

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
MARCH 16, 2017

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 16, 2017, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:39 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Greg Philips, Bill Jenaway, Carole Kenney and Erika Spott. Also present were: David Kraynik, Township Manager; Joe McGrory, Township Solicitor; Rob Loeper, Township Planner; Tom Beach, Township Engineer; and Sally Slook, Assistant Township Manager.

MEETING MINUTES:

It was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to approve the February 2, 2017 Zoning Workshop Meeting Minutes, February 2, 2017 Workshop Meeting Minutes, and February 16, 2017 Business Meeting Minutes as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman Jenaway stated earlier this evening there was a meeting of the Upper Merion Township Foundation, followed by an Executive Session prior to this meeting regarding personnel matters. On February 24th Chairman Jenaway and Township Manager Dave Kraynik attended the Montgomery County Association of Township Officials meeting regarding the legal standpoint of medical marijuana dispensaries and facilities that are now authorized in the Commonwealth of Pennsylvania.

NEW BUSINESS

PRESENTATION TO CHIEF OF POLICE THOMAS NOLAN BY ANDREW HOWELL – RACE FOR PEACE

Hameen Diggins, Community Liaison/Youth Development for Race for Peace, stated Race for Peace is an effort to bridge the gap and help improve relations between police and the public. This is a collaboration among local law enforcement with representatives of five different counties, community activists and clergy.

Race for Peace Founder, Andrew Howell presented a certificate of appreciation to Police Chief Tom Nolan for his active participation and support of the mission of Race for Peace.

Chief Nolan recognized the efforts of Mr. Howell in following through on the idea to make Race for Peace a reality in fostering communication and understanding in bringing the community together and strengthening their relationship with law enforcement. As a result of Mr. Howell's efforts there are seven area law enforcement agencies participating in a regional effort at several different events. The most recent event was held at the King of Prussia Mall. Area law enforcement agencies set up individual tables and handed out safety information and provided an opportunity for law enforcement officers to mingle and engage in meaningful conversations with citizens.

On behalf of the entire Upper Merion Police Department, Chief Nolan accepted the certificate of appreciation. He said the men and women of this department go out every day in service to the community. They are actively involved in community events, school programs and after school events. It was

noted the officers encounter some tense situations at times and can always deescalate them by providing fair and impartial policing. Chief Nolan stated the reason for their success is because of the strength of character of the men and women in this department.

Mr. Jenaway expressed appreciation to Mr. Howell for the work Race for Peace is doing in the community and for recognizing the efforts of the Upper Merion Township Police Department.

CONSENT AGENDA RE:

1. Authorization to Sign Settlement Stipulations re:
 - a. Henderson Road Associates, LP – 530 S. Henderson Road
 - b. Brandywine Operating Partnership LP – 650 Park Avenue
 - c. Brandywine Operating Partnership LP – 600 Park Avenue
 - d. Brandywine Operating Partnership LP – 741 First Avenue
 - e. Brandywine Operating Partnership LP – 500 N. Gulph Road
2. Resignation of Linda Castro from the Environmental Advisory Council
3. Approval of Contract for Pool Concession Operator – The Hedgehog Grill
4. Awarding of Contracts for Upper Merion Swim Club Bathroom, renovations and ADA Accessibility; General Contractor – F. W. Houser in the amount of \$213,426.00; Plumbing Contractor – AKC Mechanical, LLC in the amount of \$72,150.00; and Electrical Contractor – CMSE, Inc. in the amount of \$15,901.00.
5. Recommendation to Award Bid re: Electrical Substation Upgrade Project at Matsunk Water Pollution Control Center to BSI Electrical Contractors in the amount of \$268,800.00
6. Recommendation to Award Bid re: 2017-2021 Towing Services Contract to Jamison's Towing
7. Appoint the following to citizen boards as follows: Paul Salamy to the Park and Recreation Board, Deena Newman to Park and Recreation Board, Fauzia Shamim to Library Board, Beth Nackman to Library Board, Stacey Henderson to Environmental Advisory Council, and Elizabeth Jenaway as youth member Police Advisory Board

Board Comment:

With regard to Item 4, Mr. Waks asked if renovations will be completed in time for the swim season assuming a favorable vote tonight. Mr. Russell responded in the affirmative. If the Board approves, a pre-construction meeting will be held next Tuesday with the architect and contractors. Mr. Russell said everyone is aware this has to be a priority.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the Consent Agenda as submitted. None opposed. Motion approved 5-0.

APPROVE CONDITIONAL USE DECISION FOR EXTENET AT 575 PRINCE FREDERICK STREET

Mr. Christopher H. Schubert, representing ExteNet Systems, stated the decision for conditional use at 575 Prince Frederick has been carried over from

the last workshop session and the matter is in a position for consideration by the Board of Supervisors.

Mrs. Spott stated she would prefer to abstain from voting since was not present for the last hearing when evidence was closed.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Philips, to approve the Conditional Use at 575 Prince Frederick Street. Mrs. Spott abstained. Motion approved 4-0-1.

GULPH ELEMENTARY SCHOOL DEVELOPMENT PLAN; 650 S. HENDERSON ROAD, DEMOLISH EXISTING BUILDING, CONSTRUCT NEW 91,305 SF SCHOOL WITH ASSOCIATED SITE FEATURES, AMENITIES AND STORMWATER FACILITIES, 22.61 ACRES, R-2 RESIDENTIAL DISTRICT, RESOLUTION 2017-13.

Mr. Rob Loeper, Township Planner, stated the Upper Merion Area School District has submitted land development plans to construct a replacement building for the Gulph Elementary School on Henderson Road. The 22.6 acre site is zoned R-2 Residential and has a property address of 650 South Henderson Road.

The proposal is to demolish the existing 51,909 square foot building and construct a new 91,309 square foot facility at the same general location of the existing building.

The Montgomery County Planning Commission and Upper Merion Planning Commission recommended approval of the plan. There was one comment on the county review letter concerning pedestrian connections and the possibility of Henderson Road crossing and parking lot circulation. The Superintendent of Schools indicated the district had a great deal of concern for the safety of elementary school children crossing Henderson Road.

The illustrated site plan shows that the design of the building is similar to the design of the new Caley Elementary School.

Bus access will be one-way in from the intersection of Crooked and Yerkes Roads. In the operation of the new school, this driveway will be limited to inbound school district vehicles only. All outbound access will be directed to the Henderson Road entrance. Access restrictions will not apply during off hours and weekends. The Henderson Road driveway will provide the major point of access for the new school.

As a result of several meetings with PennDOT to figure out the best access off of Henderson Road, it was determined there will be two driveways. The first driveway which is the southernmost driveway closest to Gulph Road will be inbound only and will provide access for the Merion Building as well as people coming into the school. The second driveway just north of the Henderson burial ground will have all outbound as well as inbound. Utilizing the aerial, Mr. Loeper pointed out circulation within the parking area and how buses will enter and how parents will come in and exit the site. The importance was noted of having the outbound access far away from the Henderson and Gulph Road and the signalized intersection.

There will be some improvements made along Henderson Road and these are currently being worked out with PennDOT. These include a deceleration lane for the northbound right turn to the first driveway and restriping southbound to provide a left turn lane into the site.

Stormwater for the site will be controlled by a combination of underground and above ground basins as well as some rain gardens. These improvements are significant since the current site was originally developed without stormwater management.

The main parking field will be located between the school and Henderson Road. Required parking for the site is 119 spaces and the applicant will provide 147 spaces to allow for additional parking on some of the hard surfaces for special events.

Mr. Loeper explained how the pedestrian access will be improved throughout the site with a series of sidewalks.

The landscape plan includes ± 80 canopy trees, 16 evergreen trees, 29 understory trees, numerous evergreen shrubs as well as plantings appropriate for rain gardens.

The applicant has made revisions to the plan based on comments from the Shade Tree Beautification Commission; however, several waivers are requested.

Several waivers have been requested mostly related to landscaping as follows:

- A partial waiver to permit the submission of combined Preliminary/Final plans
- A partial waiver from property screening requirement (*along the southern property line which is where the existing fields are at the park*)
- A partial waiver from parking lot screening requirement (*the school district felt they wanted to provide as much parking as possible because parking needs at the schools have increased*)
- A partial waiver for street tree requirements
- Partial waiver from landscaping requirements for stormwater basins and associated facilities
- Partial waiver from the building planting requirements

Mr. Loeper mentioned one of the items that came up in the review and meetings had to do with the nearby mulch operation.

Dr. John Toleno, Superintendent, Upper Merion Area School District, stated a meeting is being set up between DEP and State Senator Daylin Leach's Office to discuss the mulch operation. An agreement is currently in place. Dr. Toleno stated the school district position is they will allow the operation until the opening of the new building. It is not known how DEP will handle the matter. Dr. Toleno indicated he would keep the Board of Supervisors up to date on any developments.

Mr. Jenaway mentioned a discussion was held at the planning commission about a nearby proposed facility at Shoemaker and Henderson Roads. He asked for clarification if there was some stormwater drainage from the back of the Gulph School site that went to an adjacent property and wanted to make sure it does not go onto that property which is now under development. Mr. Ken Bissinger, site engineer, Renew Design Group, responded there is a large stormwater detention facility in the corner of the Gulph Road property. He pointed out on the screen the current drainage flow as well as the small detention basin. It was noted the stormwater management ordinance forces the applicant to reduce the storm and take the 10-year storm back to a 2-year storm so whatever water is currently leaving the site will be significantly reduced with the stormwater facilities that will be in place.

Mr. Bissinger mentioned the environmental and green issues Mrs. Kenney brought up at the workshop meeting and he reported since that meeting the

applicant has incorporated, a tremendous amount of additional vegetative filters for stormwater that will not necessarily be seen with the naked eye. There will be an underground stormwater facility under the bus parking lot which will have extensive filters for stormwater some of which were required by the review of the Montgomery County Conservation District. It was noted the applicant has added soil amendments throughout the property which acts as a filter for stormwater coming off the parking lots. There are also numerous plants located within the proposed rain gardens to help absorb and clean the water.

Mr. Philips asked where the trash containers are located on the site plan. Mr. Bissinger pointed out the service area on the plan and said there will be a good amount of landscaping in this area and screening and it will be hidden behind the bus area.

Mr. Philips reviewed the parking requirement for 119 spaces and the actual 147 spaces to be provided. Mr. Philips asked if the uses for the soccer field at Baxter were taken into account in the calculations [for parking]. Mr. Bissinger responded in the affirmative. He said it was monitored at different times of the year and most of the time when there was heavy traffic and usage the school lot would be empty.

Mr. Philips asked about the ownership of the cemetery property. Dr. Toleno responded the school district owns and maintains the property.

Mr. Philips asked Mr. Kraynik if the Transportation Authority plans to eventually widen that part of Henderson Road. Mr. Kraynik responded in the affirmative and said it will be necessary to work with the school district on this at some point.

Mr. Philips asked for clarification about the housing of buses since the school district has gone to a contract-based busing system. Dr. Toleno responded the buses will be housed on school district property and the contractor will lease the garage from the school district.

As Board liaison to the Park and Recreation Board, Mrs. Kenney asked for clarification about the number of fields at Caley. Dr. Toleno responded there will be two baseball fields and a soccer field.

Mrs. Kenney said besides Baxter Field for soccer what other outdoor recreation is available for elementary school students. Referring to a projection of the site plan, Mr. Bissinger specified the locations of the hard-play areas, those with a macadam surface and the soft-play areas, which are composed of an engineered mulch-type very soft product, as well as the placement of play equipment.

Mrs. Kenney asked if there will be any additional ground suitable for fields. Dr. Toleno responded in the negative. He said this is not the property to assist in solving some field problems because it is a tight piece of property. Dr. Toleno noted at Caley they were able to develop the baseball and soccer fields and make the most out of that space. The situation at Gulph School is more difficult.

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to approve Resolution 2017-13 in regard to the Gulph Elementary School Development plan. None opposed. Motion approved 5-0.

448 COATES STREET SUBDIVISION PLAN, 2 LOTS (1 NEW BUILDING LOT) SUBDIVISION, NO PROPOSED IMPROVEMENTS, 0.4 ACRES, R-3, Plan Expiration: April 11, 2017, Resolution 2017-14

Mr. Loeper stated Karen L. Krajnik has submitted an application to subdivide property located at 448 Coates Street. The property, containing 0.4 acres is located in the R-3 Residential District. The lot has frontage on both Coates Street in the front and Jefferson Street in the back. There is an existing single family home on the Coates Street side of the property and the plan is to divide it into two lots. Lot 1 contains the existing home and lot 2 would become a building lot in the future.

There are no improvements submitted or contemplated with the plan at this time. The zoning is R-3 which allows for lots with a minimum of 5,000 square feet and a lot width of 50 feet. The proposed lots will be 7,600 square feet and 6,800 square feet respectively and 55 feet wide.

The plan was reviewed primarily for zoning compliance.

Mr. Loeper pointed out Jefferson Street is a State Road and a Highway Occupancy Permit will be required for any improvements (driveway, curb and sidewalk) prior to construction. All of the improvements such as road improvements, stormwater management, open space fee in lieu and sewer tap fee are deferred to the time of construction of a dwelling on lot 2. At that time the applicant would be required to install a sidewalk along the lot 2 portion on Jefferson Street.

All the waivers deal with elements not to provide the stormwater calculations, utility capacities, the erosion and sedimentation controls, traffic analysis (which would not be required anyway for one lot), grading and landscaping.

The applicant has signed the resolution accepting the conditions contained therein.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Spott, all voting "Aye" to approve Resolution 2017-14 re the 448 Coates Street Subdivision Plan. None opposed. Motion approved 5-0.

REALEN VALLEY FORGE GREENES ASSOCIATION DEVELOPMENT PLAN, WOODFIELD VALLEY FORGE VR-7; 580 S. GODDARD BOULEVARD, 320 MULTI-FAMILY UNITS, DISCUSSION OF PARKING STUDY AND REVIEW OF LAND DEVELOPMENT, 3.2 ACRES, RESOLUTION 2017-15

Mr. Loeper stated Realen Valley Forge Greeneres has submitted a land development application in accordance with the settlement agreement for the former Valley Forge Golf Course. It is known as the VR-7 development. The plan proposes a 320 unit, multi-family development with a parking garage on a 2.46 acre parcel. The site is listed as 580 South Goddard Boulevard and is located between the Children's Hospital of Philadelphia (CHOP) to the north and the Village retail center to the south.

The development will consist of 22 studio units, 193 one-bedroom units, 100 two-bedroom units and 5 three-bedroom units. An 8-level parking garage will contain parking for 493 vehicles.

Referring to the site plan on the screen, Mr. Loeper pointed out the location of the basin, CHOP parking, the garage, and the apartment building.

The plan was reviewed by the township engineer and addresses the comments in the review letter.

Mr. Loeper noted the Realen Settlement agreement contains provisions for the parking capacities which are slightly different than those in the township code. The parking requirements for the proposed development recommend 535 spaces; however, the agreement has a provision to consider the reduction of spaces based on a parking analysis. A parking analysis prepared by Glackin Thomas Panzek recommends parking based on 1.5 spaces per unit or 480 spaces. Additionally, in 2015 parking requirements for free standing multi-family developments were changed to one space per each bedroom. This standard would result in a parking requirement of 430 spaces which is 50 spaces more than is required by code.

Paul Fry, with Realen, stated this building like many of the other apartment buildings at the project will be highly amenitized. One of the features that Woodfield is going to build is what they call sky lounge.

Mr. Jenaway asked for clarification about the loading/unloading space in front of the building which would also be used for parking by police and ambulance.

Referring to the overlay on the screen, Mr. Fry pointed out the front of the building along South Goddard. He said one of the early discussions with safety and codes staff was concern that South Goddard is a two lane street and there was nowhere for emergency services to come and help. The developer modified South Goddard Boulevard near the entrance to provide an emergency services pull over area which will be striped with appropriate signage.

Mr. Jenaway asked about the entry into the complex. Mr. Fry responded it is located to the right of the emergency services area. He said there will be other entries and just like some of the other products it will be possible for the resident to walk in from their level in the garage to their level in the apartment building.

Mr. Jenaway wanted to clarify that the emergency services pull over area would not be used for multiple purposes. Mr. Fry responded the pull over area would be properly striped and signed and he thought it was so noted on the land development plans that were submitted.

Mr. Jenaway asked about the rear of the property facing CHOP and asked if it is correct that there is no access to the rear. Mr. Fry responded there is a sidewalk and a retaining wall.

Expressing her own views along with those comments she has received from residents about traffic and parking difficulties, Mrs. Kenney expressed concern over the reduction of parking spaces in view of the continued build out. Mrs. Kenney asked if there is going to be enough parking for all the additional uses. Mr. Fry responded in the affirmative. He said with the township approval of the 20 acres of retail square footage there was a placeholder in that development for an additional garage; however, there was no commitment to build that additional garage. Mr. Fry indicated room for an additional garage was "ghosted" into the plan and is reserved if the need were to arise for additional parking.

