

# TOWN OF YARMOUTH

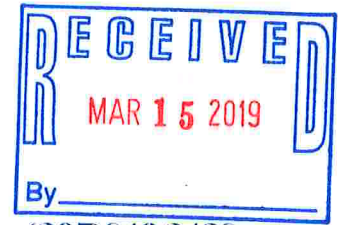
200 Main Street

Yarmouth, Maine 04096

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## SHORELAND ZONING PERMIT APPLICATION

PERMIT # 19-15 ISSUE DATE \_\_\_\_\_ FEE AMOUNT 150.00  
Date: 15 Mar 19 Zoning District \_\_\_\_\_ Map 58 Lot 18 Ext \_\_\_\_\_  
APPLICANT NAME: Bedeas Michael PHONE NO: 207 409 8500  
MAILING ADDRESS: 95 Sandy Pt Rd e-mail mbedeas@gmail.com  
OWNER (other than applicant)  
NAME: SAME PHONE NO: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_  
CONTRACTOR  
NAME: BARTLETT TREE PHONE NO: \_\_\_\_\_  
MAILING ADDRESS: PO Box 6828 Scarborough e-mail NTUCKER@BARTLETT.COM  
(9 WASHINGTON AVE) 04070  
PROPERTY LOCATION: 95 Sandy Pt Rd

*Applicant must also include a narrative of the project including a description of all proposed construction, (E.G. Land clearing, road building, septic systems and wells – Please note: A site plan sketch is required on a separate sheet of paper no less than 11" x 17" or greater than 24"x36"*

**Please note: Plan set must be bound (not rolled) with a cover sheet and index.**

Proposed use of project: TREE REMOVAL

Estimated cost of construction 5 K

Lot area (sq. ft.) See Management Plan

Frontage on Road (FT) N/A

SQ. FT. of lot to be covered by non-vegetated surfaces N/A

Elevation above 100 YR Flood Plain \_\_\_\_\_

Frontage on water body (FT.) 210

Height of proposed structure N/A

Existing use of property \_\_\_\_\_

Proposed use of property N/A

*Note: NEXT Questions apply only to expansions of portions of existing structures that are less than the required setback.*

- A) Total building footprint area of portion of structure that is less than required setback as of 1/1/89: \_\_\_\_\_ SQ.FT.
- B) Actual shore setback of existing structure proposed for expansion (measured as required in SOD, e.g.: Highest Annual Tide; Upland Edge of Coastal Wetland; Top of Bank (RP); Normal High Water Line of rivers and streams; as applicable): \_\_\_\_\_
- C) Building footprint area of expansions of portion of structure that is less than required setback from 1/1/89 to present: \_\_\_\_\_ SQ.FT.
- D) Building footprint area of proposed expansion of portion of structure that is less than required setback: \_\_\_\_\_ SQ.FT.
- E) % Increase of building footprint of previous and proposed expansions of portion of structure that is less than required setback since 1/1/89: % increase =  $((C+D) \times 100) / A =$  \_\_\_\_\_ %
- F) Floor Area and Market Value of Structure prior to improvements: (a) Area: \_\_\_\_\_ Value: \_\_\_\_\_. Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area: \_\_\_\_\_ Value: \_\_\_\_\_. If the floor area or market value of (b) exceeds 50% of the area or value of (a), then the Relocation provisions of Article IV.R.5.a.(3) and (4) shall apply. **Note:** A value appraisal may be required or submitted in close cases where the applicant asserts that that 50% trigger and relocation assessment provision is not met. **Any plan revisions after initial approvals to replace rather than renovate building components (foundations, framing, etc.) shall be required to recalculate the extent of removal, damage or destruction relative to retained structure.**
- ☐ Please provide a site plan to include lot lines, area to be cleared of trees and other vegetation; the exact position of proposed structures, including decks, porches, and out buildings with accurate setback distances from the shoreline, side and rear property lines; the location of proposed wells, septic systems, and driveways; and areas and amounts to be filled or graded. If the proposal is for the expansion of an existing structure, please distinguish between the existing structure and the proposed expansion.
- ☐ Note: For all projects involving filling, grading, or other soil disturbance you must provide a soil erosion control plan describing the measures to be taken to stabilize disturbed areas before, during and after construction.
- ☐ Draw a simple sketch showing both the existing and proposed structures with dimensions.

## SHORELAND ZONING PERMIT CHECKLIST

Please note that this checklist is intended to help applicants identify major submittal components but it is the applicant's responsibility to review the SOD/RP provisions outlined in Chapter 701 of the Yarmouth Code and provide all required information as well as conform to all design components. Copies of Chapter 701 are available at the Yarmouth Town Hall or can be downloaded on the Town website which is [www.yarmouth.me.us](http://www.yarmouth.me.us).

- ☐ Complete Shoreland Zoning Permit application including signatures of property owners and agents.
- ☐ Appropriate fee.
- ☐ Square footage of lot area within the 250' SOD
- ☐ Square footage and % of lot covered by non-vegetated surfaces within the SOD
- ☐ Square footage and % of cleared area within lot area within the SOD
- ☐ Delineation of 75' setback from upland edge of the coastal wetland
- ☐ Delineation of 250' SOD line from upland edge of the coastal wetland.
- ☐ Delineation of Resource Protection District
- ☐ Height of any proposed structures as measured between the mean original grade at the downhill side of the structure and the highest point of the structure
- ☐ Building elevations of any proposed structures as viewed from side and rear lot lines
- ☐ % Increase of expansions of portion of structure which is less than the required setback (if applicable)
- ☐ Floor Area and Market Value of Structure prior to improvements: (a) Area: \_\_\_\_\_ Value: \_\_\_\_\_. Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area: \_\_\_\_\_ Value: \_\_\_\_\_.
- ☐ Elevation of lowest finished floor to 100 year flood elevation
- ☐ Evidence of submission of the application to the Maine Historic Preservation Commission (MHPC) at least twenty (20) days prior to the Planning Board meeting as required in Article IV.R.O
- ☐ Copy of additional permit(s) if applicable:
  - Planning Board (e.g. Subdivision, Site Plan Review)
  - Board of Appeals
  - Flood Hazard
  - Exterior plumbing permit (Approved HHE 200 Application Form)
  - Interior plumbing permit
  - DEP permit (Site Location, Natural Resources Protection Act)
  - Army Corps of Engineers Permit (e.g. Sec. 404 of Clean Waters Act)
- ☐ Please circle all habitat types, marine organisms and shoreline elements present:  
(Sand beach) (boulder/cobble beach) (sand flat) (mixed coarse & fines) (salt marsh)  
(ledge) (rocky shore) (mudflat) (sediment depth if known) (Bluff/bank) (Mussels) (clams)  
(marine worms) (rockweed) (eelgrass) (lobsters) (other \_\_\_\_\_)
- ☐ Signs of intertidal erosion? (Yes) (no)
- ☐ Energy: (protected) (semi-protected) (partially exposed) (exposed)
- ☐ Copy of deed
- ☐ Soil erosion control plan
- ☐ Photographs
- ☐ Plan view



NOTE: Applicant is advised to consult with the CEO and appropriate state and federal agencies to determine whether additional permits, approvals, and reviews are required.

### CONDITIONS OF APPROVAL

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

I certify that all information given in this application is accurate. All proposed uses shall be in conformance with this application and the Town of Yarmouth Shoreland Regulations in the Zoning Ordinance. I agree to future inspections by the Code Enforcement Officer / Planning Director / Planning Board members (as applicable) at reasonable hours and with advance notice.

"I authorize appropriate staff within the Yarmouth Planning Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to collect facts pertaining to my application."

Applicant Signature Michael T. Beales Date 15 May 19

Agent Signature \_\_\_\_\_ Date \_\_\_\_\_  
(if applicable)

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Code Enforcement Officer \_\_\_\_\_

DATE OF APPROVAL / DENIAL OF APPLICATION \_\_\_\_\_  
(by either staff or planning board)

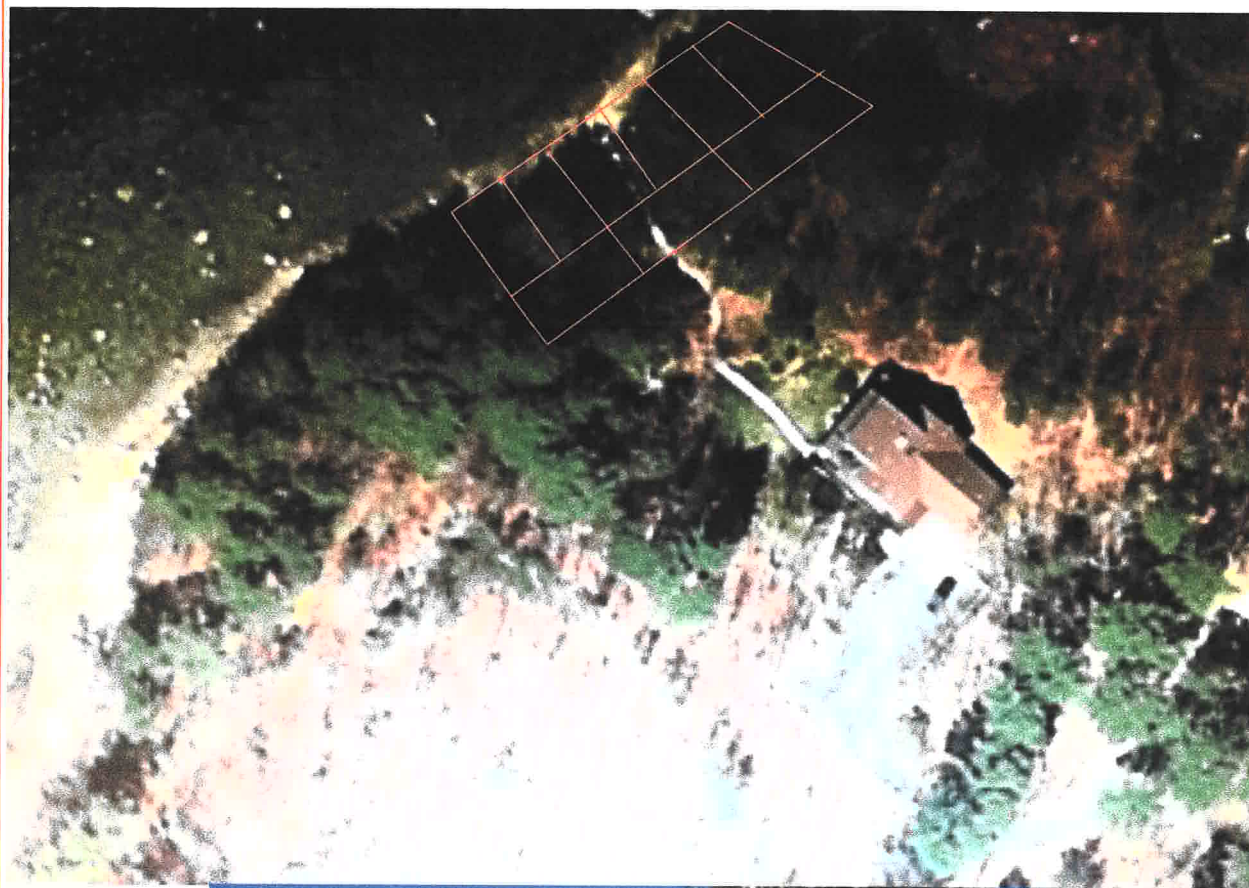
# 2019

## Bedecs Shoreland Zone Tree Management Plan

Michael R. Hughes, RCA, BCMA  
Hughes Inc. Arbor and Land Mgmt.  
3-3-19



Below: Bedecs Shoreland Zone General Layout (Not To Scale)



Above: Shoreline view of area with zones.



**Hughes** Inc.

**Arbor & Land Management**

*Sensible Arboriculture Since 1986*

Michael Bedecs  
95 Sandy Point Rd.  
Yarmouth, ME 04096

Date of Field Work: February 25, 2019

Date: March 3, 2019

**Assignment:** Provide plot sampling of shoreline area for the purpose of providing for a shoreline vegetation management project. Determine density of trees to be retained, in accordance with the Maine Shoreland Zoning Ordinance (06-096 Dept. of Environmental Protection, Chapter 1000).

**Scope:** The scope is limited to a 11,250 ft. sq. area subdivided into (9) 25' x 50' plots.

**Limiting Conditions:** The site was very snowy and contains very steep terrain. Heavy areas of downed trees and brush made access difficult. All point measurements are based upon conditions and vegetation as they existed on the date of the Field work.

Key Points for Shoreland Zoning Rules (pertaining to residential areas on sites other than Great Ponds):

Diameter at Breast Ht. [DBH @ 4.5']	Points
Under 2"	0
2" to < [less than] 4"	1
4" to <8"	2
8" to <12"	4
12" or greater	8

- Whenever possible, no more than half of the points counted toward the 16-point threshold within any 25-foot by 50-foot area may consist of trees greater than 12 inches in diameter.
- Maintain (5) sapling-sized trees per plot. Note all (9) zones are stocked with such saplings and they have been marked with appropriate colored flagging tape *hanging* on them.



- The shore buffer area is considered to be within 75' of the high-tide area.
- No more than 40% of the total volume of trees over 4 inches in diameter in the buffer area may be harvested in any 10 year period.
- Vegetation less than 3 feet in height, including ground-cover, cannot be removed from shoreland buffers.
- Pruning the lower third of the branches of a tree within the buffer is allowed.
- No opening in the forest canopy may exceed 250 square feet.
- A winding footpath of not more than 6 feet wide is allowed. Selective cutting is allowed, provided a well-distributed stand of trees remains.
- Maintain a minimum of 16 points (see table below) worth of trees and 5 saplings within any 25-foot by 50-foot area.

**Discussion:** Trees were evaluated for potential health concerns. Hemlock are showing significant presence of hemlock wooly adelgid (HWA). There are some white ash located along the shore. Their condition is good at this point, but Emerald ash borer (EAB) is a concern.

Hemlock which were deemed infested with HWA were NOT considered as eligible trees for the point system. Though healthy, any ash located within the zones were NOT considered eligible for the point system due to potential for infestation from EAB. EAB is anticipated within the area at any time, and given the difficult slope and terrain, it would be considered unlikely the ash would be treatable.

It is not a given that all fallen branches and brush should be removed (due to the steepness of the slope). It may be wise to actually slash much of brush from those trees removed vs. removing and chipping it, though this shall be left up to the homeowner and contractor. Slashed brush can reduce the impact of rain on a slope and contribute valuable nutrients back to the soil upon decomposition.



Zone	Tree Species	DBH (in inches)	Points
<b>Red Zone 1 (RZ1)</b>	Hemlock	5	2
	Hemlock	7	2
	Beech	3	1
	Beech	5	2
	Beech	4	2
	Birch	5	2
	Birch	8	4
	White pine	14	8
	Birch	15	8
	Birch	15	8
	<b>Total RZ1</b>		<b>31</b>
<b>RZ2</b>	Hemlock	5	2
	White pine	5	2
	Birch	3	1
	Hemlock	8	4
	Hemlock	16	8
	White pine	10	4
	<b>Total RZ2</b>		<b>29</b>

Zone	Tree Species	DBH (in inches)	Points
<b>RZ3</b>	White pine	8	2
	White pine	8	2
	Balsam fir	6	2
	Balsam fir	10	4
	Hemlock	15	8
	White pine	18	8
	<b>Total RZ3</b>		<b>26</b>
<b>RZ4</b>	Alder	8	4
	Alder	6	2
	Oak	5	2
	Ironwood	7	2
	Alder	12	8
	Birch	3	1
	<b>Total RZ4</b>		<b>17</b>
<b>RZ5</b>	White pine	3	1
	Alder	8	2
	Birch	6	2
	White pine	8	2
	Ironwood	3	1
	White pine	4	2
	Oak	4	2
	Birch	3	1



Zone	Tree Species	DBH (in inches)	Points
RZ4 cont'd	Oak	8	2
<b>Total RZ4</b>			<b>19</b>
<b>RZ5</b>	White pine	3	1
	Alder	8	2
	Birch	6	2
	White pine	9	4
	Ironwood	3	1
	White pine	4	2
	Oak	4	2
	Birch	3	1
	Oak	8	2
<b>Total RZ5</b>			<b>17</b>
<b>RZ6</b>	Balsam fir	3	1
	Balsam fir	4	2
	Balsam fir	3	1
	Balsam fir	2	1
	Birch	4	2
	Birch	3	1
	Birch	3	1
	Birch	3	1
	Birch	3	1
	Ironwood	3	1

Zone	Tree Species	DBH (in inches)	Points
<b>RZ6 cont'd</b>	Birch	4	2
	Alder	6	2
	Birch	3	1
<b>Total RZ6</b>			<b>17</b>
<b>Orange Zone 1 (OZ1)</b>	Oak	7	4
	White pine	22	8
	Oak	8	4
	Oak	14	8
	Birch	3	1
<b>Total OZ1</b>			<b>25</b>
<b>OZ2</b>	White pine	36	8
	Oak	8	2
	Oak	22	8
<b>Total OZ2</b>			<b>18</b>
<b>OZ3</b>	Birch	3	1
	Oak	5	2
	Birch	3	1
	Red maple	3	1
	Birch	3	1
	Oak	3	1
	Moosewood	4	2
	Hemlock	16	8
<b>Total OZ3</b>			<b>17</b>



### Conclusion, Recommendations, Action Plan:

- Obtain permit from local zoning authority to carry out aforementioned work.
- Retain all trees and vegetation required (and currently marked on site) by point system, *at a minimum*. Retain as much additional tree and vegetative cover as possible in addition. This becomes ever more critical where there is desirable shoreline vegetation such as alder. Alder should be retained wherever and whenever possible. Please note that much alder close to the shoreline was numerous and remained UNMARKED for retention. It is a given that it SHOULD be included among vegetation retained.
- Important: Trees marked on site with appropriate colored flagging tape are trees selected for RETENTION not removal.
- Stakes are used with appropriate markings to indicate the (9) zones.
- Prune only lower one-third of canopy, where necessary to ANSI A-300 Standards for Pruning.
- Take care to avoid moving of infested hemlock material off-site especially during the insects active period in early spring and fall, when crawler stages are active.
- Plant additional trees and shrubs to complement existing vegetation wherever possible in zones where the points just meet 16 or little more. Planting must be completed to ANSI A-300 Standards for Planting.
- Consultant is willing to meet with contractor on site if there are any questions.

Signature of Consultant,

\_\_\_\_\_  
Michael R. Hughes, BCMA, RCA



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