

THE FOLLOWING RESOLUTION ADOPTED ON SEPTEMBER 23, 2003 IS NOW AMENDED SO THAT IT NOW READS IN ITS ENTIRETY AS FOLLOWS:

RESOLUTION

RELATING TO EXEMPTIONS OR WAIVERS
UNDER SECTION 9 OF THE SHELBURNE IMPACT FEE ORDINANCE

WHEREAS, the Town of SHELBURNE has a duly adopted impact fee ordinance created pursuant to 24 V.S.A. Chapter 131, its charter, and 24 V.S.A. Chapter 59; and

WHEREAS, the impact fee ordinance, at Section 9, specifically authorizes the Selectboard to establish exemptions or waivers, in full or in part, for affordable housing and elderly housing type land development; and

WHEREAS, the policy of the Town, expressed via the Town Plan and via the bylaws that implement the Town Plan, supports the creation and retention of affordable housing and housing for the elderly;

Now, **THEREFORE, BE IT RESOLVED**, that exemptions/waivers shall be granted when an individual or entity required to pay a fee under the ordinance demonstrates to the Selectboard that:

1. Land development otherwise subject to the impact fee consists of affordable housing and/or elderly housing:
 - A) Housing shall be considered affordable if it is restricted to households or individuals earning not more than 80 percent of the median household income for Chittenden County;
 - B) Elderly housing shall be defined as housing units created primarily for the use of persons age 65 and older; AND
2. Units for which the exemption/waiver is sought have received applicable local land use permits (i.e., conditional use approval, if required; site plan approval, if required; and final plat subdivision approval, if required); AND
3. Units otherwise subject to the fee will remain affordable and/or limited to occupancy by persons 65 and older for a period of at least 30 years, as evidenced by binding legal documents and with compliance monitored by a public agency for 15 years; AND
4. His or her request has been reviewed by the Shelburne Planning Commission and documentation is provided that the Planning Commission does not oppose the exemption or waiver of a portion, or all, of the fee; AND

BE IT FURTHER RESOLVED THAT;

5. Adjustments to the fee shall be made according to the following schedule:

Category/ Level of Support for Town Policies	Education Impact Fee Reduction	Recreation Impact Fee Reduction
Affordable Housing Unit <ul style="list-style-type: none"> • Accessible to Households or Individuals Earning Not more than <u>60</u> percent of County median 	Reduced 90%	Reduced 90%
Affordable Housing Unit <ul style="list-style-type: none"> • Accessible to Households or Individuals Earning Not more than <u>80</u> percent of County median 	Reduced 85%	Reduced 85%
Elderly Housing Unit <ul style="list-style-type: none"> • Limited to Households or Individuals Earning Not more than <u>80</u> percent of County median 	Reduced 100%	Reduced 70%

16 SEPTEMBER 2010 @ 3:30 PM
 RECORDED IN VOL. 1 PAGE(S) 28.33-34
 OF SHELBURNE ORDINANCE RECORDS.
 ATTEST: C. Nolan, Asst. Clerk

SHELBURNE TOWN CLERK'S OFFICE

Elderly Housing Unit • No limits based on income	Reduced 100%	Reduced 50%
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BE IT FURTHER RESOLVED that

6. An additional 5 % reduction of the fee will be provided (i.e., amounts shown in table above will be increased) when the unit will maintain its status in perpetuity.

Passed this 24th day of August, 2010.

SHELBURNE SELECTBOARD

ROBERT ROESLER, CHAIR

Robert C. Roesler

WILLIAM SMITH

William Smith

TIMOTHY PUDVAR

AL GOBEILLE

Al Gobeille

GARY VON STANGE

Gary Von Stange

The above resolution is a true and correct copy of the amended resolution as finally adopted at a meeting of the Legislative Body held on the 24th day of August, 2010, and duly recorded in my office.

IN WITNESS WHEREOF, I hereunto set my hand this 16th day of September, 2010.

(SEAL)

De C. [Signature] Asst Clerk
(Signature of Municipal Clerk)

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