

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 314

H.P. 230

House of Representatives, February 22, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ROLDE of York.

Cosponsored by Representative JACQUES of Waterville, Representative WEBSTER of Cape Elizabeth and Senator CLARK of Cumberland.

STATE OF MAINE

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

**An Act to Clarify the Traffic Movement Standards under the Site
Location of Development Law.**



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

3 **38 MRSA §484, sub-§2**, as repealed and replaced by PL 1987,
c. 760, §1, and c. 812, §§10 and 18, is repealed and the
5 following enacted in its place:

7 2. Traffic movement. The developer has made adequate
provision for traffic movement of all types into, out of or
9 within the development area. The board shall consider traffic
movement both on-site and off-site. Before issuing a permit, the
11 board shall determine that any traffic increase attributable to
the proposed development will not result in unreasonable
13 congestion or unsafe conditions on a road in the vicinity of the
proposed development. In the event that a municipality
15 previously has made a finding of traffic conditions as required
by the Subdivision Law, Title 30-A, section 4551, subsection 3,
17 paragraph E, or pursuant to a municipal site review or other
similar municipal ordinance which requires review of a
19 development's impact on traffic, that traffic finding shall be
binding on the board;

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STATEMENT OF FACT

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27 This bill requires the Board of Environmental Protection to
accept a municipal finding on traffic conditions for projects it
reviews under the site law, when those projects previously have
29 received local planning board review and approval, because local
planning boards and municipalities are better able to evaluate
31 and address local traffic issues.