

**Selectboard Policy
Regarding
Stowe Zoning Department Fees
Adopted February 23, 2015**

Authority and Policy: In accordance with 24 V.S.A. § 4440, "the Select Board may prescribe reasonable fees to be charged with respect to the administration of bylaws and the administration of development review." The Selectboard has adopted the attached Zoning Department fee schedule that is anticipated to generate adequate revenue to cover a portion of the Zoning Department operational costs. It is recognized that a portion of the Zoning Department costs will be covered by other revenue sources since some department services do not relate directly to the issuance of permits.

Purpose: The purpose of this policy is to establish rules and procedures related to the adopted fee schedule.

Payment of Fees

1. All fees are non-refundable unless due to an administrative error.
2. Permit applications submitted after the start of construction, or resulting from a notice of zoning violation, shall be subject to twice the regular application fee.
3. All fees are payable in full at time of application except as follows: Conditional Use Applications requiring a hearing before the Development Review Board with a total fee equal to or greater than \$5,000 shall be required to submit one-half the application fee at time of application to the DRB, and the remaining balance based upon the current fee schedule at time of application for a Zoning Permit.
4. A pond shall be defined as any water body, existing or proposed, which has a water surface area of 43,560 sq. ft. or less. Water bodies over this size shall be considered "land based uses."
5. Re-approvals and minor amendments that do not involve additional square footage of construction shall be charged the minimum fee. If there is additional square footage of construction, or if substantial additional review is required, the applicant shall be charged based on the additional square footage or the minimum fee, whichever is greater.

Increase in Fees

1. Fees shall also be reviewed every year as part of the budget approval process to assure that they cover an adequate portion of the Zoning Department operational costs. The Selectboard may increase fees if the fees do not adequately cover costs.
2. Fees will also automatically be increased if changed by state law.

Legal & Professional Expenses

1. When legal or engineering services are required for a decision by the DRB, the costs will be billed to the applicant, subject to the following guidelines:
 - With regard to legal services, the Town will not bill the applicant for charges resulting from consultation with the Town Attorney regarding issues involving interpretations or Town Bylaws, formal appeals of Town decisions, or routine questions concerning the legal authority of the respective Town boards to act in various circumstances. However, the Town may bill the applicant in instances requiring consultation with the Town Attorney for drafting legal documents relative to a specific development proposal, including development agreements, easements, etc., or where the applicant specifically requests consultation with the Town's Attorney.
 - With regard to engineering services, the Town will not bill the applicant for routine review of development proposals by Town employees and representatives. However, the Town may bill the applicant in instances where special studies are required for unique or complex development proposals. Examples of such studies include traffic impact reports where the potential for high

