

JONES ASSOCIATES

Foresters, Surveyors and
Environmental Consultants



March 19, 2024

251 West Main LLC
c/o Julia Libby
251 West Main St.
Yarmouth, ME 04096

Dear Julia:

Enclosed please find the “Forest Management Plan and Restrictions” for your proposed subdivision, Doughty Woods, at 251 West Main Street in Yarmouth. Included in the plan is a map of all trees and invasive species found within the approximately 1-acre forest management area on the back of Lots A and B (proposed), along with an identification key containing descriptive information about each tree (its ID number as shown on the map, species, diameter at breast height, and notes, if any). As discussed, Jones Associates will be happy to update this map to reflect survey-grade lot lines, should these lines include or exclude any of the identified trees from the forest management area.

If you have any questions, or if we can assist you with any additional forestry management services, please don't hesitate to contact our office.

Sincerely,

Zoë Lidstrom

280 Poland Spring Road
Auburn, Maine 04210
(207) 241-0235
Email: zlidstrom@jonesai.com
Website: www.jonesai.com

JONES ASSOCIATES

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FOREST MANAGEMENT
PLAN AND RESTRICTIONS
DOUGHTY WOODS
YARMOUTH, MAINE

251 WEST MAIN STREET
1.04 ACRES (FOREST MANAGEMENT AREA)
1.88 ACRES (TOTAL SUBDIVISION AREA)

Prepared for:

251 West Main Street LLC
c/o Julia Libby
251 West Main Street
Yarmouth, ME 04096

Prepared by:

Zoë Lidstrom
FI #4266
Richard Jones
LF #733

Jones Associates Inc.
280 Poland Spring Road
Auburn, ME 04210

March 2024

JAI #24-008YA

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A. IMPROVEMENTS AND MAINTENANCE

All areas designated as “Open Space Preserve” shall remain as open space and shall not be subdivided or built upon or otherwise altered from their natural character, except for such alteration reasonably necessary in order to create pedestrian walking and exercise trails for recreational use by owners or the Declarant, provided such paths and trails shall be constructed so as not to unreasonably affect the scenic character of the Open Space.

B. RESTRICTIONS ON USE OF OPEN SPACE

Unless the owners of the Open Space, or any successors or assigns, obtain the prior written approval of the Town of Yarmouth, the Open Space must remain undeveloped. Use of the Open Space is hereinafter limited as follows.

1. Use by lot owners is limited to non-motorized passive recreational activities such as walking, birdwatching, and enjoyment of nature.
2. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants, or other fill material may be placed, stored, or dumped in the Open Space Preserve, nor may the topography of the area be altered or manipulated in any way.
3. No building or other temporary or permanent structure may be constructed, placed, or permitted to remain in the Open Space, with the exception of fencing to mark property lines.
4. The removal of native vegetation from the Open Space Preserve is not permitted, except under the following conditions:
 - a. Hazard trees in the preserve may be removed with written authorization after consultation with the Code Enforcement Officer and the Town Tree Warden if the following requirements are met:
 - i. Within the preserve, if the removal of a hazard tree results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2)

inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least four (4) feet in height, and be no less than two (2) inches in diameter. Stumps may not be removed.

- ii. The removal of standing dead trees whose death resulted from natural causes is permissible without the need for replanting if the removal does not result in the creation of new lawn areas or other permanently cleared areas and stumps are not removed. For the purposes of this provision, dead trees are those trees that contain no foliage during the growing season.
 - iii. The Code Enforcement Officer and Town Tree Warden may require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed within the preserve.
- b. Storm-damaged trees in the Open Space Preserve may be removed after consultation with the Code Enforcement Officer and the Town Tree Warden if the following requirements are met:
- i. Within the preserve, when the removal of storm-damaged trees results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replanting is not required, but the area shall be required to naturally revegetate, and the following requirements must be met:
 - 1. The area from which a storm-damaged tree is removed must not result in new lawn areas, or other permanently cleared areas;
 - 2. Stumps from the storm-damaged trees may not be removed;
 - 3. Limbs damaged from a storm event may be pruned; and
 - 4. If after one growing season, no natural regeneration or regrowth is present, replanting of native tree seedlings or saplings is required at a density of one seedling per every eighty (80) square feet of lost canopy.
- c. Non-native invasive vegetation species may be removed from the Open Space Preserve, provided the following requirement is met:

