

# **Impact Fees for Public Safety and Town Office Facilities**

## **Town of Windham, Maine**

### **Basis of Assessment and Fee Schedules For:**

- Police Department
- Fire-Rescue Facilities
- Town Hall & Community Center

### **Draft Report**

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Prepared for:

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## A. Executive Summary

This report provides a proportionate basis for the assessment of impact fees for Windham public safety facilities (Police Department and Fire-Rescue Department), and for the Town Hall and Community Center on School Road. Impact fees for each of these three facility categories has been computed separately and the methods documented in this report.

The Windham Comprehensive Plan of 2003 specifically recommended the development of an impact fee system for a variety of municipal facilities, with impact fees to be assessed to all residential and non-residential development. The 2016 Comprehensive Plan Update cites the potential use of impact fees to support a financial commitment to infrastructure investments and the support of economic development goals.

Impact fees are assessed only once in the lifetime of a particular unit of development, and are therefore designed to recover from each unit of new development a proportionate share of the total municipal capital investment required to accommodate it. The fees developed in this report reflect Windham's actual capital investment in the related facilities, adjusted to 2020 costs.

For residential development, impact fee options are computed on a per-dwelling unit as well as on a per square foot basis based on living area. For commercial properties, the impact fees have been computed per square foot of floor area.

Impact Fee Schedule for Public Safety Facilities and Municipal Offices - Windham Maine 2020					
Use Category	Public Safety Impact Fee				Municipal Office Impact Fee
	Police	Fire-Rescue	Total Public Safety Fee Per Dwelling Unit	Safety Fee Per Square Foot Living Area	
<b>Residential Uses</b>					
Average Dwelling Unit	\$366	\$1,174	\$1,540	\$1.08	\$549
Single Detached	\$372	\$1,230	\$1,602	\$1.03	\$579
Townhouse	\$325	\$1,054	\$1,379	\$1.24	\$482
Two Unit Structure	\$334	\$1,072	\$1,406	\$1.38	\$482
Multifamily Apartment	\$240	\$768	\$1,008	\$1.27	\$343
Manufactured Housing	\$300	\$964	\$1,264	\$1.15	\$433
Senior Apartments (55+ or 62+)	\$239	\$1,589	\$1,828	\$2.08	\$343
Nursing or Assisted Living Licensed Bed	\$254	\$3,265	\$3,519	\$9.92	\$343
<b>Commercial Uses</b>	Police	Fire-Rescue		Safety Fee Per Square Foot	
Average Commercial Use (Default)	\$0.36	\$0.85		\$1.21	
Retail-Food-Entertainment-Lodging	\$0.36	\$0.99		\$1.35	
Office, Banks, Professional Services	\$0.35	\$0.97		\$1.32	
Other General Commercial & Services	\$0.36	\$1.07		\$1.43	
Industrial, Transportation, Whse, Storage	\$0.37	\$0.26		\$0.63	
Private Institutional Except Licensed Care	\$0.35	\$1.69		\$2.04	
				Per Square Foot	
				\$0.21	
				\$0.21	
				\$0.21	
				\$0.21	
				\$0.21	

## B. Service Base of Windham

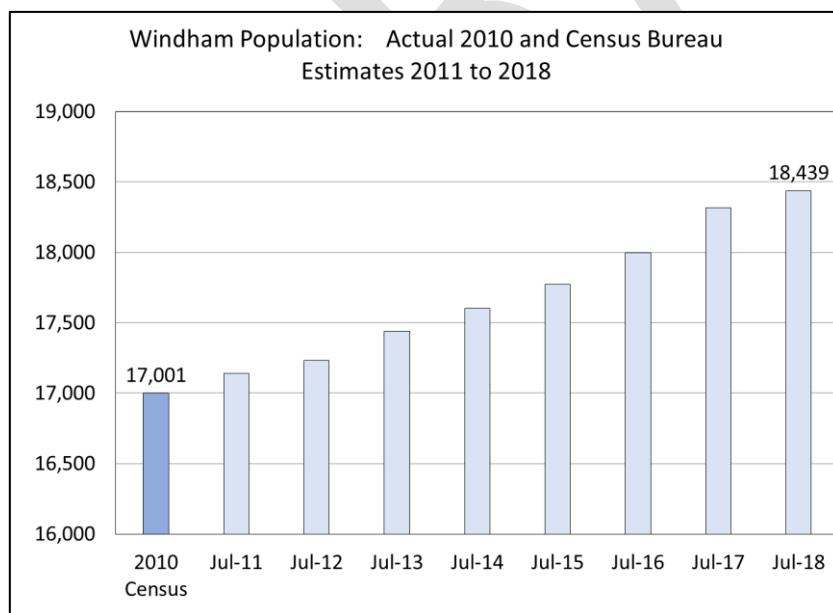
In order to estimate the proportionate capital costs attributable to new development, we first needed to estimate the service base in Windham and its residential and commercial components. The Town's long term planning for public buildings has been guided by a Municipal Facilities Space Needs Study and Master Plan (September 5, 2014, SMRT, Inc.) That study reviewed, in consultation with affected municipal departments, total space needs anticipated for a period of 20 years.

While that study indicated a general planning horizon based on a 20-year span, building needs were not described in relation to specific design assumption relating to future residential or commercial demand on services or facility capacity. This section provides a basis for reasonably anticipating and allocating costs to a future Windham municipal service base. The important part of this allocation is not a particular design year, but rather an estimated amount of development that can be accommodated by the planned expansion of public safety and municipal office facilities.

### 1. Residential Sector

Demand from the residential sector can be measured by the resident population or by total housing units within the community.

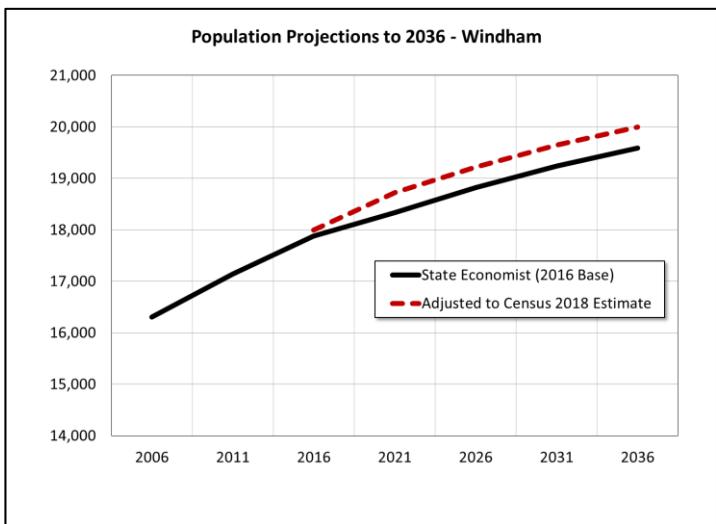
#### a. Resident Population



The actual 2020 population of the Town will not be known until the decennial Census is completed and released. The decennial Census is the only source for 100% counts of population and housing units.

All other data represent estimates or the results of small sample surveys such as the American Community Survey (ACS).

The U.S. Census Bureau estimates that Windham had a population of 18,439 as of July 2018. If that is accurate, the Town added 1,438 residents (+8.5%) in the 8-year period 2010-2018.



The most recent long term population projections from the Office of the Maine State Economist were issued December 2018. The municipal population projections reflect baseline population estimates through 2016, with projections to 2036. The model's projected 2036 population for Windham is 19,585.

Interpolation of the projected 2018 population from the State model, compared to the 2018 Census

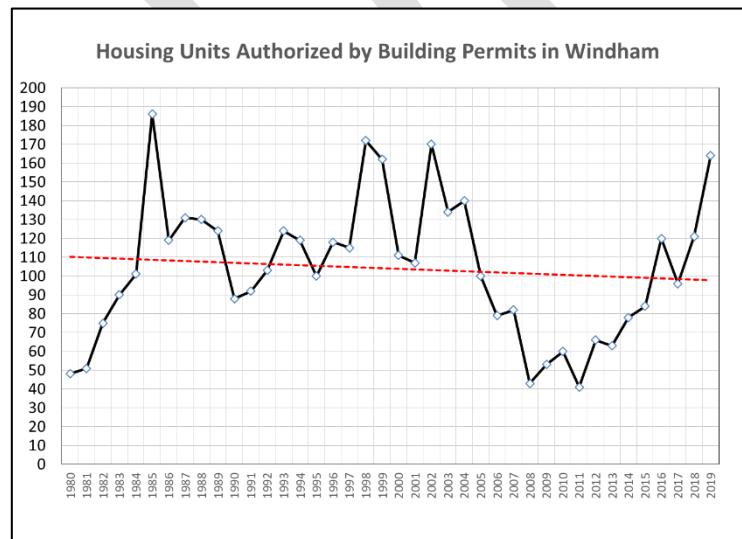
estimate, indicates that the 2018 population may be 2.1% higher than predicted by the arc of the State projection. Adjustment of the 2036 projection on this basis indicates that Windham's population should reach 20,000 by the year 2036.

### b. Housing Units

Based on property assessment records assembled for this study, we estimate that Windham now has just over 8,000 housing units.

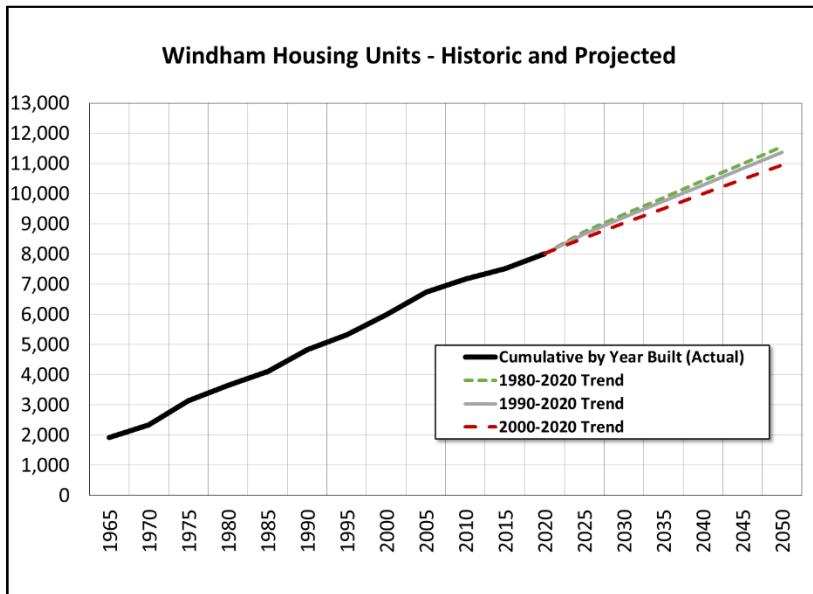
Housing Units Authorized by Period		
Period	Total	Avg Annual
1980-1989	1,055	106
1990-1999	1,193	119
2000-2009	1,019	102
2010-2019	946	95

Historic data based on building permits issued by decade shows a steady volume of residential development that has averaged about 108 dwelling units per year over the past 39 years.



While housing development appears steady when measured by decade, housing activity varies by year according to economic conditions.

The effects of the Great Recession are evident here in the temporary downturn after 2008, followed by a recovery to above average housing activity after 2015.



