

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
JOINT MEETING  
MAY 6, 2010

The Board of Supervisors of Upper Merion Township met for a Joint Meeting on Thursday, May 6, 2010, in the Board Room, in the Township Building in King of Prussia. The meeting was called to order at 7:00 p.m., followed by a pledge to the flag.

FIRE & RESCUE SERVICES BOARD

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, Ed McBride and Erika Spott. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Pamela Forster, Chairperson; Gerry Dolga, Vice Chairperson (Swedesburg); William L. Gittins, Secretary (Citizen Rep); Mark Ross; Chris Camarda; Charles S. Rossi (Citizen Rep); Eugene M. Lonchar (Citizen Rep).

DISCUSSIONS:

Pam Forster, Chairperson, stated that for 2009 the major accomplishment during this difficult economic climate was the management of the Capital Apparatus Acquisition Fund.

- savings in this fund of approximately \$45,000 was realized by delaying the purchase of a vehicle by two years.
- a fire computerization priority list was developed to determine which fire trucks would receive mobile data computers first. EMS already has the computers and they have been implemented and utilized.

Other items in Ms. Forsters report:

- King of Prussia, Swedeland and Swedesburg fire companies and Lafayette Ambulance hosted the State Firemen's Convention last year.
- Mr. Jenaway remains President of the Delaware Valley Regional Planning Commission Highway Group and continues to represent Upper Merion in that group in developing standard operating guidelines.
- 2010 objectives include continual review of standard operating guidelines. This year an effort is being made to categorize them and create an actual library for easy reference of township policies.

- With regard to the Insurance Services Office (ISO) rating, the township is due for an inspection this year and the process is moving forward.
- Next month the capital budget will be reviewed as well as the replacement plan for the vehicles.
- The 2011 operating budget will be generated at the end of the year and the International Accreditation for all four agencies will be pursued.

Ms. Forster reported that the 2009 response data for the entire emergency contingent totaled 4,168 calls which is comparable to 2008 with 4,143 calls. She pointed out that Upper Merion Township has a large fire and rescue system comprised on the fire side of all volunteers and a combination system on the EMS side. If the volunteer system were replaced today, it would require approximately \$8 million in tax dollars and have a huge impact on the township.

Mr. Bartlett said he was impressed with the total number of response calls.

Mr. Jenaway noted that this total represents eleven times a day or once every other hour that a fire truck or an ambulance, primarily an ambulance will be responding to a call in Upper Merion Township.

Mr. McBride asked the number for Lafayette Ambulance for last year. Ms. Forster responded there were 2,993 calls.

Mr. McBride asked of the 4,100 calls reported for 2009 is there anything that can be done to reduce the number of calls and sensitize the public about reducing the need for service. Mr. Mark Ross responded that they work closely with the Fire Marshal's Office with regard to false alarms from troubled signals, etc. He indicated that they only go to an actual alarm. If there is a repeat offender on a consistent basis, it is turned over to the Fire Marshal's Office for correction. Mr. Ross noted that if something happens the first thing people do is call the Fire Department and trying to control numbers any further can be difficult.

Ms. Forster said that EMS only responds to confirmed structure fires in order to keep the numbers down.

Mr. Jenaway pointed out that about ten years ago responses were made to twice as many automatic fire alarms and 90% were false. The current number is now at 50/50 thereby reducing the total number of responses.

Mr. Waks asked how donations to Lafayette and the three fire companies have been affected by the economic downturn and whether future services might be impacted if the current economy continues. Ms. Forster responded that it is

possible. She pointed out the benefit to uninsured subscribers in donating to Lafayette since they do not have to pay out of pocket if they require transport to a hospital. In response to Mr. Waks' question, Mr. Dolga responded that the fire companies are down about 50%.

Mr. McBride asked for that figure to be translated into dollars and cents. One of the members of the group responded that it is down about \$20,000.

Mr. Jenaway asked the amount of saving realized on the last purchase of an ambulance by going through the state. Ms. Forster responded that almost \$60,000 was saved by going with a van ambulance using the group purchase plan through the state. She noted that the new box trucks would not fit in the station.

A question was asked how the vans work in the bad weather. Ms. Forster responded that they held their own. She noted that the difficulty with the vans is with their size and lack of room in circumstances with three staff and a family member accompanying the patient.

Mr. Waks asked about the cost of training the volunteer. Mr. Dolga responded it is not the price, but rather the man hours involved.

Mr. Waks followed up by asking if there is anything that can be done to incentivize emergency responders to stay long term. Ms. Forster responded that a recruitment and retention plan for the township is currently under review by township management and a volunteer pension program is under consideration.

Mr. Waks commented that any cost to the township would probably be significantly less than the cost of recruiting and training volunteers.

Mr. Wagenmann commented that he has had some discussions with ICMA as to the format [of pension program] and he will come back with a recommendation to the Fire Board.

Mr. McBride asked if there is a "game plan" to address the shortfall on fundraising. Mr. Ross responded that the King of Prussia Fire Company has numerous options to try to recover some of the losses due to the downturn in the fundraising collections. Among options to generate additional capital is an effort to go heavily into grants both large and small.

Mr. McBride indicated he was thinking more of community outreach dollars since those funds can be used at the discretion of the departments wherever needed whereas grants must be project specific. Mr. Ross responded that fundraising monies are used to pay the mortgage and related bills.

During this discussion a question was asked about the amount of the mortgage and a member of the group responded that about \$700,000 remains on the Beidler station.

Mr. Bartlett commented that his son, Joe, is a volunteer with the King of Prussia Fire Company and he is very much aware of the amount of time, hard work, and dedication our volunteers contribute to the township.

Mr. Jenaway commented that there are collectively 150 volunteers among the four agencies.

Mr. Gittins noted the extensive number of hours volunteers put in just to keep up their skills and be ready to serve.

Mr. McBride commended all the volunteers in the organization for what they do for the township at all hours of the day and night to safeguard our lives and property. He also made note of the sacrifices required of all their respective families and for the contributions they make to the township as well.

#### PARK AND RECREATION BOARD

##### ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, Ed McBride and Erika Spott. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Dan Russell, Park & Recreation Director; John M. Tallman, Jr., Chairperson; David Burns, Vice Chairperson; Michael Trachtenberg, Secretary; Barbara J. Schafer.

##### DISCUSSIONS:

Mr. Dan Russell, Park and Recreation Director, provided an update on the Farmers Market that opens on May 15, 2010 and will run through November 20. To date there are 19 vendors. He said that the recent Earth Day event was coupled with a Meet the Farmers Day and it produced the largest Earth Day participation ever which is a testament to the Farmers Market. So far approximately \$6,000, not including farmer fees, has been raised toward the cost of the market and more is on the way.

Mr. John Tallman, Jr., Chairperson, presented the goals and objectives of the Park and Recreation Board for this year. He suggested that the first goal for this year is to review the current park master plan and determine whether there may be a potential for a new park and recreation master plan that will take into consideration changing demographics in the municipality. He noted a recent

demographic study indicates that a 40% increase in Upper Merion Area School District students is anticipated.

Considering current budgets, the second goal is to focus on the best maintenance of the parks without any capital improvements. Mr. Tallman indicated that each month every member of the Park and Recreation Board reviews a park and comes back with comments on suggested changes, maintenance issues and concerns. The Park Board is working to create a method of tracking these reports to assure appropriate follow up.

The third goal is to work on the Schuylkill River West Trail and its connection between Heuser Park and Valley Forge National Historical Park. This will enable people to reach the park without driving or crossing Route 422.

With the approval of the RFP for the community center study, the fourth objective will be to monitor the work and progress of this project.

The fifth objective is to consider the feasibility of a security system for the parks that may include some video surveillance through an iPod.

The sixth objective is to investigate the opportunities for an adaptive recreation program for all township sports organizations.

