

Cynthia A. Dill

Cape Elizabeth, Maine

TO: COMMITTEE ON LABOR AND HOUSING

DATE: MARCH 7, 2022

RE: **LD 2003** - AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION TO INCREASE HOUSING OPPORTUNITIES IN MAINE BY STUDYING ZONING AND LAND USE RESTRICTIONS.

SENATOR DAUGHTRY, REPRESENTATIVE SYLVESTER, AND HONORABLE MEMBERS OF THE COMMITTEE.

My name is Cynthia Dil. I am here today to comment on the bill and to report on a citizen-led effort in Cape Elizabeth to create affordable housing that emphasizes the needs of kids and families, and that we hope will welcome families fleeing the war in Ukraine.

1. **CAPE ELIZABETH DID NOT VOTE AGAINST DUNHAM COURT and its 49 1BR UNITS -- THE DEVELOPER FORFEITED UNDER SCRUTINY** because it was not affordable housing.
 - **EXTRAORDINARY HIGH PUBLIC COST -- \$ 13.5 MILLION, PLUS 30 YEAR TIF, TAX CREDITS, EXCLUSIVE MANAGEMENT CONTRACT, RESIDUAL REAL ESTATE FOR NET GAIN OF 23 I-BR UNITS¹ -- COSTING PUBLIC \$587K EACH -- MORE THAN THE COST OF AVERAGE 2 BR HOME --AND NETTING OVER A \$ 1 MILLION IN PROFIT TO DEVELOPER -- MEDIAN LISTING HOME PRICE IS \$495K.**
 - **LOW PUBLIC BENEFIT - WOULD NOT HOUSE LOCAL WORKFORCE**
 - **LOCATION - APPROVED SUBDIVISION, NO JOBS IN TOWN, NO BANK, NO POST OFFICE, NO PUBLIC TRANSPORTATION, NO SERVICES.**
 - **PROJECT WOULD PAVE PUBLIC SKATING RINK, USE TOWN PARKING**
 - **"FEASIBILITY" OF DEVELOPER, "AFFORDABLE HOUSING" DEFINITION UNWORKABLE, UNDEFINED TERMS - (Dunham to be "feasible" in 01/21 needed **30 year 65%** TIF, then in 08/21 said it needed **30 year 25%** TIF) BIG MARGIN! TIF magical thinking. **COST > \$ 1 M.** No scrutiny of books..**

¹ The approved subdivision where Dunham Court sought to build already allowed 26 units, so net gain is 23

- **THERE IS NO DATA SUPPORTING ASSUMPTION THAT MULTI-FAMILY HOUSING IS GOOD FOR FAMILIES IN RURAL AND SUBURBAN COMMUNITIES OF MAINE. (kids! garden, front porch, garage)**
- LEVINE/GPCOG STUDY DOES NOT JUSTIFY STATE-TAKEOVER OF LOCAL ZONING LAWS - it states the obvious.

BOTTOM LINE -- ADU'S, AFFORDABLE HOUSING -- ALREADY ALLOWED IN OUR TOWN. BECAUSE OF GOV. FINANCIAL INCENTIVES -- LOW-INCOME HOUSING PROJECTS ARE BEING DESIGNED TO GET BEST DEAL FOR DEVELOPER INSTEAD OF MEETING THE NEEDS OF COMMUNITY -- ESPECIALLY THE KIDS! WE CAN DO BETTER.

2. **PLAN B IN CAPE ELIZABETH - A PORT IN THE STORM FOR FAMILIES**

Our resources are open space and blue ribbon schools -- a safe, ideal environment for raising kids, which we believe is the best and highest investment of public dollars.

Plan B is a citizen petition to amend the Cape Elizabeth Zoning Ordinance to allow for the development of "Community Housing" on town-owned property known as Gull Crest that was left to the town in 1825 by Thomas Jordan "for the poor of said town forever."

With the requisite number of signatures Plan B will go to public referendum in November, 2022 unless the town council acts before then.

"Community Housing" is defined as "Multiplex Housing located on town-owned land for occupancy by families with Low Income and/or Moderate Income."

The goal of the sponsor is to create a path to the development of civic-minded affordable housing with an emphasis on kids, families especially refugee families fleeing Ukraine.

CONCLUSION: THE "MUNICIPAL HOUSING DEVELOPMENT PERMIT REVIEW BOARD" (Sec. 12 of bill) SHOULD GIVE CITIZENS STANDING TO CHALLENGE THE APPROVAL OF APPLICATIONS WHEN THE PUBLIC COST OUTWEIGHS THE BENEFIT. Highly sophisticated, heavily marketed financial transactions are not all alike. As currently drafted for-profit real estate developers have negotiating advantage and it is unfair and left unchecked will result in a landscape of **bleak housing**.