The number of housing units is probably a more reliable basis for projecting of residential growth in Windham than the population, which will likely be affected by declining average household size.

In this chart, BCM Planning used historical data through 2020 to plot the number of housing units based on “year built” data in Windham property assessment records.

From this history, long term linear projections were made based on the trends for the periods shown on the chart. For the year 2040, all projections indicate the total housing inventory could reach at least 10,000 units. By the year 2050, the housing inventory could be between 11,000 and 11,500 units. As will be discussed later, even this expanded housing supply would remain below the full housing buildup potential of Windham.

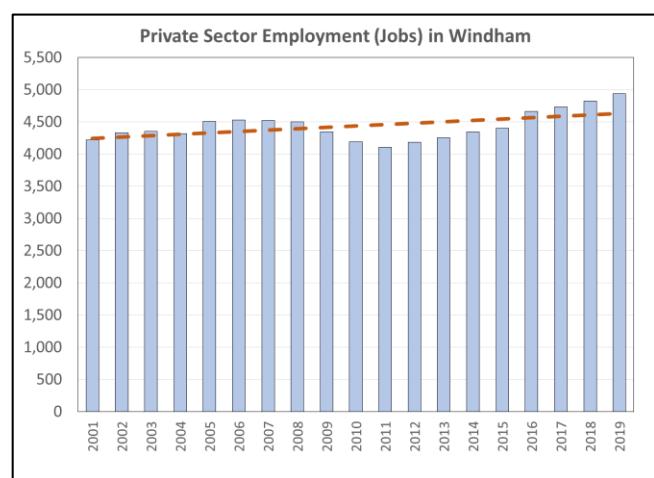
## 2. Commercial Sector

The commercial sector tends to generate significant demands on public safety services, particularly where job and retail centers generate high traffic volume. Demand from the commercial sector can be measured indirectly by the number of jobs provided by private sector employers in Windham, and by the actual floor area of commercial and industrial uses.

### a. Jobs in Windham

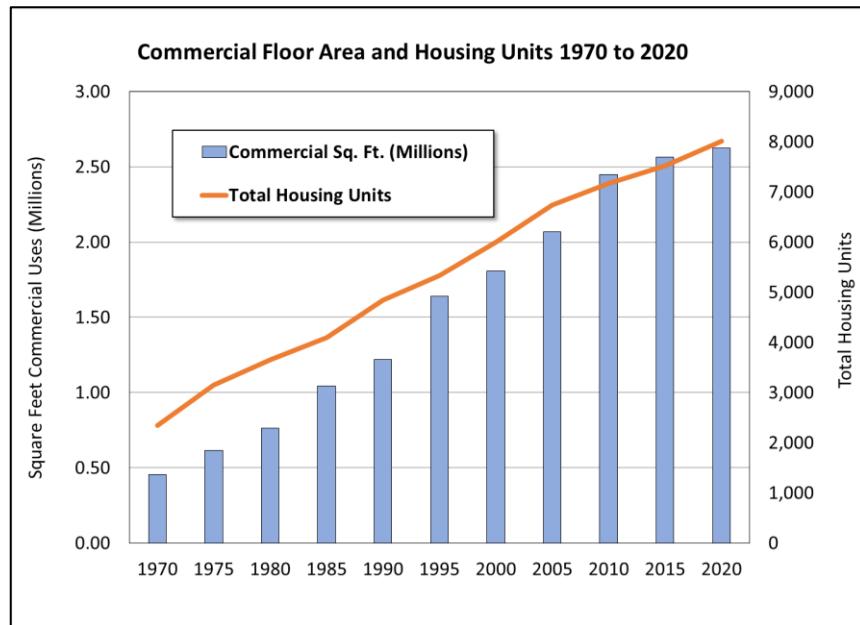
Total annual private sector employment in Windham was 4,826 in 2018. As of the 2<sup>nd</sup> quarter of 2019, the number of private sector jobs provided by local non-government employers totaled 4,936.

The number of local private sector jobs dipped during the Great Recession, but rebounded to exceed pre-recession levels by 2016.



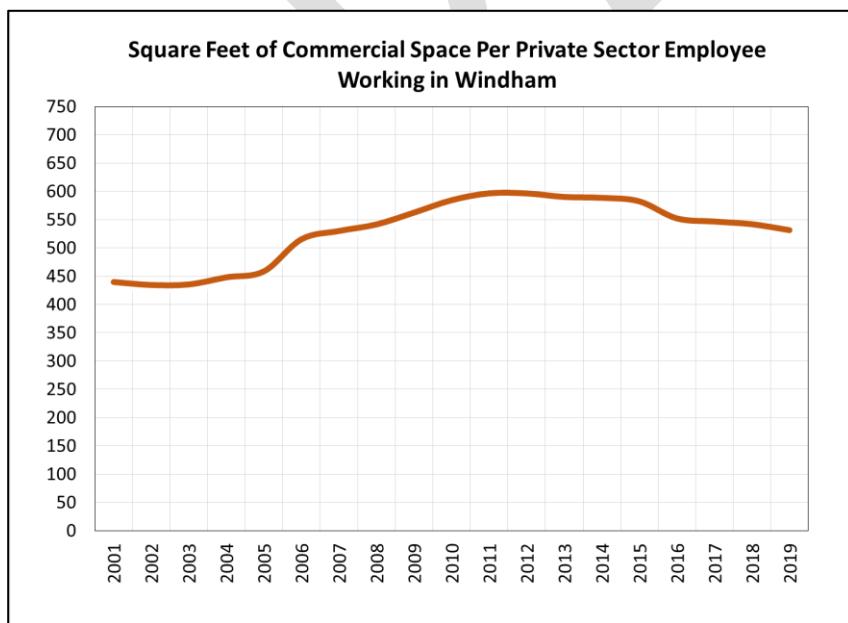
## b. Floor Area in Commercial –Industrial Uses

Using Windham property assessment records and the year built data assigned to buildings<sup>1</sup>, this chart plots the growth of private sector commercial uses in Windham from 1970 to 2020 alongside the trajectory of housing inventory growth during the same period.



We estimate that private sector commercial buildings in Windham comprise 2.62 million square feet of finished floor area in 2020.

The rate of growth in floor area from 2010 to 2020 has been considerably lower than the typical pace of commercial development prior to 2010.



As of 2019, private sector commercial space in Windham averaged 531 square feet per employee.

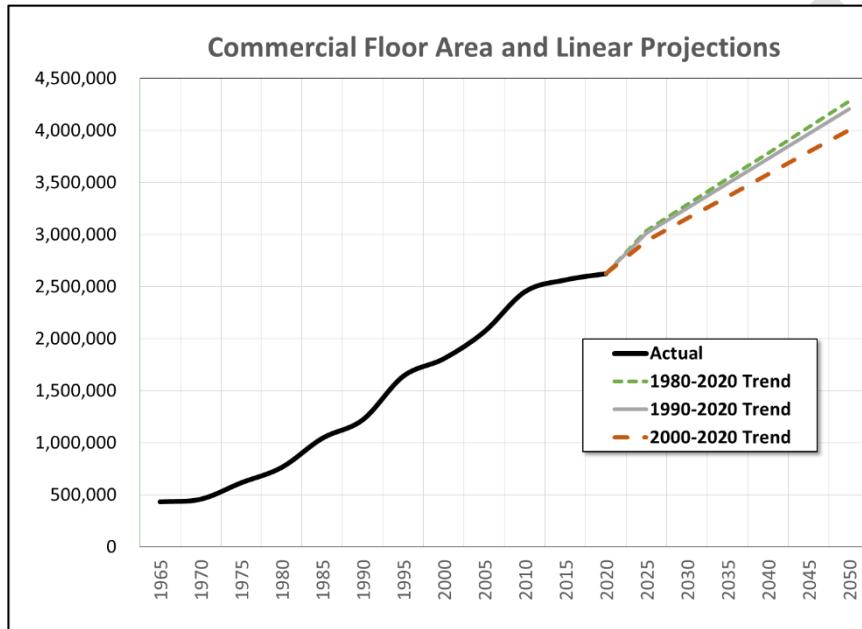
In 2010 the ratio was 585 square feet per employee, up from 439 square feet per employee in 2001.

<sup>1</sup> Note that this method incorporates only those properties that were in commercial use categories in 2020. As such the data reflects “year built” only for these existing uses. If a development was changed to a residential use, or removed from the inventory of commercial space during this period, it would not show up in this data.

When the ratio of commercial floor area per housing unit is computed the ratios are:

2000	302	square feet commercial space per housing unit
2010	341	"
2020	327	"

The ratios of commercial space per job and commercial floor area per housing unit become important in reviewing the reasonableness of alternative projections of residential and commercial growth.



Using linear projections based on the patterns of three historical periods, a 20-year projection to 2040 indicates a potential future commercial base of 3.6 to 3.8 million square feet.

If the series is extended to the year 2050, the projected commercial service base could reach 4.0-4.3 million square feet.

### 3. Buildout Estimate and Remaining Development Potential

The preceding projections of the future housing inventory and square feet of commercial space were based on long term past trends, without specific constraints of zoning or the availability of developable land. To evaluate whether projected levels of development could be absorbed in Windham, we reviewed the buildout estimates from the Windham Comprehensive Master Plan (2003).

Based on the buildout study in that document, we estimate that as of 2020, Windham residential development has reached 56% to 66% of its maximum potential. In the commercial sector, 2020 commercial floor area represents about 51% of its full development potential.

While the buildout study from 2003 estimated future development potential, its description did not identify a baseline figure for the number of dwelling units or commercial floor area in place at the time. We have estimated those baseline numbers based on property assessment information as part of the following analysis.

Windham Long Term Development Potential		
Residential - Housing Units	New Units At Average Lot Size	New Units At Minimum Lot Size
Remaining Housing Development Potential in 2001 (1)		
Within Partly Developed Parcels / Subdivisions	3,011	4,212
Development on Vacant Land	2,964	4,077
Total Growth Potential from 2001 Baseline	5,975	8,289
Estimated Housing Inventory in 2001 *	6,102	6,102
Maximum At Buildout	12,077	14,391
Estimated Housing Inventory February 2020	8,016	8,016
2020 Inventory as % of Maximum at Buildout	66%	56%
Commercial Floor Area		
Remaining Commercial Development Potential in 2001 in Square Feet (1)		
Infill of Underdeveloped Parcels	588,735	
Development on Vacant Land	2,669,139	
Total Potential Growth from 2001 Baseline	3,257,874	
Existing Development in 2001 *	1,843,899	
Maximum Commercial Floor Area at Buildout	5,101,773	
Estimated Commercial Floor Area February 2020*	2,623,211	
2020 Floor Area as % of Maximum at Buildout	51%	

(1) See buildout estimates from 2003 Windham Comprehensive Master Plan, pages 3-3 to 3-11  
 \*Baseline 2001 estimates by BCM Planning, LLC based on year built data in Assessor's records

of future housing development and commercial growth, these maximums will probably not be reached until sometime after the year 2050.

The buildout projections from 2003 relied on the land use regulations and permitted densities in force at that time. Development and infill potential could increase substantially if a public sewer system were to be realized in the future, or if other land use regulations are modified to yield higher densities or floor area to land ratios. The 2016 Comprehensive Plan Update does not contain updated buildout estimates.

