

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 1330

H. P. 1040

House of Representatives, March 21, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Farnham of Hampden.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Concerning the Land Use Regulation Statutes.

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

**Sec. 1.** 12 MRSA § 681, first ¶, as last amended by PL 1973, c. 569, § 1, is further amended to read:

The Legislature finds that it is desirable to extend principles of sound planning, zoning and subdivision control to the unorganized and deorganized townships of the State: To preserve public health, safety and general welfare, to prevent inappropriate residential, recreational, commercial and industrial uses detrimental to the proper use or value of these areas; to prevent the intermixing of incompatible industrial, commercial, residential and recreational activities; to promote commercial growth in those areas that are appropriate for such activity; to prevent the development in these areas of substandard structures or structures located unduly proximate to waters or roads; to prevent the despoliation, pollution and inappropriate use of the water in these areas; and, to preserve ecological and natural values.

**Sec. 2.** 12 MRSA § 685-A, sub-§ 6, as last amended by PL 1973, c. 569, § 10, is further amended by adding at the end a new paragraph to read:

There is hereby imposed a moratorium, during the interim zoning phase, on the designation of deer wintering habitat because reliable information is not presently available for the identification of deer wintering habitat.

**Sec. 3.** 12 MRSA § 685-B, sub-§ 3, 4th ¶, as last amended by PL 1973, c. 569, § 11, is further amended by adding at the end a new sentence to read:

If the commission fails to do so, said application shall be deemed to be approved.

**Sec. 4.** 12 MRSA § 685-B, sub-§ 7, as last amended by PL 1973, c. 569, § 11, is repealed.

**Sec. 5.** 12 MRSA § 685-C, sub-§ 4, as enacted by PL 1971, c. 457, § 5, is repealed.

#### STATEMENT OF FACT

This bill adds as a purpose the promotion of appropriate commercial growth. It eliminates deer wintering habitat for the interim zoning. It provides that if the commission fails to act, an application shall be granted. It deletes the power to regulate and prohibit nonconforming uses which pre-date zoning. It eliminates the power to acquire conservation easements.