

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
WORKSHOP MEETING  
APRIL 3, 2014

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, April 3, 2014, in the Township Building. The meeting was called to order at 7:32 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Bill Jenaway and Carole Kenney. Also present were: David Kraynik, Township Manager; Joseph McGrory, Township Solicitor; Andrew Olen, Solicitor's Office; Sally Slook, Assistant Township Manager.

CHAIRMAN'S COMMENTS:

Chairman Waks reported there was no Executive Session held prior to this meeting.

DISCUSSIONS:

ENVIRONMENTAL CONCERN – WEST BEIDLER ROAD

Mr. Waks stated this matter relates to concerns raised by residents who live on West Beidler Road about an outdoor wood burning boiler.

Mr. Joe Rapine, 540 West Beidler Road, provided background on his neighbor's wood-burning appliance which burns inefficiently and has been a long standing concern in his neighborhood because of health and nuisance factors. Because of the very short stack on this boiler the smoke and particulate matter gets into the atmosphere and completely engulfs the neighborhood with smoke which is emitted year round since it is used for hot water. The smoke from the boiler has been detected in the nearby park. Mr. Rapine has approached the offending neighbor about the problem without success.

Mr. Rapine provided a video presentation to illustrate the nature of the smoke complaints.

Mr. Waks asked if the township followed up on this matter with the offending neighbor. Mr. Waters, Director Safety and Codes, responded in the affirmative.

Mr. Philips referenced the UCC which has certain specifications for stack heights. He noted the problem could be eliminated by having a much higher stack.

Mr. Philips asked if safety and codes staff could find out what is being burned by the resident. Mr. Waters responded wood is stacked in the driveway.

Mr. Waks suggested reaching out to the DEP to make an unscheduled visit to the property.

Mr. McGrory stated everyone is sympathetic to this issue. He said the video is very persuasive, but it is necessary to follow the law and he provided a detailed explanation of the applicable law. Mr. McGrory indicated the township cannot enforce DEP regulations regarding air quality; DEP has to enforce. He recommended that the township send a letter to DEP asking them to aggressively pursue an investigation of this situation. Since this involves a private nuisance another option would be for the affected residents to hire an attorney for professional legal advice. Mr. McGrory also recommended contacting the state representative and state senator about this matter since they have liaisons with the DEP.

A discussion followed regarding a potential ordinance during which Mr. McGrory pointed out an ordinance would not help this situation because it is grandfathered and township ordinances cannot be passed retroactively. He said certain DEP regulations are retroactive.

Mr. Waks suggested addressing this situation from a fire safety standpoint. Mr. Waters indicated he would look into it from that angle. Mr. Waks said if the emissions are going into Heuser Park there may be some options in that regard.

Mr. Kenney asked Mr. Rapine if he has gone to the health department for some additional recommendations. Mr. Rapine indicated he would pursue that option.

#### DISCUSSION WITH LIBRARY BOARD ABOUT POSSIBLE FUNDRAISING OPPORTUNITIES

Mr. Waks stated during the budget season last year there was a discussion about library expenses exceeding revenue and it was suggested to consider some fundraising opportunities with the Library Board.

John Egan, Chairperson, Library Board, provided an overview of the Library Board's roles in fundraising using ongoing fundraising of the library staff. He noted the fundraising campaign to raise money for the new library was

successful in 1989 because the community supported this one-time purpose. Since then there is little public support for fundraising for operating expenses. Mr. Egan noted fundraising is tedious and during Library Board discussions he was told it would dilute the efforts and the achievements of the library staff for their current programs which are very successful, primarily through the children's library. He said the Library Board felt that these goals would be adversely affected if they were asked to take on additional fundraising. Mr. Egan noted the Library Board and staff have ongoing fundraising to support its adult and children's summer reading programs. In addition, grants are pursued for various purposes. The Fine Endowment which has been in place since 2001 is used for special programs such as Friends of Black History.

Mr. Egan stated they would like to hear from the Board of Supervisors about their ideas for resources for marketing the library and possibly establishing a trust or endowment.

