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

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.