

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
WORKSHOP MEETING  
OCTOBER 5, 2023

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, October 5, 2023, in the Township Building. The meeting was called to order at 7:30 p.m., followed by the pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway and Tina Garzillo Also present were: Anthony Hamaday, Township Manager; John Walko, Township Solicitor and Leanna Colubriale, Twp. Engineer. Absent were Supervisors Greg Philips and Carole Kenney.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo stated that Item A on the agenda has been removed due to Madison Capital Investments, Inc. pulling their Proposal for Land Development Plan at 657, 665 & 671 S. Gulph Road. In addition, due to amending the agenda, Mrs. Garzillo asked for a motion to move Public Comment from the end of the meeting to the beginning of the meeting in case anyone from the audience had a comment the proposed land development plan.

Board Action:

It was moved by Supervisor Waks, seconded by Vice-chair Jenaway, all voting "Aye" to approve amending the Agenda and moving up the Public Comment so people who came for Madison Capital didn't have to stay until the end. None opposed. Motion approved 3-0.

Public Comment:

A male resident representing several neighbors spoke about their concerns they have with the Martins Dam proposal to put in Pickleball Courts. They all believe that the courts will exacerbate the already inadequate stormwater system that is in place. They also have concerns about the extra noise and the lights that already are too bright at night. He presented a letter from a neighbor who was unable to attend tonight's meeting attesting to the noise and lights that already are a nuisance. Then he presented aerial pictures from 1950 through 1975 showing the progression of how Martins Dam has grown, contributing to all the noise from early morning to late at night plus the flooding problems to adjacent neighbors.

Ms. Elvira Berry on Croton Road asked that the Township keep her informed with any meeting involving Martins Dam since she lives next door to it. Mr. Hamaday explained that meetings involving Zoning changes have to be advertised by the Township in the local paper to give public notice. Also, it will be on the Township's website and letters are mailed to residents within 500 ft. informing them of the upcoming meeting. If it involves a Stormwater issue then Martins Dam has to apply for a permit which normally isn't advertised but should be posted on their property. Mr. Hamaday said that whomever wants to be informed to send him an email and he will create an email chain to help keep residents informed.

Mr. Robert Fredericks who lives adjacent to Martins Dam for years said it was fine years ago but the last few years since they have expanded it has become a problem with the loud noise. Mr. Fredericks said he spoke to Martins Dam manager about the noise coming from the swim meets and whistle blowing so the manager redirected the loudspeakers which helped with the noise. As for the lights he said they are only a problem in the winter when all the trees are bare. He suggests that the engineer should look at this project or any project as though it was a new site and incorporate green buffers around the perimeter of the property to cut down on the noise and lighting. So, his request would be to have the contractor or engineer in any project take that into consideration.

Ms. Susan Padilla resident at 1054 Croton Road whose property backs up to Martins Dam does not want the Pickle Ball Courts behind her house which is only 250 ft away. She said it's noisy enough now and they don't want any more lights installed. Also, they already have water problems from the runoff coming down from Martins Dam and they're afraid it's going to get worse if they install the Courts.

Ms. Julie Romfh resident at 1043 Croton Road mentioned that Martins Dam may have redirected the lights for some neighbors but the lights still illuminate her property and they're on past 11 pm. Julie said she doesn't mind the noise from the swim meets but the Paddle Board noise can be annoying sometimes and doesn't want more noise from the Pickle Ball Courts. In addition, she mentioned about the runoff from Martins Dam which has become a 3 ft. trench of water coming down affecting her property as well as some neighbors and she doesn't want it to get worse.

Mr. Hien Dang resident at 365 Kathwood Lane said he's not as close to Martins Dam as the other neighbors are but the runoff does affect his property which is next to Abrams Creek. Whenever it rains his property and his neighbors get a foot of water which has damaged both their fences so, he's afraid with the additional concrete it will exacerbate his water problems as well as everyone in the vicinity. As far as the noise Hien can hear it even though he is over 500 ft. away especially on Saturday nights when Martins Dam has their parties.

Finally, Mr. Garrett Haney resident at 439 Brookwook Road, sympathizes with the residents near Martins Dam because he lives near Bob White Farms and has similar problems. He feels the Township could probably benefit from a Dark Skies Ordinance, which is straight forward and has been implemented into many Municipalities around the Country. He suggested starting by requiring all commercial and mixed-use properties to install lampshades or better lighting for the residents and for the environment. Also, he feels the Township's Noise Ordinance is insufficient with people blasting 120 decibals of music all day or having pool parties at 11 o'clock at night with no regard for their neighbors. This frequently happens and several time when he called the Police they didn't do anything. He said he has small children and an Emergency Responder who lives in the house and needs to sleep especially EMS person who goes to work at 4 am.

Supervisor Waks stated that most residents like street lights installed in Upper Merion Township so he doesn't think a Dark Skies Ordinance would work. Mr. Haney said there are low emission lighting that comply to the ordinance and can be directed to light the sidewalks not someone's house.

Vice-chair Jenaway said the Board is working on revisions of the Comprehensive Plan and will look into both the lighting and noise concerns at their next meeting.

Mr. Val Kenney resident at 688 Crestwood Road had questions concerning when agendas are posted and how long does it take when there is a request for a building change or variance. Mr. Jenaway explained that it is usually presented at the Zoning Workshop then to the Planning Commission and next to The Board at the Business Meeting but sometimes it might have to go back to the Planning Commission and then back to the Board of Supervisors.

## DISCUSSIONS:

### PROPOSED SUBDIVISION PLAN PRESENTATION – Malvern Anderson Road, LP – Reedel Road. (Former Upper Merion Swim Club Tract) Proposed 25 lot subdivision.

Attorney Mr. Eric Frye representing the applicant Mr. Gambone, along with Steve McGerdy, Engineer from Landcore Consulting presented subdivision plans for the former Upper Merion Swim Club off of Anderson Road. The applicant owned this property for over 50 years and have been trying to develop it since 2009. The applicant is asking for four (4) waivers.

- 1) They are requesting to have 38 degrees of horizontal curvature instead of the maximum 30 degrees
- 2) They are requesting to have two driveways that are near the intersection to be less than sixty (60) feet, one at 40 ft. and one at 45 ft.

- 3) They are requesting permission to only replace 95 trees due to the limited area remaining plant trees.
- 4) They are requesting allow all the Plans to be drawn at a 60 scale so the entire property can appear on a single sheet of paper. The more detailed design drawings are prepared at a 40 scale.

The Board of Supervisors are concerned with the driveways being close to the street entrance and the lack of trees that can be planted on the property. They're afraid that the reduction of trees will affect the Stormwater and suggested to the applicant to eliminate the two corner homes and maybe have a park in their place which would also help with Stormwater issues.

### PROPOSED LAND DEVELOPMENT PLAN PRESENTATION – Sparks Car Wash - 161 W. DeKalb Pike.

Attorney Ms. Debbie Shulski representing applicant Mark Canally along with the Architect, Traffic Consultant Matt Hammond and Civil Engineer were present. Ms. Shulski said they made significant changes to the Plans to address the Boards concerns and comments. Mr. Canally said they made the building narrower and reduced the length by nine (9) feet which gives them more access driving area from 24' to 29'. They also removed the four vacuum stalls from the lower portion and made them into employee parking spots making the entrance less congested.

Ms. Shulski said they also reduced the number of waivers from eight to only three and added additional plantings.

Although the Board of Supervisors appreciated the changes Sparks Car Wash people are willing to make, the Board still voiced their concerns with drivers' behavior on Route 202. Drivers already make illegal U-turns to go to Wawa and it will become worse if the car wash is there. After a long discussion Sparks will make an appointment to present and have a conversation when both Supervisors Philips and Kenney can be present.

### BUSINESS MEETING AGENDA REVIEW:

Anthony Hamaday, Township Manager gave an overview of the October 12th Business Meeting.

ADDITIONAL BUSINESS: None

ADJOURNMENT:

Board Action:

It was moved by Supervisor Waks, seconded by Vice-Chair Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Adjournment occurred at 9:23 pm.



ANTHONY HAMADAY  
TOWNSHIP MANAGER

lr  
Minutes Approved:  
Minutes Entered:

