

THE FRIENDS OF WORCESTER

Volume 5, Number 1

Spring, 2002



"GROWING SMARTER" - HOW LOCAL GOVERNMENTS CAN ACT TOGETHER TO COORDINATE LAND USE PLANNING

On June 22, 2000, Governor Ridge signed into law the "Growing Smarter" initiatives. These changes to Pennsylvania's Municipalities' Planning Code ("MPC") have been described as the "most dramatic change in state land use planning in more than 30 years." The object of the initiatives is to encourage regional land use planning and development so as to prevent urban or suburban sprawl. Under these new amendments, municipalities and townships can, and indeed are encouraged to, develop county or "multi-municipal" comprehensive land use plans.

Townships that participate in the joint plan can still provide for individual zoning in the township so long as there is a level of consistency among the various zoning ordinances and the ordinances are consistent with the overall plan. The new legislation creates incentives for townships like Worcester to engage in regional planning with adjoining townships, and offers protection from certain exclusionary zoning challenges. There are, however, some pitfalls and problems with the initiatives that must be addressed before a township like Worcester adopts a regional plan.

Why Were the Changes to the MPC Needed?

Pennsylvania courts have ruled that a township's zoning ordinance is subject to constitutional limitations, including prohibitions against takings and violations of the substantive due process clause. Exclusionary or unduly restrictive zoning techniques can be stricken down because courts have held that municipalities have to provide in their zoning for all types of uses. These decisions were intended to ensure that municipalities do not use zoning to exclude people and uses. Essentially, these rulings require all types of land use such as shopping malls, high density housing, industrial uses, mobile home parks, etc.

If a zoning ordinance is found unconstitutional, a developer who proposes a legitimate use that has been excluded could be entitled to "site-specific" relief, including the right to develop the project regardless of the zoning classification of the property. These are called "curative amendment" challenges.

Prior to the "Growing Smarter" legislation, the MPC authorized municipalities to engage in joint municipal zoning and planning and to develop unified zoning ordinance. However, municipalities have been reluctant to undertake the process of a joint municipal zoning due to concerns about, among other things, sharing governing responsibilities and still being subject to curative amendment challenges.

(continued on page 2, column 1)

SEWER EXPANSION IN FAIRVIEW VILLAGE

Construction of the sewer expansion in the Fairview Village area is expected to begin by August 2002. Approximately 112 homes on Artmar Road, Ethel Avenue, Germantown Pike, Methacton Avenue, Adair Drive, and Valley Forge Road can expect to pay roughly **\$23,000** for the complete installation including tie in. Initially, a \$2000 down payment must be made. Upon hook up, the balance can be financed at 5% interest from Worcester Township. Afterwards, residents can expect to pay \$78.75 per quarter for sewer rent.

According to Chuck Sardo, future expansion in this area is not expected. Worcester Township and the Montgomery County Department of Health have known septic problems in this area need to be corrected. Connecting these homes will max out the capacity of this expansion. The cost is completely being paid by residents. Repaving will be paid by the township. **This is one of the consequences of development!**

SLIP RAMPS—AGAIN

On March 21 the Pennsylvania Turnpike Commission held a private, limited attendance meeting to present their proposals for the installation of Slip Ramps and for widening the NE Extension (I-476) of the Pennsylvania Turnpike in Montgomery County. Slip Ramp Alternative #1, as presented by the Turnpike Commission, was the installation of two Slip Ramps at Schultz Road near Morris Road accommodating south-bound traffic getting on the turnpike and north-bound traffic getting off the turnpike at Schultz Road.

The Turnpike Commission presentation also included average daily traffic count projections for the year 2005 and for 2015 that contrasted a "no-build" scenario with implementation of the Alternative #1 plan to build two Slip Ramps at Schultz Road. The traffic count projections included 28 locations on various local roads around the proposed Slip Ramp installation site.

The projected traffic increases on local roads as a result of building Slip Ramps at Schultz Road are alarming! For example, the traffic on Berks Road is forecast to be 42.7% greater in 2005 with the proposed Slip Ramps than without.

