workshop
U36-1	Spoondrift (north)	170	1964	77/39			X					Lot access/potential trail access	Retain	Retain	Table to workshop
U36-2	Spoondrift (west)	160	1964	77/39	60		X					driveways	Retain	Retain	Table to workshop
U36-3	Pine Ridge Rd	1250	1964	77/39	90	250				1250	X	existing trail/ Abutting town open space	Retain	Retain	Accept
U36-4	off Pine Ridge Rd	200	1964	77/39							X	abutting town open space	Vacate	Vacate	Vacate
U42-2	Katahdin Rd	75	1964	68/24	75					75		first 75' held for driveways/rest vacated	Retain	Retain	Extend
TOTAL		22,605			5,555	5,110	18x	25	3,860	###	10x				

(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.

"Retail" or "Extend" means the Town Council will adopt an order to extend municipal rights for 20 years
 "Vacate" means the Town Council will take no action and municipal rights will expire in 2017
 "Accept" means the Town Council will adopt an order accepting municipal rights, probably for defined purposes



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

RE: DRAFT 2015 Paper Street Report

1 message

Norman Twaddel <ntwaddel@pwd.org>

Wed, Jan 14, 2015 at 9:23 AM

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

Maureen, I have looked at the paper streets in your report and all are accurate as far as PWD water and sewer lines are concerned. The following have PWD water and/or sewer lines located in them::

Ottawa Road – U2-1 We have a sewer line that runs the entire length of this strip.

Waverly – U4-1 - We have a 2.25" water main from Oakhurst in about 170 feet.

High Bluff Road -- U4-3 – We have a 20' of 6" water main in High Bluff Road from Wood Road westerly

Delano Park – U7-6 – We have 615' of 2" water main in this street.

Surf Side Avenue – U12-5 – We have 269' of 8" water main in this street

Old Hayfield Road – U12-6 – We have 270' of 6" water main between the 2 Reef Roads.

Bigelow Way – U12-7 – We have 180 feet of 4" water main from Katahdin Road southwesterly.

Penny Lane -- U19-2 – We have 180' of 4" water main from Gladys Road southerly.

Harrison Avenue – U29-1 – We have 200' of 8" water main in Harrison Road between Spurwink Road and Waterhouse Road.

Stephenson Street – U29-4 - We have 370 feet of 8" water main in Stephenson Street from Spurwink Road to South Street.

South Street – U29-6 – We have 300 feet of 4" main then 180 feet of 8" main in South Street from Stephenson southerly then continuing onto Aster Lane.

**Appendix
Maps of Paper Streets**

U1-1a, U1-1b, U1-2, U1-3



U1-1a (est. 65'): Stone Dr (north)
Existing conditions: Potential for trail connection to existing pedestrian easement.

U1-1b (est. 200'): Stone Dr (south)
Existing conditions: Potential for road turnaround.

U1-2 (est. 200'): Cliff Ave(south)
Existing conditions: Includes an existing road turnaround estimated 25' long.

U1-3 (est. 400'): Cliff Ave (west)
Existing conditions: Includes existing trail (est. 400')

