

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
MARCH 28, 2019

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 28, 2019, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:34 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Greg Philips, Carole Kenney and Tina Garzillo. Also present were: Joseph McGrory, Solicitor; Robert Loeper, Township Planner; and Tom Beach, Township Engineer.

MEETING MINUTES:

It was moved by Supervisor Philips, seconded by Vice Chair Kenney, all voting "Aye" to approve the October 11, 2018 Zoning Workshop; October 11, 2018 Workshop; January 7, 2019 Reorganization Meeting; and January 17, 2019 Business Meeting as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman Waks stated an Executive Session was held prior to this meeting to discuss some legal issues.

NEW BUSINESS

CONSENT AGENDA RE:

1. Resolution 2019-9 re: Earth Day
2. Resolution 2019-10 re: Arbor Day
3. Approve Proposal to Provide Feasibility Study re: Upper Merion Township Pool to GLP Architects, PC in the amount of \$4,000.00
4. Approve Engineering Design Services Proposal re: ADA improvements at Bob White and Swedeland Parks to Remington & Vernick Engineers in the amount of \$30,164.00
5. Approve Community Survey Questionnaire
6. Waiver of Fees re: Washington Memorial Heritage - \$18,104.50
7. Resolution 2019-12 re: PA DCNR Grant Application for Upper Merion Parks Rehabilitation of Executive Estates and Valley Forge Acres – \$300,000.00
8. Approve Extension Letter re: 383 Anderson Road – Craft Custom Homes, LLC

Board Action:

It was moved by Vice Chair Kenney, seconded by Supervisor Jenaway, all voting "Aye" to approve the Consent Agenda as presented. None opposed. Motion approved 5-0.

HENDERSON ROAD INVESTORS, LLC REVISED DEVELOPMENT PLAN: 243 S. HENDERSON ROAD, CONSTRUCTION OF A 6,739 SF AUTO SERVICE BUILDING WITH 8 BAYS AND A 2,500 SF FAST FOOD DRIVE=THRU RESTAURANT AND PATIO W/ASSOCIATED PARKING, ACCESS ROADS, LIGHTING, LANDSCAPING, UTILITIES AND STORMWATER MANAGEMENT. 1.96 ACRES, GC GENERAL COMMERCIAL. PLAN EXPIRATION 3/31/19
RESOLUTION 2019-13

Mr. Loeper reminded the Board that years ago this site was the site proposed for a WAWA with gas. Obviously that did not happen but he noted that they have been working on this proposal for over a year. Several issues needed to be worked out, specifically set back issues. This plan is a 6,739 sf auto service building with 8 bays and a 2,500 sf fast food restaurant with a patio. Mr. Loeper stated that the biggest change with the plan is that the auto service building has been moved up to the street and the applicant made changes to the access. The new plan has all access at Saulin Boulevard which is a signalized intersection and all traffic will have to come in and go to the right either to the auto service or to the restaurant.

The plans have been reviewed by Mr. Beach's office and by McMahon Associates, our Traffic Engineers. Both Planning Commissions as well as the Shade Tree Commission reviewed the plans. The applicant has signed the proposed resolution and has accepted what is in the resolution. Mr. Loeper pointed out that the applicant will be required to purchase EDU's from the Sewer Authority and there will also be a fee in lieu of open space as is required of all development. There is also a traffic impact fee – Mr. Loeper stated that there are extensive improvements that are taking place not only in front of the site but on both sides of the site. The traffic impact fee is approximately \$235,000.00 however the improvements have been estimated in the neighborhood of over \$700,000.00.

The applicant is requesting several waivers. Stormwater will be managed by an underground basin. Sidewalks along the front of the property as well as connections to both buildings will be provided. The applicant is present to answer any questions from the board and/or the residents.

Board Comments:

Chairman Waks stated that many residents of the Township are excited and looking forward to having a Taco Bell Restaurant at this location.

Supervisor Garzillo asked about signage. Mr. Loeper explained that signage is generally not covered in land development. Signage is handled through permits as part of the building package.

Vice Chair Kenney asked for the name of the auto service store. Mr. Loeper stated it was Mavis, a New York Company.

Chairman Waks asked for a timeline. The applicant stated most likely construction would begin in the spring of 2020.

Board Motion:

It was moved by Supervisor Philips, seconded by Supervisor Garzillo, all voting "Aye" to approve the Henderson Road Investors, LLC Development Plan and Resolution 2019-13. None opposed. Motion passed 5-0.

PUBLIC HEARING RE: AN ORDINANCE AMENDING THE UPPER MERION TOWNSHIP SUBDIVISION ORDINANCE, CHAPTER 145-24.1, LANDSCAPING REQUIREMENTS, TO MAKE COMPREHENSIVE CHANGES RELATED TO TREE AND VEGETATION PLANNING, PLANTING, PRESERVATION AND REPLACEMENT REQUIREMENTS

Township Solicitor, Joseph McGrory, Esq. opened the public hearing. Mr. McGrory introduced into the record Exhibit 1 which is the ordinance; Exhibit 2 which is the legal notice; Exhibit 3, proof of publication; and Exhibit 4, proof of submission to the local Planning Commission; Exhibit 5, proof of submission to the County Planning Commission and Board Exhibit 6, submission to the County

Law Library. Mr. Loeper gave a brief overall of the ordinance which mostly has to do with tree preservation and tree replacement.

Board Comments:

Vice Chair Kenney pointed out that this proposed ordinance does not affect residents or homeowners. This ordinance only deals with land development and subdivision plans.

Supervisor Philips stated that this ordinance is a great step for the future of the Township. Chairman Waks thanked the Shade Tree Commission for all their hard work in preparing this ordinance.

Board Motion:

It was moved by Supervisor Garzillo, seconded by Vice Chair Kenney, all voting "Aye" to adopt the Ordinance as presented. None opposed. Motion passed 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Jenaway, all voting "Aye" to approve the Accounts Payables for invoices processed from February 14, 2019 through March 20, 2019 and Payrolls in the amount of \$4,998,092.75. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS

Supervisor Garzillo stated that there is a PennDOT Drivers License Center in the Township located at 143 S. Gulph Road.

Supervisor Garzillo noted the Farmer's Market has three remaining indoor markets, April 6th, April 20th and May 4th. Regular market season will begin on May 18th.

Swedesburg Fire Company is having their final Lenten Dinner this coming Friday evening. They are also hosting breakfast with the Easter Bunny on Sunday, April 14th from 8 – 12.

Supervisor Jenaway and Supervisor Philips attended the annual King of Prussia Business District Luncheon. Supervisor Jenaway noted that at the luncheon Upper Merion Township Board of Supervisors were awarded the Transportation Award for a couple of specific reasons. One being that the board supported and invested in the Rambler Program and also the King of Prussia Connector. The Township was also recognized for Highway Safety Improvements that were done which affected both pedestrian traffic and automobile traffic throughout the township.

Both Supervisor Jenaway and Supervisor Philips applauded the guest speaker at the BID luncheon, an Urban Planner from the University of Georgia. The speaker explained the concept behind how communities succeed. She talked a lot about Upper Merion Township and the changes we are experiencing and how they relate to transitional communities across the country. Some of the things that were clear in her presentation were that communities that do not change into what the next generation of people are looking for will fail. She also stated that communities that do not pay attention as to what is going on around them will fail. Supervisor Jenaway emphasized the need to constantly look at what the businesses and people who are in Upper Merion and who are coming to Upper Merion want and what they are looking for so we can meet their expectations.

Supervisor Philips recognized the winners of the Library Awards. He also stated that e-books are available at our library and also available is an e-library pronunciation, which is a language education devise.

Chairman Waks stated that the Board of Community Assistance application deadline is Monday, April 1, 2019. He also stated that the Upper Merion Foundation is selling \$15.00 dollar tickets for the Tuesday, April 9th Phillies vs. Nationals Baseball Game.

Vice Chair Kenney mentioned that several of the Board members attended the PELRAS Conference.

Vice Chair Kenney announced the current vacancies on the township's Citizen Boards and Commissions. She urged residents to apply.

From the Public:

Mr. David Montalvo, representing the King of Prussia Historical Society, presented the township with a panoramic view of Upper Merion. He noted that he took the picture himself while standing on a very high building in the center of the township.

Mr. Montalvo also stated that the King of Prussia Historical Society is looking forward to coordinating efforts with the township through the new Upper Merion Historical Commission.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Supervisor Philips, seconded by Supervisor Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0.



SALLY SLOOK
ACTING TOWNSHIP MANAGER

cd
Minutes Entered
Minutes Approved: