

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING CODE WORKSHOP MEETING
SEPTEMBER 5, 2019

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop meeting on Thursday, September 5, 2019 in the Township Building. The meeting was called to order at 6:22 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; Joe McGrory, Township Solicitor; Rob Loeper, Township Planner; Kyle Brown, Associate Planner.

CHAIRMAN'S COMMENTS:

Mr. Waks stated an executive session will be held after the Zoning Workshop meeting but before the standard Workshop meeting to discuss legal and personnel matters.

DISCUSSIONS:

Short Term Rentals

Mr. Brown stated pursuant to the last meeting, there are some ordinance changes that need to be made in addition to whatever goals and objectives the Board has. Clarified definitions of dwelling and rooming housing are needed as this was an issue with zoning enforcement that was lost in court. Mr. Brown stated this discussion tonight is more of a listening session to get some structured feedback on the Board's goals and objectives in regards to short-term rentals. Mr. McGrory asked if senior living was under short-term rentals and Mr. Brown stated it did not include them but it included rentals under some defined length of time for residents. Mr. McGrory noted senior living has to be accounted for and should be addressed in some form with a new definition or tied with group homes. A discussion ensued regarding the definition of senior living and how rules and regulations can be set to make them a safer neighbor. A question was raised in which district short-term living would be put in and Mr. Brown answered according to the ruling in the supreme court, that distinction can be made however the Board wants. It does not have to be included in residential use and can be completely eliminated from certain single-family residential districts and high-rise districts. Concerns of how residents feel about transient housing in their neighborhoods arose. A discussion followed regarding whether short-term rentals should be put in the mixed-use district or restricted at all. The benefits of

requiring permits and inspections for safety reasons were talked about. A question was raised if there was any danger in having residents of R1 and R2 sue the Township if it were decided to place short-term rentals in a specific area like mixed-use or CO. It was responded that at that point those wanting to have a short-term rental would have to go to the Zoning Hearing Board and ask for a variance. It was decided not to include the bed and breakfast into the draft ordinance for short-term rentals. Mr. Brown stated he would do more research and draft an ordinance. Mr. McGrory mentioned senior living should also be regulated. Mr. Brown asked if it should be in its own ordinance in which Mr. McGrory stated it should be.

Mixed Use District

Mr. John Brown, from an association, briefly stated his concern for future development rights regarding making it mandatory that developers do a ground floor retail with residential above in a mixed-used district. Mr. Waks responded that there is talk about making it conditional so it can be waived if the Board wanted to.

Mr. Waks stated there was limited time for this discussion due to the scheduled executive session at 7 p.m.

ADJOURNMENT:

Board Action:

It was moved by Mr. Philips, seconded by Ms. Garzillo, 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: