

RE: Shoreland Zone Questions



From Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>
To planningboard@townoflongisland.us <planningboard@townoflongisland.us>
Date 2020-11-12 08:47

Hi Steve,

While the Department has not set a date for Towns to adopt the 2015 changes, the Shoreland Zoning Law requires Towns to use the footprint expansion. The Department's interpretation of this has been that a Town should look at an expansion under the footprint and area/volume methods and approve the most stringent. The hazard tree language in the guidelines had been Department policy prior to it's inclusion in the guidelines. Having it in the Ordinance simplifies implementation in some cases but it is not required to be in an Ordinance for a Town to approve the removal of a hazard tree.

Let me know if you have any additional questions.

Jeff

Jeffrey C. Kalinich
Maine Department of Environmental Protection
Assistant Shoreland Zoning Coordinator
Ph. (207) 615-7044
Fax. (207) 822-6303
www.Maine.gov/dep

-----Original Message-----

From: planningboard@townoflongisland.us <planningboard@townoflongisland.us>
Sent: Tuesday, November 10, 2020 7:48 PM
To: Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>
Subject: Shoreland Zone Questions

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jeff -

I had a discussion this afternoon with two individuals whose properties on in the SLZ on Long Island. We talked about the amendment to the definition of "Hazard Tree" you and I have traded emails about.

I said my understanding is that the State has finalized its guidelines but has not yet set a deadline for communities to incorporate those guidelines into municipal ordinances. Is that correct?

The Planning Board is hopeful that town voters will approve the "Hazard Tree" definition and

other revisions to the town's land use ordinance at Town Meeting in May. One property owner asked me today if the new state guidelines allow for CEO to permit a hazard tree that is a serious and imminent risk to the shoreline banking to be removed under certain conditions, could a Long Island property owner get CEO approval to take down such a tree prior to Long Island updating its land use ordinance?

I appreciate you taking a look and getting back to me.

Steve Hart, Chair

Town of Long Island Planning Board