Mr. Michael Trachtenberg noted the various goals and objectives associated with an adaptive recreation program. He said that all programs supported financially or with township facilities will have the expectation to develop adaptive recreation or full inclusion programs by 2011. In working toward this goal, they would like to work with the school district to request assistance for the various teams and leagues in the township needing consultation or training to develop these programs. Grants will also be sought to fund the hiring of professional physical therapists, and recreational therapists for teams needing to consult on program planning development and implementation with the various leagues. Funding will also be explored for any adaptive equipment these leagues may need. The long range goal is to consider funding only those sports programs that comply with the above stated goals.

Mr. Bartlett stated that the goals and objectives are substantive and commended these objectives for an adaptive recreation program.

Mr. Jenaway asked for clarification about demographic trends and any preliminary shifts that should be reviewed. Mr. Tallman responded that his response would have to be more of an anecdotal nature where he already observes all fields are already occupied substantially.

With regard to the 40% increase in students, Barbara Schafer asked if the school district does research on this when planning the size of schools and if they share it with the Township supervisors.

Mr. Waks commented that one of the reasons why the school district is considering possibly building a new elementary school or renovating Caley may be because of a demographic study that they have done which is actually posted online on their website. Mr. Waks noted that they have reason to believe that there are going to be a significant number of young people moving into the township and that there are a large number of people already in the township with children who have not yet entered the school system.

Mr. Waks asked whether or not the Park and Recreation Board might look into the use of turf fields. He said they are a little more expensive up front but they tend to hold form very well and it is his understanding that they are safer than natural grass. Mr. Tallman responded that although he is not familiar with this type of field he can only say that all options would be considered. Mr. Russell said there is ongoing research on synthetic turf and he will brief the Park and Recreation Board to make sure they are aware of all the up to date research.

Mr. McBride commended the ideas on securing adaptive programs in the township. He suggested that the Park and Recreation Board make contact with the Variety Club and talk to some of their sports counselors.

Mr. McBride asked if there is a way to find out how many youth in the township would be interested in adaptive programs. Mr. Trachtenberg responded he would assume the School District would have that information as well as Montgomery County.

Mr. McBride indicated he would be interested to know what that demographic is. Mr. Trachtenberg said he is sure it will be more significant than we know.

Mr. Trachtenberg said the ultimate goal is to someday have an adaptive field in the township that might be done with a fundraising effort.

As Board of Supervisors Liaison to the Park and Recreation Board, Mrs. Spott commended the work of this group to enhance the quality of our lives.

Mr. Waks commended the Park and Recreation Board and Park and Recreation Department for the work on the trail between Heuser and Bob Case Park and the number of people who enjoy hiking or biking.

UPPER MERION MUNICIPAL UTILITY AUTHORITY

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, Ed McBride and Erika Spott. Also present were: Ron Wagenmann, Township Manager and Executive Secretary to the Authority; Judith A. Vicchio, Assistant Township Manager; Ed O'Brien, Deputy Director, Public Works; Stanley Channick, Chairperson; Pete Smyrk.

DISCUSSIONS:

Mr. Channick reported that the state of the Authority is excellent due in large measure to a competent and dedicated staff.

Utilizing the aerial, Mr. Ed O'Brien, Deputy Director, Public Works, provided photographs to familiarize the group with the Trout Run outfall. He then provided an update on the sewer projects for 2009 that the Upper Merion Municipal Utility Authority (UMMUA) as well as the Sewer Revenue Account (SRA) account are working on. Mr. O'Brien began with a report on the Swedeland Pump Station Upgrade Project that the Authority is funding at \$1.7 million to upsize and upgrade the pumping station to account for a build out of that entire area that feeds the Swedeland Pump Station. He said it was in the final design phase and bidding is anticipated in late 2010.

The next project Mr. O'Brien discussed is the Charles Street Sanitary Sewer Line Replacement, Phase II that is an SRA funded project being done for collection systems Charles Street. The current 8-inch pipe is being upsized to a 16-inch pipe. A flow study a few years ago recommended that this process be performed in this area since there was a bottleneck in the flow and this project will resolve that problem. The design is 95% complete.

Mr. O'Brien explained that the Sewer Revenue Account (SRA) is the money that comes in for the sewer rents. These fees, now collected on a biannual basis, fund the capital projects as well as operating budgets. UMMUA projects are funded through tapping fees that the Authority has collected and proceeds from investments and other monetary vehicles that they have at their disposal.

Mr. O'Brien provided an overview of the Tredyffrin Interceptor, a Utility Authority project, known as the Village at Valley Forge. He indicated that the Authority is in the easement acquisition and design stage. It is a \$1.1 million project and UMMUA has received a \$337,000 H2O state grant.

The next project Mr. O'Brien discussed is the Gulph Creek Clearing and Bank Stabilization Project that was an emergency project completed in 2009 to repair an exposed sewer line in Gulph Creek. The approximate cost of the repair was \$230,000.

Mr. O'Brien discussed the Emergency Generator Installations that were funded by the Authority for the DeKalb and King Manor Pumping Stations. The project was completed last year at a cost of approximately \$200,000.

Mr. O'Brien discussed the upgrading of the Emergency Electrical, Phase II, an Authority funded project at the Matsunk Plant. He said that initially it was going to be a dual feed project similar to Trout Run, but there are two PECO lines coming in – one for standard power and one for standby power. Mr. O'Brien explained that the cost became prohibitive and it was decided to go in another direction and replace the two existing generators with one big generator for standby power. It is approximately a \$1 million project for construction and engineering. The design is 95% now and it is anticipated to go out for bid in the summer 2010.

Mr. O'Brien stated that the next project is a Trickling Filter Tower and Tank study and design. Phase I of this project was completed in 2008. Actual construction estimates were approximately \$1 million for this project. This project was submitted for the Pennsylvania H2O grant program in February and is still pending a reply from the state. The grant status will determine if this is placed on a docket to move forward, but the design is complete.

The next project Mr. O'Brien discussed was the No. 2 Sludge Thickener Study that was funded by the SRA Account at Matsunk. There were some solids that were short circuiting the process tanks. While it was nothing that would create any problems other than some slight operational deficiencies, Mr. O'Brien noted that after thirty years the equipment had deteriorated. After an engineering review it was fixed at a cost of about \$6,300.

Mr. O'Brien discussed the next project funded by the SRA Account and estimated at approximately \$250,000 worth of construction repairs -- Rehabilitation and Evaluation Final Settling Tanks No. 1 and 2, Sludge Thickener Tank No. 1, Primary Settling Tanks No. 1 and No. 2 at Matsunk. Design has been completed and waiting to go out to bid. There are deficiencies in the equipment with some short circuiting of solids from some of the units. Efficiencies will be optimized before it gets to be a real problem. Mr. O'Brien noted that since there is limited funding for this project it has been set aside while they investigate where monies are going to be better spent in the short term.



The next project Mr. O'Brien discussed is the Sinkhole Geotechnical Evaluation Study and Remediation Project that is being funded by the SRA at Matsunk. Areas are being evaluated where known settlement is occurring, particularly around the township's new garage site. A Phase I evaluation study has been completed and a final report is anticipated shortly from the engineer to determine what and where repairs need to be made.

Mr. O'Brien discussed the Chlorine Building HBAC Study funded by the SRA at Matsunk. He indicated that \$2,000 has been spent so far and it is currently open ended at this point since they thought too much natural gas was being used in this building. Mr. O'Brien explained that it used to be the Gas Chlorine building and safety required a specific number of air changes per hour. When that was occurring it was sucking all the hot air out and bringing all the cold air in. As a result by the time it was heated it was time to change the air again. They have gone to a liquid Hypo Chlorine instead of Gas Chlorine which has changed the dynamic to cut down on the natural gas usage. Mr. O'Brien believes they can still do much better and a project is in the 2011 capital budget to get into that in more detail.

The next project is the Power Busway Evaluation and Repair funded by the SRA at the Trout Run Plant. This was an evaluation to make a repair on the Siemens Busway that was installed in 1993 through the expansion that occurred there. For \$3,500 the engineer and high voltage electrician made the needed repairs and this project is completed.

Mr. O'Brien discussed the Screenings Building Upgrade funded by the Authority at Matsunk that is in the design phase and budgeted for \$325,000. This upgrade calls for the replacement of the deteriorated Screenings Building that is presently above their building. Mr. O'Brien indicated that over the last thirty years the staff has tried to keep up with repairs, but it is now overwhelming. A different more permanent structure is desired with better HVAC and exposure as far as electrical requirements that need to be made.

