
Re: 13 oak ave / 4 torrington Peaks Island landscaping

11 messages

Jeff Tarling <jst@portlandmaine.gov>

Wed, Mar 27, 2019 at 5:18 PM

To: ANNE BELDEN <abelden@me.com>

Cc: jeff tarling <trees@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, donhvn@gmail.com, Matt Coleman <mcoleman@portlandmaine.gov>

Hi Anne -

First, thank you for contacting us and getting a plan together before starting on the project, we do not always see that. It will take some time to answer all the questions, but thought best to start with the baseline information web links below. Cristina Stacey from our Inspections Department oversees the Shoreland Zone policies for the City of Portland and we assist with vegetation information as needed. We always recommend to 'go native' plant wise whenever possible in or near the Shoreland Zone knowing the value the native plants have for the environment and habitat.

Review the information and we can get back in touch.

Thanks,

Jeff

Maine Shoreland Zone Information & Guidelines:

https://www.maine.gov/decd/meocd/ceo/documents/2008shoreland_zoning_manual.pdf

<https://www.maine.gov/dep/land/slz/ip-szveg.pdf>

<https://www.maine.gov/dep/land/slz/is-restoration.pdf>

Recommended plant web links:

<https://extension.umaine.edu/publications/2500e>

<https://extension.umaine.edu/gardening/manual/plants-for-the-maine-landscape/>

<https://wildseedproject.net/2015/08/a-collection-of-native-shrubs-for-maine-summer-gardens/>

Jeff Tarling
City Arborist - City of Portland Maine
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(207) 808-5446
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On Tue, Mar 26, 2019 at 8:21 AM 'ANNE BELDEN' via Trees <trees@portlandmaine.gov> wrote:

Hi Jeff,

After speaking briefly with your office yesterday, Liz suggested we email you with the details of what we would like to do on our properties at [13 Oak Avenue](#), [Peaks Island](#) and 4 Torrington, Peaks.

We live at [13 Oak Ave](#) and have just purchased #4 Torrington, which is directly in front of us, facing Portland.

We are reaching out to you to ask your advice and input as to our landscaping plans, in an effort to avoid any missteps.

Here is an overview of what we are doing :

We just bought #4 Torrington so that we can place view easements on it since we know what can happen with new buildings, fencing and plantings which often affect neighbor views.

We love our Oak Ave home and hope to be there for many years to come.

We are working with an attorney, Brenda Buchanan, to help with the easements, Gene Schleh has surveyed both properties, and a landscape designer, Marie Prager, is helping us with the plantings.

Our goal is to protect our view, make our yard beautiful, and plant things that will support the environment.

Our plan is to pull out old, overgrown unattractive stuff and re-plant with things that are native, non-invasive, will protect erosion and look pretty from both properties.

After getting the easements in place and doing the landscaping, we plan to put the Torrington house back on the market, hopefully by Memorial Day of this year.

So our timeline is sort of tight in trying to get all this done.

Here is our specific vision of what we want to do for landscaping:

The 2 properties share a long boundary line of about 130 feet. Along this line is overgrown brush, weeds, invasive plants and overgrown leggy bushes and a storm damaged old lilac that have not been cared for over many years, on the Torrington property.

We would like to pull this all out and replant with more appropriate ground covers, small bushes and flowering plants, along the boundary and down the small slope toward the Torrington house, with space in between plantings to keep out invasive growth.

There are also 2 old lilac bushes, on the side yard with wild rose creeping all around them, that we would like to pull out and replace with nice low bushes of some sort.

The Torrington property does lay within the 250 foot shoreline zone, but none of what we have presented here is within the 75 foot zone, according to the recent survey done by Gene Schleh.

We welcome your input about best native plantings for the island and also need guidance on the 250 shoreline restrictions - for instance we really like hydrangea, which are common on the island, and non invasive, but Marie says hydrangeas are not native. Can you only plant native things in the 250 zone?

Separate from the above landscaping plan, we would also like to ask permission to prune the bottom few branches of the large pine tree in front of the Torrington house, which in fact is on city property, and definitely within the 75 foot zone, though right in front of the house. It is a beautiful tree but the bottom branches are sort of shaggy and very close to the house given the strong winds that come up.

Stan Newall knows both these yards, and has said that the growth between the 2 yards is mostly overgrown island junk, including invasive stuff. He is too booked up right now to do the work, and suggests Charles Ramsay.

Below are some photos of the boundary area we hope to re-do, and one of the large old pine tree taken from our yard at 13 Oak, looking toward 4 Torrington.

We are happy to talk by phone, come to your office, meet you on Peaks — whatever would be most helpful to you.

Thanks very much in helping us with this project.

Anne and John Belden

207 - 233 - 5939

207-233-5939







ANNE BELDEN <abelden@me.com>

Thu, Mar 28, 2019 at 12:23 PM

To: Jeff Tarling <jst@portlandmaine.gov>

Cc: jeff tarling <trees@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, donhvn@gmail.com, Matt Coleman <mcoleman@portlandmaine.gov>

Hi Jeff,

Thanks for getting back to me and sending along these items.

Looking at the guidelines for shore land zone, what we want to do is within what is acceptable.

We are fine with finding native plants . I passed the lists along to our landscape person.

We would like to get going on the project along our boundary line while Charles Ramsay has time, before his other work ramps up.

Can you let me know if we need to do anything else to start moving ahead?

Thanks very much,

Anne

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Jeff Tarling <jst@portlandmaine.gov>

Thu, Mar 28, 2019 at 1:14 PM

To: ANNE BELDEN <abelden@me.com>

Cc: jeff tarling <trees@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, donhvn@gmail.com, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>

Hi Anne -

We can advise as needed once Christina replies as Shoreland Zone regs fall under their jurisdiction.

Jeff

Jeff Tarling
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ANNE BELDEN <abelden@me.com>

Thu, Mar 28, 2019 at 5:14 PM

To: Jeff Tarling <jst@portlandmaine.gov>

Cc: jeff tarling <trees@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, donhvn@gmail.com, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>

OK, thanks Jeff.

Christina, just let me know if you need anything else from me or would like to meet up.

Anne

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Christina Stacey <cstacey@portlandmaine.gov>

Fri, Apr 5, 2019 at 3:44 PM

To: ANNE BELDEN <abelden@me.com>

Cc: Jeff Tarling <jst@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>, donhovan@gmail.com

Hi Anne,

I just spoke by phone with Donhovan about your questions and I told him I would email both of you with some information on the shoreland zoning rules for clearing. I am attaching the section of the city's ordinance that governs the limitations on clearing in the shoreland zone. I would advise you both review and let me know if there are questions.

We ask that a written plan be submitted (by email is fine) with the proposed clearing including total area or number of plants, setback from high tide, and species, as well as a planting plan with the number, species and location of trees and shrubs to be planted. This can be informal/hand-drawn but needs to have adequate information for us to determine whether the attached shoreland zone standards are being met. Once a plan is submitted we can discuss further and work towards any necessary changes for final acceptance, so that you can begin the project. The [DEP info sheet](#) that Jeff linked earlier does have an example of a planting plan.

As far as the standards, the shoreland zone is divided into two main areas: from high tide to 75 feet back, and then from 75 feet to 250 feet back. Beyond 250 feet, there are no standards for clearing.

From high tide to 75 feet back is the most restrictive area. Unless it is a very thickly-forested area, we can generally only approve the removal of non-native species and anything dead or in very poor condition. Native trees, shrubs, saplings, and ground cover need to remain. Any removed non-native plants or native plants in poor health must be replaced with a mix of native shrub and tree species. We need to see a mix of species and heights, and not just low-growing shrubs and ground cover.

The rules from 75 feet to 250 feet back are slightly less restrictive. However, there is a limitation on cleared canopy opening of 25% of the total lot area within the shoreland zone, which this lot most likely already exceeds. In that case, the cleared open cannot be expanded except to remove non-native species and plants in poor condition. Any cleared

area will need to be replanted with native plants that will grow to similar stature to what was removed (so if there are taller shrubs, we would like to see some taller shrubs and not just low ground cover).

Donhovan also mentioned that there is one full-sized tree of questionable health that may need to be removed. Since he is a licensed arborist, he can submit an assessment and photos with explaining why the tree needs to be removed. If removal is approved, we ask that it be replaced with 2 or 3 tree saplings of species that will grow to a similar stature as the removed tree.


I hope this helps provide some more specific guidance to move forward. Please let me know if you have questions.

Sincerely,
Chris

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Chris Stacey - Zoning Specialist
Permitting & Inspections Department
City of Portland
389 Congress St.
Portland, ME 04101
(207) 874-8695
cstacey@portlandmaine.gov

 **Sec 14-449(c) Clearing Standards.pdf**
112K

Jeff Tarling <jst@portlandmaine.gov>
To: Christina Stacey <cstacey@portlandmaine.gov>

Fri, Apr 5, 2019 at 3:59 PM

Nice reply Christina !

Thanks


Jeff

Jeff Tarling
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Christina Stacey <cstacey@portlandmaine.gov>
To: Jeff Tarling <jst@portlandmaine.gov>

Mon, Apr 8, 2019 at 8:06 AM

 Thanks!

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ANNE BELDEN <abelden@me.com>
To: Christina Stacey <cstacey@portlandmaine.gov>
Cc: Jeff Tarling <jst@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>, Donhovan Black <donhovan@gmail.com>, Charles Ramsay <CharlesRamsayPeaks@gmail.com>

Mon, Apr 8, 2019 at 10:10 AM

Hi Christina,
Thanks for this information.

We will hopefully get drawings to you by mid-week.
Anne

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Christina Stacey <cstacey@portlandmaine.gov>

Tue, Apr 16, 2019 at 1:37 PM

To: ANNE BELDEN <abelden@me.com>

Cc: Jeff Tarling <jst@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>, Donhovan Black <donhovan@gmail.com>, Charles Ramsay <CharlesRamsayPeaks@gmail.com>

Hi Anne,

Thank you for dropping off the plan last week. I took a look at it today and had a couple of questions.

I am attaching a photo sketch - does this correctly depict the broad outlines of the area that will be impacted and the area that will not be cut? I realize this may not be a perfect representation, but I just want to make sure I'm grasping the general concept.

Also, could Donhovan or one of your other consultants confirm that the plants to be removed are all non-natives? The removal of the lilacs, wild roses, norway maples, honeysuckles, and bittersweet are acceptable. I just would like a firm confirmation that the areas marked "weeds" and "brush" definitely do not contain any native trees, saplings, shrubs, or ground covers. If any native plants are found during the clearing process, they must not be cut.

In your letter, you mention that you want to do some pruning of a large pine tree that is on city property in the adjacent right of way. Although the removal of lower limbs on trees is allowed under shoreland zoning (pruning must be limited to the bottom third of the trunk), I do not have authority to grant permission for work on city property. Jeff Tarling will have to answer that question for you.

Thanks,
Chris

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 **4 Torrington.pdf**
800K

ANNE BELDEN <abelden@me.com>

Tue, Apr 16, 2019 at 5:07 PM

To: Chris Stacey <cstacey@portlandmaine.gov>

Cc: Jeff Tarling <jst@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>, Charles Ramsay <CharlesRamsayPeaks@gmail.com>, donovan black <donhovn@gmail.com>

Hi Chris,

Thanks for taking a look at our plan.

Donhovan is going to respond to this email himself regarding native plants.

The area you outlined is correct, except for the 2 lilacs on the side of the "driveway" area, which I believe I had noted on the overlay plan are to be pulled out and replanted with grasses.

Jeff, please let me know the best way to communicate with you regarding trimming that pine tree.

Thanks everyone for your time on this project

Anne

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As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.<4 Torrington.pdf>

Christina Stacey <cstacey@portlandmaine.gov>

Thu, Apr 18, 2019 at 9:45 AM

To: ANNE BELDEN <abelden@me.com>

Cc: Jeff Tarling <jst@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Elizabeth Deletetsky <lizd@portlandmaine.gov>, Charles Ramsay <CharlesRamsayPeaks@gmail.com>, donovan black <dohovn@gmail.com>

OK, thanks for the feedback.

It appears that except for the lilacs and wild rose on the side of the house, all of the proposed clearing will be more than 75 feet from the highest annual tide.

I am approving the proposed clearing and planting plans with the following conditions:

- 1) It is the responsibility of the landowner and contractor to remain in compliance with the shoreland zoning regulations, Division 26 of the Chapter 14 Land Use Ordinance. Please reach out if any questions arise during the project.
- 2) The landowner and contractor will be responsible for ensuring that no native plant species are removed, unless found to be dead or dying.
- 3) The landowner shall be responsible for monitoring the plantings for a minimum of five years. If any of the plantings die during that time frame, they must be replaced in-kind.
- 4) The landowner and/or contractor shall photo document the clearing and replacement process, in case any questions arise about the scope of clearing. Photos of the completed project should be emailed to me.
- 5) A digital scan of the plans are required. I will leave the paper plans at the front desk with your name so you can pick them up. If you can take them to a copy center that has large-format scanning capability, and email me PDF's of the scans, I would appreciate it.

Please let me know if you have any questions about this information.

Sincerely,
Chris

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