- i. If applicable clearing and vegetation removal standards are exceeded due to the removal of non-native invasive species vegetation, the area shall be revegetated with native species to achieve compliance.
5. When revegetation is required in response to violations of the vegetation standards set forth above, to address the removal of nonnative invasive species of vegetation, or as a mechanism to allow for development that may otherwise not be permissible due to the vegetation standards, including removal of vegetation in conjunction with stormwater management activities, the revegetation must comply with the following requirements.
 - a. The property owner must submit to the Code Enforcement Officer and to the Town Tree Warden a revegetation plan, prepared with and signed by a qualified professional, which describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.
 - b. Revegetation must occur in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation.
 - c. If part of a permitted activity, revegetation shall occur before the expiration of the permit. If the activity or revegetation is not completed before the expiration of the permit, a new revegetation plan shall be submitted with any renewal or new permit application.
 - d. Revegetation activities must meet the following requirements for trees and saplings:
 - i. All trees and saplings removed must be replaced with native noninvasive species;
 - ii. Replacement vegetation must at a minimum consist of saplings;
 - iii. If more than three (3) trees or saplings are planted, then at least three (3) different species shall be used;
 - iv. No one species shall make up 50% or more of the number of trees and saplings planted;
 - v. A survival rate of at least eighty (80) percent of planted trees or saplings is required for a minimum of five (5) years.

- e. Revegetation activities must meet the following requirements for woody vegetation and other vegetation under three (3) feet in height:
 - i. All woody vegetation and vegetation under three (3) feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under three (3) feet in height as applicable;
 - ii. Woody vegetation and vegetation under three (3) feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
 - iii. If more than three (3) woody vegetation plants are to be planted, then at least three (3) different species shall be used;
 - iv. No one species shall make up 50% or more of the number of planted woody vegetation plants;
 - v. Survival of planted woody vegetation and vegetation under three (3) feet in height must be sufficient to remain in compliance with the standards contained within this document for a minimum of five (5) years.

C. NON-NATIVE INVASIVE SPECIES

Existing non-native invasive species have been identified and located on the attached site plan. They include the following:

1. Barberry (European, *Berberis vulgaris*, and/or Japanese, *Berberis thunbergia*)
2. Burning Bush (*Euonymus alatus*)
3. Multiflora Rose (*Rosa multiflora*).

These invasives may be removed pursuant to Section B,4,c.

The predominant tree species found in the Open Space Preserve is Norway maple (*Acer platanoides*), which is itself a non-native, invasive species.

D. ENFORCEMENT

The Town of Yarmouth may enforce any of the restrictions set forth in Sections A and B above, including, but not limited to, the requirement to obtain written authorization from the Code Enforcement Officer and the Town Tree Warden before removing hazard trees (see Section

B.4.a) and the requirement to submit to the Code Enforcement Officer and the Town Tree Warden a revegetation plan before replacing any removed vegetation (see Section B.5.a).

F. BINDING EFFECT

The restrictions set forth herein shall be binding on any present or future owner of the Open Space. Each owner shall be bound by the foregoing restrictions to the extent that any of the Open Space is included within such owner's property.

G. DEFINITIONS

Hazard tree – A tree with a structural defect, combination of defects, or disease resulting in a structural defect that under the normal range of environmental conditions at the site exhibits a high probability of failure and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies, such as, but not limited to hurricanes, hurricane-force winds, tornadoes, microbursts, or significant ice storm events. A “target” is the area where personal injury or property damage could occur if the tree or a portion of the tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger. (See Chapter 701, Zoning Ordinance, Article I, Section D: Definitions.)

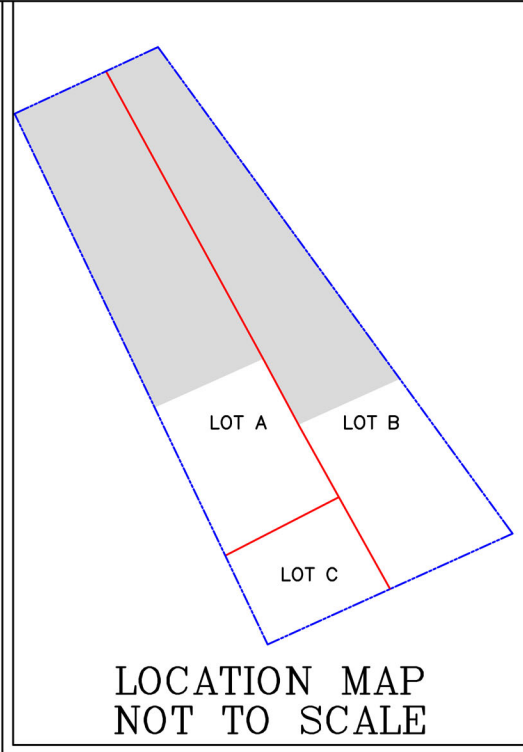
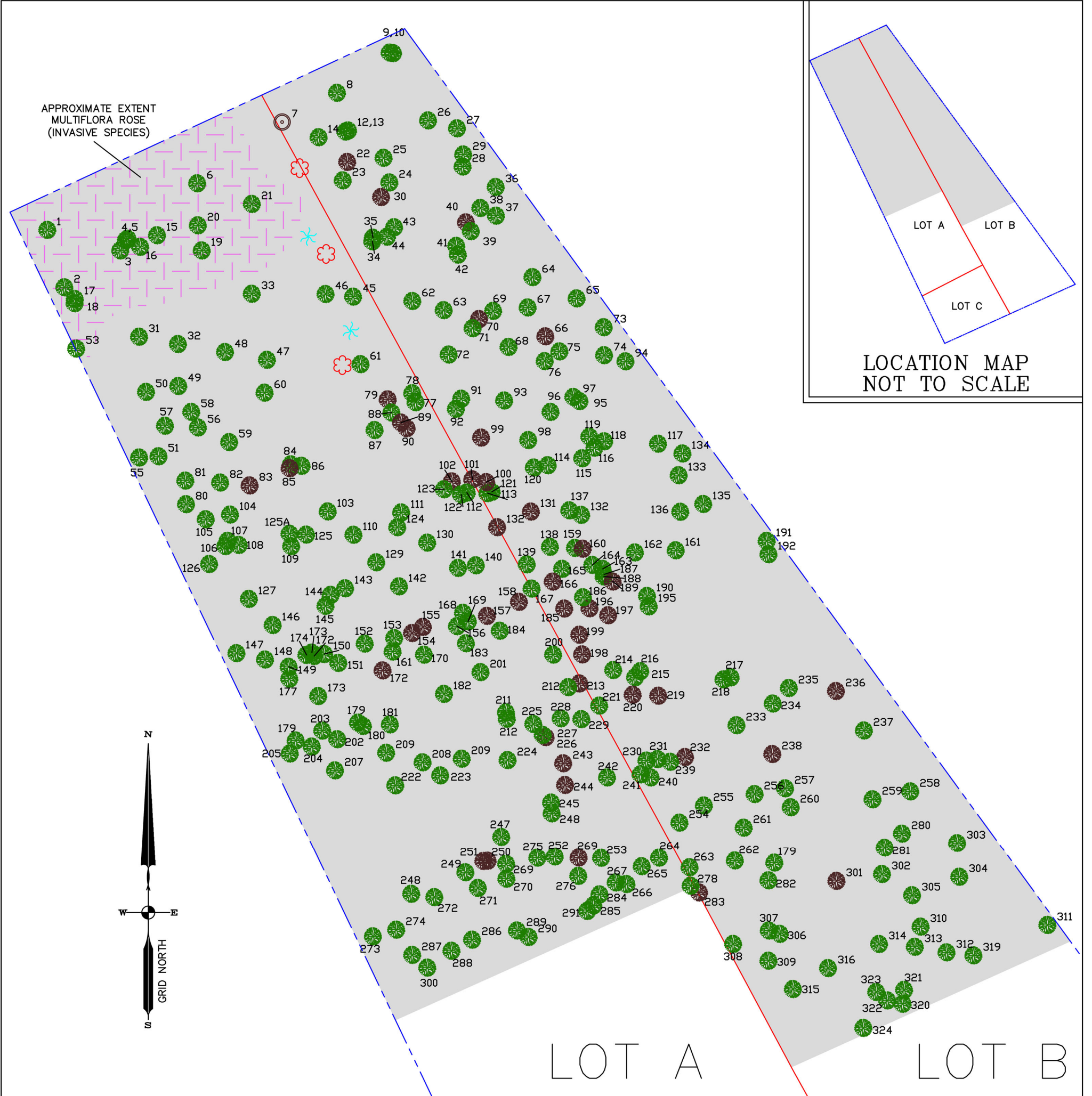
Invasive species – A species of vegetation not native to the ecosystem in question and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Non-native species – A species of vegetation originating outside the ecosystem in question.

