

Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke - Director of Administrative Services

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Proposed Land Use Fee Revisions

2. **Date of submission:** February 21, 2013

3. **Date of Board Meeting:** February 25, 2013

4. **Individual or Entity making the submission:**

Hiram Peck – Director of Planning and Community Development
Thomas F. Cooke – Director of Administrative Services

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**

The Individual or Entity making the submission requests that the Board of Selectmen:

Adopt the proposed Land Use Fee Revisions as set forth in the attached Town of Simsbury Public Hearing Notice – Land Use Fee Revisions

6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

Hiram Peck – Director of Planning and Community Development
(860) 658-3245

7. **Summary of Submission** (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):

The proposed Land Use Fee Revisions are intended to relieve the current deficit the Town incurs in processing land use and building permit applications. The proposal also includes a recommendation to increase the Building Department fee from \$12.26 per \$1,000 value of construction to \$14.26 per \$1,000 value of construction.

8. **Description of documents included with submission** (All documents must be in final form and signed by the appropriate party.):

The following documents are included with this submission and attached hereto:

- Town of Simsbury Public Hearing Notice – Proposed Land Use Fee Revisions
- Memorandum from Hiram Peck dated January 19, 2012

**TOWN OF SIMSBURY
PUBLIC HEARING NOTICE
PROPOSED LAND USE FEE REVISIONS**

Notice is hereby given that the Board of Selectmen will hold a public hearing on proposed revisions to the Land Use and Building Department application and permit fees on Monday, February 25, 2013 in the Main Meeting Room of Town Hall, 933 Hopmeadow Street, Simsbury, CT 06070 immediately following the Public Hearing on the proposed Resolution for the Sale of Pharos Farm which commences at 7:00 p.m. A copy of the proposed revisions is on file with the Land Use Office and the Town Clerk and may be found on the Planning and Land Use Department page of the Town of Simsbury's website (<http://www.simsbury-ct.gov/planning-and-land-use-department>). Any questions before the hearing may be directed to the Land Use Office at (860) 658-3245.

In accordance with Section 85-2. of the Town Code; The Simsbury Planning Commission shall charge the following fees for processing applications in connection with matters administered by said Commission:

- a. Application for subdivision approval, including resubdivision: \$310 for each subdivision lot.
- b. Application for change in subdivision regulations: \$195
- c. Application for change in Plan of Conservation and Development: \$195
- d. Application for modification of any prior approval: \$195
- e. Copy of subdivision regulations: \$15
- f. **State Land Use Fee: \$60 All applications. [Effective 10-1-2009]**
- g. **Outside consultant fee(s), if applicable. See § 85- 6.1. of Town Code.**
- h. **Actual cost of placing any required legal advertisements and costs of required mailings to abutting property owners.***

In accordance with Section 85-3. of the Town Code; Zoning Commission .The Simsbury Zoning Commission shall charge the following fees for processing applications in connection with matters administered by said Commission:

- A. Application for site plan approval
 - (1) Residential use: ~~\$30~~ **\$50 per unit or a minimum of \$180 \$200** whichever is greater
 - (2) Business use, site plan: \$20 each acre or any portion thereof, plus \$20 for each 1,000 square feet of structure or any portion thereof shown on the plan, or a minimum of \$280, whichever is greater.
 - (3) Business use other than initial site plan: \$20 for each 1,000 square feet of structure or any portion thereof in excess of the square footage shown on the initially approved plan or a minimum fee of ~~\$180~~ **\$200 whichever is greater.**
 - (4) Industrial use: The same as business use in Subsection A (2) and (3) above.
- B. Application for any Special Exception or Special Permit: \$180
- C. Application for a zone change: \$15 per acre or a minimum fee of \$580, whichever is greater.
- D. Application for a change in Zoning Regulations: \$180
- E. Application for a modification of any prior approval, including sign approvals: \$180. **Staff approvals: \$100.**
- F. Zoning Regulations: **Simsbury Center Code (FBC) \$25.** Town zoning Regulations: \$15
- G. Zoning map: \$10 per color copy
- H. Sign permit: \$2 per square foot of sign area
- I. Certificate of Zoning Compliance: \$25
- J. **State Land Use Fee: \$60 All applications.**
- K. **Outside consultant fee(s), if applicable. See §85-6.1.**
- L. **Actual cost of placing any required legal advertisements and costs of required mailings to abutting property owners.***

In accordance with Section 85-4. of the Town Code; Zoning Board of Appeals.

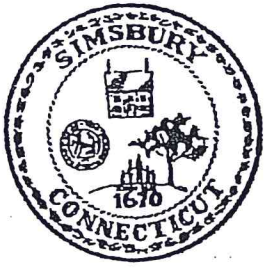
- A. The Simsbury Zoning Board of Appeals shall charge a fee of \$130 for each individual request for variance, an appeal of a decision of the Zoning Enforcement Officer or an application for a motor vehicle use or repair location approval
- B. **State Land Use Fee: \$60 All applications.**
- C. **Outside consultant fee(s), if applicable. See § 85-6.1.**
- D. **Actual cost of placing any required legal advertisements and cost of required mailings to abutting property owners.***

In accordance with Section 85-5. Of the Town Code; Conservation Commission- Inland Wetlands and Watercourses Agency. The Simsbury Conservation Commission- Inland Wetlands and watercourses Agency shall charge the following fees for processing applications in connection with matters administered by said Commission.

- A. Private residential lot or residential short-form buffer area, **administrative approval by the Conservation officer: \$130**
- B. Private residential lot with public hearing: \$180
- C. Agricultural uses: **\$50 per acre or portion thereof or \$230 whichever is more.**
- D. Industrial/Commercial/business uses: ~~\$430~~ **\$450.**
- E. Subdivisions: \$60 per lot or \$380 for a minimum 3 lot subdivision, whichever is greater.
- F. Other: \$155
- G. Map amendment application: \$230
- H. Copy of Inland Wetlands and Watercourses regulations: \$15 per copy
- I. **State Land Use Fee: \$60 All applications.**
- J. **Outside consultant fee(s), if applicable. See §85-6.1.**
- K. **Actual cost of placing any required legal advertisements and cost of required mailings to abutting property owners.***

In accordance with Section 85-6.1. of the Town Code; **Outside Consultant Fees:** In addition, certain applications may require the Town to retain outside consultants. Said outside consultants shall be retained and paid for by the applicant in accordance with Simsbury Town Ordinance Chapter 85 §85-6.1. **After the fact permit application fees:** The fee for any permit required or sought after the fact (that is for which the activity has already been initiated or completed prior to seeking the required permit(s)) shall be three times the fee(s) required herein. These fees shall be in addition to any fine(s) as may be properly imposed by the ZEO or Hearing Officer or Court. Also the Building Department fee is hereby established at \$14.26 per \$1,000 value of construction. *Any such fee shall be paid prior to the required zoning sign off for a building permit for the application.

Public Hearing Date: Monday, February 25, 2013 immediately following the Public Hearing on the proposed Resolution for the Sale of Pharos Farm which commences at 7:00 p.m.



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Planning and Land Use Department

January 19, 2012

To: Mary A. Glassman, First Selectman

From: Hiram Peck III, AICP, Director of Planning and Community Development

Re: Requested information

The following information is provided as requested:

1. Building Department Permit Fees

Staff has done a survey of surrounding Towns and finds the following regarding Building Department fees;

Simsbury	\$12.26 per \$1,000 of construction (for all types of permits, building or mechanical, residential or commercial)
Granby	\$16 per \$1,000 of valued construction
Farmington	\$14 per \$1,000 of valued construction
Avon	\$30 for the first 1,000 - \$15 per 1,000 for each additional 1,000
Windsor	\$30 for the first 1,000 - \$13 per 1,000 for each additional 1,000
Bloomfield	\$15 per \$1,000
Suffield	\$22 for the first 1,000 - \$15 per 1,000 for each additional 1,000
Canton	\$14 per 1,000 (with a minimum of \$28 fee)

2. I posed the question to staff based on the currently available information as to what would have been the difference in revenue if the fee was \$14 per thousand:

What would be the impact on fees received if we were to raise the fees to \$14 per \$1,000?

This is in terms of the fees received based on the latest report and average this over the ½ Fiscal year for July 1, 2011 to Dec 31, 2011?

1. The total value of construction received for the period July 1, 2011 to Dec 31, 2011

1.) \$17,581,021 – total construction value 7/1/11 through 12/31/11 (note: approx \$4 million of that were municipal projects that do not generate fees)

Telephone (860) 658-3245
Facsimile (860) 658-3217

www.simsbury-ct.gov

An Equal Opportunity Employer
8:30 – 7:00 Monday
8:30 - 4:30 Tuesday through Friday

2. The total amount of fees received for the same period based on \$12.26 per \$1,000

2.) \$157,080 – actual receipts received (\$161,370 including the Education Fee of 26 cents/\$1,000 – we have to pay back all but 1% of that each Qtr)

3. What would the total amount have been if we raised the fee to \$14 per \$1,000?

3.) \$182,000 – receipts if based on \$14 fee (based on roughly \$13 million in construction value without municipal projects and no state tax)

\$25,000 – approximate total increase

Please note that the “actual receipts” that get reported do not correlate directly one-for-one with the total construction cost for a particular time period. Aside from the municipal projects that do not generate fees, there is often a lag time (i.e., bigger projects can be applied and paid for in a prior month than the permit actually gets issued) and there are also additional building fees collected at time of C.O. that are not necessarily reflected in these numbers and can sometimes be significant for larger projects (for this particular time period the total was \$4800).

We would like to be very clear that there is concern that too large an increase in these fees may have the undesirable effect of causing some individuals to avoid the permitting process. This is a delicate balance which might well be discussed in a broader context of fees town-wide. It is an issue we have wrestled with for some time. The current economy dictates that many of the projects and hence the permits for those projects are for smaller construction activities. These are precisely the type of activity that may be “driven underground” if a fee is raised to much.

We would be happy to discuss this matter with you further.