

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

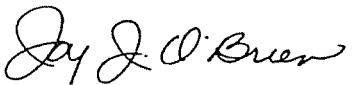
Legislative Document

No. 215

S.P. 130

In Senate, February 16, 1989

Reference to the Committee on Agriculture suggested and ordered printed.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRAUN of Knox.

Cosponsored by Representative BEGLEY of Waldoboro, Representative MARSANO of Belfast and Senator MATTHEWS of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act to Exempt from the Laws Pertaining to Agricultural Land and
Adjacent Development Residential Buildings which were Planned at the
Time of the Passage of the Legislation.**



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

3 7 MRSA §42, sub-§5, ¶B, sub-¶3 is enacted to read:

5 (3) Construction of a one-family residential building
7 on land abutting a farm for which there existed prior
9 to March 31, 1988 proof of intent to build by the
11 current owner, provided that there was and is no other
13 residential building on any property contiguous to the
15 abutting land and owned by the same person. Proof of
17 intent to build shall consist of any of the following
19 documents that were in existence prior to March 31,
21 1988: submissions to governmental bodies for plan
23 approval or building permits; action on these
25 submissions; notarized and legal contracts for
27 construction; properly authenticated plans from
29 licensed architects or surveyors; application for
31 construction financing from organizations qualified to
33 provide that financing; or action on these applications.

21 STATEMENT OF FACT

23 This bill exempts construction of one single-family
25 residence per tract of land from the provisions of Public Law
27 1987, chapter 650, "An Act to Promote Harmony between Agriculture
29 and Adjacent Development and to Protect the Public Health, Safety
31 and General Welfare," if there was intent to build prior to the
33 effective date of that public law. To fulfill the requirement of
35 intent to build, the person who intends to build must present
37 evidence of such intent in the form of certain legally binding
documents between himself and certain organizations or
individuals, which documents must have existed prior to the
effective date of that public law. If the owner can meet the
requirements stated in this bill, the owner will be allowed to
build the planned residence within the area adjacent to
registered farm land, in which area construction is normally
prohibited.