



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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GOVERNOR

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COMMISSIONER

TESTIMONY OF
ROB WOOD, DIRECTOR, BUREAU OF LAND RESOURCES
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

SPEAKING NEITHER FOR NOR AGAINST L.D. 1829
AN ACT TO BUILD HOUSING FOR MAINE FAMILIES AND ATTRACT WORKERS
TO MAINE BUSINESSES BY AMENDING THE LAWS GOVERNING MUNICIPAL
LAND USE DECISIONS

PRESENTED BY SPEAKER FECTEAU

BEFORE THE JOINT STANDING COMMITTEE
ON
HOUSING AND ECONOMIC DEVELOPMENT

DATE OF HEARING:

MAY 13, 2025

Senator Curry, Representative Gere, and members of the Committee on Housing and Economic Development, my name is Rob Wood and I am the director of the Bureau of Land Resources at the Department of Environmental Protection (DEP). I am speaking neither for nor against L.D. 1829.

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The DEP notes that Section 5 of the bill would conflict with shoreland zoning requirements governing the height of structures in the shoreland zone. This section of the bill would also create an internal conflict in 30-A MRSA §4364-A. The existing statute includes an explicit provision, in subsection 6, that requires housing structures to comply with shoreland zoning requirements (30-A MRSA §4364-A, sub-§6). If a new subsection is added to the statute that directly conflicts with an existing subsection, it may cause confusion for municipalities regarding which provision controls.

It is also possible that section 4 of the bill may create a similar internal conflict. This is likely unintentional, since this section of the bill modifies an existing subsection of the existing statute—and the existing statute includes the requirement that housing structures must comply with shoreland zoning requirements—but since the modified subsection would be enacted more recently than the subsection containing the shoreland zoning requirements, they could be read to be in conflict.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions from the Committee, both now and at the work session.