

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1092

7 H.P. 842

House of Representatives, March 7, 1983

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

10 EDWIN H. PERT, Clerk

Presented by Representative Mitchell of Freeport.

11 STATE OF MAINE
12
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Encourage Public Access to
18 Shoreland.
19

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

22 30 MRSA §4956, sub-§3-B is enacted to read:

23 3-B. Dedication of land for public use. The
24 municipal reviewing authority may require a person
25 proposing a subdivision to dedicate land or an inter-
26 est in land, the payment of fees in lieu thereof or a
27 combination of land and fees, for public access or
28 recreation as a condition of approval under this
29 section, provided that:

30 A. The municipal legislative body has adopted a
31 comprehensive plan under section 4901 that con-
32 tains a park, open space or shoreland access plan

1 and the requirements under this section are con-
2 sistent with that plan; and

3 B. The municipal subdivision regulations contain
4 standards for determining the proportion of a
5 subdivision to be dedicated to public use and the
6 amount of any fee to be paid in lieu of this ded-
7 ication.

8 STATEMENT OF FACT

9 The need for public access to parks and water
10 bodies is increasing, particularly along the coast,
11 where more than 95% of the shoreline is in private
12 ownership. Coastal residential population grew by
13 43% between 1970 and 1980, compared to an increase of
14 13% for the State as a whole during the same period.
15 Increasing subdivision development is reducing the
16 land available for parks and shoreland access, while
17 at the same time increasing the need.

18 This bill authorizes municipalities to enact sub-
19 division regulations that require a grant of land or
20 payment of fees for development of public parks and
21 shoreland access. The regulations must be consistent
22 with the local comprehensive plan.

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