

North Neighborhoods

Transit impact overhaul approved

Cranberry board passes 23 percent hike to developers who make up panel

Thursday, July 05, 2007

By Karen Kane, Pittsburgh Post-Gazette

Dick Donley, a longtime land developer in Cranberry, couldn't help but admire the "genius" of township supervisors when they began last year to plan for an overhaul of the township's transportation impact fee.

"They put everyone on the committee who would have ended up in the room complaining about it!" he said with a chuckle, only half-joking.

Mr. Donley and his six colleagues on the transportation impact fee advisory board -- two of whom are prolific land developers -- unanimously recommended that the fee assessed to land developers be increased by about 23 percent.

Cranberry supervisors voted last Thursday in agreement with the recommendation.

The transportation impact fee is a levy assessed to developers for all new developments, residential or commercial. Cranberry uses nationally accepted standards to predict how much traffic will be generated by a new development and a "per trip" fee is levied. The amount of the fee is based on the cost of all the road improvements that are scheduled for the impact fee program and the amount of traffic the new development is expected to generate.

Cranberry is divided into two districts when it comes to impact fees, primarily because the township is too big to fit into a single zone, according to requirements of the state Municipal Planning Code. The per trip fee in the eastern district went from \$1,188 to \$1,467, an increase of \$279. The fee in the western district was previously \$1,186 and is now \$1,460, or \$274 higher.

The last time the fees were increased was in 2001 when they were boosted by about 20 percent from \$950 in the eastern district and \$1,000 in the western.

"I think this is a fairly modest increase," said Supervisor Dick Hadley, who has supported transportation impact fees.

Even though it's money that will be coming directly out of the wallet of businessmen like Mr. Donley, he sees it simply as one of the costs of doing business "in a well-organized community."

"They're not trying to kill the goose here. But costs are running away. Asphalt, labor, concrete, everything is escalating. They're trying to build as good a community as they can and as sensibly as they can do it," he said.

Mr. Donley, who lives in Point Breeze, has been developing Cranberry Business Park on Unionville Road since 1999. Nine office buildings are on the site and he hopes to build at least one more in 2008.

Anthony Dolan, of Walnut Capital in Shadyside, another Cranberry developer who sat on the impact fee advisory board, acknowledged he and others like him will pay a little more but he said he gains as much as he spends.

"I know it seems somewhat twisted. I'm voting on my own impact fee increase! But I believe strongly in the impact fee. It generates money that allows a community to appropriately plan for infrastructure improvements. As a developer, we want to come into a community, make an investment there, if it has a good plan in place," said Mr. Dolan, of Monroeville. Walnut's projects in Western Pennsylvania include a 13,000-square-foot plaza along Route 19 off St. Francis Way, and it now has purchased the 8-acre tract that was the site of the Oak Leaf motel. He hopes to have a plan ready for township review by fall.

Cranberry's most prolific developer, Don Rodgers, a township resident, also sat on the panel and had no problem advising the fee increase.

"Nobody likes fees or taxes. From my perspective as a resident, the traffic in Cranberry is highly manageable because the township has had foresight in their infrastructure planning. As a developer, that infrastructure is even more important to me because it means easy access and that attracts more people and business," he said.

Mr. Rodgers noted that the transportation impact monies have been used to leverage state dollars for projects that may never have been funded.

Cranberry has collected about \$13.1 million since the program began and about \$4.2 million was in the current fund balance as of April.

Township Manager Jerry Andree said that what has been spent has been leveraged against state and private dollars to achieve road improvements conservatively estimated at \$20 million.

Cranberry was the leader in transportation impact fees in Pennsylvania, passing regulations in 1989 to assess the fees. The idea then, and now, is that growth and development places extra pressure on a municipal road system, beyond the access routes that directly serve the new development. Either the road system is not improved and it buckles under the pressure of growth, or it is improved to keep pace with the development. But who pays the bill?

Cranberry decided the developer should share the burden.

The outcry was intense.

A consortium of developers battled the township in litigation that reached the state Supreme Court. While the battle ensued, Pennsylvania's municipal planning code caught up with Cranberry and regulations were put in place in December 1990 that allowed communities to levy impact fees.

The legal wrangling ended in 1994 after five years of courtroom battles with Cranberry having to reimburse about \$120,000 in impact fees it had collected between 1989 and 1991 when the township passed a new ordinance that complied with state legislation.

Since then, about 30 municipalities across the state have followed Cranberry's lead and put in place transportation impact fees. In Western Pennsylvania, they include Marshall, Pine, Richland, Adams, Middlesex, Center, Murrysville, Findlay and Penn in Westmoreland County.

Generally speaking, transportation impact fees benefit municipalities that are growing. Older communities that are largely developed or not piquing the interest of developers often don't want to undergo the expense of putting an impact fee ordinance in place.

"Monroeville doesn't have one because it's an older community that already has had its development," said Mr. Dolan, who sits on an advisory committee that deals with growth-related issues for his home community.

Some of the projects in Cranberry that have been funded with transportation impact fees are the expansion of the Rochester Road and Route 19 intersection; reconstruction of North Boundary Road; intersection improvements along Route 19 at Wal-Mart, Rowan Road and Cranberry Square Drive; expansion and traffic signals at Route 19 and Freedom Road and at Freedom and Commonwealth Drive; reconstruction of Freshcorn Road from Glen Eden to Cranberry Heights; widening and traffic signals at Rochester and Powell roads; Routes 19 and 228 widening and intersection improvements; Route 228 widening from Interstate 79 to Franklin Road; realignment of Freshcorn Road with Powell Road; widening of Freshcorn Road from Glen Eden to Bear Run Road; and construction of Thorn Hill Road from Rolling Road to Freedom Road.

John Trant, Cranberry's strategic planner and architect of the impact fee update, said the transportation impact fee and the boost in the amount reflects the township's effort to "do a good job of keeping pace with our infrastructure needs."

He said the increased cost of building roads and the never-ending press of growth keep Cranberry's eye focused on the future. "We want to keep a program in place that ensures we can accommodate the growth that's out there," he said.

The other members of the transportation impact fee advisory committee are Dennis Zeitler, a vice president of Mine Safety Appliance, and three members of the township planning advisory commission -- John Morgan, Bill Thompson and Jim Colella.

(Karen Kane can be reached at kkane@post-gazette.com or 724-772-9180.)

Get home delivery of the Post-Gazette - [click here for a special offer](#).