The next project discussed was the Upgrade of the Matsonford Pumping Station funded by the Authority. Mr. O'Brien pointed out the characteristics of this facility on a photograph and indicated where staff can climb down to get into the pumps electrical motors. After the engineer completed the Phase I evaluation and made a recommendation the Authority authorized the project to proceed and it is presently in design.

Mr. O'Brien discussed the Vulnerability Assessment funded by the SRA for all township wastewater facilities and it was completed last year. He explained that it came about after 9/11 when the need for water plant security was widely discussed to limit the potential for misuse or any kind of mayhem that

might occur there. Items have been placed in the capital budget in future years that need to be addressed and minor items have been addressed with available operating funds.

Mr. O'Brien provided an update of the Municipal Industrial Pretreatment (MIPP) Program. He pointed out that it is a very important program with a lot of input from the permitted industrial uses and a mutual exchange of communication. Mr. O'Brien reported that the 2009 MIPP compliance award winners are: AFA Foods, formerly American Foods Service, SmithKline Beecham Pharmaceuticals, Elan Drug Delivery, Building 300; John Middleton, Inc.; Archema, Inc.; Montgomery County Landfill; PPD Vaccines and Biologics, LLC. He explained that these are all compliance award winners and for 12 months they were 100% in compliance with their permits issued by the township.

Mr. O'Brien noted that Upper Merion Township also recognizes what the companies are doing in other areas of the environment and pollution prevention. The Pollution Prevention Award is an innovative award supported by the Authority which recognizes permitted users that have taken positive pollution prevention action in such areas as waste minimization or recycling. Mr. O'Brien noted that the township will recognize Archema for their water conservation and wastewater minimization program. SmithKline Beecham recycled 410,000 pounds of batteries, drums, etc. as well as waste minimization in recycling concrete from a building they demolished. The Upper Merion MIPP Program was rated a 96.3% which is considered a Category 1 rating by the United States Environmental Protection Agency.

During his update of the MIPP Program, Mr. O'Brien reported that in Upper Merion there are 12 permitted industrial users in 2009. All were sampled and inspected and out of these 7 notices of violation were issued. Penalties were collected from one industrial user amounting to \$250.

Mr. O'Brien reported on other Wastewater System items of note in 2009 that include:

- cleaned approximately 210,000 linear feet of sewer mains compared to approximately 192,000 feet in 2008
- television inspection of approximately 8,000 linear feet of sewer mains compared to 16,000 feet in 2008
- inspected approximately 3,200 manholes compared to 3,100 in 2008
- marked 2,336 PA One Calls compared to 3,365 in 2008
- replaced 96 linear feet of 6-inch sewer laterals compared to 97 feet in 2008

- replaced 40 linear feet of 8-inch sewer mains compared to 250 feet in 2008
- replaced 10 linear feet of 10-inch sewer mains compared to 83 feet in 2008.

Mr. O'Brien provided an update on flows remaining at each facility at this point:

- Matsunk there are approximately 766,000 gallons of flow remaining
- Trout Run there are approximately 382,000 gallons remaining\*

\*That includes the deduction of 248,000 gallons of capacity that was purchased by Realen for the Village at Valley Forge Development

Mr. McBride asked that the Authority consider reaching out to the account representative at PECO who works specifically for governmental entities to assist with funding for energy saving projects.

Mr. Bartlett asked for clarification on the vulnerability question. Mr. O'Brien responded that after 9/11 there was a lot of legislation proposed at the national and state level with regard to security of water plants. Information was received that regulations would probably be forthcoming at the federal and state level. He pointed out that the state issues all permits and the township wanted to be proactive in these important security issues for the public being served. A review by an outside company might reveal security issues that may have been overlooked and the township had an interest in knowing where matters stood in order to approach the Authority for any kind of monies to fund projects to enhance our security and reduce those risks.

