

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 1439**

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H. P. 1103

House of Representatives, March 12, 1973

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Dyar of Strong.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT Relating to Definition of Land Subdivisions under Municipal Regulation Law.

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

**Sec. 1. R. S., T. 30, § 4956, sub-§ 1, repealed and replaced.** Subsection 1 of section 4956 of Title 30 of the Revised Statutes, as last repealed and replaced by chapter 454 of the public laws of 1971, is repealed and the following enacted in place thereof:

1. **Defined.** A subdivision shall be the division of any contiguous parcel of land held under one title into 5 or more lots, any one of which is less than 5 acres in size, during a 3-year period.

**A. Less than 5 acres.** Except that any parcel of land less than 5 acres may be sold, leased or used without being subject to the regulation of this chapter, provided that there is complete compliance with the following mandatory requirements:

- (1) Use of the parcel must be single family residence;
- (2) Observance of all local zoning law provisions;
- (3) Recording in the registry of deeds, in the county where the parcel is located of a warranty deed of conveyance or a notarized lease, or an owner affidavit in the municipal office of the political entity where the parcel is located, the document of record containing the following covenants:

- (a) Minimum area of the parcel being 20,000 square feet;
- (b) The parcel is not situated within 250 feet of navigable water;

- (c) Slope of the parcel is not more than 60%;
- (d) Elevation of the parcel is under 2,500 feet;
- (e) Road frontage of the parcel is at least 50 feet;
- (f) Satisfaction of the requirements of soil and percolation tests and sanitation and sewerage requirements of the State or municipality;
- (g) Prohibition of any further subdividing or subletting of the parcel.

#### STATEMENT OF FACT

The purpose of this legislation is to provide an understandable and workable definition of a land subdivision in the Maine Statutes creating local jurisdiction in the municipal planning boards and in a separate legislative document proposing the same basic definition for environmental protection site selection and for the land use regulation of the commission statutes.