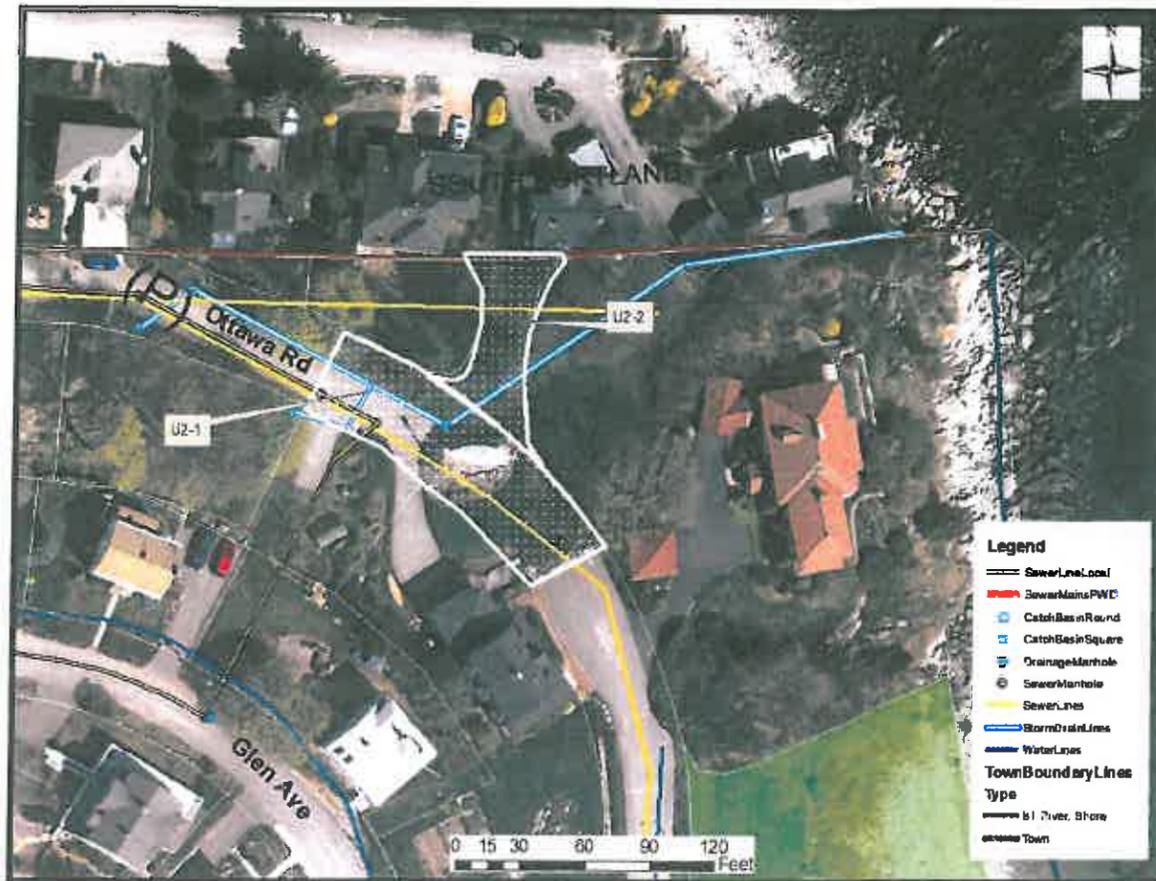
U1-4



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

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

U2-1, U2-2



U2-1 (est. 150'): Seaview Ave/Ottawa Rd

Existing conditions: Includes a private driveway (est. 50'), a sewer pump station line (est. 300'), storm drain pipes, and also in use as a private boat storage area.

U2-2 (est. 75'): Ottawa Rd

Existing conditions: Includes a sewer line (est. 50'), storm drain line (est. 50').

Note: An abutting South Portland property owner has inquired about vacating this street and has in their possession a survey showing three different locations for Ottawa Rd.

U3-1, U3-2, U3-6



U3-1 (est. 120'): Baker Rd Ext

Existing conditions: Includes existing pedestrian trail (est. 120') and is adjacent to town owned land.

U3-2 (est. 525'): Forest Rd Ext

Existing conditions: Includes sewer line, is adjacent to town owned land, is identified as a possible trail location (est. 50') and is predominantly wetland.

U3-6 (est. 260'): Ocean View Ext

Existing conditions: Includes a storm drain outlet, sewer line, potential trail (est. 50') and is predominantly wetland.

U3-3a, U3-3b, U4-6



U3-3a (est. 50'): Stonybrook southeast
Existing conditions: Is adjacent to town owned land and predominantly wetland.

U3-3b (est. 50'): Stonybrook southwest
Existing conditions: Is adjacent to town owned land and predominantly wetland.
Note: The Town Council has received a request from the abutter to vacate the land to facilitate construction of a garage. A previous request was not granted after receiving significant public comment in opposition.

U4-5 (est. 425'): Arbutus Rd
Existing conditions: Currently or in the future a drainage way for the town owned lot on Stonybrook, which it abuts, and also includes a private driveway.

U3-4, U3-5



U3-4 (est. 470'): Crescendo Terrace
Existing conditions: Includes private driveway (est. 110'), lot access, and sewer line/manholes (est. 470').

U3-5 (est. 320'): Crestway
Existing conditions: Includes private driveway (est. 110'), and lot access.

U4-1, U4-2



U4-1 (est. 400'): Waverly
Existing conditions: Includes private driveway (est. 175') and existing trail (est. 230').

U4-2 (est. 290'): Hazelwood
Existing conditions: vacant.

