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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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Memorandum

TO: All House Members

FROM: Representative Steve Santarsiero

DATE: April 27, 2011

SUBJECT: Co-Sponsorship of Legislation (Formerly HB 1831 of 2009-1010, introduced by Rep. Tom Houghton)

In the near future, I intend to introduce legislation authorizing municipalities to charge fees for the review of conditional use applications. This legislation was formerly HB 1831 of the 2009- 2010 legislative session, introduced by Rep. Tom Houghton.

Many township supervisors find it extremely frustrating that a developer is required to reimburse a township for consultant review fees under a "use by right" development, but the Pennsylvania Municipalities Planning Code (MPC) remains silent regarding reimbursement for conditional use development. Consultant review fees, which include such things as storm water, roadway and lighting engineers, are assumed by the municipality alone and may become burdensome, especially during tough economic times. In one instance, a Pennsylvania municipality was billed \$108,000 in review fees for a conditional use development.

My legislation authorizes a municipality's governing body to charge review fees for the evaluation of conditional use applications, pursuant to standards set forth in the zoning ordinance. These review fees may include reasonable and necessary charges by a municipality's professional consultants for review and report on a conditional use application, but cannot exceed the rate or cost charged by the consultants for comparable services to the municipality for services not reimbursed or otherwise imposed upon applicants. This creates a situation where both the applicant and the municipality share the costs of the consultants' services, thus saving the municipality, and ultimately its taxpayers, money.

If you would like to join me in support of this legislation, please contact Kaitlin Mull in my office at 787-5475 or kmull@pahouse.net.