

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
MAY 4, 2017

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, May 4, 2017, 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 Philips, Greg Waks, Bill Jenaway, Erika Spott and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Sally Slook, Assistant Township Manager; John Walko, Solicitor's Office.

CHAIRMAN'S COMMENTS:

Chairman Jenaway indicated there was an Executive Session held prior to this meeting concerning litigation and personnel issues.

DISCUSSIONS:

PRESENTATION BY DCNR RE: REPORT ON THE EMERALD ASH BORER COMMUNITY TREE MANAGEMENT PLAN

Barley Van Clief, Chair, Shade Tree Commission, stated the township is working with Jacob Shultz, a forestry consultant and Heather E. Kerr, DCNR forest technician, to address the emerald ash borer (EAB) problem in Heuser Park at the Valley Forge West Trail.

Mr. Shultz, forestry consultant, provided an update since the last EAB presentation on the entrance of the emerald ash borer into Heuser Park and discussed options for dealing with the high number of ash trees in close proximity to the recreational trail and roadways. He said the goal is to remove the trees in the most practical and cost effective way to reduce risk of uncontrolled tree mortality. The consulting forester is developing a management plan and will present his findings to the Board of Supervisors at a future workshop. A PowerPoint was shown.

Mrs. Kenney asked if the EAB ever dies out. Mr. Shultz responded in the negative and said there are alternative hosts such as privets which also serve as a food source. He explained the EAB will cause mortality for ash trees but does not cause mortality for privets.

Utilizing the aerial, Mr. Shultz pointed out on a series of maps the areas along the trail that are forested, the ash density areas broken down by stand as part of the inventory, and the minimum harvest map.

Ms. Van Clief pointed out Stand 3 has 1,575 ash trees. Mr. Shultz mentioned Stand 3 is the berm along the composting area and is about 63% ash.

Mr. Shultz noted the property owned by the Norfolk Southern Railroad where a section borders on both sides of the trail. Ms. Van Clief commented she was in touch with the railroad and sent them some maps and they are aware of the EAB situation. The railroad representative expressed a willingness to walk the site with Ms. Van Clief and others to see the area firsthand.

Mr. Shultz discussed the pros and cons of various options including saw timber only removal, whole tree removal, reforestation or tree planting, bare-root or small containerized trees, large container/potted trees, very large container or ball and burlap trees, and invasive plant control. It was noted one vendor quoted a profit of \$15,000 the township would receive from the sale of saw timber. Another good feature of saw timber removal is that it does provide some soil erosion stabilization.

Mrs. Kenney asked if the \$15,000 profit would be from the green areas on the map. Mr. Shultz responded in the affirmative.

Mr. Kraynik asked if Mr. Shultz has seen municipalities bid that work out. Mr. Shultz responded in the affirmative. He said this is done to the extent possible depending on the option chosen and which contractor is available to do the specifications.

Mr. Shultz discussed whole-tree removal which is aesthetically more pleasing. Everything is either removed off site or chipped in place at about \$8,000 per acre. It was noted there are 20 acres involved.

Mr. Jenaway asked if stumps remain when chipping in place. Mr. Shultz responded in the affirmative.

Mr. Shultz discussed the options of reforestation or tree planting and pointed out examples on the aerial.

Mr. Shultz commented on invasive plant control which is necessary to protect newly planted trees. He pointed out currently non-native plants are at Heuser but they are under a forest canopy providing a lot of shade. Once the canopy is removed the invasive plants will take over. Mr. Shultz called attention to the areas at Heuser that are not ash dominated, but are invasive dominated.

Mr. Jenaway asked what kind of physical/mechanical challenges there

would be if nothing were done for two years. Mr. Shultz responded it will only get worse and more expensive.

Mr. Jenaway stated he raised that question since the Park and Recreation Master Plan has extensive development planned for that site and will be removing trees to do new park and recreation activities. He asked if replanting matters in view of some of the planned modifications. Mr. Shultz responded for any areas that are going to be bulldozed later there is no point in replacing trees. An unidentified member of the group said no matter what is done as far as development of Heuser in the future it would not be the areas on the backside of the berms where the trail is and where the majority of ash trees are located.

Mr. Shultz said it does not make sense to replant trees in the middle of the composting area since it is not a public area and the possibility of future development precludes the need for replanting. He said this was an area that was already discussed and excluded.

Mr. Waks stated whatever is done will be directly related to the future of Heuser Park.

Ms. Van Clief suggested delineating the areas that are likely to be developed into something else.

Mr. Jenaway recommended prioritizing according to the worst condition of the trees today.

Mr. Waks suggested accelerating the potential redevelopment because the trees have to come down sooner rather than later.

Mr. Shultz discussed the most cost effective invasive vine control strategy utilizing herbicide treatment (about \$100-\$200 per acre for a full year application). He pointed out mechanical removal of vines is costly.

Ms. Van Clief is asking if this [herbicide treatment] is recommended before logging. Mr. Shultz responded in the affirmative.

Mrs. Kenney asked if the trail would have to be closed while this work was being done. Mr. Shultz responded in the affirmative.

Ms. Van Clief said the trail would also have to be closed during the vine spraying which would occur before the logging. Ms. Van Clief asked if Mr. Shultz is suggesting the spraying occur in the fall. Mr. Shultz responded in the affirmative. He said that would be the ideal timing.

Mr. Waks asked how long the trail would have to be closed. Mr. Shultz responded it would depend on the type of logging and would range from 2-6

months.

Mr. Waks asked if it could coincide with the off season. Mr. Shultz responded the ideal time would be starting in October 2017 and 2018.

Mr. Jenaway mentioned if a COSTARS vendor would do the work it would not have to go out to bid, otherwise if the dollar value is at a certain level it would be necessary to go to bid. Mr. Kraynik commented this may be considered an emergency requiring special expertise in which case it would not have to go out to bid.

Mr. Kraynik recalled Mr. Shultz mentioned there are very few companies or vendors in this area that will entertain such a project. Mr. Shultz responded in the affirmative.

Mr. Waks noted the Shade Tree Commission applied for a BCA grant and if they are successful it would reduce the cost and possibly place this under the threshold required for a bid.

Mr. Kraynik suggested another alternative would be to do the work in phases and obtain three prices.

Mr. Shultz reiterated saw timber removal is making money – not cost.

Mrs. Kenney asked for clarification about some options for whole tree removal where there might be an opportunity for the township to realize some profit from the actual tree. Mr. Shultz responded different contractors have different options and in going out to bid there is good reason to explore the various options of different contractors and the capacity and limits of their equipment.

Mr. Shultz stated one saw timber quote provided the figure of \$15,000 the township would realize as profit which would be offset against \$8,000 per acre to do the chipping.

Mr. Walko mentioned another contractor could come in to do the chipping.

Mr. Jenaway stated the next step is to consider the development of a bid spec.

Mr. Shultz said it needs to be determined where to cut and what the township wants done in those areas. Ms. Van Clief mentioned whether or not it should be chipped.

Ms. Van Clief asked if it would make sense to do one type of cutting in certain areas and whole tree removal in other areas. Mr. Shultz responded in the

affirmative. He referred to the blue areas on the map where trees could be cut down and left in place and other areas could be prioritized according to established options.

Mr. Jenaway stated once the areas are prioritized staff will develop a spec in consultation with Mr. Shultz.

A question was asked from the audience about what happens to the wood chips. Mr. Shultz responded the \$8,000 quote per acre to chip was just to leave the chips in place in piles.

Ms. Kerr discussed possible grant opportunities for the township. Highlights as follows:

- USDA Natural Resources Conservation Service (NRCS) - Environmental Quality Incentive Program (EQIP) – would cover entire management plan area - \$20,000 maximum a year or \$80,000 over six years.
- Schuylkill River Restoration Fund (must be shovel ready) - \$20,000 to \$100,000 – 25% match. All projects must be completed by December 31, 2019.

Ms. Kerr pointed out all of these grants can be used to match each other.

- Department of Conservation and Natural Resources (DCNR) – buffer grant – minimum grant awarded is \$50,000 with a 50% match – four year program – must be shovel ready.
- TreeVitalize Watershed Grant Program – 25% match required – can use match from other grants.

Mr. Jenaway stated there is a process for development of a plan to move forward on this.

MONTGOMERY COUNTY CHESTER VALLEY TRAIL EXTENSION PROJECT – BRIEFING AND LOCAL ROAD INVOLVEMENT

Mr. Henry Stroud, AICP, Trail Program Manager, Montgomery County Planning Commission, provided an update on the Chester Valley Trail Extension project which currently runs from Exton in Chester to the King of Prussia Mall area in Montgomery County. He stated the goal of this project is to connect the trail from its terminus at the King of Prussia Mall to the Schuylkill River Trail in Norristown. These trails will be connecting at a location in Norristown where the County is also developing a large modern trail head. It was noted this new trail junction center is an adaptive use of an old building. The county views this as their highest priority trail project for the county.

Mr. Stroud indicated the Chester Valley Trail has been the second most used trail in the region (number one is the Schuylkill River Trail) and is anticipated to be a not only major recreation route but also a very important commuter route for the region as well.

Mr. Stroud provided an overview of the trail corridor extension route from the King of Prussia mall into downtown Norristown.

Mr. Stroud noted Boles Smyth Associates is the county's primary consultant. It was noted the county has acquired the majority of the right-of-way necessary for this trail project which was previously was one of the major obstacles in designing and developing the trail system. It is anticipated the trail extension design and engineering phase will be completed by July 2018. The goal is to release the bid in August 2018 with a 2-2 ½ year construction and completion of the project the end of 2020.

In terms of funding, any remaining right-of-way acquisition as well as 100% of construction are funded. Approximately \$12 million has been allocated on the Transportation Improvement Program (TIP) through DVRPC with funding coming from the Federal Highway Administration's Congestion Mitigation and Air Quality Programs.

Jack Smyth, Boles Smyth Associates, walked everyone through the trail corridor in detail and discussed some of the design considerations throughout the trail corridor. A pictorial PowerPoint was shown featuring the following highlights:

- The first part of the trail begins at the Bill Smith Park and Ride where the current trail ends and from there the trail will extend over South Gulph Road. (photo shows the rail line bridge over South Gulph Road). The superstructure for the trail can be placed on top of the abutments.
- The trail then dips down and goes past the relocated King of Prussia Inn and across Bill Smith Boulevard. The crossing at Bill Smith Boulevard would be a mid-block crossing with a Rapid Flashing Beacon at which point the trail would proceed into the Peco corridor. The agreement states the trail would have to be outside of a certain distance of the Peco towers.
- In going through the Peco right-of-way the trail will come to the Abrams culvert. Mr. Smyth noted this is an area requiring coordination with the township since the culvert serves as the emergency access from Hansen Access Road to the apartment complex.
- The trail will be placed directly on top of the culvert which will be paved with asphalt.

Mr. Philips asked if any contact was made with the Chamber of Commerce since the trail will pass the King of Prussia Inn. Mr. Stroud responded to the best of his knowledge the county to date has not had any

communication with the Chamber, but will do so.

Mr. Jenaway noted the emergency access to Abrams Run Apartments has been used on three occasions. Mr. Smyth commented it is planned to make sure emergency access is provided while not promoting illegal use of that area.

Trail highlights continued:

- At Hansen Access Road, keeping the trail between the turnpike and the roadway was the option that was selected because there are no driveways
- Mr. Smyth pointed out the area on Hansen Access Road to be reconstructed and made into a two-lane, 26 foot roadway curved on either side. It was noted there is currently no drainage and curved roadway drainage would be introduced along Hansen Access Road.
- The 10 foot trail would be placed in the area between the turnpike right-of-way fence and the current road. It was noted while the trail is typically 12 feet it is possible to go to 10 feet as a minimum because of the constrained area. Adjacent to the 10 foot trail will be a 3 foot buffer with a railing and then a 13 foot travel lane in each direction.
- Property owners were contacted and there were no issues with not being able to park on Hansen Access Road. They wanted to make sure their trucks would be able to get in and out. It was noted they were not successful in reaching one property owner.
- From Hansen Access the trail will cross over Henderson Road more than likely via a steel truss bridge. It was noted other options might be possible during the Type, Size and Location process
- Once coming over Henderson Road the trail will dip down to get underneath the turnpike overpass.

Mr. Waks asked if there is certainty that PennDOT will approve the bridge over a state road. Mr. Smyth responded in the affirmative. Mr. Stroud commented as part of this project the county has a designated coordinator at DVRPC who is liaison between PennDOT and local and county governments for this project. He said there is almost daily interaction with him and thus far they have given every indication they are in support of this concept.

In response to an additional question by Mr. Waks, Mr. Smyth responded there will be a safety review as part of the PennDOT process which takes sight lines and everything from a safety perspective of design into consideration. It was noted all the PennDOT standards for this bridge have been met.

Mr. Waks said the reason why he asked about this is he always heard or thought that PennDOT would be extremely reluctant to support a bridge over a major state road. He said there are other major state roads in Upper Merion Township that could be linked to trails. Mr. Smyth responded PennDOT supports

the purpose and need for the trail project and this is going through the NEBA environmental process. Once the need was approved safety became an issue since pedestrians cannot cross safely from Hansen Access Road at grade. It was noted South Gulph Road is in the same situation. It is a state route and a superstructure will be placed on top. The structures are going to be county owned and maintained.

Trail highlights continue:

- Coming down through the East Penn Railroad property to Saulin Boulevard at the 90 degree bend there will be another mid-block crossing with a Rapid Flashing Beacon.
- The trail route would continue down along the side of Saulin Boulevard on the Henderson Square side which would follow down to the US 202 intersection.
- It is proposed to reconfigure Saulin Boulevard so that it comes in closer to the trail location and provides a better Saulin Boulevard entrance onto 202.

Mr. Smyth discussed the Upper Merion Township Transportation Authority objective for the Prince Frederick Extension. He stated the importance of making sure the Prince Frederick Extension and the Chester Valley Trail go hand in hand throughout the process recognizing they are on different timelines but making sure the designs are done together.

Trail highlights continued:

- After crossing US 202 the trail follows through the old East Penn Railroad area over the Borough Line Bridge and into Bridgeport along Ross Road.

Mrs. Kenney asked how pedestrians get across US 202. Mr. Smyth responded it would be at the signalized intersection, through the crosswalk area at grade with pedestrian signals and push buttons. Mr. Stroud commented the reason there is a crossing at this location is because of the signalized intersection. He pointed out the Henderson Road location does not warrant a signal and for this reason it will be necessary to cross over on the structure for safety reasons.

Trail highlights continued:

- Once the trail gets down to Ross Road there will be a final mid-block crossing on Ross Road to continue down to DeKalb Street in Bridgeport. At that point the trail becomes a side path along DeKalb Street over 4th Street on the existing sidewalk area, and over the DeKalb Street Bridge into Norristown where it will connect with the Schuylkill River Trail.

Mr. Philips asked for more details about the trail head. Mr. Stroud said he would email some conceptual designs. He indicated it is currently an industrial building located at the corner of DeKalb and Lafayette Streets used by the Roads and Bridges Department where snow plows and salt are stored. The building will be redeveloped into an open floor plan, possibly have a vendor, as well as bathrooms and bike facilities. Mr. Stroud said a lot of the site work is being done as part of the Lafayette Street Extension project.

Mr. Smyth stated this project is currently in preliminary engineering. The next milestone is the PennDOT safety review. It was noted the county has placed a high priority on this project with an aggressive schedule to begin construction by August of next year.

Mrs. Kenney asked about the length of the trail extension. Mr. Smyth responded it is almost four miles from Bill Smith Park and Ride into Norristown.

Mrs. Kenney asked if it was going to be an asphalt trail. Mr. Stroud responded in the affirmative. He said the trail would be 10-12 feet wide asphalt. Mr. Smyth commented the only time it would not be asphalt is going over a structure at which point it would be concrete.

JOHNSON DEVELOPMENT ASSOCIATES, INC. DEVELOPMENT PLAN. S. HENDERSON AND SHOEMAKERROADS, 4-STORY, 120,000 SF SELF-STORAGE BUILDING. 3.34 ACRES, LI-LIMITED INDUSTRIAL *Plan Expiration: 5/31/17*

Mr. Rob Loeper, Township Planner, provided an overview of the proposed development plan for the property at South Henderson and Shoemaker Roads. The applicant proposes to build a four-story, 120,000 square foot self-contained storage warehouse. All access will be off of Shoemaker Road through an easement.

Mr. Loeper stated the big issue discussed at the March workshop meeting was providing full pedestrian access. At that time there were difficulties discussed in providing access because of a very large culvert with a guiderail. PennDOT informed the applicant they could not cut through the guiderail since it would create a safety hazard and require a lot of structural reinforcement of the guiderail with collapsible steel.

Mr. Loeper reported on the meeting at PennDOT, District 6, he attended with the applicant. One of the options discussed was to move the guiderail back away from the road; however, that would require changing the curbing. Another problem at this location is a sewer manhole raised above the ground that would further encumber a sidewalk.

Mr. Loeper pointed out a sidewalk currently exists along Shoemaker Road

down to the corner of Henderson Road. The applicant proposes a new sidewalk to go along the Henderson Road property and at a certain point turn and come through the property to tie in with the sidewalk on Shoemaker Road. This option provides the same benefit of providing a complete sidewalk connection; however, while this may be a slight inconvenience to some it seems to be a reasonable solution.

Mr. Loeper commented the guiderail serves to keep cars from going off the road and into a hazardous area. It was noted at this location the culvert has a 10 foot drop.

Mr. Philips asked if there were any elevations. Mr. Loeper responded in the affirmative and utilizing the aerial he highlighted the views from various vantage points.

Mr. Loeper mentioned every user will have coded keys to get to the floor of their designated unit. They would not have access to the entire building.

Mr. Waks asked if the planning commission has seen the revised plan. Mr. Loeper responded in the negative.

Mr. Jenaway noted the proposed building will be 45 or 46 feet in height and will change the look and feel to that intersection.

Mrs. Kenney asked about the buffering from Henderson and Shoemaker. Mr. Loeper responded there is a fair amount of landscaping that will go onto the site and most of it is along the perimeter. It was noted by the applicant's representative there are significant berms in ground around the site which provide additional screening.

An unidentified representative of the applicant noted there is an existing substantial grouping of trees near the culvert in a wetland area which will remain and obscure some of the view at the intersection.

Mr. Jenaway said he noticed drilling rigs in the location for a period of time and asked for more clarification about their purpose. Response: This was for measuring the rate of water taken down into the ground to be utilized for stormwater calculations and is part of the supporting information needed for the NPDES permit. The applicant met with the Conservation District and DEP about what is being proposed and type of drainage facility. It was noted they are 100% "on board" with what is being proposed given the conditions of the site, not only dealing with the karst region and the potential for sinkholes but the fact that this site has fill material. For these reasons it is better to put the water as deep as possible.

Mr. Jenaway commented the site was filled with trash over the years; he is

assuming that is stabilized to the point where it will not create any type of subsidence issues. Response: there will be deep pile foundations that would be keyed down to solid rock below. Part of what has to be done is utilize as much of the variable fill as possible because if it is transported it has to be handled in a certain manner.

Mr. Waks stated he wants to hear what the planning commission has to say about this revised plan. Mr. Loeper indicated the applicant will meet with the planning commission next week.

BPGS CONSTRUCTION DEVELOPMENT PLAN, 260 MALL BOULEVARD.
DEMOLISH EXISTING LA FITNESS CENTER AND CONSTRUCT A 9,970 SF
RESTAURANT, 9.53 ACRES – GC GENERAL COMMERCIAL *Plan Expiration:*
5/18/17

Mr. Loeper discussed the proposal to demolish the four-story LA Fitness building and construct a one-story J. Alexander's restaurant on Mall Boulevard adjacent to the Toys "R" Us driveway. There will be a new connection to the Toys "R" Us driveway and internal connections with the Crowne Plaza and the Fairfield Inn.

Mr. Loeper stated at the last workshop meeting the issue was raised concerning pedestrian crossings on Mall Boulevard and since then staff has spent a great deal of time in discussions with the applicant, McMahon Associates (the township's transportation engineer), the applicant's engineers and the Upper Merion Township Police Chief, Tom Nolan. Chief Nolan has issued a report and this matter was also discussed at the Chairman's meeting at length over the various pros and cons of what could and could not be done.

Chief Nolan stated the biggest concern is there are people illegally crossing (jaywalking) that area of Mall Boulevard creating a dangerous situation, especially at night. This has been an ongoing problem which the police department has tried to address with "no pedestrian" signage and additional signs directing pedestrians to the appropriate signalized crosswalks to the left or right which are .2 miles away (about 1,000 feet) in both cases. In addition, the community response officer has met with the representatives from the Hyatt House, Fairfield Inn, Crowne Plaza, Joe's Crab Shack, and Capital Grille to encourage them to remind their patrons and workers not to jaywalk in that location. The Fairfield Inn and Crowne Plaza distribute flyers to patrons who want to go to the mall informing them a shuttle service is available. People continue to jaywalk regularly and it is still a concern.

Chief Nolan indicated there was an idea suggested for a crosswalk. While Mall Boulevard is a township road a PennDOT permit would be needed for a signalized (mid-block) crosswalk and the township would not meet the required warrants for another signal at that location. It was noted crosswalks are safest

when at a signalized intersection.

Another encumbering issue on the mall side is it is curbed and there is nothing to receive a crosswalk.

Chief Nolan recalled many years ago there was an issue at the Plaza with people parking and crossing the street to go to the fitness center. Bushes and shrubs were planted to try to deter people from crossing and security guards were stationed to stop people from parking their cars.

Chief Nolan mentioned Simon might have some upcoming plans for a restaurant on their side of that road. It is just in the idea stage at this point, but that would potentially be another issue to consider.

Chief Nolan said the department's concern is that a crosswalk would not increase the safety at that location with five lanes of traffic in a 40 miles an hour zone with other vehicles turning in and out of Toys "R" Us, Joe's Crab Shack and Hyatt House. Another consideration is the crosswalk would be between two curves.

Another issue to consider is that Simon has provided the police department with a plan showing internal work they have already done to connect some sidewalks inside the Plaza parking lot area to the legal and safer crosswalks at the signalized intersection. If a new crosswalk were to be placed in this area it would not match up with the other sidewalks and would be right in the middle of the parking lot.

Chief Nolan stated the best solution is something that physically deters people from crossing, for example, have the Plaza put up a fence from the Atrium entrance all the way down to the Wills Boulevard entrance to prevent people from cutting across. It was noted many people get off the SEPTA bus and go across to a closer entrance rather than riding the SEPTA bus into the transit center and walking in from there. This dangerous maneuver saves them a couple hundred feet. There are also people leaving hotels who ignore the directions of the hotel and cross the street to shop at the mall. A physical barrier would prevent that option for pedestrians.

The option of a bridge over Mall Boulevard would be cost prohibitive.

Chief Nolan stated the police department will push for more signage and is in the process of doing a public service announcement to discourage jaywalking in general in the township.

It was noted one area that has used a physical barrier successfully is the Valley Forge Shopping Center. The fence along US 202 at Town Center forces pedestrians to use the crosswalks.

The police department could also increase their efforts in communicating that citations will be issued if jaywalking continues.

Mr. Loeper stated Greg Richardson from Traffic, Planning and Design (TPD) did the traffic study for J. Alexander's which resulted in a total of 5 pedestrians during the count period.

Mr. Loeper noted Bill Jackson who was Vice President for Simon has retired. Mr. Loeper and Mr. Kraynik will be meeting shortly with Mr. Jackson's replacement and they will be discussing some of the mall's upcoming plans.

Mr. Loeper indicated PennDOT would require certain studies and would have to meet certain requirements to install any kind of device in the area.

Mrs. Spott asked what the developer has done since the last meeting. Chief Nolan responded they met with him at the site and came to the police station and met with Mr. Loeper.

John Ambrose, BPGS Construction, stated he has been working with staff to complement their efforts. He said he investigated if there was a shuttle service from the hotels and made sure his traffic engineer coordinated with township staff and his counsel coordinated with the solicitor in a collaborative effort.

Mrs. Spott emphasized more should have been done to secure a commitment from Simon to do something.

Debra Shulski, applicant's attorney, indicated she spoke with Denise Yarnoff who was not aware of this particular issue. The issue that has been raised in the past was the issue with the Atrium.

Mr. Ambrose stated the applicant would be willing to commit dollars in escrow over some period of time to ensure this situation can be addressed.

Mr. Philips asked for clarification on the traffic study that was done. Mr. Richardson responded the study was done during one peak hour – 60 minute period on Friday from 4-6 p.m. and mid-day Saturday. There were more than 5 people during the two-hour periods, but the maximum in a 1 hour period was 5.

Mr. Jenaway asked if the people were coming from the bus, hotels or someplace else. Mr. Richardson responded it was probably a mixture, but from what they could tell it was mainly from the bus stop.

Mr. Philips stated he observed the signs in the middle of this median are not perpendicular to the traffic but facing toward what would be the pedestrian crossing. He provided his reasons why the signs are ineffective and could be

improved. He also mentioned the sight visibility issue on the curve. Mr. Richardson commented there are some first steps that could be taken to improve signage and provide additional signage for traffic such as “watch pedestrians” and something similar to what is in school zones.

Mrs. Spott pointed out none of those signs are lit and the area in question is a very dark area with no street lights at all. She mentioned the email sent to her colleagues about lighted crosswalks.

A discussion followed during which the supervisors exchanged ideas about a signalized crosswalk, rapid flashing beacon, decorative fencing, and talking to SEPTA about the bus stop immediately before the transit center bus stop. Mr. Jenaway suggested moving the bus stop to the Atrium which would eliminate 90% of the problem and a physical barrier to eliminate the rest. Mr. Jenaway stated if Simon is going to put another restaurant in that area it raises another consideration about the planning of those pad spaces and what other impacts will be created with regard to the internal roadway movement and sidewalk connections.

Mr. Jenaway emphasized the importance of having Simon be part of the discussion since their public safety staff could do more to help limit people crossing the street and going through that area.

Mr. Philips stated the applicant has indicated a willingness to consider an escrow agreement. Mr. Walko indicated it could be made part of the improvements escrow and some additional language could be drafted.

Mr. Philips suggested having the township’s traffic engineer, McMahon Associates, do a traffic and pedestrian count and come up with a recommendation as to whether a crosswalk in that location makes sense or not.

Mrs. Kenney asked if there is any possibility of reducing the 40 mile an hour speed limit on Mall Boulevard to increase the possibility of a crosswalk with lighting. Chief Nolan responded it would first need an engineering study.

Mrs. Kenney asked if that could be part of this overall review and possibly part of the solution.

A discussion followed about the practical reality of people ignoring speed limits and crosswalks.

Mrs. Kenney asked about street lights since it is such a dark area. Chief Nolan said from the police perspective they are in total support of better lighting so pedestrians can see “no pedestrian” signs and the fence.

Mr. Philips emphasized the need for the applicant to have a discussion

with Simon's counsel. Ms. Shulski responded when the mall connector was approved in 2013, Simon did a pedestrian plan. She said when they come in with the next site plan they will revisit that plan in conjunction with future plans.

For purposes of drafting the resolution, Mr. Walko asked what condition(s) the Board would like to see as part of the approval. Mr. Philips responded the applicant has already agreed to an escrow, and the only question is how much. Mr. Walko commented he would have it drafted according to the recommendation of the township engineer. He said it would not have exact numbers and keep it open and also contingent upon a crosswalk being built or whatever the solution would be.

Mr. Philips asked about streetscape lighting. Mr. Ambrose responded the applicant has not considered it, but if it is part of what the value of the escrow is then he would be fine with it.

Mr. Philips stated one of the considerations discussed tonight was improving the lighting on the site and street lighting could be another condition.

Mr. Ambrose said that [lighting] is an option but it is not limitless and has to be reasonable, fair and prudent. He said he does not know what is permissible or the constraints from a building perspective that would allow lighting. Mr. Ambrose said he would explore this and be prepared to talk about it.

Mr. Philips asked if the applicant could provide lighting on top of the retaining wall. Mr. Ambrose responded it could be a function of lumens and asked about the expectation of brightness at the sidewalk for this particular area since that would define the lamp and number of lights. Mr. Philips indicated the applicant could work with the township planner.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 10:24 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: