

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
OCTOBER 13, 2022 MEETING ~ 7:45 PM
(Revised at the 10/13/2022 meeting)

AGENDA

1. Meeting Called to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Meeting Minutes: July 14, 2022 – Business Meeting
September 1, 2022 – Workshop Meeting
5. Chairman's Comments:
6. New Business:
 - A. Swearing-In of New Firefighter – Justin Fusaro.
 - B. Proclamation re: Fire Prevention Month – October, 2022.
 - C. Presentation re: Upper Merion Fire and Emergency Service Awards.
 - D. Presentation of the Bernard S. Gutkowski, Sr. Firefighter of the Year Award to Myles Gamble.
 - E. Presentation of the Mary Bacchi Emergency Medical Services Responder of the Year Award to Corey Felker.
 - F. Public Hearing re: – An Ordinance of the Township of Upper Merion to amend the Upper Merion Township Official Zoning Map to Rezone a Portion of Certain Parcels: 58-00-03238-00-7; 58-00-03241-00-4; 58-00-03235-00-1 and 58-00-03229-00-7 from LI Limited Industrial District to R-2 Residential District.
 - G. Consent Agenda re:
 1. Change Order No. 2 for the Schuylkill River West Trail – Phase 2 - James R. Kenney Excavating & Paving, Inc. for the reduction of \$5,770.00 from the original contract amount.
 2. Payment Certificate No. 4 for the Schuylkill River West Trail – Phase 2 to James R. Kenney Excavating & Paving, Inc. in the amount of \$91,022.40 for work to date on Phase 2 of the Schuylkill River West Trail.
 3. Resolution No. 2022-39 - Authorization for the Township Tax Collector to waive certain additional real estate tax charges beginning in 2023, pursuant to the 2022 amendment to the PA Tax Collection Law, as outlined in said resolution.

4. Financial Escrow Security Release No. 1, Phase 2- Stonebridge at Upper Merion Subdivision, Dekalb Pike– Approval of Escrow Release No. 1 to Toll Mid-Atlantic LP., in the amount of \$1,678,257.50 for the completion of required site improvements to date as part of the subdivision as recommended by the Township Engineer.
5. Land Development Plan Review Extension – 450 W. Beidler Road LLC. Accept letter of extension from 450 W. Beidler Road LLC. for the review of the proposed Subdivision Plan through November 10, 2022.
6. Land Development Plan Review Extension – Popeyes, 340 W. DeKalb Pike. Accept letter of extension from 340 W. DeKalb Partners, LLC for the review of the proposed Land Development Plan through November 30, 2022.
7. Land Development Plan Review Extension – Exeter 555 Flint Hill. Accept letter of extension from Exeter 555 Flint Hill, LLC for the review of the proposed Land Development Plan through November 15, 2022.
8. Land Development Plan Review Extension – Exeter Swedeland. Accept letter of extension from Exeter Swedeland Land, LLC for the review of the proposed Land Development Plan through November 15, 2022.
9. Land Development Plan Review Extension – Malvern Anderson Subdivision – Reedel Road. Accept letter of extension from Malvern Anderson for the review of the proposed Land Development Plan.
10. Real Estate Tax Appeal Settlements – Approval of the following Real Estate Tax Appeals submitted by property owners as a result of mail theft/fraudulent checks:
 - a. Jaroslav Havlicek, 336 Anthony Road, in the amount of \$44.00 for the tax year 2022 which represents the penalty.
 - b. Elizabeth Dougherty, 611 General Armstrong Road, in the amount of \$29.44 which represents the penalty.
 - c. Christian Becker, 624 Pancoast Road, in the amount of \$24.15, which represents the penalty.
 - d. Carol D. Slentz, 480 Dorothy Drive, in the amount of \$31.39, which represents the penalty.
 - e. Sheila Sargent, 413 Hampton Road, in the amount of \$28.73, which represents the penalty.
 - f. Tin Sun Hung, 601 Wentworth Drive, in the amount of \$19.59, which represents the penalty.
11. Business Tax Appeal Settlement – Approval of the following Business Tax Appeals submitted by property owners as a result of mail theft/fraudulent checks:
 - a. GeoStructures, Inc., 1000 W. 9th Avenue, in the amount of \$767.68 (penalty & interest) for the tax year 2021.
 - b. QSL Properties, LLC, 1000 W. 9th Avenue, in the amount of \$40.91 (penalty & interest) for the tax year 2021.

12. Resolution 2022-42 - Disposition of Township Personal Property (Four Public Works Vehicles) to auction for a minimal sale value of \$24,300.00
 13. Resignation of David Montalvo from the Upper Merion Township Historical Commission
 14. Resolution 2022-44– PECO Green Region Grant Application – Crow Creek Scenic Overlooks. Authorization to submit a PECO Green Region Grant application for the creation of scenic areas and overlooks with benches, trash receptacles and landscaping along the Crow Creek Trail.
 15. Letter of Support – Zoning Hearing Board Application of Brandywine Operating Partnership, LLC, 650 Park Avenue. Authorization for the Township Manager or Solicitor to forward a Letter of Support to the Zoning Hearing Board on behalf of the Board of Supervisors for Brandywine Operating Partnership’s application to be heard at the October 19, 2022 meeting.
 16. Accept Citizen Board resignation and make Appointments to the Park & Recreation Board, Farmers market Advisory Board, Economic and Community Development Commission and to the Community Center Advisory Board.
- H. Storm Water Permit B Waiver Request – 1073 Mount Pleasant Avenue. Consideration of a request from waiving the requirement for grading to be setback at least five feet from property lines to allow the construction of a new single-family dwelling on the property as recommended by the Township Engineer.
- I. Proposed Subdivision Plan – 410 & 414 Hampton Road and 197 & 213 Belmont Road. Consideration of a preliminary/final subdivision plan for Gary & Elaine Touchton, Peter & Nadine Dennis and David & Virginia Kurz, prepared by Joseph M. Estock, P.E., dated March 16, 2022, last revised August 3, 2022 for the lot line changes among the respective properties to consolidate 5 existing lots into 4 lots as shown on the subdivision plan. R-2 Residential.
Resolution 2022-41
- J. Authorization to Advertise Conditional Use Hearing – Brandywine Operating Partnership, LLC., 650 Park Avenue. Authorization to set and advertise a public hearing at the November 10, 2022 Business meeting on the Conditional Use application of Brandywine Operating Partnership, LLC., 650 Park Ave Avenue to permit the height of a proposed addition to be increased to 60’ on the KPMU zoned property.
- K. Authorization to Advertise Conditional Use Hearing – Royal Garden, LP., 1100 First Avenue. Authorization to set and advertise a public hearing at the December 8, 2022 Business meeting on the Conditional Use application of Royal Garden, LP., 1100 First Avenue to permit the construction of multi-family

apartments, structured parking garage and sidewalk construction variances on the KPMU zoned property.

- L. Financial Escrow Security Release No. 2 Malvern School Properties, LLC., Mancill Mill Rd. Approval of Escrow Release No. 2 to Malvern School Properties, LLC., in the amount of \$534,696.80 for the completion of required site improvements to date as part of the school development project as recommended by the Township Engineer.
- 7. Accounts Payable & Payrolls.
- 8. Additional Business.
- 9. Public Comment.
- 10. Adjournment.