

## **Nadeau, Karen**

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**From:** Carrie Martin <cmartin@legacysir.com>  
**Sent:** Friday, October 21, 2022 12:51 PM  
**To:** Nadeau, Karen  
**Subject:** Public Comment: Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-Term Rentals (STRs)

**This message originates from outside the Maine Legislature.**

Dear Commissioners,

I am writing to provide public comment on your recent meetings. Thank you for your efforts and commitment to this Commission. I would also like to thank Karen Nadeau and Steve Langlin for their impressive work.

I am a Yarmouth resident, real estate broker, small landlord with long-term rentals and bookkeeper for my husband's contracting business. Presently, I am interested in housing matters and the big picture of where we are going as a State.

### **Rental Registry**

I am concerned that some of the Commission's proposed ideas have turned to long-term rental units, lease terms and possible recommendations on all rental units such as a statewide Rental Registry. It's clear the Commission wants more information on the make-up of the housing stock. I would encourage the Commission to look at existing reliable resources including: public data from the Town Assessor or Town Planner; online housing data (i.e. AirDNA, etc.); Town/Regional housing needs and assessment studies; Maine State Housing reports (i.e. Short-Term Rental Overview presented by Commissioner Jorgensen, etc.); and statewide housing production goals to be released by the Department of Economic & Community Development.

You may be aware that many Towns (Yarmouth, et al.) and Cities (Lewiston, et al.) have discussed and some have implemented Rental Registrations. Many of these discussions were contentious negotiations between the Town/City officials, landlords, stakeholders, private property advocates and interested citizens. We just went through this process in Yarmouth and in the end the Registration was repealed as it was a one-time event and ineffective. In fact, we already had reliable data from the Assessor and AirDNA prior to the long process.

### **STRs**

I believe Commission recommendations on any possible STR Ordinance should be simply recommendations and not requirements or mandates. It is clear that each Town, City and Region is unique and has different STR usage. Yarmouth has relatively few short-term rentals (20 units per AirDNA data) and I am not aware that we have actual issues to regulate at this time. Our Town staff is already very busy with pressing issues and limited resources. I suspect that is the same in many of the 500 or so municipalities in Maine.

Smaller Towns and Associations with quasi-public (some built with Clean Water Act funds) or public waste water disposal systems should be made aware of potential issues that can arise if the number

of STR users in a home does not match the capacity of the system. Towns could face increased costs for repair or replacement of systems that are overused and fail. It is a good idea to have septic inspections around STR usage, but it may get quite complex if Towns are required to do them. It's obviously easiest for a property owner to demonstrate a working system on a private septic.

### **Zoning, Housing Opportunities & Affordable Housing**

My Town could use any guidance, strategies or incentives that the Commission might recommend to encourage an increase in housing, especially affordable housing and units to be used as permanent, year-round housing for Maine residents. Building costs are astronomically high and Yarmouth has recently imposed new ordinances (i.e. sprinkler, historic preservation, etc.) which are significantly adding to those costs. Many current housing discussions at the state and national level related to increasing affordable housing and housing opportunities focus on *reducing* land use and zoning restrictions.

The Town of Yarmouth is working to understand LD 2003 in more depth to determine how that might increase housing opportunities in conjunction with our zoning. We will need to amend our fairly restrictive zoning to allow for the implementation of LD 2003 if, in fact, the Town wants more housing units on both a smaller scale (single family, ADUs, duplexes, multifamily) and a larger scale. I am concerned about nimbyism as we move forward.

It might be helpful if the Commission would recommend potential ways to keep affordable housing units for longer periods of time and suggest an ideal time period (i.e. 25, 30, 45, 99 years). It feels counterproductive to see many designated affordable housing units lost as they convert to market rate. There seems to be significant difficulty establishing, monitoring and enforcing affordable housing mechanisms (deed restrictions, etc.).

Thank you for your consideration and your continued work on the Commission. I look forward to seeing your report to the Joint Standing Committee of the Legislature.

Carrie

**Carrie Martin, 316 East Main Street, Yarmouth**

**207-415-2504**

October 24, 2022

Senator Hickman, Representative Roeder and members of the commission, thank you for the opportunity to comment today. My name is Cate Blackford and I serve as the policy director for the Maine People's Alliance.

Thank you all for the robust discussion these past weeks on the opportunities to address Maine's housing crisis. As you have been meeting, so have a number of low & moderate income Mainers to develop their own recommendations to the state. Many of these discussions have greatly overlapped and aligned with proposals raised here.

As you go into this afternoon's work, I wanted to share some of those areas with you.

Thank you for all the different avenues you've touched upon for how we get to the level of housing, including affordable housing that we need. You discussed the lack of resources for local and regional planning, including funding and technical assistance, as well as the need for goals that align with smart growth principles, labor standards and updated growth forecasts. We strongly support the setting of these goals as a foundational step to building the housing that we so desperately need.

You have also discussed the importance of greater coordination between state agencies and greater clarity between the state, regional and local planning efforts. Resources and coordination can help support not only the quality of the plans but also the local engagement process and building public support for growth management. I would also urge you to tie them to comprehensive housing goals and a body - potentially a statewide appeals board - for ensuring those goals are held as the north star for local, regional and state decision-making. Without accountability mechanisms, incentives will likely not be enough to achieve the housing we need at all income levels in the types and locations that will sustain our families and economy in the decades to come.

You have also discussed the need for the state to create a registry for short term rentals. We would urge you to do so both so that municipalities are not required to take on this work and to capture the data we need as a state to properly plan for both how we want to meet our housing and tourism goals. We would urge you to go beyond a registry and create guidelines for differentiating housing from short term rentals when it comes to real estate classifications. We would also urge you to recommend the creation of guidelines for communities that are experiencing, or at risk of experiencing, residential housing stock being flipped into vacation rentals, including caps on short term rentals. If you are able to both reclassify existing STRs as lodging for taxation and sale price purposes and prevent other homes from being priced as potential short term rentals, we can limit the growing impacts of STRs on our housing crisis.

We also strongly support the recommendations to preserve existing (natural and expiring) affordable housing, especially through means such as facilitating the creation of coops and community land trusts, as well as make significant investments in the energy efficiency of our existing housing stock.

And our overall recommendation follows much of the conversation today and urge you to be bold and to place the people without safe, decent housing they can afford at the heart of your recommendations, even when that may limit existing property rights.

Thank you again and I am happy to take any questions