



Maine Real Estate &  
Development Association

Supporting Responsible Development

## In Support of LD 970, An Act to Prioritize Affordable Housing by Expediting Reviews for Affordable Housing Projects Applying for Funding from the Maine State Housing Authority

March 25, 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 970, An Act to Prioritize Affordable Housing by Expediting Reviews for Affordable Housing Projects Applying for Funding from the Maine State Housing Authority*. In brief, this legislation would require both the Department of Environmental Protection (DEP) and a municipal licensing authority (like a planning board) to issue decisions on affordable housing projects receiving Maine State Housing Authority (MSHA) funding, within 30 and 120 days, respectively. While MEREDA supports the overall goal of this legislation, we wish to bring some things to your attention and consideration.

One part of this bill would require the DEP to approve or disapprove a proposed development within 30 days of receipt of the application. This requirement would only apply to affordable housing projects that receive MSHA funding. MEREDA understands that the intent of this provision is to ensure expeditious use of state taxpayer resources. Many affordable housing projects come under strict timelines for funding at both the state and federal level – approving the projects in a timely manner is crucial to ensuring the taxpayer funding is put to its best use, and that no funds are wasted in a drawn-out permitting process. This is a laudable goal, and one which MEREDA supports. However, MEREDA does have concerns that DEP may not be able to meet the statutory timeline, as they are already struggling to meet existing statutory timelines.

Commissioner Loyzim has been transparent and outspoken about the need for more expeditious review of land use permits. Additionally, her office has taken steps to streamline the internal review process, and has just launched the new online permitting portal, which will allow developers to monitor the progress of their projects' review in real time. Imposing additional statutory deadlines on the department at this time may prove challenging to implement, and impossible to meet.

The other part of this bill would require a town licensing authority (planning board), to determine whether an application is complete with 30 days or receipt of the application submission. Further, it would require the licensing authority to approve or deny the application

within 120 days of the application being deemed complete. MEREDA appreciates the effort to encourage faster planning board review. In addition to project delays, drawn out planning board proceedings give NIMBY opponents more time to organize in opposition to a project.

On a related note, MEREDA has become aware that many municipalities have incorporated into their land use codes the requirement that a DEP project review be completed before the town will move forward with its review. This is not a requirement of the state but is one that towns have adopted on their own. Unfortunately, this slows down municipal review of projects – much of which is irrelevant to DEP review, or could be granted conditional approval pending findings from the DEP. While LD 970 would resolve that issue for certain affordable housing projects, it remains a serious concern amongst the development community for expediting municipal processes. We would encourage this committee to consider amending this bill, or another legislative vehicle, to require towns to move forward with the conditional approval tool so that issues not relating to the DEP review can be addressed and resolved in a timely manner.

We appreciate this committee's time and attention to this proposal and look forward to working with the committee to continue to lower barriers to housing creation.

Elizabeth Frazier

On behalf of Maine Real Estate & Development Association  
efrazier@pierceatwood.com