

ORIGINAL

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
March 1, 2018

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, March 1, 2018, in the Township Building. The meeting was called to order at 7:38 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, and Erika Spott. Also present were: Dave Kraynik, Township Manager; Joe McGrory, Township Solicitor and Rob Loeper, Township Planner. Chairman Philips and Supervisor Kenney were absent.

VICE-CHAIRPERSON'S COMMENTS:

Vice-Chairperson Waks stated an Executive Session was held prior to this meeting to discuss litigation.

DISCUSSIONS:

REALEN VALLEY FORGE GREENES ASSOCIATION: 575 S. GODDARD BOULEVARD, VR6 TOLL BROTHERS

Utilizing the aerial, Mr. Rob Loeper, Township Planner, pointed out the location of the new development and various features of the surrounding area.

Paul Fry, Manager, Realen Properties, stated Toll Brothers is already in the Village at Valley Forge and this new development is their first "for sale" product for 60 condominiums. He indicated while Toll Brothers is known mostly for single family homes, they do have other condominium projects and know how to manage them. There will be 20 one-bedroom (approximately 900 square feet), 28 two-bedroom (approximately 1,300 square feet) and 12 three-bedroom condos (approximately 1,700 square feet).

The parking ratio for this project is based on the old settlement agreement bedroom count. It was noted Toll Brothers will build 117 parking spaces providing almost two spaces per unit. Thirty-six spaces of these spaces are underneath the building for the more expensive units and will be part of the sale of the units.

Utilizing the aerial, Mr. Fry described and pointed out the various amenities being offered. In response to a question from the group, Mr. Fry

indicated there will be four floors with three over the parking. Closing is anticipated in the spring with deliveries the end of 2019 (18-month construction period).

In response to a question from the group about price points, Mr. Fry indicated the condos would probably range from the low 3's (for one-bedroom), 4's (for two-bedroom) and in the 5's (for three-bedroom).

Mr. Waks asked if a parking space would come with the condo or if buyers would have to pay extra for a parking space. Mr. John Dean, Director, Land Acquisition for Toll Brothers, responded one reserved space will be provided with the unit and it has yet to be determined whether the large units will get two spaces.

Mr. McGrory asked if there is any leasing or renting of parking spaces. Mr. Fry responded in the negative. He said the underground spaces will be reserved and most of the surface parking will be reserved as well on a first come, first served basis.

A discussion followed about the parking issues in the Town Center.

Mr. Fry mentioned their towing program and entry off of South Goddard that could accommodate a gated control if it becomes necessary.

Mr. Waks asked if there will be an Association Manager. Mr. Fry responded in the affirmative.

Mr. Waks asked if the association would address any people using the parking spots, but not living there. Mr. Dean responded it is a management issue. He said Toll Brothers manage condo home owner associations throughout the country. There is also an internal community association group who "manage the managers." Mr. Dean indicated Toll Brothers continues to stay involved through their management group.

Because of the many parking issues, Mrs. Spott emphasized the importance of consultation with the Police Chief. Mr. Fry responded he would follow up with the Police Chief. He said they could talk about possibly running electric in case it is necessary to put in a gate.

Mr. Jenaway asked for clarification about some details on the plan. Mr. Fry responded there is a 20 foot wide fire lane being built over the top of their sanitary easement that is going to be landscaped and appropriately cushioned off from the two different developments. There are no plans on paving that land as yet.

Mr. Jenaway mentioned the open field parking concepts that were

discussed at the Montgomery County Association of Township Officials (MCATO) last week and recommended that some of these new options be considered.

JOHN B. WARD DEVELOPMENT PLAN: 400 W. CHURCH ROAD, 3,200 SF
OPEN PARKING STRUCTURE

Mr. Loeper provided some historical background at the Church Road site since 2007 when John B. Ward acquired and made improvements to the building and landscaping. They ultimately installed a parking area for their equipment and are now proposing a one-story 3,000 square foot parking shed at the back of the parking lot. A rain garden is proposed to deal with stormwater management.

Mr. Loeper indicated the applicant is requesting a waiver from full subdivision for this pole barn which will have a concrete floor and be entirely open similar to a carport.

Matt Ward, representing John B. Ward & Company Tree Experts, stated this is a family business now in its 61st year. The company moved to West Church Road from Bridgeport and incrementally added equipment and people over the years.

Mr. Ward indicated the purpose of the proposed structure is to keep expensive equipment out of the elements. He pointed out they would not be moving much dirt; the elevation is flat property and the gutters of the structure will be tied to the rain garden. Mr. Ward mentioned there are some logs stored in that area which will be reoriented between the rain garden and the new building and between the rain garden and the existing building.

Mr. Ward noted impervious will be increased from 42% to 45% which is well below the allowable. He pointed out there is an abundance of greenery on the property; they have planted over 60 trees to beautify the property. The maximum building coverage is 75%.

Mr. Ward stated his company is very attentive to the neighbors of Radar Drive and they check in with the neighbors periodically as a good community member in that area.

Mr. Waks asked Mr. Loeper to point out the location of the proposed pole barn and it was indicated to be well off of Church Road and near the back.

Mr. Waks asked about the height of the proposed structure. Mr. Ward responded they are going to have a 14 foot clear ceiling height and it would be approximately 26 feet.

Mr. Jenaway asked if the calculations for the stormwater will suffice with the size of the rain garden. Mr. Loeper responded that is currently being

reviewed.

Mrs. Spott asked if Mr. Ward has been in touch with the neighbors about the proposed plan. Mr. Ward indicated he would be happy to speak to them.

Mr. McGrory asked if this plan is ready for a resolution. Mr. Waks asked that a notation be provided that this was discussed with the neighbors.

AMENDED SUBDIVISION PLAN: 504 WOOD STREET, 8-UNIT TOWNHOUSE.
APPROVED 12/10/2009

Mr. Loeper stated Wood Street is a paper street, but the legal address for this property, owned by Eugene J. Battisto, Jr., is on Coates Lane. The subdivision plan was originally approved in 2009 as an 8-lot subdivision but has been dormant since then because of what happened with the economy at that time.

Mr. Loeper pointed out while the plan that was approved in 2009 complied with all of the code requirements; stormwater management has changed since then. He indicated the applicant's engineer reviewed all the information on the old plan, reworked the stormwater calculations and submitted it to the township engineer for compliance review.

Nick Vastardis, Vastardis Consulting Engineers, stated the applicant has proposed two landscaped bioretention basins. Jellyfish water quality technology will filter out sediment and trash and the stormwater will flow into the regular basin. Another major change is parking will be increased by five spaces.

Mr. McGrory asked for clarification about the prior approval. Mr. Loeper responded it is his understanding the approvals could be grandfathered for five years and then show compliance with the new code. For this reason it has come back for an engineering review. Mr. Tom Beach, Township Engineer, indicated he was in receipt of a letter from the township indicating the applicant had to comply with updating NPDES and parking.

Mrs. Spott asked for more details about the parking change. Mr. Loeper responded the garage does not count and there is a requirement for two off street spaces for each unit. These townhouses will have a garage and a driveway space. There is an additional parking field totaling 14 spaces behind the property.

Mr. Loeper indicated the stormwater drains into Frog Run along the rear of the property. It was also noted the applicant will provide all sidewalk connections.

The property currently has three dwelling units – an existing triplex and a

detached two-car garage structure that is utilized by a landscape company.

Mr. Waks asked if those structures will be demolished. Mr. Loeper responded in the affirmative.

The applicant's representative indicated the 8-unit townhouses will be approximately 2,200 square feet and feature three bedrooms, 2 ½ bath and a rooftop deck. The townhomes will be a combination of siding/ brick and stone veneer on the front.

Mrs. Spott asked about the stormwater management maintenance. Mr. Vastardis responded there will be a maintenance agreement and the new stormwater that has been designed is significantly improved from the previously-approved project.

Mr. Loeper asked Mr. Ryan Alexaki if there will be a homeowners association (HOA). Mr. Alexaki responded there will be a minimal HOA concerned with maintenance of the property such as stormwater management, communal parking, and such things as grass cutting. The HOA will not have to manage siding, roofing, or exterior as this will be the responsibility of the homeowners.

Mrs. Spott asked if there will be some architectural guidelines to keep the aesthetics of the units similar. Mr. Alexaki responded in the affirmative.

Mr. McGrory stated he would like to review the HOA documents as part of the approval.

Mr. Jenaway asked about the status of the township engineer's letter. Mr. Loeper responded there is a preliminary review with a couple of minor issues to work through and he will make sure there is a notification before it comes before the Board again.

Mr. Waks asked if the nearby residents are aware of this previously approved plan. Mr. Loeper recalled when the prior plan was considered there were residents who came out from the Heather Hill Condos.

Mrs. Spott asked if there was some concern about parking on the street at that time. Mr. Alexaki responded the plan now includes two-car garage units for seven (7) of the townhouses.

Mr. Waks stated even though there is a previous approval, he urged the applicant to reach out the neighbors again.

The plan was referred back to staff.

RATOSKEY & TRAINOR DEVELOPMENT PLAN: 240 FLINT HILL ROAD.
EXPANSION OF INSURANCE AUTO YARD (IAAI), INSURANCE AUTO
AUCTIONS, INC.

Mr. Loeper summarized the plan for the Auto Auction received approval in 2008. Utilizing the aerial, he pointed out the area which runs parallel to the Pennsylvania Turnpike by the sewer plant on River Road. The current proposal is to expand the auto auction into an area that is currently used for the applicant's recycling and mulching operation. The recycling and mulching operation will be moved out of the township and the auto auction will take over that square footage of the property.

Mr. Ratoskey stated the proposal is to move the fence line onto the railroad property providing 55-65 feet of additional space.

Mr. Ratoskey described what happens when a car comes in until it is sold at auction. It was noted most of the sales occur through the internet; the cars are then picked up Monday through Friday from 8 a.m. to 5 p.m.

Mr. Waks asked if the vehicles enter the property through River Road. Mr. Ratoskey responded in the affirmative. He said there is a driveway going through Area "A" which was for access coming off of Flint Hill Road in case there was ever an emergency. That driveway and access is still accessible; there is a gate in the back.

Referring to the multi-colored map, Mr. Waks asked about the view from Flint Hill Road. Pointing to an area on the map, Mr. Ratoskey pointed out where the grade drops off and the location of a large buffer area of trees. He described other features of the site which help mitigate the view and pointed out the concrete and mulch piles and other equipment associated with the recycling operation will be gone. Mr. Ratoskey said Insurance Auto Auctions, Inc. is a nationwide company with a strict environmental policy and undergoes inspections frequently.

Mrs. Spott asked for clarification about the parking area and the environmental protocol. Mr. Ratoskey responded it is mainly a dirt area and IAAI is going to take it in an "as is" condition. He said if there is any spillage it would happen before it arrives at the auto auction site. Mr. Ratoskey indicated IAAI has a spill protocol and is inspected by DEP. He said environmentalists have never been a problem.

Mrs. Spott remained unconvinced.

A member of the group asked if this plan has to go to the planning commission. Mr. Loeper responded it is basically an amendment of an approved plan and no improvements are being made.

Mark McKee, Upper Merion Planning Commission, commented the applicant has done a great job of cleaning up the site. He mentioned when the original development plan was approved the applicant agreed to a condition to provide an informal trail between River Road and Flint Hill Road on the outside of the fence. Mr. McKee asked if this plan would have any impact on the previously agreed to condition for the trail. Mr. Ratoskey responded it would not have an impact because the fence line would be 35 feet off the railroad track.

Mr. McKee asked if the applicant is moving the fence line towards the railroad tracks, and he received an affirmative response.

Mr. McGrory recommended that the plan actually show the trail and have it conveyed. He said if the plan shows the easement to the benefit of the township the trail could be done later on.

Mr. McKee commented he wants to make sure the fence line is still going to allow access for pedestrians and bikers.

Mr. Waks asked if the applicant is prepared to do that. Mr. Ratoskey responded previously the trail did not go from road to road, but was for a portion of a trail that could ultimately connect to Flint Hill Road. He said he is fine with offering the trail and said he would have to discuss and seek agreement with the railroad.

Mr. McKee recalled Shorty Schultz had a development application for a storage facility for the other portion of the Peco property that fronts Flint Hill Road where a connection could be made. Mr. Ratoskey responded that never happened and now Peco is taking that back for their gas utility.

Mr. McKee asked if Mr. Ratoskey controls that part. Mr. Ratoskey responded in the negative.

Mr. McKee suggested working with Peco. Mr. Ratoskey said it would have to be a contact with the railroad. He pointed out he leases and does not own any of the property and anything he could do within the confines of his lease he would do.

Mr. McGrory asked if the cars are being stored on railroad property. Mr. Ratoskey responded in the affirmative. He said he received approval from Norfolk Southern for the IAAI.

Mr. Waks asked for clarification on what Mr. Ratoskey owns. Mr. Ratoskey responded he has a 60 year lease and does not own anything.

Mr. Waks clarified to actually get a trail built it would require easements from multiple parties [Peco and the railroad].

Mr. Waks said he is open to any ideas on getting the trail here. Mr. Ratoskey responded he will cooperate in any way he can.

Mr. McGrory stated it is necessary to first reach out to the railroad and figure out where the trail would go and get that resolved before approving uses that may go over what would be the trail.

Mr. Ratoskey said if Norfolk Southern is not in agreement for a trail the trail will not happen so either they are going to be in or out.

Mr. McGrory asked Mr. Ratoskey to follow up with his railroad contact and said the first question is if you can get a trail, where is it going to be located.

ADJOURNMENT:

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Spott, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 3-0. Adjournment occurred at 8:32 p.m.



DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

rap

Minutes Approved: 3/22/18

Minutes Entered: 3/22/18