

# MAINE STATE LEGISLATURE

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1 (After Deadline)

2 FIRST REGULAR SESSION  
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE  
5

6 Legislative Document

No. 1411

7  
8 S.P. 462

In Senate, April 5, 1983

9 Approved for introduction by a majority of the Legislative Council  
10 pursuant to Joint Rule 27.

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

Presented by Senator Redmond of Somerset.  
JOY J. O'BRIEN, Secretary of the Senate

12 Cosponsors: Representative Brown of Livermore Falls, Senator Erwin of  
Oxford and Representative Jacques of Waterville.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-THREE  
17

18 AN ACT Concerning the Size of Exempt  
19 Lots Under the Subdivision Laws.  
20

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

23 Sec. 1. 12 MRSA §682, sub-§2-A is enacted to  
24 read:

25 2-A. Review of woodlot subdivision. "Review of  
26 woodlot subdivision" is defined in Title 30, section  
27 4956, subsection 2-A.

28 Sec. 2. 30 MRSA §4956, sub-§2-A is enacted to  
29 read:

30 2-A. Review of woodlot subdivision. Lots  
31 intended for use as woodlots greater than 20 acres  
32 and less than 40 acres shall not be counted as lots  
33 under this section. A division of land which

1 includes 2 or more woodlots shall be subject to the  
2 following conditions.

3 A. The person who divides the land shall:

4 (1) File a plat or plan with the municipal  
5 reviewing authority of the municipality  
6 where the subdivision is located; and

7 (2) Establish at least one permanent marker  
8 in one corner of each lot.

9 B. The municipal reviewing authority may estab-  
10 lish conditions or restrictions consistent with  
11 the criteria in subsection 3, on subsequent  
12 changes in use or further division of woodlots.  
13 These conditions or restrictions shall be set  
14 forth in any deed creating a woodlot under this  
15 subsection.

16 C. If the exemption created under this subsec-  
17 tion is relied upon to create a lot without the  
18 approval otherwise required, no structure may be  
19 erected or the lot further divided without  
20 approval of the municipal reviewing authority.

21 For the purposes of this subsection, "woodlot" means  
22 a tract or parcel of land used for timber production  
23 and with only structures or alterations necessary for  
24 timber management and harvesting.

25 STATEMENT OF FACT

26 This bill allows the creation of subdivisions  
27 consisting of 20 to 40 acre woodlots without meeting  
28 subdivision requirements, provided that:

29 1. A plan is filed with the municipality;

30 2. A corner of each lot is marked;

31 3. The municipality establishes conditions that  
32 must be met prior to further division of the lots  
33 or change in use from woodlots to houselots; and

34 4. These restrictions or conditions are set out  
35 in the deed of conveyance.

1           These provisions will allow the creation of  
2 woodlots without requiring unnecessary review and  
3 regulation, but will insure that further divisions or  
4 changes in use are subject to applicable subdivision  
5 requirements.

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