

TOWNSHIP OF LOWER MERION

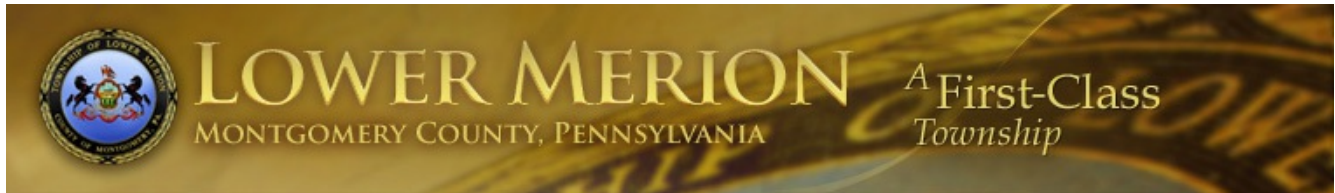
BUILDING AND PLANNING COMMITTEE

**Wednesday, March 13, 2024
6:45 PM (Approximately)**

Chairperson: Joshua Grimes
Vice Chairperson: Sean Whalen, Jeremiah Woodring

AGENDA

1. **AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW**
2. **PRESENTATION - CITY AVENUE SPECIAL SERVICES DISTRICT RETAIL MASTER PLAN**
3. **AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 105, NOISE AND EXTERIOR LIGHTING - Noise Amendments - Z-22-012**
4. **AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 59, BRUSH, GRASS AND WEEDS - Bamboo Amendments**
5. **RESOLUTION - AUTHORIZATION OF REAPPOINTMENT TO THE CITY AVENUE SPECIAL SERVICES DISTRICT BOARD OF DIRECTORS**
6. **PRELIMINARY SUBDIVISION PLAN – 21 Sandringham Road, Bala Cynwyd, Ward 8, SD# 3909PSP**
7. **PRELIMINARY LOT LINE CHANGE - 1301 Sussex Road & 730 Argyle Road, Wynnewood, Ward 8, LD# 3910LLC**
8. **APPROVAL OF HISTORICAL COMMISSION APPLICATIONS**



AGENDA ITEM INFORMATION

ITEM: AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW

Consider for recommendation to the Board of Commissioners approval to release funds held in escrow as Improvement Guarantees in accordance with §135-7 of the Township Code for the following:

111 West Montgomery Avenue (LOWM 231.97)
Escrow Release No. 5 (FINAL)
Amount \$ 12,835.00

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
 Escrow Release Letter	Backup Material



**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY

TOWNSHIP ENGINEER

75 E. Lancaster Avenue
Ardmore, PA 19003 2376
Telephone: (610) 645-6200
www.lowermerion.org

LOWM 231.97

March 5, 2024

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

**Re: 111 West Montgomery Avenue
Escrow Release No. 5 (Final)**

Dear Mr. Leswing:

We have received a request for release to escrow for the above referenced permit. Based on our field investigations, we recommend release as follows:

<u>Item</u>	<u>Total Amount</u>	<u>Total This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
A. Site Preparation				
1 Sidewalk and Paving Removal	\$2,500.00	\$0.00	\$2,500.00	\$0.00
2 Demolition/Dust Control	<u>10,000.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0.00</u>
Subtotal A	\$12,500.00	\$0.00	\$12,500.00	\$0.00
B. Erosion & Sediment Control				
3 Construction Entrance	\$1,100.00	\$0.00	\$1,100.00	\$0.00
4 Tree Protection	1,000.00	0.00	1,000.00	0.00
5 Silt Fence	1,080.00	0.00	1,080.00	0.00
6 Inlet Protection	150.00	0.00	150.00	0.00
7 Filtrexx Diversion Berm	1,875.00	0.00	1,875.00	0.00
8 Erosion Control Blanket	1,500.00	0.00	1,500.00	0.00
9 Temporary Basin & Outlet Structure	2,500.00	0.00	2,500.00	0.00
10 Final Stabilization & Grading	<u>4,000.00</u>	<u>0.00</u>	<u>4,000.00</u>	<u>0.00</u>
Subtotal B	\$13,205.00	\$0.00	\$13,205.00	\$0.00
C. Site Construction				
11 Sidewalk	\$2,000.00	\$0.00	\$2,000.00	\$0.00
12 Concrete Apron	2,500.00	0.00	2,500.00	0.00
13 Porous Pavers	8,000.00	0.00	8,000.00	0.00

	<u>Item</u>	<u>Total Amount</u>	<u>Total This Release</u>	<u>Total Released</u>	<u>Amount to Remain</u>
14	Concrete Curb	500.00	0.00	500.00	0.00
15	Roadway Restoration	<u>3,000.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>0.00</u>
	Subtotal C	\$16,000.00	\$0.00	\$16,000.00	\$0.00
	D. Stormwater Management				
16	6" PVC	\$5,000.00	0.00	\$5,000.00	\$0.00
17	12" HDPE	750.00	0.00	750.00	0.00
18	Type M Inlets	2,500.00	0.00	2,500.00	0.00
19	Junction Boxes	2,000.00	0.00	2,000.00	0.00
20	Stormwater System, Outlet Structure, & Amended Soils	<u>21,500.00</u>	<u>0.00</u>	<u>21,500.00</u>	<u>0.00</u>
	Subtotal D	\$31,750.00	\$0.00	\$31,750.00	\$0.00
	E. Miscellaneous				
21	Road Control Monuments	\$1,200.00	\$0.00	\$1,200.00	\$0.00
22	Lighting/Glare Control	2,500.00	0.00	2,500.00	0.00
23	Pavement Marking	500.00	0.00	500.00	0.00
24	Maintenance/Protection of Traffic	1,000.00	0.00	1,000.00	0.00
25	As-Built Plan	2,000.00	2,000.00	2,000.00	0.00
26	Milestone Protection Barrier	750.00	0.00	750.00	0.00
27	Fence and Trellis	<u>4,000.00</u>	<u>4,000.00</u>	<u>4,000.00</u>	<u>0.00</u>
	Subtotal D	\$11,950.00	\$6,000.00	\$11,950.00	\$0.00
	F. Landscaping				
28	Landscaping/Replacement Trees	<u>19,000.00</u>	<u>2,850.00</u>	<u>19,000.00</u>	<u>0.00</u>
	Subtotal E	\$19,000.00	\$2,850.00	\$19,000.00	\$0.00
	Subtotal A thru E	\$104,405.00	\$8,850.00	\$104,405.00	\$0.00
	Engineering & Contingencies	<u>10,441.00</u>	<u>1,000.00</u>	<u>10,441.00</u>	<u>0.00</u>
	Total Cost of Improvements	\$114,846.00	\$9,850.00	\$114,846.00	\$0.00
	Plus 10%	<u>11,485.00</u>	<u>985.00</u>	<u>11,485.00</u>	<u>0.00</u>
	110 of the Cost of Improvements per Section 509 of the Municipal Code	\$126,331.00	\$10,835.00	\$126,331.00	\$0.00
	Retainage		<u>2,000.00</u>	<u>0.00</u>	<u>0.00</u>
	Balance		\$12,835.00	\$126,331.00	\$0.00
	Release to Developer		\$12,835.00		
	Balance to Remain in Escrow Account				<u>\$0.00</u>

We recommend a release of escrow in the amount of \$12,835.00. As there is currently a balance of \$12,835.00, following this release of \$12,835.00, the balance remaining will be \$0.00 and the account will be closed.

Two Declarations of Completion are attached and must be signed and dated by the Township Manager following authorization of the Board of Commissioners.

Please advise if we may be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Mastronardo', with a stylized flourish at the end.

