

## **Town of Windsor, Connecticut Assessment Abatement Policy**

### **I. Objectives**

1. Fiscal impact – to increase the non-residential tax base to preserve and enhance the town’s capacity to provide necessary infrastructure and services and to maintain the commercial and industrial development at not less than 30% of the town’s grand list.
2. Quality employment opportunities – to provide employment opportunities with good wages and benefits for town residents.
3. Stable and growing economy – to support existing business retention and expansion and attraction of new businesses in particular from targeted business clusters so as to strengthen the local economy.
4. Sustainable and quality development – to encourage the use of quality materials and design and incorporation of green technology.

To achieve these objectives, the Town may provide a temporary abatement of increased assessed value for the real property portion of a project if the project meets the criteria listed below. Economic development projects shall not have a negative financial impact on the Town at the conclusion of the abatement term. The Town reserves the right to approve the cost-benefit analysis model used to determine the financial impact.

Any and all decisions to grant and to establish terms of an incentive pursuant to this policy shall be within the sole and absolute discretion of the Windsor Town Council.

### **II. Precedents to Granting Incentive**

The Town Council shall consider the following conditions as precedents to granting property tax incentives:

A. Existence of economic benefit. The project must add to the Windsor economy. Evaluation criteria to be used in determining benefit to the community shall include but not be limited to: the amount of capital investment, whether the project produces value-added products and services, and whether the project provides a positive fiscal impact and economic impact.

B. Types of business. The project shall be of a nature that has been identified by the Town Council as desirable to stimulate the local economy and improve the quality of life for its citizens. To meet this objective, the project must involve one of the following:

1. Manufacturing firms, as per the Manufacturing Assistance Act,
2. Class “A” office space,
3. Offices for advanced medical procedures,

4. Significant Fiscal Impact Project. A Significant Fiscal Impact Project shall mean any eligible use, as per Connecticut General Statutes Section 12-65b (b), which makes a capital investment in taxable personal property and improvements to real property equal to or greater than \$60 million dollars, and

5. Permanent multi-family residential projects located in Windsor Center Design Development Area (section II B 5 sunsets January 31, 2017, therefore applications for this eligible use must be approved prior to said sunset date).

C. Maintain existing tax base. Assistance will be given to businesses that invest in new buildings or building expansions. Property taxes on the existing land and facilities shall not be reduced for new development projects.

D. Definition of businesses. The following definitions will be used in determining the term of abatement and the level of capital investment required.

1. Existing business is a business that shall have had facilities and operations in the Town for a period of not less than one year.

2. New business is a business that is new to Town or has not had facilities and operations in Town for a period of at least one year.

E. General requirements. Applications for assessment abatement must conform to the following requirements:

1. Applicant must not be delinquent in any taxes or charges due to the Town of Windsor.
2. If the end user of the proposed facility is a lessee, then the tax benefits created by this abatement must be clearly reflected in the lease as accruing to the Applicant Company and the lease must be at least for the term of the abatement period.
3. An agreement entered into pursuant to this policy shall not be subject to assignment, transfer, or sale without the written consent of the Windsor Town Council.
4. After approval of an application by the Town Council and approval of a site plan by the Town Planning and Zoning Commission, construction shall commence within six months and shall be completed within twenty-four months. The Town Council must approve any extension of these deadlines.
5. In the event that the applicant, during the period of its participation in this program: a. relocates its business from Windsor, b. becomes delinquent in taxes or fees, c. closes its operation, or d. declares bankruptcy, then any tax incentive benefit enjoyed by the applicant under this program shall be forfeited and the applicant shall be required to pay back all taxes that would have been assessed had the applicant not participated. The period of participation shall extend for three years beyond the term of the abatement.

### **III. Abatement Criteria and Adjustments**

All projects receiving an abatement shall meet the criteria detailed below.

A. Local Employment. The applicant shall commit to use its best efforts to make new job opportunities created by the project available to Windsor town residents.

B. Wages. The Town expects projects that pay at or above the median wage for similar positions in Hartford County.

C. Building Design. Projects must be in compliance with the Town of Windsor Plan of Conservation and Development and must utilize construction materials that meet or exceed the town's requirements.

**IV. Abatement Schedule**

A. For New Business, in setting an abatement schedule as part of a Fixed Assessment Agreement, the Town Council will use the following table as a guide. The minimum required investment shall be based upon the actual capital investment in taxable real property improvements, excluding land cost and personal property. The percentage abatement may vary from year to year provided that the average percentage abatement shall not exceed the maximum average percentage over the entire term.

| <u>Minimum Taxable Real Property Improvement (Market Value)</u> | <u>Maximum Average % Abated Over Term</u> | <u>Maximum Term</u> |
|---|---|---------------------|
| <u>\$500 K -10M</u>   | <u>30%</u>                                | <u>3 years</u>      |
| <u>\$11-20M</u>   | <u>40%</u>                                | <u>4 years</u>      |
| <u>\$21-30M</u>   | <u>50%</u>                                | <u>5 years</u>      |
| <u>\$31-50M</u>   | <u>60%</u>                                | <u>5 years</u>      |
| <u>\$51-80M</u>   | <u>70%</u>                                | <u>5 years</u>      |
| <u>Over \$80M</u>   | <u>100%</u>                               | <u>7 years</u>      |

B. For Existing Business, in setting an abatement schedule as part of a Fixed Assessment Agreement, the Town Council will use the following table as a guide. The minimum required investment shall be based upon the actual capital investment in taxable real property improvements, excluding land cost and personal property. The percentage abatement may vary from year to year provided that the average percentage abatement shall not exceed the maximum average percentage over the entire term.

| <u>Minimum Taxable Real Property Improvement (Market Value)</u> | <u>Maximum Average % Abated Over Term</u> | <u>Maximum Term</u> |
|---|---|---------------------|
| <u>\$350 K -3M</u>  | <u>40%</u>                                | <u>3 years</u>      |
| <u>\$4M- 10M</u>  | <u>40%</u>                                | <u>4 years</u>      |
| <u>\$11-20M</u>   | <u>40%</u>                                | <u>4 years</u>      |
| <u>\$21-30M</u>   | <u>50%</u>                                | <u>5 years</u>      |
| <u>\$31-50M</u>   | <u>60%</u>                                | <u>5 years</u>      |
| <u>\$51-80M</u>   | <u>70%</u>                                | <u>5 years</u>      |
| <u>Over \$80M</u>   | <u>100%</u>                               | <u>7 years</u>      |

C. Adjustment to Abatement Schedule. The Town Council may adjust the abatement schedule as set forth in Section IV, A. by increasing the average percentage abatement by not more than 10% based on the following criteria:

1. Wages. An increase in the average percentage abatement of up to 5 % may be considered when the project includes wages that exceed the median wages for similar positions in Hartford County.
2. Targeted Industries. An increase in the average percentage abatement of up to 5% may be considered for projects that are targeted industries per the town's target industry list.
3. Building Design. An increase in the average percentage abatement of up to 5% may be considered for use of high quality materials on the building exterior and/or the use of sustainable technologies including photovoltaic power sources.

## **V. Application Procedure**

A. Any eligible owner and/or lessee may apply under this Policy to the Town of Windsor on application forms provided by the Economic Development Director. The applicant shall provide all required information in sufficient detail to allow the Town to determine costs and benefits associated with the implementation of a requested tax incentive. This information should include when appropriate the following:

1. Description of the project including an estimate of the number of jobs to be created and their wages.
2. Description of the applicant and its products or services and including a listing of its officers.
3. An estimate of the costs of the proposed improvements.
4. A construction schedule.
5. Identification of the assessment abatement schedule requested and specific justification for any adjustments per Section IV, C.
6. Identification of any other public incentives, financial or otherwise which are included in the project financing.
7. A calculation of the taxes foregone.
8. A statement of the benefits to the Town for granting a tax assessment abatement including an estimate of local taxes to be paid and purchases from local vendors and a description of planned corporate community involvement.
9. Other information as requested by the Town.

B. Each application shall be accompanied by a filing fee of five hundred (\$500.00) dollars.

C. Upon receipt of the completed application and fee, the Economic Development Director shall refer the application to the Town Manager and Economic Development Commission for review and recommendation. Each application shall be reviewed on a case-by-case basis. The Town Manager and Economic Development Commission shall each forward recommendations in writing to the Town Council.

- D. The Town Council, in its sole discretion, shall approve, approve with modifications and conditions or deny the application.

## **VI. Agreement**

- A. Pursuant to the Town Council decision, the applicant shall enter into a written agreement with the Town fixing the assessment of the real property in accordance with the assessment abatement schedule that was approved.

- B. Said agreement shall incorporate appropriate provisions of the Policy, in particular, the following:

1. Applicant must not be delinquent in any taxes or charges due to the Town.
2. If the end user of the proposed facility is a lessee, then the tax benefits created by this abatement must be clearly reflected in the lease as accruing to the Applicant Company and the lease must be at least for the term of the abatement period.
3. An agreement entered into pursuant to this policy shall not be subject to assignment, transfer, or sale without the written consent of the Windsor Town Council.
4. After approval of an application by the Town Council and approval of a site plan by the Town Planning and Zoning Commission, construction shall commence within six months and shall be completed within twenty-four months. The Town Council must approve any extension of these deadlines.
5. In the event that the applicant during the period of its participation in this program:
  - a. Relocates its business from Windsor,
  - b. Becomes delinquent in any taxes or fees,
  - c. Closes its operation in Windsor, or
  - d. Declares bankruptcy,then any tax incentive benefit enjoyed by the applicant under this program shall be forfeited and the applicant shall be required to pay back all taxes that would have been assessed had the applicant not participated. The period of participation shall extend for three years beyond the term of the abatement.
6. Applicant shall provide a report annually regarding its compliance with the employment and wage provisions of this Policy. Said report shall be in writing upon such forms as are provided for this purpose by the Town.
7. Failure to comply with any of the conditions associated with a fixed assessment project including but not limited to provisions of the fixed assessment agreement and any requirements specified by any of Windsor's land use commissions may result in the Town Council's review of, and possible modification to, said fixed assessment agreement.

## **Town of Windsor, Connecticut Assessment Abatement Policy**

### **Targeted Business List February, 2004**

The following businesses qualify as a targeted business under the Town of Windsor Assessment Abatement Policy. The ultimate determination as to whether a specific applicant is a targeted business shall be with the Town Council.

1. Class A office space - Class "A" office space must include the following features:
  - a. Two or more stories
  - b. Minimum of 50,000 SF of floor area
  - c. Incorporates broadband communications technology throughout
  - d. High-speed elevators
  - e. Life-safety and security programs
  - f. On-site management
  - g. Energy management system
  
2. Biotechnology firms – these include bioscience, biotechnology and bio-medical research companies as defined by the Connecticut Bioscience Cluster and including companies that manufacture related scientific and laboratory equipment or products.

# Windsor Center Plan



## Legend



Center

0 0.05 0.1 Miles



source: 2004 Windsor Plan of Conservation & Development Section 9 - Villages