

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
MARCH 4, 2010

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 4, 2010, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:35 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, and Erika Spott. Also present were: Ron Wagenmann, Township Manager; Joseph Pizonka, Township Solicitor, Rob Loeper, Township Planner, Russ Benner, Township Engineer, Judith A. Vicchio, Assistant Township Manager, and Angela Caramenico, Assistant to the Township Manager. Supervisor Edward McBride was absent.

MEETING MINUTES:

It was moved by Mr. Jenaway, seconded by Mr. Waks, to approve the February 9, 2010 Special Bid Meeting and the February 18, 2010 Business Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRMAN'S COMMENTS:

Chairman Bartlett commented on an executive session concerning litigation.

NEW BUSINESS

CONSENT AGENDA:

1. Permission to Advertise Ordinance re: Amending Chapter 137, Removal of Snow and Ice, of the Upper Merion Township Code, Article I, as it Pertains to Throwing, Shoveling, Pushing or Plowing Snow onto Roads, Streets or Sidewalks. *Hearing Date: March 25, 2010.*

Board Action:

It was moved by Mr. Waks, seconded by Mr. Jenaway, all voting "Aye" to approve the Consent Agenda item as submitted. None opposed. Motion approved 4-0.

HEARING RE: ORDINANCE AMENDMENT – AMEND CHAPTER 133 OF UPPER MERION TOWNSHIP CODE, SEWERS, AT ARTICLE IV, SUBSECTIONS 133.28, 133.29 AND 133.32 (frequency of payment, fines & liens).

Mr. Joseph Pizonka, Township Solicitor, stated that notice of this hearing was published in the Times Herald on February 18, 2010.

Mr. Nick Hiriak stated that the frequency of residential sewer payments will go from quarterly to semi-annually, with semi-annual payments scheduled in January and July. He explained that a paragraph has been added to more accurately describe commercial billing which remains on a quarterly basis.

Mr. Bartlett asked for the reason for this change. Mr. Hiriak responded that one major factor was for cost reduction in processing charges. He said that it will save about \$10,000 to go from quarterly to semi-annually billing.

BOARD ACTION:

It was moved by Mrs. Spott, seconded by Mr. Waks, all voting “Aye” to approve the ordinance amendment as presented (Ordinance No. 2010-788). None opposed. Motion passed 4-0. Ordinance No. 2010-788 was adopted and will be filed in Ordinance Book 15.

MINOR PLAN RE: UGI PROPERTIES, INC. DEVELOPMENT PLAN. 460 N. GULPH ROAD. INFILL OF FIRST FLOOR RECESSED AREA (4,790 SQ FT) SM, 5.69 ACRES. *Plan Expiration: May 19, 2010*

Board Comment:

Mrs. Spott stated for the record that since she is an employee of UGI, she will recuse herself from any comment on the minor plan as well as any comment on the following minor plan since she is a member of the Gulph Mills Racquet Club.

Mr. Rob Loeper, Township Planner, stated that as a result of a recent fire the UGI building sustained a substantial amount of damage. The subsequent vacating of the building gave UGI an opportunity to not only repair the building of the fire damage but to update it and make some improvements. Mr. Loeper indicated that the applicant proposes to add approximately 5,000 square feet to the building. He explained that the first floor was recessed and the upper floors had an overhang. The plan calls for making the exterior surface flat so that the ground floor will be flush with the rest of the building. Upon completion the building will have a total of 104,000 square feet. Also proposed is a stairway and entryway on the side of the building toward the parking lot. No site improvements are proposed. There are 332 parking spaces of which 315 are required. Staff reviewed the plan and will provide approval pending comment from the Board of Supervisors.

Mr. Waks asked if there were any changes to the permeable surface. Mr. Loeper responded in the negative.

With no further Board comments, the minor plan was approved.

GULPH MILLS RACQUET CLUB. DEVELOPMENT PLAN. 610 SOUTH HENDERSON ROAD. 1,450 SQ FT, CAFÉ ADDITION. SM-1, 2.29 ACRES. *Plan Expiration: Indefinite*

Mr. Loeper stated that the Gulph Mills Racquet Club is located on South Henderson Road adjacent to the Upper Merion School District bus garage. Utilizing the aerial, he pointed out that the large tree shown in the front of the building died about two years ago and was removed. Mr. Loeper explained that even though it is a relatively small plan it was subject to delays because of several complex issues that had to be worked out between the applicant's engineer and CMX staff.

The property is located in the SM-1 District and occupied by the existing 43,000 square foot Racquet Club. The applicant proposes to build a 1,400 square foot addition at the front of the building for a café/coffee house primarily for members. The café will also be open to the public but it will be a limited service establishment.

Site improvements include the reconfiguration of the front parking area to include a one-way (in bound) driveway which will increase some impervious. A PennDOT Highway Occupancy Permit will be required for the driveway. Assurances were provided by consultants for the Transportation Authority that there were no issues related to the overall Henderson Road improvements.

Prior to submitting the development plan, the applicant received a special exception from the Zoning Hearing Board to permit a coffee shop/café attached to the tennis club. No conditions were placed on the property with the special exception; however, Mr. Loeper pointed out that prior to obtaining a building permit, the applicant will need to obtain an extension to the special exception from the Zoning Hearing Board.

Improvements will also include changes in the area of the handicapped accessible spaces and the loading docks along the side of the building and the creation of a new parking area for overflow parking at the rear of the building.

Mr. Loeper pointed out that stormwater was one of the more complicated issues with this plan. Because there is an increase in stormwater, the applicant is providing stormwater detention. After considering various options, the final solution was to provide an underground pipe basin which would have all the storage capacity needed.

The applicant is requesting two waivers:

§ 145-24.1.D.2(e) to allow the island adjacent to the rear parking area to be five feet in width as opposed to the required nine feet.

§ 145-24.1.H.1 to allow foundation plantings for the proposed addition to be located elsewhere on the site.

Mr. Loeper reiterated that the two items that the applicant would still have to address would be the extension from the Zoning Hearing Board and the PennDOT permit. He indicated that staff has reviewed the plans and will provide formal approval pending comment from the Board of Supervisors.

Mr. Waks commented that because there is going to be an increase in permeable surface, he would have liked to see the applicant designate some other portion of the property to be converted from concrete to green space or possibly a donation of trees to the township's 1,000 tree program. Mr. Loeper stated that the applicant will be providing landscaping along the front of the building and in the rear of the property.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Jenaway, to approve the aforementioned two waivers. Mrs. Spott abstained. Motion passed 3-0-1.

ADDITIONAL BUSINESS

From the Public:

Roland Urbano, King of Prussia, expressed concern about a catering operation and also offered comments about landscaping issues.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 7:58 p.m.

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RONALD G. WAGENMANN  
SECRETARY-TREASURER  
TOWNSHIP MANAGER

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Minutes Approved:

Minutes Entered:

The entire proceedings of the business transacted by the Board at this Business Meeting were fully recorded on audio tape, and all documents submitted in connection thereto are on file and available for public inspection. This is not a verbatim account of the minutes, as the tape is the official record and is available for that purpose.