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Senator, District 22

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

LD 907, “An Act to Amend the Law Governing Zoning Ordinance Variances for Persons with Permanent Disabilities”

Joint Standing Committee on Housing and Economic Development

Public Hearing

Thursday, March 13, 2025

Senator Curry, Representative Gere, and the Esteemed Members of the Joint Standing Committee on Housing and Economic Development:

My name is Jim Libby, and I am the State Senator representing District 22, comprised of the towns of Naples, Sebago, Baldwin, and Standish in Cumberland County; Hiram and Porter in Oxford County; and Limington, Limerick, Cornish, Parsonsfield, Newfield, Acton, and Shapleigh in the County of York.

It is my honor to sponsor L.D. 907, “An Act to Amend the Law Governing Zoning Ordinance Variances for Persons with Permanent Disabilities.”

This bill was submitted after a series of issues were presented to me by one of the Code Enforcement Officers in my district. During our conversations, he mentioned how some of the members of his community had disabilities and needed a variance to have garages built for their mobility vehicles. His town would have been willing to grant such a variance; but state law does not permit a town to grant a variance due to the size of the vehicles in question.

We know that some of the equipment in these vehicles can be quite heavy. According to the National Mobility Equipment Dealers Association, “A large SUV can weigh 6,000 lbs or more.”¹ The current state law has restricted the ability to seek variances if the vehicle exceeds 6,000 pounds. Consequently, individuals with disabilities who legitimately require larger vehicles to accommodate their mobility equipment are unfairly precluded from obtaining necessary variances. This limitation affects their ability to modify carports, garages, parking pads, and

¹ <https://nmeda.org/safety-tip-how-much-does-your-suv-or-van-weigh/#:~:text=A%20large%20SUV%20can%20weigh,mobility%20equipment%20and%20accessibility%20expert!>

other structures to suit their transportation needs, thereby impeding their autonomy and quality of life.

In addition to removing the weight limit, this bill allows for greater local control at the town level. I am sure some of you are wondering, how would this bill impact the towns I serve? The short answer is that it would give your town boards greater discretion and allow these variances to be granted in line with what is appropriate for each town and individual. This bill improves the zoning regulations by providing general norms and directing the process while recognizing the unique situation of each individual and municipality in our state.

Thank you for your time. I am happy to take any questions.