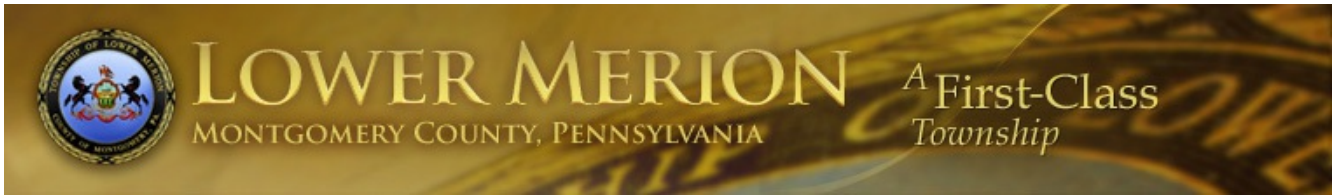
Joseph A. Mastronardo, P.E.

PENNONI ASSOCIATES

Township Engineer

JAM/ace

cc: Brandon Ford, Assistant Township Manager
Angela Forney, Planning Technician
Colleen Hall, Senior Planner
Allegheny Distribution and Delivery, Inc., 4050 Main Street, Philadelphia, PA 19127



AGENDA ITEM INFORMATION

ITEM: PRESENTATION - CITY AVENUE SPECIAL SERVICES DISTRICT RETAIL MASTER PLAN

Representatives of City Avenue Special Services District will present the Retail Master Plan and be available for questions.

The Retail Master Plan can be found *here*.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
☐ Presentation	Presentation



CASSD Fall Meeting - Retail Planning Presentation

Friday | October 27th, 2023

DEFINITION OF TRADE AREAS

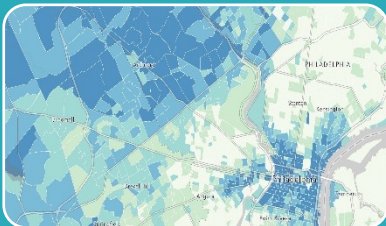
- To determine the Primary Market Area (“PMA”) and Secondary Market Area (“SMA”) for retail in City Ave District, RCLCO considered a number of questions

Key Questions Informing Trade Areas, September 2023; City Ave District



Existing Shopping Patterns

- From which neighborhoods are visitors to existing retailers in City Ave District coming?
- How far are visitors traveling to access retail in City Ave District?



Demographic Characteristics

- What other neighborhoods are home to the customers that retailers in City Ave District may be able to attract?



Alternative Options

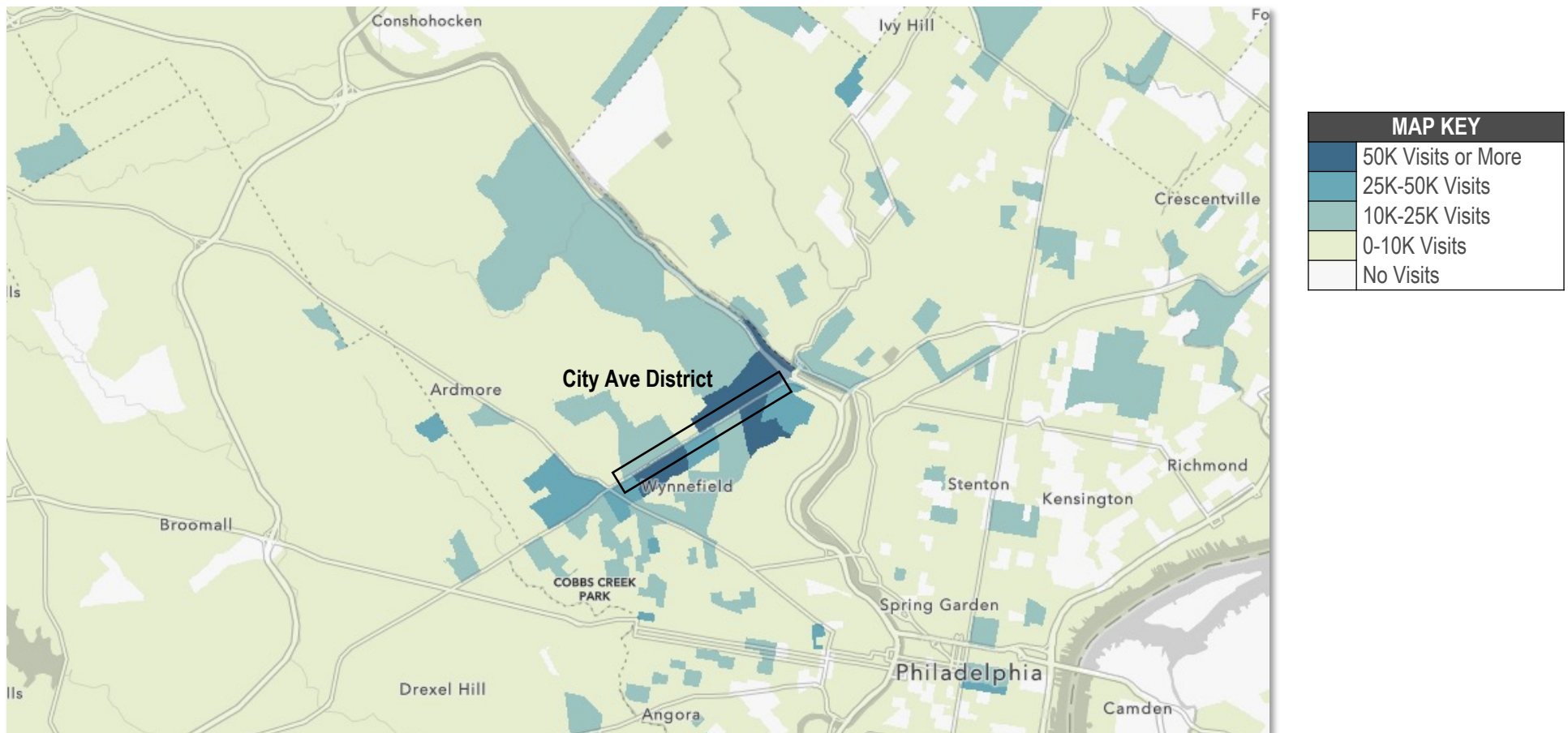
- Where are the “lines” that shoppers will not cross because they have other options available to them?

LOCAL SHOPPING PATTERNS

MSC

- ▶ The most frequent visitors to City Ave District tend to live nearby, and likely represent the primary customer base for its retail.
- ▶ Additionally, there is a notably high concentration of visitation from neighborhoods near the Schuylkill Expressway, likely due to its accessibility to City Ave District.

**Map of Visitation to Bala Cynwyd Retail by Home Origin, December 2022 to February 2023;
Philadelphia, PA and Surrounding Submarkets**



