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TESTIMONY OF ERIC J. COUSENS EXECUTIVE DIRECTOR OF PUBLIC SERVICES FOR THE CITY OF AUBURN TO THE COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

WRITTEN TESTIMONY AGAINST LD 1940

DATE OF HEARING: May 8, 2025

Honorable Senator Curry, Honorable Representative Gere, and Distinguished Members of the Housing and Economic Development Committee:

Testimony in Opposition to LD 1940: An Act to Revise the Growth Management Program Laws

Thank you for the opportunity to testify in opposition to LD 1940. I have worked in planning, economic development, and public service roles in the cities of Lewiston and Auburn for more than 22 years. As a strong advocate for smart, planned growth, I have led efforts in Auburn to help address Maine's housing crisis while balancing infrastructure needs, economic development, and land conservation.

A robust and predictable comprehensive planning process is essential for communities to make sound infrastructure investments and create policies that support housing, commercial, and industrial growth. It also enables us to preserve critical rural lands, natural resources, farmland, and recreational areas—qualities that make Maine an exceptional place to live.

The Growth Management Act is the cornerstone of comprehensive planning in Maine. Planners across the state rely on it to guide development that aligns with each community's unique needs and values. Over the years, many of us have identified areas in need of reform, and there is broad consensus that improvements are necessary. Unfortunately, LD 1940 fails to meaningfully address those issues and instead introduces new problems that will hinder planning efforts across the state.

As a community actively working on a new comprehensive plan, I have immediate and specific concerns about the bill's impact on our work—and broader concerns for smaller communities with fewer resources. My key concerns are as follows:

1. Overly Rigid and Problematic Definitions

LD 1940 introduces inflexible definitions that do not reflect the diversity of Maine's communities and planning needs:

- **Mapping Mandates:** The bill codifies dynamic mapping standards into state law without legislative review or public input from affected landowners. Such standards should instead be developed through a rulemaking process and reference static maps adopted on a fixed schedule.
- **Conserved Lands:** The bill classifies all Wabanaki Nation lands as conserved in statute, potentially restricting their use for housing or development. It is unclear whether Wabanaki leaders support this limitation.
- **Prescriptive Place Types:** The bill mandates “place types” with definitions so narrowly drawn that they are unworkable for many communities.
- **Eliminates Transitional Districts:** Transitional districts are a vital planning tool that allow communities to prepare for future land use changes without forcing immediate zoning updates. Removing this option limits long-term planning flexibility.
- **Restricts Investment Areas:** Language in the bill could prohibit state and federal investment outside designated “High Impact Corridors” or growth areas. Meanwhile, it makes it more difficult for rural communities to identify and designate those areas—placing them at a disadvantage.

2. Increases Complexity and Cost of Planning

LD 1940 imposes unnecessary complexity and burdens:

- **Top-Down Strategy Requirements:** The bill embeds specific planning strategies into statute, overriding local discretion and creativity.
- **Climate Planning Duplication:** It requires communities to create a climate plan that may conflict with or duplicate the State’s Climate Action Plan. Municipalities should have the option to adopt the state plan or tailor their own strategy—without duplicative mandates.

3. Weakens Accountability for State Goals

The bill allows communities to omit addressing certain state goals without providing clear standards for how this will be reviewed or justified—undermining the consistency and accountability of the planning process.

Conclusion

Planners from across Maine engaged in the development of this bill during the 131st legislative session and submitted extensive feedback. Unfortunately, most of our input was not incorporated, and the final version introduces new barriers while failing to solve long-standing issues.

Rather than enhancing the Growth Management Act, LD 1940 reduces local flexibility, imposes one-size-fits-all mandates, and adds unnecessary burdens to the comprehensive planning process—especially for smaller and rural communities.

For these reasons, I respectfully urge you to vote **Ought Not to Pass** on LD 1940.