MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 653

H.P. 495

House of Representatives, February 25, 1993

An Act to Amend the Shoreland Zoning Laws.

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

JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George. Cosponsored by Representatives: ANDERSON of Woodland, GOULD of Greenville, GRAY of Sedgwick, LEMKE of Westbrook, QUINT of Paris, TOWNSEND of Eastport, Senator: PINGREE of Knox.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 38 MRSA §439-A, sub-§6, as amended by PL 1991, c. 346,
4	§9, is further amended to read:
6	6. Clearing of vegetation. Within the shoreland area, municipal ordinances shall <u>must</u> provide for effective vegetative
8	sereening <u>covering</u> between buildings and shorelines. Notwithstanding any provision in a local ordinance to the
10	contrary, vegetative sereening covering requirements shall may be no less restrictive than the following:
12	A. Within a strip extending 75 feet inland from the normal
14	high-water line, there shall may be no cleared opening or openings, except for approved construction, and a <u>clearing</u>
16	not to exceed 40 feet between a building and the water. Any existing well-distributed stand of vegetation-shall trees
18	<pre>must be retained;</pre>
20	B. Within a shoreland area zoned for resource protection abutting a great pond there shall may be no cutting of
22	vegetation within the strip of land extending 75 feet inland from the normal high-water line except to remove safety
24	hazards; and
26	C. Selective cutting of no more than 40% of the trees 4 inches or more in diameter, measured at $4\ 1/2$ feet above
28	ground level, is allowed in any 10-year period, provided that a - well-distributed stand of trees and other natural
30	<pre>vegetation remains. Clearing of brush or bushes is permitted as long as that cutting does not encourage erosion.</pre>
32	The-board-may-adopt-more-restrictive-guidelines-consistent-with
34	the-purposes-of-this-subchapter, which shall-then-be-incorporated into-local-ordinances.
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STATEMENT OF FACT

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This bill requires municipal ordinances to provide for effective vegetative protection.