

Memo

To: Al Johnson - Supervisor, Town of Smithville
From: Tim Hanna - Planning Board Chairman, Town of Smithville
Date: 9/28/05
Subject: Proper handling and use of recreation funds collected under "Cash in lieu of land" in a subdivision

Pursuant to the proper handling and use of funds collected under "Cash in lieu of land" in a subdivision, this section of the Town of Smithville Subdivision Regulations has been reprinted:

SECTION 506. PARKS, OPEN SPACES, AND NATURAL FEATURES

1. Required Dedication of Land:

Each subdivider shall be required to contribute to recreation facilities in the Town. At the Planning Board's discretion, such contribution shall be in the form of land or cash in lieu of land, or a combination of both, in accordance with the specifications of Section 506.2. In general, the location, size, and type of park, playground, or open space facilities shall be determined by the Town Master Plan.

2. Amount of Land:

Recreation space shall be provided by the subdivider on the basis of at least 500 square feet of useable land for each lot shown on the Plat drawings. In cases where the Planning Board finds that the size, shape, or location of the proposed subdivision makes a park, playground, or open space impractical or undesirable in the subdivider will be required to make a payment of \$200 for each lot in the subdivision.

3. Cash in Lieu of Land:

Cash in lieu of land shall be paid to the Town before such final approval of a Plat is given by the Planning Board. Such payments shall be held in a special fund for acquisition and development of recreation land. All money in this fund is to be used only for:

- a. The purchase of land that is suitable for new or enlarged parks, playgrounds, or open spaces, and located so as to serve the inhabitants of the Town's residential neighborhoods;
- b. The improvement of existing parks, playgrounds, or open lands which serve the community or park district in which the subdivision is located.

4. Dedication of Land:

The Planning Board may require the subdivider to dedicate to the Town the recreation and open space land required by Section 506.2 if the Town Board approves such dedications.