

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 276

H.P. 239

House of Representatives, January 25, 2001

**An Act to Amend the Laws Governing Building Permits in the
Unorganized Territories.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by President MICHAUD of Penobscot and
Representatives: CARR of Lincoln, GOODWIN of Pembroke, JONES of Greenville,
MORRISON of Baileyville, SHERMAN of Hodgdon, USHER of Westbrook, Senators:
DAVIS of Piscataquis, YOUNGBLOOD of Penobscot.

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

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4 **Sec. 1. 12 MRSA §685-A, sub-§5**, as amended by PL 1999, c. 530,
§8, is further amended to read:

6 **5. Considerations, application and exemptions.** A land use
8 standard may not deprive an owner or lessee or subsequent owner
or lessee of any interest in real estate of the use to which it
10 is lawfully devoted at the time of adoption of that standard.
Year-round and seasonal single residences and operating farms in
12 existence and use as of September 23, 1971, while so used, and
new accessory buildings or structures or renovations of the
14 buildings or structures that are or may be necessary to the
satisfactory and comfortable continuation of these residential
and farm uses are exempt from the requirements of section 685-B,
16 subsection 1.

18 Land use standards adopted pursuant to this chapter for
management districts may not limit the right, method or manner of
20 cutting or removing timber or crops, the construction and
maintenance of hauling roads, the operation of machinery or the
22 erection of buildings and other structures used primarily for
agricultural or commercial forest product purposes, including
24 tree farms. Notwithstanding this subsection, a permit from the
commission is required for roads covering a ground area of 3
26 acres or more constructed in management districts, unless those
roads are constructed and maintained in accordance with the
28 guidelines of the commission's Land Use Handbook, Section 6,
"Erosion Control on Logging Jobs," or as revised. The commission
30 may require a person constructing a road to notify the commission
of the location of the road within 21 days.

32 Land use standards adopted pursuant to this chapter must
34 establish a minimum setback of 100 feet for all structures within
a commercial sporting camp complex that are constructed solely
36 for the housing of guests, including structures within a main
sporting camp complex and an outpost camp. The standards must
38 establish a minimum setback of 150 feet for all other structures
within a sporting camp complex, including, but not limited to, a
40 main lodge, a dining area, a workshop and a parking area.

42 In adopting district boundaries and land use standards, the
commission shall give consideration to public and private
44 planning reports and other data available to it, and shall give
weight to existing uses of land and to any reasonable plan of its
46 owner as to its future use.

48 A permit from the commission is not required for the repair or
maintenance of county-owned roads, bridges or culverts as long as

2 the repair or maintenance is conducted in accordance with
commission standards that pertain to these activities.

4 A permit from the commission is not required for the placement of
6 a quonset hut. As used in this subsection, "quonset hut" means a
8 prefabricated portable hut having a semicircular roof of metal
rods that curve down to form walls and are covered by canvas or
nylon.

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SUMMARY

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14 This bill exempts the placement of a quonset hut from
requiring a permit in the unorganized territories.