The dramatic increases in local road traffic flows demonstrated by the figures provided by the Pennsylvania Turnpike Commission cause great concern to area residents who are apprehensive about their health and safety. Residents anticipate corresponding increases in air pollution, water pollution, crime, noise pollution, trash and litter.

The resulting traffic congestion, already a significant irritant, along with increases in real estate taxes to pay for new and expanded public services would impact negatively on property values as our area loses its unique residential quality.

It's time to make yourself heard. There will be two public meetings (continued on page 2, column 2)

("Growing Smarter". continued from first page)

What Impact Do the Changes to the MPC Have?

The "Growing Smarter" amendments alter the manner by which municipalities may engage in multi-municipal zoning. Municipalities entering into inter-governmental cooperative planning agreements can develop a joint comprehensive plan, but can now maintain separate zoning ordinances so as long as they conform to the joint comprehensive plan.

If municipalities follow this new process, they may now defend against an exclusionary zoning challenge, or a curative amendment challenge, by pointing to the availability of various uses or densities under the zoning ordinances within all of the municipalities participating in the multi-municipal comprehensive plan within a "reasonable geographic area."

Municipalities no longer will be required to consider only their zoning ordinance to determine if it provides for a "fair share" of uses. Instead, a municipality that participates in a regional plan may attempt to defend an exclusionary challenge by asserting that another participating municipality provides for that particular use.

A developer must now determine whether the municipality in which the project is being proposed participates in an inter-governmental planning agreement. If the developer proposes a use or project not permitted in that specific area, it must determine whether that type of project or use is permitted in another area covered by the joint plan. In this situation, it will be significantly more difficult to assert that the zoning ordinance is exclusionary. In effect, the developer will have to prove that the joint planning for all of the townships effectively prohibits or unreasonably restricts the proposed use. Other challenges that could be made even in the face of a joint comprehensive plan would be that the various municipal ordinances are not consistent with the overall plan.

What are the Problems With the Changes?

Worcester is still relatively "green" compared to some of the surrounding townships. Representatives of Worcester have been meeting with representatives of surrounding townships, including Lower Providence, East and West Norriton, Whitpain, Lower Gwynedd and Norristown to discuss a possible joint plan. Many of these surrounding townships are already nearly built out and, like Worcester, are attempting to preserve as much open space as possible. Since Worcester is still more open than these townships, they may attempt to have Worcester accept under a joint plan more types of uses or higher densities than Worcester would otherwise permit. This should be unacceptable for a number of reasons, including that Worcester should not be penalized for participating in a plan merely because it has been careful in the past in addressing growth and zoning issues. Furthermore, a regional plan should conserve resources by taking into account the existing growth patterns and densities because that is where all of the necessary transportation, infrastructure and schools are already in place or planned to accommodate growth.

Another idea is to possibly redefine what Worcester considers to be the "reasonable geographic area" under a regional plan. Should we consider discussing regional planning with rural townships more to the west and north, such as Lower Salford, Skippack, Towamencin and Salford?

How Will This Affect Me and What Can I Do?

The Growing Smarter amendments enable counties and local municipalities to take more control of their destiny by planning together for development and conservation of resources. Get involved, contact the township supervisor, and ask what can and is being done to investigate and follow through on these important amendments. Keep in mind these points:

- Cooperating municipalities can now designate growth areas in and around cities, boroughs and villages where public infrastructure will be provided, and rural resource areas can be preserved.
- Cooperating municipalities can now distribute all uses over a "reasonable geographic area" of the plan, but can still have their own zoning ordinances so as long as those ordinances are generally consistent with the multi-municipal plan.
- The amendments provide some legal protection against curative amendment challenges if all uses are provided for in reasonable geographic areas of the plan.

