

Town of Windham

Open Space Impact Fee Methodology

October 3, 2019, revised March 17, 2023

This methodology establishes the impact fee that should be paid by residential development to expand the supply of publicly owned open space. In developing the fee, both the need to provide adequate open space accessible to the public for a growing population and the potential costs of those facilities were evaluated.

1. Current Supply of Open Space – As of 2019 the Town of Windham had a total of approximately 886 acres of public open space including the 104 acre Black Brook Preserve and 17 acre Pringle Preserve that are owned and managed by the Presumpscot Regional Land Trust. This includes 35 sites including Lowell Preserve (308 acres), Donnabeth Lippman Park (104 acres), Dundee Park (20 acres), and a number of smaller parcels either owned by the Town or with a conservation easement. A tabular summary is attached.

2. Adequacy of Current Open Space – There are no state or national standards for the amount of open space that should be available in a community. The need for preserved public open space increases as more and more of the land within the community is developed and the supply of private open space decreases. The current supply of 886 acres of public open space is adequate for the community's current needs but will need to be increased as development occurs and the population grows. With a US Census 2018 household population of approximately 18,434 residents, the current supply translates into approximately 0.0481 acres of public open space per capita or 48.1 acres per 1,000 residents as of September 2019.

3. The Need for Expanded Facilities – The need for publicly owned open space is a function of the size of the community's population and the supply of private open space. As the community grows and develops, it needs more preserved open space that is available to the public. The Town's *2016 Comprehensive Plan Update* adopted in June 2017 identifies the need to expand the supply of open space to serve a growing population. The action plan proposes creating a Land For Windham's Future program that would acquire and preserve open space that would be funded in part with an impact fee.

The current supply of approximately 48 acres of open space per thousand residents is adequate for current needs. As the Town grows, this ratio of open space per capita should be maintained and serve as the basis for the open space impact fee.

4. The Estimated Cost for Expanded Open Space – The cost of acquiring additional open space is a function of the quality of the land and its development potential as well as the motivations of the sellers. For assessing purposes, the Town values 10 vacant acres in the Farm Zone at \$127,100 or \$12,710 per acre, which includes a vacancy discount and is below the current market value. The assessed residual land values for the Farm Zone that range from 1 acre at \$8,845 to 40 acres at \$1,733 per acre. The average of the land curve pricing for the Farm Zone is \$4,249 per acre. For the purposes of the impact fee, a typical cost is estimated at \$8,000 per acre.

Applying the cost per acre for expanded open space (\$8,000/acre) to the need of 0.0481 acres per capita, results in a base cost for additional open space of \$385 per capita. This figure should serve as the basis for the open space impact fee.

5. Who Should Pay the Fee – Any residential development activity should pay this impact fee based upon the expected population of the project considering typical occupancy rates. This includes single-family homes that are not part of a subdivision, conversions of non-residential buildings to residential use, and modifications to existing buildings that increase the number of dwelling units.

6. Calculation of the Fee – The open space impact fee should be the per capita cost of providing additional open space facilities (\$385) multiplied by the anticipated number of residents in the dwelling unit. Based upon national studies of occupancy levels of various types of housing in the northeast and the Maine State Planning Office’s Impact Fee Handbook, the following occupancy factors are applied to determine the impact fee per unit. This results in the following open space impact fee based upon the type of unit and the typical occupancy of that type of unit:

Type of Housing	Occupancy (per/du)	Impact Fee
Single-Family Home		
- 2 or less bedrooms	1.58	\$608
- 3 bedrooms	2.57	\$989
- 4 or more bedrooms	3.02	\$1,163
Attached or Multifamily Housing or Accessory Apartment		
- 1 bedroom	1.17	\$450
- 2 bedrooms	1.85	\$712
- 3 or more bedrooms	2.14	\$824
Mobile Homes in a MH Park		
- 1 bedroom	1.39	\$535
- 2 bedrooms	1.93	\$743
- 3 or more bedrooms	3.29	\$1,267