

## **Lower Macungie commissioners decide against traffic fee for new development**

By Patrick Lester, Of The Morning Call

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A small business owner bringing a pizza restaurant and retail shops to Lower Macungie won't have to pay a \$17,046 traffic impact fee that the township had planned to impose, a decision that irked one township commissioner.

Doug Brown was the only commissioner on the five-person board to vote against the development plan for 5248 Hamilton Boulevard, saying he didn't support dropping the traffic impact fee.

Commissioners in 2009 approved a law that imposes an \$1,800-plus fee on builders for every new rush-hour vehicle trip they add to township roads. The township puts that revenue in a fund that will be used to fund traffic improvements.

"If there's something I can do to alleviate heavy traffic, then that's what I do," Brown said.

"Simply getting rid of the fee is not responsible in my book."

Trainer and Kenney, which proposed a new 5,494 square foot building at the property, argued that the project would not create any new traffic. The plan calls for dilapidated buildings on the property to be razed to make way for a new building.

The township's engineering firm calculated nine new vehicle trips during the afternoon rush hour.

Commissioners said they were not waiving the fee, but instead accepting the applicant's interpretation that it wasn't creating new traffic. A waiver of the fee could open the door for other developers to request similar waivers in the future.

Commissioner Jim Lancsek made clear his feelings about the traffic impact fee, which the township implemented to help pay for road improvements in the township.

"I've never been in favor of this traffic impact fee," he said. "I don't think it's been administered fairly or properly."

In addition, he said, if owner Andrea Kenney didn't need conditional use approval for a restaurant at the property, she could have renovated the existing building on the property without coming to the township for approval. If that were the case, Lancsek said, the township couldn't charge the traffic fee.

Commissioner Roger Reis pointed out that owner Andrea Kenney's project will remove an eyesore and is adding a new building that will "enhance" the area