Sapling – A tree species that is less than four (4) inches in diameter at four and one-half (4.5) feet above ground level.

Tree – A tree species that is greater than or equal to four (4) inches in diameter at four and one-half (4.5) feet above ground level.

Vegetation – All live trees, shrubs, and other woody plants including without limitation trees both over and under four (4) inches in diameter measured at four and one-half (4.5) feet above ground level.



LEGEND

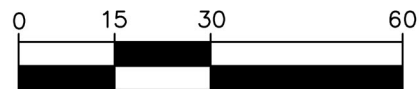
- SUBJECT BOUNDARY LINE
- PROPOSED LOT LINES
- PROPOSED FOREST MANAGEMENT AREA
- TREE (LIVING)*
- TREE (STANDING DEAD)*
- NOTABLE STUMP*
- INVASIVE SPECIES: BARBERRY (EUR. AND/OR JAP.)
- INVASIVE SPECIES: BURNING BUSH
- INVASIVE SPECIES: MULTIFLORA ROSE

*SEE ATTACHED TABLE FOR IDENTIFICATION KEY.

NOTES:

- EXTERIOR BOUNDARY PROVIDED BY OWEN HASKELL, INC., IN A PLAN ENTITLED "BOUNDARY SURVEY AT 251 WEST MAIN STREET, YARMOUTH, MAINE", DATED 12/18/2023. INTERIOR BOUNDARY LINES SKETCHED FROM A PDF PLAN PROVIDED BY 251 WEST MAIN LLC.
- AERIAL IMAGERY OBTAINED VIA GOOGLE EARTH.
- PARCEL DEED REFERENCE: SEE DEED FROM CONNOR WATSON TO 251 WEST MAIN LLC, DATED 02-03-2021, RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 37774, DOC 8003, PAGES 184-185.
- TREES SHOWN INCLUDE ALL LIVE AND STANDING DEAD TREES OF AT LEAST 4 INCHES IN DIAMETER AT BREAST HEIGHT, I.E. 4.5 FEET FROM GROUND LEVEL.

GRAPHIC SCALE



1 inch = 30 ft.

DRAFT PLAN:

TREE INVENTORY

251 WEST MAIN STREET
YARMOUTH, ME 04096

PREPARED FOR:

251 WEST MAIN LLC
c/o JULIA LIBBY
251 WEST MAIN ST., YARMOUTH, ME 04096

PREPARED BY:

**JONES
ASSOCIATES INC.**
Foresters, Surveyors And
Environmental Consultants



280 POLAND SPRING ROAD, AUBURN, MAINE 04210
(207) 241-0235

PLAN DATE:

MARCH 7, 2024

FIELD WORK DATE:

FEBRUARY 26-27, 2024

SCALE: 1" = 30'

PROJ. #: 24-008YA

Identification Key

Tree #	Species	DBH (inches)	Notes
1	White ash	6.0	
2	Norway maple	6.0	
3	Norway maple	11.0	
4	Norway maple	12.5	
5	Norway maple	4.0	
6	Norway maple	5.0	
7	Sugar maple	28.5	Stump (diameter taken at base)
8	White pine	12.0	
9	Red maple	5.0	
10	Red maple	4.5	
12	White pine	18.0	
13	Norway maple	4.5	
14	American beech	4.0	
15	Red maple	12.0	
16	Norway maple	9.0	
17	Red maple	5.0	
18	Red maple	13.0	
19	Red maple	14.5	
20	Norway maple	11.0	
21	Norway maple	5.0	
22	White pine	8.0	Dead
23	Norway maple	7.0	
24	Norway maple	8.0	
25	Norway maple	6.0	
26	Sugar maple	5.0	
27	White pine	6.0	
28	Norway maple	4.5	
29	White pine	21.0	
30	White pine	7.0	Dead
31	Norway maple	13.0	
32	Norway maple	6.0	
33	Norway maple	5.0	
34	Norway maple	5.5	
35	Norway maple	6.5	
36	Norway maple	8.0	
37	Norway maple	8.0	
38	Norway maple	7.0	
39	Norway maple	6.0	
40	White pine	15.0	Dead
41	Norway maple	7.0	
42	Norway maple	5.0	
43	Norway maple	6.5	
44	Norway maple	6.0	
45	Norway maple	7.5	

