

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

—
H.P. 313 - L.D. 387

An Act To Amend the Natural Resources Protection Act Regarding Coastal Sand Dune Systems

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

Sec. 1. 38 MRSA §480-B, sub-§2-E is enacted to read:

2-E. Footprint. "Footprint" means the outline that would be created on the ground by extending the exterior walls of a building to the ground surface.

Sec. 2. 38 MRSA §480-B, sub-§5-B is enacted to read:

5-B. Impervious area. "Impervious area" means an area that is a building, parking lot, roadway or similar constructed area. "Impervious area" does not mean a deck or patio.

Sec. 3. 38 MRSA §480-Q, sub-§28, as enacted by PL 2009, c. 75, §4, is amended to read:

28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance. Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; ~~and~~

Sec. 4. 38 MRSA §480-Q, sub-§29, as enacted by PL 2009, c. 75, §5, is amended to read:

29. Dam safety order. Activity associated with the breach or removal of a dam pursuant to an order issued by the Commissioner of Defense, Veterans and Emergency Management under Title 37-B, chapter 24-; and

Sec. 5. 38 MRSA §480-Q, sub-§30 is enacted to read:

30. Minor expansions to buildings in a coastal sand dune system. Expansion of an existing residential or commercial building in a coastal sand dune system if:

A. The footprint of the expansion is contained within an existing impervious area;

B. The footprint of the expansion is no further seaward than the existing building;

C. The height of the expansion is within the height restriction of any applicable law or ordinance; and

D. The expansion conforms to the standards for expansion of a building contained in the municipal shoreland zoning ordinance adopted pursuant to article 2-B.

In House of Representatives, 2011

Read twice and passed to be enacted.

..... Speaker

In Senate, 2011

Read twice and passed to be enacted.

..... President

Approved 2011

..... Governor