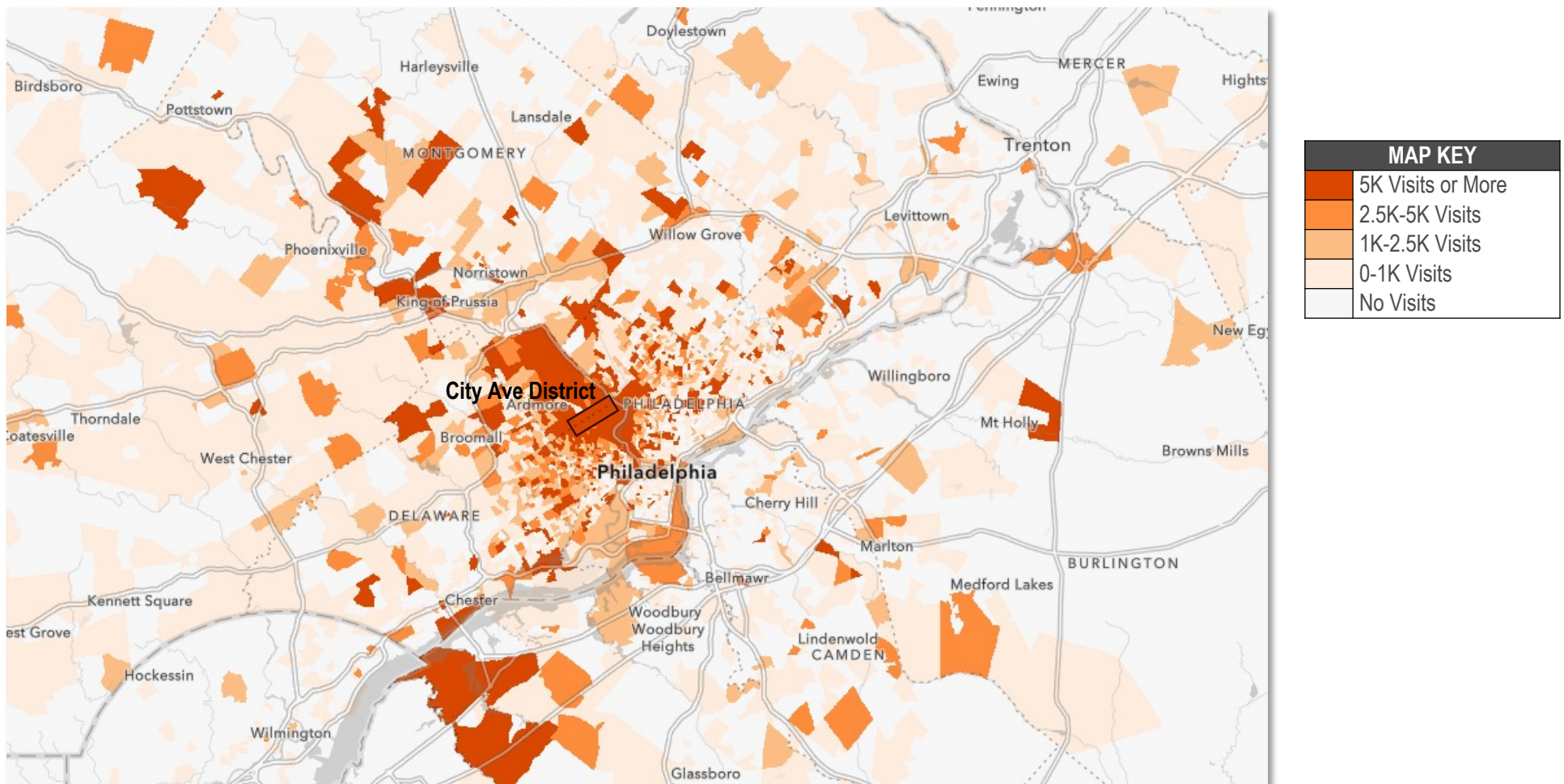
Source: Safegraph, ArcGIS, RCLCO

REGIONAL SHOPPING PATTERNS

MSC

- Retail in City Ave District also attracts visitors from elsewhere in the region on a more infrequent basis, likely for occasional shopping or dining needs.

**Map of Visitation to Bala Cynwyd Retail by Home Origin, December 2022 to February 2023;
Philadelphia, PA Metropolitan Area**

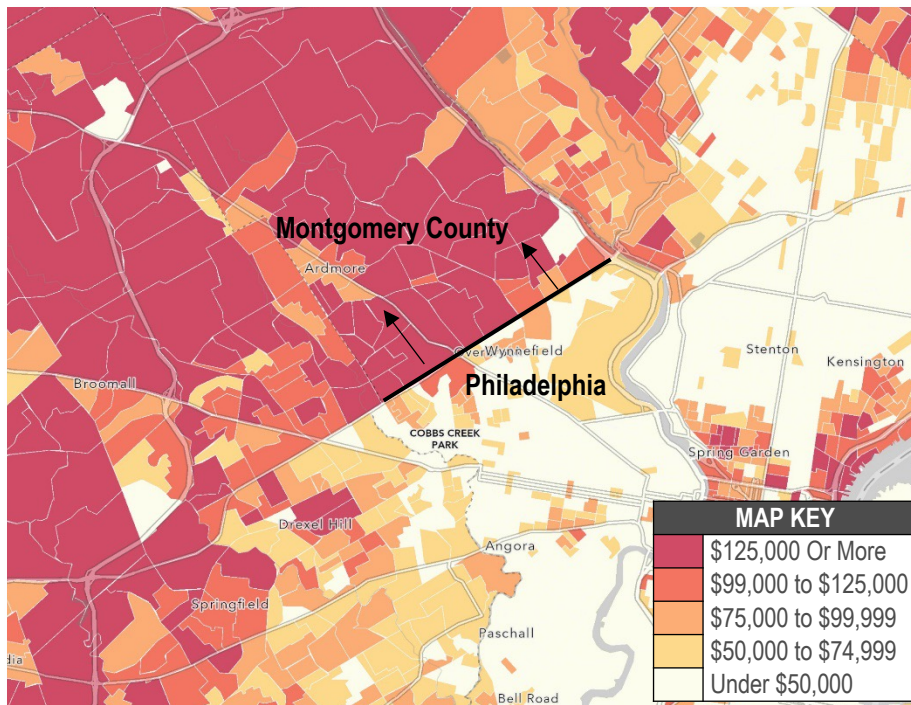


Source: Safegraph, ArcGIS, RCLCO

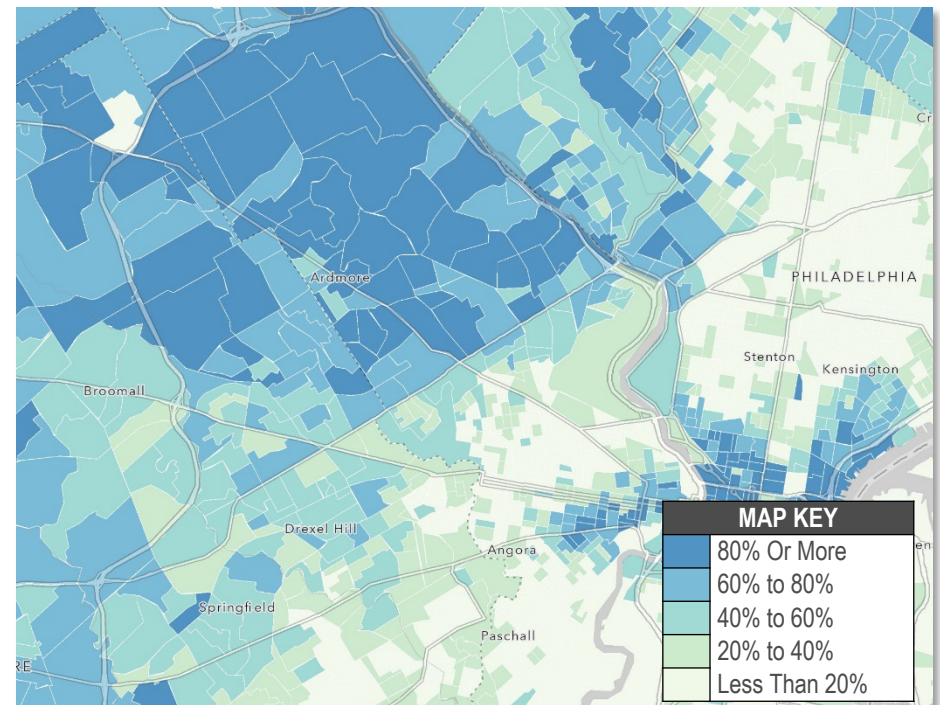
DEMOGRAPHIC CHARACTERISTICS

- ▶ Located at the border of the City of Philadelphia and Montgomery County, City Ave District has access to both affluent and working-class households, representing a unique dynamic for a retail corridor.
- ▶ Household income and educational attainment levels are often considerations of retailers as part of the site selection process. The unique economic and demographic composition of the area surrounding the City Ave District explains the assortment of tenants in the area today—and highlights the importance of a cohesive retail strategy moving forward.

