

# Town of Windham

Planning Department  
8 School Road  
Windham, ME 04062

voice 207.894.5960

fax 207.892.1916

## MEMO

DATE: July 9, 2020

TO: Windham Planning Board  
FROM: Amanda Lessard, Planning Director  
Cc: Jenn Curtis, Planner

RE: Ordinance Amendment: Section 1200 Impact Fees and Appendix A Fee Schedule, related to Public Safety and Municipal Office impact fees  
Planning Board Meeting & Public Hearing – July 13, 2020

---

At their meeting on May 26, 2020, the Town Council voted to forward the enclosed proposed ordinance changes to the Board for review and recommendation. The proposed amendments to the Land Use Ordinance, Section 1200 and Appendix A Fee Schedule, create impact fees to be assessed on new residential and commercial development in Town for the construction of an addition and renovation of the Public Safety Building and acquisition of necessary capital equipment for the Fire-Rescue and Police Departments and for the construction of an expansion to the Town Hall and Community Center. The draft also clarifies that any refund of impact fees will be returned to the owner of the property at the time the refund is due. At the recommendation of the Town Attorney the attached draft ordinance has been revised since it was presented at the June 22<sup>nd</sup> Planning Board to provide additional explanation for the sunset provision of the fees.

State Statute ([30-A M.R.S. §4354](#)) gives municipalities the authority to impose impact fees to all development that creates an impact on the improvement for which the fee has been established. The fee must be proportional to new development's share of the improvement, and development on which a fee is assessed must reasonably benefit from the improvement. Use of the funds is intended for capital improvements for infrastructure including but not limited to: Wastewater collection and treatment facilities, Municipal water facilities, Public safety and equipment and facilities, Fire protection facilities, Roads and traffic control devices, Parks and other open space or recreation areas, and School facilities.

The Town contracted with BCM Planning, LLC to develop 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. The fees developed are based on the average municipal capital investment required per unit of development based on the demand for safety and municipal services. The fees are proposed to be assessed per housing unit by structure type, and per square foot for commercial uses. The public safety impact fee is

further adjusted based on the higher response rates identified for senior apartments and licensed care facilities and for the relative response rates for the subcategories of commercial uses. The methodology for determining the fee is attached.

The Planning Board requested additional information on other communities with impact fees. The table below provides a comparison of impact fees in various Maine communities. Please note that the fee in each municipality is specifically calculated based on a defined capital improvement and the fee is the proportional cost equated to projected new development, so a direct comparison is not appropriate.

Impact Fee Comparison

Town/City	Recreation/Open Space	Transportation	Solid Waste	Sewer/Water	School	Fire/EMS
Windham	\$1,080 - SFH + \$303-\$580 \$400 - Accessory Apartment + \$225-\$411 \$800 - per unit - Duplex + \$225-\$411 \$600 - per unit - Multi (3 or more) + \$225-\$411 \$800 - Manufactured Home/Mobile Home + \$267-\$632	\$382.65 per primary peak hour trip per 1000 sf for uses (unless noted)  5' of sidewalk x (GFA/100) x \$35/sq ft				
Brewer		x		x		
Brunswick	\$1,027-\$1,963 SFH		\$258.56/dwelling			
Cumberland	\$1,859					
Freeport		\$1,500 for the first 2,500 GFA plus \$300 for each additional 250 GFA. Not exceeding \$30,000.				
Gorham	\$1,715			x	\$1,273	
Gray	\$400					
Kennebunk		\$450/dwelling				\$0.42/sq ft
Lewiston		x		x		
Pownal	\$336 + \$127/bedroom	\$148/bedroom				\$85/bedroom
Portland	\$1,126	\$2,159				
Saco	\$375 + \$156					\$500 SFH&Duplex, Multi \$187.50 - \$468.75
Scarborough		x			\$4,130	
York				x	\$1,700 3 beds, \$3,400 4+ beds	

x - Impact Fee in effect

Additionally, a [2019 National Impact Fee Survey](#) (Duncan Associates, August 2019) provides national averages for various types of impact fees.

## Zoning Amendment Process

The Planning Board must hold a public hearing prior to making a recommendation on this item to the Town Council. The Town Council will need to hold a public hearing and vote on the proposed changes to the Land Use Ordinance for the changes to be officially approved. A public hearing will be scheduled for the July 13, 2020 Planning Board meeting. After the public hearing and discussion by the Board, the Planning Board may vote on a recommendation to the Town Council similar to the following:

**MOTION:** To (**recommend/recommend with comments/not recommend**) approval of the proposed amendment to Section 1200 and Appendix A of the Land Use Ordinance related to Public Safety and Municipal Office impact fees.

## SECTION 1200 – IMPACT FEES

### Sections

1201	General	12-1
1202	North Windham Sidewalk Impact Fee	12-3
1203	Recreation Impact Fee	12-5
1204	North Route 302 Road Improvements Impact Fee	12-6
1205	Open Space Impact Fee	12-13
<u>1206</u>	<u>Public Safety Impact Fee</u>	<u>12-14</u>
<u>1207</u>	<u>Municipal Office Impact Fee</u>	<u>12-15</u>

### **1201 General**

- A. **Purpose.** The purpose of these impact fee provisions is to ensure that new development in Windham will be accomplished in a safe and healthful manner and that such development will bear a proportional or reasonably related share of the cost of new, expanded, or modified infrastructure necessary to service the development through: 1) the payment of impact fees that shall be dedicated to paying for the needed improvements, or 2) the construction of appropriate improvements as provided for herein.
- B. **Authority.** These impact fee provisions are adopted by the Town under the authority of 30A M.R.S.A §4354 and its statutory and constitutional home rule provisions.
- C. **Payment of Impact Fees.** The impact fees provided for under this chapter shall be determined in accordance with the provisions for calculation of each impact fee as established by the Town Council and set forth below. Where there is uncertainty as to the amount of the impact fee required to be paid by any development, that amount of the fee shall be determined by the Planning Board based upon the fee calculation methodology for that fee and the recommendation of the Planner. The impact fee shall be paid to the Town of Windham in care of the Planning Department. The fee shall be paid prior to the issuance of any building, plumbing, or other permit for the development subject to the fee. The Town Council may approve the payment of impact fees over time in accordance with an approved payment schedule provided that appropriate arrangements are in place to guarantee collection of the fees.
- D. **Impact Fee Accounts.** All impact fees collected under the provisions of this chapter shall be segregated and accounted for in separate impact fee accounts designated for the particular improvements in question. The impact fee accounts are as follows:
  1. North Windham Sidewalk Impact Fee
  2. Recreation Impact Fee
  3. North Route 302 Road Improvements Impact Fee

4. Open Space Impact Fee
5. Public Safety Impact Fee
6. Municipal Office Impact Fee
56. [Name of Impact Fee]

E. Use of Impact Fees. Impact fees collected under the provisions of this chapter shall be used only to pay for the capital cost of the infrastructure improvements specifically associated with each impact fee as described below. No portion of the fee shall be used for routine maintenance or operation activities.

The following costs may be included in the capital cost of the infrastructure improvement:

1. Acquisition of land or easements including conservation easements,
2. Engineering, surveying, and environmental assessment services directly related to the design, construction, and oversight of the improvement,
3. The actual construction of the improvement including, without limitation, property acquisition costs, demolition costs, clearing and grading of the land, and necessary capital equipment,
4. Mitigation costs,
5. Legal and administrative costs associated with construction of the improvement including any borrowing necessary to finance the project,
6. Debt service costs including interest if the Town borrows for the construction of the improvement,
7. Relocation costs, and
8. Similar costs that are directly related to the project.

F. Refund of Impact Fees

1. If a building permit is surrendered or lapses without commencement of construction, the ~~developer~~ owner of the property at the time the refund is due shall be entitled to a refund, without interest, of any impact fee paid in conjunction with that project. In the case of a refund, the Town shall retain four (4) percent of the impact fee paid to offset a portion of the administrative cost of collection. A request for a refund shall be made in writing to the Town Planner and shall occur within ninety (90) days of the lapse or expiration of the permit.
2. Any fees that are not spent or obligated by contract for the specified improvement by the end of the calendar quarter immediately following ten (10) years for the date the fee as paid shall be returned to the owner of the property at the time the refund is due ~~developer~~ or its designee without interest.
3. The Town shall refund impact fees, or portions of those impact fees, that exceed the Town's actual costs of providing the capital improvement or facility for which the fees were paid.

G. Waiver of Impact Fees. The Town Council may, by formal vote following a public hearing, waive the payment of a required impact fee, in whole or in part, if it finds that:

1. The developer voluntarily agrees to construct the improvement for which the impact fee would be collected, or
  2. The developer is required, as part of a development approval by the Town or a state or federal agency, to make or to pay for infrastructure improvements that are of the same nature as the improvement to be funded by the impact fee, or
  3. The infrastructure that the impact fee relates to has been created to attract industry and the fee would be charged to an industrial use, or
  4. The developer provides publicly accessible open space that, in addition to the open space requirements in Section 911.K, also:
    - a. designates a land area at least the minimum square footage of land per anticipated residents of the development based upon the occupancy rates set forth in the Open Space Impact Fee in Section 1204, or
    - b. is conservation land identified as a priority for open space preservation in the Comprehensive Plan or other studies, or
    - c. is rare, threatened, or endangered plant or animal habitat as defined by the Maine Natural Areas Program (MNAP), or
    - d. enhances required buffers to significant wildlife habitat, or
    - e. protects archeological resources.
- H. Review and Revision. The Town Council shall periodically review each impact fee established under this chapter at least once every five years. If the Council finds that the anticipated cost of the improvement has changed or that the identification of developments subject to the fee is no longer appropriate, the Council may propose changes in the impact fee. Any changes adopted as a result of such review shall apply to all future development but shall not be applied retroactively to projects that have already paid an impact fee.

## **1202 North Windham Sidewalk Impact Fee**

- A. Description of the improvements. The North Windham Sidewalk Impact Fee will be used to partially fund the construction of public sidewalks to accommodate pedestrian movement in the Commercial 1 zoning district as set forth in the Town's 21<sup>st</sup> Century Downtown Plan (see North Windham Sidewalk Impact Fee Methodology dated June 14, 2013 in Appendix E). This includes improvements in the following areas: Roosevelt Trail (Route 302), Tandberg Trail (Route 35 and 115), River Road, and Manchester Drive.
- B. Need for the improvements. The road network in the North Windham commercial district serves a large volume of vehicular traffic. The roads serve to provide mobility throughout the region, and local access to commercial establishments. In addition, the public road network provides pedestrian movement between local commercial businesses. Many sections of the public road system in North Windham either lack sidewalks entirely, or provide them only on one side of the road. Commercial growth creates more pedestrian movements that increase conflicts between bicyclists and motor

vehicles on the primary road network. This results in increased safety concerns. To address this concern, the Town's 21<sup>st</sup> Century Downtown Plan recommends that the Town expand the network of sidewalks along major roads.

- C. **Applicability.** In accordance with Section 406(E)(6)(j), the following commercial development activities commenced on or after June 14, 2013 on properties that do not have an existing sidewalk along all or a portion of their property's frontage shall be subject to the impact fee:
- The construction or placement of new buildings with a cumulative area that is greater than, or equal to, five hundred (500) s.f.
  - The enlargement of existing buildings by five hundred (500) s.f. or more
  - As required by the Planning Board as part of a Site Plan approved in accordance with Section 800 of this Ordinance.
- D. **Amount of the Fee.** The base impact fee for the sidewalk improvements shall be five (5) linear feet of sidewalk per 100 square feet or fraction thereof of the gross floor area to be constructed, erected, enlarged, extended, or relocated on the site multiplied by the per linear foot of sidewalk fee as set by the Town Council in the fee schedule (*see Appendix A Fee Schedule*). The formula described above shall be calculated as follows:

$$\text{Base Impact Fee} = [5 \text{ linear feet}] \times \{ [\text{Total gross square footage of building}] / [100 \text{ square feet}] \} \\ \times [\text{linear foot sidewalk fee \$}]$$

The amount of the base fee is based upon the North Windham Sidewalk Impact Fee Methodology dated May 14, 2014 (*See Appendix E*). The fee is based on the average estimated construction costs of sidewalks in North Windham based on the following conditions:

- Installation of granite curbing if no curbing exists
- Installation of closed drainage infrastructure if no curbing exists as determined by the Director of Public Works
- Replacement of existing bituminous curbing with granite curbing
- Resetting of existing granite curbing as determined by the Director of Public Works due to the condition of existing granite curbing.

The base impact fee shall be adjusted to account for changes in the cost of construction. The impact fee shall be adjusted based upon the change in the ENR Construction Cost Index between June 2013 and the month in which the impact fee is paid. The amount of the fee shall be calculated as follows:

$$\text{Impact fee to be paid} = \text{Base impact fee} \times (\text{ENRCCI for the month in which fee is paid} / \text{ENRCCI for June 2013}) \text{ where ENRCCI is the national construction cost index published by ENR (Engineering News Record).}$$

Impact Fee Maximum. The maximum sidewalk fee required for any property will be equal to the property's road frontage times the base impact fee at the time of application. If the calculated fee is less than the maximum, future development that meets the criteria of Section 1202.E. will be required to pay the impact fee up to the maximum amount for the property.

- E. Expenditure of Funds. Impact fees shall be collected and expended in two (2) subareas within the Commercial 1 zoning district. Fees shall be expended on sidewalk construction within the subarea from which they are collected. The subareas are as follows:
- Roadways within the C1 District that are south of White's Bridge Road
  - Roadways within the C1 District that are north of White's Bridge Road.
- F. Impact Fee
1. The North Windham Sidewalk Impact Fee shall be paid for any project that meets the applicability standards in Section C, above.
  2. A property shall be required to pay the fee in the event of future development on said property until the amount of fees paid is equal to the length of property frontage multiplied by the fee per linear foot of sidewalk in Section 4, above, is reached.. Properties with an existing sidewalk on a portion of their frontage shall pay a maximum fee equal to the length of lot frontage on which sidewalk does not exist at the time of development.
- G. Sunset Provision. The fee shall remain in effect until the Town has collected \$2.1 million in fees in subarea 1 and \$900,000 in subarea 2 (as adjusted for construction cost inflation) or until July 1, 2026 whichever comes first unless such time is extended by vote of the Town Council.

### **1203 Recreation Impact Fee**

- A. Description of Improvements. The Recreation Impact Fee will be used to partially fund the acquisition and development of land for recreation fields and facilities throughout the Town as set forth in the Town's Parks and Recreation Facilities Capital Investment Plan, adopted by the Town Council on October 8, 2013, and attached in Appendix F.
- B. Need for Improvements. Existing municipal and school district recreational facilities, including rectangular playing fields, diamond-shaped fields, and hard-court facilities are in high demand, and conflicts regarding scheduling and access to facilities among user groups occur throughout the sports seasons. New residential growth creates additional demand for recreation facilities, which can result in a loss of access to recreational activities and facilities. The Parks and Recreation Facilities Capital Investment Plan outlines the how the Town maintain the existing levels of service for recreational facilities faced with demand driven by a growing population.

- C. **Applicability.** All new residential development activities commenced on or after April 10, 2014, shall be subject to the Recreational Impact Fee. This includes:
1. Dwelling, Single Family Detached
  2. Dwelling, Two-Family
  3. Dwelling, Multifamily
  4. Accessory Apartment
  5. Manufactured Housing
- D. **Amount of the Fee.** The amount of the impact fee will be based on the cost land acquisition and development costs, calculated on a per capita basis, multiplied by the average household sized for the type of dwelling unit being constructed. The formula for this shall be calculated as follows:
- $$\text{Recreation Impact Fee} = \{[(\text{Land Acquisition Costs}) + (\text{Facility Development Costs})] / [(\text{2030 Projected Population}) - (\text{2010 Baseline Population})]\} \times (\text{Average Household Size for Dwelling Unit category})$$
- The amount of the fee is based on “Recreation Impact Fee: Basis of Assessment, Windham, Maine,” dated September 27, 2013.
- E. **Expenditure of Funds.** Fees will be collected on a Town-wide basis for the acquisition and development of recreation facilities anywhere in Town.
- F. **Sunset Provision.** The fee shall remain in effect until July 1, 2030, unless such time is extended by vote of the Town Council.

#### **1204 North Route 302 Road Improvements Impact Fee**

- A. **Purpose.** Roosevelt Trail/Route 302 is part of the National Highway System. It is the most significant highway corridor in the Town of Windham and is critical to the current and future mobility of local and regional motorists. This corridor provides important connections to Route 202 and State Routes 115, 35, and 4, as well as River Road, a major State Collector Highway. In addition, Route 302 is vital to the accommodation of future growth and development on land served by this corridor.

In order for Route 302 to continue to adequately serve local and regional transportation needs, while also providing additional capacity to support future development and accompanying traffic generation and demands, roadway infrastructure improvements are warranted. These improvements are highlighted in the Town of Windham “North Route 302 Corridor Plan, Windham, Maine” adopted by the Town Council in March 2011.

The Town has identified in the Corridor Plan roadway infrastructure improvements that will accommodate traffic growth projected for the next 10 years, and will establish the additional vehicular capacity and adequate levels of service necessary to serve, accommodate, and benefit new development. The purpose of the North Route 302 Capital Improvement District is to reimburse the portion of the Town’s cost of



constructing these roadway infrastructure improvements that benefit new development by providing additional vehicular capacity.

**B. Applicability**

1. This impact fee shall commence upon the earliest of either January 1<sup>st</sup>, 2015, or upon the Town of Windham's commitment of funds to complete the infrastructure projects stated in Section H, below. The impact fee shall apply to any of the activities listed in this section that are located within the fee collection areas identified in Section J. North Route 302 Road Improvements Impact Fee Collection Areas Map that generate additional traffic within the North Route 302 Capital Improvement District (*Note: For existing uses, the impact fee shall only apply to activities or uses that generate new trips above their existing levels*):
  - (a) New development,
  - (b) Change in or expansion of an existing development,
  - (c) All new development seeking subdivision or site plan approval,
  - (d) The expansion of previously approved subdivisions or site plans,
  - (e) New development enabled by land divisions exempted from subdivision review as per Title 30-A M.R.S.A. §4401 (4),
  - (f) All new extractive industry operations,
  - (g) Any change in use, when such change results in a re-classification from one land use to another in accordance with the uses listed in Section 300 Definitions and/or Section 400 Zoning Districts, and
  - (h) The location, or relocation, of any land use that requires a certificate of occupancy from the Code Enforcement department.
2. The following development and construction shall be exempt from this ordinance:
  - (a) Alterations or expansions of an existing building which do not result in the generation of additional vehicle trips
  - (b) Construction of accessory buildings or structures which do not generate additional vehicle trips.
  - (c) The replacement of a building or structure destroyed or damaged by fire, flood or natural disaster with a new building or structure of the same size or use which does not generate additional vehicle trips.
  - (d) The location, or relocation, of a land use which does not generate additional vehicle trips.

**C. Impact Fee Procedures**

1. Any person who seeks a permit or approval for any development, activity or use described in Section B(1), above, is hereby required to pay a road impact fee in the manner and amount set forth in this ordinance.
2. Preliminary determinations regarding whether a proposed development will generate traffic within the North Route 302 Capital Improvement District shall be made by the Town Planner and the Town's consulting traffic engineer. Actual traffic generation, impacts, and the corresponding fee, shall be determined in accordance with the procedures in Section D, below.

- D. Impact Fee Calculations. An impact fee shall be applied to development projects in the Town of Windham that generate additional traffic within the North Route 302 Capital Improvement District. This impact fee is structured to be in proportion to the development project's share of infrastructure costs necessitated by the development and as enabled by Title 30-A M.R.S.A. §4354. The process for this impact calculation is as follows:
1. For projects that do not require subdivision approval, site plan approval, or as determined by the Town Planner as not requiring a traffic analysis:
    - (a) The Town Planner shall determine the fee in accordance with the amounts stated in Section L, Table 1. North Route 302 Road Improvement Impact Fee, Windham, Maine and Section M. Map 1. North Route 302 Road Improvement Impact Fee Collection Areas.
    - (b) The applicant may request that the fee be calculated by either the Town's consulting engineer, or by hiring a Registered Professional Engineer with significant experience in traffic engineering. The analysis shall be conducted in accordance with Section 1203(D)(2), below. All costs incurred as a result of said analysis shall be the responsibility of the applicant. A building permit or certificate of occupancy, whichever applies, shall not be issued by the Code Enforcement Officer prior to the payment of any costs incurred by the Town's consulting engineer.
  2. For projects that require subdivision approval, site plan approval, or as determined by the Town Planner as being required to conduct a traffic analysis:
    - (a) A traffic analysis shall be conducted by a Registered Professional Engineer with significant experience in traffic engineering in order to determine the traffic impact, and requisite impact fee total, as measured by additional vehicle trips to be generated by a development project that pass through the North Route 302 Capital Improvement District in the peak commuter hour (whether A.M. or P.M., whichever is greater).
    - (b) The impact fee calculation for individual development projects shall use generally accepted standards, such as the Maine Department of Transportation's currently adopted edition of the Institute of Transportation Engineers "Trip Generation" Handbook or traffic generation data or estimates from field measurements or data collected at similar development types, and shall be based on the peak commuter hour of traffic in the A.M. or P.M., whichever is greater.
    - (c) The costs assigned to trips shall be based upon a fee per new trip (primary trip) to be generated by a development project that passes through the North Route 302 Capital Improvement District within the peak commuter hour. All new trips that pass through the District shall be counted as new trips. Other types of traffic associated with a development project, such as the capture of trips passing a site (pass-by trips) or trips in the area that are rerouted (diverted trips) shall not be utilized in the assessment.
    - (d) The fee determination shall be based on the following formula with the fee amounts stated in the Fee schedule, as set by the Town Council (*see Appendix A Fee Schedule*):
      - 1) The Town's cost of realigning Anglers Road with Whites Bridge Road as stated in the "North 302 Corridor Plan" for roadway infrastructure improvements in

- the North Route 302 Capital Improvement District amounts to \$300,000, less any state and federal funding contributions. The Town cost is to be funded in whole or in part from this impact fee ordinance.
- 2) The total additional (bi-directional) vehicular capacity to be fostered by the roadway infrastructure improvements will equal approximately 392 trip ends in the peak commuter hour of traffic.
  - 3) Each additional trip generated by the new development will benefit from the 392 trip ends of capacity and will utilize one trip end of that additional capacity.
  - 4 The Town will finance one half of the cost of the improvements through the North Route 302 Road Improvements Impact Fee and the fee per trip, therefore, shall be \$382.65. This fee per trip equals \$150,000 / 392 trip ends.
- (e) The Planning Board or Town Planner shall establish a payment schedule which apportions the impact fee to component parts of the development based on the estimated trip generation for each component part. Depending on the nature of the development, a component part may be a lot, building, dwelling unit (as defined in the Windham Zoning Ordinance), unit of occupancy (as defined in the Windham Zoning Ordinance) or some combination thereof. The payment schedule shall specify the portion of the impact fee attributable to each component part and the point during the construction of the development at which the impact fee for each component part must be paid. The payment schedule shall be incorporated into the Planning Board's written approval document and endorsed on any final plan for the development
3. If, after a development has been approved, changes are proposed which would change the trip generation for the development or a component part of the development then, on the initiative of the Town or the developer, the impact fee and payment schedule may be recalculated, and such recalculated impact fee and payment schedule shall apply to all subsequent permits issued within the development.
  4. The Town Planner or Planning Board, as appropriate, may reduce the amount of the impact fee for projects that are required as part of their approval to construct all or a portion of the infrastructure improvements stated in Section 1203(H)(1), below. The amount of the fee reduction shall be the difference between the cost of the impact fee and the applicant's cost to construct the improvements.
- E. Impact Fee Payment. See Section 1201.C. for general payment information. The impact fee amount, as determined in accordance with this Ordinance, shall be paid to the Town according to the payment schedule established under Section D., except as follows:
1. For an extractive industry project, the impact fee amount shall be paid prior to the release of the attested final plan to the developer for recording at the Cumberland County Registry of Deeds.
  2. For a new residential dwelling(s) proposed on a lot(s) created by a land division(s) exempted from subdivision review as per Title 30-A M.R.S.A. §4401(4), the impact fee amount shall be paid prior to the issuance of a building permit for construction.

- F. North Route 302 Capital Improvement District. The North Route 302 Capital Improvement District is depicted on the map attached to this Ordinance as Appendix A and generally conforms with the "North 302 Corridor Plan" study area.
- G. Impact Fee -Trust Fund
1. There is hereby established a North Route 302 Capital Improvement District Fund to segregate the impact fee revenues generated by this Ordinance from the Town's general revenues.
  2. Funds withdrawn from this trust fund account shall be used in accordance with Section H. of this ordinance.
- H. Use of Impact Fee Funds
1. Funds generated by this Ordinance shall be used for the purpose of financing the capital improvements to realign Anglers Road with Whites Bridge Road as stated in the "North 302 Corridor Plan" for roadway infrastructure improvements within the North Route 302 Capital Improvement District. See Section 1201.E. for a list of items which may be included in the capital costs of the project.
  2. No funds shall be used for periodic or routine maintenance.
  3. Given that bonds or loans may be issued to finance the implementation of the capital improvements identified in the plan for roadway infrastructure improvements within the North Route 302 Capital Improvement District, impact fee funds may be used to pay debt service on such bonds or loans to the extent that the improvements provided are a component of the plan for roadway infrastructure improvements, as per Section H. 1. of this ordinance.
  4. Funds may be used to provide refunds in accordance with Section I.
  5. Funds shall not be used to pay for any site specific road improvements, such as right-turn entry lanes, site driveway islands, etc., that are required of a development project that is proposed and constructed on any lot abutting a roadway section within the North Route 302 Capital Improvement District. Such project and site specific improvements shall be the responsibility of the developer. Nothing in this section shall limit the Town from providing economic development incentives for site specific improvements at the Town's sole discretion.
- I. Refund of Impact Fees
1. If a development permit expires such that there is no activity that will generate additional traffic covered by this ordinance, the developer may apply for a refund. The refund request must be consistent with Section 1201.F.1.
  2. Any funds not expended or obligated by contract by the end of the calendar quarter immediately following ten (10) years from the date the fee was paid shall be returned consistent with Section 1201.F.2.
- J. Roadway Infrastructure Improvements
1. As per Section H. 1. of this section, the funds generated by this impact fee will be used to accomplish improvements to realign Anglers Road with Whites Bridge Road as stated in the "North 302 Corridor Plan Windham, Maine" prepared by Gorrill-

Palmer Consulting Engineers, Inc. and adopted by the Windham Town Council in March 2011.