Mr. Waks suggested doing several small events which would help in the long term to raise more money and raise the public awareness of their public library. He said he has found people are more likely to attend a high dollar large event if their interest is generated by a smaller event. These people would also be more inclined to keep this cause in mind when writing their will and doing estate planning.

Mr. Jenaway shared some of his experience with fundraising for the fire department and the continual reduction in the amount they receive from the general public. He pointed out in targeting a specific event there will be more success with people who most use the library. With regard to endowments, Mr. Jenaway noted about five years ago the fire department started to get some endowments and a separate corporation was established to manage the funds. He said they just received one grant for \$800,000 to buy new radios.

Mr. Waks suggested that the Business Improvement District (BID) extend invitations to the Library Board to attend their functions so the Library Board members can meet some of the prominent business people in Upper Merion Township. Mr. Goldstein indicated his willingness to do so.

Mr. Philips asked for clarification about the library's endowment. Mr. Helicher responded they have the Fine Endowment which is currently at about \$350,000 which has not been touched in three or four years.

Mr. Philips asked who manages the Endowment. Mr. Helicher responded PLGIT.

A discussion followed about the possible use of the Township Foundation which is a 501(c)(3) for the library since the Farmers Market is set up in this way.

Mr. Philips asked if the American Library Association has been explored as a grant resource. Mr. Helicher responded in the affirmative. He noted these grants are not that plentiful since they tend to go to larger consortiums such as MCLINC through which the library receives reduced line charges, hardware, etc.

Mr. Philips asked if the Gates Foundation has been approached for grants. Mr. Helicher responded in the negative.

Mrs. Kenney mentioned she was once told that it is difficult to get grants for maintenance expenses, but if there is a specific item to purchase or project in mind it is a lot easier to obtain grants.

Mr. Helicher stated Mr. Waks provided a good suggestion about using the library for a fundraising activity.

Mrs. Kenney asked if it is envisioned that the event to be held in the library is hosted by the Library Board, library staff or a combination of both. Mr. Waks responded a combination of both working with the Assistant Township Manager on a once a year event. This would not be expected to be a high dollar event, but it would raise public attention and awareness of the library's incredible job of programming.

A question was raised if naming rights for some library components have been considered. Mr. Helicher responded the library has been named and the additional library components were part of the 1989 fundraising effort for the new library.

A discussion followed wherein various ideas for an in-house library event were discussed.

Mrs. Medrow asked if there is a certain dollar amount being considered. Mr. Waks responded the dollar amount is not the issue, it is more for the publicity to let people know the library is trying various things to raise money.

## KING OF PRUSSIA BUSINESS IMPROVEMENT DISTRICT

### First Avenue "Road Diet" and Pedestrian/Bicycle Improvements Grant Application (TAP Funding)

Mr. Eric Goldstein, Business Improvement District (BID), discussed the Road Diet Study at First Avenue and Moore Road in the Business Park. He noted this is a two-lane road in each direction. The Road Diet Study was conducted by Pennoni Associates to see whether or not lanes could be reduced from two lanes in each direction to a single lane of travel in each direction which would provide a safer dedicated center turn lane. Along with the Road Diet Study, traffic studies, including existing traffic patterns and computer modeling

was done. Also considered were impacts on proposed zoning. It was determined by Pennoni through this study that a Road Diet could be done along First Avenue and Moore Road. The discussion at this meeting is devoted to advancing the Road Diet on First Avenue. Now that the study has been completed there is an opportunity through the Transportation Alternatives Program (TAP) to pursue funding to implement at least a portion of the Road Diet. The portion would be on First Avenue only, not touching Moore Road at all. Mr. Goldstein noted the TAP program application period closes on April 4, 2014.

Mr. Waks asked for clarification about the process. Mr. Kraynik responded there is no resolution required from the Board of Supervisors. This would just be a funding opportunity and would not require Township administrative support and just potentially a small portion of township capital funds for a match.

