

Tiverton council OKs impact fees on new building permits

By Marcia Pobzeznik/Daily News correspondent

Building permits that are taken on or after Oct. 31 for new dwelling units with two or more bedrooms will be assessed an impact fee of \$3,593 to help Tiverton pay back the elementary school construction bond.

In future years, the cost to enlarge or replace other buildings will be part of the impact fee that will be amended to reflect the infrastructure needs caused by new growth.

The Town Council, at a special meeting Monday night, voted unanimously to approve the impact fee ordinance and an accompanying needs assessment report prepared by planning consultant Samuel J. Shamoon.

The fee will apply to building permits taken Oct. 31 and after for new single-family homes, duplexes and multifamily residences with two or more bedrooms. Units in over-55 communities will be exempt from this fee because they do not impact the public school system. Additions and renovations to existing structures also will be exempt.

Voters approved a \$30.7 million elementary school bond in November 2004 to build one new elementary school and rebuild two others. The new school is almost complete. The two rebuilding projects are expected to begin this summer. The cost to the town for the three projects, after the state reimburses 30 percent, is \$21.4 million. Shamoon used that number and the number of dwelling units in the town 10 years from now to determine the impact fee.

About 78 new units are built in town every year, according to figures Shamoon used in his report.

Town Solicitor Andrew Teitz said the council needed to pass the ordinance before the town signed documents for the bond money. "If it's not in place prior to the bond being issued, it becomes vulnerable to challenge," he said.

The impact fee should result in about \$2.25 million in revenue that can be used to offset the bond payment.

The council spent more than two hours reviewing the fifth version of the proposed needs assessment report and ordinance before its vote.

"We're trying to do our best to make it litigation-proof," Town Council President Louise Durfee said.

Shamoon and Teitz said impact fees have been challenged in other towns.

The one-time fee will be assessed at the time the building permit is issued, but the fee will not have to be paid until an occupancy permit is requested.

Planning Board Administrative Officer Noel Berg asked why the start date for the assessment was so far away and urged the council to change the date. "We've got a stack of stuff coming up that we should catch now," Berg said of the developments that are nearing the construction stage.

Teitz said it will take a couple of months to fine-tune the ordinance, which will be the subject of another public hearing before its start date at the end of October.

Town officials expect the needs assessment to be amended when the town is ready to build a new library to replace the Essex Library on Highland Road, which, by fire code, can have less than 20 patrons at one time.

The most recent estimate of the cost to replace the library is \$9.6 million.