Using land use data for 2001, the 2003 Comprehensive Plan projected *remaining* development potential at that time.

In this chart we have estimated a 2001 baseline using property assessment information and the indicated "year built" of the developed property.

To this baseline we added the Comprehensive Plan estimates of additional development potential to arrive at a maximum buildout. Using this approach, we estimate maximum housing buildout as 12,077 to 14,391 units, and maximum commercial space at 5.1 million square feet.

Based on our linear projections

## C. Public Safety Facilities Impact Fee

Two components of the public safety impact fee have been computed separately for Fire-Rescue and Police Department capital facilities. Each of the fee components is based on the average municipal capital investment required per unit of development, assuming a 2040 design year. The basic structure of the impact fee calculations follow these steps:

- Assign capital facility capacity with respect to a 2040 service base
- Estimate total capital investment required to service that demand
- Allocate demand on safety services between residential and commercial uses
- Express residential capital costs as amounts per housing unit or per square foot
- Adjust residential cost per unit by structure type based on relative household size
- Compute commercial cost per square foot of commercial space
- Adjust Fire-Rescue component of fee by relative frequency of responses by land use
- Deduct credit allowances for pre-existing deficiencies in facility space
- Generate a standard impact fee schedule by type of development

### 1. Proportionate Demand on Public Safety Services

#### a. Residential vs. Commercial Demand Indicators

Public safety services operate with a general mission of protecting persons and property. Proportionate demand from “persons and property” for residential vs. commercial sectors may be measured indirectly based on assessed real estate valuation, finished floor area of buildings, and the relationship of the resident population to the number of employees working in private sector jobs located in Windham.

PROPORTIONATE SHARE FACTORS FOR PUBLIC SAFETY DEMAND: WINDHAM MAINE							
Demand Sector	2020 Assessed Valuation of Taxable Real Estate (in millions)	Finished Building Area 2020 (Millions of Sq. Feet) Excluding Public Uses	2018 Estimated Population (Census Bureau) and 2018 Private Sector Jobs in Windham	Police Department 2019 Calls Excluding Public Uses & Calls at Station	Fire-Rescue Responses by Address (2017-2019) BCM Planning Tabulation	Local Fire - Rescue Runs by NFIRS Property Use Code (2017-2019)	
Residential Uses	\$2,068.60	11.505	18,439	7,100	5,258	5,511	
Commercial Uses	\$337.81	2.623	4,826	3,900	1,036	1,706	<b>Weighted Avg</b>
Total Non-Public	\$2,406.41	14.128	23,265	11,000	6,294	7,217	<b>Police</b> <b>Fire &amp; Rescue</b>
<i>Residential Share</i>	<i>86%</i>	<i>81%</i>	<i>79%</i>	<i>65%</i>	<i>84%</i>	<i>76%</i>	<b>74%</b> <b>80%</b>
<i>Commercial Share</i>	<i>14%</i>	<i>19%</i>	<i>21%</i>	<i>35%</i>	<i>16%</i>	<i>24%</i>	<b>26%</b> <b>20%</b>
<i>Weighting Factor</i>	<i>1.0</i>	<i>1.0</i>	<i>2.0</i>	<i>3.0</i>	<i>2.0</i>	<i>3.0</i>	

More direct measures include the frequency of responses or calls for service where the subject of the response can reasonably be associated with a land use sector. Both direct and indirect measures are used to assign proportionate demand estimates by sector. Responses or call volume reflect frequency of use, but the other measures reflect overall coverage or protection provided by each service across the entire community. (Even if a particular land use does not generate a call for service, it benefits from the protection and security afforded by safety services).

Using the model above, we estimated a demand ratio of about 74% residential / 26% commercial for the Police Department and ratios of 80% residential and 20% commercial for the Fire-Rescue Department. Note that in tabulating these proportions, we have placed *licensed care assisted living and nursing homes* within the residential demand sector. These uses have a high call demand for Fire-Rescue services per bed or per square foot of living area.

#### b. Sources for Proportionate Demand Measures

1. Assessed valuation by sector excludes real estate valuation, excluding any values assigned to government property or public land and buildings.
2. Building area in square feet is based on the gross living area (equivalent to finished floor area) associated with the use as indicated by property assessment records. For residential properties, living area would generally exclude space in below-grade basement areas, and the area within garages or outbuildings.
3. Population vs. local jobs measures are based on the most recent annual estimates (2018) available from Census Bureau (for population) and estimates and from Maine Department of Labor for 2018 (for the number of private sector employees working in Windham). The population and employment numbers are totaled, and the relative shares are computed as their respective shares of the total.
4. Police Department calls for service were based on review of a 2019 dispatch data printout as interpreted by the Consultant. The data for Police Department calls by address were not available in a downloadable form that could be sorted for specific street addresses. The printed dispatch entries did contain notations that indicated commercial sites. The proportion of 2019 dispatch locations that appeared to be commercial locations were estimated based on a hand tally of the 2019 record.
5. Fire-Rescue response data was provided by the Department using two formats: (1) a report on incidents by property classifications defined by the National Fire Incident Reporting Service (NFIRS) and (2) Department response records in spreadsheet form by specific street address for responses within Windham. BCM Planning then associated the count of responses with the property assessment characteristics at the same address and tabulated the results. Both of these reports comprise data for a three year period (2017-2019).

## Summary of NFIRS Data by General Classifications

### Windham Fire-Rescue Responses (within Town) 2017-2019

Windham Fire-Rescue - Local Responses by Property Use 2017-2019		
Responses Exclude Mutual Aid Calls	Number of Incidents	% of Total
<b>Private Property - Developed - Excluding Hospital / Clinics</b>		
Residential Properties and Neighborhoods	5,511	67.2%
Retail and Lodging	487	5.9%
Office	129	1.6%
Private Institutional	401	4.9%
Other Commercial Uses	580	7.1%
Industrial, Storage, Utility	109	1.3%
Subtotal	7,217	88.0%
<b>Public Uses, Unclassified Sources, Hospital/Clinic</b>		
Public Institutional	221	2.7%
Other Non-Classifiable Source	309	3.8%
Hospitals / Clinics	454	5.5%
Subtotal	984	12.0%
Windham Total	8,201	100.0%
<b>Classifiable Non-Public Uses Excluding Hospitals / Clinics</b>		
Residential	5,511	76%
Commercial-Industrial	1,706	24%
Total	7,217	100%

*Source: Windham Fire-Rescue data, Derived from National Fire Incident Reporting Service (NFIRS) records for runs within Windham over the three year period 2017 through 2019. Generalized classification groupings by BCM Planning, LLC.*

## Detail of Windham Fire-Rescue Responses (within Town) by NFIRS Property Use Code

Windham Maine 2017-2019 Fire-Rescue Runs Within Detail by NFIRS Property Use Codes		Windham Maine 2017-2019 Fire-Rescue Runs Within Detail by NFIRS Property Use Codes - continued	
Property Use Code and Description (1)	Number of Incidents	Property Use Code and Description (1)	Number of Incidents
<b>Residential Uses</b>		<b>Industrial, Storage, Transportation</b>	
419 - 1 or 2 family dwelling	3,878	700 - Manufacturing, processing	25
429 - Multifamily dwelling	702	600 - Industrial, utility, defense, agriculture, mining	13
962 - Residential street, road or residential driveway	594	891 - Warehouse	9
400 - Residential, other	172	800 - Storage, other	8
311 - 24-hour care Nursing homes, 4 or more persons	164	655 - Crops or orchard	8
881 - Parking garage, (detached residential garage)	1	659 - Livestock production	6
<b>Retail, Restaurant and Lodging</b>		819 - Livestock, poultry storage	6
519 - Food and beverage sales, grocery store	100	629 - Laboratory or science laboratory	4
500 - Mercantile, business, other	59	899 - Residential or self-storage units	4
581 - Department or discount store	44	639 - Communications center	4
161 - Restaurant or cafeteria	42	880 - Vehicle storage, other	3
580 - General retail, other	35	679 - Mine, quarry	3
579 - Motor vehicle or boat sales, services, repair	32	642 - Electrical distribution	3
511 - Convenience store	30	849 - Outside storage tank	2
539 - Household goods, sales, repairs	30	984 - Industrial plant yard - area	2
549 - Specialty shop	30	644 - Gas distribution, gas pipeline	2
449 - Hotel/motel, commercial	26	983 - Pipeline, power line or other utility right-of-way	2
571 - Service station, gas station	25	640 - Utility or Distribution system, other	2
162 - Bar or nightclub	13	807 - Outside material storage area	1
529 - Textile, wearing apparel sales	9	669 - Forest, timberland, woodland	1
559 - Recreational, hobby, home repair sales, pet store	9	615 - Electric-generating plant	1
160 - Eating, drinking places, other	3		
<b>Offices</b>		<b>Public Institutional Uses</b>	
342 - Doctor, dentist or oral surgeon office	44	361 - Jail, prison (not juvenile)	92
300 - Health care, detention, & correction, other	43	215 - High school/junior high school/middle school	51
599 - Business office	24	213 - Elementary school, including kindergarten	23
592 - Bank	12	150 - Public or government, other	13
596 - Post office or mailing firms	5	365 - Police station	12
593 - Office: veterinary or research	1	937 - Beach	9
<b>Private Institutional Excluding Clinics, Hospitals</b>		211 - Preschool	8
460 - Dormitory-type residence, other	110	123 - Stadium, arena	7
459 - Residential board and care	65	124 - Playground	2
321 - Mental retardation/development disability facility	64	151 - Library	2
439 - Boarding/rooming house, residential hotels	58	363 - Reformatory, juvenile detention center	2
322 - Alcohol or substance abuse recovery center	36		
241 - Adult education center, college classroom	25	<b>Other Not Assignable to Developed Property</b>	
131 - Church, mosque, synagogue, temple, chapel	20	888 - Fire station	110
464 - Barracks, dormitory	11	961 - Highway or divided highway	94
140 - Clubs, other	6	946 - Lake, river, stream	32
130 - Places of worship, funeral parlors, other	5	936 - Vacant lot	22
134 - Funeral parlor	1	938 - Graded and cared-for plots of land	15
<b>Other Commercial Uses and Services</b>		000 - Property Use, other	14
963 - Street or road in commercial area	243	UUU-Undetermined	11
965 - Vehicle parking area	161	940 - Water area, other	8
254 - Day care, in commercial property	42	NNN - None	3
900 - Outside or special property, other	41		
557 - Personal service, including barber & beauty shop	15	<b>Total Within Windham 2017-2019</b>	<b>8,201</b>
569 - Professional supplies, services	11		
141 - Athletic/health club	8	<small>* Excludes out-of-town mutual aid calls</small>	
100 - Assembly, other	7	<small>(1) Categorization of NFIRS data by major grouping by BCM Planning, LLC</small>	
183 - Movie theater	7		
210 - Schools, non-adult, other	7		
564 - Laundry, dry cleaning	5		
129 - Amusement center: indoor/outdoor	4		
200 - Educational, other	4		
120 - Variable-use amusement, recreation places, other	3		
121 - Ballroom, gymnasium	3		
935 - Campsite with utilities	3		
981 - Construction site	3		
808 - Outbuilding or shed	3		
122 - Convention center, exhibition hall	2		
882 - Parking garage, general vehicle	2		
110 - Fixed-use recreation places, other	1		
112 - Billiard center, pool hall	1		
114 - Ice rink: indoor, outdoor	1		
116 - Swimming facility: indoor or outdoor	1		
182 - Auditorium, concert hall	1		
898 - Dock, marina, pier, wharf	1		
<b>Medical Centers / Clinics</b>			
341 - Clinic, clinic-type infirmary	182		
340 - Clinics, doctors offices, hemodialysis cntr, other	271		
331 - Hospital - medical or psychiatric	1		

## Summary Tabulation of Address-Specific Fire-Rescue Responses in Windham (3 Years)

Tabulation of Windham Fire-Rescue Responses by Street Address and Associated Property Characteristics										
Use Category	Housing Units	Living Area or Finished Area	Assessed Valuation	Address-Specific Fire Rescue Responses 2017-2019	Annual Responses Per Living Unit	Annual Responses per 1,000 Sq. Ft.	Assessed Valuation Per Housing Unit	Assessed Valuation Per Sq. Ft.	Avg Living Area Per Housing Unit	
<b>Residential Uses</b>										
Single Fam. Detached	6,262	9,772,163	\$ 1,778,908,300	3,511	0.19	0.12	\$284,080	\$182	1,561	
Single Fam. With Apt.	276	307,869	\$ 49,728,900	201	0.24	0.22	\$180,177	\$162	1,115	
Residential Condominiums - Total	435	485,003	\$ 79,306,200	198	0.15	0.14	\$182,313	\$164	1,115	
Condominium < 1,000 sq. ft.	187	156,568	\$ 26,933,700	64	0.11	0.14	\$144,030	\$172	837	
Condominium 1,000 - 1,499 sq. ft.	181	220,101	\$ 36,549,200	97	0.18	0.15	\$201,929	\$166	1,216	
Condominium 1,500 sq. ft. or More	67	108,334	\$ 15,823,300	37	0.18	0.11	\$236,169	\$146	1,617	
Two Unit Structure	290	296,510	\$ 43,617,200	156	0.18	0.18	\$150,404	\$147	1,022	
Multifamily Apartment	545	430,337	\$ 52,723,800	803	0.49	0.62	\$96,741	\$123	790	
Age-Restricted Senior Apartments	152	133,142	\$ 15,124,500	510	1.12	1.28	\$99,503	\$114	876	
All Other Apartments	393	297,195	\$ 37,599,300	293	0.25	0.33	\$95,673	\$127	756	
Manufactured Housing Without Land	72	64,533	\$ 3,549,500	51	0.24	0.26	\$49,299	\$55	896	
Manufactured Housing With Land	136	148,574	\$ 18,176,600	109	0.27	0.24	\$133,651	\$122	1,092	
Licensed Assisted Living & Nursing Home Beds	104	36,918	\$ 4,914,900	229	0.73	2.07	\$47,259	\$133	355	
<b>Total Residential Uses</b>	<b>8,120</b>	<b>11,541,907</b>	<b>\$ 2,030,925,400</b>	<b>5,258</b>	<b>0.22</b>	<b>0.15</b>	<b>\$250,114</b>	<b>\$176</b>	<b>1,421</b>	
<b>Private Sector, Non Residential Uses</b>										
<b>Commercial - Industrial Excluding Medical Centers</b>										
Retail, Restaurant, Lodging	---	1,312,307	\$ 144,432,500	601	---	0.15	---	\$110	---	
Office, Professional Bldg, Bank	---	258,075	\$ 40,788,200	113	---	0.15	---	\$158	---	
General Commercial & Services	---	289,954	\$ 29,476,600	139	---	0.16	---	\$102	---	
Private Institutional	---	159,550	\$ 21,581,300	119	---	0.25	---	\$135	---	
Industrial, Warehouse, Storage	---	550,546	\$ 35,325,400	64	---	0.04	---	\$64	---	
<b>Subtotal General Commercial-Industrial</b>	<b>---</b>	<b>2,570,432</b>	<b>\$ 271,604,000</b>	<b>1,036</b>	<b>---</b>	<b>0.13</b>	<b>---</b>	<b>\$106</b>	<b>---</b>	
<b>Total Residential &amp; Commercial-Industrial (Except Medical Centers)</b>	<b>8,120</b>	<b>14,112,339</b>	<b>\$ 2,302,529,400</b>	<b>6,294</b>	<b>---</b>	<b>0.15</b>	<b>---</b>	<b>\$163</b>	<b>---</b>	
Residential Share	---	82%	88%	84%						
Commercial-Industrial Share	---	18%	12%	16%						
<b>Other (High Call Generation)</b>										
Medical Centers with Walk-in Care	---	15,861	\$ 2,002,600	419	---	8.81	---	\$126	---	
<b>Total Private Development</b>	<b>8,120</b>	<b>14,128,200</b>	<b>\$ 2,304,532,000</b>	<b>6,713</b>	<b>0.28</b>	<b>0.16</b>	<b>\$250,114</b>	<b>\$163</b>	<b>1,421</b>	
<b>Other: Public Property, Undeveloped, Unassigned</b>										
Public Property / Governmental Use	---	371,264	\$ 79,272,800	228	---	0.20	---	\$214	---	
Undeveloped Land (No Building)	---	---	\$ 175,179,900	175	---	---	---	---	---	
No Specific Street Address	---	---	---	586	---	---	---	---	---	
<b>Total Other</b>	<b>---</b>	<b>371,264</b>	<b>\$ 254,452,700</b>	<b>989</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	
<b>Total Including Government</b>		14,499,464	\$ 2,558,984,700	7,702	---	---	---	---	---	

Note: Medical centers providing walk-in care were found to be uniquely high response generators. If these uses are excluded from the commercial sector count, the residential to commercial ratios of call volume are 84% residential / 16% commercial. If these uses were included within the commercial sector total, the ratios would be 78% residential / 22% commercial.

## List of Senior Housing (Age Restricted) and Licensed Care Facilities

Age Restricted Housing and Licensed Care Facilities in Windham - March 2020					
Property Name	St. No.	St. Name	Housing or Facility Type	Housing Units	Beds
<b>Senior Apartments</b>					
Little Falls Landing	3	Depot Street	Senior Apts Age 62+	24	---
New Marblehead Manor One	21	Oak Lane	Senior Apts Age 62+	20	---
New Marblehead Seniors	26	Sandbar Road	Senior Apts Age 62+	20	---
New Marblehead North	32	Sandbar Road	Senior Apts Age 62+	20	---
Unity Gardens	124	Tandberg Trail	Senior Apts Age 62+	24	---
Edgecomb Woods	124	Tandberg Trail	Senior Apts Age 62+	24	---
Marcus Woods	250	Tandberg Trail	Senior Apts Age 62+	20	---
<b>Licensed Care</b>					
15 Billabong Way	15	Billabong Way	Assisted Living/Res. Care	---	3
Bishop House & Windham Pines	11 & 20	Bishop Drive	Assisted Living/Res. Care	---	12
Windham House 1 & 2	53 & 55	Dusty Rhoades Lane	Assisted Living/Res. Care	---	4
Forbes Lane	109	Forbes Lane	Assisted Living/Res. Care	---	5
CASA V & VII	4 & 15	Quail Drive	Assisted Living/Res. Care	---	6
Windham Residential Care	495	River Road	Assisted Living/Res. Care	---	10
Ledgewood Manor	200	Tandberg Trail	Skilled Nursing	---	60
Timberhill House	17	Timberhill Road	Assisted Living/Res. Care	---	4
<b>Age-Restricted Condominiums</b>					
Abby Commons Retirement Community		Matinicus Way & Tarkill Way	Senior Duplex Condos	22	---
<b>Other Developments Under Construction, Approved, or Under Review</b>					
Woodside Condos Retirement Community		Conifer Drive	50 units approved & under construction	50	---
Cook Road Retirement Community	306	Gray Road	46 condo units approved	46	---
Sunrise Cove Retirement Community	19	Roosevelt Trail	62 Condo units under PB review	62	---

### Notes:

At the time the Fire-Rescue response data was collected Windham had:

- 152 senior apartments with occupancy restricted to age 62+
- 22 age-restricted condominium units
- 104 beds in licensed care (nursing homes, assisted living and residential care)

Information from the Planning Department showed another 158 age restricted housing units were either under construction, approved, or under review by the Town. Since these units were not occupied during the period the Fire-Rescue response data was collected, their effect on response rates is not reflected in the related tabulations.

## 2. Fire – Rescue Capital Facilities and Cost Allocation

### a. Fire-Rescue Station Space

Windham Fire-Rescue services are supported by four station locations and the capital equipment deployed at those locations.

Windham recently expanded its fire station space in South Windham by purchasing and refitting a building of 13,250 square feet, replacing a former building that was undersized for present day needs. The South Windham station space is shared with Gorham. The capital cost of the station is borne by Windham, but the two towns split the cost of the Tower 3 ladder truck that is stationed there. Debt service on the building will be fully amortized in 2037.

Windham Fire-Rescue Space in Central and Satellite Stations				
Fire-Rescue Facility	2014 Master Plan		2020 Conditions and Planned Space	
	2014 Conditions	Master Plan Long Term Space Need	2020 Conditions	With Central Station Expansion
Central Station	7,475	12,431	7,475	15,500
North Windham	8,008	7,774	8,080	7,774
South Windham	3,660	6,073	13,250	13,250
East Windham	5,700	6,437	5,700	5,700
<b>Total</b>	<b>24,843</b>	<b>32,715</b>	<b>34,505</b>	<b>42,224</b>

In the 2014 SMRT Space Needs Study, the North Windham station was found to have adequate floor area (though renovation may be required in the future). The East Windham station was anticipated to require an additional truck bay sometime in the future.

With the recent expansion in South Windham, and the anticipated

expansion of the Central Station, nearly all of the space needs of the department should be met for at least the next 20 years, though some improvements and renovation may be necessary at the North and East stations.

Floor Area Allocation - Existing Public Safety Building			
Space Usage	Fire-Rescue	Police	Total
Department-Specific	5,287	7,218	12,505
Shared & Circulation	2,188	2,189	4,377
<b>Total Area</b>	<b>7,475</b>	<b>9,407</b>	<b>16,882</b>

*Source: 2014 Municipal Facilities Master Plan, SMRT, Inc. The report shows a total Fire Department area of 7,475 square feet including an allocated share of the 4,377 square feet of shared and circulation space in the building. The 7,218 square feet shown in the report as occupied by the Police Department did not include a share of this commons space. It is estimated above based on subtraction.*

The total Fire-Rescue space within the existing Public Safety Building comprises 5,287 square feet including offices, support space and truck bays. Adding an allocation of half of the common area of the building (lobby, fitness, training room) and a share of circulation space brings its total to 7,475 square feet.

The 2014 Facilities Master Plan incorporated an analysis of future staffing and space needs, including anticipated needs to accommodate future staffing. The new station in South Windham and the planned expansion of the Public Safety Building fulfill the principal space needs identified in that plan.

Fire-Rescue space within the Central Station (part of the Public Safety Building) is slated for expansion during the 2020-2021 period. The renovation and expansion plan would bring total Fire-Rescue space to 15,500 square feet, a net increase of 8,025 square feet. The projected cost of the addition for the Central Fire Station portion of the site is \$3.9 million.

#### b. Capital Investment in Existing Facilities

Estimated Replacement Cost- Existing Fire-Rescue Stations	
Safety Building Est. Replacement Cost (1)	\$6,481,706
Land Value (Assessor)	\$108,600
Existing Capital Value	\$6,590,306
Allocated Share by Department	
Police Dept. @ 56%	\$3,690,571
<b>Fire-Rescue @ 44%</b>	<b>\$2,899,735</b>
<b>Substations</b>	
South Windham Fire Station (1)	\$2,192,257
North Windham Fire Station (2)	\$1,080,599
East Windham Fire Station (2)	\$690,029
Total Estimate Replacement Cost	\$3,962,885
Assessed value of land at three sites	\$630,000
<b>Substations Total</b>	<b>\$4,592,885</b>
Total Existing Fire Stations	<b>\$7,492,620</b>

(1) Construction cost in 1989 adjusted to 10/19 (R.S. Means Square Foot Cost Index)  
(2) Replacement cost based on 2020 insured value

The estimated capital investment in the existing fire stations includes a pro-rated share of the safety building plus the three substations.

Replacement costs of the fire stations have been estimated based on the higher of: (1) their time-adjusted original development cost or (2) their current insured value.

The total replacement cost of the fire stations, including an allowance for land value, is about \$7.5 million.

Replacement Cost of Major Capital Equipment - Windham Fire-Rescue						
Vehicle ID	Year	Station	Chassis	Body	Replacement Cost *	Replacement Year
Ambulance 1	2017	Central	Ford	Braun	\$ 204,260	2023
Ambulance 2	2017	North	Ford	Braun	\$ 212,597	2025
Ambulance 3	2010	Central	Chevy	Horton	\$ 201,554	2021
Car 1	2018		Ford	Interceptor	\$ 46,771	2025
Car 3	2016		Ford	Interceptor	\$ 42,560	2022
Car 4	2016		Ford	Interceptor	\$ 43,848	2023
Engine 5	1999	East	HME	Ferrara	\$ 592,000	2024
Engine 6	2016	North	Pierce	Pierce	\$ 610,000	2036
Engine 7	2006	Central	E-One	E-One	\$ 605,000	2021
Ladder 4	2004	North	E-One	E-One	\$ 1,300,000	2028
Tank 5	2008	Central	International	E-One	\$ 350,000	2033
Tower 3 @ 50% *	2001	South	E-One	E-One	\$ 750,000	2026
Traffic 12	2012	North	Ford	E-250	\$ 40,000	2027
Unit 10	2012	Central	Chevy	2500	\$ 47,579	2025
Unit 11	2019	East	Ford	F-550	\$ 20,000	2035
Unit 8	2012	South	Chevy	1500	\$ 47,579	2025
Unit 9	2012	North	Chevy	2500	\$ 46,627	2024
<b>Windham Fire-Rescue Total Replacement Cost *</b>					<b>\$ 5,160,375</b>	

\* Total replacement cost for Tower 3 housed in South Windham is \$1.5 million. 50% of this amount included above in recognition of 50/50 cost sharing agreement with Town of Gorham.

Source: Replacement schedule and cost provided by Windham Fire Chief

The replacement cost of major Fire-Rescue apparatus and vehicles is \$5.16 million.

The combined replacement cost for all Fire-Rescue facilities and major capital equipment is \$12.65 million.

The proposed Central Fire Station addition is projected to cost about \$3.86

million, bringing total capital investment to \$16.5 million. This amount is used as an estimate of the major Fire-Rescue capital investment required to support existing as well as anticipated development over the next 20 years.

### c. Base Year Space Deficiency

If there are base year deficiencies in the floor area of fire station facilities, it may be appropriate to provide for a credit within the impact fee formula to account for the cost that new development (those paying the impact fee) could incur to rectify existing deficiencies.

The impact fee model provides for two such credit allowances. The first is for a portion of the future debt service on the South Windham station. The second recognizes that the Central Station is undersized for current needs as measured by on the long term space standard indicated by the impact fee model.

The long term need identified in the Facilities Master Plan for the South Windham station was 6,073 square feet for long term future needs (20 year). The prior station provided only 3,660 square feet, representing need for expansion of 2,413 square feet to meet the demand of a 20-year horizon. About half of this need or about 1,200 square feet is attributable to base year requirements as of 2020. Since the new facility provides 13,250 square feet, about 9% of the development cost was related to expansion to meet base year 2020 needs. This portion is applied to the present value of future bond payments to derive a credit allowance. The credit is computed as:

<b>South Windham Station Credit Allowance</b>	
Present Value Future Debt Service @ 5%	\$1,207,270
Portion of Project to Meet 2020 Deficiency	9%
Credited Amount	\$108,654
Windham Taxable Valuation	\$2,306,602,500
Credit Per \$1,000 Valuation	(\$0.05)

The Fire Station space within the existing Safety Building is also undersized relative to design year needs based on our impact fee model. We estimate that about 2,473 square feet of station space (about 31% of the net new space to be provided) for Fire-Rescue is already needed for 2020 base year demands.

<b>Credit Allowance For Central Station Expansion</b>	
Central Fire Station Base Year Space Deficiency 2020 (Sq. Ft.)	(2,473)
Net New Space Created by Renovation/Expansion	8,025
Percent of Cost Related to Existing Deficiency	31%
Total Cost of Project	\$3,866,500
Cost Attributable to Existing Deficiency	\$1,198,615
Taxable Valuation	\$2,306,602,500
Credit Per \$1,000 Assessed	(\$0.52)

These credit allowances per \$1,000 assessed value are assigned to the average assessed values of various development categories in the next chart.

CREDIT ALLOWANCE FOR COST TO CURE PRE EXISTING SPACE DEFICIENCIES - FIRE-RESCUE			
Type of Development	Credit Allowance Central Station	Credit Allowance South Windham Station	Total Credit Allowance
Credit Allowance Per \$1,000 Valuation	(\$0.52)	(\$0.05)	(\$0.57)
<b>Residential Uses</b>			
<b>Average Dwelling Unit</b>	(\$132)	(\$13)	(\$145)
Single Family Detached	(\$148)	(\$14)	(\$162)
Townhouse	(\$95)	(\$9)	(\$104)
Two Unit Structure	(\$78)	(\$8)	(\$86)
Multifamily Apartment	(\$50)	(\$5)	(\$55)
Manufactured Housing	(\$70)	(\$7)	(\$77)
Senior Apartment	(\$52)	(\$5)	(\$57)
Nursing or Assisted Living Licensed Bed	(\$25)	(\$2)	(\$27)
<b>Non-Residential Uses Per Sq. Ft.</b>			
<b>Average Commercial-Industrial Use</b>	(\$0.06)	(\$0.01)	(\$0.07)
Retail-Food-Entertainment-Lodging	(\$0.06)	(\$0.01)	(\$0.07)
Office, Banks, Professional Services	(\$0.08)	(\$0.01)	(\$0.09)
Other General Commercial & Services	(\$0.05)	(\$0.01)	(\$0.06)
Industrial, Transportation, Whse, Storage	(\$0.03)	\$0.00	(\$0.03)
Private Institutional Uses Except Licensed Care	(\$0.07)	(\$0.01)	(\$0.08)

#### d. Fire-Rescue Impact Fee Model

The impact fee model for Fire-Rescue facilities estimates that the completion of the Central Fire Station expansion will bring total station space to a level that can serve a future service base of just over 10,000 housing units and about 3.6 million square feet of private sector commercial development.

Under this assumption, the indicated space standard for the floor area of Windham fire stations is 4.24 square feet per housing unit. At the same standard, current facilities have a slight surplus of station space due to the South Windham station's floor area, which exceeds the need identified in the 2014 facilities plan. The Central Station is undersized by about 2,473 square feet.

Capital investment in major apparatus is assumed to be constant over the period. The total capital costs supporting "design year" needs is estimated at \$16.5 million. That amount is split between the residential and commercial sectors at an 80% / 20% allocation. The average cost per housing unit is estimated at \$1,319 and the average capital cost to serve commercial property is assigned at \$0.92 per square foot.

The average residential cost per unit is assigned by structure type based on relative estimated household size. Special adjustments are made for the higher response rates identified for senior apartments and licensed care facilities.

The average commercial cost per square foot is adjusted according to relative response rates for the subcategories. These adjustment ratios were computed after excluding medical facilities with walk-in care from the average response rate estimate.

Deducting the credit allowances from the capital cost assignments yields the impact fee. Residential fees are shown per living unit and per square foot. The fees per square foot are based on the fee per dwelling unit divided by the average living area per unit in Windham properties.

WINDHAM FIRE-RESCUE IMPACT FEE - CAPITAL COST ASSIGNMENT			
Service Demand Factor	Estimated Base Year 2020	Estimated Service Capacity of Expanded Facilities	Change from Base Year
<b>RESIDENTIAL SECTOR</b>			
Total Population	18,439	21,815	3,376
Group Quarters Population	800	946	146
Household Population	17,639	20,868	3,229
Households (Occupied Units)	7,134	8,918	1,784
Average Household Size	2.47	2.34	-0.13
Total Housing Units	8,016	10,020	2,004
<b>NON-RESIDENTIAL SECTOR</b>			
Local Private Sector Employment	4,936	6,736	1,800
Employment to Household Population Ratio	0.28	0.32	
Private Non-Residential Floor Area Total	2,623,200	3,580,000	956,800
Private Non-Residential Uses: Floor Area Per Employee	531	531	
Commercial Sq. Feet Per Housing Unit	327	357	
<b>Floor Area of Facilities</b>	Existing Station Space (4 Locations)	Total Space Available with Central Station Expansion	Change from Base Year
Fire Stations Floor Area (Includes Bays, Common Area)	34,433	42,458	8,025
Station Space Required Per Housing Unit	4.24	4.24	
2020 Station Space Total Needed @ Planning Standard	33,988		
Overall Base Year Space (Deficiency) or Surplus	445		
Central Station Base Year Space Deficiency	(2,473)		
Capital Investment in Fire-Rescue Facilities and Equipment		Total Capital Investment	
Central Fire Station (Prorated Portion of Safety Building Replacement Cost)		\$2,899,735	
Fire Department Portion of Central Station Improvements 2020-2021		\$3,866,500	
Substations (South, North, & East Windham)		\$4,592,885	
Major Apparatus & Vehicles - Replacement Cost		\$5,160,375	
<b>Total Capital Investment Serving Design Year Needs</b>		<b>\$16,519,495</b>	
<b>Public Safety Demand By Sector - Fire-Rescue Allocation by Demand Sector</b>	Cost Allocation by Sector		
Residential Share of Demand	80%		
Non-Residential Share of Demand	20%		
Apportioned to Residential Development	\$13,215,596		
Apportioned to Commercial Development	\$3,303,899		
Residential Capital Cost Per Housing Unit	<b>\$1,319</b>		
Commercial Capital Cost Per Square Foot	<b>\$0.92</b>		

<b>PUBLIC SAFETY FACILITY COSTS PER UNIT OF DEVELOPMENT - FIRE-RESCUE DEPARTMENT</b>				
<b>Residential Capital Cost Per Dwelling Unit</b>	Avg Household Size	Capital Cost Impact Per Unit		
Average Dwelling Unit	2.42	\$1,319		
Single Family Detached	2.55	\$1,392		
Townhouse / Attached	2.13	\$1,158		
Two Unit Structure	2.13	\$1,158		
Multifamily Apartment	1.51	\$823		
Manufactured Housing	1.91	\$1,041		
Senior Apartment and Assisted Living	Adjustment Factor			
Senior Apartments (55+ or 62+)	2 x avg multifamily apt	\$1,646		
Nursing or Assisted Living Licensed Bed	2 x average senior apt	\$3,292		
<b>Commercial Capital Cost Per Square Foot</b>	Non-Residential FD Call Multiplier	Capital Cost Per Sq. Ft.		
Average Commercial Use (Default)	1.00	\$0.92		
Retail-Food-Entertainment-Lodging	1.15	\$1.06		
Office, Banks, Professional Services	1.15	\$1.06		
Other General Commercial & Services	1.23	\$1.13		
Industrial, Transportation, Whse, Storage	0.31	\$0.29		
Private Institutional Except Licensed Care	1.92	\$1.77		
<b>Credit Allowances for Base Year Deficiency and Net Impact Fee</b>				
<b>Residential Uses</b>	Avg Assessed Value Per Dwelling Unit	Credit Allowances	Impact Fee Per Unit	Impact Fee Per Square Foot of Living Area
Average Dwelling Unit	\$253,000	(\$145)	\$1,174	\$0.82
Single Family Detached	\$284,000	(\$162)	\$1,230	\$0.79
Townhouse / Attached	\$182,000	(\$104)	\$1,054	\$0.95
Two Unit Structure	\$150,000	(\$86)	\$1,072	\$1.05
Multifamily Structure	\$97,000	(\$55)	\$768	\$0.97
Manufactured Housing	\$134,000	(\$77)	\$964	\$0.88
Senior Apartments (55+ or 62+)	\$100,000	(\$57)	\$1,589	\$1.81
Nursing or Assisted Living Licensed Bed	\$48,000	(\$27)	\$3,265	\$9.20
<b>Commercial Uses</b>	Avg Assessed Value Per Sq. Ft.	Credit Per Sq. Foot	Fee Per Square Foot	
Average Commercial Use (Default)	\$106	(\$0.07)		\$0.85
Retail-Food-Entertainment-Lodging	\$110	(\$0.07)		\$0.99
Office, Banks, Professional Services	\$158	(\$0.09)		\$0.97
Other General Commercial & Services	\$102	(\$0.06)		\$1.07
Industrial, Transportation, Whse, Storage	\$64	(\$0.03)		\$0.26
Private Institutional Except Licensed Care	\$135	(\$0.08)		\$1.69

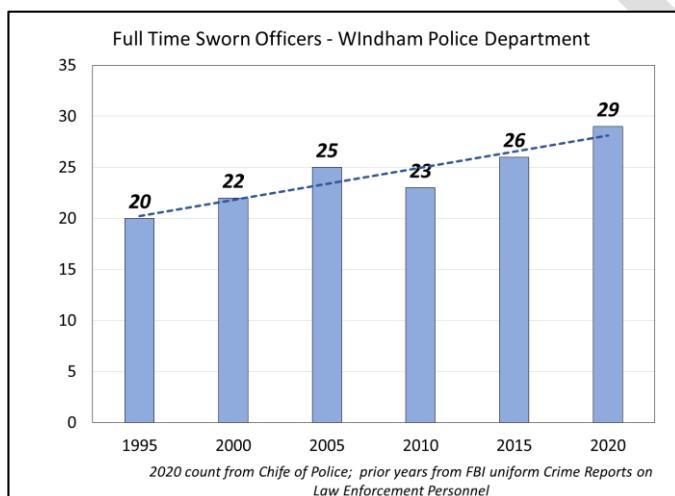
### 3. Police Department Capital Facilities and Cost Allocation

#### a. Proportionate Demand

The estimated demand on Police Department service and facilities were estimated previously in this report as 74% residential and 26% commercial. A combination of weighted factors including assessed valuation, floor area of buildings, population vs. resident population, and estimated share of calls for service were used to make this assignment.

#### b. Existing Facility Space

The Police Department occupies an area of 7,218 square feet within the Public Safety Building based on the 2014 Municipal Facilities Master Plan. Adding half of the shared common area and circulation space within the building to this figure yields a total of 9,407 square feet as the total floor area supporting Police Department needs in 2020.



The number of sworn officers in the Department has increased by 32% over the last 20 years.

Current staffing of the Police Department includes 32 full time employees of which 29 are sworn officers.

The proposed expansion of Police Department space is estimated to provide capacity for 40 full time employees (a 25% increase).

#### c. Replacement Cost of Facilities and Department Vehicles

Estimated Replacement Cost- Existing Police Station	
Safety Building Est. Replacement Cost (1)	\$6,481,706
Land Value (Assessor)	\$108,600
Existing Capital Value	\$6,590,306
Allocated Share by Department	
Police Dept. @ 56%	<b>\$3,690,571</b>
Fire-Rescue @ 44%	\$2,899,735

(1) Construction cost in 1989 adjusted to 10/19 (R.S. Means Square Foot Cost Index)

Using the method described in the prior section, the prorated replacement cost of the existing Police Station space within the existing safety building is about \$3.7 million.

Based on the current inventory of Police Department vehicles, and

their year of acquisition, we assumed an average annual cost increase of 5% to estimate the 2020 replacement costs of the fleet at \$852,000. (This is a conservative figure, as additional

vehicles will be needed in the future to support a higher number of officers). The total capital value of the existing station space and department vehicles is estimated at \$4.54 million.

d. Proposed Expansion of Police Department Space

The expansion of the Police Department will be enabled by construction of a Central Fire Station addition, allowing the Police Department to occupy all of the area within the existing safety building. This would bring the floor area available to the Police Department (including the areas presently used in common with Fire-Rescue) to over 16,000 square feet.

The projected cost of improvements needed to expand Police Department space \$1.215 million. Adding this to the existing capital investment of \$4.45 million yields a total of \$5.665 million as the total capital investment needed to serve existing and future needs over the next 20 years. The Facilities Master Plan indicates that the expanded functional area should be capable of supporting full time Police Department employment of up to 40 (officers and civilians).

e. Base Year Space Deficiency

Using the impact fee model, we presume that the expanded Police Station will meet a 20 year design need. Total space in the existing safety building will be devoted to the Police Department, providing about 16,532 square feet of floor area. (This includes space that was previously used in common with the Police Department.)

When related to the projected service base of the expanded station over a 20-year horizon, the expanded facility would provide 409 square feet of facility space per full time employee. The present facility, including common area space, provides only 294 square feet per full time employee.

Applying the space standard to the current (2020) staffing of the department, the Police Station needs an additional 3,675 square feet to meet current demands. This represents 53% of the net new space that will be provided within the building for the Police Department.

**Credit Allowance for Police Station Expansion**

Police Department Floor Area (Includes Share of Common Space)	9,407
Space Deficiency in Base Year 2020	3,675
Expanded Facility Square Feet for Police Dept	16,352
Net Increase in Floor Area	6,945
Percent of Project Cost to Cure Baseline Deficiency	53%
Total Cost of Police Station Improvements	\$1,215,375
Proportionate Cost to Cure Baseline Space Deficiency	\$644,149
Total Taxable Valuation 2019	\$2,306,602,500
Credit Per \$1000 valuation	\$0.28

The related credit for existing deficiencies is calculated at \$0.28 per \$1,000 assessed valuation. Credit allowances are computed below based on the average assessed valuation of existing

properties in Windham. The impact fee is computed by deducting the credit allowances from the proportionate capital cost assigned to the use.

CREDIT ALLOWANCES FOR POLICE STATION BASE YEAR DEFICIENCY		
Type of Development	Assessed Valuation	Credit Allowance for Base Year Deficiency
<b>Residential Uses Per Dwelling Unit</b>		
<b>Average Dwelling Unit</b>	\$253,000	(\$71)
Single Family Detached	\$284,000	(\$80)
Townhouse	\$182,000	(\$51)
Two Unit Structure	\$150,000	(\$42)
Multifamily Structure	\$97,000	(\$27)
Manufactured Housing	\$134,000	(\$38)
Senior Apartment (55+ or 62+)	\$100,000	(\$28)
Nursing or Assisted Living Bed	\$48,000	(\$13)
<b>Non-Residential Uses Per Sq. Ft.</b>		
Average Commercial Use (Default)	\$106	(\$0.03)
Retail-Food-Entertainment-Lodging	\$110	(\$0.03)
Office, Banks, Professional Services	\$158	(\$0.04)
Other General Commercial & Services	\$102	(\$0.03)
Industrial, Transportation, Whse, Storage	\$64	(\$0.02)
Private Institutional Except Licensed Care	\$135	(\$0.04)

#### f. Police Department Impact Fee Model

The Police Department impact fee model is based on the same future development assumptions that were used for the Fire-Rescue fee.

The facility standard is based on capacity to support 40 full time employees, indicating an average of just under four full time persons (3.99) per 1,000 housing units. Space provided for the design year would average 409 square feet per full time employee. At the same space ratio, applied to current department employment, the existing floor area available to the Police Department is deficient by 3,675 square feet.

The total capital investment in Police Department facilities (inclusive of the proposed renovation and expansion) and vehicle inventory is \$5.76 million. That amount is allocated to residential and commercial demand at a ratio of 76% residential, 24% commercial. The resulting capital investment to serve the design year is \$437 per housing unit and \$0.39 per square foot of commercial space.

Average residential cost per unit are assigned to typical structure types based on relative estimated household size. Average capital costs assigned to commercial uses are at a uniform rate per square foot. There was insufficient data to make special adjustments based on relative Police Department call frequency by land use.

