

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 966

H.P. 680

House of Representatives, March 12, 2013

An Act To Clarify an Exemption to the Municipal Subdivision Laws

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MORIARTY of Cumberland.
Cosponsored by Senator KATZ of Kennebec and
Representatives: CAREY of Lewiston, CROCKETT of Bethel, GRAHAM of North Yarmouth,
HOBBINS of Saco, PRIEST of Brunswick.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4401, sub-§4, ¶D-6, as enacted by PL 2001, c. 359, §3, is amended to read:

D-6. A division accomplished by the transfer of any interest in land to the owners of land abutting that land ~~that does not create a separate lot~~ does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person without all of the merged land, then the previously exempt division creates a lot or lots for the purposes of this subsection.

SUMMARY

This bill clarifies an exemption to the definition of "subdivision" for purposes of planning and land use regulation. This bill specifies that a parcel of land created by a division that is transferred to an owner abutting that parcel is not subject to municipal review and regulation.