

TOWN COUNCIL MEMO

DATE: May 21, 2026

TO: Windham Town Council

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

Cc: Amanda Lessard, Assistant Town Manager

RE: #26-11: Amendment to Planning Board Application Fees – Delegated Review Authority (Stormwater Permit Review)

Town Council Meeting – May 26, 2026

Overview

The Planning Department is requesting that the Town Council amend the Town of Windham Master Fee Schedule to establish Delegated Review Authority (DRA) fees associated with Planning Board applications requiring technical stormwater and engineering review.

The proposed amendments introduce:

- Adding an additional \$300 Development Review Team (DRT) fee to the Review Escrow for Sketch Plan applications.
- New line to Administrative Fees for DRA Stormwater Review Escrow of \$5,000.

These changes are intended to align the Town's application fee structure with the increasing complexity of development review and the Town's reliance on qualified third-party consultants to perform for DRA Stormwater permitting technical analysis.

Background and Need for Amendment

The current Master Fee Schedule provides for application fees and review escrows for Planning Board applications, including Site Plan and Subdivision Review, among others. Typically, the application review involves stormwater permits by the MDEP, in which the Town is qualified to issue permits on behalf of the MDEP.

However, the Town has experienced the following challenges under the new review structure:

1. Increased Need for Technical Review

Modern development proposals routinely require detailed review of:

- Stormwater management systems
- Erosion and sediment control plans
- Hydrologic and hydraulic modeling
- Compliance with State and local stormwater standards

These reviews require specialized engineering consultants engaged by the Town.

2. Cost Burden on the Town Without Dedicated Fee Structure

While escrow accounts exist, they:

- Are not always sufficient or timely to support early-stage review
- Require staff to actively monitor balances and request additional funds
- Can delay consultant engagement

The intent of Town DRA stormwater permitting is that applicants bear the cost of review, rather than shifting that burden to the Town.

3. Administrative Inefficiencies

Under the current system, staff must:

- Track escrow balances
- Request additional funds
- Process invoices and reconcile accounts

This creates unnecessary administrative workload and delays in the review process.

Purpose of Proposed DRA Fees

The proposed amendments address these issues by:

Ensuring Applicant Pays

- Establishes a predictable, upfront funding mechanism
- Ensures applicants bear the cost of technical and stormwater review

Improving Environmental Protection

- Enables timely engagement of qualified consultants
- Supports thorough review of stormwater systems
- Enhances protection of local water resources and natural systems

Improving Review Efficiency

- Reduces delays associated with inadequate escrow balances
- Allow applications to move through the review process more quickly

Reducing Staff Administrative Burden

- Minimizes time spent managing escrow accounts and invoicing
- Allowing staff to focus on planning and project coordination

Location of Proposed Amendments in Master Fee Schedule

The proposed amendments affect the following sections of the Master Fee Schedule:

Administrative Fees

- Located on Page 11, above Assessing Department section of the Master Fee Schedule:
 - Stormwater Delegated Review Authority → add \$5,000 DRA Review Escrow fee

Summary of Proposed Fee Amendments

Application Type	Proposed Review Escrow Fee
DRT Meetings for site plan and subdivision; addition of \$300 to current \$100 fee	\$400
Stormwater Delegated Review Authority	\$5,000

Requested Council Action

Staff request to approve amendments to the Town of Windham Master Fee Schedule to increase the Development Review Team (DRT) review escrow fee and to establish Delegated Review Authority (DRA) fees in the amount of \$300 for sketch plan applications and \$5,000 for all stormwater permits, for the purpose of funding third-party DRA stormwater and technical review services, ensuring that applicants bear the cost of such review and that no additional financial burden is placed on the Town.