



*In all the world there is only one Essex Junction*

David A. Crawford  
Village Manager

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## **MEMORANDUM**

**TO: Board of Trustees**  
**FROM: David A. Crawford, Village Manager**  
**DATE: March 21, 2012**  
**SUBJECT: Handy Water & Sewer Fee Waiver Request**

Gabe Handy has submitted the following e-mail request:

“Dear Dave and Patty,

Please accept this email as a request to be on the agenda on March 27th for the trustees. I hereby request that the school and sewer impact fees be waived for 58-60-62 Lincoln Street. 58 & 60 Lincoln Street will be replaced with 2 triplexes and 62 Lincoln Street will be replaced with 30 units.

If you have any questions, please call me at 343-3292.

Thanks,  
Gabe Handy”

### **CLARIFICATIONS**

It is not real clear what he is asking for from the e-mail so we have talked to him. His request is to waive one school impact fee & one sewer impact fee as there are two buildings being removed. The permits for construction of the two triplexes have not been issued. Gabe indicated he would also request waivers for the two connections at 58 & 60 Lincoln St.

### **Fees from the current fee schedule 2012**

School Impact Fee from 1/1/12 to 12/31/12 is \$2,257.18  
Sewer connection is \$1,000.00 per unit

The impact fee waivers would have merit if they had been paid by the previous property owners. Mr. Handy confirmed that he does not believe this is the case. The buildings are quite old.

### **STAFF COMMENTS:**

When a property is purchased it comes with the approvals and improvements vested in it. Have these lots paid for the impact fees? We do not think this is the case.

Staff researched several larger, local communities and they confirmed Mr. Handy’s statement that sewer fee credits are sometimes applied for existing hookups. There is slight variation from town to town but most give some form of credit for each unit replaced.

If these fee credits are issued, the waiver should also require that the abandoned service connections be removed to the satisfaction of the Public Works Superintendent and Village Engineer. This should occur regardless of waiver or no waiver.

## **STAFF MEMO 3/23/2012 - HANDY WATER & SEWER FEE WAIVER REQUEST**

The school impact fees are collected on behalf of the Essex Junction School District; the Village does have the authority to waive the school impact fee. There is an appeal process to the Board of Trustees in the Educational Facilities Impact Fee Ordinance (Section 8.)

In the past few years, the Village has issued several permits for new construction, including the demolition of existing buildings. The sewer connection & impact fees have not been waived to reflect replacement of existing buildings in any of these situations. To approve a waiver now may result in requests from previous and future developers for the same consideration.

### **MANAGER'S RECOMMENDATION:**

**Since the impact fees have not been paid by the previous owner, it is recommended the waiver requests be denied.**

Attachments: Handy Permits  
Handy Impact Fee Deferral

cc Robin Pierce, Planning & Development Director  
Susan McNamara-Hill, Village Clerk & Treasurer  
Jim Jutras, Treatment Plant Superintendent  
Terry Hass, Assistant Zoning Administrator