If the township participates in any plan, we must ensure that it is fair and meets the goals of preserving the existing open and green space, while focusing growth in areas that already have the infrastructure to support the anticipated growth. What should not happen is that through regional planning a rural township that has done its part, through hard work of its citizens and supervisors, is converted to a typical suburban or urban place that is virtually indistinguishable from any other.

(Slip Ramps, continued from first page)

in May. **The first at North Penn High School on May 16th and the second on May 23 at Norristown High School. Come out and let our public officials know, by your presence, that you care about the quality of your neighborhood. The very nature of Worcester, the things that drew us all here in the first place are under siege.

Meanwhile, write to your elected representatives and tell them what you think about the Turnpike Commission's plans to dramatically increase the level of traffic on our local roads in Worcester Township. **Date changed to June 20.

John W. Fichter
State Representative
70th Legislative District
2100 Swede Road
Norristown, PA 19401
610-272-9164

Senator Edwin G. Holl
427 West Main Street
Lansdale, PA 19446
215-368-1500

Governor Mark Schweiker
225 Main Capital
Harrisburg, PA 17120

John T. Durbin, Executive
Director
PA Turnpike Commission
Executive Offices
P.O. Box 67676
Harrisburg, PA 17120

WORCESTER TOWNSHIP PUBLIC MEETINGS

Board of Supervisors - third Wednesday of each month
Zoning Hearing Board - fourth Tuesday of each month
Planning Commission - fourth Thursday of each month

FAIRVIEW VILLAGE COMMUNITY HALL
Call the Township office for times
610-584-1410

FARMERS' UNION HORSE SHOW

Worcester Township is home to an unusual antiquity that has crossed from the 19th century into the 21st century. The Farmers' Union Company for the Recovery of Stolen Horses and the Detecting of the Thieves was first chartered in Pennsylvania in 1834 as a farmers' cooperative insurance company. For nearly 70 years, on the 1st Saturday in June, members rode or drove their horses to Fairview Village to register them for another year. For a nominal fee the member farmers would then guarantee to seek out any missing horses. All the records, except for a few years that are lost, are still in the Horse Company's possession. It is interesting to note that there was not a rash of horse thieving going on the township. More often than not, they rescued a loose and roaming horse. Early in the 20th century with the use of tractors and trucks, the Horse Company disbanded.

In 1940, a group of Worcester residents decided to relive the "old days" and reenact the parade to Fairview Village on the 1st Saturday in June. The Farmers' Union Parade and Horse Show became a new tradition for Fairview Village. For 60 years there was a parade up Germantown Pike to Heyser Field where a Horse Show ran all day. In its glory days of the 50's and 60's, the parade would take over an hour to pass along its route. Again, the changing times dictated. Many of the local horse owners sold their land or moved away. The number of spectators and participants dwindled and the parade lost its appeal. In 2000, the last annual parade made its way up Germantown Pike.

Thanks to the generosity of John Heyser, the Horse Show tradition continues on the first Saturday of June at Heyser Field. Heyser Field is located behind Fairview Village Community Hall, Fairview Village. The horse show is as popular as ever. The possibility always exists that a revival parade could take place if there was enough community interest.

The Horse Company is always looking for new members.... horse ownership is not required, just a desire to be part of a historical group that has fun. If you are interested in joining, or just willing to help at their horse show on June 1st, please contact Jeannie Steigerwalt at 610-489-7904 or Marty Cahill at 610-584-5348.

TO ALL HORSE OWNERS



Over the past year there have been several incidents of loose horses roaming the township. There have been a few occasions where no one could find an owner for a period of time. The Farmers' Union Horse Co. would like to compile a master list of horse owners, horse descriptions, addresses and emergency phone numbers for rescue use. Registration forms will be available at the Farmers' Union Horse Show. Contact Jeannie Steigerwalt (610-489-7904) or Marty Cahill (610-584-5348) for more information.

