

**TOWN OF CAPE ELIZABETH  
MINUTES OF THE  
PLANNING BOARD WORKSHOP**

(Minutes of a Planning Board workshop are prepared when the Planning Board takes a vote. Votes are restricted to holding an executive session, scheduling a public hearing, or deciding a potential conflict of interest.)

October 16, 2018

8:40 p.m. Town Hall

Present:	Carol Anne Jordan Chair	Peter Curry
	Josef Chalot	Andrew Gilbert
	James Huebener	Victoria Volent

Also present was Maureen O'Meara, Town Planner

Ms. Jordan called the workshop to order at 8:40 p.m.

1. **Maxwell Woods Buffering Amendment.** Joel FitzPatrick would like to discuss an amendment to the buffering approved for Maxwell Woods, located off Spurwink Ave, to correct overcutting in the approved buffer (U29-64-999-B).

Kylie Mason, Sebago Technics, and representing Joel FitzPatrick, Maxwell Woods LLC, explained that in late July accidental clearing in the buffer occurred and several large trees were removed. The applicant would like to replant and is seeking approval of the planting plan. A field survey of the cleared area was performed and a planting plan with a mix of materials replicating what is already on site is proposed. The applicant would appreciate an expedited approval in order to replant this month.

Mr. FitzPatrick said he was heartbroken these trees were cleared. He walked the clearing limits with the logger prior to work starting, but the worker became disoriented when clearing the stormwater outlet area. He would like to start replanting immediately.

Ms. Mason said there are seedling oaks that were not taken and the goal is to replace the large trees using a hand carry size and fill in with birch and sumac.

Mr. Huebener questioned if sumac will take over? Ms. Mason said sumac is not evergreen and cannot compete with a canopy. As the other trees grow, sumac will move down the slope seeking sun. Sumac has a great branching structure with palmeate leaves and red, velvety cones.

Mrs. Jordan asked if it will spread where you don't want it? Ms. Mason said it won't spread into the lawn and will eventually be pushed out by the other plantings.

Mr. Gilbert supported the sumac choice and asked why fraser fir was selected instead of balsam fir? Ms. Mason said that fraser is native to Maine, while balsam is native to Canada. She referenced the O'Donal's catalogue, noted that their appearance is very similar and will propose both types be planted.

Mr. Curry asked what was removed? Ms. Mason said that oak, white pine and some ash were removed. She is concerned it will be harder for oak to establish, she wants to avoid ash and wants to replicate what is already on the site. All proposed plantings are native.

Mrs. Volent asked if fraser fir are on site. Ms. Mason said yes, although fraser and balsam fir look very similar.

Mr. Chalot appreciated the thought and technical expertise brought to address this.

Mr. Curry asked if the plants will survive if planted now? Both Ms. Mason and Mr. FitzPatrick said that October is the best month to plant, but they will be checking in the spring and replace any that die.

Mr. Huebener made a motion, seconded by Mr. Curry, to schedule a Planning Board public hearing on October 23rd at 7:00 p.m. for an amendment to the subdivision plan. The motion was unanimously approved 6-0.

The workshop adjourned at 9:00 p.m.