

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: June 17, 2014
SUBJECT: Boulos Lot 5 Rosewood Subdivision Amendment

Introduction

Christopher and Jayne Boulos are requesting an amendment to the previously approved Lot 5 (60 Edgewood Rd) in the Rosewood Subdivision to remove 2 trees located outside the building and clearing envelop and which are part of the subdivision buffer. The plan will be reviewed under Sec. 16-2-3 of the Subdivision Ordinance.

Procedure

- The Planner will provide a summary of the application within the context of town regulations, including why this request must be treated as a subdivision amendment instead of a consent agenda item.
- The applicant will summarize the subdivision amendment application.
- The Planning Board may begin discussion at any time. At the end of discussion, the Board has the option to approve, approve with conditions, table or deny the application.

Subdivision Review (Sec. 16-3-1)

(a) Pollution

Not applicable

(b) Sufficient Potable Water

Not applicable

(e) Erosion

Not applicable

(d) Traffic

Not applicable

(e) Sewage Disposal.

Not applicable

(f) Solid Waste Disposal.

Not applicable.

(g) Aesthetic, cultural and natural values

The applicant has provided information that several trees and other vegetation will remain to preserve the natural character of the side area after the 2 trees are removed.

(h) Conformity with local ordinances

The proposed change can be approved within the standards of subdivision review.

(i) Financial and Technical Capability

Not applicable

(j) Surface Waters

Not applicable.

(k) Ground Water

Not applicable.

(l) Flood Areas

The subdivision lot is not located in the floodplain.

(m) Wetlands

No wetland alteration is proposed.

(n) Stormwater

Not applicable.

(o) Lake Phosphorus concentration

Not applicable.

(p) Impact on adjoining municipality

This lot abuts the City of South Portland, however the removal of 2 trees will not substantially reduce the buffer for abutters located in South Portland.

(q) Land subject to Liquidation Harvesting

Not applicable.

(r) Access to Direct Sunlight

Not applicable.

(s) Buffering

The proposed amendment would reduce the existing vegetated buffer located outside the building and clearing envelopes by 2 trees that have lost their crowns. The trees are currently declining in health. The trees are located in a forested area that includes several trees and other vegetation that currently provide a buffer for abutting properties.

(t) Open Space Impact Fee

Not applicable.

(u) Utility Access.

Not applicable.

(v) Phasing.

Not applicable.

Motion for the Board to Consider

Findings of Fact

1. Christopher and Jayne Boulos are requesting an amendment to the previously approved Rosewood Subdivision to remove 2 trees located in an area outside the

building and clearing envelopes, which is part of the subdivision buffer. The trees have lost their crowns and are declining in health. Removal of the trees constitutes an amendment to the approved buffer for the Rosewood Subdivision, and requires review under Sec. 16-2-3 of the Subdivision Ordinance.

- x. With the removal of 2 trees, the remaining trees and other vegetation complies with the buffer standards of the Subdivision Ordinance, Sec. 16-3-1.

THEREFORE, BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Christopher and Jayne Boulos to amend Lot 5 of the previously approved Rosewood Subdivision, located at 60 Edgewood Rd, to remove 2 trees located in an area outside the building and clearing envelopes be approved.