

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
FEBRUARY 1, 2024

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, February 1, 2024, in the Township Building. The meeting was called to order at 6:25 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Carole Kenney, Tina Garzillo. Also present were Anthony Hamaday, Township Manager, Amanda Lafty, Asst. Township Manager, Jarrett Lash, Township Planner and John Walko, Township Solicitor's Office. Absent was Supervisor Greg Philips.

CHAIRPERSON'S COMMENTS: None

DISCUSSIONS:

A. DEFINITION REVIEW – Lot Width, Structure, Front Yard:

Chairperson Garzillo opened the meeting by stating the Board needs to discuss Lot Width, Structure and Front Yard definitions as pertaining to developments. It was noted that the way our code is written it causes some confusion to developers and the Township needs to make be definitive. Mr. Jarrett Lash, Township Planner stated that the KPMU District and the Township want to create better street scaping, slowly bringing the developments over time to have a walkable community and connecting to the Linear Park in the KPMU area.

Jarrett said part of the discussion is about how the Township wants the KPMU to evolve over time. How does the Township want it to look, Structure (building) wise and does the Township still want to bring in the Min/Max Line as we see these redevelopments continue to come before the Board. Speaking generally, on how this particular developer uses a Min/Max Line in KPMU district and other districts in the Township. Min/Max is when a building has certain setbacks from the street, usually 50 to 75 feet. A Structure is defined as four walls and a roof, so it can be anything, allowing a developer to put a shed in the front of the property as long as it meets the Min/Max requirements of the 50 to 75 feet and then build whatever they want behind it. This is why the Township has to define what they want a Structure to be.

Chairperson Garzillo agrees, saying what people thought the definition is too broad and can be interpreted different ways so they have to tighten up the definition. Mr. Hamaday said there are two or three different definitions between structure and building in the zoning code and how we use them interchangeable but they are slightly different. So, the Township definitely has to clean up the verbiage.

Next, they talked about the width and shape of a property. Saying if the first structure/building has to start 50 to 75 feet from the street and the back portion of the property is wider then the applicant can build a cluster of buildings which could cause a Flag Shape driveway which is prohibited in Upper Merion Township. Jarrett said the Township has to look at this as two different issues, for existing properties which there's not much that can be done now and for new developments which they can control.

Tony said there are some big properties on Valley Forge Road that he doesn't want divided into several houses one behind each other because they're constraint in the front and wider towards the back. Jarrett said homes are defined as dwellings not buildings and can be treated different, residential has a front yard setback not necessarily have to be close to the road.

Vice-chairman Jenaway mentioned Rt. 202 and that some of the building there are only 25 ft. from the road with no landscaping making that area look more like a city than the suburbs and the Board agreed they made a mistake allowing that. Jarrett said the usage of the roads in the KPMU district compared to Rt. 202 are dramatically different. Supervisor Kenney asked why have a maximum setback at all. Jarrett explained the reason is to keep the buildings more uniform to the sidewalk so pedestrian can walk from building to building.

Chairperson Garzillo said she doesn't mind the Mix/Max Line but would like to see the Line for the whole development not just for the large parcels so she can see how it effects all the properties. Seeing it together as a universal concept may help us know if we have to tweak the numbers.

So, after a long discussion Tony ask the Board what their feelings our about the Min/Max setbacks and if they want to keep the numbers consistent in all the areas of the Township. Supervisor Kenney asked if they do agree to stay consistent and hypothetically pick 50 ft. minimum setback would that leave some parcel undevelopable. Jarrett said minimum lot area does dictate a few different things, one would be the minimum lot width, for example 2 acres and under the minimum width is 100 ft. Over 2 to 4 acres is 200 ft. and over 4 to 6 acres is 300 ft. In addition, he said the maximum building coverage also changes as well per parcel size, the larger parcel has a smaller percentage that can be developed. With that said they decided they will survey the area so they can actually see the dimensions.

B. DISCUSSION ON WALL MURALS AND GRAPHICS:

Mr. Hamaday mentioned that Netflix House is planning to occupy the old Lord & Taylor Building at the mall. They are asking to create two murals, one on each side of their building. One side will cover 75% and the other side will cover 50%, not including their signage which is over 20%. So, Jarrett asked the Board if they want to consider the signage separate or included with the mural. Also, does the Board want to have murals only at the Mall or allow them across Upper Merion Township.

After a long discussion about different kinds of murals Mr. Walko, Solicitor suggested the Township elects to consider murals by Conditional Use instead of a creating Ordinance. This way the Township has more control on what the Mural depicts and whenever they want to change or update the mural they developer will have to apply for another Conditional Use. In addition, by going through the Conditional Use process the Board can have more input on the size and style of the mural, giving the Township protection in the future for other potential applicants.

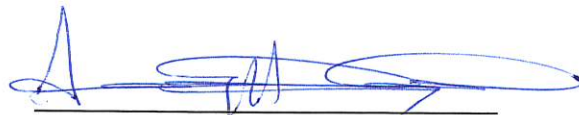
At the conclusion of the discussion it was decided to go forward with the Conditional Use with regards to murals in the Township.

Public Comments: None

ADJOURNMENT:

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Waks, all voting "Aye" to adjourn the meeting. None opposed. Motion passed 4-0. Adjournment occurred at 7:38 pm.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered:

