

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1491

H. P. 1238

House of Representatives, March 28, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Huber of Falmouth.

Cosponsors: Mr. Rolde of York and Mrs. Masterton of Cape Elizabeth

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Permit the Consideration of Solar Access Issues when Approving any
Subdivision.**

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

30 MRSA § 4956, sub-§ 3-A is enacted to read:

3-A. Access to direct sunlight. The planning board, agency or office or the municipal officers may, for purposes of protecting and assuring access to direct sunlight for solar energy systems, prohibit, restrict or control development through subdivision regulations. The regulations may call for subdivision development plans containing restrictive covenants, height restrictions, side yard and setback requirements or other permissible forms of land use controls.

STATEMENT OF FACT

This bill is intended to assist and encourage the use of solar energy by permitting municipalities to consider that developers of subdivisions make reasonable provisions for the use of solar energy.