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APPROVED

CHAPTER

JUN 09 '09

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BY GOVERNOR

P & S LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND NINE

H.P. 774 - L.D. 1119

An Act To Clarify the Municipal Jurisdiction of a Portion of Saco Bay

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

PART A

Sec. A-1. P&SL 1883, c. 248, §1, as amended by P&SL 2005, c. 68, §1, is further amended to read:

**Sec. 1. Boundaries extended.** All that part of the city of Saco lying within the following described lines and boundaries, namely; commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a stone in the sea wall; thence N 42°55' W by a set line 693 rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in the said city of Saco known as the Granger line; thence S 47°12' W 5,416 feet, more or less, to a granite stone inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the southwesterly side of the old location of the "East Old Orchard" Road; thence continuing on the same course 4,252.10 feet to a point located N 43°42'45" W 4.50 feet from a granite monument with drill hole found set in the ground; thence N 43°42'45" W 31.54 feet to a granite monument with drill hole found set in the ground; thence N 46°40'30" E 273.94 feet to the base of an old loose granite monument found set in the ground; thence N 47°11'45" W 148.88 feet to a granite monument with drill hole found set in the ground; thence S 55°19'45" W 1,451.87 feet to an iron pipe found driven into the ground; thence S 47°57'30" E 389.34 feet to a point located N 47°57'30" W 1.97 feet from a granite monument with drill hole found set in the ground; thence S 47°12'00" W 862.86 feet to a granite monument with iron rod inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the "Middle Line" so-called; thence continuing on the same course 3,850 feet, more or less, to a granite stone on the bank of Goose Fair Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea; thence southeasterly, on the same course ~~1,000 feet~~ 3 miles to a point; thence northeasterly, parallel to and ~~1,000 feet~~ 3 miles distant from the shore to a point ~~1,000 feet~~ 3 miles southeasterly from the boundary first above named; thence northwesterly ~~1,000 feet~~ 3 miles to the boundary first above named, or to such distance as the city of Saco may have owned or controlled prior to February 20, 1883; with all the sea shore and flats and all other interests in said land lying between the medial line of said

Gov. John Baldacci July 15<sup>th</sup>

Goose Fair Brook extended and said easterly corner of the city of Saco; and also that parcel of land described as follows: Beginning at a capped iron rod set (PLS #2190) on the northwesterly sideline of a private way known as Trotter Lane and the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006 at the corner of land now or formerly of Ronald Patoine; said point of beginning being N 37° 07' 57" W a distance of 59.85 feet from a capped iron rod found (PLS #2190) in the town of Old Orchard Beach at the intersection of the southeasterly sideline of said Trotter Lane and the northwesterly sideline of the cul-de-sac of Patoine Place, so-called, at the easterly corner of land of Ronald Patoine; thence from said point of beginning S 49° 46' 25" W across the land of Ronald Patoine and along the existing Old Orchard Beach and city of Saco town line as of May 10, 2006 a distance of 210.17 feet to a point and land now or formerly of Ronald and June LaPointe; thence N 37° 07' 57" W along the land of said LaPointe a distance of 149.81 feet to a capped iron rod found (PLS #1235) and land now or formerly of Biddeford & Saco Water Company; thence N 57° 55' 58" E along the land of Biddeford & Saco Water Company a distance of 594.18 feet to a capped iron rod to be set (PLS #2190) and land now or formerly of Richard and Ronald Patoine; thence S 41° 07' 26" E along the land of Richard and Ronald Patoine a distance of 65.27 feet to a capped iron rod found (PLS #1293) and the northwesterly sideline of said Trotter Lane and the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006; thence S 49° 46' 25" W along the northwesterly sideline of said Trotter Lane and along the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006 a distance of 387.11 feet to the point of beginning is hereby incorporated into a separate town by the name of Old Orchard Beach and the inhabitants thereof are hereby invested with all the powers and privileges and are made subject to all the duties and liabilities incident to other towns within this state. ~~Provided the town of Old Orchard Beach pay to the city of Saco, as damages, such an amount as a committee, composed of the chairs of the boards of assessors of said Saco and of said Old Orchard Beach and one other disinterested person by them selected, may determine is just and equitable.~~ Notwithstanding the 3-mile seaward boundary of the town of Old Orchard Beach, the islands of Bluff and Stratton remain as part of the city of Saco.

**Sec. A-2. Contingent effective date; notice.** This Part does not take effect unless the Town of Old Orchard Beach adopts a municipal zoning ordinance relating to marinas that includes standards that are at least as strict as those adopted in the City of Saco at the time of passage of this Act.

Upon adoption of the ordinance and determination by the town manager of Old Orchard Beach that it is at least as strict as the City of Saco ordinance, the town manager of Old Orchard Beach shall notify the City of Saco and the Revisor of Statutes of this adoption.

## PART B

**Sec. B-1. Working group established.** The Town of Old Orchard Beach and the City of Saco may provide representatives to convene a working group to examine regulatory jurisdictions, including zoning, parameters for future development in Saco Bay, uniform environmental regulations for Saco Bay and the feasibility of establishing an oversight group made up of residents from communities bordering Saco Bay. If a

working group is convened, the Legislature intends that the Director of the State Planning Office within the Executive Department or the director's designee be invited as well as representatives of the Department of Marine Resources and the Department of Conservation, Bureau of Parks and Lands and any other departments that are determined appropriate by the working group. Representatives of the Town of Scarborough and the City of Biddeford must also be invited to participate in the working group.

**Sec. B-2. Working group report.** If a working group is established pursuant to section 1, it is authorized to submit a report on its findings related to municipal boundaries, regulatory jurisdictions, uniform environmental regulations and future development strategies in Saco Bay to the Joint Standing Committee on State and Local Government no later than February 15, 2010.

**Sec. B-3. Authority to submit legislation.** The Joint Standing Committee on State and Local Government is authorized to submit legislation concerning the working group's findings to the Second Regular Session of the 124th Legislature.