Mr. Goldstein stated the TAP program has a soft cap of \$1 million to do the Road Diet on First Avenue and would involve a total cost of \$955,000 for a milling, repaving and restriping project only. All curbs and infrastructure stays in place. When restriping is done it will provide one lane in each direction, a dedicated center turn lane with about 5 feet on each side of the roadway which could be dedicated bike lanes. Because of the bus shelters and very heavy bus traffic in the area between Archema and eBay they would like to provide a dedicated regulation pedestrian crosswalk which would have a painted surface and flashers. In this zone there will be curbed landscaped medians as a safe place for pedestrians to stop and eventually continue when traffic passes. Pedestrians would be crossing one lane of traffic and not four lanes as they do now. Township Traffic Safety supports this idea.

Mr. Goldstein stated the BID partnered with the township to do the initial Road Diet Study with the township as the applicant and the BID as the project manager. The township fronted the dollars which was reimbursed and the BID provided the match. This would work the same way. Mr. Kraynik noted considering the nature of the project and the fact that with the new transportation funding bill all municipalities will see about a 40% increase in Liquid Fuels funding this could easily be a Liquid Fuels project.

Mr. Goldstein reiterated this application needs to be submitted by April 4 in order to qualify. It is one application for two years of funding.

Mr. Philips asked for more specifics about the location of the Road Diet. Mr. Goldstein responded the Road Diet will be done on a portion of First Avenue, but the entire area would probably be repaved.

Mrs. Kenney asked about the approximate distance of the Road Diet. Mr. Goldstein responded it is more than a mile.

Mr. Jenaway asked for clarification about how the transition would be handled in approaching the intersections. Mr. Goldstein responded the engineer has worked out how the lanes are structured, where the transitions occurred, and it is outlined in the study.

Mrs. Kenney asked how this would not create more congestion. Mr. Goldstein responded the initial response of a Road Diet is typically two lanes are better than one; however, he said that is really not true because it all comes down to the volume and the traffic that is on there. Mr. Goldstein noted the congestion would be for a half hour period of time and the modeling he was shown indicates by doing a road diet congestion is not increased at all. He said there will probably be some signal modifications that would have to be made at some intersections which would be part of the road diet.

Mrs. Kenney asked if there would be a light at the pedestrian crosswalk. Mr. Goldstein responded it would be a regulation pedestrian crossing with flashers. PennDOT would be involved with this since they regulate all pedestrian crossings.

Mr. Goldstein stated tonight he needs to either get an approval to submit the application or not submit the application. Mr. Philips and Mr. Jenaway said they were okay with submitting the application. Mrs. Kenney said she does not have a problem as long as it does not increase congestion.

Mr. Goldstein indicated he has discussed this with the major property owners that are in the impact area.

The supervisors in attendance agreed to sponsor the application.

#### POSSIBLE PLACEMENT OF FLAGPOLES IN THE ROW ON FIRST AVENUE FOR BUSINESS PARK GATEWAY PROJECT

Mr. Goldstein discussed the possible placement of flag poles in the right-of-way on First Avenue for the Business Park Gateway project. The Business Improvement District (BID) would like to install landscaping improvements that include five flag poles on each side of the road. In order to provide an attractive entrance into the Business Park, landscape lighting will also be installed to upright all of the ornamental trees and shade trees as well as the flag poles. The issue is that the BID proposes to do the work on private property in the casino right of way for which they have successfully executed an access easement agreement which has been filed.

Mr. Philips asked for a description of the flags. Mr. Goldstein responded they are plain colored flags.

Mr. Goldstein explained the flag poles are in the public right of way six feet back off the curb line so even though they are in the public right of way they are a significant distance off of the curb line. That is the issue that needs to be cleared and an indemnity agreement has been reviewed by the Solicitor, recommended for approval, and ready to be placed on the Consent Agenda for consideration at the next business meeting.

Mr. Philips asked if Mr. Goldstein had an updated rendering of the proposal. Mr. Goldstein responded he does not have an updated rendering but one could be provided for review by the Board of Supervisors.

Mrs. Kenney asked if the BID eliminated the brick walls. Mr. Goldstein responded they would not have entrance walls. Due to BID's budget parameters, the walls were eliminated. He noted the BID is paying for 100% of the improvements and ongoing maintenance.

Mrs. Kenney asked how high the flagpoles would be. Mr. Goldstein responded 25 feet tall which is about the height or slightly shorter than the ones in front of the township building.