Mr. Wagenmann commented that one of the best things that was done was to get rid of the gaseous chlorine and he elaborated on some of the potential dangers.

Mr. Smyrk commented that thought needs to be given to the capacity of Trout Run down the road if the time comes for Realen wanting more of their capacity.

Mr. Jenaway asked if the aforementioned number [gallons of capacity] provided for Realen represents the build out number. Mr. Wagenmann responded that the first 248,000 gallons has already been allocated to Realen and there are 300,000 gallons of flow that remains that can be allocated at the plant [Trout Run]. Realen could go through one more acquisition of one of their segments, but if they go to maximum flow which originally was estimated to be

slightly in excess of a million gallons, an expansion would be required. Mr. Wagenmann noted that under the agreement Upper Merion would also at the same time have to approach Tredyffrin since they are a bulk customer in the plant and the way the agreement calls for them to capitalize on additional capacity that they might want.

### PLANNING COMMISSION

#### ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, Ed McBride and Erika Spott. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Rob Loeper, Township Planner; Robert S. Krutsick, Chairperson; Mark A. McKee, Secretary.

#### DISCUSSIONS:

Mr. Robert Krutsick, Chairperson, reported that the Upper Merion Township Planning Commission held 18 meetings during 2009 and attendance continues to be excellent.

In 2009, the Planning Commission reviewed a total of 7 development plans and 5 subdivision plans. Among the significant applications reviewed by the Planning Commission in 2009 were:

- Construction of 147-room hotel and restaurant retail use on the former Penske property
- Renovation of an existing hotel
- subdivision for construction of 8 row homes on Coates Lane

Other applications included development plans for retail and restaurant use and lot line changes. The Commission was asked for input from the Zoning Hearing Board on two variance applications.

Mr. Krutsick recalled that in 2003 there was a total of 38 development subdivision applications, in 2004 a total of 20, in 2005 a total of 30, and for 2009 we there was a very small number of development and subdivision applications due to the economic uncertainties of the time.

Mr. Krutsick reported that the Planning Commission reviewed two zoning amendments requested by property owners. One was for the rezoning of a tract of land on Anderson Road from AG – Agriculture District to R2 – Residential District. This was for approximately 25 single family houses and the rezoning of a tract of land owned by the Pennsylvania Turnpike on North Gulph Road from

Agriculture District to the Commercial C-3 District. The Planning Commission was very critical of the initial plan submitted for the Anderson Road tract and the developer is expected to submit revised subdivision plans this year.

The application for rezoning of property on Mancill Mill Road which was reviewed last year and previously for age restricted housing was withdrawn.

Mr. Krutsick noted that the Planning Commission continues to make better use of the township's Geographical Information System (GIS) for plan review. Agendas, minutes and even plans are being emailed to Commission members.

The Planning Commission is pleased with citizen input on various applications for review and applicants have been more receptive to the commission's critical review and recommendations for plan improvements.

Mr. Krutsick stated that the Planning Commission is very supportive of the King of Prussia Business Improvement District (BID) whose purpose is to enhance the environment in the district's designated areas. Two presentations were made to the Commission this year on the proposed BID and the progress of its formation. Mr. Krutsick noted that the BID will focus on physical improvements such as streetscaping, signage, gateway improvements, marketing, communication, tenant advocacy and land use.

Mr. Krutsick indicated that the Planning Commission continues to work on updating the township's zoning code and that will continue to be one of the highest priorities. Areas of the code covered in 2009 were non residential parking and loading, flag lots, Park and Open Space district, Neighborhood Conservation District and Residential Office District.

With the slowdown this past year on development plans, the Planning Commission has had an opportunity to brainstorm on planning issues. Items discussed include: a town center for Upper Merion, sustainability, the Tricentennial, traffic congestion. These sessions will continue in 2010 and it is planned to revisit the land use plan that was adopted in 2005 and evaluate its progress. The zoning code update is a critical next step to the plan's implementation.

Mr. Rob Loeper, Township Planner, presented a summary of the status of the code update and the proposed target dates for this year to complete revisions of various sections of the code. He said that the initial biweekly staff meetings have been focusing thus far on definitions.

Mr. Loeper stated that the Land Use Plan called for the consolidation of many of the zoning districts. Since there is not much residential zoned land

remaining to be developed in the township, it was decided not to consolidate the residential districts.

Mr. Loeper discussed the AG and RA District and indicated that some minor changes need to be made to the draft last revised in February. These changes as well as the proposed map will be brought before the Planning Commission next week for review. The end result will be a combined Park/Recreation/Open Space District and would eliminate the existing AG and RA District.

The single family attached districts which are the R1A through the R2 are almost in finalized form. New regulations need to be added concerning flag lots and how to handle buffers and green areas and then review some of the recently adopted ordinances for consistency. Mr. Loeper anticipates that the ordinance will probably be ready for the Planning Commission in June and for the Board of Supervisors in June or July depending on the meeting schedule.

Mr. Loeper indicated that not much has been done with regard to the GR Garden District and the HR High Rise District and these will no doubt be combined into one section. He explained it would still be two separate ordinances, but there would be one section called Multi Family District.

The R3 Townhome Districts is in a similar state as the other single family districts and these should be coming back in June.

With regard to the Land Use Plan, Mr. Loeper indicated that discussions were held about doing a whole new cluster. He expressed reluctance to do this since there are not many opportunities to do cluster development he is not sure it would be worth the time and energy for an ordinance that may never get used. It is something he is holding in abeyance.

Mr. Loeper noted there has not been any development in the unit residential in over 20 years. The R55 groups are fairly new ordinances and he does not see a need for a lot of adjustments there.

With regard to the non residential districts, one of the groups that was discussed for consolidation is the AR1. Upper Merion has only one AR1 District which is the Convention Center although there are several AR Districts. An initial analysis of the properties was made to see what types of conflicts exist. Some of the basic work has been done to create the draft on that ordinance and this will be discussed preliminarily with the Planning Commission next week.

Mr. Loeper discussed the commercial districts which are the CO-1, CO-2, CO-3 and Shopping Center Districts. He pointed out that he has not seen any

development in the CO District that has not had to go to the Zoning Hearing Board to obtain zoning relief. Mr. Loeper noted that while there are very subtle differences among the commercial districts he does see some changes in the general portion of the Shopping Center District.

Attempts are being made to eliminate circular references in the code as well as refine inconsistent language in different parts of the code.

Mr. Loeper discussed the SM Districts and those that are being considered for consolidation. Since both the Administrative Research District and the SM tend to be office districts he is looking at how much overlap exists.

With regard to the industrial districts, there are the HI and LI which occupy a very significant area of the township and represent the township's largest parcels that have not been developed. He noted that is something that needs review.

Mr. Loeper stated that it is hoped to get through all the districts by late summer and then move toward adoption and other aspects of the code in the fall.

The first big section of the code is the sign code that was updated a few years ago. More recently a section was added relating to billboards. Mr. Loeper does not anticipate many changes here. However, he noted that many communities are starting to see ever increasing digital business signs. This new sign technology is an area to examine since it is inexpensive and flexible.

Parking research is underway on the March draft. Mr. Loeper pointed out that the township has received a study from the Urban Land Institute as well as Target Corporation asking about our commercial parking requirements. They have provided information from various locations and asked that consideration be given to reducing our commercial parking requirements. Mr. Loeper noted that there are other communities that have reduced commercial parking requirements. He pointed out that one area that will go in the opposite direction is for office buildings since the township has a very low office requirement and it appears that more and more businesses are acknowledging the economics and putting more people into smaller areas within the work space. This will probably be discussed with the Planning Commission in late May and a draft will come before the Board in June.

There is a completed draft for green areas that is basically on hold for now. One of the questions is whether to keep that as a separate section or incorporate it into the districts. Mr. Loeper indicated that he is inclined to move it into the district so that if you have a commercial district the requirement for green area is spelled out in there.

The Planning Commission has reviewed and commented on a draft from last year concerning non conforming building structures and uses. Mr. Loeper would like to get that back on the table with the Planning Commission in August and with the Board of Supervisors in September.

