

ORDINANCE

STANDISH TOWN COUNCIL

DATE: April 7, 2026

ORDER NUMBER: 35-26

SUBMITTED BY: Watson

TITLE: AMENDMENTS TO STANDISH TOWN CODE, CHAPTER 181, CAPITAL IMPACT FEES

The Town of Standish hereby ordains that Chapter 181, Capital Impact Fees of the Standish Town Code, be and hereby is amended as follows (additions are underlined; deletions are ~~struck out~~.)

CHAPTER 181, CAPITAL IMPACT FEES

Part 4

Assessment Of Capital Impact Fees

ARTICLE XXI

Impact Fees

§ 181-121. General.

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C. Exemptions. Notwithstanding anything in this Article XXI to the contrary, the following types of dwelling units are exempt from the imposition of impact fees:

(1) The construction of new accessory dwelling units; or

(2) The construction of a new residential dwelling unit that replaces a dwelling unit that was previously demolished or destroyed, which was occupied by the building permit applicant.

~~C.D.~~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, the 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 Town Planner. The impact fee shall be paid to the Town of Standish 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.E.~~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:

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(4) Route 25 Corridor Impact Fee.

~~E.F.~~ 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:

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~~F.G.~~ Refund of impact fees.

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~~G.H.~~ 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:

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~~(4) The residential development activity will not result in a net addition of new dwelling units because the new dwelling unit will replace a demolished dwelling unit that was previously owned and occupied by the developer.~~

~~H.I.~~ 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 by shall not be applied retroactively to projects that have already paid an impact fee.

§ 181-122. Road and Streetlights Impact Fee.

A. Description of the improvement.

- (1) Capital road projects related to new residential development on existing local public roads includes light capital projects like mill and fills or paving shoulders, to heavier capital projects like road widenings, drainage, sidewalks, or rebuilds. Such capital improvements become necessary due to the increase of daily usage occasioned by the new residential and nonresidential development, oftentimes because existing roads were not originally constructed to withstand such usage. Capital planning for specific road projects will be based on the location of new residential development and observed local road conditions.

B. Need for the improvement.

- (1) The Town maintains miles of local, public streets and roads. Many of these roads were built before modern road standards were in place and as a result, see increased wear and

maintenance issues due to traffic levels that exceed anything that could have been envisioned with historic patterns of development. Capital improvements to these unbuilt road sections, or sections built to outdated road standards, are required for public safety on these now busier public ways that were subject to less traffic, vehicular, bicycle and pedestrian volume in the past.

C. Applicability.

~~(4)~~ Public Streets and Roads. Residential and nonresidential impact on existing public road inventory. If the Planning Board determines that proposed residential or nonresidential development ~~will have an~~ necessitate capital expenditure ~~impact~~ improvements on any existing road within Standish, the Planning Board shall determine an impact fee, prior to granting final approval of a given application, for the related improvement of that road. Such Planning Board determination shall be supported by factual findings and testimony from Town department heads, the applicant and any other relevant source in assessing these fees and/or requiring related capital improvements. Any applicable fees required shall be paid to the Town prior to the issuance of any building permit or performance of any work on site for the approved work, whichever comes first. In phased subdivisions, the Planning Board may approve separate impact fees for each phase. All impact fees required for a phase shall be paid, in full, prior to the issuance of any building permit or performance of any approved work within that phase. Any development to occur on roads classified as "D" or "E" as described in Appendix A (existing road inventory) of Chapter 181, shall be improved to standards as described in Article V, Design Standards and New Construction, of Chapter 252, Streets and Sidewalks

~~(2)~~ (1) Street Lights. All proposed subdivision plans submitted to the Planning Board for review shall contain acceptable provisions for adequate, well-placed streetlighting, both within proposed rights-of-way and affected intersections of proposed rights-of-way and existing ways. To the extent that the Planning Board determines that street lights are lacking and must be installed at intersections between existing roads and those constructed or expanded within the subdivision, ~~t~~The applicant may choose to install streetlights at the applicant's expense at time of construction or to pay the Town of Standish an amount equal to the full cost of installation of all proposed streetlights in accordance with Subsection C(2), except in a Form Based Code Village District, where streetlights in subdivisions with new FBCVD street frontage types shall be installed at the time of the new road construction or, if located on an existing street, then prior to issuance of a building permit for the first lot or unit. In the event that the applicant chooses to install streetlights, the Planning Board shall be provided with documented proof that all costs of equipment and installation have been paid in full.

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§ 181-123. Recreation and Open Space Impact Fee.

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C. Applicability.

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~~(3) This impact fee shall not apply to new accessory dwelling units.~~

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§ 181-124. Public Safety Impact Fee.

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C. Applicability.

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~~(3) This impact fee shall not apply to new accessory dwelling units.~~

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§ 181-125. Route 25 Corridor Impact Fee.

A. Description of the improvement.

(1) The portion of the Route 25 Corridor within the Urban Compact, which the Town is responsible for maintaining under state law, is over capacity, a problem that will continue to be exacerbated by increasing traffic volumes occasioned by new residential and non-residential development. To determine the appropriate short and long term solutions, a traffic study was completed and the improvements set forth in subsection B were identified as necessary to improve the corridor to an acceptable level of service.

B. Need for the improvement. The Town's traffic study has identified the following improvements to Route 25, necessitated by future increases in usage occasioned by new development.

(1) Short-Term Improvements (2026-2036)

- Extend the existing Route 25 westbound (from Gorham) left turn lane to provide a 250' turn pocket and modify tapers to meet current design standards.
- Add a 250' Route 25 westbound (from Gorham) right turn lane with appropriate tapers.
- Change Route 35 northbound (From Hollis) & southbound (from Windham) approaches from left/thru & right to thru/right & left turn pocket and provide appropriate tapers
- Restripe the Route 25 west leg of the intersection to include a single travel lane in each direction with a center left turn lane between Oak Hill Road and Route 35.
- Optimize signal timing of both intersections and provide protected lefts for all approaches at Route 25/Route 35

C. Applicability

(1) Residential and nonresidential traffic impacts on the Route 25 Corridor. If the Planning Board determines that proposed residential or nonresidential development will be reasonably expected to generate additional traffic on the Route 25 Corridor, the Planning Board shall determine an impact fee, consistent with subsection D, below, prior to granting final approval of a given application, for the related improvement of the corridor. Such Planning Board determination shall be supported by factual findings and testimony from Town department heads, the applicant and any other relevant source in assessing these fees and/or requiring related capital improvements. Any applicable fees required shall be paid to the Town prior to the issuance of any building permit or performance of any work on site for the approved work, whichever comes first.

D. Calculation of the fee. In order to develop a fair and accurate impact fee amount, the applicant shall provide the Planning Board with a detailed estimate of total trip generation forecast to utilize this portion of the Route 25 Corridor. Using this estimate, the impact fee will be calculated as follows:

(1) Impact Fees (Per vehicle trip end)

• Short Term - \$2,063,000 / 355 vehicles* = \$5,811.27

Assuming the Town is responsible for half = \$5,811.27 / 2 = \$2,905.63 Impact Fee

* Represents increased vehicle capacity created by the implementation of the short term improvements.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

GARDNER _____

CHRISTY _____

DEAKIN _____

POMERLEAU _____

STRUEBING _____

THOMAS _____

WATSON _____

CLERK/SECRETARY _____

TOWN COUNCIL CHAIR _____