U4-3



U4-3 (est. 110'): High Bluff Rd
Existing conditions: On the eastern side, there is a private driveway; on the west, it is vacant.

U4-4



U4-4 (est. 770'): Quarry Rd
Existing conditions: Includes a private driveway, lot access and is adjacent to open space owned by the Cape Elizabeth Land Trust.

U7-6



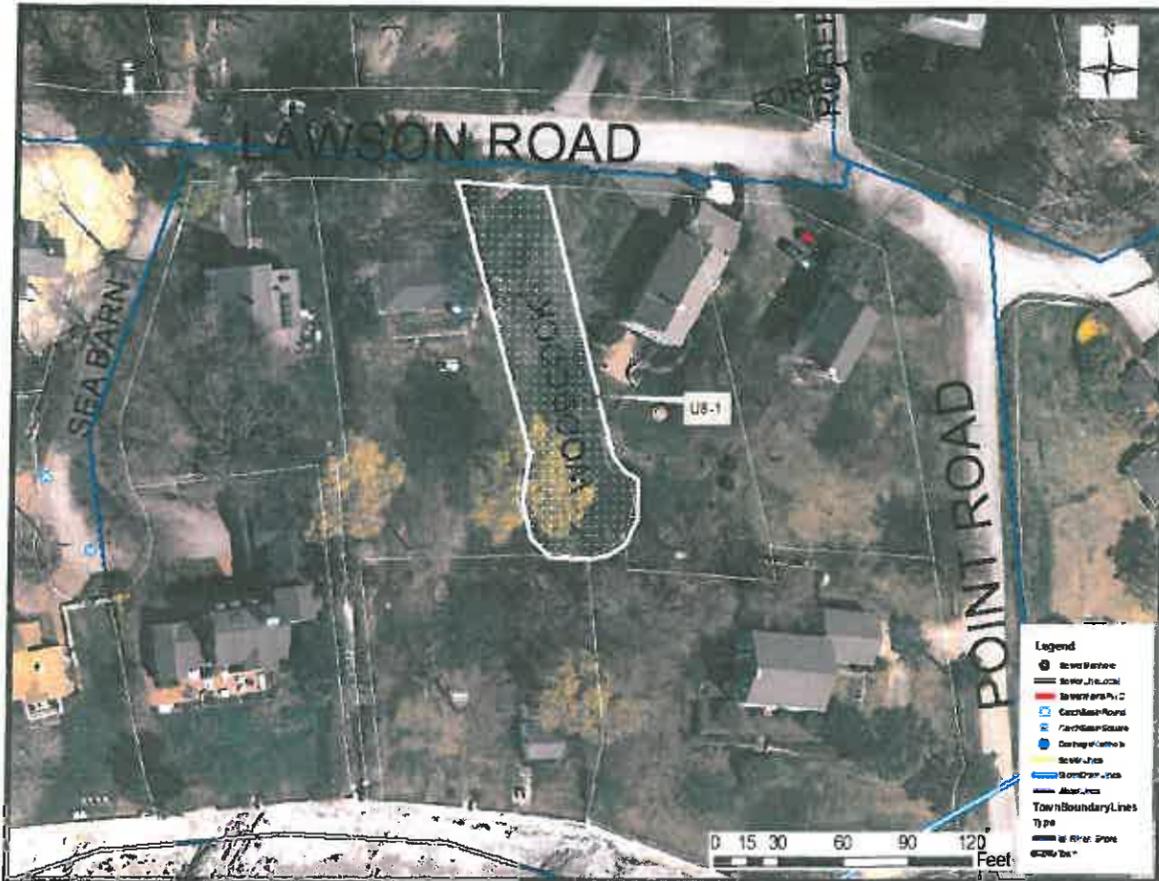
U7-6 (est. 740'): Delano Park
Existing conditions: includes a water line (est. 740') and a private driveway.

U7-8



U7-8 (est. 500'): Delano Park
Existing conditions: Includes water line (est. 50') and may also provide an area for drainage.

