



THE EXPRESS-TIMES

Bill limiting development gains support

Pa. House proposal would allow moratorium while municipalities review ordinances, plans and laws.

Thursday, August 02, 2007

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The Express-Times

EASTON | Lawmakers admit a state House bill aimed at helping municipalities control development might not be perfect, but it has piqued the interest of local government officials.

State representatives heard testimony from local township supervisors and planning members Wednesday at Lafayette College, all of whom were in favor of the bill that would allow municipalities to stop accepting development plans for up to one year while zoning ordinances, comprehensive plans and land use laws are revised.

The only person not in favor of the bill was Mark Mitman, a spokesman for the Pennsylvania Builders Association.

"I'm the naysayer," he said. "It's easy to vilify national building companies, but most of the builders I represent are mom-and-pop shops. If they have two or three projects going on at once, that's a lot."

Mitman said there are problems with the bill. For one, municipalities could stack up the moratorium and essentially halt development for up to five years. And stopping building is bad for business in Pennsylvania, he said.

"This is the state's third largest economic engine," he said. "Just because one town stops development doesn't mean the need for housing goes away."

Mitman said developers could "leap-frog" to other towns and create more problems, like sprawl and traffic jams, that the bill purports to help eliminate.

"We're certainly open to refining the bill," said state Rep. Bob Freeman, who is sponsoring the bill. "But I think a lot of what was brought up is already in there. There are portions that are self-policing."

"If a municipality is trying to halt all development by applying for a moratorium, they're going to be liable in court for that action."

Rep. Stanley Saylor, Republican chairman of the committee reviewing the bill, said he's not sure he's sold on the legislation but understands it could be an important tool for cash- and time-strapped local governments.

"Growth is going to hit you sooner or later, no matter where you are," he said.

Amanda Jensen, planning director for Palmer Township, said she was in favor of the bill.

"The need for new zoning or new laws can slap you in the face," she said. "When that development is looming, it feels like it's coming at you like a tsunami. I think it's a good idea to take that time out and see what your area can handle."

Palmer has used a moratorium in the past, before the state Supreme Court ruled in 2001 that municipalities did not have the authority to halt development.

"I think it can at least allow supervisors to make sure that what they have written in the law book is what they really mean to achieve," Jensen said. "Moratorium would allow them to get the details ironed out."

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