

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 544, L.D. 696)

2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 1587

7
8 H.P. 1196

House of Representatives, May 10, 1983

9 Reported by the Minority from the Committee on Energy and Natural
10 Resources and printed under Joint Rule 2.

11 Original bill presented by Representative Stevens of Bangor. Cosponsored
by Representative Jackson of Harrison and Representative McGowan of
Pittsfield.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

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

18 AN ACT Relating to Ownership of Land
19 Adjoining Public Ways Under the Law
20 Defining Subdivision.
21

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

24 38 MRSA §482, sub-§5, as amended by PL 1981, c.
25 698, §190, is further amended to read:

26 5. Subdivision. A "subdivision" is the division
27 of a parcel of land into 5 or more lots to be offered
28 for sale or lease to the general public during any
29 5-year period if such lots make up an aggregate land
30 area of more than 20 acres except for the following:

31 A. All the lots are at least 10 acres in size;

32 B. All the lots are at least 5 acres, and the
33 municipality has adopted additional regulations

1 governing subdivisions pursuant to Title 30,
2 section 4956, and the lots less than 10 acres are
3 of such dimensions as to accommodate within the
4 boundaries of each a rectangle measuring 200 feet
5 and 300 feet, which abuts at one point the prin-
6 cipal access way or the lots have at least 75
7 feet of frontage on a cul-de-sac which provides
8 access;

9 C. All the lots are at least 5 acres, but do not
10 make up a total of more than 100 acres and the
11 lots less than 10 acres are of such dimensions as
12 to accommodate within the boundaries of each a
13 rectangle measuring 200 feet and 300 feet, which
14 abuts at one point the principal access way or
15 the lots have at least 75 feet of frontage on a
16 cul-de-sac which provides access; or

17 D. Unless intended to circumvent this Article,
18 the following transactions shall not be consid-
19 ered lots offered for sale or lease to the gen-
20 eral public:

21 (1) Sale or lease of lots to an abutting
22 owner or to a spouse, child, parent, grand-
23 parent or sibling of the developer; or

24 (2) Personal, nonprofit transactions, such
25 as the transfer of lots by gift or devise.

26 For the purposes of this subsection, "parcel of land"
27 means all contiguous land in the same ownership, pro-
28 vided that lands located on opposite sides of a
29 public or private road shall be considered each a
30 separate parcel of land, unless the road was estab-
31 lished by the owner of land on both sides of the
32 road.

33 STATEMENT OF FACT

34 The original bill provides that parcels of land
35 located on opposite sides of a road will be consid-
36 ered separate parcels of land. This new draft re-
37 stricts this provision solely to the definition of
38 subdivisions, and not other types of developments.

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