

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
105TH LEGISLATURE

HOUSE AMENDMENT " A " to H. P. 1380, L. D. 1800, Bill, "AN ACT
Relating to Municipal Regulation of Land Subdivisions."

Amend said Bill by striking out in the 4th line (same in L. D.)
the following: "§4965." and inserting in place thereof the
following: '§4956.'

' Further amend said Bill in that part designated "§4965."
by striking out in the 3rd line (same in L.D.) the underlined
figure "2" and inserting in place thereof the underlined figure '3'

Further amend said Bill in that part designated "§4965." by
inserting after paragraph K of subsection 3 the following:

'L. Whenever situated, in whole or in part, within 250 feet
of any pond, lake, river or tidal waters, will not adversely
effect the quality of such body of water or unreasonably effect
the shoreline of such body of water.'

Further amend said Bill in that part designated "§4965." by
striking out all of the last 2 paragraphs of subsection 3 and
inserting in place thereof the following blocked paragraph:

'The planning board agency or office, or if none, the municipal
officers, shall issue an order denying or granting approval of
the proposed subdivision or granting approval upon such terms and
conditions as it may deem advisable to satisfy the criteria listed
in this subsection, and to protect and preserve the public's
health, safety and general welfare. In all instances the burden
of proof shall be upon the person proposing the subdivisions.'

(Filing No. H-415)

Statement of Fact

The purpose of this amendment is to correct a typographical error, and to add an additional requirement for review of subdivision adjacent to certain water bodies, and to provide that the burden of proof is on a developer to show that the municipal requirements have been satisfied.

Filed by Mr. Marstaller of Freeport.

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