

CHAPTER 17. IMPACT FEES

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Article 17.1 Purpose

As new developments are undertaken and completed in the town, those new developments usually add a new burden to the off-site municipal infrastructure - services like sewer and solid waste systems, traffic systems, school system, public safety providers, and recreation resources. If the new burden requires expansion of the infrastructure or absorbs part of the capacity of the existing infrastructure, the new development should fund its fair share. This chapter sets forth the method by which this process will be implemented.

Article 17.2 Facilities Impact Analysis

Section 17.2.1 The Planning Board may require the applicant for a new development to provide a Facilities Impact Analysis.

Section 17.2.2 All costs to the Town to evaluate such an analysis shall be paid by the applicant.

Section 17.2.3 The Facilities Impact Analysis shall provide estimates of how the development will affect the several elements of the infrastructure, including the following as appropriate:

- .1 Impact on the sewer system, showing flow and capacity.
- .2 Impact on solid waste system
- .3 Impact on traffic systems
- .4 Impact on the school system
- .5 Impact on public safety providers
- .6 Impact on recreation resources

Section 17.2.4 The preparation of these analyses shall include input from the appropriate town agencies.

Section 17.2.5 If the project is for housing, a demographic study may be required, at the option of the Planning Board. The demographic analyses would include the following projections:

- .1 Type of family, including income levels
- .2 Average family size
- .3 Numbers and age of children
- .4 Schedule of occupancy for the dwelling units
- .5 Projected selling prices of the units
- .6 Other

Article 17.3 Determination and Assessment of Impact Fees

Section 17.3.1 The Planning Board may require the applicant to participate in the funding of municipal infrastructure, as follows:

Where it appears from the above analyses, that the proposed development will result in a requirement for expansion, reduction or reserve capacity or other negative impact on any existing infrastructure system or service, the Planning Board shall establish a fair-share level of participation by the applicant in the funding for that system or service.

Section 17.3.2 The Planning Board shall establish the fair-share level of participation by the following process:

- .1 There shall be a determination of the portion of the existing or proposed expanded capacity that is allocable.
- .2 An estimate shall be made of the cost of the replacement value of consumed resources and/or an estimate shall be made of the cost of expansion.
- .3 The applicant's fair share shall be determined by applying to the total estimated cost, a fraction that is appropriate for the portion of the resources that is allocated to the new development.

Article 17.4 Implementation of Improvements

Section 17.4.1 The Planning Board shall select the method by which the applicant shall bear his share of the cost.

- .1 In the case where the applicant uses all or part of an existing resource, the applicant will pay the impact fee at the time of approval of the final plan.
2. In the case where expansion or improvement of a system is required, the Planning Board may select on of the following methods.
 - .1 The applicant may be authorized to do the work as directed by the town and recovers from future applicants their fair share of the cost;
 - .2 The town may agree to do the work, with the applicant paying the appropriate impact fee at the time of approval of the final plan; the payment will be held in a separate fund until expended on the project; in the event that the project is not completed within X years, the unexpended portion of the fee will be refunded with interest.

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