



Maine Real Estate &  
Development Association

Supporting Responsible Development

## In Support of 128, An Act to Support Certain Multifamily Housing Developments Under Site Location of Development Laws

March 11, 2025

Chair Curry, Chair Gere, and members of the Housing and Economic Development Committee;

On behalf of the Maine Real Estate and Development Association, please accept the following testimony in support of LD 128, An Act to Support Certain Multifamily Housing Developments Under Site Location of Development Laws. MEREDA wishes to thank the Department of Environmental Protection for requesting this legislation, and for its thoughtfulness regarding efforts to expedite permit reviews and promote housing construction in Maine.

LD 128 proposes to amend the definition of subdivision under the Site Location of Development Laws (SLODA or Site Law) to allow detached residential housing to accommodate up to 4 families, including accessory dwelling units (ADUs) without triggering the DEP SLODA review process. This would not only eliminate cost and time for housing creators, but it will also help ease the workload at DEP to allow them to focus on projects with significant environmental impacts.

It is worth noting here that this change of law only impacts subdivision review as a part of SLODA review. Not all subdivisions rise to the level of SLODA review, and even if they do, there is a separate and additional review that is mandated by state statute but conducted by municipalities. This committee will hear bills this session dealing with both the statutory municipal subdivision standards *and* the SLODA subdivision standards – the latter being the subject of LD 128.

The DEP has been overwhelmed by the number of permit requests in its Land Bureau – additionally, it has been hamstrung by legislatively mandated reviews; many of which provide too much discretion and impose vague standards which require more time and analysis on the part of the DEP. This also increases costs for housing creators, which increases the cost of housing. Recognizing this and balancing the importance of focusing on projects with critical environmental impacts, Commissioner Loyzim has been thoughtful in approaching changes to DEP's process and statutory direction. This legislation reflects that thoughtful consideration.

Additionally, this bill incentivizes the creation of four-unit multi-family dwellings, which are more affordable and more efficient – for both the homeowner and the community. This legislation recognizes that up to four-family multi-unit dwellings are an increasingly attractive building option as both the actual and societal costs of building single-family homes increases. In many ways, it is simply a modernization of the SLODA statutes. In other ways, this legislation will

help catalyze things like LD 2003, which promote the creation of up to four units on a lot. Other density and infill policies will benefit from the DEP's proposal as well, and we think it represents the removal of a key barrier to smart growth.

MEREDA supports LD 128 and encourages the HED Committee to support the DEP's efforts at streamlining and modernization with a supportive committee vote. MEREDA would be happy to provide additional information to the Committee on the importance of this matter.

Elizabeth Frazier

On behalf of Maine Real Estate & Development Association

[efrazier@pierceatwood.com](mailto:efrazier@pierceatwood.com)