

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
April 5, 2018

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, April 5, 2018, in the Township Building. The meeting was called to order at 7:30 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Greg Philips, Carole Kenney and Erika Spott. Also present were: Dave Kraynik, Township Manager; Sally Slook, Assistant Township Manager; Joe McGrory, Township Solicitor and Rob Loeper, Township Planner.

CHAIRPERSON'S COMMENTS:

Chairperson Philips stated an Executive Session was held prior to this meeting to discuss litigation and personnel matters.

DISCUSSIONS:

STATUS REPORTS ON THE FIRST AVENUE ROAD DIET PROJECT AND PHASE I OF FIRST AVENUE LINEAR PARK, PRESENTATION BY KING OF PRUSSIA DISTRICT

Christopher Basler, Director of Capital Projects and Planning, King of Prussia Business Improvement District (KOP BID), discussed the Road Diet and Linear Park and the variety of changes being made along First Avenue. It was noted since passage of the Mixed Use District ordinance in 2014 this area has experienced an increase in mixed use development. This type of new mixed use development calls for a different transportation infrastructure. Mr. Basler pointed out the Road Diet and Linear Park will create a friendlier environment for pedestrians, cyclists and vehicles. It is anticipated the First Avenue Road Diet will begin sometime in May once final PennDOT approvals are received.

Mr. Basler introduced Brian Keaveney and Brian Finkelstein, Pennoni & Associates, the engineers on the project.

Mr. Basler indicated the KOP District funded the design work and is helping coordinate the project. A portion of the funding is being administered by PennDOT's Transportation Alternatives Program (TAP). The contractor, Highway Materials Inc., was selected earlier this year after a competitive bid process; the construction inspector is Remington Vernick Engineers.

Mr. Basler provided a recap on the project timeline as follows:

- In 2011 KOP BID applied for a Transportation and Community Development Initiative grant through the DVRPC which provided a study of the First Avenue and Moore Road corridor to determine if it would be appropriate for a Road Diet.
- The study was completed in 2013; Pennoni Associates determined a Road Diet could be done along First Avenue and Moore Road.
- In 2014 the area was rezoned to a Mixed Use District and Upper Merion Township applied for a Transportation Alternatives Program grant (TAP).
- The TAP grant was received from PennDOT and in 2015 Pennoni & Associates was hired to start the design work and continued through the permitting process through 2017.
- In 2017 the project was advertised for bid; the contract was let in early January to Highway Materials, Inc.
- Construction will begin in late April or early May and will be taking place outside of the normal rush hour traffic. There will be no construction activity from 6 a.m. to 9 a.m. and 3 p.m. to 8 p.m. Construction will last 46 business days or less with good weather. Milling and paving will take place at night. The contract calls for all work to be completed by the end of July.

Mr. Basler stated First Avenue is currently a four-lane road with a posted speed limit of 35 miles an hour. There is no direct connection with sidewalks and pedestrian amenities to safely get from one parcel to the next. It was noted four lane roads subliminally encourage people to drive faster than the posted speed limit of 35 miles an hour. The area does not have roadway and pedestrian lighting and there are limited ADA sidewalks and ramps. The Road Diet will address all these negatives and what is not achieved with the Road Diet will be covered by the Linear Park.

Mr. Basler reviewed the new lane configuration which includes a bike lane on both sides of the road. There will be a single lane of travel in each direction and a safer dedicated center turn lane.

Mr. Jenaway asked for clarification about the drawings depicting planters in the middle. Mr. Basler responded there will be a mid-block crossing by Radial and Archema with a planted median to protect the mid-block crossing; everything beyond that location will be painted markings only on the pavement not an actual physical barrier.

Mr. Basler mentioned the project came in under budget with over \$140,000 in savings being realized. He said the BID is contributing \$78,000 for communications as well as the design work by Pennoni & Associates. It was noted there will be ADA accessible ramps placed on all the corners of the

Allendale Road and First Avenue intersection. This means any of the work that was going to be taking place on Allendale Road in the future by the Township for ADA ramps will already be in place thereby realizing approximately \$90,000 in savings for the Township that PennDOT is contributing from their fund.

Mr. Basler stated the first phase of the Linear Park will be addressing ten parcels. It was noted 650 Park Avenue has already been built as a demonstration project which highlights the 10 foot wide asphalt pathway that will eventually stretch from First Avenue all the way down from North Gulph Road to Allendale Road on either side. The first phase will begin at the casino lot where the bus shelter is located and stretch all the way down to the Archema property. On the south side, at 1075 First Avenue, the southern portion of phase one will begin and go all the way down to GeoBlue.

Mr. Basler indicated the budget for this first phase is approximately \$2.8 million with construction to start next year. A federal multimodal transportation fund grant in the amount of \$1.2 million was received in 2014 and a Pennsylvania Transportation Infrastructure Enhancement grant was awarded simultaneously for \$1.2 million. The KOP District is contributing \$371,000 covering legal expenses as well as design services for both Pennoni and Ground Reconsidered.

Utilizing the aerial, Mr. Basler pointed out the concrete seating area with bistro-style seating and tables and solar powered pedestrian lamps. It was noted none of the property owners will have to bear any electrical costs.

Julie A. Bush, Principal with Ground Reconsidered, lead landscape architect on the project discussed the amenities associated with the Linear Park. Highlights as follows:

- Linear Park trail is 10 feet wide – there are a few locations where it is asphalt and a few locations where there will be retaining walls.
- There will be solar powered lights along the entire trail.
- There will be tables, chairs, trash receptacles, and a couple of locations will have benches.
- Existing bus shelters will be replaced with more contemporary structures.
- There will be ornamental plantings along the trail for color throughout the seasons.
- By the end of summer and into fall the project would be ready for bid and anticipated Notice to Proceed for construction of linear park in spring/summer of 2019.

Mrs. Kenney asked who currently owns the bus shelters. Mr. Basler responded Clear Channel owns the shelters and will not be supporting the project with any funds. Based on the agreement Upper Merion Township has with Clear Channel they have agreed to continue honoring the existing

agreement. The bus shelters are just being changed out for more contemporary ones.

Ms. Bush commented the location of some of the shelters is changing and is being coordinated with SEPTA.

Mr. Waks stated he was part of the subcommittee for the Linear Park and recalled discussions about various amenities such as outdoor games, fitness equipment, and a possible fountain and noted these features were not mentioned during the presentation. Mr. Basler responded while these amenities were not mentioned because of the current funding pool, he indicated when additional funding is forthcoming the KOP BID will look at having these features included. He said it is also based on the involvement of the property owners. Ms. Bush commented the Linear Park is designed and graded in some locations to allow for such amenities to be added at a later date.

Mr. Waks asked if costs were obtained for the amenities he previously mentioned. Ms. Bush responded in the affirmative. Mr. Waks asked if it is possible to send the Board of Supervisors and township management some of those prices, for example, the giant chess set, fountain, etc. Ms. Bush responded in the affirmative.

Mr. Philips asked if anyone has studied the demonstration park and how many people use it on a daily basis. Mr. Basler responded in the negative.

A discussion followed during which the supervisors mentioned their personal observations as to how many people are taking advantage of the demonstration park.

Mr. Jenaway asked if there were any members of the BID who were not in support of the Road Diet that are in proximity to that roadway. Mr. Basler responded some were concerned about additional traffic that might make it difficult for people to travel specifically in the one hour period of the afternoon commute. He noted they were very supportive of the safety features and the ability of people to bike.

Mr. Jenaway asked how the BID plans to communicate with residents of the nearby apartments and those staying at the two hotels. Mr. Basler responded they will be provided with handouts. He said he would also hold public information sessions, talk to them personally and post a question and answer segment to the project web pages.

Mr. Jenaway emphasized the importance of notifying residents and hotel guests about the construction schedule. Mr. Basler said he would definitely comply.

Mr. Jenaway asked if there would be a test period for this project to see if it works or not and what would be the long term plan if it does not work. Mr. Basler responded there is no test period at the present time and said it would be difficult to get a true reading until the US 422 project is completed.

Brian R. Keaveney, PE, Pennoni and Associates, discussed the three signalized intersections in the area of influence of these modifications – Allendale Road, American Avenue and Moore Road. He said traffic leaving the area going through the signal at Moore Road onto North Gulph or points west should have limited impact. At American Avenue the level of service will work as well and at Allendale Road much like Moore Road not much would change in the lane restrictions as the same amount of cars would move through that intersection. With regard to the previous question about a test period, Mr. Keaveney indicated since the pavement would not be narrowed permanently the township could always go back to four lanes. He said while there is a mill/overlay and pavement marking expense associated the Road Diet these configurations would not be locked in forever. Mr. Keaveney mentioned while some initial pushback can be expected on the reconfiguration, it settles down as more people get used to it.

Mr. Philips asked about the anticipated projected peak travel over the next several years. Mr. Basler responded it would be well under 20,000 daily.

Mr. Jenaway stated the long-term design for First Avenue is that it was designed to be an arterial roadway to enable traffic to move more efficiently throughout the whole township and now, in theory, it will be restricted by 25%.

Mr. Waks indicated he continues to support the project and as a nearby resident he has never experienced rush hour traffic between Moore Road and Allendale Road. He commented people do continually speed and he receives complaints from pedestrians and bicyclists about collisions and near collisions. Mr. Waks emphasized he believes it is far more important that people arrive safely whether they are pedestrians, bicyclists or drivers than it is to arrive one or two minutes faster.

Mrs. Kenney commented she has never experienced “rush hour” traffic on First Avenue on her way to work. She believes the Road Diet is a good idea from a safety perspective and mentioned the police department has given their okay.

Mrs. Kenney asked if there is any information about the success of Road Diets and what percentage returns to original lanes after a trial of a few years. Mr. Keaveney did not have any data on this. Mr. Basler commented they could take another look at this, but did not have any statistics.

Mr. Philips said First Avenue currently is not wide enough and those in the right lane are up against the curb. Mr. Basler commented that is where the Road

Diet will definitely be a benefit because of additional area that might be part of the median and the dedicated center turn lane which will help alleviate any congested traffic primarily in the morning.

Mr. Waks mentioned there is a misconception there is going to be a dramatic reduction in the number of lanes between Moore Road and North Gulph Road. He emphasized it would be helpful if the BID and Township would make it known there really is not going to be a significant change in that location.

An unidentified individual in the audience expressed his view that people will continue to use First Avenue as a cut-through. He also asked if there will be dedicated parking for the linear park. Mr. Basler responded it would be on the side with the individual property owners, but there would be no dedicated parking.

Mr. Jenaway stated the KOP BID should reach out to the business owners regarding some dedicated space for parking.

Gina Scandone, resident of Valley Forge Homes, commented, in her view, residents would not use the Linear Park. Mr. Basler responded there are events occurring now that residents attend.

An unidentified member of the audience commented there should be an off the road trail.

Brad Moran, resident, asked when the traffic study was done. Mr. Keaveney responded the study was done based on counts from 2012, finalized in 2013 with projected traffic ahead to 2025.

Brad Moran commented it would be helpful to see a graphic showing the overview of the road.

A question was asked by a member of the audience if a study would be done after the road diet is completed to assess how useful it is and the amount of bike traffic. Mr. Jenaway said he would be in favor of some type of analysis.

Mrs. Kenney pointed out the road diet is not just being done for bikers. She said the overall vision for the township with this particular Board of Supervisors has been to make incremental changes throughout the township to have multi-modal transportation emphasizing pedestrian connectivity/walkability, encouraging train transit and safer roadways for bikers.

Mr. Rapine, resident, asked if the bike lane ends at Allendale Road. Mr. Basler responded in the affirmative. Mr. Rapine asked where the bikers go after reaching Allendale Road. Mr. Basler responded they would be on Allendale Road or some of the surrounding sidewalks. He said at that point the KOP BID

would look to see if additional bike lanes could be added, but it would be on a case by case basis.

A question was asked about Liquid Fuel funds. Mr. Philips responded the Liquid Fuel program provides for repaving certain roads and this year was for First Avenue. Mr. Basler commented the grant money will be offsetting what the township would have to pay for the full repaving job.

SD 2018-01 NDR BUILDERS, LLC: 179 REBEL HILL ROAD, 2 LOT
SUBDIVISION WITH ONE EXISTING DWELLING, 0.63 ACRES R-2
RESIDENTIAL, Plan Expiration: 4/28/18

Mr. Rob Loeper, Township Planner, stated this plan was reviewed by the planning commission last week and was approved as proposed. He pointed out Rebel Hill is one of the older neighborhoods in the township with several non-conforming structures which were built prior to zoning.

Utilizing the aerial, Mr. Loeper pointed out the location of the property, the existing dwelling and the area of the lot for the new dwelling. The shed/garage which is used as a studio will be demolished.

The applicant applied to the Zoning Hearing Board for zoning relief and was granted variances for dimensional, aerial width, front yard setbacks, and steep-slope regulations.

The plan calls for a two-lot subdivision. The existing dwelling on Lot #1 will be conforming with regard to the minimum lot size of 10,000 square feet; lot #2 will be 15,000 square feet.

There will be stormwater management for the new dwelling. The applicant is installing eighty liner feet of 30-inch piping across the property to carry the overflow into an existing inlet. It will also capture part of the driveway's runoff. The residence will have 6-inch, shielded rain gutters. Downspouts, installed on the front of the house, will empty into an underground retention system before flowing out to the in-street stormwater system on Rebel Hill Road.

There will be some grading along the back of the property which involves adding some fill for a terraced back yard which will tie into the existing slopes.

Utilizing the aerial, Mr. Loeper pointed out the parking area which will be an easement for parking spaces for Lot #1 which will actually be located on Lot #2.

With regard to trees on the property, Mr. Loeper indicated the applicant is doing everything they can to preserve large existing trees.

Mr. Loeper mentioned he has not yet had an opportunity to look at the first review from the Township Engineer which was received today.

Mrs. Spott asked for confirmation that both lots are conforming to the zoning size requirement and that no undersized lot will result. Mr. Loeper responded in the affirmative. He said the new lot (Lot #2) is 15,000 square feet and it is not a flag lot. The proposed residence on Lot #2 will utilize public sewer and public water facilities. Mr. Loeper indicated the residence will have a walkout basement which is the reason for the grading.

Mrs. Spott asked if the neighbors have been notified and had any issues. Mr. Loeper responded the applicant went through the zoning process. There were some neighbors who were concerned about the regrading and how stormwater would be managed. The neighbor's concerns about the water retention system have been adequately addressed to the satisfaction of the neighbor.

Mrs. Spott asked if any neighbors were present at this meeting and there was no response. Mr. Jenaway indicated no one came to the planning commission.

Mr. Loeper stated he could get preliminary information to the Solicitor's Office on Monday.

DP 2018-06 AQUA PENNSYLVANIA, INC., 230 SAULIN BLVD. REMOVAL OF EXISTING BLOWER BUILDING AND CONSTRUCTION OF NEW TREATMENT BUILDING (NET DECREASE OF IMPERVIOUS) 5.09 ACRE HI HEAVY INDUSTRIAL. REQUEST WAIVER OF LAND DEVELOPMENT. *Plan*
Expiration: 6/25/18

Utilizing the aerial, Mr. Loeper pointed out the location of the treatment plant next to the reservoir on US 202 where the applicant proposes removing the small building and some other appurtenances and building the new treatment plant. It was noting there will be a net decrease in impervious on the site.

Mr. Loeper described the operation as an automated system monitored from an off-site central location with technicians going out to the plant from time to time to check things out. It is not an occupied building as a public utility.

Mr. Loeper indicated because there is no significant impact they have asked if the Board of Supervisors would consider waiving formal land development.

Mr. Jenaway commented his understanding is the applicant proposes the removal of a small building, some equipment and tanks and building a small treatment building. Ms. Denise Yarnoff, Esq., representing the applicant,

responded in the affirmative. Mr. Loeper stated the bulk of the treatment building will be placed on existing impervious.

Mr. Jenaway asked about the size of the new structure. Mr. Loeper responded it is a 6,000 square foot building.