2. The above cited plan may be amended by the Town Council, in accordance with the Windham Town Charter, if the amendments to the plan are consistent with and further the purpose of this ordinance.

K Sunset Provision. The fee shall remain in effect until the Town has collected \$150,000 in fees (as adjusted for construction cost inflation) or until July 1, 2026 whichever comes first unless such dollar amount is increased or time limit is extended by vote of the Town Council.

L. Table 1. North Route 302 Road Improvement Impact Fee, Windham, Maine

Use	Trip Rate*	% primary	Cost Per Primary Trip	Fee Area 1**	Fee Area 2**	Fee Area 3**
Quality Restaurant	7.49	40	\$382.65	\$1,146.42	\$286.61	\$116.64
High Turnover Restaurant	11.15	37	\$382.65	\$1,578.62	\$394.66	\$157.86
Fast Food Restaurant	33.84	30	\$382.65	\$3,884.66	\$971.17	\$388.47
24 Hour Conv Market***	52.41	25	\$382.65	\$5,013.67	\$1,253.42	\$501.37
Quick Lube****	5.19	50	\$382.65	\$992.98	\$248.25	\$99.30
Auto Care	3.38	50	\$382.65	\$646.68	\$161.67	\$64.67
Self Serve Car Wash*****	5.54	50	\$382.65	\$1,059.94	\$264.99	\$105.99
General office	1.73	100	\$382.65	\$661.98	\$165.50	\$66.20
Medical office	3.46	100	\$382.65	\$1,323.97	\$330.99	\$132.40
Veterinary Clinic	4.72	100	\$382.65	\$1,806.11	\$451.53	\$180.61
Retail	2.71	35	\$382.65	\$362.94	\$90.74	\$36.29
Bank	25.82	27	\$382.65	\$2,667.60	\$666.90	\$266.76
Light industry	0.97	100	\$382.65	\$371.17	\$92.79	\$37.12
Dwelling Unit*****	1.01	100	\$382.65	\$386.48	\$96.62	\$38.65

\* PM peak hour Trips Per 1,000 sf for uses not exceeding 2,000 sf unless otherwise noted under use

\*\* Fee cost per 1,000sf.

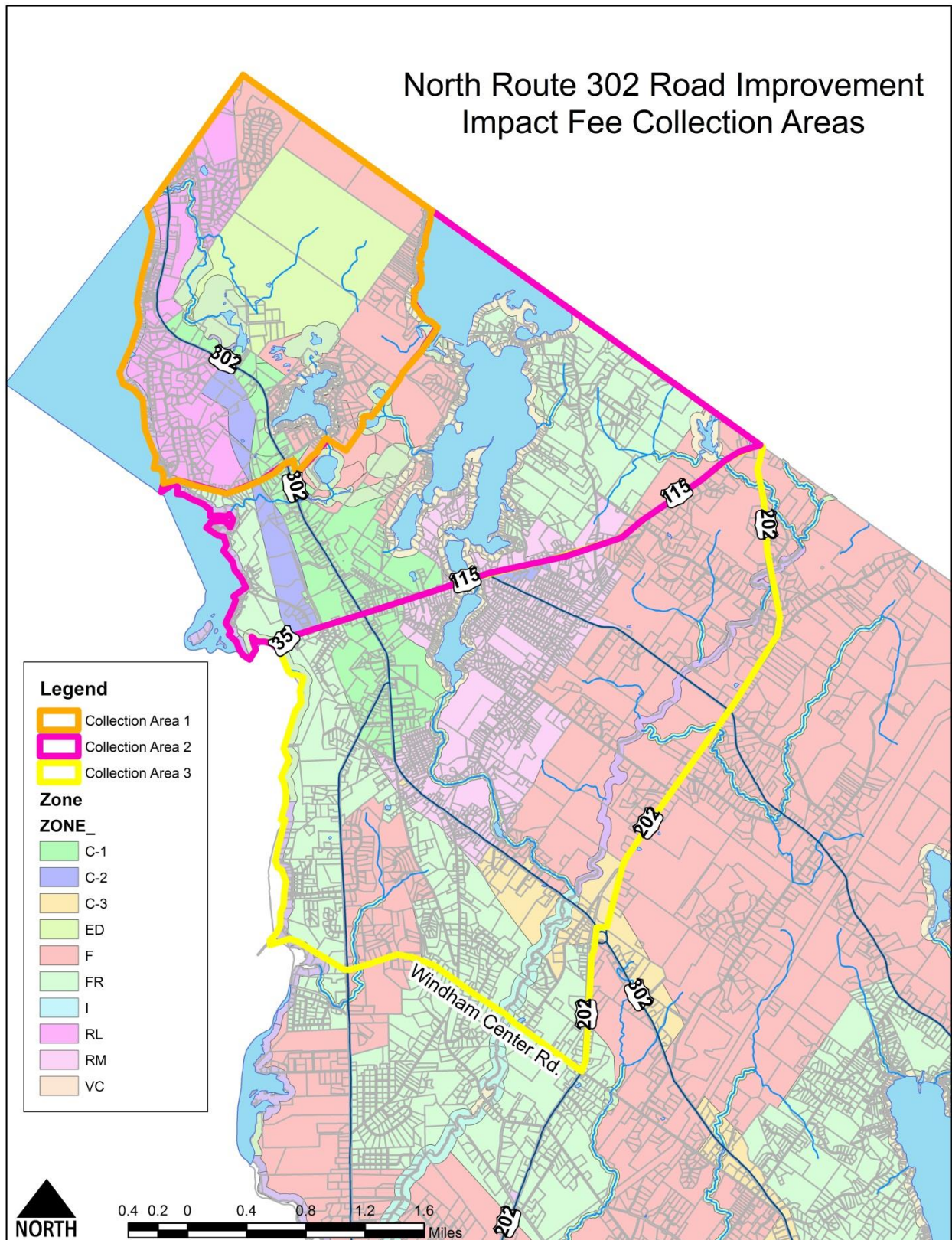
\*\*\*Convenience Market without gas pumps

\*\*\*\* Trip Rate per service positions

\*\*\*\*\* Trip Rate per wash stall

\*\*\*\*\* Trip Rate per dwelling unit

M. Map 1. North Route 302 Road Improvement Impact Fee Collection Areas



**1205 Open Space Impact Fee**

- A. **Description of Improvements.** The Town is planning to expand the publicly owned open space in the community to serve the needs of a growing population. The Town will use the revenue generated from the open space impact fee to acquire land or easements, including conservation easements, and improve conservation land to expand the supply of open space available for community use as set forth in the Comprehensive Plan and other studies of priorities for open space preservation.
- B. **Need for Improvements.** 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 adopted Comprehensive Plan identifies the need to invest in Rural Windham to keep it rural. The plan proposes creating a Land for Windham's Future program that would acquire and preserve open space and that would be funded in part with an impact fee.

The supply of approximately 48 acres of town-owned open space per thousand residents in 2019 is adequate for current needs. As the Town grows, this ratio of open space per capita will need to be maintained and serves as the basis for the open space impact fee.

