

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
JUNE 2, 2016

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, June 2, 2016, in the Township Building. The meeting was called to order at 7:50 p.m., followed by a pledge of allegiance.

ROLL CALL:

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

CHAIRMAN'S COMMENTS:

Chairman Jenaway reported a Zoning Workshop meeting was held prior to this meeting and a brief Executive Session was held to discuss litigation.

DISCUSSIONS:

RECOMMENDED DAS/POLE INSTALLATION ON TOWNSHIP PROPERTY –
COMMUNITY CENTER AND VOLPE PARK

Christopher H. Schubert, representing ExteNet Systems, a DAS provider, stated it will not be necessary to consider Volpe Park to establish a DAS node at that location. He explained across the street from Volpe Park there is an existing Peco power line running in front of the school. Peco is granting permission to ExteNet to use a section of their pole for installation of the DAS node antenna.

Mr. Schubert said the DAS node will still be needed at the Upper Merion Community Center. He pointed out the exact location of the proposed node on the aerial and described how the pole swap would occur. It was explained the existing pole is 37 feet from the ground to the top of the pole. ExteNet is proposing to swap out this pole with a 45 foot pole with about 8 feet in the ground which brings it up to that level. A picture was shown illustrating the final installation with the DAS antenna at the top of the pole and the equipment running the DAS antennas located on the side mount of the pole thereby eliminating ground space disturbance. Mr. Schubert asked the supervisors to provide some positive direction to the Solicitor to move forward with finalizing a licensing agreement between the township and ExteNet.

Mr. Philips asked when the work would start. Mr. Rick Angelini, Director Engineering and Implementation, ExteNet, responded the work would start within a couple of weeks of approval.

Mrs. Kenney asked how long it would take. Mr. Angelini responded it would probably take two days to complete the installation.

Mr. Jenaway asked how long power would be lost from the transfer. Mr. Angelini was not sure how fast Peco could do the transfer and thought it would be about four hours. He said there might also be an option for a "hot transfer" if power loss would cause an inconvenience. .

Mrs. Kenney asked if the neighbors would be affected in any way. Mr. Angelini responded in the negative.

Mr. Waks asked for clarification on the timing. Mr. Angelini responded installation would be two days and the transfer would be two to four hours at most. He said once the transfer is done the antenna can be placed on the top and the electronics mounted three quarters of the way down.

Mr. Waks asked if the installation could be done at night and Mrs. Kenney asked if it could be done on the weekend. Mr. Angelini asked if the question concerned the transfer or installation. Mr. Waks said the transfer is more important because of the possible effect on power. Mr. Angelini said he can check with Peco since he did not know what their guidelines are as far as working in the dark. He said he is sure Peco could light up the area, but they can certainly do it after hours or even weekends.

Mr. Jenaway commented doing the work at night would be preferred.

Mr. Schubert stated the DAS will certainly provide the benefit of coverage to the community center and West Valley Forge Road and that was why the location was so important.

Mr. McGrory stated he is going to need additional details since he wants the license agreement to specify when the power is going to be shut off because of the concerns expressed by the supervisors. Mr. Angelini responded he will obtain more information from Peco and see how the hot transfer can be done so there would be no outage whatsoever. If a hot transfer is not possible, Mr. Angelini will find out exactly how long the outage is anticipated and then a decision would be made to do it early morning, late night or Saturday.

Mr. Waks stated one thing to be considered is if there is a shutdown of the community center or pool there will be residents who may ask for a refund of that day's membership and that this should come directly from ExteNet. Mr. Schubert responded they could handle an indemnification provision.

Mrs. Kenney asked if there are any guide wires involved because of the additional height. Mr. Angelini responded whatever is there now would remain the same.

Mr. McGrory stated he would like to put the hot transfer into the license agreement that there be no interruption rather than indemnification. Mr. Schubert asked Mr. Angelini if that could be done. Mr. Angelini responded in the affirmative and said he is confident that could be done.

DP 2016-02: GLAXOSMITHKLINE, BUILDING 400, 893 RIVER ROAD; DEMOLITION OF EXISTING WAREHOUSE BUILDING AND PORTION OF ANOTHER BUILDING. CONSTRUCTION OF A NEW 30,000 SF WAREHOUSE WITH 60,650 SF OF GROSS FLOOR AREA. A PORTION OF THE BUILDING WILL CONTAIN A GREEN ROOF AND A NEW SUBSURFACE STORMWATER MANGEMENT SYSTEM

Mr. Rob Loeper, Township Planner, stated he received an email from the Township Engineer shortly before 5 p.m. indicating they have finished their preliminary review and there are no major issues to report other than plan cleanup. Mr. Loeper introduced Michael Kissinger, Pennoni Associates, who is representing GSK as well as Genesis Architectural.

Utilizing the aerial, Mr. Kissinger, pointed out various aspects of the GSK property which is zoned Heavy Industrial, the location of the existing warehouse building to be demolished as well as a demolition of a portion of another existing building. The applicant proposes construction of a new 30,000 square foot warehouse building which will contain a 16,000 green roof. Mr. Kissinger provided additional details about the stormwater on the site. The applicant is requesting a waiver of land development.

Mr. Waks asked when land development was last waived. Mr. Loeper responded it has been done on a few recent minor plans.

Mr. Philips questioned waiving land development when a building and half of another building is being demolished and the entrance is being reoriented. Mr. Kissinger responded the applicant considers this as an on campus improvement and it is not an impediment or distraction to anybody in the township. He said the net impact to the employees will be minimal with construction occurring in a fenced area.

Mr. Philips asked about the existing stormwater management practice on this particular site. Mr. Kissinger responded there are various basins throughout the site but this specific area is not being treated at all.

Mr. Philips stated part of the reason for land development is to capture

stormwater practices and if there is no stormwater management on that particular portion of the site today he is not in favor of waiving land development. Mr. Kissinger responded stormwater management will have to be met regardless if there is land development or not. He said the area has plenty of stormwater inlets today and the applicant was looking for a quick time line for construction. Mr. Kissinger further explained the waiver request is all about timing and the ability to do certain things by the end of the year.

Mr. Loeper stated the plan was submitted to the county for review so it could be recorded and it is scheduled for review by the Upper Merion Planning Commission next week. He said whether land development was done or not he did not see this plan being ready until the July meeting.

Mr. Loeper noted the original GSK campus was built back in the 1960's without stormwater detention because of lack of regulations at the time. Over the years as GSK has come in with new buildings such as Building 40 and the addition to Building 40, they have provided the stormwater detention for each of the new components.

Mr. Philips made the point in view of all the land development criteria the applicant is meeting anyway what is the difference in the applicant's mind for asking for a waiver of land development, especially when everything would be ready for the July meeting.

Mr. McGrory asked if this plan is being processed as a preliminary and final. Mr. Loeper responded in the affirmative.

Mr. McGrory asked if receiving preliminary and final in July fits the applicant's timeline. Mr. Kissinger responded he would have to check with his client but he did not think that would delay them.

Mr. Philips said it is very important for everyone to have an understanding of what it means for applicants who want to waive land development. He pointed out land development is a process of getting reviews done and coming before the Board for final approval.

It was discussed this plan would return for consideration by the Board of Supervisors at the July business meeting.

DISCUSS PROCESS FOR A NEW COMPREHENSIVE PLAN INCLUDING ESTABLISHMENT OF STEERING COMMITTEE(S), TIMING & PUBLIC INVOLVEMENT

Mr. Loeper introduced Eric Jarrell, Assistant Section Chief, Community Planning, Montgomery County Planning Commission and Jamie Magaziner, Community Planner, Montgomery County Planning Commission. Mr. Loeper

stated the township has signed a contract with the county to do a Comprehensive Plan which Mr. Jarrell will be heading. Jamie Magaziner is the planner assigned to the township to do all of the land development reviews. Mr. Jarrell discussed the Comprehensive Plan development process and a PowerPoint was shown. Highlights as follows:

- The 1967 Comprehensive Plan was updated in 1987, an open space, land use, and a Vision 2020 was done in the 2005 time frame and the Park
- The 2005 land use plan envisioned the mixed use zoning district that was adopted in 2014
- The idea of the Comprehensive Plan is to take a clean look at zoning, land use, identify the future direction and any changes envisioned and laying out the process for achieving these goals.
- Housing units increased from 12,151 in 2000 to 12,826 in 2015
- 675 units represent a 5.6% increase
- Only 26 units built 2010 to 2015
- Population increased from 26,863 in 2000 to 28,620 in 2015
- 1,757 persons represent a 6.5 increase
- From a non-residential perspective there has been over 1 million square feet built from 2004-2014
- In 2015 Upper Merion Township led the county in number of residential units proposed – there were 1,590 units proposed last year which would equate to approximately 2,700 people. If these were all built tomorrow there would be about a 12% increase in the number of units and 9% increase in population
- Purpose of a Comprehensive Plan is to manage change, reestablish a long-range community vision (2040), evaluate policies, priorities, and guidelines to achieve the community's desired vision
- Sustainability, green infrastructure, public safety are major components to integrate into the Comprehensive Plan
- Establishment of a steering committee is a way many municipalities have started the plan development process for the last 10-15 years (typically 8-12 members) consisting of representation from: supervisors, planning commission, key municipal departments and key community and business groups
- MCPC, with coordination and oversight from the Township Planning staff will complete background work and analysis, mapping, coordinate public outreach, prepare draft documents for discussion and review by Steering Committee
- Hold "kick-off" meeting to formalize process and develop common framework and understanding
- Review and select public outreach opportunities (Fall 2016)
- Consideration of conducting a community survey
- Hold public workshops
- Steering Committee will integrate public input and finalize draft plan for

- official comment period
- Adoption in early 2018

Mr. McGrory stated the Board of Supervisors has been working for four years on a total revision of the zoning code and are nearing completion of a zoning map change. When that is passed if anything is challenged the first line of defense would be it is consistent with the comp plan. Mr. McGrory expressed concern about a 24 month time period to complete the comp plan. Mr. McGrory's second issue is that the land use part of the analysis and all the input from everyone has to match what is done in zoning. Ordinarily there would be a comp plan done and then zoning would carry out the comp plan. In the township's case, the zoning revision has been ongoing for four years and is nearing completion which, in effect, limits the timing and content of the comp plan. He asked what the county approach would be in view of the built in constraints time wise and content wise with what has been done for four years on the revision of the zoning code.

Mr. Jarrell said he was not aware the township was that close to adopting the comprehensive zoning update since that might temper the extent of the public outreach, particularly the survey. He said the input could still be obtained in public workshops. Mr. Jarrell indicated there are two ways to proceed. The focus could be on the land use element first and possibly complete and adopt that element by itself. Mr. McGrory said he was going to suggest bifurcating the whole process, get the land use done, include it as an amendment to the current comp plan and then fine-tune the rest.

A discussion followed about the need to expedite the comp plan process by getting through the land use element and bifurcating the approach. Also discussed were ways to obtain public input other than with a survey.

Mrs. Kenney asked for more information on how the comp plan will benefit the township. Mr. Jarrell responded the benefit is the land use element. He said zoning is one piece of how land gets developed and it also includes the types of transportation improvements needed off site from individual developments that will enhance the connectivity of the township as well as such things as sewer capacity.

Mr. Philips stated there are pieces already in place that place Upper Merion Township on the cutting edge such as the Transportation Authority and Upper Merion Municipal Sewer Authority to name a few. He suggested taking all the pieces, modifying them and placing them into the comprehensive plan to get it done so when the zoning changes are completed everything is in sync. Mr. McGrory indicated that is what he had in mind. He said his key interest is the land use assumption that needs to be in the comp plan to defend zoning

Mr. Philips stated the Transportation Authority has long range plans

already in place and Mr. Loeper pointed out an Act 209 study was recently completed.

Mr. Loeper commented many communities do not have a comprehensive plan as a single document but rather a series of documents. He said it is difficult to update the whole thing at one time. Some have a transportation element, a housing element, and other sections that do not get updated all at the same time, but are updated on a regular basis. Mr. Loeper pointed out much of what is being done in zoning currently was included in the 2005 land use plan.

Mr. McGrory stated if what it planned is consistent with the current comp plan then change the date on the comp plan from 2005 to 2016. Mr. Loeper said we would still want to update that plan since it is 11 years old.

Mr. Philips commented much of what is needed is in the 2005 comp plan and said just change the date and embark on the process for looking at four or twenty years from now.

Mr. Jarrell stated most municipalities have capital improvement plans, Act 547 plans, master plans and all the individual plans knit together making sure there are no hidden inconsistencies.

Mr. Kraynik said all the necessary pieces are fairly current and have been aired at multiple public workshops. He asked Mr. Jarrell to streamline the process and reduce the timeline.

Mr. Jarrell indicated there is a practicality in the type of comp plan they want to put together and this could be done after the shorter one is adopted. He suggested some process take place to take a larger look at imagining what Upper Merion should look like in 2040.

Mr. McGrory mentioned part of that process involves the SEPTA King of Prussia rail issue. Mr. Jarrell responded that is what he was alluding to previously. He said the 2005 land use plan had multiple rail lines identified in the transportation element. He said that might be something that would be hard to do in a short time frame, but something to circle back to after the more practical plan is out of the way to clear the way for zoning. Mr. Jarrell said the zoning should be adopted as soon as possible so that development can be captured under the revised zoning.

Mr. Jenaway asked about the approach that was taken previously with regard to the steering committee. Mr. Loeper responded for the 2005 plan there was a contract with the county and it was more with the planning commission. He said one of the things that has occurred over the years is there has been more emphasis in getting more diversity in representation in preparing the plan.

Mr. Jenaway commented the challenge in going outside the municipal family is that it will take 90 days just to search for people to serve on the steering committee.

Mr. Waks stated there are things that can be done to expedite the search such as possibly selecting two supervisors, and representatives from planning, park and recreation, township management, transportation, etc.

Mr. Kraynik stated his guess is 75% of the steering committee would be from representatives of current citizen boards, supervisors and staff and the other 25% would be school district, BID, etc. If the Board is comfortable with the steering committee going beyond just the planning commission and supervisors, he suggested he and Mr. Loeper put together a recommended chairperson and steering committee of 12-15. The recommended steering committee list will be submitted to the Board of Supervisors, tweaked if necessary, and if there is a consensus the process should not take more than 30 days.

Mr. Kraynik asked if the Board preferred more of a representative group or a focus on the planning commission. The consensus was to have a representative group of 12 members.

Mr. Jarrell said he will meet with staff and try to work out a streamlined timeline.

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 9:07 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: