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Testimony of Jim Boyle in support of
LD 1247, An Act to Restrict Municipal Ordinance Requirements Regarding
Housing Developments

Senator Curry, Representative Gere and distinguished members of the Committee on Housing and Economic Development, my name is Jim Boyle, and I live in Gorham. I am testifying in support of LD 1247.

I know you are all aware of the impact the housing shortage has on every aspect of life. To address this crisis, we must look critically at the ways we have built our communities and examine opportunities to reimagine them. Through the technical lens of zoning, this bill seeks to do just that by amending our minimum lot size rules.

Minimum lot size rules determine how an individual property owner can divide a lot. Lot division is a wonky issue, but it matters a lot for the form that neighborhoods take. Small, 1,400 square foot lots allow for rowhouses and shotgun houses. These are building types that keep housing cheap and burden on infrastructure low by economizing on land; they also tend to produce more tax revenue, acre-for-acre, to fund local government services. Their higher densities also make walkable, mixed-use urban neighborhoods viable. Large lots, on the other hand, are the standard in U.S. post-war suburbs, and are especially common in a rural state like ours. These larger lots mean that fewer homes can fit in each area, which encourages auto-orientation and the segregation of land uses like residential and commercial.

In urban areas, tiny or highly irregular lots can make property rights fuzzy. But in rural areas, like much of Maine, you need a large lot to safely accommodate things like septic tanks and wells for drinking water. But like many zoning rules, these historically reasonable rules have often been manipulated for nefarious ends. In most US cities, large minimum lot sizes are used to drive up housing prices or mandate spread-out development. Here in Maine, this has contributed to our housing shortage and the skyrocketing prices of homes and rent.

Under current Maine law, lots that rely on septic systems must be at least 20,000 square feet. Studies have shown that reducing minimum lot size where safe to do so, is a critical step in reducing barriers to more housing development.

LD 1247 would establish limitations for allowable minimum lot sizes in areas where water and sewer infrastructure are available and in areas that are designated growth

areas, even if water and sewer are not available. This language intentionally mirrors the language of LD 2003, passed a few years ago.

Specifically, in a designated growth area served by public water and sewer, this bill would require a municipality to allow a dwelling unit on a lot with a minimum lot size of 5,000 square feet. The bill also limits what restrictions a municipality can place on lot coverage, road frontage and setback requirements.

To meaningfully combat the crisis-level housing shortage facing our state we need to employ a range of tactics. This is just one option, but I believe it is a powerful option that will get us one step closer to meeting the housing needs across Maine.

Thank you for the opportunity to testify in support.