Tree #	Species	DBH (inches)	Notes
46	Red maple	7.5	
47	Red maple	14.0	
48	Norway maple	4.0	
49	Norway maple	5.0	
50	Norway maple	7.0	
51	White pine	25.0	
53	Sugar maple	15.0	
55	White pine	8.5	
56	White pine	20.5	
57	White pine	18.5	
58	Norway maple	4.5	
59	Norway maple	5.0	
60	Norway maple	6.5	
61	Red maple	10.5	
62	Norway maple	6.5	
63	White pine	17.0	
64	Norway maple	7.0	
65	Norway maple	10.0	
66	White pine	6.5	Dead
67	Black cherry	4.5	
68	White pine	5.5	
69	Norway maple	7.5	
70	White pine	8.0	Dead
71	White pine	11.0	
72	Red maple	6.0	
73	Sugar maple	5.5	
74	Norway maple	5.0	
75	Norway maple	4.5	
76	Norway maple	6.5	
77	White pine	23.0	
78	White pine	23.0	
79	White pine	8.0	Dead
80	Sugar maple	4.0	
81	Norway maple	9.5	
82	Paper birch	20.0	
83	White pine	8.0	Dead
84	Norway maple	9.5	
85	White pine	4.0	Dead
86	Norway maple	4.0	
87	White pine	23.0	
88	Norway maple	5.0	
89	White pine	15.0	Dead
90	White pine	4.5	Dead
91	White pine	25.0	
92	Red maple	11.5	
93	White pine	27.5	
94	Sugar maple	5.0	

Tree #	Species	DBH (inches)	Notes
95	Sugar maple	6.0	
96	Norway maple	4.5	
97	White pine	11.0	
98	Norway maple	5.0	
99	White pine	4.0	Dead
100	White pine	9.0	Dead
101	White pine	4.5	Dead
102	White pine	11.0	Dead
103	White pine	16.5	
104	Norway maple	12.0	
105	White pine	24.5	
106	White pine	26.0	
107	Norway maple	4.5	
108	Norway maple	7.0	
109	Norway maple	4.0	
110	Norway maple	9.0	
111	Norway maple	5.5	
112	White pine	14.5	
113	Norway maple	6.0	
114	Norway maple	4.0	
115	White pine	5.5	
116	Norway maple	4.5	
117	White pine	19.5	
118	Sugar maple	7.0	
119	White pine	21.5	
120	Norway maple	5.5	
121	White pine	10.0	
122	Norway maple	6.5	
123	White pine	23.0	
124	Norway maple	6.0	
125	White pine	21.5	
125a	White pine	16.0	
126	Norway maple	9.5	
127	Norway maple	4.0	
128	Norway maple	5.5	
129	Norway maple	9.0	Dead
130	White pine	17.5	Dead
131	White pine	9.5	
132	Sugar maple	4.5	
133	Sugar maple	6.5	
134	Sugar maple	5.5	
135	Norway maple	8.0	
136	White pine	15.5	
137	White pine	18.0	
138	Norway maple	4.5	
139	White pine	13.0	
140	Norway maple	6.5	

Tree #	Species	DBH (inches)	Notes
141	Norway maple	4.0	
142	White pine	26.0	
143	White pine	10.5	
144	Norway maple	4.5	
145	White pine	15.0	
146	Norway maple	9.0	
147	White pine	24.0	
148	Norway maple	6.0	
149	White pine	13.5	
150	White pine	10.5	
151	Norway maple	5.5	
152	Norway maple	5.0	
153	Norway maple	4.5	Dead
154	White pine	5.5	Dead
155	White pine	9.5	
156	Norway maple	7.0	Dead
157	White pine	16.5	Dead
158	White pine	9.5	
159	White pine	19.0	Dead
160	White pine	15.0	
161	Sugar maple	8.5	
162	Sugar maple	7.0	
163	Sugar maple	4.5	
164	Sugar maple	4.5	
165	White pine	5.0	Dead
166	White pine	11.5	
167	Norway maple	5.0	
168	White pine	16.0	
169	White pine	13.0	
170	White pine	18.0	
171	White pine	14.5	Dead
172	White pine	5.5	
173	White pine	15.0	
174	Norway maple	6.0	
175	White pine	12.5	
176	Norway maple	9.0	
177	White pine	15.0	
178	White pine	21.5	
179	White pine	13.5	
180	White pine	18.0	
181	White pine	12.5	
182	White pine	14.0	
183	Norway maple	4.0	
184	Norway maple	5.0	Dead
185	White pine	7.5	
186	White pine	16.0	
187	White pine	10.5	