Mr. Loeper does not see a lot of changes right now with the flood plain and steep slope districts since both of those districts are conclusive districts without a lot of need for changes.

The section of the Zoning Code relating to development plans needs a major examination; however, Mr. Loeper noted that it is tied to what is done with the land development subdivision code so it will be placed on the back burner probably until later in the fall.

The next group of sections deal with enforcement amendments in the Zoning Hearing Board and drafts are ready to move forward in the fall.

Mr. Loeper discussed issues related to variances and special exceptions. He said that many communities have restrictions on how often an applicant can come forward with the same application and part of the draft includes a provision that requires a one year waiting period in these instances.

Mr. Loeper stated that although the sexually oriented business ordinances are twenty years old he did not see the need to make any significant changes in this regard. A similar situation exists with personal care facilities with the ordinance that was adopted in the 1990's.

Mr. Loeper discussed some new provisions of the code being worked on. He stated that the change in requirements for traffic impact studies was sent to Brian Keaveney at Pennoni who suggested that this remain pending for awhile since PennDOT staff are looking at creating basic standards for traffic impact studies that are done in Pennsylvania. Mr. Loeper is awaiting an update from Mr. Keaveney on this matter.

With regard to the Neighborhood Conservation District, Mr. Loeper stated that if someone comes forward and indicates they would like to see it apply to their area, it would be given further consideration.

Mr. Loeper noted that several ordinances were adopted concerning forestry, mining, no impact home businesses and educational uses and these would have to be filtered through the revised zoning districts.

Mr. Loeper indicated that the Residential Office District will be discussed at the Planning Commission next week. He said it was a model district created



by Montgomery County. Mr. Loeper stated that we are looking at that district as being applied along portions of South Gulph Road corridor where there is a combination of business and residential districts. He pointed out that many of the residential uses have gone through the Zoning Hearing Board process to convert to non residential uses. Mr. Loeper said that there are certain restrictions depending on lot size; however, it is not so restricted that it puts everyone in a position of having to go before the Zoning Hearing Board.

Mr. Loeper indicated that many communities have taken a look at alternative energy provisions. He said it has not been determined how far the township would want to go in terms of a regulation or whether it is an issue or not. Mr. Loeper pointed out that in terms of fire access if big carports are created on parking lots, there may be some issues to be reviewed.

With regard to the general regulations, a draft has been completed for conditional use procedures and buffers and these need to move forward.

With regard to conversion of dwellings which allows for the conversion of a larger residential structure into smaller ones, the Planning Commission indicated it would be better keeping the provision so as to be able to retain control. Otherwise a property owner would have the possibility of going before the Zoning Hearing Board and possibly getting relief in that way.

Mr. Loeper stated that currently the Planning Commission is keeping one meeting a month for workshop and one for development plans. He also noted that he has been receiving many more inquiries about redevelopment and associated issues.

Mr. Loeper stated that one of the major provisions in the Land Use plan was to create a mixed use overlay primarily for the business park area. The members of the Business Improvement District (BID) have some very specific ideas in terms of concepts and provisions that they feel should be included in there. This is pending awaiting the outcome of the BID.

Mr. Loeper provided an update on the Business Improvement District and indicated that a large number of notices have been sent to property owners in the BID as well as all the tenants that could be identified within the BID. A meeting will be held next week and the BID Committee will be sending out a newsletter to the property owners in anticipation of the May 27 meeting.

Mr. Loeper indicated that applications close on Friday, May 14 for the Associate Planner position and there are some good applicant possibilities.

Mr. McBride stated that he supports the idea of putting off the overlay to

the BID since the members and interested parties will provide a lot of energy and good ideas.

A brief discussion followed regarding solar projects. It was suggested that a review be made not only of commercial applications, but also residential and it would be beneficial to look at what other jurisdictions are doing. Mr. Wagenmann stated that in June he will bring someone in and have conversations regarding the roof of the township building and possibly some of the carport structures. Mr. Waks noted that there is a nearby house that has solar panels across the roof and it might be beneficial to talk to them and their neighbors.

ADJOURNMENT:

There being no further business to come before the Board, the Joint Meeting was adjourned at 9:30 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.