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CAMDEN PLANNING BOARD
MINUTES OF MEETING
January 3, 2013

PRESENT: Chair Chris MacLean; Members Richard Householder, Jan MacKinnon and Lowrie Sargent; Don White, Select Board Liaison; and CEO Steve Wilson
ABSENT: Member Kerry Sabanty

The meeting of the Planning Board of January 3, 2013, was convened at 5:00 pm.

1. PUBLIC INPUT ON NON-AGENDA ITEMS:

No one came forward to speak.

2. MINUTES

December 20, 2012

Page 2 Line 26: The word “needs” was deleted

Page 3 Line 37 now reads: “...no new burden on utilities.”

MOTION by Mr. MacLean seconded by Mr. Householder that the Planning Board Minutes of December 6, 2012, be approved with the corrections brought to our attention.

VOTE: 4-0-0

3. DISCUSSION:

1. *Minor field adjustments:* There were none

2. *Future Agenda items and 4. Pending Applications:* At this time there are none.

3. *Permit Fee Structure:*

The CEO is bringing this issue to the Board after discovering 3 instances where no permit had been obtained prior to the work being done – in one case the cost of the job was over \$100,000, and there is no reason the builder would not have know a permit was needed. In other cases excuses vary, but a common excuse is that property owners don’t want their taxes to go up as a result of an improvement. Mr. Wilson wants to be able to put some incentives to obtain permits in place by increasing the after-the-fact permit fees – right now a violator is charged double the permit fee, and in some cases this is a very small amount of money. Mr. Wilson also noted that the fee structure was last updated in 2008; with the increase in permit requirements resulting from MUBEC, Mr. Wilson anticipates that permit non-compliance issues will increase.

Ms. MacKinnon agreed, noting that she believes that many people just don’t know they now need permits for certain work, and Mr. Sargent agreed with Mr. Wilson’s opinion that some citizens avoid getting permits because of property tax concerns. Mr. Sargent believes that the method of assessing permit fees based on the value of renovations encourages this kind of behavior, and it also encourages people to purposefully underestimate the value of a job to save

1 permit money, and to keep their taxes lower. If the permit trigger is \$2000 in a years' time, some
2 will stage the work over time to avoid permits, when the actual cost of the job is well over the
3 trigger. People don't understand that the purpose of permits is to ensure a safer community, and
4 that inspections are done for the safety of homeowners as well as abutters. As it is now, though,
5 the entire system encourages non-compliance.
6

7 Mr. MacLean firmly believes that the Town should not subsidize the cost of inspections
8 and that the permits should cover all the expenses involved. He asked Mr. Wilson what the
9 break-even figure would be to cover costs. Mr. MacLean asked how far back the Town can go to
10 assess taxes that went uncollected because of the lack of a permit or an under-estimated job; Mr.
11 Wilson replied that the Town can go back 3 years with an after-the-fact appraisal when they
12 discover unpermitted work. The danger to after-the-fact permits is that a home owner may have
13 to expose wiring or plumbing, e.g., that wasn't inspected at the proper point in the construction.
14 Even if that work passes inspection and doesn't have to be corrected, a home owner risks the
15 costs of undoing and redoing the work to expose pipes or wires, and that could be a considerable
16 expense.
17

18 Camden has some of the lowest permit fees around, and Mr. Sargent suggested using a
19 square foot basis like some other towns in the area do. Mr. Wilson agreed, and while he doesn't
20 want Camden to be the most expensive town in which to build, he would like to cover the costs
21 incurred by his office, and encourage compliance. The Board was supportive of Mr. Sargent's
22 recommendation to change the fee basis. The concept is to charge different rates for different
23 situations: habitable space would be more expensive than uninhabitable space (a garage or tool
24 shed, e.g.); an unfinished basement is rated less than a finished basement; and upper floors of
25 residences are the highest residential rate; commercial properties are treated separately. Mr.
26 Wilson will also look at after-the-fact fees, but Mr. Sargent noted that if the original permit fee is
27 going to increase – perhaps substantially – then the current provision to double that more
28 expensive fee may encourage compliance without making this even more punitive.
29

30 Mr. Wilson wants to maintain the Board's policy of involving the public in these
31 discussions, and Mr. Sargent suggested contacting the Builder's Alliance among others when
32 they have a draft to share.
33

34 Mr. MacLean summarized the Board's goals with regard to reviewing the permit fee
35 structure:

- 36 • Change the basis for setting fees to a square foot basis
- 37 • Raise the total amount generated by permits
- 38 • Determine a fair penalty for violations that is severe enough to encourage compliance
39

40 → Mr. Wilson will bring examples from other towns that base their permits on a cost per square
41 foot basis.
42

43 There being no further business before the Planning Board they adjourned at 5:50 pm.
44

45
46 Respectfully submitted,
47 Jeanne Hollingsworth, Recording Secretary