

Dear Senator Pierce, Representative Gere, and Honorable Members of the Joint Select Committee on Housing, my name is Ed Libby and I live in Yarmouth and I am here to testify in support on LD1864

I am a 4th generation Mainer and began my career in real estate in 1987 after graduating from college. I moved to Yarmouth in 1996. After doing subdivisions mostly in rural areas for more than 20 years, about 10 years ago began to understand the importance of smart growth and that has been my focus and passion ever since. What I have found though, is that local zoning policies in many areas are not based on the smart growth policies that the State recognizes as the desired pattern of growth.

I followed the progress of LD2003 through the extensive hearing process and continue to work closely with my Town in implementing its adoption there. I was a member of the Growsmart Maine Policy Action 2023 working group # 7, from which this bill was conceived. Some would say I have become a zoning nerd.

This bill is fundamentally about Small Lots in Smart Places.

Read from Small Lots in Smart Places

Originally, we recognized not doing smart growth as sprawl and the State reported on the negative consequences of Sprawl in a report from the Maine State Planning Office May 1997 report: Cost of Sprawl

Read back of report

Since then, we can add Climate Change, unaffordable and unattainable housing for many, and large lot zoning as an impediment to Fair Housing.

The problem is that changing zoning at the local level is very difficult, even when we know it is the right thing to do. Despite Comprehensive Plans that say what a municipality will be doing to achieve the State's smart growth policies and provide for 10% affordable housing, many are never implemented, despite existing state statutes such as MSRA 30-A Section 4352 that require zoning to be consistent with a comprehensive plans. That is not being enforced.

So, in many places, the traditional village pattern of development that we all love is not possible without smaller lot sizes being allowed again.

At a time that we are 30 years since trying to combat sprawl, a decade since we recognize climate change, and find ourselves in the midst of a housing production and affordability crisis, the State must act where many municipalities have failed to act for decades. It is a small intrusion on home rule, but the system as currently operating, has failed to accomplish the State's goals. Relying on the Comprehensive Plan process, while not enforcing adoption of the policies within those Comp Plans, is no longer tenable.

LD1864 will allow more housing in the areas that the State has already set policy for housing to be located, which is not only smart growth, but will contribute to housing production, including making housing more attainable and affordable.