

Patricia Hymanson  
House District 4  
LD 2003

Senator Daughtry, Representative Sylvester and the members of the Labor and Housing Committee,

I am Patty Hymanson, proudly representing House District 4, parts of York, Wells, Sanford and all of Ogunquit. I am here testifying 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.

The largest part of my district is in York and nearly all the homes there and in western Wells have septic systems and private well water. I have lived with both for 35 years in my district. The land is largely ledge and wetlands due to the large watershed of the York River and geologic formation. If a housing structure built in compliance with this bill is connected to a septic system, a plan must be in place for replacement of the septic system when it fails in 15 or so years if the housing density has been increased. Failing septic systems always happen eventually and are a nuisance for neighbors, pollute the ground water, the watershed, the river and the beaches. The Cape Neddick Beach and parts of Ogunquit Beach have periodically failed the Maine Healthy Beaches testing. Non-point pollution is hard to fix. The York County Jail in Alfred has a septic system that has been problematic and expensive to remediate.

Well water needs to be tested for arsenic, Radon and PFAS. The phrase “proof of access to potable water... and acceptable for domestic use” needs expansion. These toxic substances in Maine aquifers find their way into wells and people moving into new homes with wells need to know about their water supply. Being specific in the bill is important. Too many wells will cause some to decrease flow or dry up periodically. As I understand it, if this happens in Maine, it is the responsibility of the well owner to mitigate their own well thus suffering a hardship due to the larger or increased number of wells that have gone up around them.

South Sanford, part of my district, has some of the largest neighborhoods in the area of people who commute to the Portsmouth Naval Shipyard in Kittery. From talking to them at their homes and in local businesses, talking to business owners, knowing where our teachers and trades people live, it is clear that parts of my district need more affordable housing. York allows accessory dwelling units and is currently building a 76-unit workforce housing development courtesy of our existing housing overlay district. It has been approved by the Planning Board. The hold-up is finding an agency capable of qualifying the applicants and overseeing continued eligibility. Please consider funding an eligibility office.

In conclusion, please consider expanding the septic and well water sections, consider an eligibility office, ordinance and zoning experts to work with municipalities.

Importantly overall, piecemeal mandates of ordinance terms, taken outside the context of existing Comprehensive Plan growth provisions and applied uniformly across all of Maine ignore the differences among various towns and creates potential conflict with other ordinances that continue to remain consistent with the Comprehensive Plan. Honoring the Comprehensive Plan process that is in statute with resources to make local, varied and complex decisions will make gains in housing that is affordable, as it is gaining in York.

Thank you for your attention and consideration.