FRIENDS OF WORCESTER OFFICERS

Kim David - President (610/584-1805)
Michael Simeone - Vice President (610/584-2075)
Wini Hayes - Treasurer (610/584-0371)
Barbara McMonagle - Secretary (215/699-8225)
Mary Leister - Recording Secretary (610/584-5129)

Join us at these upcoming events

WE WELCOME YOUR SUPPORT

- May 14 7:30PM **FOW Meeting**
Home of Wini and Rob Hayes
3033 Fisher Road
610-584-0371
- June 1 8:00AM **Farmers' Union Horse Show & FOW Flea Market**
Heyser Field (Behind Fairview Village Community Hall)
610-489-7904 for information
- September 7 3:00PM (Rain date September 8)
FOW Picnic
Home of Wini and Rob Hayes
3033 Fisher Rd
610-584-0371

Meetings are held at various locations in the township on the first Tuesday of each month at 7:30PM.

Visit our website at www.friendsofworcester.org

TREES FOR METHACTON HIGH SCHOOL

Friends of Worcester, represented by Kim David and Rob Hayes, presented the Methacton High School Environmental Club with five trees. The trees commemorated Arbor Day and will be planted in the schools naturalized garden area.

**ELECTION DAY IS
TUESDAY, MAY 21**

DON'T FORGET TO VOTE!

Worcester – A Township On The Threshold of Change

Worcester – an enclave of tradition; rolling hills, farm lands, meadows and woodlands; families with township roots stretching back 9 generations and more; neighbors meeting and visiting at the post office, school events and little league games. Worcester--a township that boasts that your family isn't really "in" Worcester until its second generation.

However, Worcester is one of the fastest developing townships in the State with hundreds of houses springing up in Sunnybrook, Center Pointe Farms, Milestone, Fawn Creek, Heritage Village, Chadwick Place and other developments. New family names like Hayes, McMonagle, David, Simeone, Amato and Muir have joined the old family names like Heebner, Kriebel, Schultz and Anders. The lazy country roads are now snarled with traffic. Failing septic systems in Fairview Village along with rapidly rising school enrollment are leading to higher and higher real estate taxes.

The township is changing. Worcester is redefining its character, its look and feel, and its future.

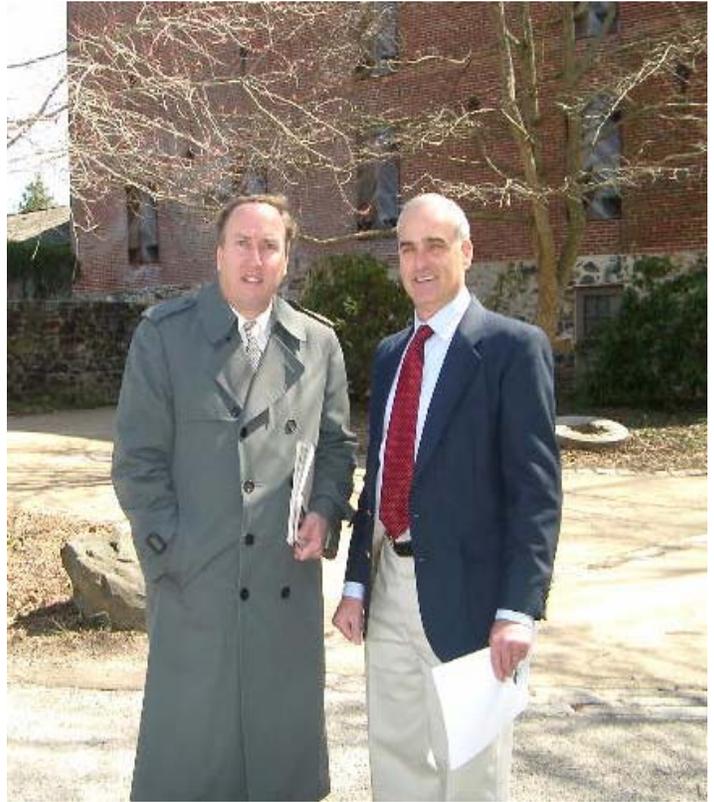
Will we be good stewards of our township? Will we recreate the problems of other higher-density suburban communities? Will we work to preserve what is best about Worcester – actively protecting our green space; managing the pace and type of development, not letting it manage us; welcoming and assimilating our new residents; working for the good of all; preserving the quality of life that brought us all to Worcester in the first place – whether that was in 1730 or in 2002?

A blueprint for open-space-friendly change includes a number of strategies:

- Insist on strict interpretation of our zoning codes - resist the development-friendly liberalization of these codes
- Avoid variances that impinge on green space and our rural atmosphere
- Support our current Township Comprehensive Plan, including the limitation of sewers and public water to the higher-density designated areas such as Fairview Village. Additional sewer and water expansion predestines the likelihood of development beyond high-density areas.
- Vigorously support the spending of township dollars to preserve open space. **For every dollar spent in this fashion, we break even in six to ten years, depending on land costs and the availability of matching funds from the state and county.** After this point, tax dollars saved continue to accumulate indefinitely.
- Pursue matching funds from the State and County for the purchase of development rights whenever possible.
- Lobby for bond procurement to secure additional dollars for open space preservation. Townships like Upper Makefield and Solebury are examples of this thoughtful approach.

We have made progress; however, we cannot afford to "rest on our laurels." Insist on aggressive and accelerated action regarding these approaches. Time is of the essence.

Contact your Republican or Democratic Committee persons. Talk to your supervisors, planning commissioners and zoning hearing officers. Share with them your concerns, vision and ideas for the township. Get out and vote. Let your voice be heard. Get involved! Let us all ensure that the changes happening around us are the best for the future of Worcester Township.



Rob Hayes, Vice President of Friends of Worcester (left) and John Harris, Worcester Open Space Coordinator, attended "A Workshop for Municipalities and Land Trusts" at the Brandywine Conservancy meeting last month. (Rob is currently running for Republican Committeeman for Worcester East 001. John Harris is running for reelection for Republican Committeeman in Worcester West.)

IMPORTANT! IMPORTANT!

Please write or call our Worcester Supervisors and let them know you support their active participation in the preservation of open space.

BOARD OF SUPERVISORS

Frank L. Davey, Chairman
John H. Graham, Vice Chairman
Chase E. Kneeland, Secretary

Township of Worcester
1721 Valley Forge Road
P.O. Box 767
Worcester, PA 19490-0767

(610) 584-1410

THANKS!!!

Below is a partial list of new and renewing members. Thank you all for your support!!!

Chris Ames, Cedars
Donald & Ruth Benner, Worcester
Mark & Nancy Constable, Lansdale
Myrtle Haines, Colledgeville
Warren Sellers, Lansdale
Robert & Lisa Steuer, Lansdale
Frank & Wanda Stoffel, Lansdale

Sally Wong, Lansdale
Sue Conner, Lansdale
Gerry Crowe, Lansdale
Joseph Constable, Lansdale
Paul & Julie Ziegler, Lansdale
Mike & Arlene Vattimo, Colledgeville

FLEA MARKET

**FRIENDS OF WORCESTER
AND
62nd FARMERS UNION HORSE SHOW**

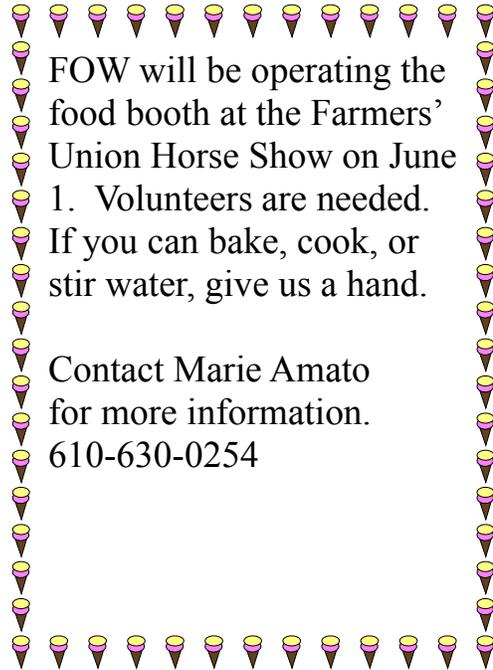
JUNE 1, 2002

COME JOIN US!