POLICE DEPARTMENT - CAPITAL COST ASSIGNMENT			
Service Demand Factor	Estimated Base Year 2020	Estimated Service Capacity of Expanded Facility	Change from Base Year
<b>RESIDENTIAL SECTOR</b>			
Total Population	18,439	21,815	3,376
Group Quarters Population	800	946	146
Household Population	17,639	20,868	3,229
Households (Occupied Units)	7,134	8,918	1,784
Average Household Size	2.47	2.34	-0.13
Total Housing Units	8,016	10,020	2,004
<b>NON-RESIDENTIAL SECTOR</b>			
Local Private Sector Employment	4,936	6,736	1,800
Employment to Household Population Ratio	0.28	0.32	
Private Non-Residential Floor Area Total	2,623,200	3,580,000	956,800
Private Non-Residential Uses: Floor Area Per Employee	531	531	
Commercial Sq. Feet Per Housing Unit	327	357	
<b>Police Department Staffing</b>			
Full Time Staff including Officers	32	40	<i>Ratio of 2020 staff per 1000 housing units held constant base year to design year</i>
Full Time Staff Per 1000 Population	1.74	1.83	
Full Time Staff Per 1000 Housing Units	3.99	3.99	
<b>Floor Area of Facilities</b>	Estimated 2020	Space After Expansion	Change from Base Year
Department Space Including Common Area	9,407	16,352	6,945
Floor Area Per Full Time Employee	294	409	115
Min. Base Year Space Needed at Capacity Standard	13,082	(space std per employee)	
2020 Floor Area Deficiency Relative to Standard	(3,675)		
<b>Capital Investment Police Department</b>		Police Facility Capital Investment	
Police Station (PD Portion of Safety Building Replacement Cost)		\$3,690,571	
Proposed Addition/Renovation		\$1,215,375	
Attributed Building Costs - Police Department		\$4,905,946	
Police Department Cruisers and Vehicles		\$852,127	
<b>Total Capital Investment Serving Design Year Needs</b>		<b>\$5,758,073</b>	
<b>Public Safety Demand By Sector - Police Department</b>		Cost Allocation by Sector	
Residential Share of Demand		76%	
Non-Residential Share of Demand		24%	
Apportioned to Residential Development		\$4,376,135	
Apportioned to Commercial Development		\$1,381,938	
Residential Capital Cost Per Housing Unit Horizon Year		<b>\$437</b>	
Commercial Capital Cost Per Square Foot Horizon Year		<b>\$0.39</b>	

<b>PUBLIC SAFETY FACILITY COSTS PER UNIT OF NEW DEVELOPMENT - POLICE DEPARTMENT</b>			
<b>Residential Capital Cost Per Unit</b>	Estimated Average Household Size	Capital Cost Per Unit (1)	
Average Dwelling Unit	2.47	\$437	
Single Family Detached	2.55	\$452	
Townhouse / Attached	2.13	\$376	
Two Unit Structure	2.13	\$376	
Multifamily Structure	1.51	\$267	
Manufactured Housing	1.91	\$338	
Senior Apartment (55+ or 62+)	same as multifam	\$267	
Nursing or Assisted Living Licensed Bed	same as multifam	\$267	
<b>Commercial Cost Per Square Foot</b>	Non-Residential PD Call Multiplier	Capital Cost Per Sq. Ft.	
Average Commercial Use		\$0.39	
Retail-Food-Entertainment-Lodging		\$0.39	
Office, Banks, Professional Services		\$0.39	
Other General Commercial & Services		\$0.39	
Industrial, Transportation, Whse, Storage		\$0.39	
Private Institutional Except Licensed Care		\$0.39	
<b>Credit Allowances and Net Impact Fee Assessment</b>		<b>Impact Fee Schedule Per Dwelling Unit</b>	<b>Impact Fee Schedule Per Sq. Ft. Living Area</b>
<b>Residential Uses</b>	Avg Assessed Valuation per Unit	Credit Allowance Per Housing Unit	
Average Dwelling Unit	\$253,000	(\$71)	\$0.26
Single Family Detached	\$284,000	(\$80)	\$0.24
Townhouse / Attached	\$182,000	(\$51)	\$0.29
Two Unit Structure	\$150,000	(\$42)	\$0.33
Multifamily Structure	\$97,000	(\$27)	\$0.30
Manufactured Housing	\$134,000	(\$38)	\$0.27
Senior Apartment (Age 55+ or 62+)	\$100,000	(\$28)	\$0.27
Licensed Care Nursing or Assisted Living Bed	\$48,000	(\$13)	\$0.72
<b>Commercial Uses</b>	Avg Assessed Value Per Sq. Ft.	Credit Per Sq. Foot	<b>Fee Per Square Foot</b>
Average Commercial Use (Default)	\$106	(\$0.03)	\$0.36
Retail-Food-Entertainment-Lodging	\$110	(\$0.03)	\$0.36
Office, Banks, Professional Services	\$158	(\$0.04)	\$0.35
Other General Commercial & Services	\$102	(\$0.03)	\$0.36
Industrial, Transportation, Whse, Storage	\$64	(\$0.02)	\$0.37
Private Institutional Except Licensed Care	\$135	(\$0.04)	\$0.35

g. Impact Fee Total for Public Safety Facilities

For residential development, the public safety impact fee could be assessed as a standard amount per housing unit by structure type, or assessed as a fee per square foot of living area. The fees per square foot are based on the average size of for each type of dwelling listed in the fee schedule. Commercial fees are assessed per square foot.

<b>Use Category</b>	<b>Public Safety Impact Fee</b>			
	Police	Fire-Rescue	Total Public Safety Fee Per Dwelling Unit	Safety Fee Per Square Foot Living Area
<b>Residential Uses</b>				
Average Dwelling Unit	\$366	\$1,174	\$1,540	\$1.08
Single Detached	\$372	\$1,230	\$1,602	\$1.03
Townhouse	\$325	\$1,054	\$1,379	\$1.24
Two Unit Structure	\$334	\$1,072	\$1,406	\$1.38
Multifamily Apartment	\$240	\$768	\$1,008	\$1.27
Manufactured Housing	\$300	\$964	\$1,264	\$1.15
Senior Apartments (55+ or 62+)	\$239	\$1,589	\$1,828	\$2.08
Nursing or Assisted Living Licensed Bed	\$254	\$3,265	\$3,519	\$9.92
<b>Commercial Uses</b>	Police	Fire		Safety Fee Per Square Foot
Average Commercial Use (Default)	\$0.36	\$0.85		\$1.21
Retail-Food-Entertainment-Lodging	\$0.36	\$0.99		\$1.35
Office, Banks, Professional Services	\$0.35	\$0.97		\$1.32
Other General Commercial & Services	\$0.36	\$1.07		\$1.43
Industrial, Transportation, Whse, Storage	\$0.37	\$0.26		\$0.63
Private Institutional Except Licensed Care	\$0.35	\$1.69		\$2.04

## D. Town Hall and Community Center

The Town Hall and Community Center houses the central municipal administrative functions of Windham including the offices of the Town Manager, Finance Department, Planning, Economic Development, Assessor, Town Clerk, Finance, Building and Grounds, and the Recreation Department and gymnasium.

The structure of the impact fee model for the Town Hall follows the same format as that of the public safety facilities, with one exception. The future service base for the expanded Town Hall at 30,000 square feet is likely to be greater than that of the expanded safety buildings. Therefore the impact fee is based on assumptions of a larger number of housing units and more commercial floor area than was assumed for the capacity of the Police and Fire-Rescue facilities.

### 1. Proportionate Demand

The 2014 space needs assessment indicates that the total area within the Town Hall is 23,155 square feet of which 7,466 square feet (32%) is occupied by the Parks and Recreation Department and a gymnasium.

There are no direct measures of demand on municipal office facilities. Indirect measures for the residential vs. commercial demand on services and facilities included the used included real estate assessed valuation by sector, floor area of buildings, and population vs. resident population. The average of these three factors is 82% residential and 18% commercial.

To assign the proportionate residential vs. commercial demand on the Town Hall, we applied a 100% residential demand factor to the Recreation Department and gym portion of the space, and an 82% residential demand to the balance of the space in the building. The adjusted demand ratio applied in the impact fee model is 88% residential and 12% commercial to allocate capital costs between the two development sectors.

### 2. Capacity Estimates and Space Standard

The Facilities Master Plan indicated a long term need for a gross building area of 26,349 square feet including common areas and circulation space.<sup>2</sup> That projected floor area was estimated to be sufficient to support up to 48 full time equivalent employees, indicating an effective gross floor area ratio of 549 square feet per full time equivalent position.

The proposed renovation and expansion of the Town Hall includes adding a second floor to the one-story annex section of the building. Following the proposed expansion and renovation of

<sup>2</sup> Total of department area totals (pages 43-52) plus 3,736 square feet for “shared resources” for common areas, bathrooms, and utilities, (page 53) = grand total of 26,349 square feet.

the building, the Town Hall is projected to provide 30,000 square feet of space. Since that floor area exceeds the projected long term needs shown in the 2014 facilities analysis, it should support a higher number of full time personnel. At the ratio of 549 square feet per employee, this amount of space would be capable of supporting up to 54.6 full time equivalent personnel.

Full Time Employees at Windham Town Hall			
Department/Function	2014 *	2020	20-Yr Design Assumption *
Town Manager	6	6	9
Information Technology	2	2	3
Town Clerk	5	4	7
Tax Collection	4	4	6
Code Enforcement	3	5	5
Planning	4.5	3.5	5.5
Assessor	4	5	5
Economic Development	1.5	1.5	1.5
Buildings and Grounds	6	8	6
<b>Total</b>	<b>36.0</b>	<b>39.0</b>	<b>48.0</b>

\* From SMRT Space Needs Study, Sept. 2014

At the time of the 2014 Facilities Master Plan study, the Town Hall supported a full time equivalent staff of 36. As of 2020 full time staffing at the Town Hall numbers 39 employees.

At 30,000 square feet, the expanded Town Hall could potentially support staffing of up to 54.6 full time equivalent personnel.

At present there are an estimated 8,016 housing units in Windham. The 2020 Town Hall staffing ratio is 4.9 FTE per 1,000 housing units. If the expanded Town Hall space provides 30,000 square feet, and staffing remains proportionate to the number of housing units in Windham in the future, a service base of 11,143 housing units could be supported by the expanded building.

Based on its gross floor area, the existing Town Hall space has an overall quantity of floor area per full time employee to meet existing base year needs, but configuration and adjacency issues are present that limit the efficient use of the building. However, based on the long term planning assumptions of the impact fee model, there is no need to provide a credit allowance for an overall space deficiency.

The capacity of an expanded Town Hall of 30,000 square feet, based on development assumptions for the future, would serve a larger service base than assumed for the public safety buildings. The capital cost allocation of space and capital costs is therefore distributed across more future housing units and commercial floor area than were assumed as design year conditions for the safety facilities.

### 3. Capital Cost of Facility and Impact Fee Model

The replacement cost of the existing Town Hall facility has been estimated in two ways. First, we used the Town's fixed asset records to identify past investments in the building which that were with a long term useful life of at least 40 years. The fixed asset records of the Town

show original costs for construction of the building dating back 60 to 80 years. The history of the building goes back even further to the site's original use as a high school. The most recent major renovations to the building were made in 2006 and 2007.

A second estimate is provided by the 2020 insured value of the building. Insured values tend to reflect only a portion of total development costs, as they may include assumptions about residual salvage value in the event of a loss, and may not account for site development costs. T

When time adjusted to estimate current comparable construction costs, the selected estimated construction expenditures would be about \$5.62 million for the 23,155 square foot building. These costs do not include other investments made over the years in other aspects of the building. Adding an allowance for land value (assessed value) yields an estimated replacement cost of \$5.71 million in today's dollars.

<b>Estimated Replacement Cost - Existing Town Hall Facility</b>			
building Asset	Year Placed in Service	Original Cost	RSM Adjusted Cost Oct 2019
Construction	1940	\$89,992	\$3,271,209
Construction	1960	\$133,000	\$1,648,142
Annex Renovation	2006	\$250,301	\$390,490
Building Renovation	2007	\$210,614	\$309,953
		Building Total	\$5,619,794
		Land Value	\$95,600
		<b>Total</b>	<b>\$5,715,394</b>

As of 2020, the insured value of the building is \$4.522 million. With land value added, its minimum replacement cost would be \$4.62 million. Averaging the two estimates produces an estimated replacement cost of \$5.17 million, which has been incorporated into the impact fee model (about \$223 per square foot).

