



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

STAFF MEMO

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Date: February 23, 2022
To: Planning Board
From: Jason Cleghorn, Town Planner
Subject: Amendments to the *Subdivision and Site Plan Applications Fee Schedule*

Town Staff are proposing adjustments to various fees as part of the Office of Community Development's Subdivision and Site Plan Applications fee schedule.

Staff conducted research related to benchmarking amongst both towns of comparable population to Milford as well as researching all adjacent towns. Across the board, the research shows that the town's fees are consistently lower than both the towns of comparable population as well as our neighboring communities.

It's important to note, that comparisons of this nature are rarely 1:1 comparisons. The policy and procedures that each community performs to review and ultimately hear by their various boards are all different. Making comparisons of fees charged by differing communities can be difficult at best because of these factors.

As such, Town Staff have provided data to the Planning Board around these comparisons but would also like to add that the proposals are also made with an eye toward our own costs associated with each of the affected applications. Staff tried to make determinations on fee changes based not only on comparison with other jurisdiction but with our own experiences with each application and formulated an assessment of how much staff time Staff typically experienced with each type of application in an effort to get closer to cost recovery.

It is likely the case that even if these adjustments are approved that there will not be 100% cost recovery and some subsidization will likely occur. Communities are justified in approaching fees for planning related applications in this manner as there has historically been acknowledged that this is part of the service to the community that Planning and Community Development Departments typically provide.

Summary of the Fee Adjustments

- **Addition of a \$50.00 flat rate Notice Fee for most common applications** - This fee was based on the average cost of each application's notice fee in the Milford Cabinet. Currently the notice fee is paid out of the submittal fee. Often, the notice fees incurred by the town are more than we receive for the application without even considering staff time for review etc. The Town budgets yearly for notice related fees but often we go over the budgeted amount because of cost.
- **Simplification** – In many instances, Staff is proposing the elimination of the 'per' fees, including the additional charges per lot, or per condominium, or disturbance fees to fulfill the board's previous direction to simplify the fees but capture within the fee, the base fee plus the notice fee as mentioned above. We have done that in several situations as you will see in the draft text. A note (superscript 3) was added to the fee schedule for those instances stating that fees are inclusive of a

flat fee plus the \$50.00 fee for required public notification. The abutter's notification cannot be rolled into the fee because it varies on each application according to the number of abutters.

- **Increase in the abutter notification fee** from \$4.00 (the town by *practice* currently charges \$4.28) to reflect the current cost of a certified letter at the time of the application by the USPS plus \$1.00 towards processing time for town staff. It would become ***Current USPS Certified Letter Amount + \$1.00*** instead of a codified flat rate.

Having the notification fee track with current USPS rates does a couple things. It allows us to mirror those rates without having to change the fee schedule each year and it responds to an environment of frequent USPS rate changes. Adding the \$1.00 fee for processing attempts to capture the cost of the processing time of these notices which in some applications, is very time consuming.

Potential Options

1. Keep current fees.
2. Adopt Fees Option A (simplified and with per lot and disturbance sf omitted)
3. Adopt Fees Option B (combination of amended fee and keeping per lot and disturbance sf)
4. Option C (some other combination with amended fee and per lot and disturbance but reductions in those surcharges) Board discussion/input needed here.

Please see attached tables for data pertinent to the above.

For discussion is the fact that the Fees within Option A in many cases are lower than what the Town is currently collecting and therefore wouldn't serve the purpose of the intent of an attempt to better recover our costs.

The fees within Option B all constitute an increase ranging from around a 5.6% increase to 60%

Project Type	% Chg Option A	% Chg Option B	Notes
Major SP with 5K disturbance	-54%	23%	
Minor SP with 500 sf disturbance	25%	50%	
Major SP with 25K disturbance	-89%	5.66%	
Major Subdiv with 5 lots	-46%	30%	
Major Subdiv with 3 lots	-22%	44%	
Minor Subdiv with 2 lots	20%	60%	
Lot Line Adj with 2 lots	-28%	29%	

Project Example	Revenue under Current Fees	Revenue under New Fees	Revenue under new Flat Fee (combined flat and public notice) Keeping per lot and/or Disturbance Fees
Major Site Plan with 5,000 sf disturbance	\$325.00	\$150.00	\$400.00
Minor Site Plan with 500 sf disturbance	\$100.00	\$125.00	\$150.00
Major Site Plan with 25,000 sf disturbance	\$1,325.00	\$150.00	\$1,400.00
Major Subdivision with 5 lots	\$325.00	\$175.00	\$425.00
Major Subdivision with 3 lots	\$225.00	\$175.00	\$325.00
Minor Subdivision with 2 lots	\$125.00	\$150.00	\$200.00
Lot Line Adjustment with 2 lots	\$175.00	\$125.00	\$225.00
	Percentage Change vs Current Fee (no per lot or disturbance)	Percentage Change vs Current Fee with per lot and/or disturbance fees	
	46.15%	123.08%	
	125.00%	150.00%	
	11.32%	105.66%	
	53.85%	130.77%	
	77.78%	144.44%	
	120.00%	160.00%	
	71.43%	128.57%	

Option A Clean

SUBDIVISION APPLICATIONS		
Type of Development Application	Fees	Abutter Notificati on
<i>Discussion/Conceptual Review</i>	\$75.00	N/A
<i>Design review (preliminary plan)</i>	\$75.00 Flat fee + \$25 per affected lot	Yes (see note #2)
<i>Lot Line Adjustment</i>	\$125.00 ⁽³⁾	Yes (see note #2)
<i>Minor Subdivision</i> *1-2 new lots *Condominium conversions	\$150.00 ⁽³⁾ \$150.00 ⁽³⁾	Yes (see note #2)
<i>Major Subdivision</i> *3-5 new lots *6 or more new lots	\$175.00 ⁽³⁾ \$225.00 ⁽³⁾	Yes (see note #2)
<i>Mapping Fees</i> <i>Lot Line Adjustment</i> <i>Subdivisions</i>	\$30.00 Flat fee \$30.00 per new lot	N/A N/A
<i>Reviews (see note #1)</i> <i>Subdivision Roads</i> <i>Subdivision Drainage</i>	\$75.00 Flat fee \$75.00 Flat fee	N/A N/A

SITE PLAN APPLICATIONS

Type of Development Application	Fees	Abutter Notificati on
<i>Minor Site Plan - Change of Use</i> <i>No new construction or site disturbance</i>	\$125.00 ⁽³⁾	Yes (see note #2)

Minor Site Plan (less than 600SF of site disturbance) New structures, additions, Gravel / Earth Removal	\$125.00 ⁽³⁾	Yes (see note #2)
Major Site Plan All non-residential uses	\$150.00 ⁽³⁾	Yes (see note #2)
Design review (preliminary plan)	\$75.00	Yes (see note #2)
Amendments to Site Plans Both Approved and Conditionally Approved With site disturbance inclusive of new structures	\$125.00 ⁽³⁾	Yes (see note #2)
Site Plan for gravel/earth removal <200K SF of site disturbance >200K SF of site disturbance	\$1,300.00 ⁽³⁾ \$1,300.00 ⁽³⁾	Yes (see note #2)
Reviews (see note #1) Site Plan Drainage	\$75.00 Flat fee	N/A

Miscellaneous Fees and Charges

Type of Application	Fees	Abutter Notification
Waiver of Site Plan review	\$75.00 Flat fee	Call the office
Waiver request (not part of an official application)	\$75.00 Flat fee	Call the office
Extension of Subdivision/Site Plan Both Approved and Conditionally Approved	\$75.00 Flat fee	Call the office
Modifications of approval conditions	\$75.00 Flat fee	Call the office
Scenic Road Public Hearings	\$75.00 ⁽³⁾	N/A

Regional Impact Hearings	\$75.00 ⁽³⁾	Yes (see note #2)
Gravel permit (renewed every 5 years)	\$100.00 ⁽³⁾	N/A
Miscellaneous applications to Planning Board	\$125.00 ⁽³⁾	Call the office
Recording fees	Based on Hillsborough County Registry of Deeds fee schedule ⁽⁴⁾	Call the office

Notes:

1. Does not include any costs associated with use of outside consultants as required by the Planning Board, to be borne by the applicant.
2. Abutter fees are the current cost of a certified letter/ mailing according to the USPS plus \$1.00 for processing by staff including abutting property owners, applicant and engineer. (Effective 7/1/17)
3. Fees are inclusive of a flat fee plus a \$50.00 fee for required public notification.
4. Recording fee plus the LCHIP fee (<https://www.nhdeeds.org/hillsborough-recording-fee>)

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Discussion/Conceptual Review	\$75.00 Flat fee	N/A
Design review (preliminary plan)	\$75.00 Flat fee + \$25 per affected lot	Yes (see note #2)
Lot Line Adjustment	\$75.00 Flat fee + \$50 per affected lot <u>125.00⁽³⁾</u>	Yes (see note #2)
Minor Subdivision *1-2 new lots *Condominium conversions	\$75.00 Flat fee + \$25 per new lot <u>150.00⁽³⁾</u> \$75.00 Flat fee + \$25 per condo <u>150.00⁽³⁾</u>	Yes (see note #2) Yes (see note #2)
Major Subdivision *3-5 new lots *6 or more new lots	\$75.00 - \$175.00⁽³⁾ Flat fee + \$50 per new lot \$75.00 - \$225.00⁽³⁾ Flat fee + \$100 per new lot	Yes (see note #2) Yes (see note #2)
Mapping Fees Lot Line Adjustment Subdivisions	\$30.00 Flat fee \$30.00 per new lot	N/A N/A
Reviews (see note #1) Subdivision Roads Subdivision Drainage	\$75.00 Flat fee \$75.00 Flat fee	N/A N/A
SITE PLAN APPLICATIONS		
Type of Development Application	Fees	Abutter Notificati on
Minor Site Plan - Change of Use No new construction or site disturbance	\$75.00 - \$125.00⁽³⁾ Flat fee	Yes (see note #2)

Regional Impact Hearings	\$25.00 Flat fee + advertising costs <u>75.00⁽³⁾</u>	Yes (see note #2)
Gravel permit (<u>renewed annualeyvery 5 years</u>)	\$50.00 Flat fee <u>100.00⁽³⁾</u>	N/A
Miscellaneous applications to Planning Board	\$75.00 Flat fee <u>125.00⁽³⁾</u>	Call the office
Recording fees	To be determined <u>Based on Hillsborough County Registry of Deeds fee schedule⁽⁴⁾</u>	Call the office

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~~—said costs to be borne by the applicant.~~
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<i>Minor Subdivision</i> *1-2 new lots * <i>Condominium conversions</i>	\$150.00 + \$25 per new lot ⁽³⁾ \$150.00 + \$25 per new condo ⁽³⁾	Yes (see note #2)
<i>Major Subdivision</i> *3-5 new lots *6 or more new lots	\$175.00 + \$50 per new lot ⁽³⁾ \$225.00 + \$100 per new lot ⁽³⁾	Yes (see note #2)
<i>Mapping Fees</i> <i>Lot Line Adjustment</i> <i>Subdivisions</i>	\$30.00 Flat fee \$30.00 per new lot	N/A N/A
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Type of Development Application	Fees	Abutter Notification
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Minor Site Plan (less than 600SF of site disturbance) New structures, additions, Gravel / Earth Removal	\$125.00 + \$.05 per SF of site disturbance inclusive of additional building footprint ⁽³⁾	Yes (see note #2)
Major Site Plan All non-residential uses	\$150.00 + \$.05 per SF of site disturbance inclusive of additional building footprint ⁽³⁾	Yes (see note #2)
Design review (preliminary plan)	\$75.00	Yes (see note #2)
Amendments to Site Plans Both Approved and Conditionally Approved With site disturbance inclusive of new structures	\$125.00 ⁽³⁾	Yes (see note #2)
Site Plan for gravel/earth removal <200K SF of site disturbance >200K SF of site disturbance	\$1,300.00 ⁽³⁾ \$1,300.00 ⁽³⁾	Yes (see note #2)
Reviews (see note #1) Site Plan Drainage	\$75.00 Flat fee	N/A

Miscellaneous Fees and Charges

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<i>Modifications of approval conditions</i>	\$75.00 Flat fee	Call the office
<i>Scenic Road Public Hearings</i>	\$75.00 ⁽³⁾	N/A
<i>Regional Impact Hearings</i>	\$75.00 ⁽³⁾	Yes (see note #2)
<i>Gravel permit (renewed every 5 years)</i>	\$100.00 ⁽³⁾	N/A
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<i>Major Subdivision</i> <u>*3-5 new lots</u> <u>*6 or more new lots</u>	\$75.00 <u>\$175.00 + \$50 per new lot⁽³⁾</u> Flat fee + \$50 per new lot \$75.00 <u>\$225.00 + \$100 per new lot⁽³⁾</u> Flat fee + \$100 per new lot	Yes (see note #2) Yes (see note #2)
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<p>Major Site Plan All non-residential uses</p>	<p><u>\$150.00 + \$.05 per SF of site disturbance inclusive of additional building footprint⁽³⁾</u> \$75.00 Flat fee + \$.05 per SF of site disturbance inclusive of additional building footprint</p>	<p>Yes (see note #2)</p>
<p>Design review (preliminary plan)</p>	<p>\$75.00 Flat fee + \$.05 per SF of site disturbance <u>\$75.00 Flat fee + \$.05 per SF of site disturbance inclusive of additional building footprint</u></p>	<p>Yes (see note #2)</p>
<p>Amendments to Site Plans Both Approved and Conditionally Approved With site disturbance inclusive of new structures</p>	<p>\$75.00 Flat fee + \$.05 per SF of site disturbance <u>\$125.00⁽³⁾</u> inclusive of new footprint</p>	<p>Yes (see note #2)</p>
<p>Site Plan for gravel/earth removal <200K SF of site disturbance >200K SF of site disturbance</p>	<p>\$1,250.00 Flat fee <u>1,300.00⁽³⁾</u> \$1,250 plus \$500/additional 100K SF of disturbance <u>1,300.00⁽³⁾</u></p>	<p>Yes (see note #2)</p>

Reviews (see note #1) <i>Site Plan Drainage</i>	\$75.00 Flat fee	N/A
Miscellaneous Fees and Charges		
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Scenic Road Public Hearings	\$25.00 Flat fee + advertising costs <u>75.00⁽³⁾</u>	N/A
Regional Impact Hearings	\$25.00 Flat fee + advertising costs <u>75.00⁽³⁾</u>	Yes (see note #2)
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4. Recording fee plus the LCHIP fee (<https://www.nhdeeds.org/hillsborough-recording-fee>)

Milford Planning Fee Comparison

Municipality	Population	Site Plan Base Fee	Additional SP Fee	Major Subdivision	Lot Line Adjustment	Example 1 ac SP with 10K sf of disturbance/2K sf bldg	Charge per Abutter
Milford	15115	\$75.00	\$.05 per SF of disturbed area	\$75.00 + \$50.00 per lot (3-5 lots) \$75.00 + \$100.00 per lot (6 or more lots)	\$75.00 + 50.00 per affected lot	\$575.00	\$4.28
Hampton	15564	\$200.00	\$100.00/sf	300.00 + 100.00 per lot	\$200.00	\$400.00	\$10.00
Laconia	16476	\$200.00	\$50.00/1000 sf	\$200.00 + \$50.00 per lot (1-3) 75.00 per >3 lots	\$50.00	\$300.00	
Bedford	22535	\$250.00	\$100.00/1000 sf	\$250.00 + 100.00 per lot	\$100.00	\$450.00	\$4.11
Goffstown	18061	\$200.00	\$60.00/1000 sf up to 10000 sf	\$200.00 + 60.00 per lot	\$210.00	\$320.00	\$8.00
Exeter	15077	\$250.00	\$60.00/1000 sf of bldg	\$125.00 + \$50.00 per lot (1-3) 125.00 + 100 per lot >4 lots	\$60.00	\$370.00 if 2000 sf bldg on 1 ac lot	\$10.00
Hooksett	14289	\$500.00	N/A	\$500.00 plus 2,500 engineering escrow	\$250.00	\$500.00 + \$2500 engineering escrow	\$10.00
Averages (Pop)	16731	\$239.29			\$145.00	\$773.00	\$7.73
Other Towns:							
Amherst	11393	\$140.00	.15 sf of the building max 10K	\$210.00 + \$95/lot	\$100.00	\$440.00	\$7.00
Hollis	8006	\$200.00	0	\$75.00 per new lot	\$75.00	\$200.00	\$4.11
Lyndeborough	1683	\$250.00 per acre (disturbed area)	0	\$350.00 per lot	Abutter cost + cost of recording	\$57.39	\$15.00
Wilton	3677	\$500.00	.04 per sf	\$200.00 per lot	\$100.00 per affected lot	\$580.00	\$15.00
Brookline	4991	\$70.00		\$60.00 per lot	\$50.00	\$70.00	\$6.11
Averages (Adjac)	5950	\$227.50			\$75.00	\$269.48	\$9.44
Average both		\$233.39			\$110.00	\$521.24	\$8.59

	fee higher than Milford
	fee lower than Milford
	fee same as Milford

PLANNING FEE REVENUE BY FISCAL YEAR

FY 2021	FY 2020	FY 2019	FY 2018	FY 2017	FY 2016	Average
\$16,293.00	\$25,336.00	\$15,198.00	\$28,909.00	\$22,606.00	\$42,236.00	\$25,096.33