Median Household Income by Block Group, 2023;
Lower Merion Township and Philadelphia, Pennsylvania



Percent of Population with Bachelor's Degree or Higher, 2023;
Lower Merion Township and Philadelphia, Pennsylvania



Source: Esri; RCLCO

ALTERNATIVE OPTIONS

- Alternative urban and suburban options in Philadelphia and surrounding areas serve as competition for retail in City Ave District, impacting the size and location of its trade areas.

Heat Map of Existing Retail Square Footage, September 2023;
Philadelphia, PA Region

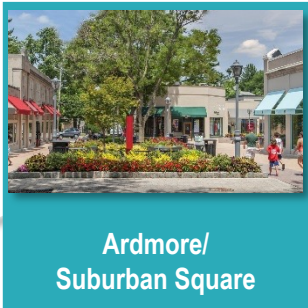
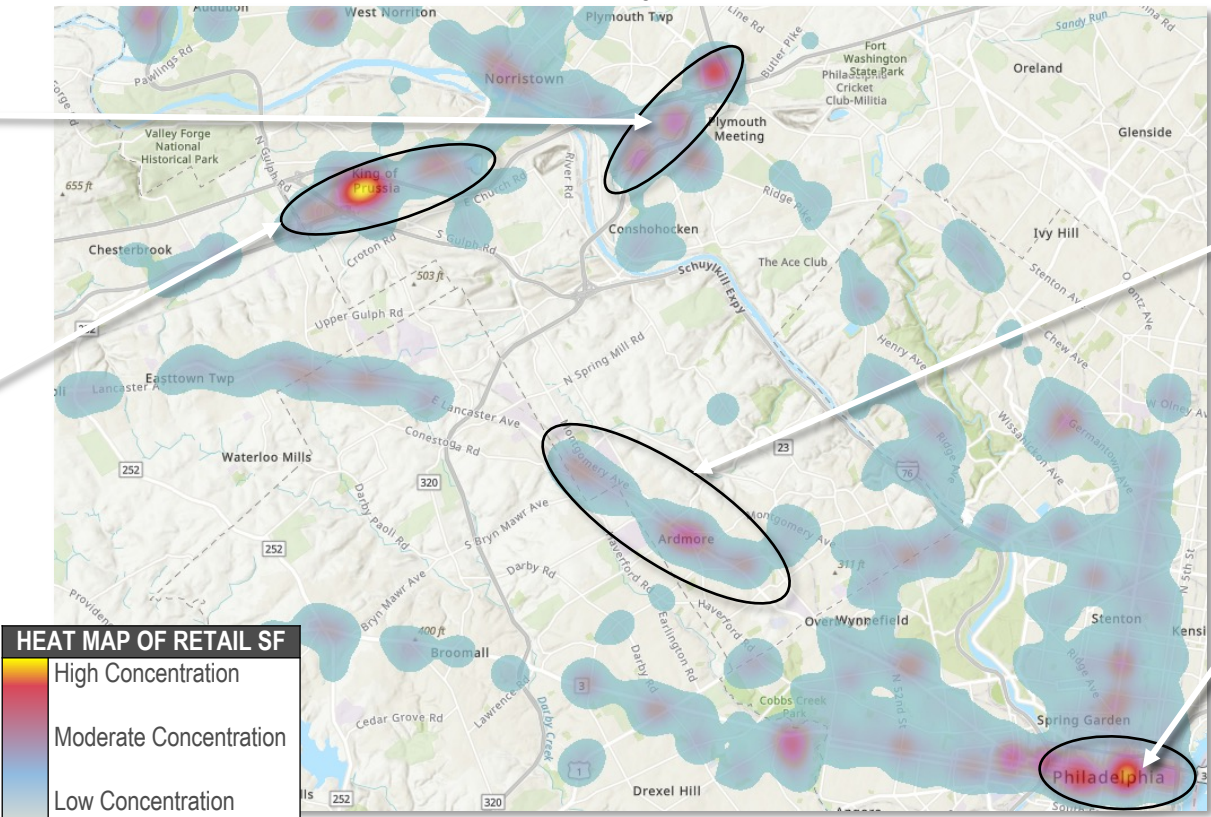


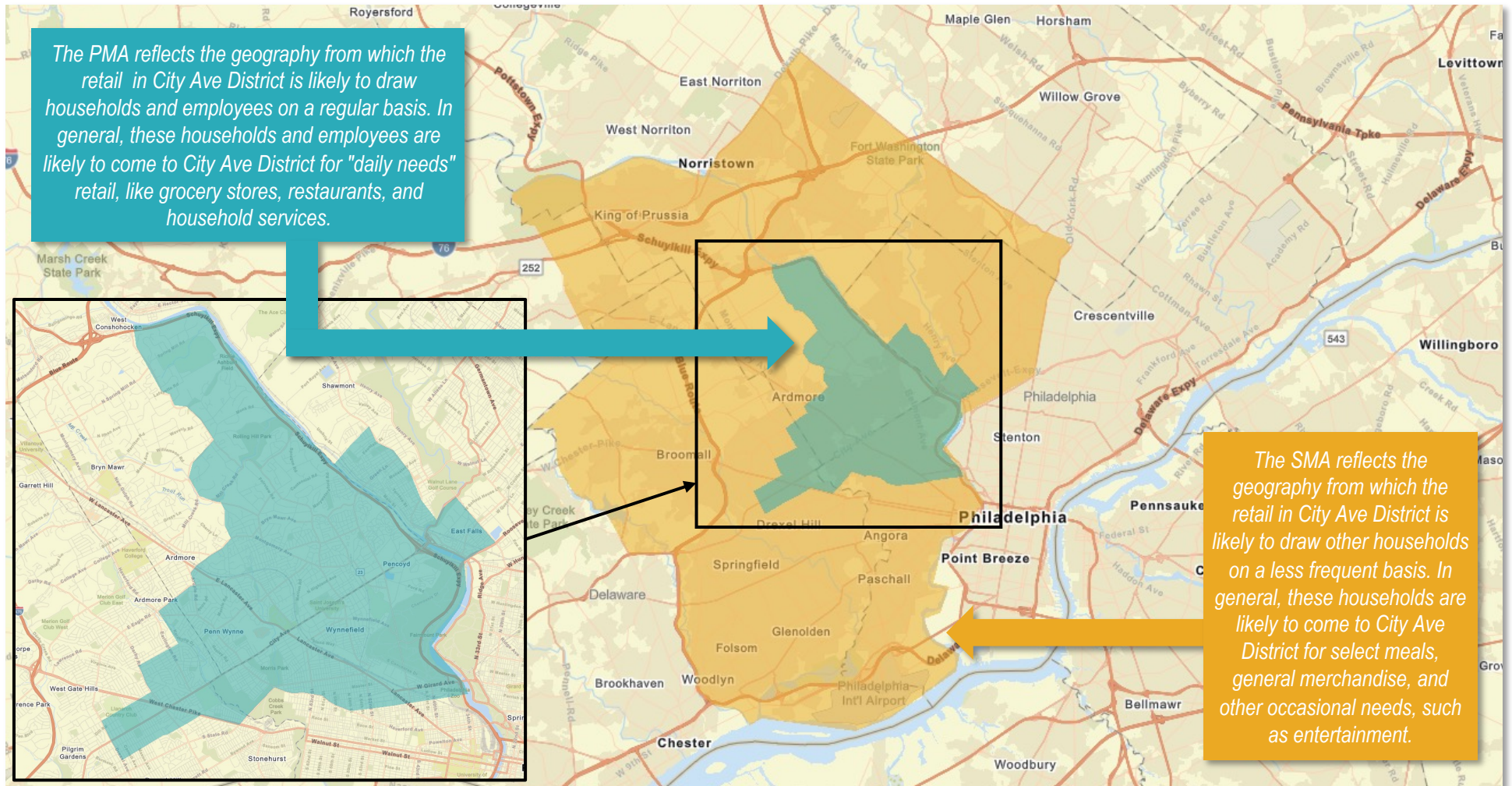
Image Source: Google Images
Source: CoStar; RCLCO

PRIMARY & SECONDARY MARKET AREAS

MSC

- RCLCO defined the retail trade areas based on an analysis of shopping patterns, demographic characteristics, and competitive options around City Ave District.

