

## MIDDLETOWN

## Board debates taking over open space

*The supervisors are hesitant to take over open space within the Summit Trace development because of maintenance costs.*

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Problems with open space and drainage in the Summit Trace development just won't go away.

At Tuesday's meeting, the supervisors listened to almost two hours of public comment on the two issues and a plea for the township to take ownership of three small open space parcels and a detention basin in the development, located in the township's northern end near the border with Newtown Township.

When the development was built more than 20 years ago by Chris Gigliotti in partnership with a local bank, ownership of open space or common areas was never conveyed to either the township or a homeowners association. That's left the question of who is responsible for maintaining the areas. The township and Summit Trace residents have usually maintained them, though they are under no legal obligation to do so.

The parcels are still technically owned by Gigliotti, who is mostly retired and spends much of his time in Florida. His son Ron, part owner of the adjacent Summit Square shopping center and president of the company that manages it, has tried to clean up problems in Summit Trace even though he's not legally obligated.

Ron Gigliotti has gotten several Summit Trace residents to agree to take open space parcels near their homes and has tried to correct drainage problems within the development. Tuesday, Gigliotti and his attorney Charles Marte urged the township supervisors to take formal ownership and maintenance responsibilities for three small open space parcels and the detention basin.

Marte offered the township a deal as a further inducement to take the parcels and basin. If the supervisors would approve construction of a single-family home and 10 more townhomes in Summit Trace, the township would get about \$215,000 from the deal. Officials could put that money in the bank and annual interest should take care of maintenance costs for the three parcels and basin, Marte said.

Gigliotti said he doesn't really want to build the additional residences but was making the offer as a way to help the township with maintenance costs.

"I don't want to make waves or do anything people don't want," he said.

Gigliotti said he has about 60 Summit Trace residents interested in acquiring open space near their properties. He's only charging them legal and other fees associated with transferring ownership of the land and not for the land itself, he said.

The supervisors made no decision on the additional residences or taking ownership of the three parcels and basin at Tuesday night's meeting.

"I'm definitely against any more building in Summit Trace because that would detract from the open space," said Supervisor Jasper Caro on Thursday. "I'm leaning against taking the pieces of land and the basin because I don't know if that's an expense we want to incur. I certainly want a better idea on what the costs would be."

Marte said two of the parcels are wooded and would require hardly any maintenance and the third is partly wooded and would not be that expensive to maintain.

Summit Trace residents at Tuesday's meeting were also dead set against any more building in the development. Several also complained about drainage problems on their properties, and some claimed measures taken by Ron Gigliotti to correct problems on some properties have created problems on others. Gigliotti said he would continue to investigate and do what he

could about drainage.

Marte said he has seen documents, some dating from just after the development was built and some more recent, indicating township officials intended to take over open space in Summit Trace. However, current officials have said they've seen nothing that legally obligates the township to assume ownership and maintenance responsibility for the open space parcels.

"This is a unique situation a quarter-century old and we're trying to dig our way out of it," said supervisors' Chairman Robert McMonagle.