

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
WORKSHOP MEETING  
February 4, 2021

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, February 4, 2021, in the Township Building. The meeting was called to order at 6:38 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Bill Jenaway, Carole Kenney, Tina Garzillo, Greg Waks and Greg Philips. Also present were: Anthony Hamaday, Township Manager; Joe McGrory, Township Solicitor; and Leanna Colubriale, Township Engineer.

CHAIRPERSON'S COMMENTS:

Chairperson Jenaway informed the public that the Board met in executive session prior to the meeting to discuss real estate and personnel matters.

DISCUSSIONS:

Contract Management Services Agreement with the King of Prussia Business Improvement District (KOP BID) for Phase 2 & 3 of the First Ave Linear Park Project.

Mr. Hamaday informed the Board that the township and the KOP BID have submitted a DCED Multimodal Transportation Fund Grant for Phase 2 & 3 of the Linear Park project on First Avenue. As with Phase 1, the BID would administer the grant and oversee the project and a requirement of the Grant, if awarded, would be a formal agreement between the Township and the BID to manage the bidding and construction project for the Township. Mr. Hamaday indicated that such an agreement was entered into for Phase 1 and asked the Board to consider acting to approve the agreement so it could be included in the grant application documents.

Mr. Phillip, made a motion, seconded by Mrs. Kenney to approve a contract management Services agreement with the KOP Bid for the bidding and construction of the Linear Park Project Phase 2 & 3. Motion carried 5-0

DeKalb Street Sidewalk Project Update and Contract Payment Request.

Mr. Hamaday provided an update on the Dekalb Street Sidewalk project and indicated that the project is almost complete. Mr. Hamaday informed the Board that the handicapped ramp connection to Saulin Boulevard was removed from the contract and would be completed as part of the Chester Valley trail. Mr. Hamaday indicated that the contractor, Marino Corp, has submitted a request for payment in the amount of \$60,920.32 and requested the Board consider taking action on the request.

Mr. Waks made a motion, seconded by Mr. Phillips, to approve the contract payment to the Marino Corp, in the amount of \$60,920.32 for work completed to date on the Dekalb Street Sidewalk Project

UDR Development, 751 Vandenburg Road, Conditional Use Approval conditions.

Ms. Denise Yarnoff, Attorney for the property owner, UDR, presented a request the removal of a condition on the property as part Conditional Use Approval requiring up to 2,200 sq. ft. of commercial/retail use within the residential apartment building. Ms. Yarnoff indicated that for the last four years, both the former and current owner's attempts to lease the space to a commercial tenant have been unsuccessful. She indicated that the current amenities in the complex such as a coffee bar and concierge service deter any type of food service or café type tenant. Ms. Yarnoff informed the Board that the applicant has submitted a new Conditional Use request to remove the condition and allow the first-floor space to be converted to 2 small apartments

During the discussions, the Supervisors questioned the attempts to lease the space and suggested that the purpose of the retail space was not just for tenants of the building but was also to be accessible to surrounding businesses. The Board ask Ms. Yarnoff and UDR to survey surround businesses that could easily access any retail tenant and again attempt to lease the space before the Board would entertain any action on the request. Ms. Yarnoff indicated that she would discuss with UDR and granted the Board an extension of time to hear the Conditional Use application.

1266 & 1272 Gulph Creek Lane Subdivision

Mr. Hamaday reviewed for the Board the proposed subdivision which proposes a minor lot line change to allow the transfer of a portion of 1266 Gulph Creek Lane containing a of tennis court to 1272 Gulph Creek Lane. There would be no physical improvements made to either property. The Supervisors had no objection and Mr. Hamaday indicated that the final plan would be on their February Business meeting agenda for approval.

Proposed Zoning Map Amendment – DeKalb Pike and Saulin Blvd.