Mr. Waks favors the beautification of the area, but wanted to see the updated renderings before considering this proposal at a business meeting.

Mr. Philips asked if it was a flag as opposed to a banner. Mr. Goldstein responded it is a regular flag and not a banner type pole.

Mrs. Kenney asked about the color of the flag poles. Mr. Goldstein responded they are black.

Mr. McGrory asked if they have any options for break-away poles. Mr. Goldstein responded the poles are on a break-away footing, but they are 6 feet off the road. Break-away footings are also on the Gateway signs.

#### REVIEW OF TIMELINE FOR BID RENEWAL

Mr. Goldstein stated the Business Improvement District (BID) is a little over a year away from the sunset provision of the first five years of the BID which is up in May 2015. In order for the BID to be extended the township would have to pass an ordinance which would involve a hearing process, notifications of assessed property owners, etc. Mr. Goldstein prepared a formal request for renewal which outlines all of the BID's accomplishments under the original program plan from 2011 to 2013 followed by a section which states their plans between 2014 and 2015. Exhibit A provides a snapshot of the BID's plans for the next five years starting in 2015. The proposal does not include any changes to the original program plan, the district boundaries remain the same, the assessed property classification remains the same as commercial properties only, the

assessment rate, and the millage rate remain the same.

The issue is the proposed timeline for this process. The BID does not want to wait until 2015 to move the process and would like to have their renewal in place by the fall of 2014 so they can prepare for the next five years and set up their grants.

Mr. Goldstein noted the BID serves 296 commercial properties and all commercial property owners will be notified about the renewal. He said he would approach the ECDC first and has scheduled some time for their meeting agenda to discuss the renewal.

A discussion followed about the expedited process for this renewal and it was agreed to have another workshop meeting on June 5<sup>th</sup> for the benefit of the township residents and business owners who might want to voice their opinion.

#### NEW OWNERS OF THE MARQUIS APARTMENTS TO GIVE UPDATE ON PROPERTY RENOVATIONS

Ann Carroll, Esq., representing new owners of the Marquis Apartments, stated they came before the Board of Supervisors informally in October of last year when they started taking over management of the apartments. Since then the owners have been actively working with township code officials and have been asked to provide the Board of Supervisors with an update. Ms. Carroll indicated the owners are not before the Board in connection with any pending or specific application, building permit or issue. She indicated she is at this meeting with Joseph McCawley who handles construction and ongoing renovations.

Mr. McCawley provided handed outs showing the existing layout of all five buildings and a second rendering showing the five buildings as they envision the renovations. Highlights as follows:

- three new roofs have been completed
- HVAC system reconstruction started
- Much of the demolition is already completely
- new windows are going into the project.
- Work started on Building E with 2 ½ floors completed
- four elevators under construction for refurbishment and renovation.
- A large amount of mold and asbestos remediation has been done
- hallway mockups of apartment renovations have been done
- installing new kitchen cabinets, new tile in bathrooms and improving the marketing condition of apartments.

Mr. McCawley provided an artist's rendering depicting a black and white theme. The two upper buildings will be black with white highlights and the three lower buildings will be white with black highlights.

Mr. Philips asked if the skin is being taken off the buildings. Mr. McCawley responded in the negative. He said they have power washed and done a complete façade renovation and have gone in and chipped off the concrete, taken out the back garage, recaulked the building, and water proofed everything. The building will be painted to change the color and make it more up to date.

Mr. McCawley stated a grading permit is being submitted to the township for the D and E lobbies which will undergo a complete renovation. Demolition has commenced there. A rendering of the D and E lobbies was provided as well as an interior rendering of the workout facility, children's play room and lounge area. The last collateral was a rendering of what the exterior pool will look like when it is cleaned up and the concrete deck is topped.

Mr. Waks asked for a clarification of the HVAC. Mr. McCawley responded a full HVAC replacement program is underway; E Building is approximately 30% done. There will be 15-20% done in D building and other than the engineering nothing has been done in A, B, and C buildings at this point.

Mr. Waks asked if there are some tenants that need to vacate the apartments. The Marquis leasing representative responded many have moved out and have taken the option of moving out early for a variety of reasons.