- C. **Applicability.** All new residential development activities commenced on or after February 28, 2020 shall be subject to the Open Space Impact Fee. Any residential construction that creates one or more new dwelling units shall 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. In the case of an activity that increases the number of dwelling units in a building, the impact fee shall apply only to the new dwelling units.
- D. **Amount of the Fee.** The open space impact fee shall be the adjusted per capita cost of providing additional open space as determined in the Open Space Impact Fee Methodology, dated October 3, 2019, multiplied by the anticipated number of residents in the 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 (2003), the following occupancy factors are applied to determine the impact fee per unit. The type of units and the typical occupancy of that type of unit includes:

<b>Type of Housing</b>	<b>Occupancy (per/du)</b>
Single Family Home	
- 2 or less bedrooms	1.58
- 3 bedrooms	2.57
- 4 or more bedrooms	3.02



Attached or Multifamily Housing or Accessory Apartment	
- 1 bedroom	1.17
- 2 bedrooms	1.85
- 3 or more bedrooms	2.14
Mobile Homes in MH Park	
- 1 bedroom	1.39
- 2 bedrooms	1.93
- 3 or more bedrooms	3.29

- E. Expenditure of Funds. Fees will be collected on a Town-wide basis for the acquisition of publicly assessable open space anywhere in Town.
- F. Sunset Provision. The fee shall remain in effect until July 1, 2035, unless such time is extended by vote of the Town Council.

### **1206 Public Safety Impact Fee**

- A. Description of Improvements. The Public Safety Impact Fee will be used to partially fund the construction of an expansion of the Public Safety Building, which is shared by the Fire Rescue and Police Departments. The police department occupies 7,218 square feet and the fire department occupies 5,287 square feet. There is an additional 4,377 square feet of shared and circulation spaces within the building. The expansion and renovation planned for the Public Safety building would bring the floor area available to the fire department to 15,500 square feet, and the police department to over 16,000 square feet.
- B. Need for Improvements. 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. Demands for public safety services are expected to increase as a result of Windham's growing population and commercial and industrial uses.
- C. Applicability. All new residential and commercial development activities commenced on or after [[effective date]], shall be subject to the Public Safety Impact Fee. Any residential structure constructed that creates one or more new dwelling units shall pay this impact fee based upon relative estimated household size. Special adjustments are made for the higher response rates identified for senior apartments and licensed care facilities. New commercial construction shall pay this impact based on the cost per square foot relative to response rates for the subcategory of uses.
- D. Amount of the Fee. The public safety impact fee shall be the adjusted per capita cost of providing additional public safety services as determined in the Impact Fees for Public



Safety and Town Office Facilities, Basis for Assessment and Fee Schedules dated May 18, 2020.

- E. Expenditure of Funds. Fees will be collected on a Town-wide basis for the acquisition of public safety equipment and facilities anywhere in Town.
- F. Sunset Provision. Construction of the facility is intended to start in 2020. Debt service will start at the same time and be retired 20 years later. Therefore, the fee shall remain in effect until July 1, 2040, unless such time is extended by vote of the Town Council

### **1207 Municipal Office Impact Fee**

- A. Description of Improvements. The Municipal Office Impact Fee will be used to partially fund the construction of an expansion of the Town Hall and Community Center, which is shared by all Town of Windham administrative departments and provides office space for the Town Manager, Town Clerk, Tax Collection, Code Enforcement, Planning, Economic Development, Assessing, Information Technology, and Parks and Recreation. The facility contains approximately 23,155 gross square feet. The expansion and renovation planned for the Town Hall is projected to provide 30,000 square feet of space.
- B. Need for Improvements. 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. Demands for municipal services are expected to increase as a result of Windham's growing population and commercial and industrial uses.
- C. Applicability. All new residential and commercial development activities commenced on or after [effective date], shall be subject to the Municipal Office Impact Fee. Any residential structure constructed that creates one or more new dwelling units shall pay this impact fee based upon relative estimated household size. New commercial construction shall pay this impact based on the cost per square foot.
- D. Amount of the Fee. The municipal office impact fee shall be the adjusted per capita cost of providing additional municipal administrative services as determined in the Impact Fees for Public Safety and Town Office Facilities, Basis for Assessment and Fee Schedules dated May 18, 2020.
- E. Expenditure of Funds. Fees will be collected on a Town-wide basis for capital improvements at the Town Hall and Community Center.
- F. Sunset Provision. Construction of the facility is intended to start in 2020. Debt service will start at the same time and be retired 20 years later. Therefore, the fee shall remain in effect until July 1, 2040, unless such time is extended by vote of the Town Council.

Section 1200 Amendments

Order 13-071; Date 05-14-2013	Add Section 1202, North Windham Sidewalk Impact Fee
Order 14-033; Date 03-11-2014	Add Section 1203, Recreation Impact Fee
Order 14-093; Date 04-08-2014	Add Section 1204, North Route 302 Road Improvements Impact Fee
Order 14-502; Date 12-16-2014	Corrected typos and errors of omission
Order 20-028; Date 01-28-2020	Add Section 1205, Open Space Impact Fee

Subdivision Review			
Item	Fee	Review Escrow	Effective Date
Development Team		\$100	10/22/09
Minor or Major Subdivision Sketch Plan	\$200	\$300	7/28/11
Minor Subdivision Final Plan	1-4 lots \$900	\$1,500	7/28/11
Major Subdivision Preliminary Plan	1-10 lots \$1,300 PLUS Each lot over 10 \$300	Up to 10 lots = \$2,500 11-15 lots = \$3,000 16-30 lots = \$4,000 30+ lots = \$5,000	7/28/11
Major Subdivision Final Plan	\$350	\$250	
Amended Sudivision Each Lot/Revision	\$350	\$250	7/28/11

Site Plan Review			
Item	Fee	Review Escrow	Effective Date
Development Team		\$100	10/22/09
Minor or Major Site Plan Sketch Plan	\$200	\$300	7/28/11
Minor Site Plan Final Plan	\$850	\$2,000	7/28/11
Major Site Plan Final Plan	\$1,300 PLUS \$25 each 1K s.f. over 5K s.f. GFA	2K to 5K s.f. GFA = \$2,000 5K to 15K s.f. GFA = \$3,000 15K to 35K s.f. GFA = \$4,000 over 35K s.f. GFA = \$5,000	7/28/11
Amended Site Plan Each Revision	\$350	\$250	7/28/11

Zone Change & Other Review Fees			
Item	Fee	Review Escrow	Effective Date
Zone Change Request	\$600	n/a	7/28/11
Contract Zone Request	\$800	\$500	7/28/11
Conditional Use	\$400	\$250	7/28/11
Board of Appeals			7/28/11
Incl. Variances and Appeals	\$400	n/a	
Mineral Extraction			7/28/11
New Operation	\$100 + \$100/acre	\$500	
Expansion over 5 acres	\$100 + \$100/acre	\$500	
Renewal	\$50	n/a	
Renewal, Late Fee	\$50	n/a	

Zone Change & Other Review Fees (Cont.)			
Item	Fee	Review Escrow	Effective Date
Shoreland Zoning			
Planning Board Review	\$100	n/a	10/24/02
	PLUS		
	\$50 for Public Hearing		
Code Enforcement Review			11/26/02
Minor	\$50	n/a	
Major	\$100	n/a	
Wireless Telecommunications Facility			7/28/11
Planning Board Review	\$400	n/a	
Co-Location Application	\$250	n/a	
Surface Water Protection Ordinance	\$30	n/a	11/26/02
Postage. Applicants are responsible for postage costs of all notification requirements.			

Impact Fees*			
Item	Fee	Review Escrow	Effective Date
Sidewalk Impact Fee	5 feet of sidewalk x (GFA/100) x \$35 per foot	n/a	6/7/13
Recreation Impact Fee (per dwelling unit)			4/10/14
Single Family Detached	\$1,080	n/a	
Single Family Attached (duplex/condos)	\$800	n/a	
Manufactured Housing	\$800	n/a	
Multifamily (3+ Unit) apartment structure	\$600	n/a	
Accessory Apartment	\$400	n/a	
North Route 302 Road Improvement Impact Fee	\$382.65 per primary peak hour trip through Route 302/Anglers Rd/Whites Bridge Rd intersection	required if not covered by site plan or subdivision review	8/26/14
Open Space Impact Fee			2/28/20
Single-Family Home			
- 2 or less bedrooms	\$303	n/a	
- 3 bedrooms	\$493	n/a	
- 4 or more bedrooms	\$580	n/a	
Attached or Multifamily Housing or Accessory Apartment			
- 1 bedroom	\$225	n/a	
- 2 bedrooms	\$355	n/a	
- 3 or more bedrooms	\$411	n/a	
Mobile Homes in a MH Park			
- 1 bedroom	\$267	n/a	
- 2 bedrooms	\$370	n/a	
- 3 or more bedrooms	\$632	n/a	
Public Safety Impact Fee			Date
Residential Uses (per dwelling unit)		n/a	
Single Family Detached	\$1,602		
Townhouse	\$1,379		
Two Unit Structure	\$1,406		
Multifamily (3+ Unit) Apartment Structure	\$1,008		
Manufactured Housing	\$1,264		
Senior Apartments (55+ or 62+)	\$1,828		
Nursing or Assisted Living Licensed Bed	\$3,519		
Commercial Uses (per square foot)		n/a	
Retail-Food-Entertainment-Lodging	\$1.35		
Office, Banks, Professional Services	\$1.32		
Other General Commercial & Services	\$1.43		
Industrial, Transportation, Whse, Storage	\$0.63		
Private Institutional Except Licensed Car	\$2.04		
Medical Service Centers	TBD		
Other Uses not specified	\$1.21		

