

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
JOINT MEETING  
MAY 8, 2014

The Board of Supervisors of Upper Merion Township met for a Joint Meeting on Thursday, May 8, 2013, in the Board Room, in the Township Building in King of Prussia. The meeting was called to order at 7:08 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Bill Jenaway and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Rob Loeper, Township Planner; Scott Greenly, Associate Planner; Jonathan Garzillo, Vice Chairperson; and Mark McKee, Secretary. Supervisor Philips was absent.

CHAIRPERSON'S COMMENTS:

Chairperson Waks reported an Executive Session was not held prior to this meeting. He noted the attendance of Candlebrook Girl Scout Troop 70330 at this meeting who are present to learn more about our local government.

DISCUSSIONS:

PLANNING COMMISSION

Mr. Jonathan Garzillo, Vice Chairperson, reported the vast majority of projects were redevelopment of existing sites. A significant amount of new construction occurred at the Village at Valley Forge. In addition to reviewing development plans and working with applicants to improve plans, time was also spent reviewing township codes and working with township staff on the update of the Zoning Code. The Planning Commission continued to work with Eric Goldstein, King of Prussia Business Improvement District, and Simone Collins Landscape Architecture on the integration of the LEED standards for sustainability in the Mixed Use District.

Mr. Garzillo provided an update of 2013 Planning Commission activities as follows.

- reviewed development plans for 620 West DeKalb Pike which was an existing gas station replaced with retail use which brought the building closer to the street.
- Reviewed plans for demolition and rebuilding of Burger King restaurant at 598 W. DeKalb Pike.

- Reviewed major construction development for Children's Hospital of Pennsylvania (CHOP)
- Continued reviewing draft zoning ordinance, including creation of new Township Zoning Map
- Reviewed new Cingular Wireless phone tower proposed at 541 Flint Hill Road
- Reviewed Lafayette at Valley Forge Apartments proposing construction of a clubhouse at the facility's swimming pool.
- Reviewed demolition proposed at 707 Flint Hill Road for construction of a two-story commercial building.
- Reviewed plan submitted by Simon Properties for the Connection at the King of Prussia Mall.
- Reviewed plan by Arden Court for modifications to some of their buildings.
- Reviewed CLJ Real Estate plan for demolition of an existing gas station and construction of a car wash facility at 455 W. DeKalb Pike.
- Reviewed subdivision plan proposed by The Tammaro Group for 1020 Mt. Pleasant Avenue. The plan proposed the subdivision of one lot into two residential lots, and the construction of a twin residential building with garage and driveways.
- At various meetings there have been some road work proposals discussed for the Village at Valley Forge.

Mr. Garzillo indicated the Planning Commission is looking forward to ongoing input into the Zoning Code revisions. He indicated the Planning Commission is pleased with the emphasis the township has had on sustainability and would like to have continued input into sustainability and environmental feasibility for developments. The Commission is also looking forward to continued input on the High Speed rail. Mr. Garzillo reported the interaction among the various boards has opened up a path of communication which will continue to be invaluable in the future.

Mr. Garzillo discussed recently completed projects along US 202 which are helping to create a walking-based community and as development continues the residents will have a better understanding of the vision as it unfolds and plans come together. He said in talking with the Township Planner they would also like to focus on updating the land development and land use plan as well as the township map itself. The Planning Commission would also like to have input into updating the pedestrian and alternate transportation plan.

Mr. McKee commented on the Village at Valley Forge and indicated they have committed to completing the multi-use trail through there. The village concept initially proposed is starting to come together as the residential component takes shape. This 135-acre site will be an important component to future development and will impact Upper Merion as well as changes made to the Industrial Park with a Mixed Use ordinance. The Planning Commission is encouraging the Board of Supervisors to take every opportunity to look at

comprehensively addressing not only the roadway network, but alternate modes of transportation to get people in and out of King of Prussia. Opportunities exist with SEPTA considering the extension of the Norristown High Speed Line. Currently it is proposed to go to the King of Prussia Mall, but consideration should be given to include the Village at Valley Forge and the Business Park which is planned for Mixed Use. A key component of the Mixed Use development will be alternate access from the Turnpike.

