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Rochester City Council to further review updated impact fee ordinance

ROCHESTER — Further review of an updated impact fee ordinance will proceed over the objections of one highly critical councilor and a majority of Planning Board members.

"Somebody in the city wants impact fees, and I think it's time to reverse these people," Councilor Ralph Torr said at Tuesday's council meeting.

City Manager John Scruton reminded him the ordinance was back for discussion at the request of councilors, who requested the city attorney review proposed changes.

Torr, who's long sought to block the fees, wanted to table further action. But a short time later, he backed off that at the request of Councilor Ray Varney, who despite reservations with the fees thought it best to strengthen the ordinance.

The Codes and Ordinances Committee was tasked with reviewing the ordinance. What happens from there depends largely on what takes place with the Planning Board, where members voted 4-3 earlier this month to table the ordinance review. Board Chairwoman Terry Desjardins said she'll look to restart work on it. The board has had about six recent meetings covering impact fees, but consensus was elusive, members said.

The board is tasked with approving building fees to support certain new construction, though a number of members have expressed issues with the plan. They gave different reasons for tabling, including the potential fees will increase housing costs in an economic slowdown.

"It's not like there's a lot of money floating around that we can be dipping into," said board member Tim Fontneau, a real estate agent. "Most people are just barely surviving at this particular time. ... (The housing market) has slowed and values have gone down dramatically ... and the new construction market is slow."

Varney, who also serves as a non-voting board member, estimated the board has seen 10 percent of the action in the first six months of 2008 compared to the same period last year. Data supporting this was not immediately available from the Planning Department, where staffing is down one person following budget cuts.

Desjardins, who voted against tabling, said the board should have continued working toward an actual fee schedule while councilors explored changes to the ordinance, which has been on the books for years.

Councilor Chuck Grassie said he didn't like the board's action. "It seems to me the Planning Board is more concerned with protecting developers instead of taxpayers," he said. Fees

would be even more needed to support infrastructure improvements if a petitioned spending cap effort is successful, he said.

In other action Tuesday:

Scruton said the city hopes to hire four Public Works employees, including two seasonal workers, since the hiring freeze ended last month. Councilor Ray Lundborn said another freeze should go into effect. Scruton said that was "premature" one day into the new fiscal year, and added the suggestion is probably a City Charter violation concerning the manager's duties.

At one point, Scruton said he'd be happy to discuss the issue in nonpublic — the second thing he targeted Tuesday for closed doors. The first had to do with information technology, an area he's said will suffer with fewer resources following budget cuts. "There you go with nonpublic again," Lundborn said. The council went into nonpublic at 8:45 p.m. to discuss personnel.

Earlier in the day, Scruton again said it was too early to lay out potential staffing changes and reductions for the new fiscal year despite budget cuts to a number of departments' labor lines. He said attrition and "various pieces" are still falling into place. As forecast, the city lost a longtime planner because her position was made part-time, and a part-time worker in the tax office resigned in light of less hours.