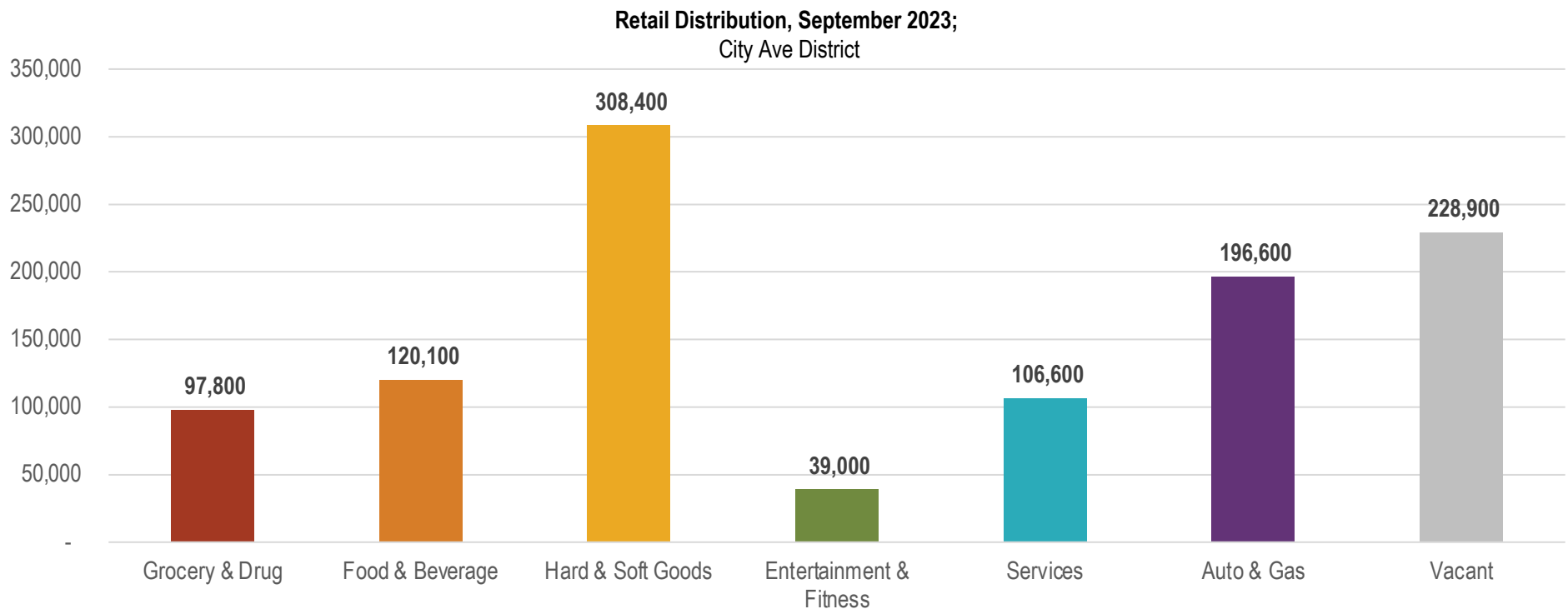
Map of Primary and Secondary Market Areas, September 2023;
Lower Merion Township and Philadelphia, Pennsylvania



Source: RCLCO

COMPOSITION OF EXISTING RETAIL

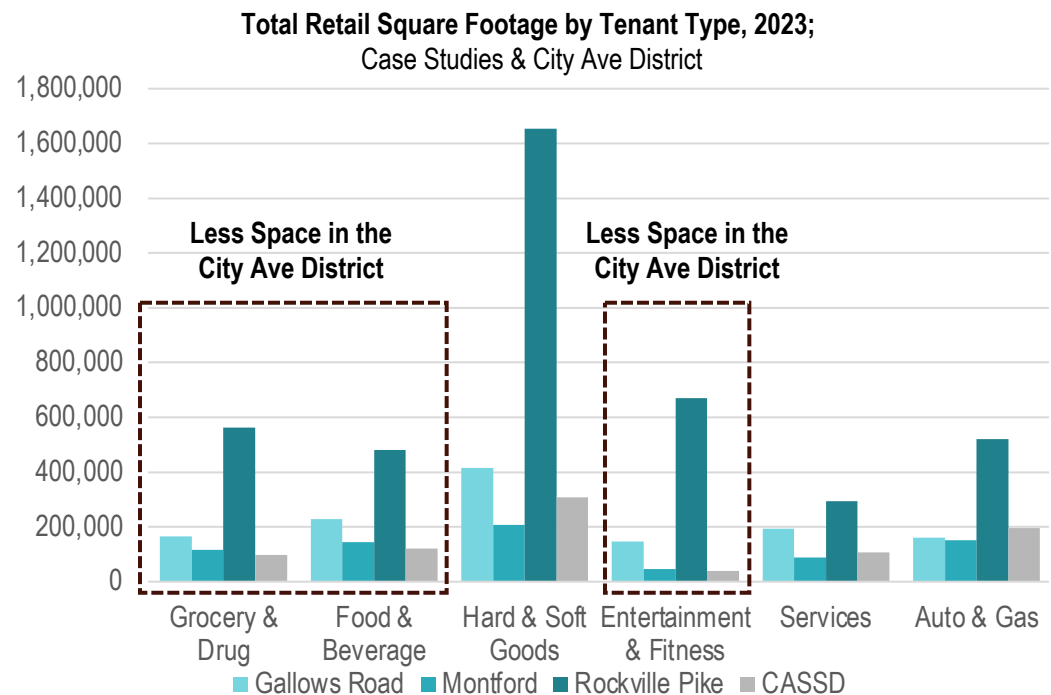
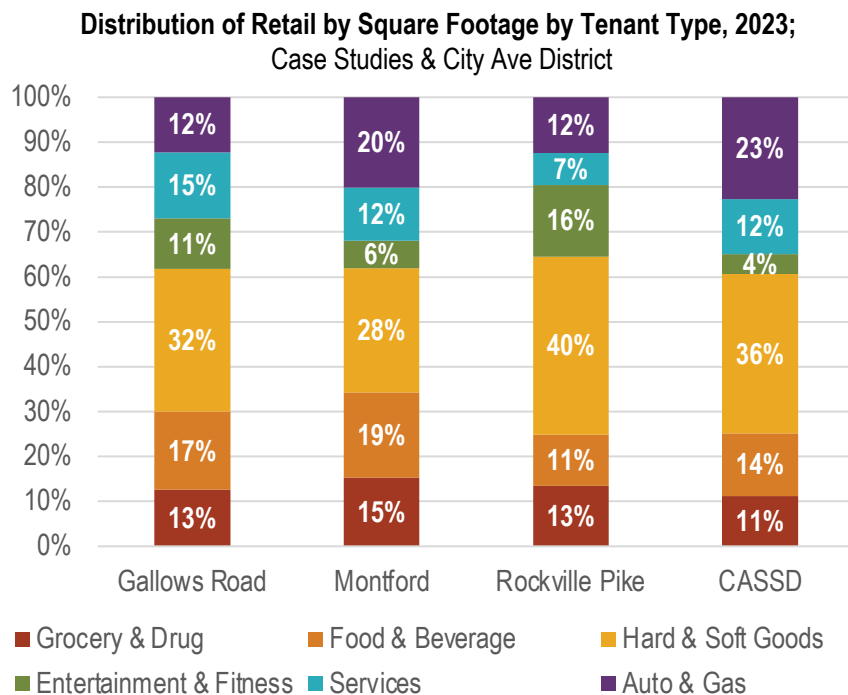
- In total, City Ave District contains approximately 1,097,400 square feet of retail space, 79% of which is currently occupied.
- *Hard & Soft Goods* and *Auto & Gas* tenants make up the largest segments of retail in City Ave District, given the presence of large users like Target, Saks 5th Avenue, and BMW of the Main Line.
- *Food & Beverage*, *Services*, and *Grocery & Drug* tenants hold a similar share of the space. Relative to the scale of destination retail pulling households from across the region (e.g., Saks 5th Avenue, BMW of the Main Line, etc.), there is little neighborhood-serving retail targeting the households who live most proximate to City Ave District, highlighting one of the biggest needs.



