



## NEWS

Thu, Oct 8, 2009

## Cape board asks BPW to lower water fee

*School district wants to pay less for hook-up*

By Henry J. Evans Jr.

The Cape Henlopen School District Board of Education is seeking a reduction in a Lewes Board of Public Works \$249,000 water and sewer utility impact fee for the new high school.

Camilla Conlon, school board president, says the fee is too high and there are several reasons it should be reduced to \$156,500 – a \$92,500 savings for the district.

An impact fee is the assessment against new development projects which compensates for the added costs of public services. Impact fees cannot be arbitrarily set and must be clearly linked to added cost of services.

Conlon and George Stone, Cape Henlopen School District superintendent, made an appeal for the fee reduction at the Sept. 23 Board of Public Works (BPW) meeting at the Lewes Public Library.

Conlon said the impact fee should be based on the school's increased occupancy rather than the BPW's method, which bases the fee on the increased number of plumbing fixtures in the new facility.

"It comes down to people versus fixtures," Conlon told the panel.

In a Sept. 21 letter to Gary Stabley, BPW president, Conlon wrote that it isn't that the district doesn't expect to pay an impact fee.

"It is just that, inasmuch as we had an existing facility, we thought the impact fees would be related to the increase in students rather than the increase in fixtures."

Conlon said Sussex County's building code required that the school's new 4,000-person capacity field house be equipped with 76 restroom toilets, which she said is substantially more than ever likely to be needed, even for the school's biggest events.

"For 40 years we had four portable toilets – no one complained," Conlon said about the high school's previous athletic field restroom accommodations.

She said the old high school had a 1,200-person occupancy, and the new school is designed to serve 1,700 occupants – an increase of 500.

Conlon said New Castle County charges impact fees based on the number of occupants and based its last impact fee assessment for a school on 15 gallons of water used per day per person.

She said Cape's last average water usage was 4.5 gallons per day per person.

"If, instead of using a straight-up fixture calculation, we used the New Castle charge of 15 gallons per occupant, it would be an additional 7,500 gallons per day," Conlon wrote.

She said the district is willing to enter into an agreement with the BPW to monitor the school's water use, and if it's determined that usage exceeds what's anticipated, the school district would pay fees based on usage, up to the amount due based on fixtures.

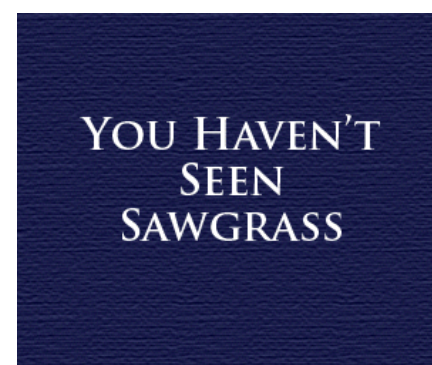
Conlon also asked the board to allow the district to pay the impact fee in installments.

Stone said Cape's new facility is "one of the finest new schools to be built in the state." He said the district still needs to purchase technology and supplies for the school.

Ken Mecham, BPW general manager, said the school district had earlier been given an impact fee quote of \$336,000, which had been based on fixtures, a count the was later reduced.



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C. Wendell Alfred, BPW vice president, said he was puzzled by the school district's not coming forward sooner in light of initially having faced the \$336,000 impact fee.

Board member Jay Carmean said an impact fee estimate of about \$113,000 the school district received from its project engineer, Davis, Bowen & Friedel Inc., was way off.

"I'm struggling with making the budget allowances," Carmean said. Board member Jim Gayhardt said he couldn't justify for other BPW customers such a substantial impact-fee reduction. "I'm puzzled by how we do that. I'm sorry, but I can't do that," he said.

The board deferred action on the request pending review by BPW counsel, engineers and general manager.

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