

	L.D. 114
2	(Filing No. S-64)
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0	STATE OF MAINE
8	SENATE 115TH LEGISLATURE
10	FIRST REGULAR SESSION
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14	COMMITTEE AMENDMENT " A" to S.P. 62, L.D. 114, Bill, "An Act to Exempt Certain Activities from the Site Location of Development Laws"
16	Amend the bill by striking out everything after the enacting
18	clause and before the statement of fact and inserting in its place the following:
20	'Sec.1. 38 MRSA §482, sub-§7 is enacted to read:
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24	7. Storage facility. "Storage facility" means a building or buildings built for the exclusive purpose of storing
26	<u>materials, products or goods without changing their character or composition.</u>
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28	Sec. 2. 38 MRSA §488, sub-§8 is enacted to read:
30	8. Rxemption for storage facility. A development that consists exclusively of a storage facility that occupies a ground
32	<u>area of less than 100,000 square feet or contains a total floor</u> area of less than 150,000 square feet and a total area of less
34	than 4 acres of impervious surface area, including buildings, parking lots, roads, paved areas, wharves or areas to be stripped
36	or graded and not revegetated, is exempt from review under this article if:
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40	<u>A. An air emission license is not required under section</u> 590:
42	B. A waste discharge license is not required under section 413;
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	C. During any one-hour period, the development will not
2	result in a level of traffic at any intersection, including
	the development entrance, that equals or exceeds:
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	(1) Twenty-five vehicles in a left-turn-only lane;
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	(2) Thirty-five vehicles in a through lane, right-turn
8	lane or a combined through and right-turn lane; or
-	
10	(3) After multiplying the left-turn volume by 1.5, 35
	vehicles in a combined left-turn and through lane or a
12	combined left-turn, through and right-turn lane;
14	D. All significant wildlife habitats within the development
	that are mapped or that gualify for mapping under section
16	480-B, subsection 10 are undisturbed;
18	E. When the development is located wholly or in part in the
	watershed of any lake or pond classified GPA under section
20	465-A, long-term measures to control phosphorus transport
	are taken in accordance with a phosphorous control plan that
22	is consistent with standards for phosphorus control adopted
	by the board;
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	F. Clearing, grading, filling or any other development
26	activity does not occur on sustained slopes in excess of 30%;
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28	G. Soil erosion and sedimentation during construction of
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2 (3) Established procedures for appeal by parties aggrieved by local decisions under this subsection; 4 J. The municipal reviewing authority agrees to review the development and finds that the development satisfies this 6 subsection and any local requirements; 8 K. The commissioner is notified of the pending development 10 by the developer at least 15 days prior to undertaking construction; and 12 L. Any requirements for hazardous activities under section 14 487-A are met. Sec. 3. Allocation. The following funds are allocated from 16 Other Special Revenue to carry out the purposes of this Act. 18 1991-92 1992-93 20 **ENVIRONMENTAL PROTECTION.** 22 **DEPARTMENT OF** 24 **Maine Environmental Protection Fund** 26 All Other (\$2,000)(\$2,000)28 Provides for the deallocation 30 of general operating funds due to a reduction in 32 dedicated revenue. 34 **FISCAL NOTE** 36 1992-93 1991-92 38 **Appropriations and Allocations** 40 Other Funds (\$2,000) (\$2,000)42 Revenues 44 Other Funds (\$2,000) (\$2,000) 46 A reduction in the collection of application and processing 48 fees for an estimated 2 storage facilities will reduce dedicated revenue to the Maine Environmental Protection Fund by \$2,000 50 annually. Consequently, these amounts are deallocated from the Maine Environmental Protection Fund.' 52

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COMMITTEE AMENDMENT "A " to S.P. 62, L.D. 114

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STATEMENT OF FACT

This amendment replaces the original bill. This amendment 4 differs from the bill by narrowing the exemption from site location of development review for developments that consist only of a storage facility, rather than the broader exemption under б the bill. Under the amendment, these developments must not exceed a threshold size and must meet specific standards. 8 In order for a development to qualify for this exemption, the municipal reviewing authority must agree to review the project 10 and find that the project meets the standards set forth in this 12 exemption.

Reported by Senator Titcomb for the Committee on Energy and Natural Resources. Reproduced and Distributed Pursuant to Senate Rule 12. (4/16/91) (Filing No. S-64)