

**FREEDOM TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
September 5, 2018  
7:00 P.M.**

**PLANNING COMMISSIONERS**

Wayne Belt, Chairperson  
Paul Sharrer, Vice-Chairperson  
Kim Beckett, Secretary  
John Sica  
Edward Buchheit, Jr.

**TOWNSHIP OFFICIALS - PRESENT**

Zachary Gulden, Township Manager

**MEMBERS OF THE PUBLIC – PRESENT**

Susanne Maruskin & Mary Buchheit

**CALL TO ORDER**

Chair Belt called the Planning Commission's meeting to order at 7:00 p.m.

**PUBLIC COMMENT**

None

**APPROVAL OF JUNE 6, 2018 MINUTES**

Chair Belt made a **MOTION** to approve the Minutes of the June 6, 2018 meeting. The **MOTION** was **SECONDED** by Vice-Chair Sharrer. The motion carried unanimously (5-0).

**OLD BUSINESS**

None

**NEW BUSINESS**

**A. Review and comment on a proposal to repeal and replace Article V – Improvements and Construction Requirements, Section 513 – Dedication of Lands for Local Recreation and Other Public Sites, in the Freedom Township Subdivision and Land Development Ordinance.**

Chair Belt said the Board of Supervisors forwarded the following proposed Subdivision and Land Development Ordinance amendment to the Planning Commission for review and comment:

An Ordinance of the Township of Freedom, Adams County, Pennsylvania, Amending the Freedom Township Subdivision & Land Development Ordinance.

WHEREAS, the Board of Supervisors of Freedom Township has determined that it is appropriate to amend the Freedom Township Subdivision & Land Development Ordinance to repeal and replace the standards and criteria for the Dedication of Lands for Local Recreation and Other Public Sites and to make certain other revisions:

THEREFORE, it is hereby enacted and ordained by the Board of Supervisors of Freedom Township, Adams County, Pennsylvania as follows:

**Section 1.** Article V – Improvement and Construction Requirements, Section 513, Dedication of Lands for Local Recreation and Other Public Sites, is deleted in its entirety and replaced by the following:

#### SECTION 513: CONTRIBUTION FOR RECREATION PURPOSES

1. It is the policy of the Municipality to provide recreational facilities for all the residents of the Municipality in accordance with the adopted Recreation Plan. Centralized facilities are preferred over local neighborhood facilities. New and additional facilities at the centralized location are required in direct proportion to increases in the population of the Municipality. Developers causing increases in the population of the Municipality by adding new residential dwelling units must share in the cost of providing additional recreation facilities.
2. The Municipality may require land to be dedicated, and if agreeable to the developer, require the construction of recreational facilities, or payment of a fee in-lieu thereof.
3. A contribution for recreational purposes shall be made at the rate set or amended by resolution of the Board of Supervisors from time to time, payable upon and as a condition of making application for a building permit pursuant to the ordinances of this Municipality.
4. The requirements of Section 513 shall be noted upon the Final Subdivision and Land Development Plan which notation shall be deemed not to constitute a lien or encumbrance on the title of the land.
5. All fees paid to the Municipality for this purpose shall be deposited in a capital reserve fund established as provided by law. Fees in such fund may be combined for investment purposes, if permitted by law, but shall be used only for the acquisition of land or capital improvements for open space, park and recreation purposes.

**Section 2.** Repealer. All provisions of previous Ordinances of the Township of Freedom which are contrary to this Ordinance are expressly repealed.

**Section 3.** Savings Clause. In all other respects, the Code of the Township of Freedom shall remain as previously enacted and ordained.

**Section 4.** Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

**Section 5.** Effective Date. This Ordinance shall take effect in accordance with law.

Chair Belt said the current Section 513 only recommends land dedication / a fee in lieu of land dedication, and the new proposed amendment would require it.

Mr. Gulden said that the Board of Supervisors, at their August 2018 meeting, determined it would be beneficial to start discussing the implementation of a recreation fee. This fee would only be assessed on new residential dwelling units and not existing homeowners. The money generated by this fee would be used to fund new recreation for residents of Freedom Township. He said the Supervisors are now seeking the input from the Planning Commission and residents. Mr. Gulden said the recently adopted Southwest Joint Comprehensive Plan did note a significant deficit in recreation in Freedom Township and in Adams County as a whole. There are no parks or other recreational facilities in the Township.

Chair Belt asked if the Township could share existing neighboring municipality parks and recreation. Mr. Gulden said yes, but he believes it would be more beneficial if the residents had recreation closer to home. Chair Belt questioned if the fee was necessary if neighboring municipalities have recreational facilities. He also questioned if Freedom Township should contribute to neighboring municipalities if its residents use these facilities.

Mr. Gulden said the Board of Supervisors has expressed support of the creation of a new park in the Township, rather than contributing to another municipality's park. They discussed constructing a park at the current Township Building or possibly the Greenmount Fire Department lot. He said they also talked about possible bike or walking trails throughout the Township.

Chair Belt asked if a developer would be responsible for creating recreational facilities for a large development. Mr. Gulden said that the developer would have the option to create a recreational facility to the Township's standards or pay us a fee in lieu of the facilities. The Township would use the money to construct recreational facilities if a fee in lieu of was paid.

Mr. Sica and Mr. Buchheit said there a lot of opportunities around the Township in order to make Freedom Township a destination area.

Chair Belt made a **MOTION** to recommend approval of the proposal, as submitted by the Board of Supervisors, to repeal and replace Article V – Improvements and Construction Requirements, Section 513 – Dedication of Lands for Local Recreation and Other Public Sites, in the Freedom Township Subdivision and Land Development Ordinance. The **MOTION** was **SECONDED** by Mr. Sica. The motion carried unanimously (5-0).

Vice-Chair Sharrer made a **MOTION** to recommend that the recreation fee be set at \$500.00 per new residential unit. The **MOTION** was **SECONDED** by Mr. Buchheit. The motion carried unanimously (5-0).

**OTHER BUSINESS**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

There being no further business Chair Belt made a **MOTION** to adjourn. The Motion was **SECONDED** by Mr. Buchheit. Chair Belt adjourned the meeting at 7:21 p.m.