

TESTIMONY OF THE MAINE ASSOCIATION OF PLANNERS  
TO THE JOINT STANDING  
COMMITTEE ON LABOR AND HOUSING

WRITTEN TESTIMONY PROVIDED FOR  
LD 609 “RESOLVE, TO ESTABLISH A COMMISSION TO INCREASE  
HOUSING OPPORTUNITIES IN MAINE BY STUDYING ZONING AND  
LAND USE RESTRICTIONS”

DATE OF HEARING: Monday, March 22, 2021

**Honorable Senator Joseph Rafferty, Honorable Representative Mike Sylvester,  
Distinguished Members of the Committee on Labor & Housing:**

My name is Tex Haeuser, and I am a community planner in private practice after having served in municipal and regional planning positions in Maine for over 38 years. I am providing testimony on behalf of the Maine Association of Planners Legislative Policy Committee to testify in support of LD 609. The Maine Association of Planners, or MAP, is an organization of over 100 members, including professional public, private, and nonprofit planners, citizen volunteers serving on local boards, and Mainers from other professions like attorneys, landscape architects, professors, and developers. Though our membership works in diverse settings, we are all dedicated to enhancing the practice of planning in Maine.

The affordable housing problem in Maine is extremely serious. The *Bangor Daily News* reported last July, for example, that a study by the National Low Income Housing Coalition showed that in Maine, the average low-income renter must work “66 hours per week or about one-and-a-half jobs to afford a two-bedroom rental home... .” Valigra, Lori. “Gap Persists between Renters’ Incomes and Housing Costs in Maine, Study Shows.” *Bangor Daily News*, 14 July 2020, [www.bangordailynews.com/2020/07/14/business/gap-persists-between-renters-incomes-and-housing-costs-in-maine-study-shows/](http://www.bangordailynews.com/2020/07/14/business/gap-persists-between-renters-incomes-and-housing-costs-in-maine-study-shows/). Accessed 18 March 2021.

In addition, low- and middle-income people have been among those hit hardest by the pandemic, which is a strong justification for the emergency designation of this legislation.



The study of housing affordability in Maine included in this bill is needed to get an up-to-date snapshot of the particular housing needs each area of the state is facing as well as the overall picture. The challenges facing low- and middle-income households in Caribou likely are as compelling as those in Portland but may be less visible and have components that would call for different mitigation strategies.

Zoning and land use regulations do restrict affordable housing. They establish restrictions that may have made sense back when muckrakers were battling the uninhabitable conditions of New York and Chicago tenement high rises, but in this day and age the public benefit they provide, as currently implemented, is highly questionable.

In addition, as the bill suggests, lenders and federal housing programs historically have used land use regulations and lending practices, like redlining, to limit the availability of affordable housing, in some cases with explicit discriminatory motives.

We now are finding that the idea from the fifties and sixties of zoning large parts of the community for large-lot, single-family neighborhoods is often problematic. The lack of a complementary mix of land uses means that people have to get in their cars and drive anytime they want to go somewhere. This is expensive, polluting, inefficient, and not a lot of fun. And the prohibition against non-single-family homes has meant that property owners have not been able to get income, and those in need of housing have not been able to get rental units, from the duplexes, triplexes, small rowhouse developments, bungalow courts, and all the other kinds of small-scale multi-family housing that worked perfectly well alongside single-family homes up until WWII and the start of zoning.

In short, zoning needs to evolve to reflect new conditions in society.

**With appreciation for the inclusion of the smart growth perspective, MAP advises amending the legislation as follows:**

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Director of the Maine State Housing Authority, or the director's designee;



Damon Yakovleff, AICP  
Maureen O'Meara, AICP  
Michael Foster  
Lee Jay Feldman  
Justin Barker, AICP, LEED GA, CNU-A  
Jared Woolston, AICP  
Tex Haeuser, AICP  
Matt Nazar, AICP  
Christian Roadman, AICP

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LPC CHAIR & NNECAPA MAINE LEGISLATIVE LIAISON

4. One member representing the Office of the Governor, appointed by the Governor;
5. Four public members, one representing a statewide municipal association, one representing a statewide organization that advocates for affordable housing, one representing statewide agricultural interests and one who is in the building trades, appointed by the President of the Senate; and
6. Five public members, one ~~representing a regional planning association or a statewide organization that advocates for~~ municipal or regional land use planning practitioner with experience in smart growth policies and projects, one representing the real estate industry, one who is a residential developer, one representing an organization that advocates for low-income or middle-income renters or homeowners and one representing a local or statewide organization promoting civil rights that has racial justice or racial equity as its primary mission, appointed by the Speaker of the House.

MAP would be happy to answer any questions you may have about our testimony and would be pleased to work with the Committee and as it considers LD 609.