U8-1



U8-1(est. 170'): Woodcock Rd

Existing conditions: Potential lot access

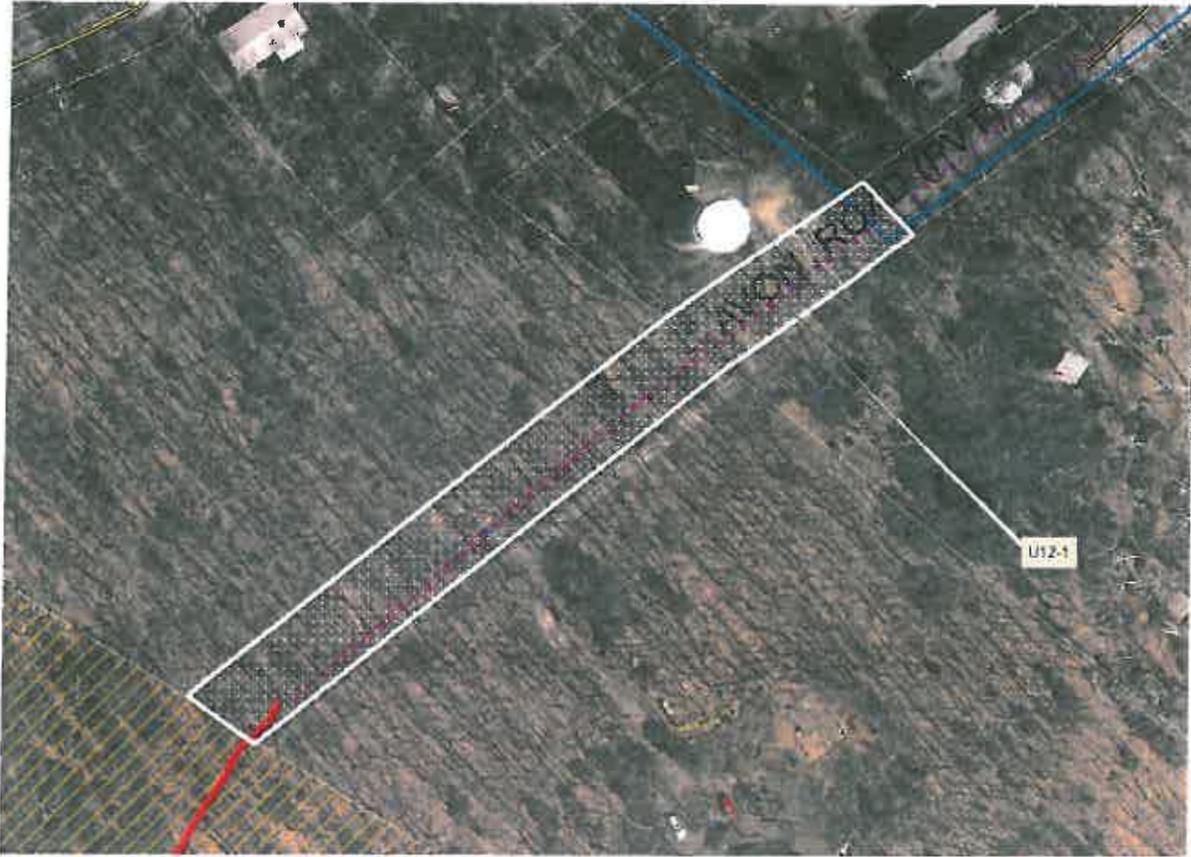
Note: An abutter has inquired about possible vacation of the paper street and neighbors have expressed concern about a possible vacation. Lot requiring street for access may not be buildable but there may also be potential for lot reconfiguration.

U10-1



U10-1(est. 1,780'): Thompson Rd
Existing conditions: Includes a private driveway for 2 lots. All remaining lots are owned by abutters on Beach Bluff Terrace.

U12-1



U12-1 (est. 525'): Avon Rd

Existing conditions: includes access to water tower lot and access to private driveway, potential trail, existing trail, and adjacent to existing open space easement held by the Cape Elizabeth Land Trust.

U12-2



U12-2 (est. 330'): Oak Grove Rd (north)
Existing conditions: Includes private driveways and drainage area.

U12-3



U12-3 (est. 1130'): Oak Grove Rd (south)

Existing conditions: Includes private driveways, lot access and a potential trail (est. 1130').

Note: This paper street is divided by privately owned land.

U12-5, U12-8



U12-5 (est. 2250'): Surfside Ave

Existing conditions: Includes private road, lot access, existing trail and potential trail.

U12-8 (est. 580'): Atlantic Place

Existing conditions: Includes private driveway, lot access, and potential trail.

U12-6, U12-9



U12-6 (est. 200'): Old Hayfield Rd

Existing conditions: Includes private driveway and lot access

Note: The entire length is approved by the Planning Board as a private road and private accessway.

U12-9 (est. 260'): Elizabeth Rd

Existing conditions: Includes a water line (est. 260').

U12-7



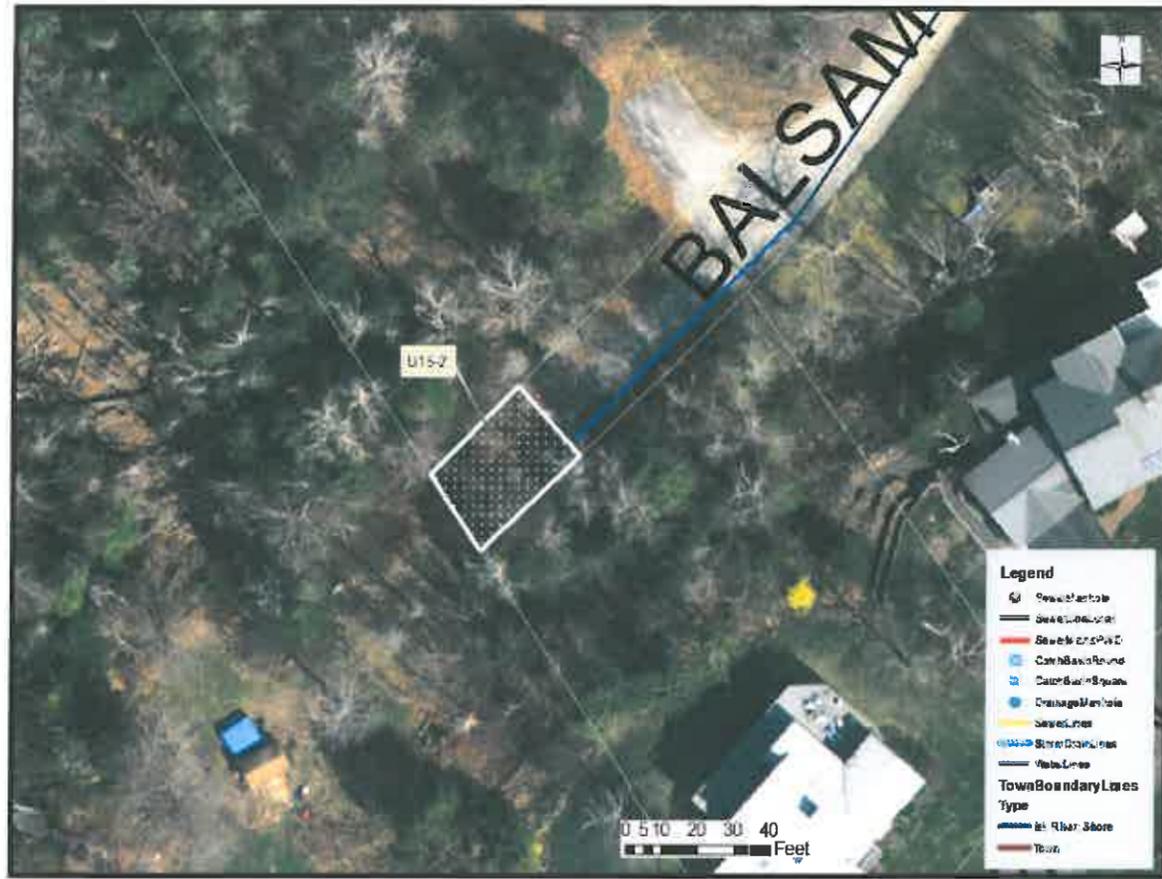
U12-7 (est. 600'): Wabun Rd/ Bigelow Way
Existing conditions: Includes a private accessway approved by the Planning Board (Bigelow Way), and lot access.

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



U15-2 (est. 30'): No significant features are identified.

U15-3



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

No significant features are identified.

