

Maine Land Use Planning Commission

Department of Agriculture, Conservation and Forestry



BASIS STATEMENT AND SUMMARY OF COMMENTS FOR ADOPTION OF CHAPTER 2 – DEFINITIONS, FOR THE REVISION AND PARTIAL REPEAL AND REPLACEMENT OF CHAPTER 10 – LAND USE DISTRICTS AND STANDARDS, AND FOR THE AMENDMENT OF CHAPTER 16 - RULES RELATING TO LARGE LOT LAND DIVISIONS

June 9, 2021

STATUTORY AUTHORITY

12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

FACTUAL AND POLICY BASIS FOR THE RULE AMENDMENT

The revisions collectively improve user convenience by consolidating or reorganizing provisions without changing their regulatory effect, and revise visual characteristics to simplify or otherwise clarify each rule. All other revisions represent typical rule maintenance.

PUBLIC NOTICE OF RULEMAKING

At a virtual meeting conducted on March 10, 2021 via Microsoft Teams, the Commission voted to post the proposed 2021 Multi-chapter Rulemaking – Part I revisions to a public comment period. Legal notice was posted in the State's consolidated Weekly Rulemaking Notice on March 24, 2021. In addition to the legal notice, the Commission posted notice by e-mail through the State's GovDelivery system to all individuals wishing to be contacted regarding any proposed rule changes. Notice of the proposed revisions was also posted on the agency's rulemaking webpage.

The record remained open until May 10, 2021 to allow interested persons to file written statements with the Commission, and for an additional 14 days until May 24, 2021 to allow interested persons to file written rebuttal comments.

Pursuant to separate rulemakings, the new Chapter 2 and Chapter 10 revisions include several scrivener's edits to match terminology utilized in Chapters 1, 4, and 5, without changing the

interpretation or effect of any rule. Specifically, these edits refer to “applicant” instead of “a person applying for a permit, petitioning for adoption or amendment of district boundaries, or a person requesting a variance, an advisory ruling, or a request for certification;” similarly, refer to “application” instead of “an application for permit, petition for adoption or amendment of district boundaries, or a request for variance, for an advisory ruling, or for certification.”

COMMENTS AND RESPONSES:

No comments were submitted