Source: MSC; CoStar; RCLCO

COMPARISON TO CASE STUDY RETAIL DISTRICT MSC

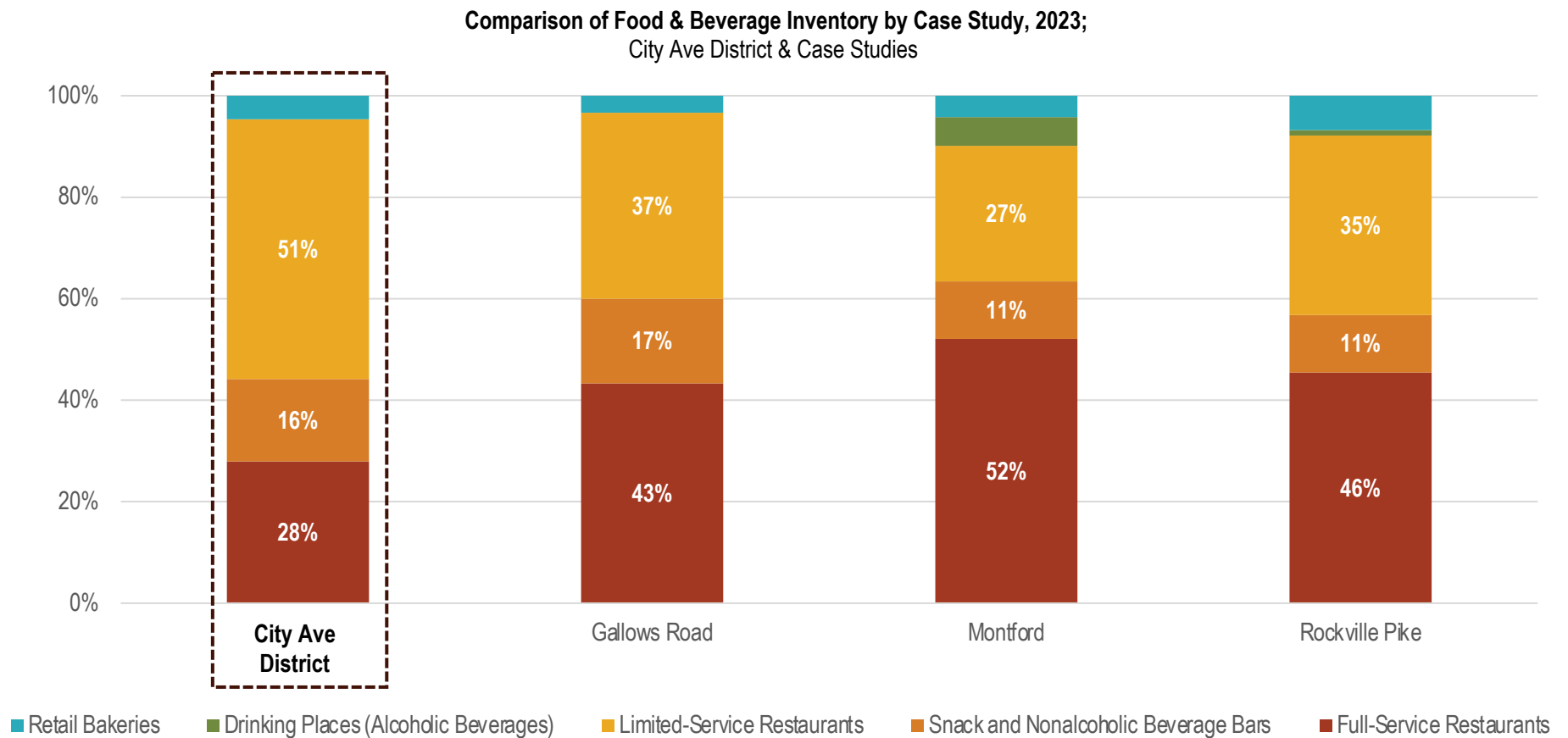
- Relative to retail districts in other East Coast markets, City Ave District lacks Grocery & Drug, Food & Beverage, and Entertainment & Fitness options, which help to activate submarkets on nights and weekends when office-serving businesses do not see as much use.
- Meanwhile, City Ave District contains sizable amounts of Services and Auto & Gas, which—while important—do not sustain activation throughout the day and can be less beneficial for placemaking.
- Lastly, the scale of Hard & Soft goods in City Ave District is comparable to that of the case studies; however, Target and Saks comprise 79% of the total space for Hard & Soft Goods, pointing to opportunities for greater tenant diversity.



Source: CoStar, Esri, MSC, RCLCO

FOOD & BEVERAGE COMPARISON

- At this time, the Food & Beverage program in the City Avenue District is skewed toward limited-service restaurants, with relatively few full-service options.
- Comparisons to other retail districts point to clear opportunities for full-service restaurants. The bulk of existing options tend to be national chains, which tend to be less likely to set City Ave District apart and/or showcase its unique characteristics.



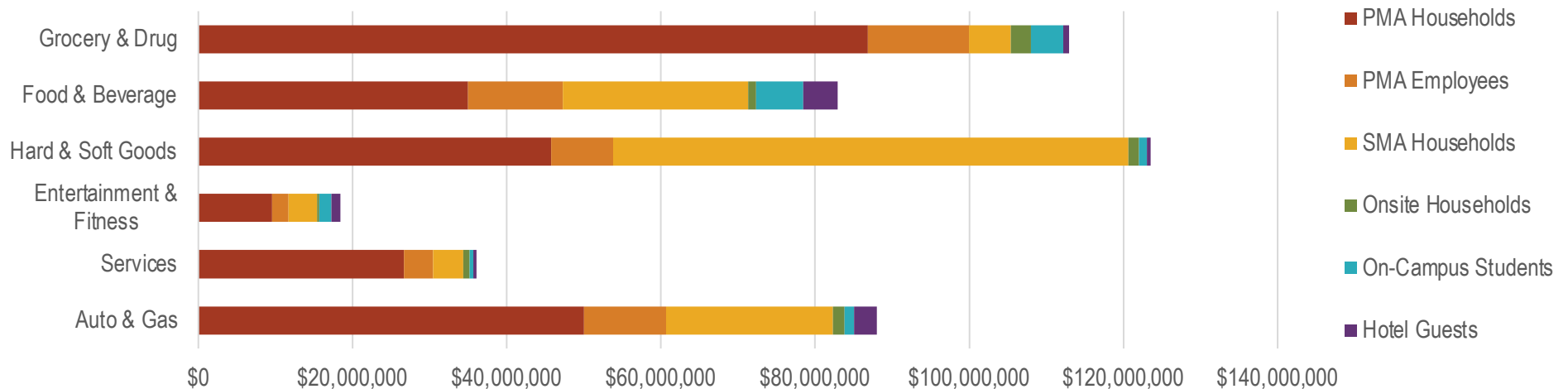
Source: CoStar, Esri, MSC, RCLCO

POTENTIAL RETAIL SPENDING



- The majority (70%) of projected spending activity in City Ave District stems from groups that live/work nearby.
- However, a sizable portion of projected spending activity stems from people who live slightly further away, but who would come to City Ave District for specific retail options. These households tend to be quite affluent, meaning that—even if City Ave District attracts fewer of them—they still demonstrate significant purchasing power retail in City Ave District could capture if tenanted appropriately.

Distribution of Potential District-Level Spending by Retail and Customer Type, 2032;
City Ave District



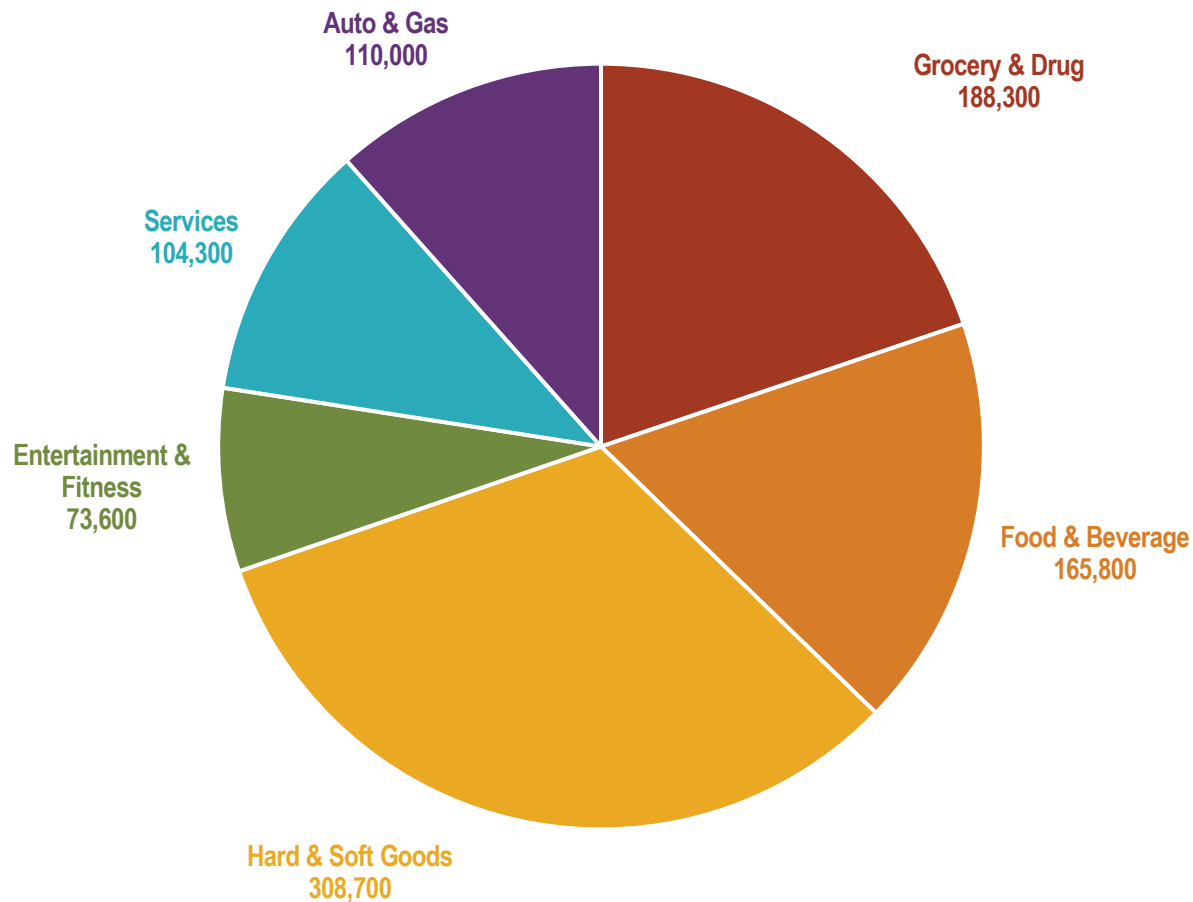
TYPE OF RETAIL	PMA Households	PMA Employees	SMA Households	Onsite Households	On-Campus Students	Hotel Guests	TOTAL
Grocery & Drug	\$86,877,300	\$13,079,900	\$5,446,300	\$2,579,000	\$4,194,100	\$790,800	\$112,967,400
Food & Beverage	\$35,010,900	\$12,237,500	\$24,057,100	\$1,039,300	\$6,114,200	\$4,448,400	\$82,907,400
Hard & Soft Goods	\$45,796,700	\$7,987,300	\$66,890,500	\$1,359,500	\$1,033,900	\$444,900	\$123,512,800
Entertainment & Fitness	\$9,596,000	\$2,124,400	\$3,670,100	\$284,900	\$1,559,300	\$1,186,300	\$44,712,000
Services	\$26,697,000	\$3,720,200	\$3,947,400	\$792,500	\$526,400	\$395,400	\$18,421,000
Auto & Gas	\$50,052,400	\$10,648,800	\$21,636,700	\$1,485,800	\$1,219,300	\$2,965,600	\$36,078,900
TOTAL	\$254,030,300	\$49,798,200	\$125,648,300	\$7,540,900	\$14,647,100	\$10,231,400	\$461,896,100
Per Capita	\$3,578	\$2,748	\$334	\$5,027	\$3,523	\$34	

Source: RCLCO

RETAIL DEMAND

- Based on the potential spending patterns, RCLCO determined there was sufficient demand to accommodate up to 950,700 square feet of retail in City Ave District over the next 10 years

District Retail Demand Potential (SF), 2032;
City Ave District



District Retail Demand Potential (SF), 2022-2032;
City Ave District

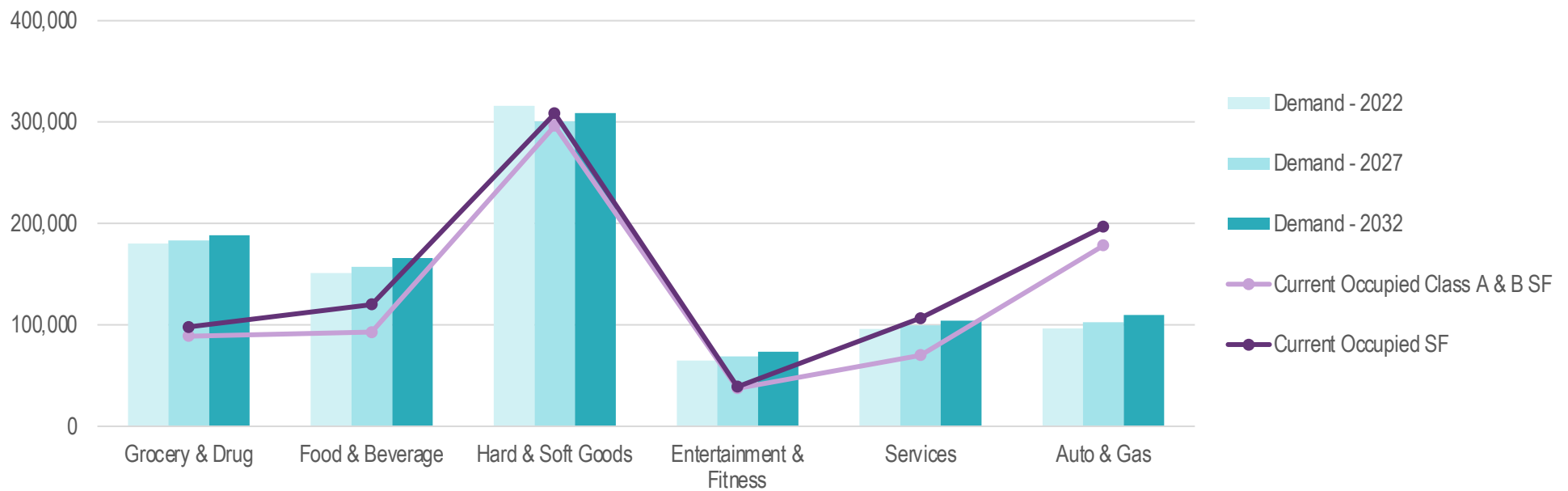
	TOTAL RETAIL SPACE DEMANDED		
	2022	2027	2032
Grocery & Drug	180,500	183,300	188,300
Food & Beverage	151,100	157,500	165,800
Hard & Soft Goods	315,800	300,800	308,700
Entertainment & Fitness	64,900	68,700	73,600
Services	96,100	99,400	104,300
Auto & Gas	96,700	102,500	110,000
TOTAL	905,100	912,200	950,700