U19-3



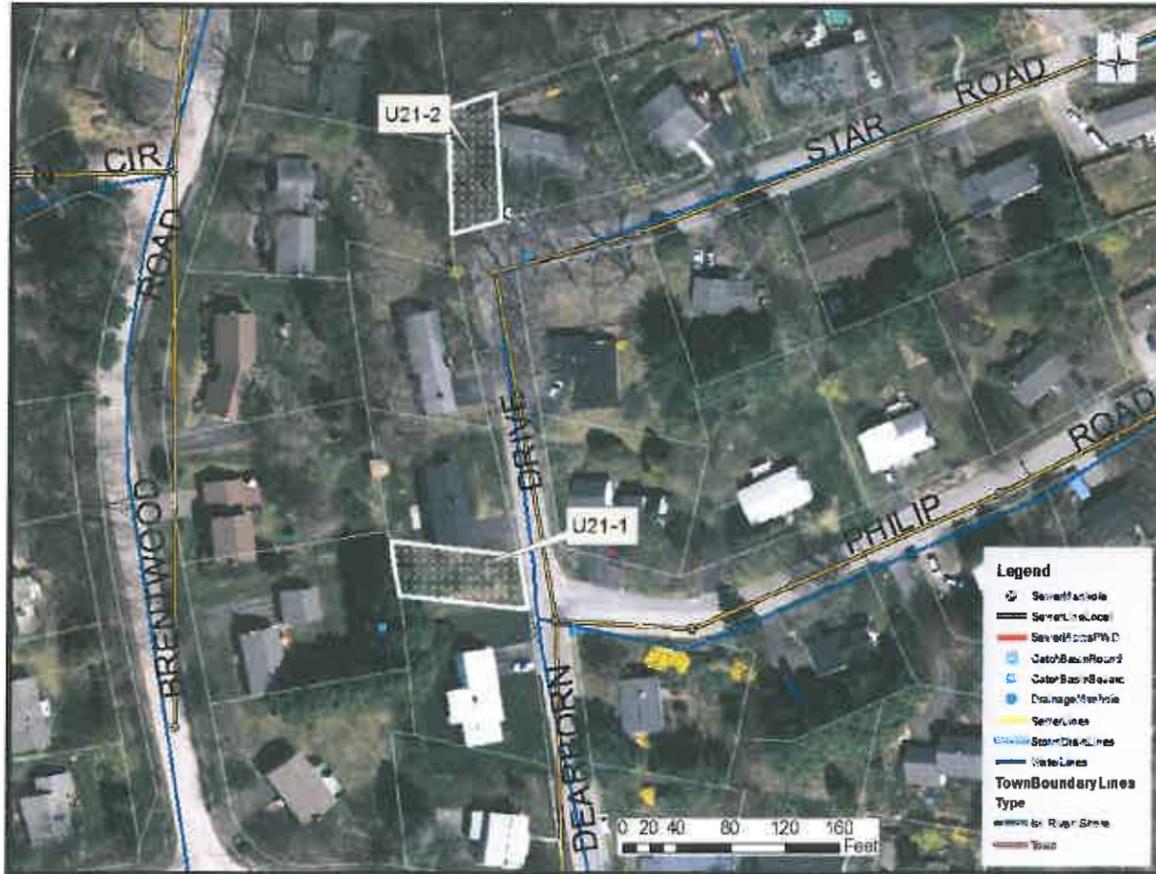
U19-3 (est. 120'): Sweet Fern Rd
Existing condition: Includes stormwater line and lot access.

U20-1



U20-1 (est. 100'): Grover Rd
Existing conditions: Includes existing trail created as part of Planning Board subdivision approval.

U21-1, U21-2



U21-1 (est. 90'): Dearborn Drive (north)
Existing Conditions: Includes private driveway and possible pedestrian access.

