



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

PO Box 120, Windham, New Hampshire 03087
(603) 432-3806 / Fax (603) 432-7362
www.WindhamNewHampshire.com

Planning Board Minutes
Impact Fee Workshop
August 3, 2011

Roll Call:

Ruth-Ellen Post, Chairwoman – Present	Ross McLeod, Selectman Member - Present
Margaret Crisler, Vice-chair – arrived 7:05	Lee Maloney, Alternate – arrived 7:09
Pam Skinner, Member – Present	Sy Wrenn, Alternate – Present
Kristi St. Laurent, Member – Present	Kathleen DiFruscia, Selectman Alternate – Excused
Carolyn Webber, Member – Present	Vanessa Nysten, Alternate - Present
Jonathan Sycamore, Member – Present	Rob Folan, Alternate - Excused

Staff:

Laura Scott, Community Development Director - Present
Mimi Kolodziej, Planning Assistant – Present

Call to Order/Attendance/Pledge of Allegiance:

Chairwoman Post called the meeting to order at 7:03 p.m. followed by roll call, attendance, and the Pledge of Allegiance.

Chairwoman Post appointed Mr. Wrenn to be seated for Vice-chair Crisler.

Chairwoman Post introduced Town officials who were present:

- Dr. Henry LeBranche-Superintendent of Schools
- Ms. Stephanie Wimmer-School Board
- Mr. Roger Hohenberger-Board of Selectman
- Mr. Dave Sullivan-Town Administrator
- Ms. Cheryl Haas-Recreation Coordinator
- Mr. Bruce Anderson -School Board
- Mr. Bob Young-Economic Development Committee Chairman
- Captain Carl Wagner-Police Department
- Chief Tom McPherson-Fire Department
- Deputy Chief Phil Martineau-Fire Department

Chairwoman Post stated that this meeting is an annual review of impact fees and highlighted the meeting's agenda.

Vice-chair Crisler was seated at 7:05 p.m.

Ms. Scott explained what impact fees are:

- Fees collected at the time of the building permit for new development
- For Capital facilities expenditures on new development
- Fees that must be spent within a 6-year period or returned
- Not for operating expenses or existing facilities that are currently deficient
- Individually tracked by the Town in case refunds need to be issued
- Currently being collected for School (Windham High School bond payment only) and Public Safety

The Planning Board wanted to look at the School impact fees because the current one only applies to single family, fee simple lots; not condos or multi-family dwellings. Police and Fire fees need to be looked at because there is new data, new standards, new wants and needs, and has not been looked at since 2008. Ms. Scott drew the Board's and attendees' attention to the impact fee summary provided by the Town Finance Director.

Chairwoman Post emphasized that impact fees are never used to meet current needs. They are only assessed for the purpose of meeting needs created by new development, not by existing residents.

Ms. Webber asked what the Planning Board's interest is in re-examining school impact fees. Chairwoman Post stated that, as of right now, only conventional, single family dwellings are assessed impact fees; not multi-family and condos; and that the question has been asked whether the Town wants to expand assessment to include these other residences.

Mr. McLeod stated that he would like two aspects to be worked on in parallel:

- The cost allocation of the existing methodology as it applies to all dwellings, regardless of ownership, and
- The methodology itself, especially with regards to the School. He is concerned that perhaps the impact fees are not really meeting the demands placed on the School System caused by the new growth.

Ms Webber mentioned that the Board had discussed adding Workforce Housing to the list of impact fee contributors. Ms. Scott explained that, under the current methodology, WFH pays Public Safety impact fees; and if it is a fee a simply, single family dwelling, then they must pay School impact fees. It has nothing to do with the category of Workforce Housing, but everything to do with the type of residence. At this time no condos pay impact fees, WFH or otherwise. The fee was previously structured due to ownership, not the cost of the structure.

Vice-chair Crisler expressed concern that the Town has had no Recreation impact fees. All the Town children use Town fields and recreation facilities have been very tight for many years. She would like to see Recreation impact fees included in the methodology.

Ms. Scott explained that Recreation will need to create a Master Plan first, before a methodology can be developed. Ms. Hass from Recreation will address that later in the meeting.

Mr. Sycamore asked Ms. Scott to clarify if modernization or enhancement qualifies for impact fee use. Ms. Scott explained;

- if the enhancement/expansion is because of growth requirements, then yes
- if you just want to enhance something that already exists with no additional students, then no
- The importance of having a Master Plan, the methodology, and then the fees to support and justify the expenditure of the fees was emphasized

Chairwoman Post invited the public to address the topic of impact fees.

Mr. Roger Hohenberger, Town Selectman, clarified why condominiums were not included in the original impact fee calculations. He explained that due to the low population of school age child in condos, it was an insignificant multiplier. Mr. Hohenberger offered his reasons for updating the School impact fees:

1. To consider the demographic changes.
2. Since originally writing and approving the impact fees, there has been significant money spent on generating plans to provide elementary school space for the future. Some of this money is being spent right now on the Schools and that should be included in the impact fees, which it is not.
3. If one compares the recent Facility Planning Committee Study to the one done three years ago, the classification of classroom space within the buildings has changed; A different analysis was performed which altered the capacity needs of each school and should be factored in.
4. Impact fees need to be updated to keep current with recent School Board findings.
5. The new kindergarten building projections should include future growth in number of students, and this can be charged against impact fees
6. The High School bond can be defended because the school was built for 1,000 students, which included future predicted growth from the current 650 students.

Ms. Wimmer, School Board member, made several points:

1. She echoed the need to keep an eye on the condo/apartment demographics where the Town might see a higher student per condo/apartment ratio.
2. The kindergarten was designed with the expectation the Town would see more students coming, and plans are to build for a 10-20 year expectation.
3. Yes, the School Board needs to look at the High School impact fees again with regards to the population change.
4. The Town voters have supported a Master Plan from a facilities standpoint for schools and that needs to be included.
5. The School Board has completed their Master Plan and is looking towards its finalization and adoption with an eye toward the Windham taxpayer and phasing it in to minimize the financial impact to the taxpayer.

Chairwoman Post confirmed with Dr. LeBranche, interim SAU Superintendent, that the school will finalize their Master Plan by November 1, 2011.

Mr. Sycamore asked if there was mention of a change in capacity in the schools. Ms. Wimmer explained that the question of building size depends on how many students you want in a classroom. The Committee asked what is the appropriate number of students to have in a class by grade-level. This number has changed and has impacted the building size. Mr. Sycamore asked if the capacity

dropped in the older schools. Ms. Wimmer said that the School Board had made some assumption in lower grades that are no longer accurate.

Dr Anderson explained that music and art are being taught via a cart moving between classrooms. The School Board decided that this was not the best way to teach. So that if we claim a classroom as dedicated for art and music, then the classroom capacity has increased. The plan is looking to get back to ideal.

Dr. Anderson said that given the economic environment with the capacity issue, the School Board is wrestling with how to best spend the available funds. Ms. Wimmer added that the Schools are well above capacity; there is no adequate space to for new students to offer them the ideal teaching space.

Vice-chairwoman Crisler mentioned that the Town has been collecting school impact fees since 1998 during which the Town has seen a lot of growth. She asked whether the Town has been collecting enough impact fees. Should we look at the structure?

Dr. Anderson explained that the impact fees that were collected were based on Middle/Center School bonds for expansion. He thinks we need to collect more. Ms. Wimmer explained that ten years ago, no one would have thought that Town growth would have been what it was. Therefore, the methodology has proved inadequate.

Dr. Anderson offered that one variable, the effect of which no one knows, is what the effect of widening I-93 is.

Fire Chief McPherson stated that the impact fees for Fire Safety were enacted in 2008 based on 2006 and 2007 data. It is used primarily for apparatus and ambulance replacement. The sub-station would have to be supported by the community. All in all, they are in good shape.

Ms. Scott explained that impact fees may be used for land acquisition, planning, and engineering. She suggested that if Fire has plans to build a sub-station, then impact fees could address these specific needs. Schools may also have these needs

Vice-chair Crisler asked whether Fire's impact fees are sufficient to address the growing elderly population and the growth of new homes in Town. Chief McPherson does not see a need for greater expansion in the immediate future.

Captain Wagner from the police department explained that the department's request for a new training room, an expanded driveway and an attached garage were rejected by the voters. He does not feel that the Police Department will come back with these project requests until the economic climate changes. Ms. Scott suggested they discuss the need to plan for for smaller projects.

Vice-chair Crisler asked what the effect of a growing population will be on the Police Department. Capt. Wagner stated that

- Because personnel have not increased, one officer is now answering calls and is forced to work alone in areas where radio communication may suffer.
- As towns around Windham grow, then accidents on Town roads increase.

Chairwoman Post reminded the Board that impact fees do not cover the cost of personnel. However, building facilities to allow for the training of personnel is covered the Captain stated.

Ms. Cheryl Haas, Recreation Director, explained that the recreation Master Plan is at the committee level and is hoping for completion by this fall/winter. Ms. Scott explained that after the committee endorses it, then it needs Board of Selectmen endorsement. From there it would come to the Planning Board. Then the impact fees and the process to help implement the plan are developed.

- Dr. Anderson asked what the school department can do to make the Planning Board's job easier. Mr. Hohenberger suggested that the Planning Board will need to know what the school Master Plan is so the dollar amount can be allocated, as well as what the square foot per student is and construction costs.
The data needs to be keep up to date by the Planning Board.

Ms. Scott suggested that maybe a School Board member and a Planning Board member could participate with Mr. Hohenberger. Ms. Wimmer offered to be the School Board volunteer. Mr. McLeod volunteered as the Planning Board volunteer.

Dr. Anderson asked whether phasing in the School Master Plan is of any benefit to the Town. Ms. Scott explained that once you have the Plan you can start collecting money based on your Plans criteria; however, you can't spend it unless the Plan allows it. Impact fees may be used for engineering, land acquisition, and studies.

Dr. Anderson reminded the Board of the additional plot of land by the High School for a future school based on growth needs. He asked Mr. Hohenberger if there was any proration for acreage for future growth. Mr. Hohenberg said it can and was included in the current School Impact Fee calculation. Part of bond included future growth and land acquisition.

Chairwoman Post highlighted the Board's focus on the process:

- Updating the data base and methodology for Public Safety, Fire, and Schools
- Extending applicability for the school impact fees to condos and conventional fee simple, multifamily homes.

Vice-chair Crisler asked Dr. LeBranche how Windham's impact fees, methodology and dollar amount, compare to Salem's. Dr. LeBranche explained that the dollar amount is comparable. The methodology is different-Salem includes condos and apartments. He suggested that they need to be included in Windham's analysis.

Mr. Sycamore asked if the impact fees are working for Schools. Dr. LeBranche stated that no one could have projected the Town growth and, it will only continue. Impact fees have no drawbacks.

Ms. Scott outlined the process going forward:

- Updating the current school impact fee methodology so it encompasses all types of dwellings units. Data will need to be updated, the document will need to be revised, and then it will need to go to Public Hearing and be adopted.
- Looking at the facility Master Plan for the School. The School needs to adopt that Plan. And then a committee including Staff, Board, School, and Mr. Hohenberger needs to

develop the methodology. Once that is done, it comes before the Board, goes to Public Hearing and gets adopted.

Ms. Scott has offered money from the Department's budget to retain Bruce Mayberry to redo the Public Safety fees for Police and Fire. She has a \$1,500-\$2,000 draft quote from Mr. Mayberry and it could be done this year.

Vice-Chair Crisler inquired about the transfer station's needs. Mr. Sullivan, Town Administrator, said that single-stream recycling has brought congestion down. Mr. Paulson, Transfer Station Department Head, has no plan for the next 6-10 years for an expansion.

Ms. Webber inquired about the Highway Department needs.

Ms. Scott, addressing highway needs, explained that the Town requests the developers to rebuild the roads if there is going to be new development, which is much more efficient than collecting an impact fee.

Mr. Webber asked Ms. Scott if the highway department needed more trucks and manpower. Mr. Sullivan responded saying that it is more cost effective to rely heavily on contractors, and the department is doing fine with the new facility. After a truck is replaced next year with a federal grant, things are all set for another 3-5 years.

Vice-chair Crisler asked if there was a need to re-evaluate the impact fees again. Chairwoman Post offered that it might be good to re-visit the fees with updated data and methodology in order to update the amount for future needs.

Chief McPherson thinks that to change the fee structure is premature. The current fee structure has only been in place for 3 years and it is too soon to see if it needs to be changed. Increasing Fire impact fees, in his opinion, does not need to happen. He would like to continue the discussion about a future sub-station.

Ms. St. Laurent remembers when the Planning Board had this discussion last year where they found that Windham Fire and Public Safety impact fees were at or more than 6-7 other New Hampshire towns. Considering the brief 3-year period it has been in effect, she thinks it might be good to give it more time.

Ms. Scott stated that the point is not to just increase the impact fees, but to make sure that their expenditure supports the use stated in the Plan. Also, with new data and census numbers, departments might decide there are other needs that are better addressed.

Mr. McLeod stated that what matters is the assessment rate. The Town may not have enough time; and with Ms. St. Laurent's study and the Chief's response, he thinks it might be \$1,500 put down a rat hole and energies might be better spent dedicated to schools.

Vice-chair Crisler agreed that when you change the plan, it is the time to reassess the fee. With School coming in with a new Master Plan, it is timely to re-visit their impact fees. Fire and Police

are not coming out with a new plan and would like to wait. Her preference is to focus on the School.

Ms. Webber feels \$1,500 is little money to reassess what is happening with Police and Fire considering that it has been since 2006-2007 since it was done last.

Chairwoman Post asked Ms. Scott what would be the risk if the Town does not change Public Safety this year. Ms. Scott said there may be no risk, but Public Safety may be missing a capital expenditure that could be part of the impact fees. It becomes a missed opportunity to re-evaluate capital needs for Public Safety. Chief Lewis, who has for 2 years tried for an addition without success, could choose to focus on another more palatable capital need; but only if it is in the Plan. Ms. Scott has just enough budget money to do a Public Safety study to make sure that Public Safety impact fees are accurate for foreseeable future capital needs.

Vice-chair Crisler motioned to not pursue a study of Police and Fire impact fees. Mr. McLeod seconded. Vote passed: 5-2. Mr. Sycamore and Ms. Webber opposed.

Vice-chair Crisler thinks the Schools are most important and with their new Master Plan, the Town should revisit the School impact fees based on their new Plan.

Mr. McLeod thinks there are inconsistencies in the methodology used for the current School impact fees and would like to see new methodology that coordinates multipliers and school population ratios more accurately.

Mr. Hohenberger thinks that computerizing the information will make it easier to fine tune the methodology.

Ms. Post asked the Board if they wanted to revisit the methodology. Mr. McLeod offered to work with Mr. Hohenberger on this process.

Ms. Crisler motioned to revisit the methodology and calculations this year with Mr. Hohenberger and a committee including an appointed Planning Board member, a School Board member and a staff member. Ms. Skinner seconded.

Dr. LeBranche stated that the School Board is not able to support funding for Mr. Mayberry study and cautioned the Board on how they allocate money considering the State funding situation. The School Board can and is willing to work with Mr. Hohenberger and a committee.

Mr. Hohenberger would not support funding Mr. Mayberry's analysis.

Mr. Hohenberger thinks it is a good idea for some one other person to have a good idea of where the information and the document come from.

Ms. Webber wanted to confirm that the new methodology will consider the inclusion of condos.

Motion passed: 7-0.

The Board discussed the inclusion of condos and decided that the committee given the task of assessing the methodology will consider condos and the methodology will return for Public Hearing.

Ms. Scott re-capped the time table:

- November 1 is the date of adoption for the School Master Plan
- The appointed committee will then work on the methodology
- Due to the Board's work load, they may see it for consideration by April 1
- Data collection and some preliminary work may be undertaken.

Vice-chair Crisler motioned to appoint Mr. McLeod to the Impact Fee Committee. Ms. Webber seconded. Motioned passed: 6-0-1. Mr. McLeod abstained.

Chairwoman Post confirmed that a new school impact fee will need to go to a Public Hearing before it is adopted.

Ms. Scott will work with Ms. Haas to assist Recreation and develop a time line. She will keep the Board updated.

Vice-chair Crisler requested that the Selectman representative to Recreation press them to complete their Master Plan. Mr. McLeod stated that the Recreation Department has accomplished much over the past few years.

Chairwoman Post concluded the Impact Fee Workshop

Ms. Scott had two reminders for the Board:

- The next Planning Board meeting on August 17 will start at 6 p.m. for Design Review. There are two public hearings scheduled to start at 7:30 p.m.
- On August 31 there is a site plan for the Griffin Park parking lot and a minor site plan for 49 Roulston Road, the semi conductor building.

There was discussion about scheduling the August 17 meeting at 6 p.m.

Mr. Sycamore offered to print in color the Design Review Overview regulations.

Ms. Nysten asked if copies of the approved minutes from May 18 and May 25 have been posted to the Town web site. The Board discussed the time and location of posting the draft and approved minutes of the Planning Board. Ms. Scott explained that the current policy is one which she inherited and that the approved minutes are available to the public in an office binder and in the case files. The draft minutes are posted in two public locations, on-line, and in an office binder within the legal time frame.

Ms. Webber motioned that the final Planning Board minutes be posted to the Town web site once approved. Vice-chair Crisler seconded. Vote passed: 7-0.

Ms. Scott will follow-up with the Town Administrator regarding the Boards request.

Ms. Nysten asked if Attorney Campbell and Attorney Cronin have received the approved minutes from the May 18 and May 25 meetings. Ms. Scott stated that Attorney Campbell has requested and received them, and Attorney Cronin has not requested them, nor has she sent them to him. Ms. Nysten requested that they be sent to him anyway. The Board decided to only send them if he requests them.

Vice-chair Crisler motioned to adjourn. Ms. Webber seconded. Motion passed: 7-0.

The meeting adjourned at 9:28 p.m.

These minutes are respectfully submitted for your consideration by Mimi Kolodziej.