

## Planning Board members nix impact fee ordinance

### Petition warrant article proposed for March vote

By **nancy rineman**

hamptonunion@seacoastonline.com

January 04, 2011 2:00 AM

SEABROOK — Planning Board members took time to consider a citizens petition proposing implementation of an impact fee at their final meeting of the year.

The petition was filed by Albert Abramson and other registered voters for inclusion in the 2011 Town Warrant. Impact fees are charges dealt developers as a means of offsetting any added financial burdens that may be incurred by a municipality due to new development in a town. By way of the petition, voters would be considering whether the article would be added to the Seabrook Zoning Ordinance.

According to the petition, a separate impact fee fund would be established to be managed by the town treasurer, and set apart from the town's general fund.

Developers currently deal with exaction fees applied by local planning boards, as in the case of Seabrook, to be used specifically for issues such as increased traffic and safety concerns associated with new retail locations.

Impact fees are less restrictive, according to Planning Board chairman Don Hawkins, who said the money accrued from such fees could go to a number of town entities.

"I'm going to vote to not recommend this petition," Hawkins said.

Selectman Bob Moore, who is also an ex-officio member of the Planning Board, said he would not recommend the petition.

"(It's) probably not going to do much good in the town of Seabrook," Moore said at the Planning Board's meeting of Dec. 21.

Moore said that since developers pay exaction fees for roadway and utility improvements, impact fees would go toward the school, fire and police.

"It's too vague," Moore said. "I'd have to be against this."

Planning Board member John Kelley agreed, saying he didn't think it was the time or the place to introduce impact fees.

"Maybe if we did it 20 years ago it would work," said Planning Board member Mike Lowrey, who also voiced his opposition to supporting the petition.

"I disagree with it also," said board member Bette Thibodeau, adding that impact fees were to be used for schools, whose population is going down, she said.

Thibodeau said she doesn't think there is much room for development either.

Board member Jason Janvrin likened the impact fee scenario to "trying to close the barn door after the horse has left the barn."

Janvrin later opposed the board's vote to not recommend the article.

Town Planner Tom Morgan said Seabrook has been doing "quite well" with contributions from developers.

"You can't hit the same developer twice," Morgan said.

Abramson spoke to the petition, saying that putting the ordinance for impact fees on the ballot and putting it into place are two different things. He also said he believes something will be going into the dog track on Route 107, although what that might be is still an unknown.

Abramson said there is a steady pace of additional development and projects that he said he doesn't think it's fair to the property owner to have to pay for.

Fire Chief Jeff Brown added further clarifications.

"We shouldn't even be here," Brown said, adding that although there is a citizens petition, the statute says it is a planning board matter.

"If the Planning Board is against it, people should vote against it," Brown said.

Brown said he doesn't consider the lack of impact fees as being a reason why developers come to Seabrook. Rather, Brown said, developers come because of Seabrook's low tax base, its proximity to the Massachusetts border and the state of Maine, and because it has I-95 running through it.

"I was one of the signers," Brown said. "I'm the one that's pushed for it for the past four years."

"I want the people who want to come here to pay," Brown said.

But Brown said he hoped voters would not vote in favor of the ordinance if the Planning Board didn't recommend it, since it would be under the board's authority.

"What you do on Tuesday impacts what goes on in this building Thursday night," Brown said, referring to the fact that the Budget Committee meets on Thursday nights, with Hawkins as its chairman.

Brown suggested the ordinance could be passed and enforced and then a year could be taken to amend it. Abramson said it would be beneficial to put the ordinance on the books to have it ready to enact it.

Planning Board members voted, 4—1, against recommendation of the impact fee ordinance proposal, with Justin Janvrin opposed to the motion.