



April 25, 2025

RE: Testimony of Build Maine NEITHER FOR NOR AGAINST for LD 1396, An Act to Amend Maine's Municipal Subdivision Standards to Increase the Number of Dwelling Units on or Divisions of a Tract of Land Before the Tract is Considered a Subdivision

Dear Senator Curry, Representative Gere, and Members of the Joint Select Committee on Housing,

My name is Kara, and I am the Chair of Build Maine. We are a statewide group working to align fiscal, economic, environmental, and quality of life goals within our state through pragmatic and common-sense solutions to building our rural and urban communities.

Build Maine recognizes the need to update our subdivision rules but overall we do not think this bill is the right approach. Instead we support combining LD 1396 with LD 161 to modernize our state subdivision law through this working group, to make needed improvements to the law without sacrificing natural areas and working lands that are critical to the future of our state.

If LD 1396 is limited to locally designated growth areas served by public water and sewer, this bill would be more in line with Policy Action goals of both protecting working lands and removing barriers to housing. However, as currently applied in the bill, there are significant issues.

Areas of Concern

LD 1396 amends the definition of "subdivision" so that up to 4 new lots or dwelling units can be created on a single parcel of land without triggering subdivision review. It also allows for 5 (instead of 3) new lots to be created within a 5 year period without triggering subdivision review. LD 1396 applies both of these changes globally to all land in Maine, regardless of location. This bill combines with LD 2003 to allow multiple dwelling units and ADUs on all lots. Put together, this effectively means that an existing rural lot could be divided into 5 lots, each with 3 new dwelling units plus an Accessory Dwelling Unit, for a total of 20 dwelling units across the 5 lots, all of which would be exempt from local subdivision review.

The one-size fits all approach encourages development of rural lands far from village and town centers, where land is less expensive, but where development is more costly for municipalities to service. As written, this bill is not in line with state goals of protecting farmland, forest land, or other working lands, reducing traffic on rural roads, and strengthening local tax base.

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This bill also implies that in communities with no site plan ordinance, these projects would be exempt from municipal review, similar to the approval of a single-family home, which only requires pulling of a building permit from a Code Enforcement Officer. This creates a concerning situation where large projects will have no review related to natural resources, infrastructure, stormwater, utilities, and off-site impacts.

Areas of Support

The bill also allows division of a new or existing structure into 3 or more dwelling units without triggering subdivision review. This change is positive and will help enable multifamily homes and redevelopment of historic buildings, and provides needed improvements to the existing law.

While Build Maine supports efforts to modernize Maine's subdivision law to enable more housing in designated growth areas, this bill would have the unintended consequence of enabling a significant amount of automobile-oriented housing development in rural areas where there is limited infrastructure to support development. This may significantly undermine the goals and intent of Maine's [Growth Management Act](#) and [Sensible Transportation Policy Act](#) by enabling a significant amount of housing to be built in places that are far away from jobs and services and are not served by public transit. The one-size fits all approach to subdivision law also undermines rural character, working lands, and natural resource-based livelihoods.

Sincerely,

Kara Wilbur, Chair
Build Maine