

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
MAY 31, 2012

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, May 31, 2012, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:30 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Erika Spott, Bill Jenaway, and Carole Kenney. Also present were: Ron Wagenmann, Township Manager; Joseph McGrory, Township Solicitor; Rob Loeper, Township Planner; Tom Beach, Township Engineer; Judith A. Vicchio, Assistant Township Manager, and Angela Caramenico, Assistant to the Township Manager.

MEETING MINUTES:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve the April 23, 2012 Joint Meeting Minutes and the April 26, 2012 Business Meeting Minutes as submitted. None opposed. Motion approved 5-0.

CHAIRPERSON'S COMMENTS:

Chairperson Spott commented on an executive session held prior to the business meeting during which litigation matters were discussed and an executive session last week after the architects' interview meeting during which personnel matters were discussed.

NEW BUSINESS

APPOINTMENTS RE: DAVID KRAYNIK - TOWNSHIP MANAGER DESIGNEE, DELAWARE VALEY INSURANCE TRUST - TRUSTEE

With the approaching retirement of Ron Wagenmann, Township Manager, Mrs. Spott explained the comprehensive township manager search resulting in the selection of David G. Kraynik as Township Manager Designee. She noted that Mr. Kraynik is a well-respected and forward-thinking professional manager who will take Upper Merion Township to the next level.

Mrs. Spott asked for a motion to appoint David G. Kraynik as Upper Merion Township Manager Designee, approve his contract, and also appoint him to the Delaware Valley Insurance Trust as the Trustee for Upper Merion Township.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to appoint David G. Kraynik as Township Manager Designee, approve his contract, and appoint him to the Delaware Valley Insurance Trust as the Trustee for Upper Merion Township. None opposed. Motion approved 5-0.

Mr. David G. Kraynik was sworn in as Township Manager Designee by Chairperson Spott. Mr. Kraynik followed with brief comments about his vision for Upper Merion Township.

PROCLAMATION RE: BILL ROSS SERVICE TO UPPER MERION TOWNSHIP

On behalf of the Board of Supervisors, Mrs. Kenney read and presented a proclamation to Bill Ross on the occasion of his 90th birthday and honoring his dedicated and longstanding service to Upper Merion Township. After accepting the proclamation, Mr. Ross made some brief comments.

On a historic note, Mrs. Spott noted that Mr. Ross drafted the first township manager ordinance and had a role in hiring the first township manager, and his presence at this evening's events is a good omen for the future.

PROCLAMATION RE: SWEDESBURG TRICENTENNIAL CELEBRATION

Mr. Waks stated next year Upper Merion Township will be celebrating its 300th Anniversary. He pointed out before Upper Merion was a township there were villages in Upper Merion among which was Swedesburg. On behalf of the Board of Supervisors, Mr. Waks read a proclamation recognizing the Swedesburg Tricentennial Celebration which was then accepted by Mr. Philips.

APPOINTMENT OF ARCHITECTURAL FIRM RE: 431 W. VALLEY FORGE ROAD

Mrs. Spott stated a subcommittee was formed consisting of Mr. Jenaway and Mr. Philips to review the architectural firms responding to the Request for Proposal (RFP) for the renovation of the former Gold's Gym property at 431 W. Valley Forge Road. They narrowed down the number of firms to five who were then interviewed by the full Board of Supervisors at a May 24 meeting that was open to the public. The interview process resulted in the selection of Buell Kratzer Powell, and Mrs. Spott asked for a motion to appoint this firm as architects for this project.

Mr. Waks emphasized this is a good example of the importance of the RFP (Request for Proposal) and RFQ (Request for Qualifications) process in bringing forth the best ideas. He stated there were a significant number of firms that applied, five of which went through the interview process and competed with their ideas. Mr. Waks noted the huge six-figure savings realized for the township because of the RFP procedures.

Mr. Jenaway commented that the selection of the architectural firm is a culmination of the original subcommittee activities he and Mr. Waks served on four years ago to move this project forward. He also recognized the efforts of Dan Russell, Park and Recreation Director, who provided guidance throughout and helped guide the architect applicants through the interview process.

