

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 869

H.P. 609

House of Representatives, February 27, 1991

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 LORD of Waterboro.

Cosponsored by Representative CASHMAN of Old Town and Representative GOULD of Greenville.

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### STATE OF MAINE

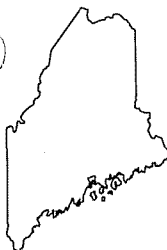
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Clarify the Definition of Subdivision in the Site Location of  
Development Laws.**

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

2  
4 38 MRSA §482, sub-§5, as amended by PL 1989, c. 769, §§2 to  
6 4, is further amended by amending the last blocked paragraph to  
8 read:

10 The exception described in paragraph F does not apply, and the  
12 subdivision requires site location approval whenever the use of a  
14 lot described in paragraph F changes or the lot is offered for  
16 sale or lease to the general public without the limitations set  
18 forth in paragraph F. For the purposes of this subsection only,  
20 a parcel of land is defined as all contiguous land in the same  
22 ownership provided that lands located on opposite sides of a  
24 public or private road shall be are considered each a separate  
26 parcel of land unless that road was established by the owner of  
28 land on both sides of the road subsequent to January 1, 1970.  
For purposes of this subsection, the recording of a plot plan or  
survey in the applicable registry of deeds depicting lots within  
a parcel of land constitutes a division of the parcel of land  
with respect to the lots at the time of recording and the  
subsequent sale, lease or development of any such lot as a whole  
may not be construed as a further division of the parcel. The  
lots depicted on the recorded plot plan or survey are deemed  
offered for sale or lease to the general public commencing on the  
date of recording of the plot plan or survey. The 5-year period  
referred to in this subsection with respect to the lots depicted  
on the plot plan or survey commences on the date the plot plan or  
survey is recorded in the applicable registry of deeds.

30  
32 **STATEMENT OF FACT**

34 This bill clarifies that the recording of a plot plan or  
36 survey in the applicable registry of deeds constitutes a division  
38 of a parcel of land into the lots depicted on the plan and that  
40 the further sale, lease or development of any lot as a whole does  
42 not constitute a further division. With respect to any lot  
depicted on the plan, the 5-year period referred to in the Maine  
Revised Statutes, Title 38, section 482, subsection 5 commences  
upon the recording of the plot plan or survey.