

Budget Committee in favor of new infrastructure impact fees

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HAMPTON — The town's Budget Committee wants the Planning Board to consider requiring an additional impact fee from developers who want to build in town.

The committee voted last week to send a letter to the board asking them to consider submitting a warrant article in March to add the fee to help the town pay for infrastructure improvements.

The town only has one impact fee for schools in which money collected is supposed to go toward improvements for the Hampton School District and the town's portion of improvements at the Winnacunnet Cooperative School District.

Committee members said they would like to see another fee to address needs such as sewers, drainage, highways and sidewalks.

"The discussion at the Budget Committee was if we are going to have an impact fee for schools, why don't we have more to help pay for the things that we need," said Budget Committee Mike Pierce.

Impact fees were designed as a charge to developers to offset the effects a new development has on public facilities such as schools, libraries, public safety, roadways and recreation.

"If you build a new building in Hampton, there is an impact on the town," said Pierce.

While the Budget Committee can't force the Planning Board to submit a warrant article, Pierce said he hopes they at least take a look at it.

Planning Board member Fran McMahon said he was aware of the Budget Committee's request but noted the board would not need a Town Meeting vote to implement a new impact fee.

"We already have the authority from Town Meeting so we don't have to go back," he said.

The state Legislature gave cities and towns the power to charge impact fees in 1991.

In 2000, the N.H. Supreme Court ruled in *Simonsen v. Town of Derry* that towns could not charge impact fees unless they adopt an impact fee ordinance.

After the Supreme Court decision, the Planning Board moved forward with establishing and enacting an ordinance to give them authority to do so.

When the town approved the impact fee ordinance in 2002, voters also approved a waiver clause that outlines six criteria in which a waiver may be granted.

McMahon said the board has been looking at installing additional impact fees prior to the Budget Committee's discussion.

Impact fees will be on their agenda in December.

"I think some people on the board are interested in looking at it," McMahon said. "I personally have some reservations about impact fees about the fairness and equity of them."

Impacts fees are only assessed on new construction.

"I have a problem with the school impact fee because a very small number of people are being asked to pay a substantial amount of money," McMahon said. "I think a single-family house is about \$3,600 and that is a lot of money."

McMahon said if they are going to add additional impact fees they really need to study the issue. Prior to the board implementing the school impact fee in 2004, it hired a planning consultant to come up with the amount of money developers would have to pay to offset the impact a new residential home would have on the school system.

They also held several public hearings.

"Philosophically its something that needs to be understood and discussed before you implement these thing," McMahon said.

"I think you need to take the time to understand fully what you are implementing," he said.