

ELIZABETH DELLA VALLE
64 Wellington Road · Portland, ME 04103
207.671.2956 · bethdellavalle@hotmail.com

**TESTIMONY IN
SUPPORT OF LD'S 1751
AND
AGAINST LD 1940
BEFORE THE JOINT STANDING COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
MAY 8, 2025**

Senator Curry, Representative Gere, and Honorable Committee Members:

My name is Beth Della Valle. I am a 45 year veteran of land use planning in Maine, Northern New England, and the Maritimes from the private, public, and nonprofit sectors at the local, regional, and state level. Over my career, I've:

- prepared more than eleven comprehensive plans,
- reviewed and advised on dozens more, and
- worked with some of the smallest and largest towns in the State from Mars Hill to Kittery, Bar Harbor to Baldwin, in all but three Maine counties.
- I also was planning director in both South Portland and Sanford for a number of years.
- I managed the Growth Management Program and Smart Growth Initiative at the State Planning Office under the King Administration.
- I was a founding member of Grow Smart Maine and served on its Board and Executive Committee for several years.
- I have been a longtime supporter of Build Maine initiatives.

The Growth Management Law is Maine's most important land use statute. Together with the rest of Chapter 30-A, it sets the rules that *allow* municipal land use planning and regulation, an authority the US Constitution grants to the State, not its communities.

I know how hard it is to write a SINGLE law to manage local land use planning and regulation in nearly 500 towns of all shapes and sizes! If you have that deer in a headlight's look about you, you are not alone. Land use planning is complicated.

My experience has convinced me that land use decisions are highly personal, often contentious, and economically consequential. To plan well in Maine requires care, thoughtfulness, skill, understanding of interconnections among natural and socio-economic systems, and a belief in the creativity of a bottoms up approach within a clear State framework. The promise of the Growth Management Law is that *if you, towns, do your part to support State goals, we, the State, will do our part to help you meet your local goals.*

The current law was developed over a lengthy process which created a system that:

- integrates planning principles, planning methodology, and planning law,
- respects the potential of creative, local problem solving, and
- links to other statutes and departments to coordinate state policy and funding.

LD 1940:

- disrupts those systems,
- violates planning principles and methodologies, and
- disregards planning law, which requires a connection (i.e., logical nexus) between information, policies, and regulation.

It also truncates the system that links consistency with State Goals to State Purse Strings.

LD 1751 maintains those systems, respects planning principles and methodologies, and complies with land use law.

While LD 1940 introduces the wonderful, new concept of “place types”, it overlooks the incredible diversity of Maine communities, and their socio-economic environments, including, in some cases, too few residents to fill key municipal positions. It’s a great concept, whose mandate in statute, flies in the face of Maine planning traditions, and whose proper place is in rulemaking and technical assistance, where important details can be fleshed out and demonstrate its potential.

The true power of the Growth Management Law is a framework of state goals and linking state investments to consistency with those goals. We simply do not have enough funds to waste on spending at cross purposes.

LD 1940 threatens that focus and purpose. While more needs to be done to strengthen the linkage of state resources to consistent plans, LD 1751 preserves that focus and promise to Maine communities. Current rules guiding the Program are outdated, particularly the brain-numbing checklist regarding inventory.

Good planning takes time and resources, whether at the local, regional, state, or national level. There are no silver bullets. As Laurie Lachance, former State Economist and President of Thomas College once said about Smart Growth, “There is no silver bullet; we need a silver buckshot approach!”

Thank you for your consideration. I am available to answer questions and participate in work session.