

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Committee on Housing and Economic Development

FROM: Julie Erdman, Director of Planning & Development
Jimmy Dealaman, Principal Planner

DATE: February 9, 2026

SUBJECT: State Housing Legislation (LD 1829 & LD 2143) – Implications for Comprehensive Planning, Growth Management, and Municipal Authority

Since July, Brunswick planning staff have devoted significant time and resources to understanding the impacts of LD 1829 and determining how to responsibly manage growth through our comprehensive planning process. The State continues to preempt what has traditionally been local authority, and we are increasingly concerned that sweeping, one-size-fits-all legislation is expanding in ways that make growth management less predictable and more difficult to plan for. This uncertainty undermines our ability to draft meaningful policies and ordinances that are durable and do not require annual review and revision.

As a direct result of the state-mandated density increases under LD 1829, Brunswick's comprehensive plan committee spent an additional three months at the end of an already six-year comprehensive planning effort revisiting the boundaries of our designated growth area. To protect the character of existing neighborhoods from newly imposed density potential, the Town reduced its designated growth area significantly, by approximately 71 percent.

Brunswick currently has a moratorium in place on new subdivisions in the rural area, intended, among other things, to allow time to develop a rate-of-growth ordinance. However, the introduction of LD 2143 continues to move the regulatory target and may delay our ability, as professional planners, to bring forward thoughtful and effective legislation. We are also concerned that this bill would further erode municipal authority—particularly in rural areas—and runs counter to established Smart Growth principles.

Brunswick planning staff have joined other municipalities in advancing a resolution (Attachment 1) to our Town Council expressing concerns about LD 1829, which will be taken up on the 17th of this month. Among those concerns is the fact that communities like ours have already experienced marked increases in housing production, yet the recently required density increases are not supported by any corresponding, dedicated state infrastructure funding program. This disconnect may create significant challenges on the horizon for municipalities attempting to plan responsibly for growth while maintaining infrastructure capacity and fiscal stability.

Town of Brunswick, Maine



TOWN COUNCIL

RESOLUTION REGARDING LD 1829: AN ACT TO BUILD HOUSING FOR MAINE FAMILIES AND ATTRACT WORKERS TO MAINE BUSINESSES BY AMENDING THE LAWS GOVERNING HOUSING DENSITY

WHEREAS, the Town of Brunswick recognizes that Maine faces a significant and ongoing housing shortage that affects residents, workers, families, and the overall economic vitality of our communities; and

WHEREAS, the Town of Brunswick is committed to being part of the solution to Maine's housing shortage and supports thoughtful, locally responsive efforts to increase housing supply and affordability; and

WHEREAS, the Maine Legislature enacted LD 1829 in June 2025 with the stated intent of building housing for Maine families and attracting workers to Maine businesses by expanding allowable housing density statewide; and

WHEREAS, while the Town of Brunswick supports the goals of increasing housing supply, the prescriptive implementation requirements of LD 1829 present critical challenges that threaten our ability to manage growth responsibly and maintain the quality of life our residents expect; and

WHEREAS, the Town of Brunswick has been a regional leader in housing production, the Brunswick Planning Board has approved 771 housing units in the last four years, yet LD 1829 does not distinguish between municipalities with demonstrated housing production and those with limited or no recent development activity; and

WHEREAS, the mandated density increases under LD 1829 exceed the capacity of existing municipal infrastructure to support new growth, including water systems, sewer systems, stormwater management, transportation networks, and schools, thereby necessitating capital investments that exceed local budget capacity and will require significant state financial support; and

WHEREAS, the Town of Brunswick has adopted a Climate Action Plan that supports an incremental approach to increasing strategic density to promote sustainable, accessible and climate resilient neighborhoods; and

WHEREAS, LD 1829 encourages growth outside of growth areas if served by water and sewer, despite established planning best practices that direct new development towards growth areas while preserving rural lands and natural resources; and

WHEREAS, the prohibition on growth caps in designated growth areas eliminates a critical tool that municipalities have used to align development with infrastructure capacity and comprehensive planning; and

WHEREAS, LD 1829 requires repeated ordinance amendments and mandatory planning board training, imposing significant administrative and financial burdens on municipalities, particularly smaller and rural communities that rely on volunteer planning boards and lack dedicated professional planning staff; and

WHEREAS, restrictions on impact fees under LD 1498 prevent municipalities from funding the broader infrastructure upgrades necessary to support growth mandated by LD 1829, further shifting costs to local taxpayers and limiting municipal fiscal flexibility; and

WHEREAS, the Town of Brunswick has developed its comprehensive plan through extensive community engagement to reflect local priorities, environmental constraints, and a vision for the community's future, and LD 1829's one-size-fits-all approach undermines this locally driven planning process and the principles of home rule that are fundamental to the State of Maine's system of governance;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Brunswick hereby:

1. **Expresses significant concern** regarding the challenges presented by LD1829 presents to responsible growth management, infrastructure planning, and comprehensive planning;
2. **Calls upon** the Maine Legislature to enact corrective legislation that:
 - Establishes a dedicated, multi-year state infrastructure funding program to support municipalities experiencing mandated growth;
 - Allows municipalities that meet or exceed growth requirements under the Growth Management Act to continue employing reasonable growth management tools;

- Clarifies the interaction between LD 1829's prohibition on growth cap and the Rate of Growth law to avoid unintended sprawl and development pressure in rural areas;
 - Eliminates the lot size and density mandates for areas outside designated growth areas that are served by sewer and water;
 - Strengthens and clarifies housing affordability requirements to ensure that increased density results in attainable housing for Maine residents;
 - Revises impact fee restrictions to allow municipalities to fund necessary infrastructure improvements associated with new development; and
 - Provides adequate, ongoing funding for technical assistance and capacity building for municipalities and regional planning organizations;
3. **Requests** that the Legislature work collaboratively with municipalities, regional planning organizations, and municipal associations to refine the law, enhance state-municipal communication, and ensure that housing policy achieves affordability goals while respecting local planning authority and infrastructure constraints;
4. **Directs** the Town Manager to forward copies of this resolution to:
- Speaker of the Maine House of Representatives Ryan Fecteau
 - Brunswick State Senator: Matthea Daughtry
 - Brunswick State Representatives: Poppy Arford, Daniel Ankeles and Cheryl Golek
 - Governor Janet Mills
 - Maine Municipal Association
 - Midcoast Council of Governments

ADOPTED this [__] day of February, 2026.

Nathan MacDonald, Chair Brunswick Town Council

Fran Smith, Brunswick Town Clerk

Julie Erdman
Town of Brunswick, Department of Planning and Development
LD 2173
See attached testimony.