

TOWNSHIP OF LOWER MERION

Issue Briefing

Topic: Temporary Construction Easement, Permanent Easement Agreement, and Permanent Stormwater Easement for Trolley Way; Lease Agreement Amendment for Temporary Parking Lot on Cricket Avenue

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I. Action To Be Considered By The Board:

The Board of Commissioners is requested to approve two agreements. The first is a Temporary Construction Easement, a Permanent Vehicular and Pedestrian Easement and a Permanent Stormwater Easement Agreement between the Township and Cricket Court Partners for improvements to Trolley Way associated with the construction of a five-story mixed use building at 47-65 Cricket Avenue. Second, the Board of Commissioners is requested to approve an Amendment to the Lease Agreement of March 2015 for a temporary parking lot between the Township and Cricket Avenue Property LLC and 55 Cricket Avenue LLC to extend the termination date from September 2017 to January 1, 2018.

II. Why This Issue Requires Board Consideration:

The Board of Commissioners is required to approve temporary and permanent easements for vehicular and pedestrian access on and through Township owned property. The Township is also required to approve extensions to lease agreements that have been initially approved and entered into by the Township with private property owners.

III. Current Policy Or Practice (If Applicable):

The Board of Commissioners approves easements, both temporary and permanent for use of Township owned property. The Board of Commissioners must approve extensions to leases it has entered into with private property owners.

IV. Other Relevant Background Information:

On April 20, 2016, the Board of Commissioners approved a "Sketch Plan" prepared by Site Engineering Concepts dated November 16, 2015 and last revised March 17, 2016 showing the proposed redevelopment of the "Cricket Court" project that includes the construction of a five-story mixed use building, with an approximately

27,791 square feet footprint containing 77 apartments and approximately 10,738 square feet of retail space at 47-65 Cricket Avenue.

The proposed easement would provide a perpetual right and easement for vehicular and pedestrian access, egress, ingress and regress on, upon, over and across Trolley Way (“Access Easement Area”). Except for driveway aprons and other improvements required by the Township in the “Final Land Development Approval” or during construction, Cricket Court Partners will not install any improvements within the Access Easement Area without the prior written consent of the Township. Cricket Court Partners will maintain all improvements installed such as the curbing, sidewalk and driveway apron, striping, signage and the stormwater system in good and safe condition as required by Code. A condition of the Land Development Approval included installing stormwater management facilities above that required by Code.

A temporary right and easement for demolition and construction purposes through a portion of Trolley Way identified as the “Temporary Construction Easement Area” is requested. The temporary construction easement will extend as long as is necessary to complete the intended redevelopment of Trolley Way, but in no event longer than a total of 18 months in the aggregate. During such times when the temporary construction easement is not in use, Cricket Court Partners will provide written notice to the Township that the area and all fencing and other obstructions installed will be removed.

Staff will coordinate with the developers of Cricket Court and One Ardmore Place to develop a project schedule that reduces the potential for Trolley Way and the Cricket Lot to be closed at the same time.

V. Impact on Township Finances:

There is no impact on Township finances.

VI. Staff Recommendation

Staff recommends that the Board approve the proposed Easement Agreement and the Amendment to the Lease Agreement for the temporary parking lot to January 1, 2018.