

## Hyde Park Selectboard

### Procedures and Standards for Technical Review Fee

#### TECHNICAL SERVICES ESCROW FOR LEGAL AND ENGINEERING REVIEW BY The Hyde Park Development Review Board

**Effective January 10, 2013.**

To limit the taxpayers' exposure to the costs that may be incurred by the Development Review Board (DRB) during the DRB's legal and engineering review of development proposals, and as authorized by 24 VSA 4440(d) and Section VI, F, Fees of the 2009 Hyde Park Zoning Regulations, the Selectboard hereby adopts these procedures and standards.

A minimum \$500.00 fee shall be submitted by an applicant 1) with an application for land development predetermined by the DRB to necessitate the technical services fee be submitted in order to complete an application, or 2) upon the request of the DRB, as a condition of continuing a public hearing review. Under #2 above, the DRB may request the fee whenever a majority of the DRB votes to request the fee, which may be higher than the minimum fee of \$500.00 depending on the scope of work to be completed by the DRB.

The DRB may request that the applicant re-fund the escrow account at any time prior to issuing its final decision, and may ask for fees to pay for the town's inspections, reviews and permit compliance reports detailed in the final decision.

Land Development requiring a \$500.00 fee to be paid as part of a complete initial application are:

- All subdivision proposals to create 10 or more residential lots;
- Any industrial project;
- Any commercial project with a new building or expansion of a building exceeding 5,000 sq ft of finished floor area
- Any project containing a new road, or extension of a road.

Examples of land development which the DRB may collect a technical services fee after the initial review include, but is not limited to; ponds with dams, new construction being offered to the municipality, projects potentially impacting other properties and projects that may require expert testimony such as in the case of noise, light or hazardous emissions.

The escrow shall be held by the town treasurer for the DRB's use to pay for the legal, engineering or other technical reviews related to an application. If additional funds are required during the town's review of an application, then the applicant shall receive written notice of the funds required and the application will be continued until the funds are deposited with the town treasurer. The DRB may retain or request an estimated amount, as determined by the DRB, to complete any post-approval review, inspection and reporting and make such payment a condition of final approval.

After all appeals are final and there are no on-going permit conditions that require the town's use of the escrow fund, the remaining balance shall be returned to the person that submitted the fee.

Adopted at a duly warned meeting of the Hyde Park Selectboard on January 10, 2013.