<u>Municipal Office Impact Fee</u>			<u>Date</u>
<u>Residential Uses (per dwelling unit)</u>		<u>n/a</u>	
<u>Single Family Detached</u>	<u>\$579</u>		
<u>Townhouse</u>	<u>\$482</u>		
<u>Two Unit Structure</u>	<u>\$482</u>		
<u>Multifamily (3+ Unit) Apartment Structure</u>	<u>\$343</u>		
<u>Manufactured Housing</u>	<u>\$433</u>		
<u>Senior Apartments (55+ or 62+)</u>	<u>\$343</u>		
<u>Nursing or Assisted Living Licensed Bed</u>	<u>\$343</u>		
<u>Commercial Uses (per square foot)</u>	<u>\$0.21</u>	<u>n/a</u>	

**Notes:**

- "K" = 1,000; • "s.f." = Square Feet; • "GFA" = Gross Floor Area (See Section 300 Definitions)
- Postage - Notification cost requirement applies to all applications
- Performance Bonds & Post Approval Inspection Fee must be established with the Town prior to the commencement of construction.
- Building Permits - Contact the Code Enforcement Department or download from [www.windhammaine.us](http://www.windhammaine.us)
- NPDES Post Construction Inspection Fee - See Post Construction Ordinance.

\* - See Section 1200 of the Windham Land Use Ordinance for more details and applicability. A project's impact fee shall be paid prior to the issuance of any building permits.

# **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**

May 18, 2020

Prepared for:

Town of Windham  
8 School Road  
Windham, Maine

Prepared by:



P. O. Box 723  
Yarmouth, Maine 04096  
bmayber1@maine.rr.com

## Table of Contents

A. Executive Summary.....	1
B. Service Base of Windham .....	2
1. Residential Sector.....	2
a. Resident Population .....	2
b. Housing Units .....	3
2. Commercial Sector .....	4
a. Jobs in Windham .....	4
b. Floor Area in Commercial –Industrial Uses.....	5
3. Buildout Estimate and Remaining Development Potential .....	6
C. Public Safety Facilities Impact Fee .....	8
1. Proportionate Demand on Public Safety Services .....	8
a. Residential vs. Commercial Demand Indicators.....	8
b. Sources for Proportionate Demand Measures .....	9
2. Fire – Rescue Capital Facilities and Cost Allocation .....	14
a. Fire-Rescue Station Space .....	14
b. Capital Investment in Existing Facilities .....	15
c. Base Year Space Deficiency .....	16
d. Fire-Rescue Impact Fee Model .....	17
3. Police Department Capital Facilities and Cost Allocation .....	20
a. Proportionate Demand .....	20
b. Existing Facility Space .....	20
c. Replacement Cost of Facilities and Department Vehicles.....	20
d. Proposed Expansion of Police Department Space .....	21
e. Base Year Space Deficiency.....	21
f. Police Department Impact Fee Model.....	22
g. Impact Fee Total for Public Safety Facilities.....	25
D. Town Hall and Community Center.....	26
1. Proportionate Demand .....	26
2. Capacity Estimates and Space Standard .....	26
3. Capital Cost of Facility and Impact Fee Model.....	27
E. Summary Impact Fee Schedules .....	30
F. Statutory Authorization and Impact Fee Ordinance .....	31
1. Statutory Guidelines.....	31
2. Review of Ordinance Provisions.....	31
a. Facility Categories for Impact Fee Assessment.....	31
b. Schedule for Improvements.....	32
c. Recipient of Impact Fee Refunds.....	32

## 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	
Residential Uses	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
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
Commercial Uses	Police	Fire-Rescue		Safety Fee Per Square Foot		Per Square Foot
Average Commercial Use (Default)	\$0.36	\$0.85		\$1.21		\$0.21
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



## B. Service Base of Windham

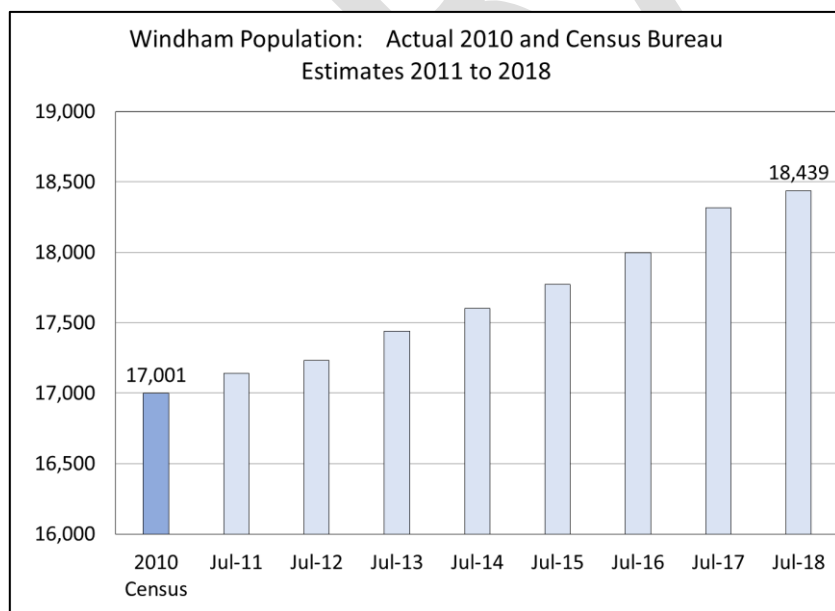
In order to estimate the proportionate capital costs attributable to new development, we first needed to estimate the service base in Windham and its residential and commercial components. The Town's long term planning for public buildings has been guided by a Municipal Facilities Space Needs Study and 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.

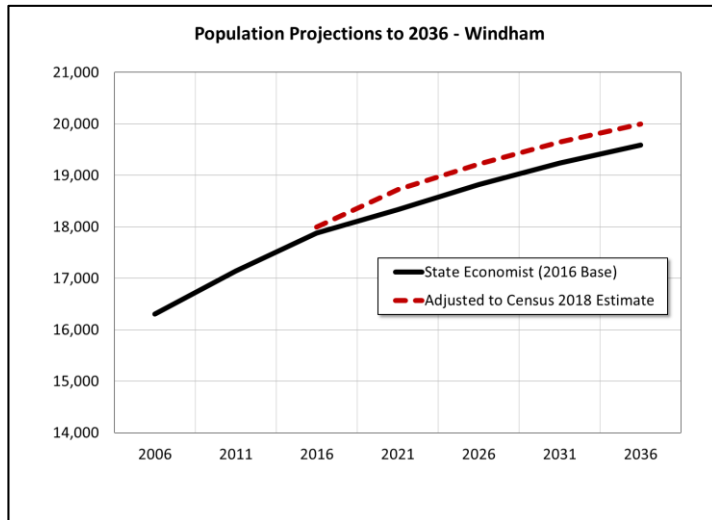
#### a. Resident Population



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

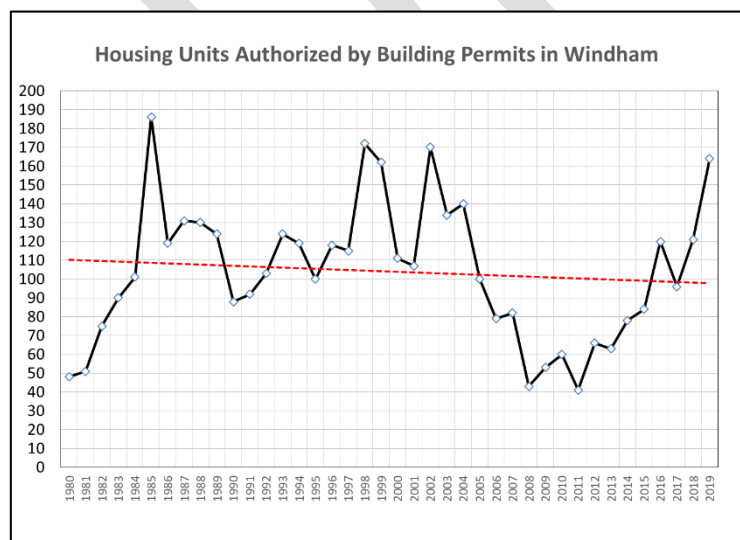
estimate, indicates that the 2018 population may be 2.1% higher than predicted by the arc of the State projection. Adjustment of the 2036 projection on this basis indicates that Windham's population should reach 20,000 by the year 2036.

#### b. Housing Units

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

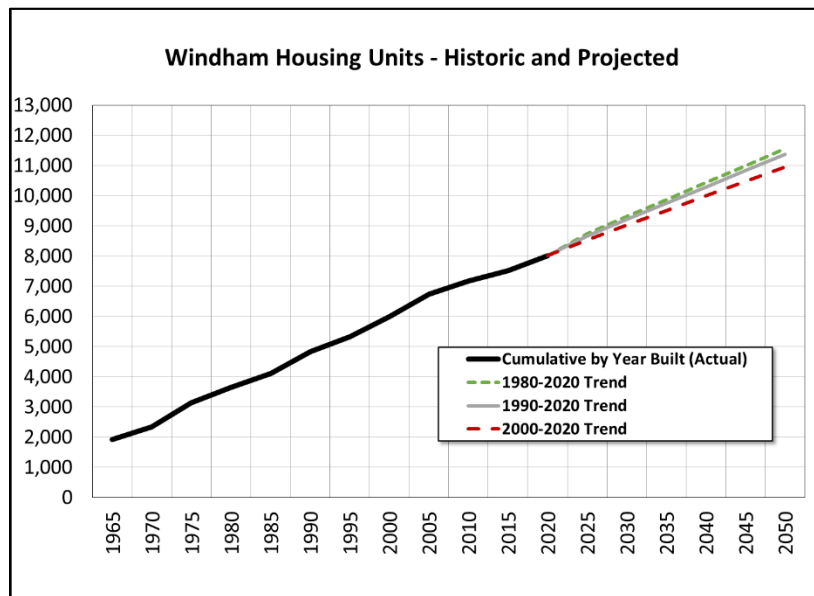
Housing Units Authorized by Period		
Period	Total	Avg Annual
1980-1989	1,055	106
1990-1999	1,193	119
2000-2009	1,019	102
2010-2019	946	95

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 buildout 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

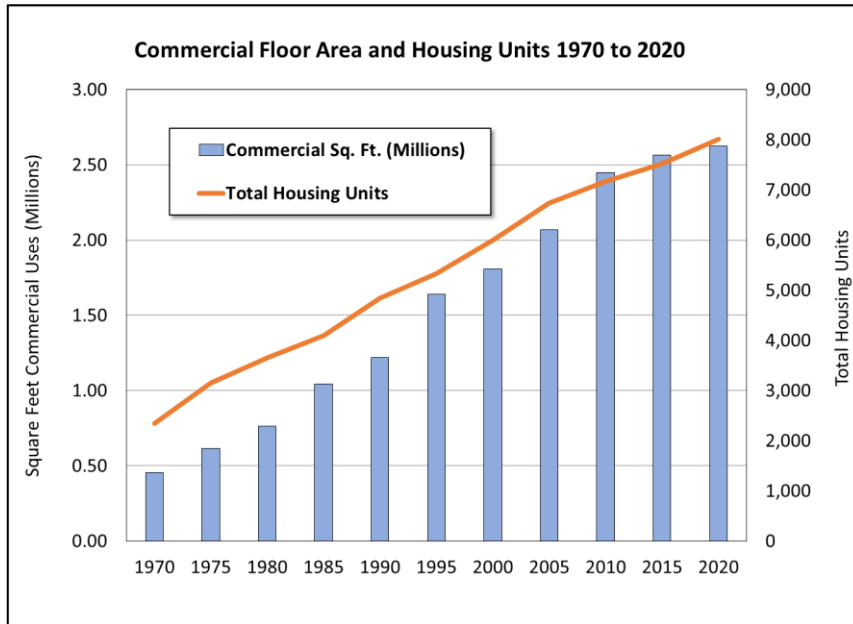
Total annual private sector employment in Windham was 4,826 in 2018. As of the 2<sup>nd</sup> quarter of 2019, the number of private sector jobs provided by local non-government employers totaled 4,936.

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



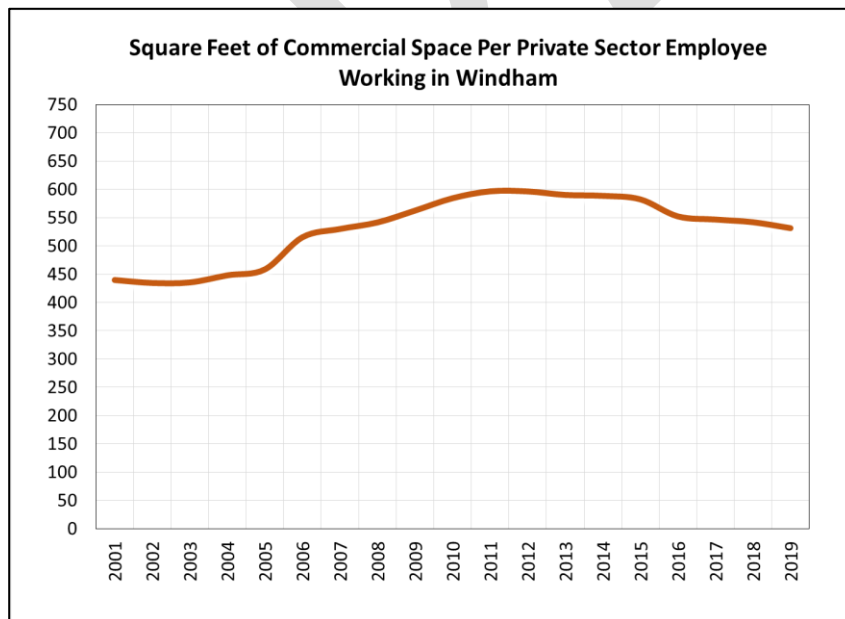
## b. Floor Area in Commercial –Industrial Uses

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.

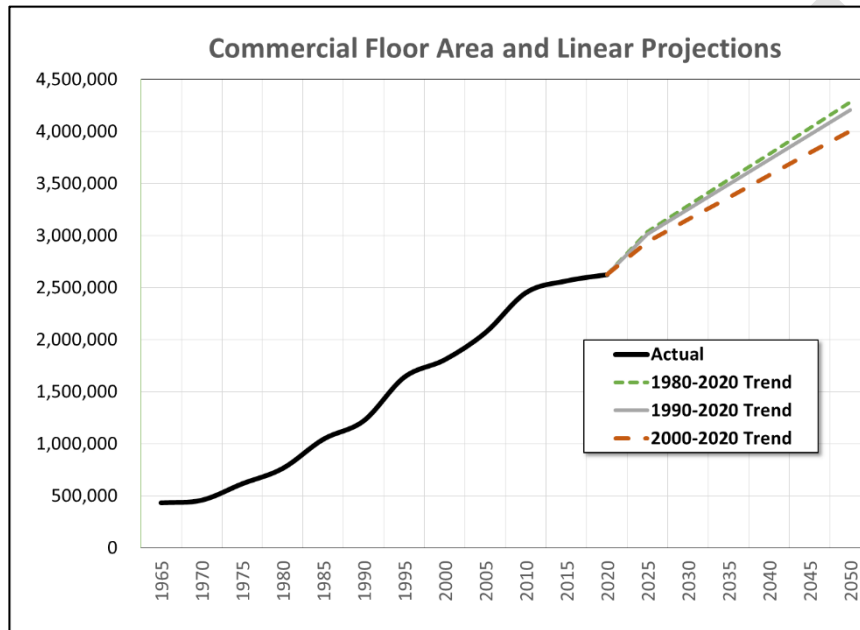
In 2010 the ratio was 585 square feet per employee, up from 439 square feet per employee in 2001.

<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		

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 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.

## 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>Public Institutional Uses</b>	
<b>Offices</b>		361 - Jail, prison (not juvenile)	92
342 - Doctor, dentist or oral surgeon office	44	215 - High school/junior high school/middle school	51
300 - Health care, detention, & correction, other	43	213 - Elementary school, including kindergarten	23
599 - Business office	24	150 - Public or government, other	13
592 - Bank	12	365 - Police station	12
596 - Post office or mailing firms	5	937 - Beach	9
593 - Office: veterinary or research	1	211 - Preschool	8
<b>Private Institutional Excluding Clinics, Hospitals</b>		123 - Stadium, arena	7
460 - Dormitory-type residence, other	110	124 - Playground	2
459 - Residential board and care	65	151 - Library	2
321 - Mental retardation/development disability facility	64	363 - Reformatory, juvenile detention center	2
439 - Boarding/rooming house, residential hotels	58	<b>Other Not Assignable to Developed Property</b>	
322 - Alcohol or substance abuse recovery center	36	888 - Fire station	110
241 - Adult education center, college classroom	25	961 - Highway or divided highway	94
131 - Church, mosque, synagogue, temple, chapel	20	946 - Lake, river, stream	32
464 - Barracks, dormitory	11	936 - Vacant lot	22
140 - Clubs, other	6	938 - Graded and cared-for plots of land	15
130 - Places of worship, funeral parlors, other	5	000 - Property Use, other	14
134 - Funeral parlor	1	UUU-Undetermined	11
<b>Other Commercial Uses and Services</b>		940 - Water area, other	8
963 - Street or road in commercial area	243	NNN - None	3
965 - Vehicle parking area	161	<b>Total Within Windham 2017-2019</b>	<b>8,201</b>
254 - Day care, in commercial property	42	* Excludes out-of-town mutual aid calls	
900 - Outside or special property, other	41	(1) Categorization of NFIRS data by major grouping by BCM Planning, LLC	
557 - Personal service, including barber & beauty shop	15		
569 - Professional supplies, services	11		
141 - Athletic/health club	8		
100 - Assembly, other	7		
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
Residential Uses									
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
Condominum 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
Total Residential Uses	8,120	11,541,907	\$ 2,030,925,400	5,258	0.22	0.15	\$250,114	\$176	1,421
Private Sector, Non Residential Uses									
Commercial - Industrial Excluding Medical Centers									
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	---
Subotal General Commercial-Industrial	---	2,570,432	\$ 271,604,000	1,036	---	0.13	---	\$106	---
Total Residential & Commercial-Industrial (Except Medical Centers)	8,120	14,112,339	\$ 2,302,529,400	6,294	---	0.15	---	\$163	---
Residential Share	---	82%	88%	84%					
Commercial-Industrial Share	---	18%	12%	16%					
Other (High Call Generation)									
Medical Centers with Walk-in Care	---	15,861	\$ 2,002,600	419	---	8.81	---	\$126	---
Total Private Development	8,120	14,128,200	2,304,532,000	6,713	0.28	0.16	\$250,114	\$163	1,421
Other: Public Property, Undeveloped, Unassigned									
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	---	---	---	---	---
Total Other	---	371,264	\$ 254,452,700	989	---	---	---	---	---
Total Including Government		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 common 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>
<b>Total Existing Fire Stations</b>	<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.

<b>WINDHAM FIRE-RESCUE IMPACT FEE - CAPITAL COST ASSIGNMENT</b>			
<b>Service Demand Factor</b>	<b>Estimated Base Year 2020</b>	<b>Estimated Service Capacity of Expanded Facilities</b>	<b>Change from Base Year</b>
<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>	<b>Existing Station Space (4 Locations)</b>	<b>Total Space Available with Central Station Expansion</b>	<b>Change from Base Year</b>
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)		
<b>Capital Investment in Fire-Rescue Facilities and Equipment</b>		<b>Total Capital Investment</b>	
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>		<b>Cost Allocation by Sector</b>	
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>	

**PUBLIC SAFETY FACILITY COSTS PER UNIT OF DEVELOPMENT - FIRE-RESCUE DEPARTMENT**

<b>Residential Capital Cost Per Dwelling Unit</b>	<b>Avg Household Size</b>	<b>Capital Cost Impact Per Unit</b>
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>	<b>Non-Residential FD Call Multiplier</b>	<b>Capital Cost Per Sq. Ft.</b>
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>Credit Allowances</b>	<b>Impact Fee Per Unit</b>	<b>Impact Fee Per Square Foot of Living Area</b>
<b>Residential Uses</b>	<b>Avg Assessed Value Per Dwelling Unit</b>			
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>	<b>Avg Assessed Value Per Sq. Ft.</b>	<b>Credit Per Sq. Foot</b>		<b>Fee Per Square Foot</b>
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

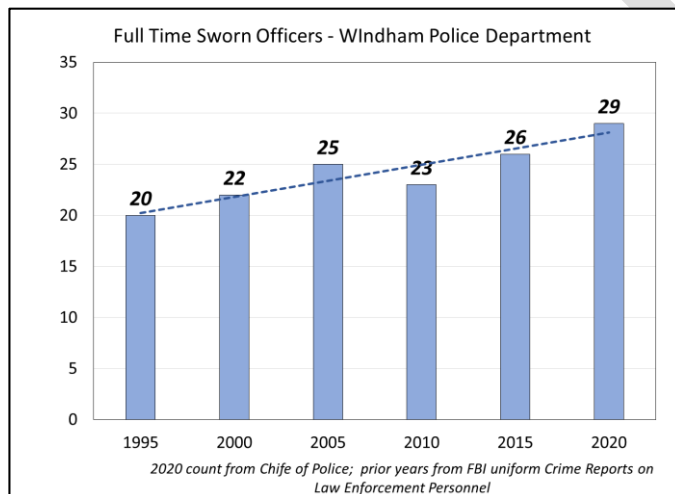
### 3. Police Department Capital Facilities and Cost Allocation

#### 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	
<b>Police Dept. @ 56%</b>	<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>	<b>Estimated 2020</b>	<b>Space After Expansion</b>	<b>Change from Base Year</b>
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>		<b>Police Facility Capital Investment</b>	
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>		<b>Cost Allocation by Sector</b>	
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>	

PUBLIC SAFETY FACILITY COSTS PER UNIT OF NEW DEVELOPMENT - POLICE DEPARTMENT				
Residential Capital Cost Per Unit		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	
Commercial Cost Per Square Foot		Non-Residential PD Call Multiplier	Capital Cost Per Sq. Ft.	
Average Commercial Use		Insufficient Data to Adjust by Subcategory	\$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	
Credit Allowances fand Net Impact Fee Assessment		Credit Allowance Per Housing Unit	Impact Fee Schedule Per Dwelling Unit	Impact Fee Schedule Per Sq. Ft. Living Area
Residential Uses	Avg Assessed Valuation per Unit			
Average Dwelling Unit	\$253,000	(\$71)	\$366	\$0.26
Single Family Detached	\$284,000	(\$80)	\$372	\$0.24
Townhouse / Attached	\$182,000	(\$51)	\$325	\$0.29
Two Unit Structure	\$150,000	(\$42)	\$334	\$0.33
Multifamily Structure	\$97,000	(\$27)	\$240	\$0.30
Manufactured Housing	\$134,000	(\$38)	\$300	\$0.27
Senior Apartment (Age 55+ or 62+)	\$100,000	(\$28)	\$239	\$0.27
Licensed Care Nursing or Assisted Living Bed	\$48,000	(\$13)	\$254	\$0.72
Commercial Uses	Avg Assessed Value Per Sq. Ft.	Credit Per Sq. Foot		Fee Per Square Foot
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.

Use Category	Public Safety Impact Fee			
Residential Uses	Police	Fire-Rescue	Total Public Safety Fee Per Dwelling Unit	Safety Fee Per Square Foot Living Area
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
Commercial Uses	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.

<b>Full Time Employees at Windham Town Hall</b>			
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	<b>\$549</b>		
Commercial Capital Cost Per Square Foot	<b>\$0.21</b>		
<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	<b>\$549</b>	<b>\$0.38</b>
Single Family Detached	2.55	<b>\$579</b>	<b>\$0.37</b>
Townhouse / Attached	2.13	<b>\$482</b>	<b>\$0.43</b>
Two Unit Structure	2.13	<b>\$482</b>	<b>\$0.47</b>
Multifamily Apartment	1.51	<b>\$343</b>	<b>\$0.43</b>
Manufactured Housing	1.91	<b>\$433</b>	<b>\$0.40</b>
Senior Apartments (55+ or 62+)	same as multifamily	<b>\$343</b>	<b>\$0.39</b>
Nursing or Assisted Living Licensed Bed	same as multifamily	<b>\$343</b>	<b>\$0.97</b>
<b>Commercial Capital Cost Per Square Foot</b>	Impact Fee Per Square Foot		
Average Commercial Use (Default)	<b>\$0.21</b>		
Retail-Food-Entertainment-Lodging	<b>\$0.21</b>		
Office, Banks, Professional Services	<b>\$0.21</b>		
Other General Commercial & Services	<b>\$0.21</b>		
Industrial, Transportation, Whse, Storage	<b>\$0.21</b>		
Private Institutional Except Licensed Care	<b>\$0.21</b>		

## 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	
Residential Uses	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
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
Commercial Uses	Police	Fire-Rescue		Safety Fee Per Square Foot		Per Square Foot
Average Commercial Use (Default)	\$0.36	\$0.85		\$1.21		\$0.21
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 is 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.