

**SECTION 7-3      RECREATIONAL FACILITIES AND OPEN SPACE IMPACT**  
**FEE #2**

**A.      DESCRIPTION OF THE IMPROVEMENTS**

The Town is planning to expand the recreational facilities in the community to serve the needs of a growing population. The Town will use the revenue generated from the recreational facilities portion of this impact fee to undertake the following improvements to expand the supply of community-wide outdoor recreation facilities:

- 1) Continue to develop the so-called Chick Property as a multi-purpose community recreational complex substantially in accordance with the June 2001 Feasibility Study ~~conducted by DeLuca-Hoffman Associates~~ and the Chick Property Master Plan approved by the Town Council ~~on June 6, 2000~~.
- 2) Undertake Phase 2 of the Design and complete recreational facilities development at the ~~new~~ Gorham Middle School ~~as outlined in the conceptual site plan for that facility~~.
- 3) Prepare a master plan for the reuse and development of the Weeks Road property and a Master Plan for the so-called Gorham Savings Bank property and then begin to develop recreational facilities in accordance with the approved Master Plans.
- 4) Prepare a Continue to plan and design for the Little Falls Recreation area to increase the number of playing fields and other recreational facilities and to begin developing those ~~fields~~ recreation facilities.
- 5) Prepare a plan for a multi-use trail network throughout the Town and begin development of those trails including acquisition of land or easements for trails.
- 7) Undertake a new recreational master plan for the Town of Gorham and to begin developing recreational facilities improvements outlined in the master plan.
- 8) Continue to plan, design, and build recreational facilities at Shaw and Robie Parks.
- 9) The open space portion of the impact fee will be used to acquire land, conservation easements and or/development rights, prepare a master plan

[which identifies properties for future conservation](#), and improve conservation land to protect significant natural resources, conserve scenic values, preserve the community's agricultural heritage, conserve the remaining supply of viable farmland, and provide areas for low-intensity recreational activities such as walking, bird-watching, ~~cross-country~~ [cross-country](#) skiing, [snow shoeing](#), [biking](#), [hunting](#), [trapping](#), and similar activities that are consistent with the primary use of the property as open space or farmland.

## **B. NEED FOR THE IMPROVEMENT**

The need for community recreation facilities, parks, and open space is a function of the size of the community's population. As the community grows, it needs more recreation land, fields, facilities, playgrounds, natural areas, and open space. The Town's adopted Comprehensive Plan identifies the need to expand the supply of recreational facilities and open space to serve a growing population. ~~Similarly, the 1999 Long Range Facility Plan prepared by PDT Architects identifies the need for expanded recreational facilities to serve a growing population (see Impact Fee Methodology dated June 16, 2003).~~

The Town has ~~0.0127~~ [01069](#) acres of park and recreation land per capita as of ~~May 2003~~ [June 2022](#). The recreational facilities portion of the fee is designed to allow the Town to maintain the current ratio of land and park and recreational facilities as the population grows and creates the need for the expanded facilities.

Gorham has a total of ~~622~~ [911](#) acres of community open space or a ratio of ~~0.0438~~ [0497](#) acres of community open space per capita as of ~~May 2003~~ [June 2022](#). The open space portion of the fee is designed to allow the Town to maintain this ratio as the Town's population grows.

## **C. ACTIVITIES SUBJECT TO THE FEE**

Any residential development activity that creates new dwelling units shall pay this impact fee based upon the expected population of the project considering typical occupancy rates. The following occupancy factors shall be used as a base for calculating the fee:

Single family dwellings and mobile homes      3.2 people/unit

Dwelling unit in a two-family or multi-family dwelling with:

a. one bedroom      1.2 people/unit

b. two bedrooms      2.0 people/unit

|  |                         |
|--|-------------------------|
| c. three or more bedrooms              | 3.0 people/unit         |
| Dwelling unit in elderly or congregate | 1.2 people/unit housing |

This fee shall apply to the construction of any new dwelling unit whether or not such unit is part of a subdivision. It shall apply to conversion or alteration of an existing building that creates or increases the number of dwelling units in the building. In the case of a development activity that increases the number of dwelling units in a building, the impact fee shall apply only to the new dwelling units.

**D. CALCULATION OF THE FEE**

The recreational facilities and open space impact fee is the sum of the per capita cost of providing additional recreational facilities and the per capita cost of providing additional open space multiplied by the anticipated number of residents in the dwelling unit. The adjusted per capita recreational facilities fee is ~~\$457,801~~ (see Impact Fee Methodology dated ~~June 16, 2003~~, 2022). The adjusted per capita open space facilities fee is ~~\$79,179~~. Combining the two portions of the fee results in an impact fee of ~~\$536,980~~ per capita.

1) The impact fee per dwelling unit for the following types of residential units shall be:

|   |                                 |
|---|---------------------------------|
| A single family dwelling including a manufactured or modular housing unit placed on a single-family lot, a mobile home or manufactured housing unit in a mobile home park, or a detached condominium unit | <del>\$1,715,313</del> <u>6</u> |
|---|---------------------------------|

A dwelling unit in a two-family or multi-family dwelling including attached condominium units with:

|                           |                        |
|---------------------------|------------------------|
| a. one bedroom            | <del>\$643,176</del>   |
| b. two bedrooms           | <del>\$1,072,960</del> |
| c. three or more bedrooms | <del>\$1,608,240</del> |

|  |                      |
|--|----------------------|
| A dwelling unit in elderly or congregate housing | <del>\$643,176</del> |
|--|----------------------|

- 2) For any other type of residential use or where the application of the fee schedule is unclear, the Planning Board shall determine the applicable fee based upon the number of occupants that would be typically expected to live in the dwelling unit and the impact fee of ~~\$536-980~~ per capita.
- 3) In the situation where the number of dwelling units in an existing building is being increased, the impact fee due shall be the difference between the impact fee that would be due based upon the proposed utilization of the building minus the fee that would have been charged based upon the utilization of the building prior to the change.
- 4) The recreational impact fee is due at the time of payment for the building permit where the dwelling units are located.

#### **E. EFFECTIVE DATES**

Notwithstanding the provisions of 1 M.R.S.A. §302 or any other law, this ordinance, when enacted, shall govern any plan or application for approval or permits under the Land Use and Development Code submitted on or after November 11, 2003 - \_\_\_\_\_, and any such plan or application submitted before that date, but which had not received at least one substantive review, within the meaning of §302, on or before that date, by the Town board or official having authority to grant any such permit or approved.