



**Community Development
Planning Division**

Thomas M. Poirier, *Director of Community Development*

tpoirier@gorham.me.us

Carol Eyerman, *Town Planner*

ceyerman@gorham.me.us

Damon Yakovleff, *Assistant Town Planner*

dyakovleff@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

**TESTIMONY OF THE TOWN OF GORHAM
TO THE COMMITTEE HOUSING AND ECONOMIC DEVELOPMENT**

WRITTEN TESTIMONY PROVIDED AGAINST LD #1247

“An Act to Restrict Municipal Ordinance Requirements Regarding Housing Developments”

DATE OF WORKSHOP: APRIL 25, 2025

**Honorable Senator Curry, Honorable Representative Gere, Distinguished Members of the
Committee:**

The Town of Gorham, Maine Community Development Planning Department has reviewed LD 1247 “An Act to Restrict Municipal Ordinance Requirements Regarding Housing Developments” and recommends a Committee vote of **Ought Not to Pass** as the bill was currently drafted. While the Town agrees with the goals the bill attempts to address, many of the preemptions of municipal land use regulations included will create unintended consequences.

Fundamentally, this bill undermines the comprehensive planning process as required by Maine’s Growth Management Act. The bill wipes away the distinction between growth and non-growth areas, using only provision of water and sewer to mandate uniform high residential densities. However, this one size fits all approach ignores many other constraints that determine best areas for high residential densities and growth, including natural resource protection, historical patterns of development, economic development goals, and transportation infrastructure, among many other factors. There is a rational argument for medium density transitional zoning between high growth and rural areas which applies to most Maine municipalities, and which would be thrown out wholesale by this legislation.

The following components of the legislation raise the largest concerns for the town, and we urge that if the Committee moves forward with recommending passage, that it make the following amendments to the bill:

- 1) Remove the 50’ frontage mandate for arterial and collector roads to allow for municipal access management standards to regulate excessive driveways which create unsafe conditions.
- 2) Allow for natural resource protection to limit zoning density in sensitive areas, even when there is public water and sewer.
- 3) Review how these proposed preemptions are in conflict with Clean Water Act requirements more specifically Low-Impact-Development relocations being mandated for Municipalities under the Municipal Separate Storm Sewer Systems (MS4) administered by the Maine Department of Environmental Protection (DEP).
- 4) Maintain impact fees so that growth is not an unfunded mandate for municipalities.



Community Development Planning Division

Thomas M. Poirier, *Director of Community Development*

tpoirier@gorham.me.us

Carol Eyerman, *Town Planner*

ceyerman@gorham.me.us

Damon Yakovleff, *Assistant Town Planner*

dyakovleff@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

- 5) Remove parking restrictions as defined in this legislation. The Maine Association of Planners has submitted a proposal for revisions to parking regulations in its comment on LD 427 which calls for a better approach to reducing “overparking” by developers through the use of waivers as appropriate and based on actual parking analysis, not a one-size-fits-all prohibition.

Gorham urges that the legislature move forward with an approach that, instead of mandating uniform and indiscriminate high residential densities, gives municipalities the tools they need to create successful, high growth high density areas. We urge the legislature to create affordable housing production goals for municipalities and identify incentives for meeting those goals. For example, providing additional school, transportation, revenue sharing, and other support.

At this time, we cannot support the wholesale changes introduced in LD 1247, and urge the legislature to take a different path that incorporates positive incentives for promoting increased growth. Planning needs to take into consideration many factors to be done well. Wiping away this consideration will lead to poorly planned communities.

We strongly encourage the Committee to incorporate the input of municipalities to ensure that any changes to the land use regulations are productive. We remain open to changes to these regulations and will do our part to offer input to that process.

Thank you for your time and consideration.

Sincerely,

Thomas M. Poirier

Director of Community Development