

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
MAY 5, 2016

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, May 5, 2016, in the Township Building. The meeting was called to order at 7:32 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Erika Spott and Carole Kenney. Also present were: Dave Kraynik, Township Manager; John Walko, Solicitor's Office; Rob Loeper, Township Planner; Kyle Brown, Associate Township Planner. Supervisor Bill Jenaway was absent.

CHAIRMAN'S COMMENTS:

Vice Chairperson Waks reported a Zoning Workshop meeting was held prior to this meeting and a brief Executive Session was held to discuss pension litigation.

DISCUSSIONS:

SIMON – AMENDMENT TO SIGN CODE FOR REGIONAL SHOPPING CENTER TO PERMIT LARGE ARCHITECTURAL BANNER SIGNS ON BUILDING FAÇADE

Denise Yarnoff, Esq., representing Simon Property Group, stated at the February workshop meeting a discussion was held with regard to the large expansions of walls in the rear of the mall which could accommodate an artistic design element. The discussion focused on the possibility of an amendment to the Regional Shopping Center Sign Code to allow for a large architectural banner sign on the rear wall. Following the workshop meeting Mr. Walko drafted some changes to the ordinance based upon those discussions. Ms. Yarnoff stated designers at Simon have been studying this very carefully and consistent with what they are doing at all upscale malls around the country they would like the ability to create some aesthetically pleasing graphic element banner signs.

Chip Harding, Senior Vice President, Simon Property Group, stated when the connector opens in the fall the King of Prussia Mall will be the largest mall in the country. He said the exterior graphics program is one of Simon's transformational projects intended to bring the personality of the mall to the outside. It also serves to create opportunities for the tenants and brands they sell to present themselves to the shoppers in a manner that coincides with the retail

seasonal calendar. The graphics elements are designed for shoppers as they are reaching the last 100 feet on their way to make purchase decisions.

Mr. Harding provided additional descriptive details about the graphics and indicated they would be completely enclosed in a stainless steel frame. The lighting behind the graphic would be displayed at 350 nits that would shine through the vinyl in a subdued manner with a touch of illumination. Mr. Harding's presentation included samples of the graphic element banner system that is proposed for the Mall Boulevard side of the building.

Following up on a request made at the previous workshop meeting, Ms. Yarnoff indicated she spoke with Police Chief Tom Nolan and Sgt. Allan Elverson, Traffic Safety about the safety issues raised at the workshop meeting about the proposed sign under the building along Mall Boulevard. Ms. Yarnoff said she received an email from the police department indicating everything was fine.

Mr. Philips asked about the size of the signs. Mr. Harding responded there are five proposed locations for the signs at the back of the mall (not US 202 side), two of them are 30 foot square, the other two are slightly smaller and the sign underneath the building is significantly smaller.

Mrs. Kenney said she still has a problem with the sign underneath the building and believes it would be a distraction for drivers.

Ms. Yarnoff stated the ordinance was designed so that the signs would be visible from the mall property as one approaches the mall. The signs would not be visible from any major roadway. It is meant to create more excitement and personality for people who are coming to mall.

Mrs. Kenney commented she thought the back façade looked nice as is. She said she would prefer seeing outdoor seating or other inviting amenities from the outside rather than a big "billboard." Ms. Yarnoff responded the front of the building allows for outdoor seating, but the back does not have that same opportunity.

A discussion ensued as Mr. Harding went through the proposed locations shown on the screen.

Mrs. Spott asked if the King of Prussia Mall is the only place that has a regional shopping center definition. Mr. Walko responded in the affirmative. Mr. Waks pointed out anyone can ask for anything at any time.

Mr. Kraynik wondered about the reaction of people at the hotel who would see the glow of the signs at night. Mr. Harding responded it would not be like a beacon. He said it is a very subtle light behind the vinyl to provide enough

luminosity to give it some brightness.

Mr. Philips suggested having a maximum nit number such as 350 nits maximum. Mr. Harding said that could be done if there is any concern.

In response to Mr. Philips question about third parties, Ms. Yarnoff responded the language specifically says, “advertising the shopping center or tenants and their products and merchandise.” She said the language is very careful in what is allowed.

Ms. Yarnoff clarified that she originally indicated the sign would change seasonally which she understood to mean four times a year – four seasons. However, retail seasonal is a different concept.

Ms. Yarnoff indicated one of the issues that came up at the last meeting was content. She said as the examples indicated these are mostly picture graphics, but there are occasions where there could be some associated words; however, it would never be anything like “clearance sale.”

Mr. Waks said he is skeptical about the entire concept.

Mrs. Spott commented her concern is that she did not want to see this throughout the township.

Mrs. Kenney asked how a regional shopping center is defined. Mr. Loeper responded it has to be 125 acres.

A discussion followed about other areas where people might want to do this elsewhere.

Ms. Yarnoff stated this is just an informal discussion and the next step would be to submit an application.

Mr. Waks said there is no consensus among the Board of Supervisors, but if the applicant wishes to get started and pursue this further, they should submit an application.

LOSTY SUBDIVISION PLAN; 231 MATSONFORD ROAD; 10.35 ACRES, 7 RESIDENTIAL LOTS (1 EXISTING), AND 3.26 ACRES OF OPEN SPACE. R-1A SINGLE FAMILY CLUSTER OVERLAY

Mr. Rob Loeper, Township Planner, stated the 10.35 acre property is located on Matsonford Road and the existing dwelling is occupied by the Mr. and Mrs. Losty. The proposal is to subdivide the property into seven single family lots. The Losty’s will retain 2.87 acres and the existing dwelling which is a revolutionary period dwelling. The 3.26 acreage in the back contains the creek

and wetland areas and will be open space. The remaining 4.22 acres will be divided into six lots for single family residential dwellings. There will be a cul-de-sac off of Matsonford Road to provide access to all of the dwellings.

There is an agreement dating back to 2004 where certain properties including these properties have sewage flows going to Lower Merion rather than Upper Merion. In order to tie into Upper Merion it would be necessary to disturb part of the wetland area for piping.

Mr. Loeper indicated this is the second version of the plan. Remington Vernick Beach has issued a letter raising some issues for Czop Specter. The plan has since been revised.

The stormwater flows for this subdivision go back to the wetland area and then goes off into the stream. A waiver is being requested concerning how the stormwater management is designed in terms of one of the standards concerning the two year storm.

This plan has gone before the Planning Commission meeting with several neighbors in attendance. Some of the neighbors raised some issues concerning buffering. The new plan provides for some additional buffering.

Since this will be a cluster it will require conditional use approval. Many people do not understand how the cluster is handled. Mr. Loeper explained certain areas of the property such as wetlands, steep slopes are subtracted from the entire property, the balance of the property is divided by the underlying lot size and that determines the total number of lots allowed. Clusters have distance separations between buildings and distances from the street. Mr. Loeper pointed out the property is also bisected by a creek. Since Matsonford is a state road a PennDOT permit is required. Czop Specter has met with PennDOT to ensure the road location will meet all PennDOT requirements.

Mrs. Spott asked about the lot and parcel size. Mr. Loeper responded from just under 15,000 square feet to 31,000 square feet with the exception of the property the Losty's will be retain which is 2.87 acres.

Mr. Waks asked about the home size. Mr. Mark Bosler, Czop Specter, responded the homes will be 3,000 square feet or smaller.

Mr. Bosler said even though lots are relatively small at 4/10 of an acre the building envelopes will accommodate 80 feet in width and the depth of the building envelope is closer to 90 feet.

Mr. Bosler described other features of the site. It was noted the cluster has been encouraged to preserve the open space. There will be about 3 ¼ acres of designated open space, including a detention basin which will actually

be a rain garden. Mr. Bosler said he is still working with Remington Vernick, but the applicant's goal is to do a green project with no stormwater piping to maintain and no end walls.

Mr. Philips asked for more details about the plantings near the spillways. Mr. Bosler responded beyond the basin it will be natural. The basin itself will require some wetland vegetation. Mr. Losty said there is a bird sanctuary and it will be untouched with a lot of river birch. Mr. Bosler pointed out there is also a good size existing pond in the back corner which remains intentionally undisturbed. This is an added feature they did not count toward their detention area. It will deter water coming down the south property line.

Mr. Bosler said the Losty's will retain almost three acres. He pointed out this is a 10-acre property and they are only disturbing 4.2 acres which includes the basin area which is the beauty of the cluster.

Mr. Loeper stated the plan does not show a sidewalk on Matsonford Road. He said there was a lively discussion in the planning commission with the neighbors as to whether there should be a sidewalk on Matsonford Road or not.

As one who has walked and biked Matsonford Road many times, Mr. Waks said Matsonford Road could really use a sidewalk, particularly since it is close to the train station. Mr. Loeper said the neighbors were split on this issue. Some felt a sidewalk should go in and others felt putting in a sidewalk would destroy the street view. Mr. Losty expressed the view that a sidewalk would not work in front of their property. He also said having a sidewalk for 100 yards presents a danger when the sidewalk ends.

Mr. Philips asked who is going to control the open area. Mr. Losty responded the Homeowners Association. Mr. Bosler said the Homeowners Association will be responsible for that as well as the basin and buffering.

Mr. Philips asked if the Losty's will be joining the Homeowners Association. Mr. Losty responded he has not thought about that. Mr. Bosler said if it is proposed, it would strictly be lots 2 through 6.

Mr. Waks asked what other issues came up during the Planning Commission meeting. Mr. Loeper responded the main issues were sidewalks and buffering. The planning commission members and public were evenly split on the benefits of a sidewalk.

Mr. Bosler said since it is a PennDOT street it would be difficult to put in a sidewalk which would necessitate widening the road and installing curbing. He said there is a steep bank along there as well as walls and the culvert over the tributary.

Mr. Waks asked if the planning commission has issued a recommendation. Mr. Loeper responded in the negative. He said they have to discuss this again.

Mr. Waks stated he would want to see the Losty's again at a workshop meeting once the planning commission makes a recommendation.

Mr. Bosler said the applicant has had two reviews from Remington Vernick and 90% of their comments have been satisfied. The rest is very minor except for a couple of waivers.

Mr. Loeper stated action cannot occur on the subdivision until a conditional use is in place as required by the cluster. He said the planning commission might want to wait until they get a conditional use application and do it all at once.

Mr. Philips asked to see what it would look like if the sidewalk were installed.

Mrs. Spott commented she is a supporter of sidewalks, but she views this situation a little differently and would be more inclined to take a hard look if it is the right thing to do.

Mrs. Kenney would like to give sidewalks another look because of the proximity to the train station.

Mr. Loeper said staff will check with SEPTA to see if boarding numbers for that station are available. He noted there is a small parking lot.

Mr. Waks stated he would like to see the applicant again after the planning commission makes a recommendation.

APPOINTMENT OF LIZ GABOR TO THE ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

It was moved by Mrs. Spott, seconded by Mrs. Kenney, all voting "Aye" to appoint Liz Gabor to the Economic and Community Development Committee. None opposed. Motion approved 4-0.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 4-0. Adjournment occurred at 8:59 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: