



Maine Municipal
Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

Testimony of the Maine Municipal Association

In Support of LD 1096

An Act To Improve Shoreland Zoning Rules and Enforcement To Support Municipalities

April 19, 2017

Senator Saviello, Representative Tucker and members of the Environment and Natural Resources Committee, my name is Garrett Corbin and I am testifying in support of LD 1096 on behalf of the Maine Municipal Association (MMA) at the direction of MMA's 70-member Legislative Policy Committee.

This bill proposes four changes to the law governing the shoreland zoning program. These changes are the result of a stakeholder working group process organized by MMA in the summer and fall of 2015 at the recommendation of this Committee. A copy of the final report of this working group is attached to this testimony in order to provide you with the details of this process.

The four changes in this legislation have been supported by the Association's Policy Committee for the purpose of furthering the aim of protecting Maine's water resources. The first change requires the Office of Community Development within the Department of Economic and Community Development to provide an advanced training course in the practice of shoreland zoning management for municipal code enforcement officers to be available in addition to the basic training course currently available. This suggestion recognizes the extra burdens put on code enforcement officers in municipalities with protected shoreland areas as a result of state requirements. Along with the expectation by the state that local officials enforce state mandates should come sufficient state-level training to prepare these officials for effective administration of the law.

The second suggestion contains a modest state mandate on municipalities, requiring municipal shoreland zoning ordinances to establish a new requirement. This requirement is for all applicants seeking a permit for development within the shoreland zone to provide as part of that application preconstruction photographs and, ultimately, post construction photographs of the shoreland vegetation and development site. Members of the Association's Policy Committee were able to support this mandate because they believe it will result, over time, in a decreased burden on code enforcement officers to research and verify the veracity of permit applicants' presentations.

With respect to the final two changes to increase statutory penalties for ordinance violations, MMA agrees these proposals serve to deter illegal behavior and encourage compliance with the law, but offers no comment as to the most appropriate specific financial penalty to accomplish this aim.