

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 665

S.P. 193

In Senate, February 13, 2001

**An Act to Increase Efficiency in Maine Land Use Regulation
Commission Permitting.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SHOREY of Washington.
Cosponsored by Representative DUGAY of Cherryfield and
Senators: McALEVEY of York, TURNER of Cumberland, YOUNGBLOOD of Penobscot,
Representative: CLARK of Millinocket.

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

2 **Sec. 1. 12 MRSA §685-A, sub-§5**, as amended by PL 1999, c. 530,
4 §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
10 or lessee of any interest in real estate of the use to which it
12 is lawfully devoted at the time of adoption of that standard.
14 Year-round and seasonal single residences and operating farms in
16 existence and use as of September 23, 1971, while so used, and
new accessory buildings or structures or renovations of the
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,
subsection 1.

18 Land use standards adopted pursuant to this chapter for
20 management districts may not limit the right, method or manner of
22 cutting or removing timber or crops, the construction and
24 maintenance of hauling roads, the operation of machinery or the
26 erection of buildings and other structures used primarily for
28 agricultural or commercial forest product purposes, including
30 tree farms. Notwithstanding this subsection, a permit from the
commission is required for roads covering a ground area of 3
acres or more constructed in management districts, unless those
roads are constructed and maintained in accordance with the
guidelines of the commission's Land Use Handbook, Section 6,
"Erosion Control on Logging Jobs," or as revised. The commission
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
36 a commercial sporting camp complex that are constructed solely
38 for the housing of guests, including structures within a main
sporting camp complex and an outpost camp. The standards must
40 establish a minimum setback of 150 feet for all other structures
within a sporting camp complex, including, but not limited to, a
main lodge, a dining area, a workshop and a parking area.

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

48 A permit from the commission is not required for the repair or
50 maintenance of county-owned roads, bridges or culverts as long as
the repair or maintenance is conducted in accordance with
commission standards that pertain to these activities.

2 For a permit to build a temporary structure submitted by a
4 subcontractor on a Department of Transportation project, the
6 commission shall process the permit within 2 weeks of the
8 permit's submission.

10 SUMMARY

12 This bill requires the Maine Land Use Regulation Commission
to process within 2 weeks permit applications for temporary
structures submitted by subcontractors on Department of
Transportation projects.