

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 117

H. P. 92

House of Representatives, January 8, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Quinn of Gorham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Clarify the Licensing Requirement for Structures of 60,000 square feet under the Site Location Act.

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

38 MRSA, § 482, sub-§ 2, as last amended by PL 1973, c. 625, § 276, is further amended to read:

2. **Development which may substantially affect the environment.** "Development which may substantially affect the environment," in this Article called "development," means any state, municipal, quasi-municipal, educational, charitable, commercial or industrial development, including subdivisions, but excluding state highways and state aid highways, which requires a license from the board, or which occupies a land or water area in excess of 20 acres, or which contemplates drilling for or excavating natural resources, on land or under water, excluding borrow pits for sand, fill or gravel, regulated by the Department of Transportation and pits of less than 5 acres, or which occupies on a single parcel a **fabricated** structure or structures **intended for human use** in excess of a ground area of 60,000 square feet.

STATEMENT OF FACT

This Act will relieve the Board of Environmental Protection from the onerous task of reviewing non-environmentally important adjuncts to construction. This Act will rescind the Attorney General's interpretation of "construction" as landscaping, lawns, driveways, sidewalks, etc. It will save the Department of Environmental Protection thousands of dollars in hearing

and study costs and will relieve small builders from the burden of preparation for full scale hearings before the Board of Environmental Protection.

This Act is in no way intended to amend or qualify the requirement that the board license all development occupying a land or water area in excess of 20 acres.