



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

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TESTIMONY OF ERIC J. COUSENS AND THE CITY OF AUBURN
PLANNING AND PERMITTING OFFICE

TO THE JOINT SELECT COMMITTEE ON CRIMINAL JUSTICE AND
PUBLIC SAFETY

WRITTEN TESTIMONY PROVIDED IN FAVOR OF LD # 2053

“AN ACT TO EXEMPT BUILDINGS USED TO CULTIVATE CROPS
FROM THE MAINE UNIFORM BUILDING AND ENERGY CODE”

Date of Hearing: January 22, 2024

Honorable Senator Beebe-Center, Honorable Representative Salisbury, and Distinguished Members of the Joint Committee on Criminal Justice and Public Safety, my name is Eric Cousens and I serve the City of Auburn as Planning and Permitting Director. I thank you for taking the time to consider LD 2053 which could have important positive impacts on personal food production and expansion of agricultural opportunities in the State of Maine.

LD 2053 would expand the ability of people to use affordable, often plastic covered structures like hoop houses and green houses that generally cannot meet structural and snow load requirements of the Maine Uniform Building and Energy Code (MUBEC). These structures can significantly increase productivity and extend the short growing season in Maine. They also pose very little risk if the snow or wind damages them. This would allow a farmer or homeowner to decide how to construct and use these structures across the State regardless of the town’s population. The exemption, as proposed would not exempt structures used for cannabis cultivation. It would also not preempt the ability of a town to apply local land use standards or restrictions.

The MUBEC must be enforced in a municipality with a population of 4,000 residents or more. As a community with a population of over 4,000 people we,

in Auburn, are required to enforce the MUBEC despite having significant and very rural portions of the community available for Agriculture.

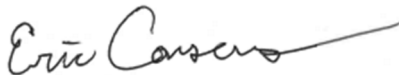
Approximately 107 towns and cities have been required to or have chosen to adopt the MUBEC.

I have been working with Representative Shaw to resolve the challenge that we encounter in permitting structures for growing crops, mostly greenhouses and hoop houses. The desire of the public to produce or buy local healthy foods is increasing. We discuss the requirements with property owners at least monthly during the summer months in Auburn. Many of those discussions result in the disappointment of a homeowner and a decision not to pursue the structure. The same requirements exist in 107 other communities in Maine. A State-wide exemption to MUBEC already exists for structures used to house livestock or harvested crops but that does not include exemption for structures used for the cultivation of crops. That means the same structure, if used for housing livestock or storing harvested crops, is already exempt from the wind and snow loads and other requirements of the MUBEC. In Smaller towns, farther from people or customers, it is easier for a farmer or homeowner to take advantage of the use of structures for growing crops.

LD 2053 will fix this and could level the field and make growing healthy food attainable to more homes or farms close to where people live, without endangering public safety.

I thank you for your work to keep Maine safe and healthy. Please support this change to help people grow more food everywhere, especially, close to where more people live during our limited growing seasons. I am happy to answer any questions.

Sincerely,

A handwritten signature in black ink that reads "Eric Cousens". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Eric J. Cousens

City of Auburn Planning and Permitting Director