Mrs. Kenney commented about meeting the township code for parking and pointed out the rest of the township is not as densely built as the Village at Valley Forge is and will be. She said the rest of the township has a different parking code, but there is much more space.

Mr. Philips asked about the height of the retaining wall between CHOP and this proposed building. Mr. Fry responded it varies along the slope behind CHOP from 4-6-8 feet.

Mr. Philips asked if CHOP is higher or lower than this building. Mr. Fry responded it is higher.

Mr. Philips asked for clarification about the striped area. Mr. Fry responded that is for the CHOP loading and unloading area where no parking is permitted. Mr. Philips asked if the fire department could use that area for responding to a fire in one of the upper stories. Mr. Fry responded in the affirmative. Mr. Philips asked about ambulance traffic getting people in and out of the building. Mr. Fry responded they would have to come in the front where the elevators are.

Board Comment:

Mr. Waks stated it is important to mention that this land development plan is proceeding along a different process than other land development plans, in that it is in accordance with the golf course case settlement. It was noted the applicant has received a relatively clean letter from engineering and that under the settlement the Board of Supervisors is required to approve land development.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Spott, to approve Resolution 2017-15. Mrs. Kenney opposed. Motion approved 4-1.

MANCILL MILL ROAD CO. DEVELOPMENT PLAN; NORTH SIDE OF MANCILL MILL ROAD, 112-UNIT HOTEL WITH ASSOCIATED PARKING, STORMWATER MANAGEMENT AND AMENITIES, 7.229 ACRES (SITE 22.86 ACRES), SM-2. (Preliminary Plan approved 9/22/16. Plan Expiration: March 31, 2017, Resolution 2017-7.

Mr. Jenaway stated earlier this evening, the Board was asked to remove this from the agenda as a development plan and the applicant has requested the Board approve an extension of the plan expiration date to April 30, 2017.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to move the plan expiration date from March 31, 2017 to April 30, 2017 for Mancill Mill Road Co. Development plan. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mrs. Kenney, seconded by Mrs. Spott, all voting "Aye" to approve the Accounts Payable for invoices processed from February 8, 2017 to March 9, 2017 in the amount of \$1,004,295.41 and the Payroll for February 24, 2017 and March 10, 2017 in the amount of \$1,497,206.61 for a total of \$2,501,502.02. None opposed. Motion passed 5-0.

ADDITIONAL BUSINESS:

SNOW REMOVAL

Mr. Philips recognized the work of the Public Works staff for their snow removal efforts during the challenging weather in our area on Tuesday, March 14th. Addressing the situation of driveways getting plowed in, he explained the limitations of the plow and asked residents to be patient and wait until the roads are plowed before shoveling the driveway access to the street.

ST. PATRICK'S DAY

Mr. Philips reminded citizens that St. Patrick's Day is a great day of celebration and encouraged that it be done responsibly.

SNOW, FREEZING RAIN, SNOW AND DROP IN TEMPERATURES

Mr. Jenaway commented on the recent, very unusual weather challenges that are unlike storms we have had in the past.

Mr. Jenaway suggested during snow events residents take advantage of the new Interactive Snow Removal Status map feature on the township website which shows what roads have been plowed.

PHILADELPHIA MAGAZINE ARTICLE FEATURING KING OF PRUSSIA

Mr. Jenaway encouraged residents to read the interesting article featuring King of Prussia in the recent issue of *Philadelphia Magazine*.

EAST CHURCH ROAD CLOSURE

Mr. Jenaway noted East Church Road will be closed between Yerkes Road and Drew Court on Tuesday, March 20th from 9 a.m. to 3 p.m. This is due to relocation of PECO utility lines on the east side of the SEPTA overpass. A detour will be provided utilizing Crooked Lane and Yerkes Road.

COMPREHENSIVE PLAN

Mr. Jenaway stated the process has begun in Upper Merion Township to redo our Comprehensive Plan. The Comprehensive Plan is a document designed to guide the future actions of a community. It presents a vision for the future, with long-range goals and objectives for all activities that affect community life. An open house will be held in Freedom Hall on April 25th from 5:30 p.m. until 8:30 p.m. to introduce residents to this planning process, answer questions, encourage dialog, and obtain local feedback.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 8:40 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered