

February 16, 2026

To: The Honorable Members of the Joint Standing Committee on Housing and Economic Development, Maine Legislature

From: Stephen Sloan, Fire Chief, City of Westbrook, Maine

Re: Opposition to LD 2173 – ***“An Act to Update the Laws Regarding Housing Developments and Accessory Dwelling Units”***

Dear Chairs and Members of the Committee,

As the Fire Chief for the City of Westbrook, I respectfully submit this letter in opposition to LD 2173, ***“An Act to Update the Laws Regarding Housing Developments and Accessory Dwelling Units.”*** While I recognize and support the goal of increasing housing availability across Maine, several provisions within this bill pose significant life-safety risks, hinder effective fire protection planning, and limit municipal authority to implement safety standards tailored to our community’s needs.

According to public summaries of LD 2173, the bill clarifies but also places constraints on fire-protection requirements for accessory dwelling units (ADUs). It further limits municipal authority regarding minimum lot sizes, density requirements, and growth-management ordinances; removes planning board approval for ADUs; and restricts municipal standards for subsurface wastewater disposal.

Key Concerns from a Fire & Life-Safety Perspective

1. Reduced Local Oversight of Accessory Dwelling Units

- Eliminating planning board approval removes an essential review point where fire department considerations, emergency vehicle access, adequate setbacks, hydrant placement, and fire-separation requirements, are typically evaluated.
- These factors are specific to each jurisdiction and depend heavily on local response capabilities and operational realities.

2. Fire Protection Requirements Need Strengthening, Not Simplification

- Increasing residential density without proportional upgrades to fire-protection infrastructure leads to longer response times, greater fire-spread potential, and increased evacuation challenges.

- Changes in building height and density place additional burdens on fire departments, many of which may not have the resources, equipment, or staffing necessary to safely respond to these new demands.
3. Constraints on Growth Management and Permitting Reduce Safety Planning Capacity
- Requiring growth-management ordinances to allow development permits at or above 130% of the municipality's five-year average limits a community's ability to pace growth responsibly.
 - Growth ordinances are designed around the capacity of public safety agencies. Exceeding these limits jeopardizes timely emergency response and overall public safety.
4. Limits on Minimum Lot Sizes and Density Requirements
- Increased density without corresponding fire-protection improvements results in constrained access routes, inadequate turning radii for apparatus, and increased exposure hazards between structures.
 - Fire departments cannot alter the physical size of their apparatus. Large vehicles require adequate access to perform essential operations. For example, aerial ladder trucks require approximately 14–18 feet of unobstructed space to safely deploy stabilizing outriggers. Without such clearance, accessing upper floors becomes significantly limited.
5. Compliance with the Maine Uniform Building and Energy Code (MUBEC)
- Limiting compliance solely to MUBEC, without incorporating National Fire Protection Association (NFPA) Fire and Life Safety Codes, weakens overall safety.
 - Both code sets complement each other to ensure buildings are constructed and maintained with adequate life-safety protections. Removing either requirement compromises occupant safety.

The Westbrook Fire & Rescue Department supports responsible growth and well-planned housing expansion. However, LD 2173, by overriding essential local review authority, restricting municipal oversight, and increasing density without ensuring corresponding fire-protection enhancements, creates unacceptable risks for residents and first responders.

Thank you for your consideration.

Respectfully submitted,



Stephen Sloan

Fire Chief

City of Westbrook Fire & Rescue Department