

City of Portland

LMAC Waiver Committee



Thursday, September 5, 2024 at 11:00 AM via zoom

To submit written public comment on an agenda item, email landcare@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Waiver Committee meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION:

The Waiver Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

<https://portlandmaine-gov.zoom.us/j/83818946584?pwd=bZF7qbq9OoJkVoEmNaawakrlb9YXPt.1>

1. Introduction / Review purpose of the meeting
2. Applicant presentation
 - a. 8 Chester St. Applicatin Materials
3. Discussion
4. Committee Decision
5. Adjournment



August 7, 2024

Permitting and Inspections Department
Ann Machado
Zoning Administrator
City of Portland, Maine

8 Chester Street – Engebretth Residence
Shoreline Slope Planting & Stabilization Plan

Landcare Management Advisory Committee (LMAC),

This letter is supplemental information in support of the previous approval by the Maine Board of Pesticides and to be included in the waiver application, prepared by Tyler Smith with Bartlett Tree, submitted to the City's LMAC Waiver Committee. We have prepared and attached a Shoreline Slope Planting & Stabilization Plan in response to comments received by the Committee.

The Shoreline Slope Planting & Stabilization Plan includes revegetating the project area with a mix of woody and perennial native and acclimated species to stabilize the slope, provide diversity and replace the existing overwhelming abundance of invasive Japanese knotweed. The Plant Schedule and specified vegetation are readily available at reputable Maine nursery and greenhouse suppliers.

In addition to the significant proposed revegetated areas shown on the Plan, the design includes rip rap aprons along the top of the slope and edges of the property intended to dissipate sheet flow run-off from on and off the property towards the shoreline. Additionally, edges of rip rap apron areas are intended to provide buffers from adjacent properties, including City land extending from Chester Street, where knotweed is present and cannot be addressed by the property owner/applicant.

We are confident that the implementation of the Plan utilizing native and acclimated plant materials, treatment efforts by licensed applicators will remove the presence Japanese knotweed on the subject property and integrate best care practices to improve the ecosystem adjacent to Casco Bay and the shoreland zone.

Please look over the included information and let us know if you have question on the waiver application and supporting attachments. Thanks in advance for your time, review and hopeful approval of the proposed improvements to 8 Chester street benefitting the use of the property by the Engebretths.