Mr. Garzillo pointed out sustainability is about more than just buildings. It is also about transportation; not just where people live and work, but how they move within the township. There are many significant changes being made in Upper Merion. Mr. Garzillo stated the township is at a crossroads and creating an environment for future generations which will be far less dependent on automobiles and far more sustainable. In Mixed Use districts, people will live and work in the same neighborhood.

Mr. Waks stated the Board of Supervisors received some good input from the Planning commission recently on how to adapt LEED into the zoning revisions. He noted the interrelationship of planning with transportation which is directly related to such things as public services, sidewalks, and environmental issues.

Mrs. Spott commented on the great job being done by the Planning Commission to incorporate the LEED standard into the Mixed Use zoning district.

Mrs. Kenney reported on a conference she attended this morning regarding MS4 stormwater requirements during which a reference was made to seeking "holistic" solutions to stormwater problems. She also mentioned she received some good information at the PSATS conference about creating sustainable community parks.

Mr. Jenaway commented on the variety of talents, knowledge and skill sets of the membership of this particular Planning Commission.

## FIRE AND RESCUE SERVICES BOARD

### ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Bill Jenaway and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Bill Daywalt, Deputy Fire Marshal; Dennis Orangers, Chief, Swedeland Fire Company; Jim Gallagher, Vice Chairperson; Bill Gittins, Secretary; Jerry Recupido, Charles Rossi.

Mr. Orangers reported on the 2013 response data as follows:

- Fire responses – 936 (lower than 2012)
- EMS responses - 3,174 (about the same as 2012)
- total fire and EMS responses - 4,113 which averaged to about 11 calls a day
- The fire data trends highlighted cooking-related incidents continue to account for the majority of building and incident responses for fire.
- Building fire responses increased from 2012; however, false alarm responses decreased (268 false alarms in 2013 ; 325 in 2012)
- All three volunteer fire companies were recognized in 2013 at the annual State Fire Association event for their fire safety activities
- All three volunteer fire companies continue to maintain their national training standards
- Swedesburg Fire Company continues to maintain their certification in water and ice rescue. Swedeland and King of Prussia's personnel are maintaining their operational level for this discipline.
- the three fire companies are part of the Southeastern Montgomery County Rescue Task Force led by the King of Prussia Fire Company
- the fire companies continue to participate in Montgomery County's Fire Task Force through the Southeast Pennsylvania Regional Task Force Association.
- Lafayette Ambulance Squad established a medical bike unit which is used during special events in the Township.
- Lafayette Ambulance and Upper Merion Police Department are training jointly in active shooting incident response
- Fire incident tracking system has been implemented
- Volunteer pension program has been in effect for two years and the new software has been helpful in tracking calculations.

Jim Gallagher, Vice Chairperson, King of Prussia Volunteer Fire Company, described the work of the Southeastern Montgomery County Rescue Task Force which include such things as vapor, elevator, trench, and confined space rescues. Training is conducted once a month.

Mr. Waks commented working to save lives and secure properties is the first priority, but it is important to note that the economic savings of the volunteer services to township taxpayers is approximately \$9 million a year.

Mrs. Kenney asked for additional details about the Southeastern Montgomery County Rescue Task Force. Mr. Gallagher responded it is still in their infancy stage. They have gone online with a dispatch capability and have been training for some time and are ready to go.

Mr. Jenaway commented this group has gone well beyond what a typical traditional volunteer firefighter would go through in the course of training and they need to be recognized for that service above and beyond the call of duty. He

indicated that Mr. Orangers has been very active at the County level in the planning many of the new initiatives within the fire and EMS community. Mr. Jenaway noted he joined Mr. Gallagher and two other members in participating in the County Incident Support Team which is another activity requiring special skill sets. Mr. Jenaway indicated both he and John Waters, Chief Fire Marshal, were named last month by the Montgomery County Commissioners to serve on the new 13-member Montgomery County Fire Advisory Committee.

Mrs. Spott commented that volunteer recruitment is an issue and she encouraged viewing residents to consider volunteering in the local volunteer fire and EMS service. As a former EMT, she emphasized what a great opportunity this was to learn leadership skills in these rolls.

Mr. Waters pointed out the Swedesburg Water Rescue team provides rescue services for the entire township and will be on standby during the Upper Merion Regatta.

#### TRANSPORTATION/GENERAL AUTHORITIES

##### ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Bill Jenaway, and Carole Kenney. Also present were: Dave Kraynik, Township Manager and Executive Secretary to the Authorities; Michael Santillo, Chairman, Lou Zotti, Vice Chairman, Marv Meneeley, Treasurer; Tom Kohler, Assistant Sec./Treasurer. Supervisor Greg Philips was absent.

Mr. Michael Santillo, Chairman, provided brief introductory remarks and asked Mr. David Kraynik, Executive Secretary, to review some of the Authority's current and future highway projects.

Mr. Kraynik, Executive Secretary, stated the Authority works with multiple stakeholders to design and construct transportation projects that assist the motoring public in traveling within the township in the most safe and efficient way possible. These stakeholders include residents, businesses, Board of Supervisors, PennDOT, Montgomery County, the National Park Service and the Federal Highway Administration and elected officials from the county, state and federal levels.

Mr. Kraynik discussed projects in two categories: recently completed and current projects and future projects.

The recently completed and current projects include:

- US 422 River Crossing Complex (4 projects)

- I-76 West Ramps/Henderson Road Widening/South Gulph Road Widening (Phases I, II, and III)
- Church Road Bridge over SEPTA Route 100 Line
- Community Center Valley Forge Roadway Improvements

Future Projects Include:

- PA-23 Trout Creek Bridge Replacement.
- Phase III – Henderson Road Widening
- South Gulph Road Widening – Church Road to Long Road
- Potential and/or modernized PA Turnpike Interchanges at Henderson Road & Valley Forge
- Prince Frederick Extension

### **Recently Completed and Current Projects**

#### Overall 422 River Crossing Complex Project

Project 1 - US 422/PA 363 Interchange Improvements Project (PennDOT)  
- construction began fall 2013 and will continue through 2015.

Project 2 - US 422 Schuylkill River Bridge Widening and PA 23 Interchange – final design proceeding at Federal Highway Administration and PennDOT – construction anticipated to start by end of 2015.

Project 3 - Old Betzwood Multi-Use Trail Project (Local Stakeholders with PennDOT funding being led by the Transportation Authority) - construction began fall, 2013 and will continue through 2015.

Project 4 - North Gulph Road Relocation - final design proceeding through Transportation Authority.

#### The I-76 West Ramps/Henderson/South Road Gulph Widening

Phase I – I-76 West ramps at Henderson Road was completed in 2011 as Economic Stimulus Project.

Phase II - South Henderson Road Widening/North half – completed summer, 2013 with Transportation Authority funds.

Phase III - South Henderson Road Widening (South Gulph Road to Queen Drive) and South Gulph Road Widening (Crooked lane to I-76 East Ramps) is a future project pending funding. The Authority has given approval for the design to be completed so that it will be ready when funding becomes available.

Church Road Bridge over the SEPTA Route 100 Line - This is a PennDOT Local Bridge Program project - in final design. It is a joint project by the Upper Merion Transportation Authority, PennDOT, Montgomery County, and the Federal Highway Administration. A detour will be established. The project reconstructs the Church Road bridge over SEPTA Route 100 Trolley line. It will remove drainage pipes below Church Road and install new 12' by 8' culvert to reduce flooding. Funding sources are at 80% for federal level, 15% state, 3% county and 2% Upper Merion Transportation Authority.

#### Community Center – Valley Forge Roadway Improvements

The Community Center is the Authority's newest project and will be a project that will be implemented later in 2014. The township will be opening bids in about a week for the new Community Center on Valley Forge Road. It is a project intended to open as a multi-faceted Community Center with recreation for this entire township to begin enjoying by the end of the first quarter of next year. In conjunction with that construction the Authority and Board of Supervisors worked closely to approve the transportation network in the immediate vicinity of the Community Center, including some widening of Valley Forge Road, but most importantly making some important safety improvements, including a new traffic signal which was recently approved by PennDOT at General Knox/Caley/Valley Forge Road. It will be a much needed improvement and help the flow of traffic to the Community Center. As part of the Community Center project and road improvements also contemplated are some potential multi-use trails that will connect the Community Center to the Middle School and will enhance the trail system and make it much easier to access the Community Center on foot or bike.

#### Future Projects on the Horizon

PA-23 Trout Creek Bridge Replacement – is a full replacement of the bridge which has been deemed structurally deficient. The Cost is approximately \$15 million and will add additional PA-23 westbound lane to allow for a continuous two-lane configuration. Restrict left hand turns onto Beidler Road to improve traffic flow and signalize the intersection of PA 23 and Mancill Mill Road.

South Gulph Road Widening – from Church Road to Long Road. Will add one eastbound lane on South Gulph Road that becomes a right turn lane to Brooks Road. It will add one westbound lane on South Gulph Road through Brooks Road intersection to allow for a double left hand turn from Brooks Road. Also being considered is potentially signalizing South Gulph Road and Church Road, if warranted and approved by PennDOT. Residential sidewalk and driveway aprons will be reconstructed. Temporary construction easements will be required. Right-of-way for some of the widening has been obtained from Valley Forge Memorial Gardens.

Potential PA Turnpike Interchange at Henderson Road – Last week the Montgomery County Planning Commission representatives were at a Board of Supervisors workshop meeting to discuss some potential Turnpike improvements in the township. The first project would be an interchange at Henderson Road that would connect Henderson Road from Saulin Boulevard to the Turnpike. It is in design currently by the county in cooperation with the Upper Merion Transportation Authority and the Turnpike Commission.

Modernized PA Turnpike Interchange at Valley Forge - There are also plans to modernize the current interchange at Valley Forge off the Turnpike with a significant improvement with new and widened paving, retaining walls, sidewalks and some bridge reconstruction working with the Turnpike Commission, Montgomery County Planning Commission and the Upper Merion Transportation Authority who have taken a leadership role in this project.

Prince Frederick Extension – Last year as the Board of Supervisors were reviewing a land development plan for the construction of a new Pep Boys on DeKalb Pike/US 202 it became clear as the supervisors were reviewing that plan that there needs to be a safer way to access Route 202. The Authority and supervisors are working on an option which would provide an extension from Prince Frederick Street at North Henderson Road and loop around to the Saulin Boulevard extension at US 202. This would be very instrumental in relieving some significant traffic congestion on US 202 and Henderson Road. It is a project that is on the drawing boards and being contemplated and will probably be designed in the near future. It will require significant cooperation with many of the property owners behind US 202 and North Henderson Road.

Mr. Kraynik pointed out the members of the Transportation Authority also serve on the General Authority working with the supervisors and township staff to make sure that the Township Building complex is maintained properly with capital funding as necessary and needed to make sure this building is open to the public, library, police and all programs and services offered by Upper Merion Township.

Mr. Waks commented the economic value of transportation projects that have been completed in this township since the Authority's formation [in 1985] totals over \$1 billion.

Mr. Jenaway asked about the bridge at PA 23 and Beidler and if the idea of a left hand turn onto Beidler Road has been revisited. Mr. Kraynik responded this is still being analyzed by the traffic engineer as part of the design and will ultimately be discussed at a future Authority meeting. Mr. Meneeley commented the biggest issue is the current bridge. The Authority has been studying to find a better angle for traffic flow because it is a bottleneck and a problematic situation because of the topography. Engineers are reviewing to come up with some options.



Mr. Jenaway mentioned he continues to get questions about the Route 23 Bypass and said PennDOT took it off their construction plan. Mr. Kohler noted many of the smaller projects can make a big difference in trying to mitigate some of the traffic. Mr. Meneeley noted the Caley project was indicative of an issue that was a safety concern and a bottleneck and addressed by the Board of Supervisors during the planning of the Community Center by proposing and working for the traffic signal.

Mr. Santillo stated the Authority's engineer, Jack Smyth, Jr., Boles, Smyth Associates, has done a great job working with the Transportation Authority. Mr. Waks noted everyone at that engineering firm has done a fantastic job working with the Transportation Authority.

Mr. Kohler said it is important to note that the Transportation Authority is unique in that not every municipality has such a resource. He pointed out the Montgomery County Planning Commission looked to Upper Merion to take a lead role in working with the Montgomery County Commissioners, Montgomery County Planning Commission to help facilitate the Turnpike study throughout the Corridor.

Mrs. Spott commented considering the amount of cars passing through this township and the internal vehicular movement, traffic moves well which is a testament to the foresight of the Transportation Authority.

Referring to Mr. Waks' comment about the \$1 billion in transportation projects that have been completed since the Authority's formation, Mr. Meneeley pointed out this has all been done without taxpayer funding and accomplished with user impact fees.

Mr. Kohler commented there are many examples around the township of the work done by the Transportation Authority. Using the I-76 ramps as an example, he said design was completed and right of ways in place so that when funding became available it was "shovel ready."

With regard to PA-23 at Beidler Road, Mr. Zotti pointed out there is no money allotted for that as yet. It is a state road; however, the Transportation Authority took the initiative to start the design now so that if and when state money becomes available it will be at the forefront of plans that are completed and ready to go. Mr. Kraynik stated that is an important point since the state recently approved a comprehensive Transportation funding bill. Upper Merion Township is well positioned to get a fair share of that funding because the Transportation Authority has had some of the projects designed and positioned very well as "shovel ready." The Authority has approved an Act 209 study (soon to be completed) which will result in an increase in the transportation impact fee for developers to fund some of these future projects.

Mr. Zotti reiterated it is an impact fee. When additional development or housing is brought in it causes increased traffic. For this reason, the Transportation Authority and this township believed the existing residents should not be impacted; the impact fee helps alleviate the increased development.

## ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE

### ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Bill Jenaway and Carole Kenney. Also present were: Dave Kraynik, Township Manager, Scott Greenly, Associate Planner; Scott Sibley, Chairman, ECDC; Alanna Strohecker, Vice Chair; Carlton Stuart, Secretary; Jenn Lyons. Supervisor Philips was absent.

Scott Sibley discussed some of the major ECDC initiatives as follows:

- Speaker presentations:
  - Brian O'Leary, AICP Montgomery County Planning Commission, Montgomery County Vision 2040 Master Plan (2014). In addition to a public meeting in the township they came to the ECDC to discuss and the committee agreed to continue to provide input from Upper Merion's viewpoint for the County Planner.
  - Eric Goldstein, Executive Director, King of Prussia Business Improvement District (2014) discussed the Business Improvement District renewal which is up in 2015. The ECDC decided to send a memo of support to the Board of Supervisors to extend the BID for another five years.
- Memos of Support:
  - Park and Recreation Board regarding the support of establishing a Township Dog Park.
  - Board of Supervisors regarding the support of renewing the Business Improvement District for another five years.
- Moore-Irwin House continued review and study
- Involvement in the Tricentennial Committee
- Subcommittee is actively working on matters with the BID to support their activities such as the tax rate comparison. The BID has studied the tax rates in other comparable municipalities in the area and the ECDC is interested in obtaining some information from them to promote through the website and other resources to make people aware of the favorable tax structure in Upper Merion Township for residents and businesses.

Mr. Waks stated the amount of work ECDC has done over the last five to ten years has made an enormous impact in Upper Merion Township. He said

any work the ECDC can do with the BID to dispel some of the myths about business taxes, such as a possible video, should be pursued. Mr. Waks suggested reaching out to the Media Communications Advisory Board in this effort.

Mr. Waks indicated he would like to see something considered along the lines of a First Thursday or First Friday evening event which would reach a different audience. Mrs. Spott agreed that would be a wonderful community offering.

Mr. Waks commented the new Community Center was a joint project with the ECDC and the Park and Rec Board and the new website was a joint effort with the Media Communications Advisory Board and the ECDC.

Mr. Jenaway stated Upper Merion does not have a single focal point for attracting diversity of business. He said there are single initiatives such as the BID, Chamber of Commerce, Rotary Club and their efforts should be combined and coordinated to look for the right business and community mix that would take Upper Merion into the next generation. Mr. Jenaway asked the ECDC to think about this and come back with some ideas.

## ZONING HEARING BOARD

### ROLL CALL:

Supervisors present were: Greg Waks, Erika Spott, Bill Jenaway, and Carole Kenney. Other present were: David Kraynik, Township Manager; Mark Zadroga, Zoning Officer; Lynne Z. Gold-Bikin, Chairperson; Maria Mengel; Judy Vicchio. Supervisor Greg Philips was absent.

Mr. Mark Zadroga, Zoning Officer, went over some of the statistics from 2013 as follows:

- The township received 36 zoning hearing board applications last year.
- Zoning Hearing Board met 19 times.
- The majority of applications were for variance requests (32 out of 36 were for variances for special exceptions.
- Denials and approvals: 32 were approved and 4 were denied. There is still one outstanding matter that is being mitigated.

Ms. Gold-Bikin gave high marks to Marc Jonas who serves as Solicitor.

Mr. Waks stated he is pleased with the five member composition of the Zoning Hearing Board which is an independent body from the Board of Supervisors. He noted the ZHB is quasi-judicial so their rulings have legal weight and they take their job seriously.

Mr. Kenney commended the ZHB for doing such a thorough job.

Ms. Gold-Bikin commented on the outstanding work of Mark Zadroga, Zoning Officer. Mr. Waks noted Mr. Zadroga received his Master Certification last year.

Mrs. Spott asked for clarification on the variance statistics and if there is any common thread for the type of variance requested. Mr. Zadroga responded the most common is signage. He said setbacks are a little different because there are three or four zoning districts consequently there are a lot of encroachment variances as well, but if there is one category that could be "tweaked" it would be the allowable signage.

Mr. Jenaway asked if there are technological changes other than signage that will pose potential problems with zoning in the future such as construction techniques, building layouts or design characteristics. Mr. Zadroga responded he is not aware of any.

Mr. Jenaway mentioned in his travels down south there are new developments with some unique building designs and characteristics which seem to encroach on the edge of the property line in many ways, particularly some of the multi-level townhouse, condo, and apartment-type complexes. In North Carolina he noted an entire new street where none of the buildings fronted the street. They were all at angles. He asked if this is something that should be considered for the new zoning regulations. Mr. Zadroga responded no one has approached him so far and he is not aware of any such prospects, but if he does, he will keep the Board of Supervisors advised.

Mrs. Spott was pleased to note the diversity on the Zoning Hearing Board.

Mr. Waks commended the Zoning Hearing Board for their selection of Marc Jonas as Solicitor and noted he is well recognized as an expert in zoning and other municipal matters.

#### ADJOURNMENT:

It was moved by Mrs. Spott, seconded by Mrs. Kenney, all voting "Aye" to adjourn the joint meeting at 10:10 p.m. None opposed. Motion approved 4-0.

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DAVID G. KRAYNIK  
TOWNSHIP MANAGER

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Minutes Approved:  
Minutes Entered: