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Maine's Rural Development Council

Testimony of Nancy Smith, CEO of GrowSmart Maine in opposition of LD 1396, An Act To Amend Maine's Municipal Subdivision Standards To Increase The Number Of Dwelling Units On Or Divisions Of A Tract Of Land Before The Tract Is Considered A Subdivision

April 25, 2025

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

My name is Joe Oliva and I work for GrowSmart Maine. We are a statewide non-partisan non-profit organization helping communities navigate change in alignment with smart growth. We advocate for comprehensive policies and funding for smart growth practices and outcomes.

Our organization opposes the passage of LD 1396 along three lines:

- Raising the threshold for triggering subdivision review from 3 to 5 lots and its implications on rural lands.

Subdivision review is an important tool for ensuring safe and sustainable development for people and the environment in Maine communities. As pressure mounts to build more housing to accommodate current and future needs, we must resist the temptation to develop, and thereby permanently alter, open space and productive farmlands. Addressing the housing crisis must be done without undoing the good work to address the climate crisis, and without creating the next crisis of access to farmland and food. People who need accessible, safe housing also need safe, accessible food.

- Exempting the addition or creation of accessory dwelling units (ADUs) under the definition of a new lot.

Based on our understanding of the bill, over a five year period, one lot with one unit could become a five lot subdivision with 15-25 new units without undergoing review. Without stipulation about targeting growth areas, the changes that LD 1396 proposes are likely to have a disproportionate impact on rural lands. Forests, fields, and farmlands will be considered ideal sites to develop, rather than the precious natural resources they are. See attachment (1).

- Lack of clarity as this proposal relates to LD 2003 and the general need to review and refine subdivision law.

GrowSmart acknowledges that subdivision law is out of date and in need of review. [LD 161](#), which resolves to convene a stakeholder group tasked with comprehensive overhaul and modernization of state subdivision statutes is a pragmatic next step. It also became apparent in the review of this bill that there lacked a consensus understanding of some of its definitions and likely outcomes.

While we deeply appreciate the intent to lower barriers associated with building housing to accommodate current and future needs in communities around the state, we respectfully request that the Committee vote Ought Not to Pass on LD 1396. As written, GrowSmart is concerned with the sprawling development pattern that this bill facilitates. Instead, we must encourage denser development in growth areas – particularly those defined in comprehensive plans – with existing infrastructure and resources.

Attachment (1)