Regards,

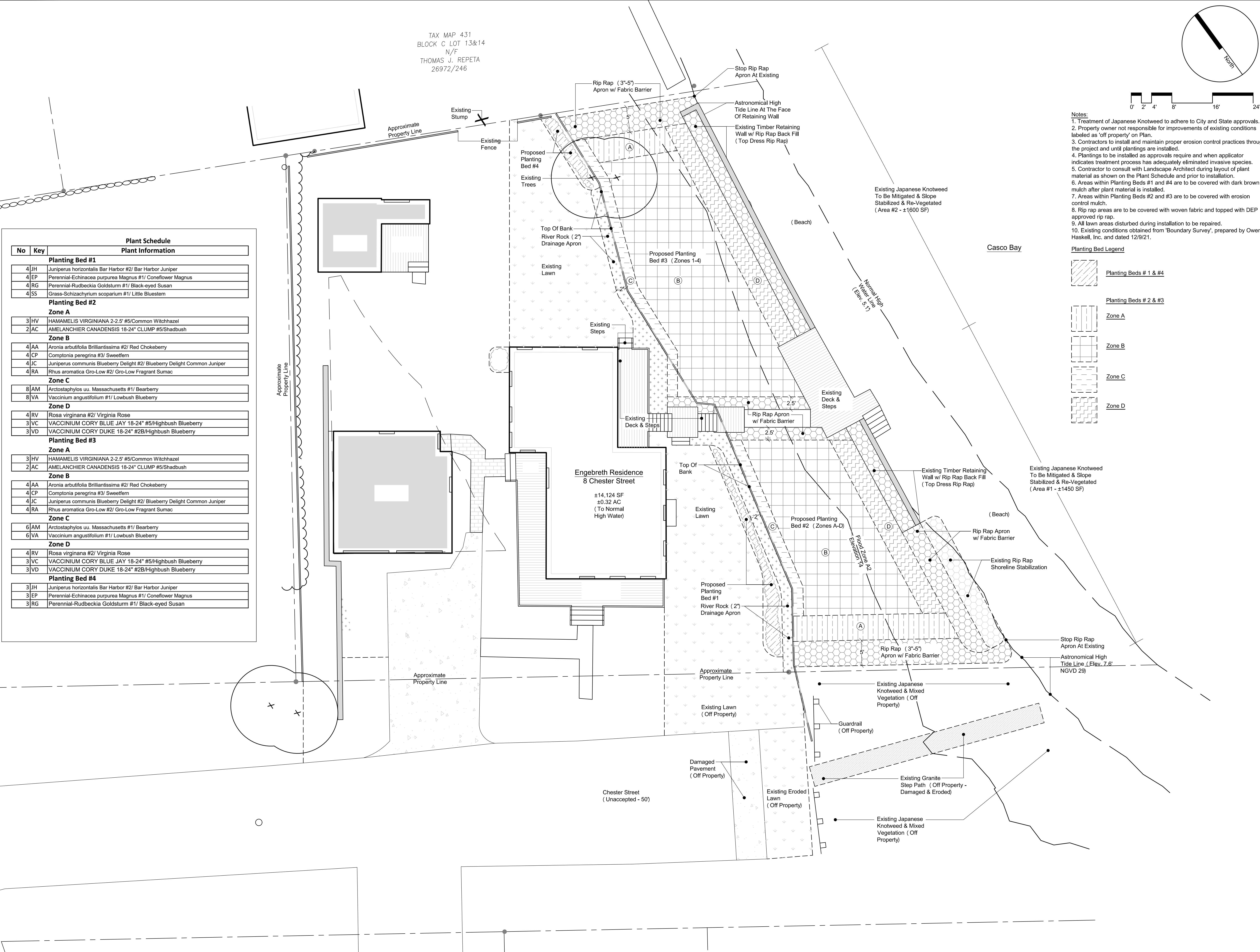
Ryan Russell

Maine Licensed Landscape Architect (#3425)

Land Plans, Inc.

Attachments:

1. Shoreline Slope Planting & Stabilization Plan, prepared by Land Plans, Inc. revised through 7/19/24.



SHORELINE SLOPE PLANTING & STABILIZATION PLAN

8 CHESTER STREET
PORTLAND, MAINE

ENGEBRETH RESIDENCE

REVISIONS	DATE
CITY COMMENTS	7/19/24
DATE MAY 29, 2024	
SCALE 1:8	
SHEET NUMBER	
1	
SHEET 1 OF 1	



LANDCARE ORDINANCE WAIVER APPLICATION

Landcare Management Advisory Committee (LMAC)

APPLICANT INFORMATION

Applicant Name: _____

Address: _____

Email Address: _____

Telephone Number: _____

Submission Date: _____

I am a: ☐ Resident ☐ Landlord ☐ Business ☐ Municipality ☐ Landscape company

Are you a licensed commercial applicator? ☐ Yes ☐ No

REASON FOR REQUESTING THE USE OF A PROHIBITED FERTILIZER OR PESTICIDE:

- ☐ Is an emergency and threatens the public health and safety
- ☐ For the control of invasive plants that pose a threat to the environment (*For a list of Maine Invasive Plants visit: http://www.maine.gov/dacf/mnap/features/invasive_plants/invsheets.htm*)
- ☐ Required to protect buildings or structures from damage
- ☐ Using a synthetic fertilizer on performance turf or for new development, with one or more the following conditions:
 - I. The soil temperature is less than 55 degrees Fahrenheit and reasonable grounds exist to justify fertilizer use at that location and at that time;
 - II. The turf is experiencing high stress due to high use and must be ready for high performance play when the sports season(s) begin; or
 - III. A suitable organic product that meets the nutrient needs of the soil as specified in a soil test is unavailable.

