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## **Realtors, builders argue against impact fee plan**

### **Public hearing to be held today**

By James Fisher  
Daily Times Staff Writer

SALISBURY -- Professional groups representing real estate agents and homebuilders are starting to make public moves against Wicomico County's proposed impact fees for school construction, by arguing they will make homes needlessly more expensive and do little to improve crowded schools.

The Coastal Association of Realtors announced its anti-impact fee position on Friday, just days before a scheduled public hearing on the county's impact fee law. The County Council will hold that hearing this evening at the Wicomico Youth & Civic Center.

In an interview Monday, Bud Esham, a developer who heads up the Eastern Shore Builders Association, said his group will also ask the council not to enact the fees -- \$5,231 per single-family home and \$1,524 per unit in apartment, condo and town house developments.

Esham said a reliance on impact fees, which can only be used to pay for projects that increase school capacity, does not make sense because the county's public school enrollment is not projected to rise significantly over the next several years. The Maryland Department of Planning pegs Wicomico's public school enrollment at 13,940 in 2005 and projects an enrollment of 13,970 in 2011, with the number of primary school students rising but the number of middle and high school students falling.

"They're collecting money for something they can't even spend," Esham said. "They should be in there renovating the schools with other funds."

The bill's supporters on the council have argued that the fees are worthwhile even if they can only be used to pay for a portion of school construction and renovation projects. Political pressure from the public to enact the fees has been strong, with a smart-growth group, We Care About Wicomico County, urging council members to pass the legislation.

Council members have been debating ways to pay for school construction and repairs for months, with President Tony Sarbanes promoting an excise tax plan that has not won enough votes to move forward.

The Coastal Association of Realtors, in its position statement, stressed the effects the impact fees are likely to have on house prices.

The group "is very concerned about the effect an impact fee will have on the cost of moderately priced homes within the county," the statement says. "CAR urges the Wicomico County Commissioners to table this impact fee legislation," the statement continued, referring to the County Council.

The legislation exempts affordable housing projects under the auspices of nonprofit groups from the fee, but CAR said the fees tend to raise the prices of homes throughout counties where they are adopted.

CAR had also opposed impact fee legislation in Worcester County earlier this year, seeing it defeated in a narrow vote by the Worcester County Commissioners.

The group's president, Pat Terrill, said the situations in the two counties are different, with Worcester having a more comfortable revenue base to fall back on and a more up-to-date collection of school buildings.

In Wicomico, Terrill said, "These schools are in desperate need of repair and replacement. In no way are we against education or bringing the schools up to where they need to be."

Esham said the council was responding to public worries about the pace of development, and crowded conditions at James M. Bennett High School, by considering the impact fee bill.

"We think that they're actually using the impact fee as a platform for growth or anti-sprawl reasons," Esham said. "They

are pressured by private individuals out there that are upset about the schools, and the condition of Bennett, and I don't blame them."

At a Wicomico County Council meeting earlier in the day, the council members will receive a draft 2007 operating budget from administrator Ted Shea.

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