Mr. Waks asked how far back the building is from the road. Mr. Loeper responded, "You can't really see it."

Mr. Jenaway asked what goes on in the building. Ms. Yarnoff responded it is the water treatment facility and the older treatment building is being replaced with a new, more modern and efficient facility.

Mr. Jenaway asked about the types of products that will be used and if there are hazardous materials how would they be managed differently than they are today. Ms. Yarnoff did not have specific information about the types of materials used in the treatment process.

Mr. Jenaway stated most water treatment plants use chlorine or some type of product in the filtration process and wanted to know how the materials would be managed and why it should be allowed without some formal review. Mr. Jenaway said someone in the code enforcement department should look at what is actually done since this is the most critical part of the application.

Mrs. Kenney asked for clarification about the function of the blower building. Margo Wagner, GHD, Aqua's consulting engineer on the project, responded she is not the process design engineer for this project and is simply involved with the land development waiver application. She indicated she cannot answer detailed questions about the design or the contents of the building.

Ms. Yarnoff asked if Ms. Wagner knows anything about the blower building. Ms. Wagner responded aeration was used as part of the treatment and they have not used it for many years. An application has been submitted to DEP to remove that from the treatment train since it is not being used.

Mr. Philips asked what replaces the blower building and how the new treatment building will do things differently. Ms. Wagner responded Aqua has indicated they would reply to detailed questions in writing.

Mr. Philips commented Mr. Jenaway raised a valid point about stockpiling chlorine. Mr. Loeper said Aqua can be asked to come in and discuss this with the Board of Supervisors and code enforcement officials in terms of any materials they are using and provide information on the process.

Mr. McGrory asked if Mr. Philips would want him to prepare a waiver resolution with two conditions: compliance with the engineer's letter and a

signoff by code enforcement about how Aqua is handling hazmat. Mr. Philips responded in the affirmative.

DP 2018-05 WRIGHT PARTNERS: 243 S. HENDERSON ROAD,
CONSTRUCTION OF A 6,783 SF AUTO SERVICE BUILDING WITH 8 BAYS
AND A 2,572 SF FAST FOOD DRIVE THRU RESTAURANT W/ASSOCIATED
PARKING, ACCESS ROADS, LIGHTING, LANDSCAPING, UTILITIES AND
STORMWATER MANAGEMENT, 1.96 ACRES, GC GENERAL COMMERCIAL.
Plan Expiration: 6/12/18

Mr. Loeper stated this is the site that was formerly approved for a Wawa several years ago. The property is located at 243 S. Henderson Road at the signalized intersection of Saulin Boulevard next to the Peco substation.

Mr. Loeper mentioned there has been a lot of discussion recently on this particular plan since the Zoning Hearing Board denied relief. He said there have been changes to the zoning districts, especially commercial districts, requiring buildings to be moved up closer to the street and that created problems for the circulation.

Since the effort with the Zoning Hearing Board was not successful, the applicant has been looking at different options which would not require zoning relief and would meet the ordinance.

Utilizing the aerial, Mr. Loeper pointed out different features of the code compliant plan. He indicated all of the ingress is at Saulin Boulevard, the drive aisle comes down along the side of the building and circulates out. Parking is in the back as well as parking for the service bays. The plan is in front of PennDOT and will require a significant number of PennDOT improvements. It was noted these are consistent with the requirements which would have been required when Wawa first come in.

Mr. Loeper indicated there are sidewalks and connections between the buildings, stormwater management, and a retaining wall along the back of the property. The plan is now undergoing review by both McMahon Associates for traffic-related issues and Remington Vernick for engineering. The applicant has not as yet gone before the planning commission.

Mr. Waks asked if there is still room in the future for the Turnpike slip ramp. Ms. Yarnoff responded the applicant has had conversations with the Township and Turnpike representatives and as of now there is nothing being considered at this time in this location. She said they also looked at the SEPTA plan and while there will be work adjacent to this property; it will not be directly on this property. Ms. Yarnoff said for the foreseeable future there is nothing that would encroach on this parcel. She referred to her previous discussion regarding the ordinance amendment and the ZHB denial and ultimately her client has

decided to go forward with the buy right plan. Mr. Yarnoff said all the benefits originally associated with all of the plans are still part of the buy right plan including significant traffic improvements, additional landscaping/ buffering, sidewalks and stormwater management.

Mr. Jenaway stated this plan makes the Saulin/Henderson intersection a four-way intersection. Ms. Yarnoff responded in the affirmative. She said it also widens Henderson Road in this particular location to make the road consistent with the existing roadway.

Mrs. Spott asked about the circulation to the auto bays. Utilizing the aerial, Mr. Loeper pointed out the circulation to the bay location.

Ms. Yarnoff stated both tenants have reviewed and are comfortable with the plan. She said while the other plans had a better layout this is a code compliant plan and acceptable to the tenants.

Mr. McGrory asked about the status of the zoning appeal. Ms. Yarnoff responded the appeal has been filed and briefs submitted by her client and the Zoning Hearing Board.

Mrs. Spott pointed out the shortcomings of the buy right plan.

Mr. McGrory suggested communicating with the ZHB there is a preferable layout to the buy right plan.

A discussion followed regarding the implications of a potential slip ramp in the area which is favored by the Board of Supervisors.

Mr. Waks suggested the applicant attend the next Transportation Authority meeting to hear firsthand from the Authority's engineer about the potential Pennsylvania Turnpike Interchange at Henderson Road and what might possibly be worked out as far as the layout.

Bill Roundtree, Wright Partners, stated there is no real design of the slip ramp to review to determine if it would work on the site. He said it is obvious in accommodating the slip ramp they would only be able to get one building on the site and there would be no way to access the site with the slip ramp in place.

Mr. Roundtree commented he does not know if the slip ramp concept has been coordinated with what is happening with SEPTA. Mr. Philips responded SEPTA is already planning around the slip ramp and is a reason for their proposed 600 car garage so that traffic can come off the turnpike, park there, and get on the train to go into Philadelphia.

A discussion followed with regard to going with the buy right plan or the

original plan which would require a settlement with the ZHB and Township. A consensus was reached for a preference for the original plan which would involve reaching out to the ZHB.

CREATION OF THE FARMERS MARKET ADVISORY COMMITTEE,
RESOLUTION NO. 2018-26

Mr. Dave Kraynik, Township Manager, stated when the decision was made to place the Farmers Market under the umbrella of the administration department a farmers market manager was hired. The Farmers Market Advisory Committee is being established as the farmers market manager comes on board and will be similar to the community center board.

Mrs. Spott asked how the 7-member advisory committee was determined. After a brief discussion, it was decided to reduce the membership to five (5).

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2018-26, as modified, with a five member advisory committee. None opposed. Motion approved 5-0.

AUTHORIZE SOLICITOR TO OPPOSE ZONING HEARING BOARD
APPLICATION RE: 200 S. GULPH ROAD

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Spott, all voting "Aye" to authorize the Township Solicitor to oppose Zoning Hearing Board application re: 200 S. Gulph Road. None opposed. Motion approved 5-0.

ACCEPTANCE OF EXTENSION NOTICE FROM BRANDYWINE PROPERTIES,
500 N. GULPH ROAD TO APRIL 20, 2018

Board Comment:

Mr. Philips questioned why the date of April 20th was selected. Mr. Kraynik responded the applicant asked for a little more time to take them to the next business meeting which is April 19th.

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Spott, all voting "Aye" to accept extension notice from Brandywine Properties for 500 N. Gulph Road to April 20, 2018. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

COMPREHENSIVE PLAN SUBCOMMITTEE

Mr. Jenaway reported on the Comprehensive Plan Subcommittee meeting which was held Tuesday night. He indicated there are two more districts to be reviewed at the May meeting after which the comprehensive plan will be ready for public review and comment on June 5th.

Mr. Philips asked if there will just be one public meeting. Mr. Jenaway responded it is his understanding there will be a public meeting after which the input would be received and modified and then followed by another meeting.

CHAIRMAN'S SCHEDULE

Mr. Philips stated he will be on active duty from May 20th until June 8th. Other schedules were discussed.

ADJOURNMENT:

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 9:47 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: