

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
MAY 30, 2013

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, May 30, 2013, in the Township Building. The meeting was called to order at 7:33 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway (arrived 10 minutes late), and Carole Kenney. Also present were: David Kraynik, Township Manager; Joseph McGrory, Township Solicitor; Judith A. Vicchio, Assistant Township Manager; Rob Loeper, Township Planner; Dan Russell, Park and Recreation Director; Jack Smyth, Jr., Boles Smyth; Joseph Powell, Buell Kratzer Powell.

CHAIRMAN'S COMMENTS:

Chairman Waks reported an Executive Session was not held prior to this meeting.

DISCUSSIONS:

COMMUNITY CENTER UPDATE

Mr. Joe Powell, Buell Kratzer Powell, stated variances will be necessary because of the constricted site. It was originally planned to request waivers only on the parking count and the size of the parking spaces, but those discussions evolved into issues about the whole site plan including the pool, master plan tie-in, and access issues. Direction is still needed from the Board of Supervisors.

With regard to parking, Mr. Powell indicated it was known for a while that the parking fell short of what the code prescribes. The site has 112 spaces, with 48 spaces on the lower level by the creek and 64 prime spaces near the entrance.

Utilizing the aerial, Mr. Rob Loeper, Township Planner, explained the parameters of the parking analysis, and indicated planning staff took the building and the various components, broke them down into uses and then applied the various alternatives using Upper Merion Parking Code, the American Planning Association (APA) standards, and Institute of Traffic Engineers.

Additional staff discussions were held regarding the peaking factors in different parts of the building and its effect on the fitness component and special events and the possibility of using off-site parking for overflow. Further review maximizing the parking included its effect when utilizing the whole site.

The Township Planner's analysis spawned an idea to look at using all the open space around the pool creating additional spaces. The result was 217 parking spaces which was close to the required 227.

Mr. Waks noted for the record that Mr. Jenaway arrived at this point in the meeting.

Mr. Jack Smyth, Jr., Boles, Smyth Associates, Inc., stated his firm has been evaluating possible access alternatives to the new Community Center on Valley Forge Road by vehicles, bicycles, pedestrians and public transit. He discussed Alternate 1, utilizing the existing driveway to Valley Forge Road for all site access (\$150,000 estimate), Alternate 2, utilizing the existing driveway to Valley Forge Road for all site access (\$240,000 estimate), and Alternate 3, \$600,000 estimate which includes the \$250,000 signal but not the roadway profile adjustment.

Mr. Waks asked for clarification about the first two alternatives and it was determined there will not be sufficient warrants to get a traffic light since the back access is not being provided from General Maxwell. Mr. Smyth explained if it meets the warrants it is because of existing traffic, not because of the Community Center.

Mr. Smyth raised an independent issue of whether or not it makes sense to lower and raise Valley Forge Road to fix the sight line issues.

Mr. Philips expressed doubt that lowering the grade of the hump at Caley Road would provide desired benefits and outlined his thinking in that regard.

A discussion followed about the posted speed limit on Valley Forge Road.

Mr. Loeper commented if the Board went with a General Maxwell entrance or exit it would be a gated one that would be limited to certain times and be one way.

Alternate 4 – (\$280,000 estimate)

- Utilize existing driveway to Valley Forge Road for Right In/Right Out
- Construct new driveway to General Maxwell Road for exit only access. If necessary restrict use to predetermined times (provides most flexibility to provide gate as mentioned by Mr. Loeper).
- Create left turn lane into site on Valley Forge Road, westbound.

- This alternate provides three out of four movements at the primary driveway with the final one coming out onto General Maxwell and General Knox.
- Based on Signal Warrant Analysis, potentially signalize Valley Forge and Caley/General Knox Roads.

A discussion followed about the sight lines from General Knox, and Mr. Philips pointed out the sight lines are only better for those coming out General Maxwell.

Alternate 5 – (\$530,000 estimate which includes signal but not roadway profile adjustment – close existing driveway to Valley Forge Road completely)

Mr. Powell pointed out there is more he will try to improve with regard to access into the site and circulation at the entrance. With regard to parking, he believes 217 is a working number, and Mr. Loeper commented some shifts might have to be made in some of the options to provide for additional buffer areas for the three homes on General Knox.

Mr. Smyth pointed out with the signalization of General Knox/Caley and Valley Forge some type of roadway profile adjustments would be necessary as part of the Highway Occupancy Permit. With the left turn lane onto General Knox, the question is do you add the left turn onto Caley which may require some small sliver of widening on that side which is outside of the right of way.

Mr. Powell commented after working through the vehicular issues, time was devoted to consideration of people who may want to walk or ride their bikes and how that might be accomplished with sidewalks and trails.

Mr. Smyth pointed out an aerial of the roadway network with all the existing sidewalks. He directed the group's attention to the sidewalks highlighted in "yellow" around the proposed Community Center and challenges with the creek crossing and retaining walls resulting with an impact on private property and maintenance issues. Other elements result in a problematic situation with the sidewalks.

Mr. Waks was informed the cost estimate of that sidewalk was approximately \$700,000; considering the 210 foot structure, the retaining walls, and the guiderail needed along the curb line to protect the sidewalk.

Mr. Powell commented even with that infrastructure improvement he still does not believe anyone would ever want to walk on the sidewalk. Mr. Smyth noted it not only raises the question of pedestrian access, but bikes in general and bike access.

Utilizing the aerial, Mr. Smyth discussed two potential trails that could be introduced. The first one is off Keebler which can be done individually as a stand-alone or potentially as an alternate to the sidewalk and would be on township owned property. There is a stream crossing, but the benefit is that it is an approximate 75 foot span as opposed to 210 feet, is not on a state route, and connects to the lower level of the parking lot. From a walking distance perspective, it would take about 7 ½ to 8 minutes. Walking from Valley Forge to Keebler and along the trail system, it would be about 10 minutes. This trail is a recommended 12 foot wide trail and would have ADA accessible grades. The big draw is it would have the potential for overflow parking for special events at the Middle School.

Mr. Philips noted the dead-end Tulip Street, resulting in a discussion about the viability of Tulip as an option for access to the site requiring coordination with the private property owner and doing what is necessary from an ADA perspective to get down the slope.

Mr. Russell noted one other benefit from a cost standpoint is partnering with the Upper Merion Area School District on grant applications and funding sources. It would allow their students to get on a trail and walk up to the Community Center for after school programs, or tutoring with the Senior Center. It would provide for a very strong grant application at the state and federal level when the township and the school district work together on a project.

Patrick Sheldon commented he is working on an Eagle Scout project to help clear and clean up wooded areas in preparation for the trails.

Mr. Waks was informed the cost estimate for the trail from Keebler Road at the Middle School driveway is estimated at \$450,000.

Mr. Smyth mentioned the issue of lighting for use at night to get people back to the overflow area.

A second trail was discussed (a stand-alone trail) from General Armstrong to the swimming pool upper parking lot which does not require a creek crossing. Estimated cost is under \$200,000.

Mr. Smyth discussed the low cost trail (little spur) from the swimming pool parking lot to General Maxwell allowing for access to the Community Center from the residential neighborhood.

Mr. Smyth mentioned transit access with a Residential Rambler stop at the front entrance of the Community Center.

Mr. Jenaway stated before the pool reopened, one of the discussions that a former Associate Planner had with the Community Center subcommittee was a

roadway from General Armstrong to General Maxwell, to provide immediate access to the pool thereby eliminating the access on Valley Forge. The elevation and steep slope were the only downside. In closing off Valley Forge Road, Mr. Jenaway noted it could be made to work by running a loop from Maxwell to Armstrong that would be the primary ingress and egress and come into the parking lots.

Mr. Smyth reported the Bedford Hills proposed development that did not come into fruition, came off of General Armstrong and the thought with that was they would still be going out to Valley Forge and Caley. But it seemed that General Maxwell was more inviting from a roadway perspective because of the steep slope coming off of General Armstrong and the private property. Mr. Smyth indicated it could be explored further.

Mr. Jenaway stated while he is not necessarily advocating going that route now, he is an advocate for the use of General Maxwell which he believes makes sense in a lot of ways because of ease of access in and out and reduction in the overall cost of the project.

Mrs. Kenney asked for clarification about the use of Maxwell, and Mr. Jenaway responded Maxwell could be used as an alternate as a means of egress at least.

Mr. Waks mentioned the process of an Act 209 study which would help fund that intersection. Mr. Smyth noted Valley Forge Road is also included in the Act 209 Study down to Caley coming from Gerdees.

Mr. Powell stated the reason for this presentation is to move the project forward since the stormwater management calculations, planning modules, submittals to any of the government agencies cannot be done until they know what the site plan is. It is necessary to talk about the direction to take and select a parking option.

Mr. McGrory asked if anyone approached PennDOT about any of these alternatives. Mr. Smyth responded they tried to reach out to the Highway Occupancy Permit Officer, but he is in between jobs. Mr. Smyth wanted to see how the workshop discussion went before pursuing it further.

A discussion followed with regard to the matrix prepared by Mr. Powell which summarizes a quick comparison of the options across the board.

Mr. Powell discussed the impact of lighting on the site. Originally the trees would not be taken down; but that is no longer the case since part of the row of pines affects the raising of the upper parking lot thus raising the drive down. It is proposed to plant new trees to create a better understory to block the building and the light at night.

Mr. Philips asked about the initial basic budget, and Mr. Russell responded \$6,825,000. A discussion followed regarding financing options for the additional elements of the project.

Mr. Philips asked about groundbreaking for the project; and Mr. Powell responded if documents are ready by mid-October it would be March or April of 2014.

Mr. Powell reported the demo would be completed this summer.

Mr. Russell stated the tenants have been notified, in person and by letter, and have until June 30th to vacate. The environmental study is still underway by T&M Associates with regard to the situation inside and is needed for the pre-bid for the demo.

A discussion ensued regarding the operating cost for additional full time staff for the Community Center.

A consensus was reached to continue with the project as well as certain specific elements to include in the project as follows:

- A sidewalk between the gym and Caley.
- Trails – the trail at Keebler would be the priority which would provide a nice link from the Community Center to overflow parking.

Mr. Waks asked if the sidewalk between the proposed center down to Keebler is out. Mr. Philips commented that should be out for the time being and can always be done in the future. That would require condemning a five foot wide path through some private property, and people who live there will not use it and would rather take the trail.

Before discussing the alternatives, Mr. Waks asked if there were any questions or comments from the audience.

An unidentified resident had a question about Alternative 5 and if there is a clear passage for emergency vehicles without the Valley Forge entrance. Mr. Smyth responded emergency access would be one of the main drivers and a consideration would be if the Valley Forge primary access would be closed, it does increase the time to get into the site from an emergency perspective.

Mr. Waks asked if two points of access would help emergency responders. Mr. Jenaway responded two entry points are always helpful, and he knows from past experience that General Maxwell has been used as an access point. He recalls at least three instances when emergency responders had to get

back in there. Mr. Powell pointed out this [General Maxwell] would be a real entrance way into a real site so every vehicle would be able to get in. The other issue is any vehicle or ambulance could use Maxwell even if there were traffic congestion on Valley Forge.

An unidentified resident commented that signage might be a problem, particularly with Alternate 5. Mr. Smyth reported signage is extremely important with Alternates 1 thru 4, but with Alternate 5, it is absolutely critical to let people know the driveway is no longer there.

An unidentified resident, who lives across the street from the proposed Community Center, expressed concern about the sidewalk situation and visibility heading east to turn left into his driveway. Mr. Philips commented this resident would almost want a light at Caley and Valley Forge because it would slow traffic at some point. Mr. Waks commented he has heard from many residents who live in that general area who are interested in traffic remediation, specifically a traffic light.

An unidentified resident expressed concerns about removing some of the trees because of headlights at night. Mr. Powell responded no one would be parking in the area where the trees are being removed, and the lights are perpendicular to houses at that point.

Mrs. Kenney asked why evergreens could not be used as replacements since light in the building would be visible in winter. Mr. Powell responded there is no reason not to use evergreens.

An unidentified resident asked when the trail project would start and was told the process would start with what should be done from a trail alignment perspective. With the trail from Keebler, there would be a creek crossing necessitating a DEP permit that would be factored into the schedule. Mr. Smyth said he would have to look a little further into how long it will take, but it is something he will follow up on. The permit will be the driving factor on the schedule.

Mr. Smyth pointed out the good thing about the trail construction is that it does not need to be opened until the building is ready for the grand opening. He said this can be a phased approach and everything does not have to be done all at once. If there are elements that can be accelerated that are not related to the permit then that can be accomplished.

Mrs. Kenney asked if there has been any planning with regard to a specific route. Mr. Smyth responded it has not gotten that far along as yet.

Mr. Smyth stated it is time to start giving some thought to the approval process and whether it requires land development approval. If the trail crossing

the creek is going to need zoning relief there are certain standards associated with that. It has to be sent to the Conservation District and there are other elements that may have to be addressed from a zoning perspective.

Mr. Kraynik stated there have been a number of discussions about zoning and potential waivers.

Mr. Powell commented he would like to see if some waivers could be obtained regarding the width of the stalls and the number of spots or if it will be necessary to go through the formal land development process.

Mr. Philips asked if the parking standards are in the SALDO or if it goes before the Zoning Hearing Board. Mr. Loeper responded it is built into the Zoning Code and something to discuss with the Solicitor because when it was originally done it was designed so it would be for the Board of Supervisors. In the current code, and it does allow an alternate parking standard in certain circumstances.

A discussion followed about addressing the code provisions either through tech change, variance or the unusual system of going before the Board of Supervisors.

Mr. Waks asked if the Board would want to discuss single stripe/double stripe parking spaces at this meeting, and Mr. Powell stated double stripes could be done.

Mr. Waks focused on the key question which is what alternative is preferred. He indicated his preference for Alternative 4 and Alternative 3.

A discussion followed with each supervisor expressing their thoughts and ideas. Highlights as follows:

- Mr. Jenaway: agreed with Alternative 3 and 4, and asked, for the sake of discussion, if there could be two full lanes in and out on General Maxwell without modifications to the intersection at Caley.
- Mr. Waks: favors the idea of a light at Caley and General Knox and Valley Forge Road because it solves a lot of problems.
- Mr. Philips: indicated he is more partial to Alternative 5. He pointed out Alternatives 3 and 4 dead end and provide problems. Mr. Philips is not averse to closing off the existing entrance. He noted Alternate 5 still needs work, but believes it is safer and has flow.
- Mrs. Spott: asked how much traffic would be diverted to General Maxwell.

Mr. Russell responded in using Alternate 5 numbers are not available but the peak times would be early morning and after work.

- Mrs. Kenney: commented one reason why she likes Alternate 4 is because it has exit only onto Maxwell. She also likes the idea of a signal.
- Mr. Philips: favors the ingress and egress on General Maxwell.
- Mr. Waks: stated if Alternate 3 is chosen and there is too much traffic, it can be closed off to one way. He still favors the idea of the Caley Road signal.
- Mr. Jenaway: stated he believes Alternate 3 offers the most flexibility long term.
- Mr. Waks: pointed out Alternative 3 and 4 can be modified.
- Mr. Jenaway: stated Alternatives 3 and 4 will provide the most flexibility.
- Mrs. Spott: asked if there would be about 200 cars. Mr. Russell responded 200 plus to be safe, but not during peak time. Peak time is 5 a.m. to about 7:30 a.m.
- Mrs. Spott: commented with Alternate 4 it is just one lane coming out and her position is it can always be made two ways, but would prefer to go in with a minimal. Mr. Waks: said it makes sense to put in the infrastructure and then decide.
- Mr. Philips: commented see how it is working and install bollards, if necessary.

Mr. Waks summarized the discussion and stated everyone has solidified along with the idea of Alternate 3, with one-way egress, and the idea of a traffic signal. He said the one-way/two-way access on Maxwell can be discussed at a later time.

Mr. Powell asked to return to the zoning issue.

Mr. Kraynik suggested the team meet with the Solicitor and work out the zoning issues and the recommendations and how it will fit into the SALDO and then come back with a plan.

Mrs. Spott asked about the signage. Mr. Powell responded the signage was pretty straight forward, and was asked to look at signage as part of the bid package.

Mr. Smyth commented there are two elements to signage – the roadway signage which is actually out on the road and the site signage for the driveway itself. Mr. Philips commented signage would be needed on the end of the building.

Mr. Kraynik asked for some recommendations on directional signage in the bid package, and was told that will be part of the Highway Occupancy permit process.

Mrs. Spott stated she was not just referring to logistics but also the optics of signage; such as will it be lighted, will it be digital. Mr. Smyth responded he would be looking at it from the roadway perspective and Mr. Powell would be more site perspective. Mr. McGrory emphasized depending on what is proposed it could spark potential zoning.

Mrs. Spott said that is why this is all interrelated.

Mr. Kraynik commented it is hoped when it is time to return for the process of zoning and land development the Solicitor would review a sign package that would be part of the bid process.

The consensus was reached to go with Alternate 3, but with one-way and the signal.

Note: All documents submitted and in support of the discussions before the Board of Supervisors can be found in the meeting file.

LAFAYETTE AMBULANCE PROPOSED BUILDING EXPANSION PLANS

Mr. Alan E. Boroff, Esq., Brown & Silbergeld, stated after 50 years and several extensions, Lafayette Ambulance has run out of space and needs a new facility on its existing site. Approximately 8,000 square feet is required to house a number of ambulances and emergency staff. The proposed new building can comply with side, back, and front yards, but there is an issue in exceeding impervious coverage, which can be handled by stormwater management. The real issue is under the zoning ordinance because the side, rear and front yards are to be free of any structure. A generator will have to be placed in the side yard. Parking and car traffic will be in the front yard, and a proposed trash enclosure in the rear with cars coming up and down on the side yard. Mr. Boroff indicated a plan is underway to meet all the requirements except for the items mentioned, and it is hoped that the Board of Supervisors would provide support before the Zoning Hearing Board when the variance is considered on the foregoing issues.

Mr. Rhett Jones, RHJ Associates, discussed the site plan. The west side of the building site is at the edge of the setback and there is a need for a generator at that location for electrical purposes. Mr. McGrory asked if this generator is considered a building under the Zoning Ordinance. Mr. Loeper responded it would be a structure, but not a building which would need walls and a roof. This is property zoned residential; therefore, the current plan required zoning relief.

Mr. McGrory stated he may be able to work on an interpretation since he would not consider that to be a building.

Mr. Loeper affirmed that Holstein Avenue is a paper street and Mr. Boroff indicated it has been abandoned by legal document for all the surrounding properties except Lafayette. He indicated Holstein will never be used and Lafayette's half of Holstein is being shown for the rear yard requirement.

Mr. McGrory asked if the old right of way was just being used for setback. Mr. Jones responded it is being used for setback and the dumpster.

Mr. McGrory responded it should be vacated.

Mr. McGrory asked how the street was created. Mr. Boroff responded Holstein Avenue was created many years ago on a map. Mr. Loeper said he would need to research whether it was a street map.

In response to Mr. Philips' previous question, Mr. McGrory indicated the process used to vacate depends on how this street was created.

A discussion followed about the additional background of Holstein.

Mr. Boroff stated the 8,000 square feet needed for the new building dictates the placement of the building; direct access from the street into the garage area is critical. Currently one or two ambulances have to be kept outdoors because of lack of space. The new building would accommodate six ambulances. Mr. Boroff expressed hope the zoning issues can be resolved.

Mr. Jones indicated the other issue is the amount of total impervious exceeds the maximum allowed (30%) and the proposed impervious would be at 75%.

Mr. McGrory asked about the percentage of existing impervious. Mr. Jones responded existing impervious is at 55.7%. Mr. McGrory stated a variance would be needed for impervious. Mrs. Kenney asked what the new impervious would be. Mr. Jones responded 75.27%.

Mr. Philips stated his issue is the 55.69%, and if it is non-conforming and this increases to 75.275%, the 19% added is less than 25%. The key issue is it has to be proven that it is currently non-conforming.

Mr. Loeper commented the residential districts did not have impervious coverage until about a year and a half ago. They had a building coverage, but did not have a maximum impervious; that was something that was added.

Mr. McGrory stated it was made non-conforming by passing an ordinance. He indicated his office could help with this and meet with the Zoning Officer and do a zoning review and come up with needed relief. He pointed out some of this would go away and some of it would not and at that point an application can be submitted for proper relief and he can provide a letter identifying exactly what is needed. Mr. McGrory asked if the Board of Supervisors, not knowing the extent of that review, is in a position to recommend support of this application.

Mr. Waks commented he would have no problem if the Board decided to enter support in favor of this application after some of the discussed issues were dealt with. He said Lafayette Ambulance is certainly an organization worth supporting.

Mr. Jenaway commented he has no objections to the building, but as a matter of process, the Fire and Rescue Services Board should be made aware of the proposed expansion plans.

Mrs. Spott noted the Fire and Rescue Services Board has mentioned it, but they have never seen the plans.

Mr. McGrory indicated he would prefer an actual vote of the Board of Supervisors to authorize the Solicitor to appear before the Zoning Hearing Board in support of the application.

Mr. Waks asked if Mrs. Spott would first bring this to the attention of the Fire and Rescue Services Board. Mrs. Spott responded in the affirmative.

As part of due diligence, Mr. Jenaway asked if Lafayette had a dissolution clause in their bylaws. Mr. Boroff was not certain about that. Mr. Jenaway indicated while there is a high probability it will never be brought up again, he wanted to make sure this was covered.

POSSIBLE INCREASE OF BOARD MEMBERSHIP OF THE UPPER MERION TRANSPORTATION AUTHORITY AND GENERAL AUTHORITY

Mr. Philips commented that the current Authority membership consisting of five long time members provides a solid corporate knowledge base and is doing a great job. He pointed out the benefit of using that knowledge and

experience to mentor new members as future vacancies occur, and indicated there is some discussion to expand both Authorities to seven members.

Mr. Waks commented in addition to monthly Authority meetings, there are many afternoon meetings with PennDOT or Greater Valley Forge Transportation Management Association (GVFTMA), for example, where it would be beneficial to have some representation from the Transportation Authority and an expanded Authority would make it more feasible.

Mr. Jenaway asked about the possibility of recruiting applicants. Mr. Waks responded there is a lot of interest in transportation issues.

Mr. Jenaway asked about the General Authority. Mr. Waks responded the General Authority meetings are not lengthy.

A consensus was reached to pursue options.

POSSIBLE BOARD OF COMMUNITY ASSISTANCE RECEPTION AT VALLEY FORGE CASINO

Mr. Waks discussed an appropriate presentation for students who will receive scholarships and organizations that will receive grants from the Board of Community Assistance (BCA). He indicated that he came up with the idea at the last BCA meeting to hold the event at the Valley Forge Casino (Radisson Hotel site). He indicated the casino representative expressed interest and would await the reaction of the Board of Supervisors before proceeding.

A discussion ensued regarding how this event would be viewed by certain members of community. Mr. Waks pointed out the presentation would occur at a separate reception room next door at the hotel and not at the casino per se.

Mr. Waks stated he wanted to mention this before the next BCA meeting so he can inform the casino representative that the Board of Supervisors is interested in having his ideas.

Mr. Waks indicated this concluded the scheduled agenda.

Mr. McGrory indicated his office successfully defended a denial of a Right to Know Request (RTK) and provided details for the information of the Board of Supervisors. Some of the RTK information was properly requested and it was supplied and some of the information was properly denied because of security reasons.

Mr. Jenaway provided details on an unsolicited offer that was received by the King of Prussia Fire Company on its property at 170 Allendale Road.

ADJOURNMENT:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to adjourn the workshop meeting at 10:08 p.m.. None opposed. Motion approved 5-0.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: