

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
ZONING CODE WORKSHOP MEETING  
AUGUST 1, 2019

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop meeting on Thursday, August 1, 2019 in the Township Building. The meeting was called to order at 6:16 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Carole Kenney, Bill Jenaway, Greg Waks, Greg Philips and Tina Garzillo. Also present were: Anthony Hamaday, Township Manager; John Walko, Township Solicitor's Office; Rob Loeper, Township Planner; Kyle Brown, Associate Planner.

CHAIRMAN'S COMMENTS: None.

DISCUSSIONS:

KOP Mixed Use District – York Park

Mr. Loeper presented general considerations with the first from a Montgomery County model. The Montgomery County model regulates it by track size and define three used groups, 1. Office, entertainment and institutional; 2. Restaurant and retail; 3. Residential. The Phoenixville model is based on track size one to five, five to fifteen, and fifteen plus. If it is under five, you only have to have one use, if it is five to fifteen then you have to have two uses. The minimum of any one is 20% and if it is fifteen or more the minimum of one is 30%. Mr. Loeper stated as he reviewed this information it did not make sense. A discussion ensued regarding the standards for mixed used. Mr. Loeper also mentioned that looking back at the original plans for the Village at Valley Forge, it began with ground floor retail and office and residential above that. In the end it did not work even though it has been shown to be very successful in areas such as Washington, D.C. where they have the metro and that tends to help. Mr. Loeper also noted that in this area however, that concept is a tough one in terms of getting finance as was mentioned to him by the developer in regards to the Village. A discussion ensued regarding other districts in comparison to those in Upper Merion Township.

Airbnb Regulations

Mr. Brown stated he would send the presentation prepared for tonight to the Board of Supervisors. He further stated, the point of this presentation is to get the feelings and thoughts of the Board in regards to Airbnb. Mr. Loeper stated he

received a phone call from Post Compliance and in order to look at their information, information had to be given and so they reached out to come out and do an initial free analysis and our records show there are 44 Airbnb's right now. A discussion ensued regarding the concerns with Air BnB from residents in the Township. Mr. Jenaway stated as part of the discussion he would want to know from Code Enforcement and the Police if there have been complaints in relation to Airbnb. Mr. Brown stated that there have not been any complaints reported to Mark Zardoga however the complaints come from there being transient guests. Mr. Brown noted there is some urgency to this discussion in that the Commonwealth Court reversed a Zoning Enforcement by the Township regarding our definition of dwellings and roaming houses. A decision regarding how to fix those definitions and rolling in a new definition for short term rentals and deciding how to regulate them and so forth. Mr. Walko stated that residents have inquired about Airbnb. A discussion followed in regards to the different terms for short-term rentals and how it relates to the Township's Rental Inspection Program. Mr. Hamaday stated he reached out to the Montgomery County Consortium to ask if anyone is working on or has any regulations in place. So far, Mr. Hamaday has heard of back from Limerick and noted he would share more information as it is received.

ADJOURNMENT:

Board Action:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred.



ANTHONY HAMADAY  
TOWNSHIP MANAGER

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Minutes Approved:

Minutes Entered: