

**Upper Merion Township Planning Commission
Regularly Scheduled Meeting for July 13, 2022**

The Upper Merion Township Planning Commission met for its regularly scheduled meeting on July 13, 2022, in-person in the Henderson Room, located in the Township Building, and via Zoom. The meeting information was fully advertised and a meeting agenda placed on the township website. The meeting was called to order at 7:03 PM followed by the Pledge of Allegiance.

IN ATTENDANCE:

ABSENT:

Matt Popek, Chair
Mark McKee, Vice-Chair
Martin Trumpler, Secretary
Kenneth Brown
Jaquelin Camp
William Jenaway, Board Liaison
Patrick Foley, on behalf of Leanna Colubriale, Township Engineer (Remington & Vernick)
Ashton Jones, Township Planner

APPROVAL OF MEETING MINUTES:

Minutes for the May 25 and June 8 meeting had previously been distributed. Ms. Camp made a motion to adopt the Minutes from May 25 with Mr. Brown seconding. The motion carried 3-0, with Mr. Popek abstaining. Mr. Brown made a motion to adopt the Minutes from June 8 with Mr. Popek seconding. The motion carried 3-0, with Ms. Camp abstaining.

1410 and 414 Hampton Road, 197 and 213 Belmont Road

Multi parcel lot line adjustment

Mr. Jones provided a brief overview of an 8,000 square foot lot that would be divided between four adjacent lots, and indicated that the portion of the application which involved an unopened portion of Fairview Road would no longer be considered with the application. This portion of the application was being removed due to discrepancies between county records, survey records and ownership. Mr. Jones further indicated that certain lots are currently nonconforming and would remain nonconforming, even after subdivision. In consultation with the Township Solicitor and Zoning Officer, it was determined that the application did not need to go to the Zoning Hearing Board.

Joe Estock, applicant's surveyor, provided an overview of the plan set and indicated that they will comply with all comments except that it is his opinion that the nonconforming lots do not need to go to the Zoning Hearing Board. Additionally, Mr. Estock indicated that it was his desire to continue trying to figure out the status of Fairview Road and indicated that he understands this will add complexity. Mr. Foley indicated that per his review of county tax map records, the entirety of the street is owned by the adjacent property owner, while Mr. Estock indicated that his review indicates that the adjacent property owner owns to the center line of Fairview Road. A conversation ensued with the determination being that the Township should determine the appropriate next steps in determining correct ownership of Fairview Road but that the applicant would continue forward as originally submitted.

Gary Touchton, applicant, added that the motivation behind the reverse subdivision is to clean up what has been a gentleman's agreement between adjacent property owners. Mr. Touchton further indicated that it is

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his hope that the road issue can be resolved quickly and that he intends, for now, to move forward with the application as submitted.

Ms. Camp asked about how to move the application forward and if, considering the unknown, a decision could be made by the commission. Mr. Jones indicated that the Planning Commission could make a recommendation based on the facts presented, understanding that one of the two iterations will ultimately need to be addressed prior to approval at the Board of Supervisors. This was followed by a conversation regarding process and the uniqueness of the situation.

Mr. Popek indicated that he is fine passing it on to the Board with various conditions. Mr. McKee made a motion to recommend approval of the subdivision on the condition that ownership and access regarding Fairview Road be addressed and cleaned up during this application's process to approval so that adjacent parties know their respective rights. Seconded by Mr. Trumpler, with a 5-0 vote.

127 South Gulph Road - Retail
Construction of 10,000 sf retail site

Mr. Jones presented that this was a continuance of a discussion started at a prior meeting. Mr. Jones indicated that some outstanding questions from the last meeting have since been resolved. Specifically, in consultation with the Zoning Officer and Township Solicitor, it was determined that the building was not required to go to the Zoning Hearing Board for a setback variance due to the language in the code and the site's unique curbing location within the PennDOT right of way. Additionally, it was determined that changing the current nonconforming parking area in front of the proposed building, did not require a waiver, as the parking nonconformity was being improved.

Denise Yarnoff, the applicant's attorney, reiterated that the two issues discussed by Mr. Jones have been resolved with Township staff and that the applicant will comply with the rest of the issues indicated in the various review letters.

Mr. Popek asked what the building uses will be and Ms. Yarnoff replied that while leases have yet to be signed, the applicant had previously indicated a restaurant-type use (breakfast place) and retail (furniture store) but that the goal is to have uses that are complementary to the hotel. Mr. Popek indicated that he has a concern regarding the furniture use and the possible loading/unloading of large items. Mr. McKee indicated that that property owner had previously indicated that the furniture store would function as a showroom, with items delivered to customers from a warehouse off site. Mr. McKee further indicated that issues previously discussed included loading and trash pickup and asked if the applicant would consider moving the trash area to an off-site alternative. Ms. Yarnoff indicated that she would check if that is a possibility while Ms. Camp indicated that trash should be in proximity to the building where it will be utilized. Mr. Popek mentioned that as the Route 202 and Gulph Road intersection is a de facto entrance to KOP, he wants to make sure that buildings in this area are designed to be a show piece for the township. Mr. Popek indicated that he recognizes the current condition of some buildings but hopes that as the area redevelops, things will improve.

Mr. McKee discussed stormwater management and asked if Mr. Foley had received all necessary documentation. Mr. Foley indicated that documentation was received but that it was for the original hotel building, not the retail portion and further indicated that it appeared the conservation district seemed to be unaware of this retail development. Ms. Yarnoff indicated that the applicant is trying to stagger the two projects in such a way that construction on the hotel project would be stabilized prior to the retail portion

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going forward. Her clients' goal is to keep the two projects distinct and separate. Mr. Foley indicated that the applicants should coordinate with the conservation district and keep the Township in the loop.

Mr. McKee asked about the hotel courtyard and Ms. Yarnoff indicated that it is her understanding that there will be two distinct areas within the courtyard for the hotels. Furthermore, while there may be some shared spaces, the hotels and retail area will be managed separately.

Mr. McKee indicated that the rear of the site might be improved with bike or pedestrian improvements, landscaping, connections to adjacent properties, etc. The planning commission had a general conversation/discussion regarding future connections and possible pedestrian improvements.

Mr. Jenaway indicated that after the last Planning Commission meeting, the Board of Supervisors met on the adjacent site next to Route 202 to discuss possibilities. It was determined that the adjacent parcel has many constraints and that its redevelopment potential is extremely limited.

Mr. Jones indicated that the applicant is seeking waivers to sidewalk and stormwater (5-foot setback - grading in PennDOT ROW) and that they provided a response letter indicating that they will comply with most items. Mr. Jones brought up for discussion the need for a HOP with PennDOT. Ms. Yarnoff indicated that the site's current access was installed prior to PennDOT having an HOP program and that while they can talk to PennDOT, since no changes are proposed, their team is not sure what would happen. Mr. McKee indicated that the increase in trips being generated may have ramifications for future development and might change PennDOT's thought process.

The Planning Commission indicated that they were not opposed to allowing the project to move forward with the requested waivers but that the applicant should contemplate pedestrian safety/site access, dumpster location and onsite parking as related to the floodplain. Ms. Camp made a motion to recommend approval with these additional considerations. This was seconded by Mr. McKee, with a 5-0 vote.

135 W Dekalb Pike

Parking and drive-thru reconfiguration

Mr. Jones provided a brief overview regarding the proposed changes (reconfiguration of the Chick-Fil-A drive-thru aisles and parking with installation of canopies).

Bob Tucker, applicant's attorney, provided introductions and an overview of the project.

Nick Lewis, applicant's engineer, provided another project summary indicating that currently the restaurant has a single lane drive-thru, which provides stacking for approximately 16 cars but that the proposal would create a double drive-thru with stacking for 33 vehicles. As to site loading and a comment in the reviewers' letters, loading is currently done during off hours. This will be continued with the proposed loading area to be located in front of the dumpster area.

Ms. Camp asked for a summary as to traffic flow on site and Mr. Lewis indicated that currently there is a one-way entrance and drive-thru. Additionally, Mr. Lewis indicated that the rear access will be converted to an exit only. While no bypass lane is technically provided, Ms. Camp indicated that this exit would allow drivers to exit prior to ordering.

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Mr. Popek asked about what effect the proposed changes to the lane/drive thru might have on building operation. Mr. Lewis indicated that with the proposed reconfiguration, there will be additional sidewalk adjacent to the facility.

Mr. McKee asked if the proposed changes and the additional drive-thru aisle would provide enough stacking and queuing to alleviate the congestion at the front of the site. The franchisee indicated that by relocating the drive-thru entrance to the rear of the site, the front area is opened up, and this will help alleviate much of the cross-traffic issues. Mr. McKee asked about shared parking and it was indicated that technically, only Wawa and Chick-Fil-A have shared parking, as the other buildings were not part of the development plan. It was also indicated that no improvements to Henderson Road or DeKalb Pike were being proposed, and that landscaping between the site and the adjacent shopping center would need to be reduced due to the drive aisle reconfiguration. The Commission indicated a desire to provide additional landscaping where possible and Mr. Popek indicated that the county indicated concerns regarding landscaping around the trash enclosure.

Mr. Foley asked the applicant to explain the changes in the on-site stormwater system, the removal of the rain garden and the installation of an additional underground basin. Mr. Lewis provided an overview and indicated that they were seeking a waiver regarding the need for a traffic study as the site is existing with no proposed off-site changes. Mr. Popek indicated that while no major changes are being proposed, improved access to a site might mean additional trip generation to the site. The applicant indicated that its their opinion that they are accommodating existing traffic, not creating more indicating that traffic studies are generally based on known numbers, such building square footage, and not based on a site's ability to accommodate additional traffic.

Mr. McKee asked about the two canopies and the applicant provided an overview. Canopies will be fully equipped with heat, electrical, etc. and stormwater will discharge at grade onto a paved surface. Canopies will allow staff to work outside in different weather conditions. This was followed by a longer conversation regarding drive thru/restaurant operations.

Mr. McKee asked about lane width and large vehicles. The franchisee described operations, indicated that the lanes are between 10-11 feet and that there is sufficient turning radius for a larger vehicle to enter the site. The applicants engineer further indicated that at the 90 degree turn, adjacent to the drive aisle entrance, each lane is indicated as at least 12 feet. The applicant also indicated that variances were obtained from the Zoning Hearing Board as related to that reduced aisle width and Mr. Jones called out the additional variances which were granted by the Zoning Hearing Board.

It was indicated that this application would include the relocation of the Wawa air pump on the Wawa side of the property.

Mr. Brown asked about the possibility of vehicle collisions at the drive aisle merge point. The franchise operator indicate that this should not be an issue and he has never had an accident. Lighting was also discussed and it was indicated that the plans would be revised to comply. Mr. Jones provided a general summary of waivers and other outstanding items. It was again reiterated that no changes are being proposed as related to the PennDOT intersection and Mr. Jenaway reiterated that the applicant should be prepared to discuss at the board meeting and explain how they believe their efforts will help to mitigate the current issues.

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Mr. Foley indicated the waivers listed in the Remington and Vernick letter. A conversation ensued regarding additional landscaping. Mr. Foley and the applicant's engineer further discussed a possible stormwater waiver (size of access port) and the coordination of where said stormwater cleanouts might be appropriate. The Planning Commission again had a discussion regarding landscaping and the site's lack thereof. This was followed up with a discussion regarding parking needs, pre and post COVID site utilization, and the site's increased demand in consideration of the area's lack of commercial activity when the facility opened (it was indicated that the site is parking compliant).

Ms. Camp made a motion to recommend approval with the requested waivers but to encourage the application to add additional landscaping where possible. This was seconded by Mr. Trumpler, with a 5-0 vote.

ADJOURNMENT:

With no other business to discuss, Mr. Trumpler moved to adjourn the meeting with Mr. Brown seconding and all in favor at 9:25 PM.

Respectfully Submitted:

Martin Trumpler, Secretary