



Committee on Housing
% Legislative Information Office
100 State House Station
Augusta, ME 04333

April 25, 2023

RE: LD 1593, An Act to Increase Affordable Housing Development

Dear Senator Pierce, Representative Gere, and Members of the Committee:

Thank you for the opportunity to submit testimony “neither for, nor against” LD 1593, An Act to Increase Affordable Housing Development, on behalf of Maine Audubon and our 30,000 members, supporters, and volunteers. Since 1843, Maine Audubon has worked to conserve Maine’s wildlife and wildlife habitat by engaging people in education, conservation, and action. The oldest and largest Maine-based conservation organization, Maine Audubon has eight public centers and sanctuaries across the state, seven chapters, and connects with more than 250,000 people annually.

Maine Audubon supports the intent of this legislation: To remove unreasonable barriers to increasing affordable housing development in Maine. As part of the Maine community, we desire to see our neighbors thrive. Affordable housing is a cornerstone of a thriving community. As wildlife and wildlife habitat advocates, we seek and support affordable housing policy that does not unduly impact Maine’s natural resources – from lakes, rivers, and streams that provide clean drinking water, to habitats that are critical to preserving biodiversity, upon which all life depends. With this in mind, we offer the following comments on LD 1593:

- **We both support and oppose elements of Section 2.** We support the second and third clauses, which “prohibits any existing allowed structure to be used as or converted for use to residential housing” or “imposes a unit size requirement for residential housing”, as possible strategies to increase housing density in or near already developed areas. However, we strongly oppose the proposed prohibition against zoning restrictions that prohibit residential housing in any zoning district. While we appreciate the clause’s intent, we believe that it is overly broad. Some zoning standards are specifically established to protect natural resources that are not compatible with new structures – residential or otherwise. Keeping new structures out of these areas, which tend to be limited, may prevent or control water pollution; protect important wildlife habitat; wildlife corridors; or protect buildings and lands from flooding or accelerated erosion,

among other community-shared and beneficial goals. We strongly recommend that the Committee work to, at the very least, narrow this prohibition.

- **Maine Audubon does not have an established point of view on Section 1.** We understand that the section seeks to amend existing statutory language regarding minimum lot size and we agree that removing minimum lot size requirements for multiple housing units is a smart growth strategy. However, we urge the Committee to consider how this proposed statutory change may impact subsurface waste disposal from multiple housing units in their deliberations.
- **Maine Audubon supports Sections 3 and 4.** Each proposed statutory change appears to be a reasonable strategy to support affordable housing development, by eliminating density and minimum lot size requirements for multifamily dwellings in affordable housing development and minimum size requirements from accessory dwelling units, respectively.

Thank you for your consideration. We welcome the opportunity to engage in efforts to improve this important bill.

Sincerely,



Eliza Donoghue, Esq.
Director of Advocacy