



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

IN SUPPORT OF LD 2039

Resolve, Regarding Legislative Review of Portions of Chapter 1: Fee Schedule, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission

January 7, 2026

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Ben Godsoe, and I am the Acting Executive Director of the Land Use Planning Commission (LUPC or the Commission) within the Department of Agriculture, Conservation and Forestry (DACF). I am here today to testify in support of LD 2039, *A Resolve, Regarding Legislative Review of Portions of Chapter 1: Fee Schedule, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission*.

Land Use Planning Commission

LUPC serves as the planning, zoning, and land use permitting authority for the unorganized and deorganized areas of the state, including all townships, most plantations, and certain small towns. These areas either have no local government or have chosen not to administer land use controls at the local level.

The Chapter 1 Fee Schedule Rules are major substantive rulemaking and were provisionally adopted by the Commission at its regular business meeting on October 8, 2025, before being filed with the legislature for review. No comments were received during the rulemaking, either in person at the public hearing on August 13, 2025, or during the accompanying 41-day written comment period, which closed on September 16, 2025.

Purpose of Provisionally Adopted Rules

LUPC charges different fees for various permit applications, which range in complexity from fairly straightforward, such as building or expanding a home, to proposals for residential subdivisions, commercial or industrial development, zoning changes, applications for site law certifications, and other projects. The last time LUPC updated Chapter 1 was in 2021. Fees for building permits included a base fee, which was then expanded upon by factors related to the site

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(e.g., the amount of disturbed area, building size). This system works well for larger developments and more accurately reflects the time and resources invested by the Commission in its review. However, it was difficult to administer efficiently for building permit applications, which account for the majority of the permits issued in a year, sometimes resulting in process delays and frustration for both the permit applicants and LUPC staff.

The rule revisions provisionally adopted by the Commission apply only to building permits and would establish flat fees based on building footprint for new, replaced, or reconstructed dwellings, as well as a single flat fee for additions, accessory structures, and other residential developments. The Commission believes this approach would simplify the process for applicants and LUPC staff to calculate fees and is expected to shorten the time needed to process residential building permits. The current fee structure would remain in place for other types of applications, which are typically more complex and require significantly more time to review.

LUPC staff researched fees in surrounding municipalities and found them to be comparable to the proposed rate. Finally, we compared the proposed rates to the fees assessed for building permits in a subset of 2024 permits using the system approved in 2021. Permitting data indicate that the overall revenue would have been similar. We conclude that the new fee structure will simplify and streamline permit processing and be revenue-neutral to the agency.

Thank you for your time. I am happy to answer questions now or during the work session.