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[Washington](#)
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Cranberry to review impact fee program

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By Karen Kane, Pittsburgh Post-Gazette

When it comes to Cranberry's traffic network, some of the most dramatic expansions and improvements in the past two decades have been funded in part by a developer-paid levy that once was so controversial, its existence was challenged all the way to the state's highest court.

Now, the township is beginning an effort to overhaul what is known as the "impact fee," and a local engineering consulting firm has been retained to conduct the study.

Cranberry Manager Jerry Andree said the township doesn't plan to get rid of the program but will look at all of its components -- from the amount being charged to the system being used to prioritize spending the money the fee generates.

"This is the first comprehensive review of the ordinance since 2001," he said.

The impact fee ordinance has generated more than \$16.5 million since Cranberry began the program in the early 1990s, Mr. Andree said. The money has amounted to more than just its face value because it has been used to leverage state and federal dollars. Mr. Andree estimated the amount "conservatively" at about \$21.5 million. The fund balance is currently \$6.51 million.

The transportation impact fee is assessed on developers for all new developments, residential or commercial. Using a nationally accepted standard for projecting how much traffic will be generated by a development, the township levies a "per trip" fee on the developer. The amount of the per-trip fee is set by ordinance.

Cranberry is divided into two districts for impact fees, primarily because the township is too big to fit into a single zone, according to requirements of the state Municipal Planning Code.

Fees were last raised in 2007, when they went up by about 23 percent at the recommendation of a transportation impact fee advisory board, which included two members who were prolific land developers.

The per-trip fee in the eastern district rose from \$1,188 to \$1,467 in 2007, an increase of \$279. The fee in the western district went from \$1,186 to \$1,460 in 2007, or \$274 higher.

The fee amounts are calculated based on predetermined costs of transportation improvements in a given area -- asphalt, labor, concrete -- and on the improvements that are needed.

The last time the fees were increased before 2007 was in 2001, when they were boosted by about 20 percent from \$950 in the eastern district and \$1,000 in the western.

Herbert, Rowland & Grubic Inc. was retained in September at a cost of \$84,750 to initiate the study.

Cranberry was a pioneer in transportation impact fees in Pennsylvania, passing regulations in 1989 to assess them. The idea was that growth and development places additional pressure on a municipal road system, beyond the access routes that directly serve the new development. Cranberry officials decided the developer should mitigate the stress on the traffic system.

Developers didn't accept the new fee without a fight. A group 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, 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 new state legislation.

Since then, about 30 municipalities across the state -- generally areas that are growing -- have followed Cranberry's lead and enacted the fees, including Marshall, Pine, Richland, Adams, Middlesex, Center, Murrysville, Findlay and Penn Township in Westmoreland County.

Some of the projects in Cranberry that have been funded with transportation impact fees are the expansion of the intersection at Rochester Road and Route 19; reconstruction of North Boundary Road; intersection improvements on Route 19 at Walmart, Rowan Road and Cranberry Square Drive; and expansion and traffic signals at Route 19 and Freedom Road and at Freedom and Commonwealth Drive.

Projects also include 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 with Powell; widening of Freshcorn from Glen Eden to Bear Run Road; and construction of Thorn Hill Road from Rolling Road to Freedom Road.

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