

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1415

S.P. 465

In Senate, April 12, 2021

**An Act Regarding Minor Revisions to Existing Site Location
Permits, Exemptions for Rerouting Storm Water and Exemptions
for New Construction or Modification of an Existing Licensed
Development under the Site Location of Development Laws**

Received by the Secretary of the Senate on April 8, 2021. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BREEN of Cumberland.

Cosponsored by Senator: SANBORN of Cumberland, Representatives: RIELLY of Westbrook,
SALISBURY of Westbrook.

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

2 **Sec. 1. 38 MRSA §486-A, sub-§7**, as enacted by PL 1993, c. 383, §24 and affected
3 by §42, is amended to read:

4 **7. Minor revisions.** An application for an order addressing a minor revision must be
5 processed within ~~a period specified by the department~~ 90 calendar days if the applicant
6 meets requirements adopted by the department.

7 **Sec. 2. 38 MRSA §488, sub-§29, ¶B**, as enacted by PL 2013, c. 183, §1, is
8 amended to read:

9 B. The construction or modification does not involve a new division of the parcel of
10 land.

11 **Sec. 3. 38 MRSA §488, sub-§30** is enacted to read:

12 **30. Exemption for alterations to existing permitted storm water design.** An
13 alteration or modification to the storm water design of an existing licensed development
14 that is permitted pursuant to this article is exempt from review under this article if:

15 A. The alteration or modification is specific to storm water routing;

16 B. Storm water treatment or storage measures are consistent with the existing permit;

17 C. Flow rates at impacted points of analysis are not increased above those rates stated
18 in the existing permit; and

19 D. Prior to the commencement of work permitted under this subsection, the permittee
20 provides a statement to the municipality describing the alteration or modification and
21 attesting that the criteria in this subsection are met. The statement must be stamped by
22 a professional engineer.

23 **SUMMARY**

24 This bill amends the site location of development laws administered by the Department
25 of Environmental Protection. It specifies the time in which the department must process
26 minor revisions to permits. It clarifies the exemption for new construction at or
27 modification of an existing licensed development. It adds an exemption for rerouting of
28 storm water if certain criteria are met.