Proposed construction and renovation (2020 to 2021) will result in added floor area that will bring the total facility size to about 30,000 square feet. The estimated construction cost for the expansion is \$1.786 million or about \$275 per square foot of new space.

The total capital value assigned to the expanded facility (existing plus proposed investment) equals \$5.166 million plus the new space at \$1.786 million = \$6.952 million. Averaged across a 30,000 square foot building, this would represent a total cumulative investment in the overall facility that averages about \$232 per square foot.

The impact fee model for the Town Hall follows the same general format as those of the safety facilities, though it assumes a larger future service base for town administrative functions. There are no special adjustments provided for individual use categories as there is no data to support higher vs. lower levels of demand on the facility from specific land uses.

MUNICIPAL OFFICE CAPITAL COST ASSIGNMENT AND IMPACT FEE			
Service Demand Factor	Estimated Base Year 2020	Estimated Service Capacity of Expanded Facility	Change from Base Year
<b>RESIDENTIAL SECTOR</b>			
Total Population	18,439	24,279	5,840
Group Quarters Population	800	1,054	254
Household Population	17,639	23,225	5,586
Households (Occupied Units)	7,134	9,925	2,791
Average Household Size	2.47	2.34	-0.13
Total Housing Units	8,016	11,152	3,136
<b>NON-RESIDENTIAL SECTOR</b>			
Local Private Sector Employment	4,936	7,497	2,561
Employment to Household Population Ratio	0.28	0.32	0.04
Private Non-Residential Floor Area Total	2,623,200	3,984,448	1,361,248
Private Non-Residential Uses: Floor Area Per Employee	531	531	0
Commercial Sq. Feet Per Housing Unit	327	357	0
<b>Floor Area of Facilities</b>	Existing Floor Area	Town Hall Building After Expansion	Change from Base Year
Floor Area of Municipal Office / Community Center	23,155	30,000	6,845
Design Standard (Space Per Full Time Employee)		549	
Maximum Employees Supportable with Expansion		54.6	
Current Full Time Employees at Town Hall	39.0	---	
Town Hall Employees Per 1000 Housing Units (2020 Ratio)	4.9	4.9	at 2020 ratio
Town Hall Employees Per Thousand Population	2.1	2.3	
<b>Building Cost for Municipal Office / Community Center</b>	Total Capital Investment		
Existing Municipal Office / Community Center Building	\$5,166,509		
Proposed Expansion / Improvements 2020-2021	\$1,785,850		
Total Capital Investment - Municipal Office	\$6,952,359		
<b>Demand on Municipal Office / Community Center</b>	Cost Allocation by Sector		
Residential Share of Demand	88%		
Non-Residential Share of Demand	12%		
Apportioned to Residential Development	\$6,118,076		
Apportioned to Commercial Development	\$834,283		
Residential Capital Cost Per Housing Unit	\$549		
Commercial Capital Cost Per Square Foot	\$0.21		
<b>Residential Capital Cost Per Dwelling Unit</b>	Avg Household Size	Impact Fee Per Housing Unit	Impact Fee Per Sq. Ft.
Average Dwelling Unit	2.42	\$549	\$0.38
Single Family Detached	2.55	\$579	\$0.37
Townhouse / Attached	2.13	\$482	\$0.43
Two Unit Structure	2.13	\$482	\$0.47
Multifamily Apartment	1.51	\$343	\$0.43
Manufactured Housing	1.91	\$433	\$0.40
Senior Apartments (55+ or 62+)	same as multifamily	\$343	\$0.39
Nursing or Assisted Living Licensed Bed	same as multifamily	\$343	\$0.97
<b>Commercial Capital Cost Per Square Foot</b>	Impact Fee Per Square Foot		
Average Commercial Use (Default)	\$0.21		
Retail-Food-Entertainment-Lodging	\$0.21		
Office, Banks, Professional Services	\$0.21		
Other General Commercial & Services	\$0.21		
Industrial, Transportation, Whse, Storage	\$0.21		
Private Institutional Except Licensed Care	\$0.21		

## E. Summary Impact Fee Schedules

The impact fee schedules supported by this report are summarized below. Note that all impact fees for residential uses are shown as amounts *per dwelling unit and per square foot of living area*, providing two options for their assessment. Assessments per dwelling unit offer a predictable amount per unit, while the square foot method allows the fee to vary with the living area of the dwelling unit.

Residential uses that generate above average Fire-Rescue call volume per living unit include senior apartments and particularly assisted living or nursing home beds or units. The public safety impact fees for these living situations are adjusted to reflect their relative annual response demand per unit. For example, senior apartments have a about twice that of an average apartment, reflecting the more advanced ages of the residents. Assisted living beds providing licensed personal care showed a response rate that is twice that of senior apartments.

Similarly, commercial uses with higher or lower than average response rates per thousand square feet have fees that are adjusted to reflect those differences. In the commercial sector, particularly high response rates were noted earlier in the report for medical service centers with walk-in care due to ambulance transport. Given their unique demands, impact fees for these “special generator” could be based on a negotiated fee amount rather than based on a standardized fee schedule.

Impact Fee Schedule for Public Safety Facilities and Municipal Offices - Windham Maine 2020						
Use Category	Public Safety Impact Fee				Municipal Office Impact Fee	
	Police	Fire-Rescue	Total Public Safety Fee Per Dwelling Unit	Safety Fee Per Square Foot Living Area	Per Dwelling Unit	Per Sq. Ft. Of Living Area
<b>Residential Uses</b>						
Average Dwelling Unit	\$366	\$1,174	\$1,540	\$1.08	\$549	\$0.38
Single Detached	\$372	\$1,230	\$1,602	\$1.03	\$579	\$0.37
Townhouse	\$325	\$1,054	\$1,379	\$1.24	\$482	\$0.43
Two Unit Structure	\$334	\$1,072	\$1,406	\$1.38	\$482	\$0.47
Multifamily Apartment	\$240	\$768	\$1,008	\$1.27	\$343	\$0.43
Manufactured Housing	\$300	\$964	\$1,264	\$1.15	\$433	\$0.40
Senior Apartments (55+ or 62+)	\$239	\$1,589	\$1,828	\$2.08	\$343	\$0.39
Nursing or Assisted Living Licensed Bed	\$254	\$3,265	\$3,519	\$9.92	\$343	\$0.97
<b>Commercial Uses</b>	Police	Fire-Rescue		Safety Fee Per Square Foot		
Average Commercial Use (Default)	\$0.36	\$0.85		\$1.21		
Retail-Food-Entertainment-Lodging	\$0.36	\$0.99		\$1.35		\$0.21
Office, Banks, Professional Services	\$0.35	\$0.97		\$1.32		\$0.21
Other General Commercial & Services	\$0.36	\$1.07		\$1.43		\$0.21
Industrial, Transportation, Whse, Storage	\$0.37	\$0.26		\$0.63		\$0.21
Private Institutional Except Licensed Care	\$0.35	\$1.69		\$2.04		\$0.21

For land uses that are not easily categorized in one of the structural or use categories of the fee schedule, the “default” impact fees for the average dwelling unit or the average commercial use per square foot could be applied.

## F. Statutory Authorization and Impact Fee Ordinance

### 1. Statutory Guidelines

Maine Revised Statutes Annotated (MRSA) 30-A 4354 provides minimal statutory guidelines for the assessment of impact fees. The statute provides that infrastructure subject to impact fees may include *but is not limited to*: wastewater collection and treatment facilities; municipal water facilities; solid waste facilities; public safety equipment and facilities; roads and traffic control devices; parks and open space or recreational areas; and school facilities.

While the statute specifically mentions public safety equipment and facilities, it does not exclude municipal office facilities from assessment since the fees are not limited to the listed infrastructure categories. In nearby New Hampshire, fees for municipal offices are specifically authorized by statute and have been adopted in several instances.

Other general guidelines from the statute include:

1. Fees may be imposed either before or after completing related infrastructure improvements (that is, recoupment of prior investment is permissible);
2. The amount of the fee must be reasonably related to a development's share of the cost of infrastructure improvements made necessary by the development, or to the portion of the infrastructure that will be used by the development.
3. The fee income must be segregated from general revenues and expended solely for the purposes for which they were collected.
4. The impact fee ordinance must establish a reasonable schedule under which the municipality is required to use the funds in a manner consistent with the capital investment component of the comprehensive plan.
5. The ordinance must also provide for refunds of impact fees paid which were not expended within the established schedule, or that exceeded the municipality's actual costs.

### 2. Review of Ordinance Provisions

#### a. Facility Categories for Impact Fee Assessment

The Windham Land Use Ordinance, Section 1200 outlines the Town's administrative framework for impact fees. Specific subsections provide particular standards, methods, or references to

separately documented methodologies by which individual fee categories will be calculated. Current impact fees authorized by the Town include:

- North Windham Sidewalk Impact Fee
- Recreation Impact Fee
- North Route 302 Road Improvement Impact Fee
- Open Space Impact Fee

In order to implement the Public Safety Impact Fee and the Town Hall and Community Center Impact fee, parallel sections will need to be added to Section 1200 to authorize their assessment.

b. Schedule for Improvements

MRSA 30-A: 4354 B provides that the impact fee ordinance should establish a reasonable schedule under which the municipality is required to use the funds "...in a manner consistent with the capital investment component of the comprehensive plan."

The 2016 Windham Comprehensive Plan Update contains a section (page 146) entitled Fiscal Capacity and Capital Investment Plan, which in turn refers to an Appendix F (Town Council's Strategic Plan for the period October 1, 2015 through June 30, 2018) and a Capital Plan Summary 2012-2024.

In this Comprehensive Plan section and the related Appendix we find no specific reference to the expansion of public safety facilities or the Town Hall and Community Center, though the document may be amended annually.

Section 1200, however, contains a general requirement that requires any fees not spent or obligated by the end of the calendar year immediately following ten (10) years from the date the fee was paid shall be refunded, providing an effective limit on the time for which impact fees may be held prior to expenditure.

c. Recipient of Impact Fee Refunds

Section 1201 F. 2. Provides for the refund of impact fees that have held by the Town in excess of the 10 year period provided for expenditure or obligation of funds. This section specifically provides that any such refund will be returned to "...the developer or its designee without interest."

Under 1201 F. 1 refunds can be made to a developer if a building permit lapses without commencement of construction. In such case, a refund to a developer is probably appropriate.

However, for other cases where the holding period of the fee has “timed out” after 10 years, the original developer would no longer control ownership of the property for which the impact fee was paid.

An impact fee is a part of the total development cost that is ultimately absorbed by successor property owners. Recognizing this, a number of states including Vermont require that impact fee refunds be made to the property owner at the time a refund is obliged to be made. In New Hampshire, most local impact fee ordinances specify that refunds be made to the current property owner at the time a refund is required, though the authorizing statute is not specific on that point.

To provide for equitable refund provisions, BCM Planning, LLC recommends that Section 1200 F. 2. be amended to provide that when an impact fee refund is required under the holding period limits of the ordinance, that the sum be paid to the owner of the property at the time the refund is due.