



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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STAFF MEMO

Date: November 25, 2024 – UPDATE Dec. 13, 2024
To: Town of Milford Planning Board
From: Terrence S. Dolan, Town Planner
Subject: **Amendments to the Milford Development Regulations
Section 10.02 Administrative & Other Fees**

The purpose and intent of this agenda item is for the Planning Board to review and finalize the amended language to the Milford Development Regulations, Section 10.02 Administration and Other Fees to allow the Town Engineer to perform engineering and inspectional services for the Town related to land use applications before the Planning Board. The amended language further allows the Town to charge for the services rendered by the Town Engineer directly attributed to land use applications.

In discussing this matter with the Town Administrator, when the position in the Public Works Department was reclassified to Town Engineer and presented to the Board of Selectmen for approval, it was understood that the Town would charge applicants for engineering and inspectional services rendered by the Town Engineer. The matter was first brought before the Select Board on 8/8/22.

For Board review and consideration, please find the proposed amendments to Section 10.02 Administrative And Other Fees (please review the revised text on Page 2, in blue/green).

10.02 ADMINISTRATIVE AND OTHER FEES

Reasonable fees may be imposed by the Planning Board to cover its administrative expenses and the costs of special investigative studies, review of documents, filing and recording fees and other matters which may be required by particular applications. Applicants shall be responsible for the payment of third-party review and construction inspection fees, as well as administrative fees, associated with an application, including, without limitation, peer engineering, legal and other reviews required by the Town of Milford Development Regulations. The applicant shall pay a review fee to be retained in an escrow account and disbursed by the Town as fees are incurred. An application will not be complete until the escrow and administrative fees have been paid.

If an application requires additional, administrative, in house professional or other third-party review, the escrow account must be replenished from time to time on demand with a deposit covering the estimated total future fees.

Any balance remaining in the escrow account after payment of all applicable Administrative, professional and other third-party review fees, shall be refunded to the applicant after the Planning Board has taken final action on an application.

Reasonable fees may be imposed by the Planning Board to cover its administrative expenses and the costs of special investigative studies, review of documents, filing and recording fees and other matters which may be required by particular applications. Applicants shall be responsible for the payment of professional review fees. Review fees are not limited to but may include fees for the following services: in-house or third-party review, construction inspection, peer engineering and legal services. Upon receiving an estimate for services, an escrow account, in the full amount, will be established and disbursed by the Town as fees are incurred. An application will not be complete until the escrow and administrative fees have been paid.

Upon completion, any balance remaining in the escrow shall be refunded to the applicant after the Planning Board has taken final action on an application.