

Greetings Senator Pierce, Representative Gere and Members of the Select Committee on Housing,

My name is Benjamin Breadmore, I have the pleasure to serve as Town Manager and Code Official for the Town of Holden Maine, I have been a Code Official for almost 13 years now and Town Manager for 8 and a half. We are a smaller community of roughly 3,200 year-round residents. We have a simplistic approach to Zoning in our community that was crafted through public hearings, information sessions, public votes, and implementation by our Town Council. We have low, medium, and high-density residential zoning with identified growth zones. We allow for accessory apartments in every zone, except for the shoreland residential and resource protection zones. I write this today in opposition of LD 1593 moving forward because there are several pieces of LD 1593, like LD 2003, that will adversely affect our community. I would like to clarify that while I supported components of LD 2003 in concept, I cannot support LD 1593 as it took the worst parts of LD 2003 and pushed it further.

Since 1969 Maine has been considered a Home Rule State, every municipality has the ability at any time to adopt, amend, and craft Ordinances as required by the State of Maine that they see fit to develop their community. When did that end?

I would ask where in Maine has this proposal been adopted, implemented, and shown to yield positive results? Removing all regulation and then removing the ability of a community to fix an issue that arises is staggering. If a community wishes to adopt these regulations nothing is stopping them or their residents from putting forward an initiative, but to make it state wide without consideration for the impacts to Towns that will ultimately bear responsibility is unimaginable.

The bill prohibits a municipality from adopting or enforcing any zoning restriction that imposes a unit size requirement for residential housing. One of the base reasons we have density requirements comes from an existing case study from 1900, the density of population of the tenement districts of Manhattan's Lower East Side was the most extreme of any city in the world. In the infamous Tenth Ward, the census counted 1,100 people per acre, crowded into buildings of 4 or 5 stories that covered as much as 87 percent of the lot and block. These suffocating and unsanitary conditions were so demonized in New York reform circles that the term "density" carried a negative connotation for decades. Is this really what we want to open the flood gates for? I am not saying it will happen, but I am saying it could and if it does it is because we let it. If we don't learn from history, we are doomed to repeat it.

On a private septic a lot with 4 units a structure would have to be capable of handling a minimum of 450 gallons per day if 3 of the 4 units are 1 bedroom, if they are two bedrooms that is a minimum 720 gallons per day. For comparison a typical single-family home with 3 bedrooms is 270 gallons per day. To allow that on every lot may create an over burdening of soils and depending on the unregulated density may lead to water quality issues as to purity and quantity.

The parking reduction proposed is in line with LD 2003 where municipalities may not require more than 2 off street parking spaces for every 3 units. That may work in areas with public transportation, but what about our communities without public transportation? If both people per unit will most likely have a vehicle to get to work, groceries, doctors, etc. 30 Units = 20 parking spots, that could mean 30 to 60 vehicles, but at 20 parking spots they meet the requirement. This will lead to parking on rural roads which will cause traffic flow issues and winter plowing issues without question.

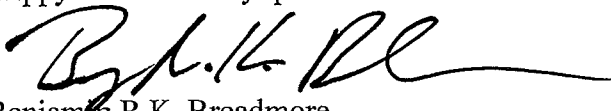
In Maine, the Maine Uniform Building and Energy Code or MUBEC is state wide, Kittery to Fort Kent, however municipalities with a population of 4,000 or less are not bound to enforce the Building Code. LD 1593 will allow for any existing building to be turned into an unknown number of unit apartment building and according to the 2021 American Community Survey there will be approximately 430 towns that may have no one to inspect the compliance of the multifamily housing with basic life safety, let alone structural, or energy efficiency. We could be taking industrial structures, high hazard buildings, single family homes, all ends of the spectrum and giving a green light to them when many towns do not even enforce the Building Code. Towns that do not have these inspections and the administration of even basic Code, puts a vast number of Maine residents already at risk at even greater risk.

The proposal creates a scenario where a developer can cram as much as they wish into any building they want and there is a better than average chance that not one single inspection be will performed. Will this work? Maybe, if you consider that success. Will it work every time? Not a chance and we will be putting at risk Mainers at greater risk of life and limb.

Every Mainer deserves to be able to live in a safe environment, but this bill does not promise safety, it promises greater risk.

Thank you for taking the time to consider my concerns with the LD 1593, I ask again that you support the Maine resident in their community to give them a chance to have a voice and I ask that you consider the safety of that resident should they move into housing provided by the bill.

Happy to answer any questions the committee may have.



Benjamin R.K. Breadmore
Town Manager & Code Official
Town of Holden