

NORTH FAYETTE TOWNSHIP
PUBLIC HEARING
MAY 26, 2020
6:30 P.M.

A public hearing was held on Tuesday, May 26, 2020 with Board of Supervisors Chairman Jim Morosetti presiding for the purpose of taking public comment on the following:

Consideration of an amendment to the Subdivision and Land Development Ordinance adding a section regarding Recreation Fees and Dedication of Land in Lieu of Recreation Fees, for all new Residential Dwelling Units, Residential Subdivisions, Residential Land Developments, Planned Residential Developments (PRDs), and Residential Portions of Mixed Use Developments.

Following the Pledge of Allegiance, roll was called with the following present: Chairman Jim Morosetti, Vice Chairman J.R. Mangan, Treasurer Bob Doddato, Township Manager Michael Baker, Chief of Police Mark O'Donnell, Solicitor Michele Cromer, and Township Secretary Marlyn Jordan.

OTHERS PRESENT: David Lodovico - Director of Fiscal and Administrative Services, Andrew Hartwell - Director of Community Development, Darlene Hildebrand - Recreation Director, Shaun Leslie - Parks Superintendent, Kevin Brett - Township Engineer, Laura Ludwig - HRG, Tom McDermott, Debbie Midgley, Scott Greenholt, Chuck Kyle, Warren Scott, Jeff Scott, and Carson Quadrini

All people wishing to speak were sworn in by the Township Manager.

Andrew Hartwell stated that HRG prepared a recreation audit that gathered information about the Township's current recreation facilities and open space. HRG prepared this ordinance. The ordinance will focus on fees for residential construction. The fee will be \$822 per dwelling unit.

Laura Ludwig of HRG stated they prepared a memo that was sent to the Board of Supervisors and the Township Manager in March that summarized the results of the audit. They did a fee comparison with neighboring communities and Washington and Butler County. The fee is a development related impact fee. The Township currently has a fee, but it has never been included in any ordinance formally. The new ordinance gives two options. You can pay the \$822 fee. The fee is an average of neighboring municipalities. The second option is land dedication. This is only for larger developments. It must be 15 acres or more. It is common to provide both options. The fee will go into a fund managed by Mr. Hartwell and set and established by the Township Manager, Mike Baker. The funds must be used for recreation related improvements that can be used by the people.

Chuck Kyle a planning commission member stated that the planning commission usually goes along with recommendations that are made. With this ordinance the vote was split 2:2. Mr. Kyle was not happy that the fee was an average as opposed to coming up with a calculated number. He stated that the two fees do not tie together. There is no way to correlate the flat fee to someone who is doing the deed in lieu. If the Township were to move forward with this, he would like to see that there is a relationship between the flat fee and the amount of land that would be deeded. Mr. Kyle also did not like that the fact that there was a deed in lieu option. He is concerned that the township will end up having to take care of the land and that there will not be a plan for the land. Mr. Kyle also has a concern about the money. He compared this money to the money that was collected for the sidewalks. He is unaware of any plan for that money. He would like a plan on what can be done with the money collected from this fee.

Mr. Hartwell stated that the fee in Findlay and Peters Township is charged base on the acreage that would have been required to be dedicated. The fee is set up on that assessed value. That is an option. We chose to do a flat fee based on dwelling unit. From an administrative standpoint it would be difficult to manage the fee if it were calculated that way. There would always be issues on what the fee is going to be. As far as how the money is going to be spent, there is a plan in place. We currently have a list of a significant number of items that need addressed throughout the Township regarding maintenance in the parks and installation of lights at the ball fields. Money can be allocated to those projects.

Shaun Leslie stated that we have a lot of park space and a lot of park space that has deteriorated, and needs replaced. For one playground near Argenta Baseball Field that needs replaced it would be around \$100,000.00 - \$120,000.00. Playground equipment is extremely expensive. It must meet specific standards. We must make sure were using the correct equipment for our population. Just that and regular maintenance requirements this fee suits what we need to do.

Ms. Ludwig stated that the comp plan does have goals listed. There is a large section on trails as well. It must benefit the community at large. As far as the \$822 fee she feels it is more than fair based on what other peers are charging. Most places are using a flat rate fee.

Mr. Mangan stated that this is a good idea to have this fund. He also likes the idea of a flat fee.

Mr. Morosetti wanted to know if this is strictly for new developments and not existing homeowners.

Mr. Hartwell said yes, it is strictly for new developments.

Mr. Doddato wanted to verify if you are a new developer you either have pay the fee or give up 15 acres.

Ms. Ludwig said no, you must have at least 15 acres within your development to even qualify to dedicate land as opposed to paying the fee. The minimum amount you dedicate is .05 acres per dwelling unit or 2,185 square feet.

Mr. Morosetti wanted to know if a developer would pay \$822 for a four-unit building or would each individual pay \$822.

Ms. Ludwig said it is based on the number of units, so they would pay per unit.

Scott Greenholt stated that he objects to this ordinance. Mr. Greenholt stated according to the Municipal Planning Code (MPC) this type of fee only applied to developers of subdivision and land development. This excludes people who want to build a single-family home on a single lot. They do not fit the definition of a developer. Mr. Greenholt said that he wants the verbiage added to clarify that this does not apply to new single-family dwellings on individual lots, so new homeowners are clear this does not apply to them. He also stated that the money collected from the fees can not exclusively be used for maintenance.

Tom McDermott stated that the funds can be used for four purposes, providing, acquiring, operating, or maintaining recreational facilities.

Mr. Greenholt stated it cannot be used exclusively.

Mr. McDermott said it can be used for any combination of those purposes. He also stated that there must be other options than the fee or land dedication. Everyone should have an option not just those with more than 15 acres. Lastly, Mr. Greenholt said that there are problems with tying the payment to the building permit process. The payments would have to be tracked and create more work for employees.

Ms. Ludwig stated that North Fayette already collects many other fees and they already put them into Traser for us to track. The MPC does say 2 or more units. We could eliminate the single dwelling as an amendment to the ordinance.

Mr. Mangan wanted to know if someone is dedicating land if it is going to be usable land.

Ms. Ludwig said yes, there are stipulations on the size and shape of the land.

Mr. Morosetti asked if there were any more comments. Being none, he stated the board has 90 days to make a decision on this hearing.

Mr. Greenholt wanted to know if the ordinance is changed will the public know.

Mr. Morosetti said yes, the public will be informed.

ADJOURN

- **A MOTION WAS MADE BY MANGAN, SECONDED BY DODDATO AND CARRIED TO ADJOURN THE HEARING AT 7:40 P.M.**

Respectfully submitted.

Marlyn Jordan
Township Secretary