AT HEYSER FIELD BEHIND
FAIRVIEW VILLAGE ASSEMBLY HALL

SPACE AVAILABLE \$10.00

CONTACT MARIE AMATO 610-630-0254



FOW will be operating the food booth at the Farmers' Union Horse Show on June 1. Volunteers are needed. If you can bake, cook, or stir water, give us a hand.

Contact Marie Amato for more information.
610-630-0254

SUPPORT FRIENDS OF WORCESTER

FRIENDS OF WORCESTER is a non-profit organization made up of new and long time residents of the township. All involved residents share an appreciation for the rural quality of Worcester and share a common concern for its future. FOW seeks to influence that future. All funds received are used to support our efforts to preserve open space, maintain the rural lifestyle of the community and keep our neighbors informed through our minutes and newsletters. All Friends are involved on a strictly volunteer basis. Friends receive our monthly agenda and minutes as well as phone chain notification of important township events. **Contributions are tax deductible.**

- Supporter - \$20
- Contributor - \$35
- Benefactor - \$50 or more

All residents, contributing or not, are always welcome at FOW monthly meetings.

NAME: _____

ADDRESS: _____

PHONE: _____

E-MAIL: _____

Please send your contributions to:

**FRIENDS OF WORCESTER
P.O. Box 545
WORCESTER, PA 19490**

You may include my name as a contributor in your newsletter.

10 YEARS OF GROWTH IN WORCESTER

Here is a list of current and proposed developments as of 3/31/02. Many smaller subdivisions exist. Here are the largest.

CURRENT	TOTAL # OF UNITS (over 10)
Abruzzi Estates	54
Ager Tract	14
Barley Lane	10
Center Point Farms	173
Chadwick Place	96
Fawn Creek	22
Fawn Creek, Phase 2	24
Glengarry Highlands	11
Green Hill Country Club	16
Heritage Village	46
Hertzog	21
Hillcrest	61
Hollis Estates	30
Longwood Meadows	11
Marx Tract	12
Detwiler	16
Merrybrook	16
Methacton Estates (Saddlebrook)	10
Milestone	276
Spring Lake	23
Sunny Brook Estates	<u>176</u>
	1102
PROPOSED	
Brunner Tract	12
Cane Subdivision	13
Cedar Hill	10
Huganir Property	21
Meadowood	44
Rosenlund Tract	21
Tatunchak	<u>27</u>
	148
Grand Total	1250

MY FIRST IMPRESSION OF WORCESTER (A Note from members Michael & Arlene Vattimo)

When my wife and I moved into Worcester Township in 1978, we were curious about the zoning around us. We called the township office and were told to talk to Mr. Russell Place. Upon contacting him and telling him what we wanted, a zoning map, he asked us what we wanted it for. We told him we were new residents and were curious as to what the zoning was around us. He said, "Oh, that's different, you're residents. Come on out to my place and I will give you one". We then drove out to the mill and met a man who wore a shirt with a detachable collar, without the collar. He greeted us, showed us a map, and began to color the areas according to the zoning. While watching and waiting, we asked him what kind of township is Worcester? He said, "You know how some people would like to keep things the way they are". We replied, "Yes". "Well, he said, we would rather have them the way they used to be."

(Russell Place was a supervisor from the 1940's to 1968. He was known for strict adherence to the zoning codes and his commitment to planned growth dissuaded developers from building in Worcester Township)

**ELECTION DAY IS
TUESDAY, MAY 21**

DON'T FORGET TO VOTE!

FRIENDS OF WORCESTER
P.O. BOX 545
WORCESTER, PA 19490

Standard Mail
US Postage
Quik-Mail Service