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**To: Honorable Senator Daughtry, Honorable Representative Sylvester, Distinguished Members of the Committee on Labor and Housing**

**Date: 3/15/2022**

**RE: Recommendations from the planning community for LD 2003**

This letter is presented on behalf of the Maine Association of Planners which testified on LD 2003, referencing the amendment put forth by Speaker Fecteau. We acknowledge the urgent need for more housing of all types, especially affordable housing, and support changes to make housing easier to build in the State. After careful review of the amendment, we still have concerns about the legislation in terms of how it will be implemented and possible unintended consequences that we see with this bill. Below you will see three recommended changes to the Speaker's amendment to make the bill more impactful and easier to implement.

Briefly, we recognize that zoning, subdivision, and growth management are the focus of planners almost exclusively, and as such, we want to provide you with our unique perspective on the legislation and the impact we anticipate in municipalities.

- We remain concerned about the increase of 4-unit residential development without consideration of whether this is in rural areas versus higher density growth designated areas. This will increase public expenses for municipalities that must fund infrastructure and services in the suburban sprawl style development that this amendment allows. In addition, encouraging higher density in rural areas will work counter to the state's climate goals by increasing vehicle miles traveled across the State.
  - We strongly recommend only allowing 4 units per lot in designated growth areas within municipalities with comprehensive plans, or in areas served by public water and sewer in municipalities without a comprehensive plan.
- Currently, DECD (Title 5) does not have a role in municipal zoning or subdivision law. DACF (Title 30-A) is the lead department on these issues through review of

Comprehensive Plans and providing technical assistance to municipalities through contracts with Regional Planning Organizations.

- We recommend that in order to ensure that the two agencies coordinate on their varying but related roles, language such as “DECD shall coordinate with DACF during rulemaking” be added.
- In order for a municipality to implement the subdivision prohibition for 4-unit dwellings, it is necessary to know which subdivisions are grandfathered.
  - We recommend that the date of subdivision is tied to the enactment of this bill, after which this prohibition will apply

At tomorrow’s work session we will have a planning practitioner available to answer any questions you have. Thank you for your attention to this historic legislation and pressing issue. We are committed to seeing good housing reform in the state and hope that our years of knowledge can be utilized to make a more effective piece of legislation and effect real change in our communities.

Sincerely,

The Maine Association of Planners



Eli Rubin  
Town of Kennebunkport  
LD 2003

Members of the Committee on Labor and Housing,

Attached please find three recommended improvements to Speaker Fecteau's amendment to LD 2003.

We will have a planner practitioner present during the work session to answer any questions that may arise.

thank you,

Eli Rubin  
co-chair Maine Association of Planners Legislative and Policy Committee  
Community Planner  
Town of Kennebunkport  
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