Mr. Waks explored the idea of a trail to allow people to walk from the Marquis through the woods to the shopping area on Henderson Road. Mr. McCawley responded they had some issues with the trail because of the retaining wall at the end of the driveway and steep slopes. Mr. McCawley said they had some people looking at it and they will not know for some time if it is doable.

Mr. Philips asked if everyone is out of D and E buildings. The leasing representative responded there are two residents that chose to stay who are still in D building. E building is vacant. Mr. Philips asked if they have heat. Mr. McCawley responded in the affirmative and said they have portable heaters, but they have no HVAC system.

Mr. McGrory asked about the safety of the holdouts. He said he had no problem condemning the building in order to force occupancy out of there because it is a safer alternative for them. Mr. McCawley responded he is not able to speak about the marketing program. They anticipate opening up May 1<sup>st</sup> for advertising and June 1<sup>st</sup> for showing units.

Ms. Carroll stated one concern is the potential bad press from a condemnation and any other code issues that might be triggered on a condemned building.

Mr. McGrory stated the property needs to be cleaned up and it must be done in the safest manner possible.

Mr. Philips commented with regard to the code issues, all the code issues they are going to get have already been triggered because the building is being renovated from stem to stern. He said the township's issue is there are people in a building that is essentially a construction zone. Mr. McCawley responded it is a construction zone in the lobby area, not in the upper floors with the exception of the HVAC system. Mr. Philips asked if there are ceilings in the hallways. Mr. McCawley responded in the affirmative. Mr. Philips asked if there is carpeting on the floor. Mr. McCawley responded there is carpeting in D building where the two residents are located and they are on the same floor. Mr. McCawley stated the safety and codes staff are at the site almost on a daily basis and have asked the Marquis representatives to take steps to protect the people's interest and safety.

Mr. McGrory asked if there are any fire safety issues for the remaining residents. Mr. Jenaway commented he has not been up there for the last three or four alarms and was not aware of the current situation. He noted the fire department has been overburdened with nuisance calls.

Mr. Waks asked if the new owners were the cause of the problem. Mr. Jenaway responded these were problems that occurred during demolition when there were electric lines running for space heaters with pools of water within a couple of feet of the space heaters. In his view this was not a safe condition and it was reported accordingly to the Safety and Codes Department. Mr. Waters commented they were fined for these violations.

Mr. McGrory stated he wants to make assure that the construction activity does not create a hazard for people remaining in the building. He reiterated there is a tool to totally vacate the building, but does not want to force something upon the owners that they perceive is harmful to them. He wants to work together to have a safe environment to get these building reconstructed.

Mr. Philips stated he cannot imagine that condemning D building in its current state of construction is harmful to their marketing program. Mr. McCawley stated bad press would be detrimental to them. Ms. Carroll said if someone sees condemnation in an article it has the potential to create a real problem from a marketing perspective. She said there may well be other ways to solve the situation and would be happy to look at other alternatives. Ms. Carroll said condemnation should be the very last step. Mr. McCawley said they have made significant offers to the occupying tenants offering to relocate them at their

cost, offering free rent elsewhere. They have just chosen to live there any way.

Mr. Waks asked when the leases expire. The leasing representative responded the first of the two who has lived there 30 years started moving out today. The remaining resident is hoping to be out by May 20<sup>th</sup> and has a lease that runs until May 31<sup>st</sup>.

Mr. McGrory asked about the other buildings. Mr. McCawley responded they have already taken steps not to renew the leases. The leasing representative stated they have not been leasing or renewing leases for quite some time prior to his arrival last August. Anyone who is in A, B or C building has been formally notified that they will be required to move out at the end of their lease term. Those who were on a month to month lease after they stopped renewing leases were given notice they were required to move out at the end of March. Of those given notice, 32 have moved out in the last two weeks.

Mr. Philips commented E Building is totally vacant and asked when completion of E Building is anticipated. Mr. McCawley responded their schedule calls for completion of floors four thru nine for occupancy by June 1<sup>st</sup> and approximately three weeks later for the first three floors. Mr. Philips asked if that meant all would be completed by the end of July. Mr. McCawley responded by July 1<sup>st</sup> they have projected 20 occupants in the building.

Mr. Philips asked when Building D is anticipated for completion. Mr. McCawley responded completion is anticipated approximately July 1<sup>st</sup>. Mr. Philips commented that buildings D and E would be completed about the same time. Mr. McCawley responded in the affirmative and said they are slowing down on D to make progress on E.

Mr. Philips asked when buildings A, B, and C are due to begin renovation. Mr. McCawley responded it is a market driven deadline and he believes they would be ready to start in October. He said they anticipate building a common lobby (approximately 2,500 square feet) for buildings A, B, and C and remove porte-cocheres from two buildings.

Mr. Philips asked if there is enough time to vacate all the buildings. Mr. McCawley responded, "I would hope so." Mr. Philips asked if all the leases would have expired by then [October]. Mr. McCawley responded in the affirmative.

Mr. Philips stated the goal is to make sure an unsafe condition does not exist. Mr. Jenaway commented when he went out on one call, and saw the heaters, and observed workers doing construction work with their masks on, he questioned why people were still living at the end of the hall. Mr. McCawley responded the workers were wearing masks because they were following protocols required for mold remediation.

Mr. Philips asked for additional clarification about the mold remediation and what action was taken to prevent dust and mold from going into the occupied apartments. Mr. McCawley responded they did not do any hallway remediation until the floors were fully vacant. He said any apartment remediation was done when the unit was available to remediate and then they put up the required protection.

Mr. Jenaway stated he wants to assure if there is a requirement that the fire, ambulance or police department respond they are not inhibited in their job in performing the safe activities of this Township. Mr. McCawley stated he agrees and they are doing everything they can to police themselves.

Michael Panza, a former resident of the Marquis, commented on the trail idea from the Marquis to the development on Henderson Road and said the ideal connection would be on Tyler Road. Mr. McCawley asked that the developer of the property on Henderson Road be in touch with him so that both of their civil engineers can determine if a cut through is possible. Mr. Waks suggested having Mr. Waters and Mr. Russell involved as well.

Mr. Panza asked if any incentives were being offered to former residents who may want to return after construction is completed. The leasing representative responded anyone who is a current or previous resident were invited to return once apartments are available. For fair housing reasons, they would be offered the same incentives anyone off the street would be offered.

Mr. Panza asked for clarification about the underground infrastructure in view of previous problems with the underground water pump and pipe system which left tenants without heat and hot water. Mr. McCawley responded they have replaced two of the pumps. One was a brand new pump and one was a rebuilt pump that was installed in the last two weeks. They have replaced a generator that was failing for years and are in the process of replacing the holding tank (15,000 gallons) for the hot water. There are no plans to replace the pipe from building to building as there is no way to do anything until it would fail.

DISCUSSION WITH DEVELOPER HECTOR VINAS REGARDING REDEVELOPMENT OF SEVERAL PROPERTIES ON THE SOUTH SIDE OF DEKALB PIKE BETWEEN S. GULPH/CROCKETT; CROCKETT/SHAFFER AND DEKALB/FORGE ROAD. DEVELOPER COMPLETED REDEVELOPMENT OF 620 DEKALB (AT ALLENDALE).

Andrew Gallo, Esq., representing Hector Vinas, provided an update on the redevelopment project, and utilizing the aerial he highlighted the major features of the 10 separate parcels on the south side of DeKalb Pike (opposite the King of Prussia Mall). Mr. Gallo noted the problems in this location associated with the CO and residential zoning districts.

Mr. Gallo indicated both Crockett and Shaffer Roads are one-way in. Currently there are four properties with at least 5 or 6 driveways along US 202, one right after the other. The first draft of this plan closed all the driveways and made the side streets two-way for the first 120 feet or so to enable getting in and out of the site without having all the chopped up driveways. The proposal was submitted to PennDOT as well as to the Township Traffic Engineer. In the last five days they were notified by PennDOT that they did not favor two-way streets in this location even though they are small streets. PennDOT was concerned about the heavy left turns into the mall and the impact on traffic signaling of having another side street enter that intersection and creating at least a 13 second additional phase of the signaling.

