

Marge Schmuckal - Re: Fwd: Tree Removals at the Portland International Jetport - Runway 18 End

From: Marge Schmuckal
To: Barbara Barhydt; Philip DiPierro
Date: 8/29/2013 4:43 PM
Subject: Re: Fwd: Tree Removals at the Portland International Jetport - Runway 18 End

199-A-001002

Hi All,

The Portland Land Use Zoning Ordinance has a definition of "Emergency Operations" that states: Emergency operations shall include operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury."

Section 14-449 (c)(1) allows the clearing or removal of vegetation in all shoreland areas in resource protection zones, the cutting or removal of vegetation and shall be limited to that which is necessary for uses expressly authorized in that Zone. The underlying zone is the Airport Business Zone.

In the light of these two sections, I believe that the airport based upon FAA regulations, can maintain airline safety by the cutting that has been outlined to us by Dwight Anderson, PE of Fay, Spofford & Thorndike. I do not think that this safety cutting requires a formal building permit. What they are proposing appears to be pretty minimal. They may have to do this clearing maintenance periodically to maintain airline safety. This is also allowed under the Ordinance without permits each time. I will default to Planning staff as to whether a site plan review is necessary.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

>>> Philip DiPierro 8/19/2013 8:27 AM >>>
FYI.....

Do we need to take any action on this? It looks like most of the area falls within the shoreland zone, but it's my guess that federal regulations over-rule local authority?

Let me know if you need me to do anything with this. Thanks.

Phil

>>> "Dwight Anderson" <DwightAnderson@fstinc.com> 8/16/2013 5:07 PM >>>
Phillip,

The FAA has identified tree obstructions which penetrate runway airspace on the east side of Runway 18-36 near the north end of the runway on City property. The area is shown on the attached figure and trees beyond 75 feet from the high water mark of the Fore River are proposed to be cleared but not stumped and grubbed. Trees within 75 feet of the high water mark will only be selectively cut to remove the trees which actually penetrate the airspace surface. The work will be sequenced to clear the 0.51 acre area first so line of sight can be obtained to remove only what trees are necessary in the 0.31 acre area.

Please contact me regarding any additional information the City may require for the Jetport to proceed with this tree removal activity.

Dwight Anderson, P.E. | *Principal Engineer*

FAY, SPOFFORD & THORNDIKE formerly DeLuca Hoffman Associates
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From: Philip DiPierro
To: Barhydt, Barbara; Schmuckal, Marge
Date: 8/19/2013 8:27 AM
Subject: Fwd: Tree Removals at the Portland International Jetport - Runway 18 End
Attachments: RW 18 End Tree Removal.pdf

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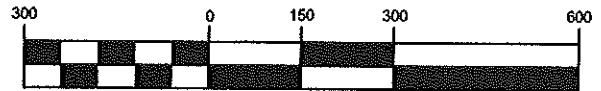
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GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

PORTLAND INTERNATIONAL
JETPORT

TREE REMOVALS RUNWAY 18 END
EAST SIDE



FAY, SPOFFORD & THORNDIKE, INC.
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	08.13.2013
DESIGNED:	DDA	SCALE:	1"=300'
CHECKED:	DDA	JOB NO.	2900
FILE NAME:	RW 18 END TREE REMOVAL.DWG		

FIGURE

1

Earth moving activity means any removal or placement, excavation, filling, stockpiling or grading of soil, earth, loam, sand, gravel, rock and other mineral deposits.

Emergency operations: Emergency operations shall include operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

Emergency shelter: A facility providing temporary overnight shelter to homeless individuals in a dormitory-style or per-bed arrangement.

Essential services: The construction, alteration or maintenance of gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Fabrication: Manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber. Fabrication relates to stamping, cutting, or otherwise shaping the processed materials into useful objects.

Family: Not more than sixteen (16) individuals living together in a dwelling unit as a single nonprofit housekeeping unit. A group occupying a hotel, fraternity house or sorority house shall not be considered as a family. The family may include necessary servants.

Family amusement centers: Any structure, open to the public, which may contain coin-operated games and similar entertainment and amusement devices.

Fill. Soil, earth, loam, sand, gravel, rock and other mineral deposits.

Filling. The placement of soil, earth, loam, sand, gravel, rock and other mineral deposits. Filling shall include stockpiling

Protection Act, 38 M.R.S.A. § 480-C. Permits may also be required from the Army Corps of Engineers if located in navigable waters.

6. Except in the W-C, EWP, W-PD, W-SU, and I-B zones, no new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high water line of a water body or within a wetland unless the structure requires direct access to the water as an operational necessity;
7. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high water line of a water body or within a wetland shall be converted to residential dwelling units in any zone.

(c) *Clearing or removal of vegetation:*

1. In all shoreland areas in resource protection zones, the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that zone.
2. The clearing or removal of vegetation standards of this section shall not apply to the following zones: EWP, WCZ, WPD, WSU, B-3, B-5, B-5b, B-6, B-7, I-L (south and east of I-295) and I-M zones (south and east of I-295).
3. Other than cutting or removal of vegetation as provided for in this section, timber harvesting shall not be permitted. For purposes of this section, timber harvesting is defined as the cutting and removal of timber for the primary purpose of selling or processing forest products. The cutting or removal of trees in the shoreland zone on a lot that has less than (2) acres within the shoreland zone shall not be considered timber harvesting. Cutting or removal of such trees shall be regulated pursuant to this section.
4. For purposes of this section, vegetation is defined as all live trees, shrubs and other plants