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March 7, 2022

Testimony of Rep. Allison Hepler on

LD 2003, An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions *Before the Joint Standing Committee on Labor and Housing*

Good morning Senator Daughtry, Representative Sylvester and members of the Joint Standing Committee on Labor and Housing. I am Allison Hepler, the State Representative for the towns of Arrowsic, Dresden, Georgetown, Phippsburg, part of Richmond, and my own town of Woolwich. I offer this testimony neither for nor against **LD 2003, An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.**

Let me state unequivocally at the outset that I believe housing access and affordability is a key limiter in the area where I live and represent. We hear from Bath Iron Works that it can't hire people from out of state because there is no housing for them. As a teacher at the University of Maine at Farmington, I know the struggles of our young graduates who are unable to find housing, especially housing that matches their income. Finally, as one of the founding members of a local group in our area, Age-Friendly Communities of the Lower Kennebec, I understand the importance of finding ways to allow seniors to age successfully in their homes and communities.

That said, I am also in my 11th year as a selectperson in a town of 3,000, a former planning board member, and a legislator representing towns range in population from 3000 to 450. These include the two bridged islands of Arrowsic and Georgetown. I come here today to ask you to consider the perspectives you will hear today that raise concerns about the "one size fits all" tone of LD 2003. This past summer, I participated in a group of local officials and staff at the request of Maine Municipal Association while the Commission was meeting. We met several times, kept up to date on the various proposals being considered, and shared our perspectives with MMA during the process. While I was aware of the nature of the recommendations proposed by the Commission, I was hopeful that this bill would place more emphasis on process than on mandates.

For instance, this bill as written requires multi-unit housing and ADUs without regard for environmentally sensitive areas, or the lack of municipal water and sewer infrastructure. Moreover, without widespread (or any) public transportation, building workforce housing in our rural areas is problematic and not practical.

On the other hand, elements of this bill that provide technical assistance to municipalities that would allow them to meet housing goals in a way that fits their unique communities makes a lot of sense. Small towns like Woolwich have been creating Comprehensive Plans for years, with the support and direction of the State of Maine – we know the physical, economic and cultural landscape – and have been working on some of these

issues for a long time. Towns across the state have successfully implemented many state mandates that affect land use over the years – shoreland zoning and timber harvesting are two examples.

“Home rule” is not a dirty word. “Home rule” doesn’t mean intractable resistance to change. It does recognize the uniqueness that makes Woolwich’s land use different from Georgetown’s, for instance. Woolwich has a larger variety of soil types; Georgetown is mostly ledge. Georgetown also has a lot more shoreland zoning within its borders.

The small towns I represent lack the municipal water and sewer systems and that makes denser housing much more challenging with some of this bill’s more sweeping mandates. One size does not fit all. The small towns I represent also lack the kind of staffing that larger municipalities have. Moreover, something I did not see in this bill was any reference to working with the Department of Environmental Protection, which is where the municipal rules about septic system sizes reside.

Two examples of the challenges of private septic and water systems: If my septic system fails, I have enough land that it can be moved. But we have many houses in town that sit on ¼ acre lots, smaller than the Town’s minimum lot size of 1 acre. If that septic system fails, there’s a lot more impact on the neighbor’s lot than where I live. On the private water side, in this most recent drought, several private wells in Georgetown went dry last summer. Drilling more wells will only exacerbate that problem.

But here are two examples of municipalities making good decisions that work for them: First, the City of Bath, across the river from Woolwich, worked hard to develop an ADU ordinance that is in keeping with Bath’s character and infrastructure and is also supported by City staff. Second, in 2010, the Town of Edgecomb created a TIF to finance a sewer line to the Wiscasset wastewater system for a neighborhood on the Sheepscot River to replace an overboard discharge system for 65 residents. Currently, the line extends no further than this development but future growth could take advantage of this infrastructure. My point is that these towns developed solutions that matched their community and they developed them in a way that was in keeping with the collaborative democratic process they have always used.

In the work you have ahead, I ask you to please listen closely to what you will hear today from people all over the state. They care deeply about the people who live in their communities, are quite good at understanding their natural and economic environment and have some creative ideas about reaching our common goals. There’s a lot of expertise and ingenuity to take advantage of. Make the most of this opportunity.

Thank you for the work you do and I am happy to answer any questions you have.