



Town of Orono

**Testimony of Meghan Gardner, Orono Town Councilor, in Opposition to
LD 2003, *An Act To Implement the Recommendations of the Commission To Increase Housing
Opportunities in Maine by Studying Zoning and Land Use Restrictions***

March 7, 2022

Senator Daughtry, Representative Sylvester, and distinguished members of the Joint Standing Committee on Labor and Housing: In principle I ought to agree with this bill, which is being fast-tracked at a dizzying speed by my own political party. The role of an Orono Town Councilor is nonpartisan by design but let me be clear: my politics land far enough left of the party establishment to perhaps make them a little nervous. I can only imagine that what happened in Cape Elizabeth last year, and other similar happenings, prompted the dramatic push for this bill, and I share your frustration. I live in a community in which I am a socioeconomic outlier. I have no tolerance for NIMBYism, I have never earned enough money to meet the threshold of the middle class, and I have experienced varying degrees of housing insecurity. And yet I am here today to testify in opposition to this bill, which I see as containing aspects that will certainly cause more harm than good in many communities but may also damage progressives' overarching goal of housing equity. It is a good idea, with some positive attributes, but this bill should not pass as written. Specifically, the blanket regulations that were quickly drafted would have a host of unintended consequences at the local level precisely because this legislation cannot anticipate the specific needs and available resources of every single community in the state.

I agree that housing is a fundamental human right, and access to affordable housing is a principle of that right. And one of the most effective ways to increase the availability of affordable housing is to incentivize its development and sustainability. Unfortunately, that is not the approach taken by this bill, which favors the stick instead of the carrot. In a recent Press Herald article, Speaker Fecteau described the affordable housing crisis as "...a statewide problem for our young families, our workforce and our seniors." I agree. And in my community, these are precisely the people who would be most negatively impacted by the passage of this particular bill.

I have served as the Chair of the Comprehensive Plan Committee on the Orono Town Council for five years. I can attest that Council has worked extensively on the issue of housing with the specific goal of addressing the recommendations of our Comprehensive Plan. One recommendation clearly outlined in the Comp Plan is to increase the availability of affordable housing, and with good reason: As home to the flagship campus, the University of Maine is a key economic driver in our community. And yet, as our Comp Plan tells us, the overwhelming majority of people who work for the University do not live in Orono, and the average staff salary is not compatible with Orono's housing market.

This is clearly a problem, and you may be thinking that this bill is the solution. But to that I would reiterate that we are addressing the recommendations—plural—of Orono’s comprehensive plan, one of which is the harmonious fusion of our year-round residential and transient college student populations. We’re a college town, but we’re also a town of young professionals, of families, and of the elderly. The process of chipping away at the housing problems in Orono requires us to very carefully consider the balancing act of creating housing opportunities while also reducing the existing neighborhood conflicts that require an intensive police and law enforcement response. One of the provisions of this bill would allow multi-family housing of up to 4 units in any zone where housing is permitted, and prohibits requirements for setbacks and lot size that are any more restrictive than that of a single family home. In Orono the medium-density residential zone, which contains the majority of neighborhoods just outside the tiny village center, allows single and two family homes and has a number of grandfathered multi-family units; the blanket allowance of 4 unit buildings could easily result in up to twenty college students wedged in between single and two-family family homes, which we already know from experience would likely result in the town having to pour even more resources into addressing conflicts in those neighborhoods.

Further, Orono’s Town Council must approach the question of housing regulation in the context of our very specific housing market. And while the bill has addressed criticisms of short-term housing regulation, effectively protecting tourist-centric communities, it does not take into account the needs of communities with an overwhelming amount of transient long-term housing. What might work in some communities would likely have the opposite effect in Orono, specifically because of our high-volume, transient student population. There’s a lot of money to be made by developers and real estate firms housing college students who, despite typically being low-income adults, can consolidate their financial contributions with other students and are frequently financially supported in some way. Why sell or rent a home to a family, after all, when you can simply charge hundreds of dollars more per bedroom, per month, and be assured that it will never sit empty? While many lawmakers might currently flinch at the term “local control,” because yes it can be used to maintain inequitable systems, it is arguably more often used to address the unique concerns specific to an individual community that could never be fully anticipated or addressed at the State level. Some segments of this bill would remove the tools Orono has at its disposal to keep predatory housing development at bay; as written, this bill may very well increase our housing stock, but housing for whom? And at what larger cost? I pose these as rhetorical questions, but I already know the answer: the provisions of this bill would most negatively impact our young families, our workforce, and our seniors.

A lack of affordable housing for these folks would not be the only consequence of this bill, unfortunately. The market forces, unchecked by local regulation, that would result in the overdevelopment of student-centric housing would put an increased strain on existing infrastructure and service-level. We are already a community that operates on an uncomfortably tight budget despite a relatively high mil rate. As the home of the University of Maine, we provide a service level on par with much larger communities but with only half the taxable land value. We have already utilized the tools currently at our disposal—which we would lose with the passage of this bill—to temporarily cap growth in areas where a rapid boom of high-density student housing would overwhelm infrastructure and services. And yet: despite this we still lead Penobscot County in population growth, we are often among the top growth communities for the state, and in the last decade or so have added more

dwelling units per capita than most Maine communities. We are using the tools at our disposal carefully and thoughtfully to balance the specific, sometimes competing, needs of our community with the full knowledge of our very limited resources. As Councilors, this is precisely what our community members elected us to do.

I understand fully the sense of urgency in the desire to bring about changes that have been blocked and otherwise frustrated for far too long. But as someone who has worked doggedly on this issue for five years, with the same goal of addressing the housing crisis that too often impacts our young families, our workforce, and our seniors, the haste with which this bill has been drafted and moved forward is alarming. I urge you to vote 'Ought Not to Pass' in the hopes that the Legislature will find a way to support the growth of affordable housing that does not create additional inequities in communities like mine.