Mr. Andy Heinrich, P.E., Transportation Engineer, stated because Shaffer Road is set off from Mall Drive and also because Mall Drive has a double left turn lane coming out, it would have to create a separate 13-second phase for Schaeffer with its own separate green, yellow and red light. He said PennDOT was concerned about that loss of time for the other two phases which would be detrimental to the system as well as to Mall Drive.

In view of PennDOT's reaction to the first draft, Mr. Gallo stated the applicant has come up with another plan which would have a right in from US 202 and a right out to US 202. Utilizing the aerial, Mr. Gallo pointed out the proposed circulation. He also noted Crockett Road can be made two-way since it does not present the problems that Shaffer Road does because of the signal.

Mr. Philips commented he recalls when Crockett was two-way. Mr. Heinrich stated part of the reason PennDOT did not favor a two-way for Crockett was the sight line in view of the current positioning of the buildings. The proposed design for the buildings will provide visibility down US 202 and PennDOT should be able to give their consent.

A discussion ensued about PennDOT's comments regarding the effect of two-way streets on the signal system.

Mr. McGrory suggested having a face-to-face meeting with PennDOT to determine if they will reconsider their position.

Mr. Vinas mentioned that one potential tenant was conditioned upon getting two-way traffic into Shaffer. They are considering the new plan and hopefully they will be okay with it, but they may not.

Mr. Gallo stated a zoning change is needed to provide some sort of overlay for the CO District similar to what happened with 620 West DeKalb Pike about a year ago. He said the applicant would prefer the kind of uniformity that occurred with the previous plan at 620 West DeKalb so that both site plan process and zoning process are in lock step together.

Mr. Waks stated there is nothing preventing going down both paths. If the applicant goes in for a zoning variance it might happen faster than waiting for the zoning changes. Mr. Gallo commented the applicant is planning to do so.

Mr. McGrory commented that the parcel not under agreement is a key parcel in the whole consideration in view of the township's interest in a sidewalk from Chili's. He indicated it may take the township some time to determine what to do with the whole strip. To obtain the Board of Supervisors support for the zoning variance, the sidewalks from Chili's are key and those are the parcels not under the applicant's control at this time. Mr. McGrory suggested getting that under control and also meet with PennDOT to determine what is being done with the driveways. That is a major issue before anyone decides to support either a rezoning or a variance.

Mr. Philips asked about the timing for development. Mr. Vinas responded their plan is to start construction in the summer.

Mr. Jenaway said it would be important to see renderings to better understand the proximity of the buildings to the highway. Mr. McGrory stated if a zoning variance was done, the number one condition of approval would be architectural renderings for the Board of Supervisors to review. If a rezoning were done, he would want a covenant against the property indicating what the architecture is going to be in the buildings.

Mr. Waks stated before final consideration it will be necessary for staff to review the code. Mr. Gallo said architecturally some things could be done to hide or blend certain [utilitarian structures] into the design.

#### DISCUSS OFFICIAL NAME OF THE COMMUNITY CENTER

Mr. Waks stated one suggestion from the Park and Recreation Director and Township Manager is the "Upper Merion Community and Senior Center."

Mr. Kraynik stated this entire project will go out to bid in about 10 days. He said the architect asked, if at all possible, to include the name in the bid package.

Mr. Waks asked if it would be less expensive to do it all at once and more efficient to come up with a name now as part of the bid package. Mr. Kraynik stated it would be cheaper to do it all at the same time, but he did not think it would be that much of an additional expense to add it on mid contract.

Mr. Waks mentioned he did not want the new center to be named after anyone. His thought was someday selling naming rights.

A discussion followed during which various thoughts on the proposed name were considered and it was referred to the Park and Recreation Board for further comment.

ADJOURNMENT:

It was moved by Philips, seconded by Mr. Jenaway, all voting "Aye" to adjourn the workshop meeting at 11:05 p.m.. None opposed. Motion approved 5-0.

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DAVID G. KRAYNIK  
SECRETARY-TREASURER/  
TOWNSHIP MANAGER

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Minutes Approved:  
Minutes Entered: