

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2289

S.P. 899

In Senate, February 7, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Prohibit the Development of Spaghetti-lot Subdivisions.

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, spaghetti-lots do not serve the interests of the State and are often formed to circumvent review;

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §682, sub-§13 is enacted to read:

13. Spaghetti-lot. "Spaghetti-lot" means a parcel of land with a lot depth to shore frontage ratio greater than 5 to 1. Shore frontage means land abutting a river, stream, brook, coastal wetland or great pond as these features are defined in Title 38, section 480-B.

Sec. 2. 12 MRSA §682-A is enacted to read:

§682-A. Spaghetti-lots prohibited

A person may not subdivide a parcel of land in the jurisdiction of the Maine Land Use Regulation Commission in such a way as to create a spaghetti-lot. This prohibition does not apply to utility or transportation right-of-ways.

Sec. 3. 30-A MRSA §4404, sub-§17 is enacted to read:

17. Spaghetti-lots prohibited. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1.

Sec. 4. Application. Notwithstanding the Maine Revised Statutes, Title 1, section 302, this Act applies to any pending application for subdivision approval.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill prohibits the formation of spaghetti-lots in the unorganized territories and in any proposed subdivision undergoing municipal review.