Making the right pest identification is important and can be difficult. Resources for pest identification are available at: <http://www.maine.gov/dacf/php/gotpests/invasive-pests.htm>. NOTE: Applications for poisonous plants such as poison ivy, pests of significant health importance such as ticks and mosquitos, and destructive pests such as carpenter ants and termites are exempted under the ordinance. No waiver is necessary to address these pests.

Please provide a detailed account of the problem you would like to address with the proposed fertilizer or pesticide application. Include photos of the problem/pest and of the extent of the problem (this may be number of pests or area covered):

What steps did you take to evaluate alternative methods to the proposed fertilizer or pesticide application, including but not limited to, non-fertilizer/pesticide management tactics, minimum risk fertilizers or pesticides, non-synthetic fertilizers or pesticides, and selecting the minimum amount of the least toxic, most effective fertilizer or pesticide necessary.

PROJECT INFORMATION

What are you treating? ☐ Turf ☐ Shrubs ☐ Trees ☐ Invasive Weeds

Address of proposed application: _____

Please attach a map of the proposed application area (*this may be a sketch, however it should be to scale and include property boundaries, structures, and water bodies*).

Is this application within 75ft. of a waterbody? ☐ Yes ☐ No

Proposed fertilizer or pesticide:

Amount to be applied: _____

Method of application: ☐ Liquid ☐ Granular ☐ Injection/systemic ☐ Cut stem treatment

Proposed timing(s)/frequency of use: _____

Proposed date of application: _____

Please provide a detailed management plan for your proposed application, including how you will minimize the impact of this application on abutting properties and, to the maximum extent possible, ensure that the grant of the waiver will not be detrimental to the public's health, safety or welfare.

NOTE: the following applications are prohibited:

- Broadcast applications: the spreading of pesticides over an entire area
- Preemptive applications: the application of pesticides as a measure against something possible, anticipated or feared, i.e., as a preventive or deterrent measure

In order for the waiver to be considered, all of the fields above must be completed. For questions, please contact Troy Moon in the Sustainability Office at 207-756-8362.

Completed forms may be emailed to landcare@portlandmaine.gov, or mailed or delivered to City Hall, 389 Congress Street, Portland, ME 04101.

Plant Schedule		
No	Key	Plant Information
Planting Bed #1		
4	JH	Juniperus horizontalis Bar Harbor #2/ Bar Harbor Juniper
4	EP	Perennial-Echinacea purpurea Magnus #1/ Coneflower Magnus
4	RG	Perennial-Rudbeckia Goldsturm #1/ Black-eyed Susan
4	SS	Grass-Schizachyrium scoparium #1/ Little Bluestem
Planting Bed #2		
Zone A		
3	HV	HAMAMELIS VIRGINIANA 2-2.5' #5/Common Witchhazel
2	AC	AMELANCHIER CANADENSIS 18-24" CLUMP #5/Shadbush
Zone B		
4	AA	Aronia arbutifolia Brilliantissima #2/ Red Chokeberry
4	CP	Comptonia peregrina #3/ Sweetfern
4	JC	Juniperus communis Blueberry Delight #2/ Blueberry Delight Common Juniper
4	RA	Rhus aromatica Gro-Low #2/ Gro-Low Fragrant Sumac
Zone C		
8	AM	Arctostaphylos uu. Massachusetts #1/ Bearberry
8	VA	Vaccinium angustifolium #1/ Lowbush Blueberry
Zone D		
4	RV	Rosa virginana #2/ Virginia Rose
3	VC	VACCINIUM CORY BLUE JAY 18-24" #5/Highbush Blueberry
3	VD	VACCINIUM CORY DUKE 18-24" #2B/Highbush Blueberry
Planting Bed #3		
Zone A		
3	HV	HAMAMELIS VIRGINIANA 2-2.5' #5/Common Witchhazel
2	AC	AMELANCHIER CANADENSIS 18-24" CLUMP #5/Shadbush
Zone B		
4	AA	Aronia arbutifolia Brilliantissima #2/ Red Chokeberry
4	CP	Comptonia peregrina #3/ Sweetfern
4	JC	Juniperus communis Blueberry Delight #2/ Blueberry Delight Common Juniper
4	RA	Rhus aromatica Gro-Low #2/ Gro-Low Fragrant Sumac
Zone C		
6	AM	Arctostaphylos uu. Massachusetts #1/ Bearberry
6	VA	Vaccinium angustifolium #1/ Lowbush Blueberry
Zone D		
4	RV	Rosa virginana #2/ Virginia Rose
3	VC	VACCINIUM CORY BLUE JAY 18-24" #5/Highbush Blueberry
3	VD	VACCINIUM CORY DUKE 18-24" #2B/Highbush Blueberry
Planting Bed #4		
3	JH	Juniperus horizontalis Bar Harbor #2/ Bar Harbor Juniper
3	EP	Perennial-Echinacea purpurea Magnus #1/ Coneflower Magnus
3	RG	Perennial-Rudbeckia Goldsturm #1/ Black-eyed Susan