Mr. Dick McBride, attorney representing the property owner, Glasgow Inc, requested that Board consider Glasgow's request to rezoning the existing 10.31-acre HI, Heavy Industrial tract to CG, General Commercial. Mr. McBride indicated that the heavy industrial use in that location is not appropriate since the remainder of the former Glasgow tract was rezoned to residential and is being developed with single family dwellings and townhomes. He also indicated that a Heavy Industrial use would be inappropriate now that the new Prince Frederick Boulevard and extension of the Chester Valley Trail run adjacent to the property. He indicated that retail and restaurant use would be complementary to the residential development as well as users of the trail.

The Board was concerned about changing the property to commercial and what impact doing so would have on existing tenant spaces along Dekalb Pike and the surrounding shopping centers. The Board suggested that more appropriate uses could be medical and educational uses for the property. Mr. McBride informed the Board that he would discuss their suggestions with his client and return with more information at a future meeting.

### Proposed Zoning Text Amendment –R3A height restrictions

Mr. Dick McBride, representing Toll Bros on the Stonebridge Development, asked the Board to consider a proposed zoning amendment for height in the R3 District to allow homes with slab on grade foundations to exceed the maximum 35-foot height requirement. He indicated that the proposed townhouse model Toll Bros is proposing for the development would exceed the height requirement by about 5 feet to the peak of the roof. The attic area would not be habitable space and asked that peaked roofs be excluded from height calculation. Mr. McBride indicated that some municipalities measure height from an average grade to a midpoint between the peak and eave, which would allow Toll Bros to build their townhouse model. Mr. McBride indicated that otherwise, the models would have very low roof slopes. The Board question Mr. McBride on why this issue was not brought up during the land development application for the proposed development and why Toll couldn't modify the townhouses to comply. Mr. McBride indicated that he would review the plans for the townhouses with Toll and meet with the staff to discuss options before returning with his request to the Board.

### Proposed Zoning Map Amendment – GEI Corp., 450 E. Valley Forge Road.

Mr. John Maida, attorney representing GEI Corp, outlined for the Board a request for the proposed rezoning of 4 parcels at 450 E. Valley Road from the HI Heavy Industrial District to the R-3A Residential District to allow for a residential development consisting of townhouse and multi-family units. Mr. Maida indicated that the property is currently used for a clean fill landfill and his client is looking to develop residentially. The owners engineer, Mr. Paul Hughes P.E., provided an overview of a potential townhouse development that would contain approximately 198 units and 2 entrance/exits to Valley Forge Road. He indicated that the site is constrained by a natural gas pipeline as well as PECO High Transmission power lines. The Board had significant concerns regarding not only the proposed zoning change to R#A but also potential spot zoning issues since the surrounding areas are zoned R-2. The Board suggested that Mr. Maida consider R-3 instead and possible adding some single-family dwelling as part of the development. Mr. Maida indicated that they would review the comments but that the R3A and townhouse are the financially viable option or the owner would sell the property to a potential buyer who would continue the current landfill operations.

### Public Meeting Rules and Regulations Discussion.

Mr. Hamaday distributed some draft meeting procedures he put together to establish rules and procedures for the conduct of Board meetings to promote effective and efficient meetings as well encourage meaningful and orderly citizen input. The Board discussed and agreed that meetings need to follow some type of procedure. Mr. Jenaway suggested that the Board wait and see if there would be any guidance from the State or PSATS at the upcoming conference in response to how meeting are being conducted as a result of the COVID-19 Pandemic.

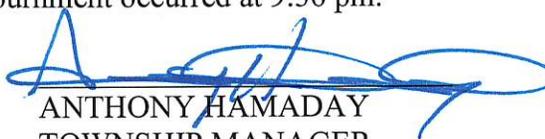
Business Meeting Agenda Review

Mr. Hamaday, Township Manager, reviewed the draft agenda for the upcoming February 18, 2021 Business Meeting.

ADJOURNMENT:

Board Action:

It was moved by Mrs. Kenney, seconded by Mr. Waks, all voting "Aye" to adjourn the meeting. None opposed. Adjournment occurred at 9:36 pm.

  
ANTHONY HAMADAY  
TOWNSHIP MANAGER

cd

Minutes Approved:

Minutes Entered: