

## 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 1087

S.P. 358

In Senate, March 21, 2017

An Act To Define When a Municipal Land Use Decision Is Considered Final for Purposes of an Appeal to Superior Court

Reference to the Committee on State and Local Government suggested and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

Heath & Buil

Presented by Senator BREEN of Cumberland.

Be it enacted by the People of the State of Maine as follows:
Sec. 1. 30-A MRSA §4303 is enacted to read:
§4303. Finality of municipal decision
For purposes of appeal of a municipal land use decision under this chapter to the Superior Court, final agency action occurs for a matter requiring review of both a municipal planning board and board of appeals only after both the municipal planning board and the board of appeals have heard the land use matter and issued findings of fact.
SUMMARY
This bill requires, for purposes of appeal to the Superior Court, that to be considered final agency action, a land use matter requiring review of both a municipal planning board and board of appeals must be heard by both the municipal planning board and board of appeals and both boards must issue findings of fact.