Mrs. Kenney reiterated that the interviews were open to the public; the public did attend and asked questions of the five architectural firms. She said it was a very open process, and it resulted in the selection of a firm to provide the results envisioned for the community.

Mr. Philips indicated he is pleased with the selection of the architectural firm. He noted not only are significant savings being realized from the original community center proposal, but also "world class" architecture will result for the enjoyment of the community.

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Kenney, all voting "Aye" to appoint the architectural firm of Buell Kratzer Powell for the renovation of property located at 431 W. Valley Forge Road. None opposed. Motion approved 5-0.

CONSENT AGENDA:

1. Waiver of Fees - King of Prussia Business Improvement District - \$120.00

Board Action:

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

5-0.

PHASE II DEVELOPMENT PLAN RE: PORCELANOSA USA. DEVELOPMENT PLAN. DEKALB PIKE AT LONG ROAD. REMOVE ABANDONED STRUCTURES AND REDEVELOP PROPERTY WITH A 7,150 SF TILE SHOWROOM AND ASSOCIATED SITE IMPROVEMENTS. C-O COMMERCIAL, 0.61 ACRES

Mr. Rob Loeper, Township Planner, stated this is a Phase II redevelopment plan for property at 645 West DeKalb Pike at the corner of Long Road and DeKalb Pike featuring a 7,000 square foot showroom featuring tiles with vignettes of kitchens, bathrooms and other rooms in which customers would come in, view the product, and then place an order. It is not the type of location where a customer would buy the tile and take it home from the store. Instead the product would be shipped from a New Jersey location directly to the job site. Until recently the subject property was occupied by several structures which have since been demolished.

Mr. Loeper explained the site plan has been revised slightly from the original submission. He noted the applicant went before the Zoning Hearing Board to receive various relief from the zoning code from dimensional requirements including setbacks, parking, building coverage and the gross floor area. The following plan changes were outlined:

- In the original plan sidewalks did not connect with adjacent properties. The revised plan indicates sidewalks along the entire frontage of Long Road as well as along DeKalb Pike and ties in with the sidewalk on the adjacent Blinds to Go property.
- the first driveway which is inbound only will allow modifications to the parallel spaces opposite the entrance of the store bringing them into code compliance.

All exiting traffic would be from the rear parking lot. Discussions during the Board of Supervisors and planning commission meetings indicated patrons should be directed to make a left out onto Long Road to come down to DeKalb Pike and not a right turn into the neighborhood. Mr. Loeper noted after the applicant's engineer tested directions with his GPS, the GPS directed him to make a right turn. The applicant has agreed to signage directing people to DeKalb Pike away from the neighborhood.

Mr. Loeper stated the plans have been reviewed by the planning commissions. Three waivers were recommended which included grading within five feet of the property line, allowing a driveway within 40 feet of the ultimate right of way and allowing shade trees to be relocated elsewhere on the site.

Utilizing the aerial Mr. Loeper provided a rendering of the proposed building and a view from Long Road looking toward DeKalb Pike. He noted that Porcelanosa operates stores in various locations of the United States including Florida, New Jersey, California, Connecticut, Maryland, and Washington, D.C. area.

Mr. Loeper stated the traffic and parking study indicate this is a low volume business. The Township Engineer has reviewed the plan twice with the latest review in May 2012. Mr. Loeper indicated that staff will coordinate with the applicant to address any remaining issues so that a resolution can be prepared for action at the next Board of Supervisors meeting on June 21.

Mr. Philips asked if the rendering is a realistic representation of the building and if it is a prototype that Porcelanosa uses across the country. Frank R. Bartle, Esq., representing the applicant, responded the building is intended to look as it appears on the illustration. While it is not 100 percent like that, it is essentially what will be seen and is representative of what Porcelanosa has at other locations.

