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# Eminent domain in Mont Clare discussed

## KANTROWITZ BACKS PRIVATE PROPERTY; MONTCO, SCA DENY RUMORS OF PLANS

By G.E. Lawrence, Special to The Phoenix

PHOENIXVILLE — Steve Kantrowitz, Republican candidate for State Senate from the 19th District, spoke at the Moose Lodge Wednesday evening to two dozen Mont Clare residents concerned about the issue of eminent domain.

The meeting, organized by St. Michael's Church parishioner Larry Frangiosa amid persistent rumors that the state or county might exercise the right — the ability of a governing body to take private land for public purposes — on properties, including the Church's, along the Schuylkill Canal towpath that Montgomery County is planning to restore and improve.

"I'm not saying that they're going to do this," Kantrowitz, a lawyer and retired Navy Rear Admiral, said. "I don't know what the plans are in the County, I have no information on that. But if that is going to happen, I am concerned.

"Private property rights are one of the things that made this country great," he said "I'm especially concerned that we may be talking about church property.

"There are times when taking property can be justified — in the one place necessary for a bridge, for example — but what I'd like to see are more stringent limits to eminent domain power. We should have maximum protection of private property. Our legislature should look at that," Kantrowitz said.

But in a March 11, 2008, letter to Upper Providence Supervisor Ed Murphy, copies of which were distributed at the meeting, all three Montgomery County Commissioners declared, "While access to this area is problematic and parking is limited, we are committing to you, the parishioners of St. Michael's and the residents of Upper Providence, we will not use eminent domain to acquire any land owned by St. Michael's."

Schuylkill Canal Association President Betsy Daley said the same. "We're not the least bit interested in buying St Michael's Park. This all started as a misunderstood dotted line on a plan years ago. We do not condone or look favorably on condemnation."

Steve Nelson, the County's Deputy Chief Operating Officer for Policy and Planning said, "I don't know how much clearer I can be. We have no interest in applying eminent domain to the Church's or any other property. The State owns the canal. We're trying to acquire it, so that it can be improved and maintained."

Residents were concerned, however, about exactly those improvements. "I think it's awesome on Canal Day," said Judith Sheldon, who with husband Hank has walked large stretches of the Schuylkill Valley Trail system. "But I don't see the huge



necessity for this.”

“We just want it to stay the way it is,” said Joe Rowan.

Frangiosa said that his aim in calling the group together was “to remain vigilant” as the County’s plans develop.

Kantrowitz agreed. “Government can be arrogant. Neighbors are concerned about it; we have to consider the impact on the neighbors. There may be other ways to accommodate it. We have to be vigilant, and work together.”

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