

Article 16 Definitions (Changes)

Cross Sectional Area: The cross sectional area of a stream or tributary stream channel is determined by multiplying the stream or tributary stream channel width by the average stream or tributary stream channel depth. The stream or tributary stream channel width is the straight line distance from the normal high-water line on one side of the channel to the normal high-water line on the opposite side of the channel. The average stream or tributary stream channel depth is the average of the vertical distances from a straight line between the normal high-water lines of the stream or tributary stream channel to the bottom of the channel.

Disruption of Shoreline Integrity: The alteration of the physical shape, properties, or condition of a shoreline at any location by timber harvesting and related activities. A shoreline where shoreline integrity has been disrupted is recognized by compacted, scarified and/or rutted soil, an abnormal channel or shoreline cross –section and in the case of flowing waters, a profile and character altered from natural conditions

Expansion of a Structure: An increase in the ~~floor area or volume~~ footprint of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Expansion of a Use: The addition of weeks or months to the operating season of a business, the addition of hours to a business day, the use of more ~~floor area~~ footprint of a structure or ground area devoted to a particular use, or the provision of additional seats or seating capacity or the addition of antennas, towers, or other devices to an existing structure.

Footprint:-The entire area of ground covered by the structure(s) on a lot, including but not limited to cantilevered or similar overhanging extensions, as well as unenclosed structures, such as patios and decks.

Functionally Water-Dependent Uses: Those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that cannot be located away from these waters. The uses include, but are not limited to, commercial and recreational fishing and boating facilities (~~excluding recreational boat storage buildings~~), finfish and shellfish processing, fish related storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, ~~retaining walls~~, shoreline structures necessary for erosion control purposes industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that cannot reasonably be located or operated at an inland site, and uses that primarily provide general public access to coastal or inland waters. Recreational boat storage buildings are not considered to be a functionally water dependent use

Hazard Tree: A tree with a structural defect, combination of defects, or disease resulting in a structural defect that under the normal range of environmental conditions at the site exhibits a high probability of failure and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies, such as, but not limited to: hurricanes; hurricane-force winds; tornados; microbursts; or significant ice storm events. Hazard trees also include those trees that pose a serious and imminent risk to bank stability. A target is the area where personal injury or property damage could occur if the tree or a portion of the tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger.

Non-native Invasive Species of Vegetation: Species of vegetation listed by the Maine Department of Agriculture, Conservation and Forestry as being invasive in Maine ecosystems and not native to Maine ecosystems.

Principal Structure: A ~~building~~ structure other than one which is used for purposes wholly incidental or accessory to the use of another ~~building~~ structure or use on the same premises.

Principal Use: A use other than one which is wholly incidental or accessory to another use on the same premises ~~lot~~.

Sapling: A tree specimen that is less than two (2) inches in diameter at four and one half (4.5) feet above ground level.

Seedling: A young tree specimen that is less than four and one half (4.5) feet in height above ground level.

Stream: A free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial free-flowing bodies of water as depicted on the most recent ~~edition~~ highest resolution version of a the national hydrology dataset available from the United States Geological Survey ~~7.5-minute-series topographic~~ on the website of the United States Geological Survey on the national map, ~~or if not available, a 15-minute-series topographic map,~~ to the point where the ~~body of water~~ stream becomes a river, ~~or flows to~~ where the stream meets the shoreland zone of another water body or wetland. When a stream meets the shoreland zone of a water body or wetland ~~within the shoreland area~~ and a channel forms downstream of the water body or wetland as an outlet, that channel is also a stream.

Stream Outlet: Any perennial or intermittent stream, as shown on the most recent highest resolution version of the national hydrology dataset available from the United States Geological Survey on the website of the United States Geological Survey or the national map that flows from a freshwater wetland.

Structure: Anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with or anything constructed or erected with a fixed location on or in the ground, exclusive of fences, and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks and satellite dishes. Structure does not include fences; poles and wiring and other aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface waste water disposal systems as defined in Title 30- A, section 4201, subsection 5; geothermal heat exchange wells as defined in Title 32, section 4700-E, subsection 3-C; or wells or water wells as defined in Title 32, section 4700-E, subsection 8.

Tree: A woody perennial plant with a well-defined trunk(s) at least two (2) inches in diameter at four and one half (4.5) feet above the ground, with a more or less definite crown, and reaching a height of at least ten (10) feet at maturity.

Upland Edge: The boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the ~~maximum~~ ~~spring~~ highest annual tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) ~~feet~~ feet) tall or taller.