

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

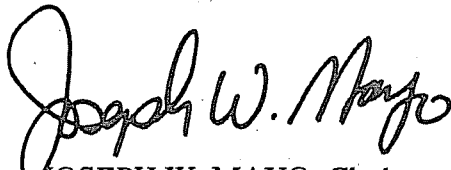
No. 1752

H.P. 1297

House of Representatives, January 20, 1994

An Act Concerning Protective Structures along the Coast in Biddeford.

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.


JOSEPH W. MAYO, Clerk

Presented by Representative CARON of Biddeford.

Cosponsored by Representative: PLOURDE of Biddeford, Senator: DUTREMBLE of York.

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

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4 Sec. 1. 38 MRSA §480-O, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §81, is further amended to read:

6 **§480-O. Bulkheads and retaining walls; Scarborough River; Granite Point, Biddeford; permit requirements**

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10 Nothing in this article prohibits the rebuilding, replacement or new construction of a bulkhead, retaining wall or similar structure, provided that the applicant for a permit demonstrates to the department or municipality, as appropriate, that the following conditions are met.

14 1. **Location.** The bulkhead or similar structure to be constructed, rebuilt or replaced is located along some or all of the north-northeasterly property lines of land abutting the Scarborough River from the jetty to the Scarborough town landing or along and within some or all of the seaward property lines of land abutting the Atlantic Ocean from Curtis Cove to Fortunes Rocks in Biddeford.

22 2. **Termination.** The terminus of any bulkhead or similar structure, including any wing wall, unless connected to another bulkhead or similar structure, shall terminate at least 25 feet from any abutting property.

28 Any permit issued under this section for a bulkhead or similar structure which is not connected at both ends to another bulkhead or similar structure shall be subject to only the standard conditions applicable to all permits granted under this article as well as the following conditions. The For projects along the Scarborough River, the permit applicant or applicants shall be responsible for reasonably maintaining the bulkhead or similar structure and for repairing damage to the frontal sand dune which occurs between the end of the bulkhead or similar structure and the Scarborough town landing and which is caused by the existence of the bulkhead or similar structure. The applicant or applicants shall submit a report prepared by a state-certified geologist to the commissioner every 2nd year following issuance of the permit or until such time as the commissioner deems the report need not be filed or may be filed at longer intervals. The report shall describe the status of the frontal sand dune between the end of the bulkhead or similar structure and the Scarborough town landing and contain whatever recommendations the geologist determines are reasonably required to maintain the frontal sand dune in that area. The applicant or applicants shall follow the recommendations. For projects in Biddeford, the permit applicant or applicants are responsible for reasonably maintaining the bulkhead or similar structure.

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STATEMENT OF FACT

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6 This bill would allow the construction and rebuilding of
bulkheads and other protective structures along the coast in
Biddeford adjacent to Granite Point. The same procedures would
8 be used as are available under current law for certain property
owners along the Scarborough River.

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This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.