

## **Lower Salford Township Open Space Referendum Frequently Asked Questions (FAQs)**

The Lower Salford Township (LST) Board of Supervisors has approved an ordinance to place an open space referendum on the May 2026 primary election ballot. The referendum asks voters to vote yes or no to authorize a dedicated open space tax.

### **What is the question that will appear on the ballot?**

“Do you favor the imposition of an additional Earned Income Tax at the rate of one quarter of one percent (0.25%) by Lower Salford Township for the purpose of acquiring the Allebach property (460 Stover Road, Harleysville) and other lands and interests in real property for open space:

- to protect the Township's farmland, scenic views, historic sites, and rural character;
- to protect the woodlands, wetlands, and the Skippack and Perkiomen Creeks and their tributaries;
- to enhance and create community recreation opportunities;
- to retire indebtedness and to pay transactional fees incidental to such acquisitions;
- to pay other expenses for the preparation of resource, recreation, or land-use plans related to such acquisitions;
- and to finance the expenditure of up to 25% of annual revenue for the development;
- improvement, design, engineering, and maintenance of lands acquired for an open space benefit or benefits?”

### **Is the Township able to protect the Allebach property and other open space without increasing taxes?**

No. The Township is considering an Open Space Referendum because municipal funds will be needed (along with grant funds) to protect the 62-acre Allebach property.

### **How much funding will the Lower Salford Township Open Space Tax raise?**

We estimate that the Earned Income Tax rate increase will generate \$2,000,000 per year.

### **What is the tax impact for the average resident?**

If the open space tax is adopted, the Township's Earned Income Tax will rise from 0.5% to 0.75%. This means that a worker earning \$100,000 per year would pay an additional \$250 annually.

### **What is the tax impact for residents on fixed incomes?**

The Township's Earned Income Tax (EIT) does not affect residents on fixed incomes. It applies exclusively to earned income, including wages and net profits, and it excludes pensions, Social Security, and other fixed-income sources.

### **Will these funds be used alone, or can they be combined with other funding sources?**

A Township open space fund allows tax revenue to be leveraged with county, state, federal, and private grants to benefit residents through land preservation. Funds can be used alone or combined with grants to acquire or develop open space. Many programs, such as Montgomery County's Montco Forever Green and PA DCNR's Community Conservation Partnership Program, require matching funds, where the grant covers part of the cost and the municipality provides the rest.

### What will the funding be used for?

Pennsylvania Act 153 (1996), which governs such open space funds, requires that the funds may not be used for any purpose other than the preservation of open space. Further, the funds will be accounted for in a separate, auditable “Open Space” account in the Township’s financial records. The funds can ONLY be used for transactions related to open space. These are:

- Fee simple purchase: The Township could purchase land or interests in real property from landowners in the Township in order to protect land and establish open space.
- Agricultural easements: The Township may purchase agricultural conservation easements or participate in State or County programs that do so. These easements let the landowner to keep their property and use it for farming and other agricultural purposes.
- Conservation easements or development rights: A landowner could sell a conservation easement or development rights of a property to the Township. Conservation easements allow landowners to retain ownership while permanently protecting the land’s natural features from development.
- Additional related expenses: Open space tax revenue may be used for costs and fees incidental to the acquisition of open space property and interests, such as appraisals, legal fees, title searches, survey costs, and closing fees. Up to 25% of annual tax revenue may be used to develop, engineer, design, improve, and maintain property acquired for an open space benefit or benefits.

### Will the Township seize private property with this money?

No. All land acquisitions will be from willing sellers. The Township cannot use eminent domain to acquire properties for open space under this program. In fact, state law precludes a municipality’s ability to involuntarily condemn land for open space purposes.

### How will projects be selected?

Project selection will be guided by the Township’s [Open Space Plan](#), adopted by both the Board of Supervisors and the Montgomery County Planning Commission. Priority will be given to lands that protect remaining rural character, and natural features, including the Skippack and Perkiomen Creeks, and that create and enhance recreation opportunities for residents. The Township will establish an Open Space Committee to evaluate properties for conservation and make recommendations to the Board of Supervisors for their consideration. The public is welcome to attend Open Space Committee meetings.

### Do taxpayers really vote to raise taxes for open space, and why is it worth the cost?

Yes. Voters across Montgomery, Bucks, and Chester Counties have approved referendums to fund open space preservation, reflecting broad bipartisan support. Nearby townships with dedicated open space preservation funding include Franconia, Towamencin, Perkiomen, Skippack, Lower Frederick, and Whitpain. While taxes may feel high, studies by Chester and Montgomery Counties show that development often costs communities more than preservation. New housing requires expensive services like schools, police, EMS services, and infrastructure. By contrast, open space costs far less to maintain and can even save taxpayers money. For example, Chester County found that residential development costs \$1.11 in services for every \$1.00 in tax revenue, while open space costs only \$0.07.

### Don’t we already have ordinances and fees that create open space? Why do we need to be taxed for it now?

Yes. The R3 limited cluster option requires 15% open space, the R3 full cluster option requires 25% open space, the Land Preservation Overlay District (LPOD) district requires 55% open space, and the R1 cluster district permits golf courses. The recreation impact fee from developers is a one-time charge on new residential subdivisions. The fee is \$500 per lot.

These open spaces can only be created when subdivisions are built and may not be available for public use. As the Township approaches build out, there are fewer opportunities left for subdivision to occur. Acquiring open space directly allows the Township to be strategic in its preservation of entire tracts of land before they are subdivided and developed, maintaining our community's rural character for future generations.