Tree #	Species	DBH (inches)	Notes
188	White pine	21.0	Dead
189	White pine	7.5	
190	Sugar maple	6.0	
191	Norway maple	8.0	
192	White pine	22.0	
195	Sugar maple	5.5	Dead
196	White pine	12.0	Dead
197	White pine	15.0	Dead
198	White pine	11.0	Dead
199	White pine	11.0	
200	White pine	6.0	
201	White pine	17.5	
202	White pine	8.0	
203	White pine	13.5	
204	White pine	26.0	
205	Norway maple	20.0	
206	Norway maple	7.5	
207	White pine	10.0	
208	Norway maple	12.0	
209	Norway maple	8.0	
210	White pine	10.0	
211	Norway maple	5.5	
212	Sugar maple	4.0	Dead
213	White pine	12.0	
214	Sugar maple	6.0	
215	Norway maple	4.5	
216	White pine	22.0	
217	Norway maple	9.0	
218	Sugar maple	4.0	Dead
219	White pine	13.5	Dead
220	White pine	13.5	
221	Norway maple	5.5	
222	Norway maple	7.0	
223	Norway maple	4.5	Dead
224	White pine	17.0	
225	Norway maple	5.5	Dead
226	White pine	17.0	
227	Norway maple	4.5	
228	White pine	14.0	
229	White pine	11.0	
230	Sugar maple	4.0	
231	Sugar maple	4.0	Dead
232	White pine	19.0	
233	White pine	19.0	
234	White pine	23.0	
235	Norway maple	6.0	Dead
236	White pine	21.0	

Tree #	Species	DBH (inches)	Notes
237	Sugar maple	7.0	Dead
238	White pine	9.0	
239	White pine	18.0	
240	White pine	15.5	
241	Norway maple	5.0	
242	Norway maple	5.5	Dead
243	White pine	13.0	Dead
244	White pine	16.0	
245	White pine	20.5	
246	Norway maple	8.0	
247	White pine	22.0	
248	Red maple	15.5	
249	White pine	19.0	Dead
250	White pine	9.0	Dead
251	White pine	8.0	
252	White pine	13.0	
253	White pine	18.0	
254	White pine	18.5	
255	Sugar maple	6.5	
256	White pine	12.0	
257	White pine	12.0	
258	Sugar maple	4.0	
259	White pine	16.0	
260	White pine	12.0	
261	Sugar maple	6.0	
262	White pine	24.0	
263	Sugar maple	5.0	
264	Sugar maple	4.0	
265	Norway maple	7.0	
266	White pine	17.0	
267	White pine	13.0	Dead
268	White pine	10.0	
269	White pine	11.5	
270	Norway maple	9.0	
271	White pine	11.0	
272	White pine	18.0	
273	Norway maple	5.0	
274	Norway maple	7.0	
275	White pine	8.0	
276	Sugar maple	6.0	
278	Red maple	9.0	
279	Red maple	8.0	
280	Sugar maple	5.5	
281	Sugar maple	5.0	
282	White pine	17.0	Dead
283	White pine	17.0	
284	White pine	15.5	

Tree #	Species	DBH (inches)	Notes
285	White pine	15.0	
286	White pine	19.0	
287	Norway maple	5.0	
288	White pine	16.0	
289	White pine	19.0	
290	Norway maple	4.5	
291	White pine	8.5	Dead
300	Norway maple	7.0	Dead
301	White pine	19.0	
302	Sugar maple	8.5	
303	Sugar maple	6.0	
304	Sugar maple	5.5	
305	Sugar maple	5.5	
306	White pine	16.0	
307	Norway maple	5.0	
308	White pine	15.0	
309	Norway maple	4.0	
310	Sugar maple	8.0	
311	Sugar maple	6.0	
312	Sugar maple	4.0	
313	White pine	12.5	Dead
314	Unknown (possible elm)	6.0	
315	Red maple	19.0	
316	Sugar maple	4.0	
319	Sugar maple	16.0	
320	Sugar maple	4.0	
321	Sugar maple	12.0	
322	Sugar maple	4.5	
323	Sugar maple	5.0	
324	White ash	7.0	