

## Duffy's expansion proposal hampered by impact fees

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KENNEBUNK — Kennebunk isn't doing enough to help its business owners succeed, Economic Development Committee chairman Bob Georgitis told the Board of Selectmen recently.

While advocating for an economic development director position in town, Georgitis used David "Duffy" Cluff as an example of a business owner who has found himself trying to expand despite what Georgitis said were economic roadblocks placed in his way.

"He had all his plans and financing in place, the demand is there," he said, referring to Cluff's plans for his restaurant, Duffy's Tavern & Grill. "But nobody told him there was a \$15,000 sewer impact fee to expand his business. When he asked if he could pay some now and the rest later, he was told 'no.'"

Cluff, who was not at the meeting, said May 12 the fee did come as a surprise, but his expansion will go ahead as planned. Still, he said, he might not have moved forward if he had known what he was facing.

"We had already signed the lease with the landlord, met with (Code Enforcement Officer Paul Demers), were working the demolition and had all our financing in place," he said.

That's when he heard from Kennebunk Sewer District Manager Willis Emmons that he would have to pay a sewer impact fee on the expansion.

Cluff's original plan was to add 80 seats to his 100-seat restaurant and since impact fees are based on each seat added, Emmons told Cluff the fee total would be \$15,000.

"I said, 'OH MY GOD,'" Cluff said. "My budget was all done and I didn't have the additional funding."

Cluff said he asked if he could pay the fee off over time, but was told no.

Eventually, though, Cluff trimmed his expansion back to 49 seats and his final fee came to \$8,626. He paid that off last week.

For his part, Emmons said the fees are just a normal part of doing business in town.

"The sewer district has had impact fees for 22 to 23 years now," he said.

He explained that the fees are paid for a space one time only and are used for improvements to the town's wastewater facility as well as to lessen the impact of new development on the ratepayers. While the first part of Duffy's restaurant had already served as an eatery in the 1980s and therefore had a sewer impact credit covering it, the newest part did not.

Cluff said he does believe in impact fees, but thinks the town can find a better way to help them get paid — one that doesn't hurt business owners doing their best to survive. Especially, he said, since the impact fees often aren't used for years.

"They should work with businesses," he said. "Instead of taking all our capital, they should let us pay over time."