



PLANNING & CODE ENFORCEMENT



Planning & Code Enforcement

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DATE: April 18, 2025

Senator Chip Curry
Representative Traci Gere
Members of the Committee on Housing and Economic Development - Room 206

RE: LD 1498 - An Act to Limit Municipal Impact Fees on Housing Development
LD 1246 - Resolve, Directing the Department of Economic and Community Development to Convene a Working Group to Review the Process of Setting Impact Fees

Senator Curry, Representative Gere, and Members of the Committee:

My name is Jennie Poulin Franceschi. I am the Director of Planning and Code Enforcement for the City of Westbrook. I would like to provide testimony regarding LD 1498, with the recommendation of OUGHT NOT TO PASS, and as the bills are related, I am submitting this letter as testimony for LD 1246, as well.

The language proposed would make impact fees a moot point in addressing major infrastructure upgrades in our communities. The language states you can only use the funds on or adjacent to the subject parcel and you must use the funds within 180 days, which is completely unreasonable. Most major infrastructure upgrades are centrally located within a community, such as an intersection or a major piece of sewer infrastructure.

This bill would then shift the entire “demand” for an upgrade to a system on the back of one project, which could then halt growth. I.e., an intersection improvement or a major system upgrade would fall on the back of the project that breaks the proverbial camel’s back. Conversely, a community would have to bond those “development” costs, which are then borne by the residents of a community, making their homes less affordable to stay in. Sharing the growth and development costs with impact fees is the fairest approach and the development community concurs with this approach, provided you are upfront and fair with your impact fee system.

For Westbrook, we are proposing a sewer impact fee to address a necessary plant expansion. The plant expansion’s cost would have to be bonded and the cost of that placed on the current sewer users that have nothing to do with the need for the expansion. Westbrook should be able to have new developments pay their fair share of their needs that is directly tied to their project, instead of the community having to bear that entire burden. This is how we keep a community affordable to remain in.

We are aware of another bill **LD1246 – Resolve, Impact Fees working group**– which would be a means to have a broader discussion on the issues raised that were the impetus for LD 1498. We would suggest representatives from many varied municipalities on this committee to be present in the discussions and be available to troubleshoot the concerns, to then propose suggestions for those concerns. Impact fees provide communities an opportunity to address major infrastructure investments, and we would want to ensure the need and use of impact fees remains as intended.

Thank you for your time and consideration of these comments.

Respectfully Submitted,

Jennie Poulin Franceschi, P.E.
Director of Planning
and Code Enforcement