

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1276 Session of
1976

INTRODUCED BY NOLAN, FEBRUARY 2, 1976

REFERRED TO TRANSPORTATION, FEBRUARY 2, 1976

AN ACT

1 Authorizing the supervisors of Franklin Township, Westmoreland
2 County, to transfer certain Project 70 lands in Westmoreland
3 County to the Department of Transportation for a highway
4 project under certain conditions.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Findings and Declaration of Policy.--(a) The
8 relocation of T.R.22 (L.R.187, section 9) through Murrysville,
9 Franklin Township, Westmoreland County, has been the subject of
10 controversy over the past several years and as a result the
11 project has been delayed. The controversy centers around the
12 location of the proposed highway facility. Several alignments
13 have been proposed by the Department of Transportation and to
14 the department by interested citizens or citizen groups in the
15 area. The department in response conducted numerous studies to
16 determine the most feasible corridor bearing in mind the
17 economic, social and environmental impact on the community. The
18 studies indicated that Corridor B to be the most desirable
19 alternative. In fact, there is no feasible or prudent

1 alternative to Corridor B.

2 (b) In spite of the studies and the conclusions drawn,
3 opposition to the corridor by a small vocal minority persists.
4 Because of this opposition, the project continues to be delayed
5 without a resolution in sight.

6 (c) Delay of the relocation of L.R.187, section 9, has
7 resulted in increased escalated costs to the Commonwealth of
8 several millions of dollars due to the inflationary spiral in
9 the construction industry. Additionally, delay of this project
10 has resulted in the loss of human lives through motor vehicle
11 accidents, increased motor vehicle operational costs and
12 represents a great inconvenience to the motoring public.

13 (d) On July 6, 1974, a plebiscite was held within the
14 Township of Franklin, Westmoreland County, on the question
15 concerning the relocation of the proposed route. Of the
16 approximately 1,925 ballots cast, 1,275 favored Corridor B,
17 while approximately 652 ballots were cast in opposition or
18 suggested a compromise solution. Further, one public meeting and
19 two public hearings revealed substantially the same public
20 sentiment as expressed by the plebiscite concerning the corridor
21 location.

22 (e) Therefore, the General Assembly of the Commonwealth of
23 Pennsylvania directs the Department of Transportation to proceed
24 with the relocation of L.R.187, section 9, Westmoreland County,
25 within Corridor B, as described in studies prepared by the
26 department and directs the department to construct such highway
27 facility so as to minimize harm to the affected recreational
28 area. To this end, the supervisors of Franklin Township,
29 Westmoreland County, are authorized to transfer to the
30 Department of Transportation Project 70 lands as herein

1 described under certain conditions.

2 Section 2. Authorization of Transfer; Conditions.--Pursuant
3 to the requirements of subsection (b) of section 20, act of June
4 22, 1964 (P.L.131, No.8), known as the "Project 70 Land
5 Acquisition and Borrowing Act," the General Assembly authorizes
6 the supervisors of Franklin Township, Westmoreland County, to
7 transfer the hereinafter described land in Franklin Township in
8 Westmoreland County to the Department of Transportation for
9 right-of-way construction of Project L.R.187, section 9,
10 involving relocation of Traffic Route 22.

11 Such land shall be free of the restrictions on use and
12 alienation prescribed by section 20, act of June 22, 1964
13 (P.L.131, No.8), known as the "Project 70 Land Acquisition and
14 Borrowing Act," upon:

15 (1) payment to the township in an amount equal to the fair
16 market value of the land transferred; or

17 (2) acquisition by the Department of Transportation of
18 suitable replacement land at the option of the township; and

19 (3) execution and filing of a document of transfer and
20 release, citing such payment or acquisition, transfer and
21 release of the said land from the restrictions on use and
22 alienation prescribed by subsection (b) of section 20 of said
23 act.

24 The document of transfer and release in such cases shall,
25 upon such reimbursement or acquisition, be approved by the
26 Attorney General and filed in the office of the recorder of
27 deeds in the county in which the said land is located.

28 Compliance with this subsection constitutes the express approval
29 of the General Assembly of release of the restrictions on use or
30 alienation of lands acquired by the Department of Transportation

1 required by subsection (b) of section 20 of said act.

2 Section 3. Description of Highway Project and Required
3 Project 70 Land.--The land to be transferred by the supervisors
4 of Franklin Township, Westmoreland County to the Department of
5 Transportation for a right-of-way for construction of the
6 highway project is more particularly described as follows:

7 Description of Highway Project

8 Project L.R.187, section 9, beginning on existing Traffic
9 Route 22 in Allegheny County approximately 1,400 feet to the
10 west of the Allegheny County line. It interchanges with existing
11 T.R.22 at the Allegheny County, Westmoreland County line. The
12 alignment then swings in a southeasterly direction diverging
13 from existing T.R.22 to the south. The relocation passes over
14 Turtle Creek, Meadowbrook Road, Township Road 909, Trafford Road
15 L.R.64086, and the Penn Central Railroad at the point where the
16 Penn Central Railroad crosses Trafford Road. The relocation then
17 continues in a southeasterly direction parallel to the Penn
18 Central Railroad and Turtle Creek to the boundary of Duff Park.
19 Line B then continues through Duff Park along the northerly
20 slope of the park to an interchange at the western end of the
21 park with the Harrison City Road L.R.64160. The relocation will
22 then proceed from the full interchange with the Harrison City
23 Road south of existing T.R.22, Turtle Creek and the Penn Central
24 Railroad through the low levels which lie at the foot of the
25 hill on which Marlee Acres is located. It passes over High Manor
26 Road directly south of the crossing of Harrison City Road and
27 the Penn Central Railroad. Line B then proceeds in a
28 northeasterly direction to a point where it again intersects
29 with existing T.R.22 approximately 3,000 feet to the west of the
30 Export Harrison City Road, Township Road 718, a total distance

1 of approximately 4.7 miles.

2 Description of Required Project 70 Land

3 The project 70 land required for the above highway will
4 affect a "Project 70" site located between Station 63 + 55 and
5 Station 128 + 75 (total of approximately 40 acres) having a
6 maximum right-of-way width of 550 feet more or less.

7 Section 4. Effective Date.--This act shall take effect
8 immediately.