

0175 PLANNING DEPT 2023 BUDGET REQUEST

ORG	OBJ	ACCT DESCRIPTION	2021 EXPENDED	2202 BUDGET	2023 REQUEST	NOTES:	Y-o-Y \$	Y-o-Y %
01017551	510000	BUDGET:SAL & WAGE						
01017551	511000	PLAN BD:SALARY						
01017551	511000	PLANNING DEPT. SALARY	32,145.86	129,484.00	134,401.77			
01017551	511005	HOURLY WAGES		3,000.00				
1017551	5414011	BONUS						
510000 SALARY & WAGE TOTAL:			32,145.86	132,484.00	134,401.77		1,917.77	1.45%
01017552	520000	PURCHASE OF SERVICES						
01017552	530001	PLAN BD SVC:CONSULT						
01017552	530002	PLANNING BOARD ADVERTISING	844.40	1,100.00	1,100.00			
01017552	530007	PROF/TECH:LEGAL	64,733.69					
01017552	530022	PLANNING DEPT. DIGITIZATION			7,800.00			
520000 PURCHASED SERVICES TOTAL:			65,578.09	1,100.00	8,900.00		7,800.00	709.09%
01017554	540000	SUPPLIES						
01017554	542000	PLANNING DEPT. OFFICE SUPPLIES	0.00	316.00	300.00			
01017554	542005	PLAN BD SUPP:OFFICE EQUIP						
01017554	551000	PLANNING DEPT. TECH SUPPLIES: MAPS/PLANS	379.53	500.00	500.00			
540000 SUPPLIES TOTAL:			379.53	816.00	800.00		-16.00	-1.96%

0175 PLANNING DEPT 2023 BUDGET REQUEST

ORG	OBJ	ACCT DESCRIPTION	2021 EXPENDED	2202 BUDGET	2023 REQUEST	NOTES:	Y-o-Y \$	Y-o-Y %
01017557	570000	OTHER CHARGES UNCLASSIFIED		125.00				
01017557	571000	OTHER:INSTATE TRAV		2,550.00				
01017557	572000	OTHER: TRAVEL: OUT OF STATE		3,750.00				
	558002	SUBSCRIPTION UPDATES			115.00	MCLE TREATISES		
	558003	SUBSCRIPTION			2,400.00	WESTLAW		
01017557	573000	OTHER CHARGES DUES AND MEMBERSHIP	375.00	500.00	762.00	MASS BBO, APA, MASS PLANNING DIRECTORS		
	573010	OTHER EXP: TRAIN/WKSHP/CONF			3,500.00	PLANNING; PROCUREMENT		
01017557	579000	OTHER:REIMB		125.00				
570000 OTHER UNCLASSIFIED CHARGES TOTAL:			375.00	7,050.00	6,777.00		-273.00	-3.87%
GRAND TOTAL:			98,478.48	141,450.00	150,878.77		9,428.77	6.67%
			FY 2021	FY 2022	FY 2023 REQUEST			

	FY 2020	FY 2021	FY 2022	
Planning Wages	1,046.75 (1)	32,145.86	77,254.48 (3)	For FY 2022: Some litigation fee increased to \$285 / hour as of 07.01.2021 (Unanticipated)
Planning Services prior to hiring Paid to KP		64,733.69	0.00	For FY 2022: General Counsel fee increase from \$190 to \$200 / hour (anticipated)
Town Counsel	193,787.47 (2)	128,583.84	77,060.01 (4)	
Totals:	<u>194,834.22</u>	<u>225,463.39</u>	<u>154,314.49</u>	

(1) Clerical Services / minutes only

(2) Required Reserve fund transfer of \$32,800 to balance appropriation

(3) Wages through 01/16/2022 = 58.31 % of Budget

(4) Services billed through 12/31/2021 = **47.41** % of Budget

PLANNING DEPARTMENT MEMORANDUM

**To: Truro Budget Task Force
Truro Finance Committee
Truro Select Board**

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: January 26, 2022

Re: Planning Department Budget Narrative

Dear Members of the Truro Budget Task Force:

As requested, this is a narrative summary for the Planning Department's 2023 fiscal year budget.

- A. Overview:** Manage Town's planning processes; assist applicants, boards and public with permitting process; advise on land use and regulatory law; develop bylaws; support Zoning Board of Appeals, Planning Board, Local Comprehensive Plan Committee, Walsh Committee, Economic Development Committee, Historical Commission, Truro Housing Authority, and other bodies as needed. Pursue grant opportunities to support planning projects. Provide counsel to Town Manager, staff, and boards on Conflict of Interest Law, Open Meeting Law, Public Records Law, and other municipal law topics. At direction of Town Manager, conduct Town procurement, prepare and review contracts, and advise on procurement law. As requested, advise Town Manager on legal issues and special projects.
- B. Status Update:** *Completed: Procurement training with Office of the Inspector General (OIG) to obtain certification as Associate Massachusetts Certified Public Procurement Officer (MCPPO). Intended 2022: obtain certification from American Institution of Certified Planners (A.I.C.P.).*
- C. Requested Staffing Changes:** Needs for increases/decreases/maintenance of staffing levels – with an effort towards mitigating the need for a prop 2 ½ override.
None
- D. Recommended Efficiencies:** Efficiencies that have or could be implemented in any capital, program, service, personnel, or operational requirement. *Digitization of Planning Department records.*
- E. COVID Impacts:** On daily operations that have a fiscal and or/budgetary impact – be specific. *None with such impacts, but see (I), External Impacts, below.*
- F. Anticipated Cost Increases or Decreases:** *Cost increase only if digitization of Planning Department records is paid out of Planning Department budget.*

- G. Digitization and Technology:** *Digitization of Planning Department records is needed to serve Department operations and the public. Records currently scattered and unsearchable.*
- H. Select Board Goals and Objectives:** *The digitization of Planning Department records fulfills Select Board 2022 Objective number 13: “The Select Board will provide resources in the FY2023 budget to increase the digitization of town services and records. . . .”*
- I. External Impacts:** *Discuss any impacts from the economy, workforce, or environment that may impact your ability to provide programs and services. COVID-19 has suspended in-person hearings, meetings, workshops and other public events. Virtual meetings lack or diminish some elements of the public process. At the same time, virtual meetings allow participation by individuals who might otherwise not be able to attend a live event, due to mobility issues, health concerns, or family obligations.*
- J. Revenues:** *Review fees associated with your programming and services (if any) and recommend if these fees could be modified, or new fees instituted. A list of fees charged and when they were last updated will be helpful. Provide justification and comparison of fees with similar Town’s on the Cape. *The application fees for permits from the ZBA and Planning Board should be increased to reflect cost to Town of publishing hearing notices and the administrative work associated with the application process. Please see attached Memorandum and Comparative Table.**
- K. Capital Planning:** *Ensure that any relevant multi-member bodies have been integrated into the process of Capital requests prior to presenting options and costs in your budget. None currently needed.*
- L. Other:** *None.*

MEMORANDUM

To: Truro Select Board
Finance Committee
Budget Task Force

From: Barbara Carboni, Town Planner and Land Use Counsel
Liz Sturdy, Planning Administrator

Date: January 25, 2022

Re: Planning Department Recommendations for increasing certain Zoning Board of Appeals and Planning Board fees

Fees for Zoning Board of Appeals and Planning Board applications have been unchanged since 2007. The fees for certain applications (e.g., ZBA variance; Planning Board special permit) do not even cover cost of advertising public hearings. For context, the fees for applications in Provincetown, Wellfleet and Eastham were researched. Although the categories of applications do not always line up exactly across the four Towns, a general sense of where Truro's fees fall can be obtained. See attached Comparative Table of Fees. The Planning Department recommends increasing certain application fees to reflect the cost of advertising and staff time involved.

1. What should fees cover?

Currently, the average cost for running an advertisement for a ZBA or Planning Board hearing in the Provincetown Banner is \$37.75; generally, hearings must be advertised twice, the total cost is \$75.00 per application.¹ Where the application fee for ZBA appeals, special permits and variances is \$50, the fee falls \$25 short of advertising costs. No other Town has an application fee below the cost of advertising. It is reasonable to ensure that application fees cover the cost of advertising public hearings.

It is also reasonable (although not required) to view application fees as partially offsetting the staff time and other resources required to process the application and follow it through to resolution. Of course, the amount of staff time spent on applications varies widely, and the true cost cannot be determined exactly. Nevertheless, the higher fees imposed by Provincetown and Eastham (and, to a lesser extent, Wellfleet) appear to acknowledge that the staff time involved is not insignificant.

2. Applications under Zoning Bylaw.

As the Table indicates, \$250 is typical for most ZBA and Planning Board applications under the Zoning Bylaw (appeals from Building Commissioner, special permits, variances, and site plan review), although Wellfleet's fee for ZBA appeals from Building Commissioner is \$95.00 and its Planning Board special permit is \$200.² Wellfleet and Eastham have a separate category and fee of \$90 for

¹ The cost to advertise in the Cape Cod Times is considerably higher (\$100-150 estimate).

² Wellfleet's fees for special permits and variances are tied to construction costs.

amendments to a site plan or special permit. Provincetown has separate categories and fees of \$1500 for Telecom special permit and Telecom site plan review (each).³ Truro's site plan review is consistent at \$250, but all other applications under the Zoning Bylaw are \$50.00.

It would be reasonable for Truro to set a uniform fee of \$250 for all applications under the Zoning Bylaw, consistent with Provincetown and Eastham's fees. Fees of \$200 or \$225 would also be reasonable, reflecting a compromise between the Provincetown/Eastham fees and Wellfleet's lower fees. The creation of a separate category for amendments to previous decisions (\$90), and a higher fee for Telecom applications (perhaps \$750 or \$1000) should also be considered.

3. Applications under Subdivision Control Law.

As the Table indicates, some of Truro's fees for applications under Subdivision Control are consistent with or exceed neighboring Towns (see, e.g., ANR: Truro and Wellfleet at \$275; Eastham at \$200; Provincetown at \$150). Truro, like Wellfleet and Eastham, has a flat fee for a Preliminary Plan (\$275, \$275 and \$200 respectively), while Provincetown has a \$200 per lot fee, meaning that at minimum an application would be \$400. Wellfleet has a flat fee of \$300 for Definitive Subdivision Plans; Truro, Provincetown and Eastham have "per lot" fees:

Truro:	\$125 per lot, \$275 minimum (example: 5-lot subdivision: \$625)
Provincetown:	\$200 per lot (example: 5-lot subdivision: \$1000)
Eastham:	\$500 plus \$100 per lot (example: 5-lot subdivision: \$1000)
Wellfleet:	\$300 flat fee (example: 5-lot subdivision: \$300)

Other comparisons were less complete due to lack of uniformity in categories or lack of available information (e.g., Truro's fees for modification of a Definitive Plan are the same as for the Definitive Plan; Wellfleet charges a flat rate of \$125; Provincetown and Eastham do not indicate fees for modification).

It would be reasonable to increase Truro's fees for Definitive Subdivision Plans to be consistent with Provincetown and Eastham, or perhaps to achieve some compromise between those Towns and Wellfleet. This could be accomplished by setting a higher per-lot fee (\$200, or perhaps \$175), or by setting a flat-fee plus (\$500 plus \$100 per lot, or perhaps \$400 plus \$75 per lot)

4. Abutters List/Labels

Abutter notification is required for ZBA and Planning Board hearings; the Assessor generates and certifies an abutter list. As indicated by the Table, Truro and Wellfleet charge \$15; Provincetown and Eastham charge \$25, with Eastham adding \$8 per abutter for certified mailing.

Assessor Jon Nahas has expressed the opinion that the current fee is fair. He has also suggested that the Assessor list fee could simply be rolled into the application fee. This would be more convenient for the applicant, and also to Town staff.

³ It is not clear whether this substantial fee is based on complexity or perhaps perceived ability to pay.

Comparative Table of Application Fees

	Truro	Provincetown	Wellfleet	Eastham
under Zoning Bylaw				
ZBA Appeal from Bldg. Comm.	\$50	\$300	\$95	\$250
ZBA Special Permit	\$50	\$200	tied to construction costs	\$250
ZBA Variance	\$50	\$250	tied to construction cost	\$250
ZBA Colony conversions Per unit	\$50			
PB Residential Site Plan	\$250	\$250	[N/A?]	\$250
Waiver	\$125			
PB Commercial Site Plan	\$250	\$250	\$250	\$250 major \$25 minor
Waiver	\$125			
		\$1500 Telecom Site Plan Rev.		
			\$90 amendment to Special Permit	\$90 amendment to Site Plan/ Special Permit
PB Special Permit	\$50	\$450 Site Plan Review by Special Permit	\$200	\$250 Site Plan Approval Special Permit
		\$1500 Telecom Special Permit		
under Subdivision Control Law				
PB Approval Not Required (ANR)	\$275	\$150	\$275	\$200
PB Preliminary Subdivision Plan	\$275	\$200 per lot	\$275	\$200
PB Definitive Subdivision Plan				
Per lot	\$125	\$200 per lot	\$300	\$500 plus \$100 per lot
Minimum	\$275			
PB Subdivision Covenant	\$100			
PB Modification, Amendment or Recission of Subdivision Plan			\$125	
Per lot	\$125			
Minimum	\$275			
PB Certification of Completion/ Release of Municipal Interest	\$100		\$100	\$50
Other				
Assessor – Certified Abutter List (ZBA and PB)	\$15	\$25	\$15	\$25 plus \$8.00 per abutter for certified mailing