SHORELINE SLOPE PLANTING & STABILIZATION PLAN

ENGEBRETH RESIDENCE

8 CHESTER STREET
PORTLAND, MAINE

REVISIONS	DATE
CITY COMMENTS	7/19/24

DATE
MAY 29, 2024

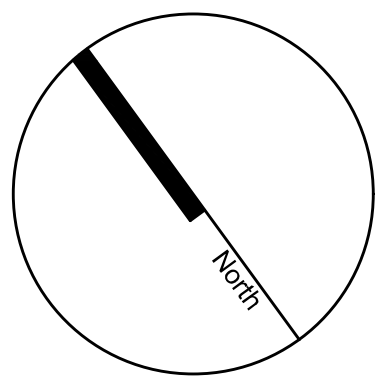
SCALE
1:8

SHEET NUMBER

1

SHEET 1 OF 1

TAX MAP 431
BLOCK C LOT 13&14
N/F
THOMAS J. REPETA
26972/246



0' 2' 4' 8' 16' 24'

Notes:

1. Treatment of Japanese Knotweed to adhere to City and State approvals.
2. Property owner not responsible for improvements of existing conditions labeled as 'off property' on Plan.
3. Contractors to install and maintain proper erosion control practices through the project and until plantings are installed.
4. Plantings to be installed as approvals require and when applicator indicates treatment process has adequately eliminated invasive species.
5. Contractor to consult with Landscape Architect during layout of plant material as shown on the Plant Schedule and prior to installation.
6. Areas within Planting Beds #1 and #4 are to be covered with dark brown mulch after plant material is installed.
7. Areas within Planting Beds #2 and #3 are to be covered with erosion control mulch.
8. Rip rap areas are to be covered with woven fabric and topped with DEP approved rip rap.
9. All lawn areas disturbed during installation to be repaired.
10. Existing conditions obtained from 'Boundary Survey', prepared by Owen Haskell, Inc. and dated 12/9/21.

Planting Bed Legend

	Planting Beds #1 & #4
	Planting Beds #2 & #3
	Zone A
	Zone B
	Zone C
	Zone D

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Planting Bed #2		
Zone A		
3	HV	HAMAMELIS VIRGINIANA 2-2.5' #5/Common Witchhazel
2	AC	AMELANCHIER CANADENSIS 18-24" CLUMP #5/Shadbush
Zone B		
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3	VD	VACCINIUM CORY DUKE 18-24" #2B/Highbush Blueberry
Planting Bed #4		
3	JH	Juniperus horizontalis Bar Harbor #2/ Bar Harbor Juniper
3	EP	Perennial-Echinacea purpurea Magnus #1/ Coneflower Magnus
3	RG	Perennial-Rudbeckia Goldsturm #1/ Black-eyed Susan

