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Testimony of Rep. Jim Boyle presenting

LD 1864, An Act to Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas

Before the Joint Standing Committee on Housing

Senator Pierce, Representative Gere and distinguished members of the Select Committee on Housing, my name is Jim Boyle and I represent House District 109, which is the eastern half of Gorham. I am here today to present **LD 1864, An Act to Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas**.

I will not belabor the state of Maine's housing shortage before this committee which I know is all too familiar with the impact the shortage has on every aspect of life. To address this crisis, we must look critically at the ways we have built our communities and examine opportunities to reimagine them. Through the technical lens of zoning, this bill seeks to do just that by amending our minimum lot size rules.

Minimum lot size rules determine how small a developer can subdivide a lot. Lot subdivision is a wonky issue, but it matters a lot for the form that neighborhoods take. Small, 1,400 square foot lots allow for rowhouses and shotgun houses. These are building types that keep housing cheap and burden on infrastructure low by economizing on land; they also tend to produce more tax revenue, acre-for-acre, to fund local government services. Their higher densities also make walkable, mixed-use urban neighborhoods viable. Large lots, on the other hand, are the standard in U.S. post-war suburbs, and are especially common in a rural state like ours. These larger lots mean that fewer homes can fit in a given area, which encourages auto-orientation and the segregation of land uses like residential and commercial.

In urban areas, tiny or highly irregular lots can make property rights fuzzy. But in rural areas, like much of Maine, you need a large lot to safely accommodate things like septic tanks and wells for drinking water. But like many zoning rules, these historically reasonable rules have often been manipulated for nefarious ends. In most US cities, large minimum lot sizes are used to drive up housing prices or mandate spread-out development. Here in Maine, this has contributed to our housing shortage and the skyrocketing prices of homes and rent.

District 109: Gorham (part)

Under current Maine law, lots that rely on septic systems must be at least 20,000 square feet. Studies have shown that reducing minimum lot size where safe to do so, is a critical step in reducing barriers to more housing development.

LD 1864 would establish limitations for allowable minimum lot sizes in areas where water and sewer infrastructure are available and in areas that are designated growth areas, even if water and sewer are not available. This language intentionally mirrors the language of LD 2003, passed last session.

Specifically, in an area served by public water and sewer, this bill would require a municipality to allow a dwelling unit on a lot with a minimum lot size of 5,000 square feet. For a housing development in a designated growth area and where housing is permitted, regardless of if it is served by public water and sewer, the municipality must allow a dwelling unit on a lot with a minimum size of 20,000 square feet. The bill also limits what restrictions a municipality can place on lot coverage, road frontage and setback requirements.

In order to meaningfully combat the crisis-level housing shortage facing our state we need to employ a range of tactics. This is just one, but I believe it is a powerful option that will get us one step closer to meeting the need across the state.

Thank you for the opportunity to present my bill. I'm happy to answer any questions.