



**Testimony of Jess Maurer on Behalf of
The Maine Council on Aging
To Joint Standing Committee on State and Local Government**

**In Favor of LD 970 – An Act To Encourage Policies Regarding
Accessory Dwelling Units under Local Comprehensive Plans
and Zoning Requirements**

Submitted in Person on March 13, 2019

Senator Claxton, Representative Martin and members of the Joint Standing Committee on State and Local Government:

My name is Jess Maurer and I'm the Executive Director of the Maine Council on Aging (MCOA). The MCOA is a broad, multidisciplinary network of nearly 80 organizations, businesses, municipalities and older community members working to ensure we can all live healthy, engaged and secure lives with choices and opportunities as we age at home and in community settings. I am testifying in support of LD 970.

The MCOA has been keenly focused on housing options for older Mainers. This is because most older Mainers are still living in older two-story homes in rural Maine. While most of us are wedded to the idea of living out our days in our homes, as our abilities and finances change, we sometimes have to abandon this idea and seek alternative housing.

The problem is, as a state, we haven't even scratched the surface in developing affordable alternative housing options that meet the needs of older Mainers. In fact, about 10,000 older Mainers are waiting to access affordable senior housing, with a wait of between 3-5 years, and we're currently developing fewer than 200 units a year. While we need to increase funding for this kind of housing, we'll never be able to dedicate sufficient resources to develop thousands of new units to meet current demand. There need to be other options.

We have explored many other housing options for older Mainers, from home sharing, to small homes, to accessory dwelling units (ADUs) and think they all have their place as potential solutions. In fact, we hosted a housing conference last May called *Housing Solutions for Maine's New Age* that focused attention on these options. We're particularly focused on ADUs as a partial good solution to Maine's housing shortage because they create the opportunity for a win-win-win situation.

ADUs are a win for an older home owner. If an owner has sufficient equity, which many older people do, and the house is large enough, the owner can take out a home equity loan to make modifications to the home, including to the primary residence of the older person – potentially adding a downstairs bathroom, adding a ramp or widening doors. The second unit creates an

income stream to help pay the loan. Both units are completely separate, which creates maximum independence and safety. For those who need some help, the second unit offers a place for a caregiver to live or might be offered at a reduced rent in exchange for help with upkeep, chores and even transportation. Most importantly, an ADU can help a resident stay in their home.

ADUs are also a win for workers. Older people are retiring in record numbers, leaving jobs to be filled by an ever-shrinking workforce. We need people to move to Maine to take the jobs we have available. However, while retirees leave their jobs, they are still using their homes, meaning if we're going to attract new workers, we're going to have to provide them with new homes. ADUs are an affordable way to create new housing options for workers.

ADUs are a win for the community. ADUs are the least expensive way to create housing – and more importantly, the owner bears the burden of the expense, not the state or town. The second unit increases the value of the property, increasing property tax revenue for the town. Finally, increasing density in this way allows a community to create new housing without more sprawl or environmental damage.

In 2017, New Hampshire passed a statewide law requiring municipalities to allow internal or attached accessory dwelling units in all zoning districts where single-family dwellings are permitted. It establishes in state law that an internal or attached ADU is part of single-family use of a parcel, not a separate use. The law also gives municipalities the option of permitting detached ADUs, which is an accessory dwelling as a stand-alone building on the same parcel as the principal dwelling or in a building such as a garage or a barn not attached to the primary single-family dwelling. The law can be found at RSA 674:71 through RSA 674:73.

Currently, fewer than 30 communities in Maine explicitly allow ADUs and only 10 allow detached units. There is inherent unfairness to this situation because the same person in the same circumstance could be allowed to create an ADU in one town and denied the creation in the next town over. With no other good housing alternatives available to older residents, this may force some out-of-state. Indeed, I spoke to one woman who ended up moving to North Carolina to put a small home in her son's back yard when her request to create an ADU was denied. This retired school teacher from Maine looked for affordable housing from Bangor to York and when she couldn't find any, she sold her home and left.

We want to keep our older people here and need to create fairness in how housing alternatives are developed. LD 970 isn't as prescriptive as the New Hampshire law, but does direct Maine municipalities to provide for internal or attached ADUs as part of detached single family dwelling units. This is a step in the right direction, but we don't think this goes quite far enough. Some people may not have sufficient room in their single family homes, but would put an ADU over a garage or in a barn. It leaves out detached cottages that could be built in a backyard. And, it eliminates duplexes or town homes from the equation, even if they're big enough to support a second unit. While we urge your support for this bill, we'd encourage expanding it further and would be pleased to work with the sponsor and committee to that end.

Thank you.

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