

MAINE STATE LEGISLATURE

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L.D. 1729

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(Filing No. H-587)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1221, L.D.
1729, Bill, "AN ACT to Clarify the Sand Dunes Law."

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Amend the bill by striking out everything after
the enacting clause and inserting in its place the
following:

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'38 MRSA §474, sub-§2, ¶A is enacted to read:

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A. Nothing in this article prohibits the re-
building, replacement or new construction of a
bulkhead, retaining wall or similar structure,
provided that the applicant for a permit demon-
strates to the board or municipality, as appro-
priate, that the following conditions are met:

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(1) The bulkhead or similar structure to be
constructed, rebuilt or replaced is located
along some or all of the north-northeasterly
property lines of land abutting the
Scarborough River from the jetty to the
Scarborough town landing; and

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(2) The terminus of any bulkhead or similar
structure, including any wing wall, unless
connected to another bulkhead or similar
structure, shall terminate at least 25 feet
from any abutting property.

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Any permit issued under this paragraph for a
bulkhead or similar structure which is not con-
nected at both ends to another bulkhead or simi-
lar structure shall be subject to only the stan-
dard conditions applicable to all permits granted
under sections 471 to 478 as well as the follow-
ing conditions: The permit applicant or appli-
cants shall be responsible for reasonably main-

COMMITTEE AMENDMENT "A" to H.P. 1221, L.D. 1729

1 ting a report of a certified geologist to the commis-
2 sioner on the status of the frontal sand dune and for
3 complying with those recommendations.

4 This amendment deletes the portion of the bill
5 which allowed the rebuilding or replacement of perma-
6 nent dwellings in the sand-dune system.

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Reported by the Majority of the Committee on Energy and Natural Resources
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3/19/86 (Filing No. H-587)