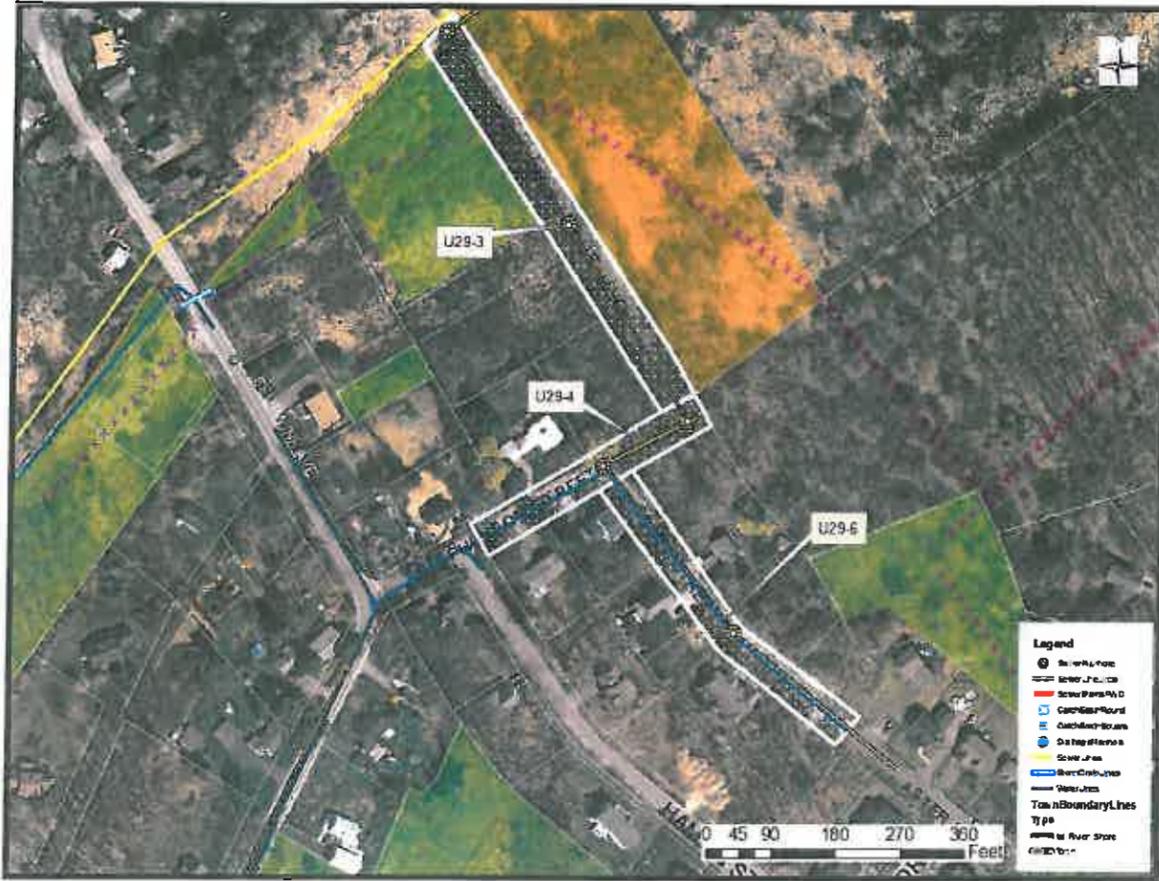
U21-2 (est. 90'): Dearborn Drive (south)
Existing Conditions: vacant, may be a good candidate for vacation.

U29-1



U29-1 (est. 200'): Harrison Rd
Existing conditions: Includes water line (est. 200') and also supports drainage.

U29-3, U29-4, U29-6



U29-3 (est. 610'): North St
Existing conditions: Includes sewer line (est. 610') and existing trail and is predominantly wetland.

U29-4 (est. 350'): Stephenson St
Existing conditions: Includes private road, water line, sewer line, lot access and existing trail and includes wetlands

U29-6 (est. 475'): South St
Existing conditions: Includes a private road and sewer line (est. 475').

U30a-1



U30a-1 (est. 400'): Allen Rd
Existing conditions: vacant, may be a good candidate for vacation.

U32-1



U32-1 (est. 590'): Wedgewood Rd
Existing conditions: Includes a private driveway, drainage and existing trail (est. 590').

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.

U36-1, U36-2



U36-1 (est. 170'): Spoondrift (north)

Existing conditions: Includes lot access and potential trail.

Note: This is shown on the original subdivision plan as a "private way" and paper street rights should be clarified. This connects to paper street U12-3.

U36-2 (est. 160'): Spoondrift (west)

Existing conditions: Includes private driveways.

Note: This is shown on the original subdivision plan as a "private way" and paper street rights should be clarified.

U36-3, U36-4



U36-3 (est. 1250'): Pine Ridge Rd
Existing conditions: Includes existing trail (est. 1220'), stormwater lines, sewer line?, is adjacent to town owned open space and predominantly wetland.

U36-4 (est. 200'): off Pine Rdge Rd
Existing conditions: It abuts town owned open space and is predominantly wetland.

U42-2



U42-2 (est. 75'): Katahdin Rd
Existing conditions: Includes private driveways. This paper street section was retained by the Town Council when it vacated the remainder of Katahdin Rd.