Mr. Bartle stated he has reviewed the Remington Vernick letter of May 3, 2012 and the applicant will comply with all of the comments on the list. He noted that the applicant requested three waivers and they have been recommended by the Upper Merion Planning Commission.

Mr. Jenaway complimented the team that Porcelanosa brought to the planning commission meetings. He said they were willing to listen to what members of the planning commission had to say on such items as sidewalks and traffic and worked with residents behind the proposed development to answer their questions and concerns.

Mr. Jenaway followed his previous comment by pointing out that this property and structure are continuing to transform the 202 corridor creating a different style for the area. He noted two 1,200 square foot homes were removed in favor of a commercial property occupying approximately 7,000 square feet thereby increasing the impervious surface of that property significantly. While the stormwater is compliant it is uncertain what the long term holds. Mr. Jenaway emphasized that it is important to be aware of what is happening there and even more so of what will have to be done in working with PennDOT and other agencies as that transformation continues to occur. Properties that are being transformed on Route 202 will put more traffic into the residential streets and it is a reality of this transformation that has to be dealt with going forward unless it can be managed through planning and zoning over the long term.

Mrs. Spott asked for a clarification of the illustration since it was unclear whether the exit from the parking lot was one or two-ways and if an arrow could be made to direct people exiting to make a left instead of a right. Rolph A. Graf, PE, Graf Engineering, Project Engineer for Porcelanosa, responded the first entrance when you are traveling down Long Road [from DeKalb Pike] on the right hand side is a one way in entrance only. The entrance towards the top of the plan is an entrance and exit and that is a two-way driveway. He explained it was left that way since that is the primary parking area and the applicant wanted patrons to be able to access in that way. The applicant did not want all the cars to use the small one way lane at the left side of the store. Mr. Graf agreed the applicant could make a change for a left arrow [at the two-way driveway.]

Mrs. Spott commented sometimes an arrow is more effective than a sign that someone might not see. Mr. Graf said he would review this in more detail with the Township Engineer as the finishing touches are made on the plans. He did not see any reason it could not be done.

Mr. Tom Beach, Township Engineer, commented he had a discussion with the applicant's engineer today since the plan does not depict a handicapped ramp along Route 202 at the corner of Long Road and Route 202. Mr. Beach stated the applicant agreed to add the handicapped ramp to the plan. Before going to the next meeting, Mr. Beach wanted the Board of Supervisors to be aware that the applicant at this point has to go back and talk to PennDOT and get their approvals. Consequently, there may be some slight changes in this plan as it is not known what PennDOT is going to require, especially since the applicant is tying into their storm sewer.

Mr. Joseph McGrory, Township Solicitor, asked the Township Engineer to issue a revised letter incorporating the comments he just made so that this latest letter can be referenced in the resolution prepared by the Township Solicitor. Mr. Beach agreed.

Mr. Philips asked Mr. Bartle to refresh his recollection as to why 7,000 square feet is being built on this property as opposed to a lesser amount as in some other locations discussed at the last meeting. Santiago Manent, Porcelanosa, responded Porcelanosa has several showrooms in the United States, the biggest one being 15,000 square feet and smallest one being 3,500 square feet. The smaller showrooms do not display all of their product as the Connecticut location does. The Maryland showroom is 8,000 square feet. It is envisioned at the King of Prussia location to incorporate kitchens which take a

large space of the vignettes. If the applicant were to go to a smaller showroom all of the product offering could not be displayed. The standard size for a showroom is approximately 5,000 or 6,000 square feet plus the King of Prussia location will have a small office for three people and a small conference room.

Mr. Bartle indicated it was his recollection from previous discussions there would be approximately 1,000 square feet of non-showroom space so there are roughly 6,100 square feet with respect to the vignette area which is standard size for the vignettes at other locations.

Mr. Philips said he asked that question since he shares Mr. Jenaway's concern about going from the smaller footprints of two family dwellings to a larger 7,000 square foot footprint that has an impact on stormwater and runoff.

Mr. Philips stated he questioned whether the building was a prototype because of the appearance of the showroom to be placed in a commercial as well as a residential area. He asked if any thought has been given to changing that design to fit in with the character of the residences behind the building. Mr. Bartle responded the applicant discussed the plan with the neighbor immediately behind the proposed development and "something was worked out" with respect to the way the building will be presented from the back with respect to the residence. Lighting and buffering were also discussed.

Mr. Philips commented he wants to make sure the residents feel this is a fit for the building since, from an architectural standpoint; it is much different than anything else that is there.

With regard to the two-way entrance in the area of all the major parking, Mr. Philips asked if there is a way the egress can be addressed so that everyone makes a left turn either with a curve to prevent a right turn or a texture change and signage. Mr. Graf responded discussions have been held about tightening the radius so that it would not be as free flowing and deter people from making that right. He said the Planning Commission did not believe that was going to work; however, if the Board of Supervisors believes differently or if the Township Engineer or Township Planner believes differently, the applicant could certainly do that [tighten the radius]. Mr. Graf stated he believes Mr. Philips might be talking about taking it a step further and actually putting almost a reverse radius at that location.

Mr. Philips stated that is exactly what he is talking about and it can be done in one of two ways with an actual curb or difference in texture so that it looks like a curb. Mr. Graf responded that is something the applicant is open to doing and it can certainly be incorporated into the drawing without much effort.

Mrs. Spott stated because of some of the issues Mr. Philips raised there is more work to be done.

Mr. McGrory advised the plan approval cannot be held up for outside permitting, but the issue Mr. Philips raised is a plan revision that staff may want to take a look at before the Board of Supervisors takes action on the plan. He asked the Township Engineer to wait until the applicant comes in with a revised plan showing a response to the Board's comments at this meeting, and then issue a new review letter based on that revised plan.

Mr. Bartle stated the applicant will revise the plan in conformance with the representations of the applicant's engineer and the Board's preference.

Mrs. Spott questioned if the applicant is committing to following what Mr. Philips has presented in terms of the reverse radius. Mr. Bartle responded the applicant's engineers indicated they did not have a problem with that option, and the applicant is prepared to have it so cited in the resolution for the Board's consideration.

Mr. Beach stated he is not sure he would recommend a reverse curvature

there, but agreed it would be helpful to tighten up on the radius and insert some striping to direct people to the left versus going straight ahead.

Mr. McGrory recommended that the applicant prepare a revised plan and have it scheduled for a workshop meeting to give the supervisors an opportunity take a look at the design and discuss further without delaying the project.

Mrs. Spott pointed out the workshop meetings are open to the public and the next one is scheduled for June 7th which will give the Township Solicitor two weeks to prepare a resolution for the next business meeting on June 21st.

ADDITIONAL BUSINESS

PASSING OF AL PASCHALL FORMER PRESIDENT/CEO KING OF PRUSSIA CHAMBER OF COMMERCE AND MONTGOMERY COUNTY CHAMBER OF COMMERCE

Mr. Philips offered a tribute to his friend, Al Paschall, and on behalf of the Board of Supervisors extended condolences to Al's wife, Dianne, and family. He remembered Mr. Paschall was not only an outstanding advocate of the business community in Montgomery County and elsewhere, but was extremely supportive and took an interest in the well-being of his family while he was deployed.

FROM THE PUBLIC:

Mrs. Emma Carson, a long-time resident of Long Road, posed a hypothetical concern regarding potential changes to traffic patterns where Long Road intersects Route 202, if the island on Route 202 were opened up. Mr. Loeper reassured Mrs. Carson her concern was unfounded.

Mr. Herbert Baiersdorfer, Gypsy Lane, expressed concerns about anticipated and current runoff issues with regard to two of his neighbors' activities. He questioned whether or not his neighbors were in compliance with permit stipulations. Mrs. Spott agreed to review the pertinent history in order to determine the appropriate action.

BOARD COMMENT:

UPCOMING EVENTS IN TOWNSHIP

Mrs. Spott announced a number of Township meetings and events.

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 9:07 p.m.

RONALD G. WAGENMANN
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered