

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

APRIL 12, 2001 6:00 PM

FEE-IN-LIEU OF OPEN SPACE HEARING

GUESTS: David Snyder, Hether Quillman, Joseph DeSantis, Robert Hanna, David Hunsberger, Gloria Kline, Tina Poole, Randy Wolfe, Ronald Kemmerer, Gloria Kemmerer, Larry Kunkel, Fay Isamoyer, Cindy Stump and Chris Heinz – Reporter.

PRESENT: Karl Bolognese-Supervisor, Roy Timpe-Supervisor, Terry Rarick-Supervisor, Chad Lubas-Solicitor, Thomas Unger-Engineer, Terry Manmiller-Operations Director and Ruth Manmiller-Recording Secretary.

Karl Bolognese opened the Fee-In-Lieu of Open Space Hearing at 6:07 PM, at which time he turned the hearing proceedings over to Solicitor Chad Lubas.

Solicitor Chad Lubas informed the guests that this advertised hearing was being conducted to hear public comment to amend the Maidencreek Township Subdivision and Land Development Ordinance adopted November 23, 1992, by amending Article V, Section 514 to provide a new subsection (A) (1) to include Commercial and Industrial Subdivisions and Land Development; and a revision to sections (A) (7) to provide a per lot Fee-In-Lieu of donation of Open Space for Residential, Commercial and Industrial Subdivision and Land Development Plans. All other provisions of the ordinance remain in full force and effect.

The Board received a recommendation from the Solicitor to reconsider adopting this proposed amendment, requiring new Commercial and Industrial Developments to pay a Fee-in-Lieu of Open Space. Referring to the State Municipal Planning Code, Solicitor Chad Lubas pointed out that the key word in the section of the Municipal Planning Code referring to a fee-in-lieu of open space “inhabitants”. A Fee-In-Lieu of Open Space may be assessed to a development that will result in inhabitants of the community. Commercial and Industrial Lots will not result in inhabitants for the community. If the Board would adopt the proposed amendment it would, in all likelihood, result in litigation, costing the township more than any funds generated for recreation from the new Commercial and/or Industrial Developments.

PUBLIC COMMENT

Randy Wolf, 342 West Walnut Tree Drive, Blandon questioned if the word “inhabitants” could be removed from the Planning Code.

Solicitor, Chad Lubas informed Randy Wolfe only the powers in Harrisburg may change the State Municipal Planning Code.

David Snyder, 224 Genesis Drive, Blandon, clarified the current Fee-In-Lieu of Open Space of \$750.00 per lot, however he stressed the Park and Recreation Board did not want to forfeit the option to choose Fee-In-Lieu of Open Space vs. Land. He reminded the Board that in the past the Park and Recreation Board had the option to take the developer’s offer of land, land offer and Fee-In-Lieu of Open Space or total Fee-In-Lieu of Open Space. He suggested the Board consider imposing an impact fee for new Commercial and Industrial Developments.

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The Board stated an impact fee would generate funds for roadwork, not recreation. They did agree it would be an option to generate additional funds for roads, which would free up additional funds for recreation.

No Action was taken at this hearing. The Board will announce their intentions at the Board of Supervisors Meeting following this hearing at 7:00 PM.

Roy Timpe made a motion, seconded by Terry Rarick to adjourn the hearing at 6:20 PM
Motion carried.

Respectfully submitted,

Ruth M. Manmiller
Recording Secretary

CC: Board of Supervisors
Terry Manmiller, Operations Director
Richard Orwig, Solicitor
Thomas Unger - Systems Design Engineering, Inc., Township Engineer
Planning Commission
Park and Recreation Board
Zoning Hearing Board
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Robert Hobaugh, Esq., Maidencreek Township Authority Solicitor
Tax Collector
Fred Giorgi
Daniel Miller, Fire Chief