CURRENT SUPPLY / DEMAND BALANCE

MSC

- There are opportunities to introduce new Grocery & Drug, Food & Beverage, and Entertainment & Fitness retail within City Ave District, and to improve the quality or diversity of other retail offerings

Comparison of Retail Supply to Retail Demand (in SF), 2022-2032;
City Ave District



	SUPPLY		DEMAND			10-YEAR UNMET DEMAND
	CURRENT VACANCY	CURRENT OCCUPIED SPACES	2022	2027	2032	
Grocery & Drug		97,800	180,500	183,300	188,300	90,500
Food & Beverage		120,100	151,100	157,500	165,800	45,700
Hard & Soft Goods		308,400	315,800	300,800	308,700	300
Entertainment & Fitness		39,000	64,900	68,700	73,600	34,600
Services		106,600	96,100	99,400	104,300	(2,300)
Auto & Gas		196,600	96,700	102,500	110,000	(86,600)
TOTAL	228,900	868,500	905,100	912,200	950,700	82,200

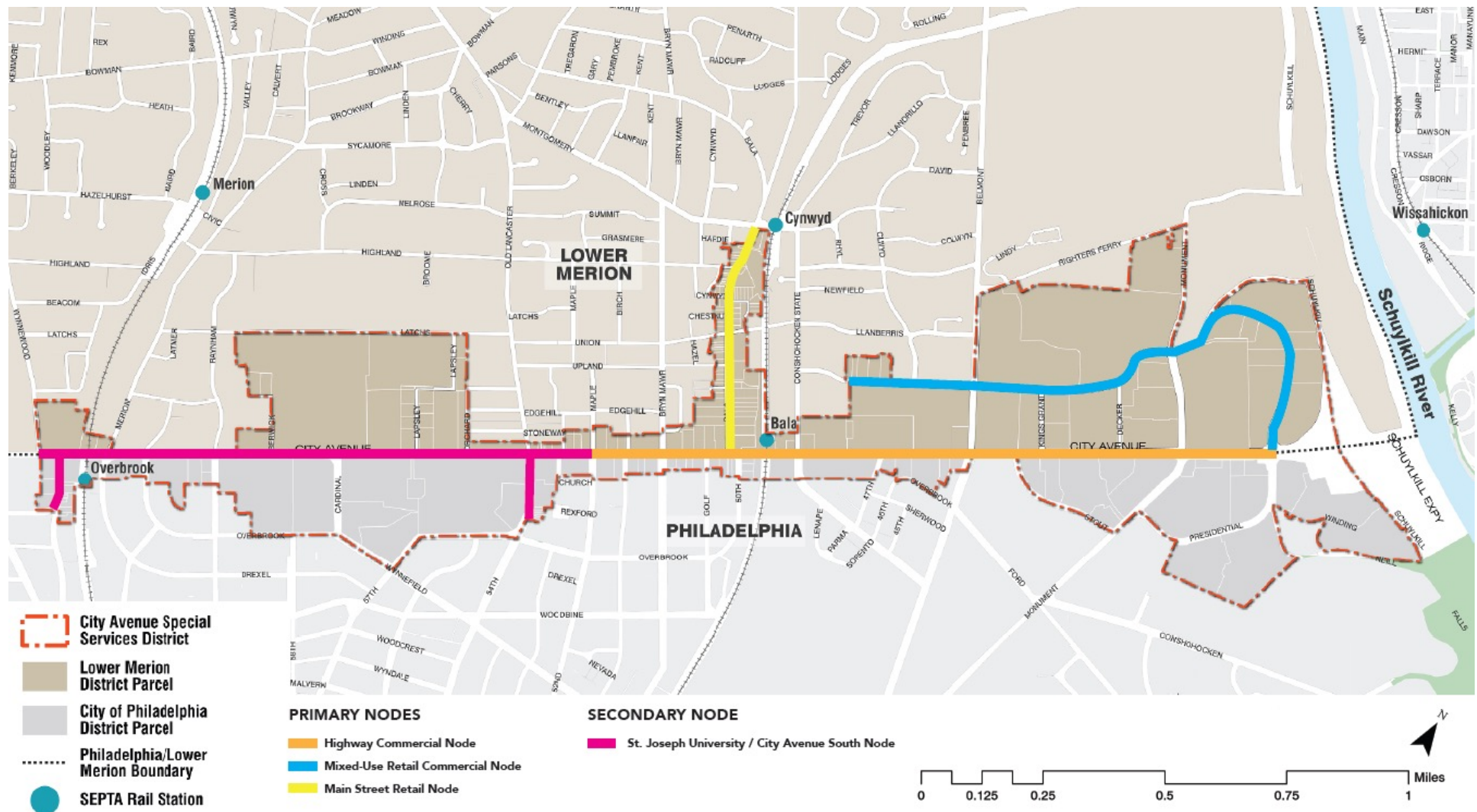
*Note: Current occupied SF excludes 229K square feet of vacant space, as well as under construction / planned space

Source: MSC Retail; RCLCO

RETAIL NODES

MSC

- City Ave District includes three primary retail nodes—Highway Commercial, Mixed-Use, and Main Street—with one secondary retail node (St. Joseph's)



Source: MSC, City Ave District

CLASS OF SPACE

MSC

- Most retail is located in the Highway Commercial node today.
- Across City Ave District, all Class A spaces are fully occupied at this time. Meanwhile, Class B spaces are 69% occupied and Class C spaces are 65% occupied, highlighting the importance of quality in driving performance and occupancy.

Highway Commercial

	A	B	C	TOTAL
Grocery & Drug	45,000	43,900	2,000	90,900
Food & Beverage	16,100	55,100	4,500	75,700
Hard & Soft Goods	247,000	29,300	6,000	282,300
Entertainment & Fitness	37,400	0	800	38,200
Services	18,400	43,100	7,000	68,500
Auto & Gas	8,000	65,900	7,700	81,600
Vacant	0	136,700	11,000	151,100
TOTAL	371,900	374,000	39,000	788,300

St Joseph's

	A	B	C	TOTAL
Grocery & Drug	0	0	6,900	6,900
Food & Beverage	0	4,700	17,700	22,400
Hard & Soft Goods	0	20,000	1,400	21,400
Entertainment & Fitness	0	0	0	0
Services	0	0	10,400	10,400
Auto & Gas	0	0	0	0
Vacant	0	11,700	11,200	23,000
TOTAL	0	36,400	47,600	84,100

Summary of Retail Inventory by Node and Class of Space, September 2023; City Ave District

Overall

	A	B	C	TOTAL
Grocery & Drug	45,000	43,900	8,900	97,800
Food & Beverage	25,400	67,300	27,400	120,100
Hard & Soft Goods	247,000	49,300	12,100	308,400
Entertainment & Fitness	37,400	0	1,600	39,000
Services	18,400	51,700	36,500	106,600
Auto & Gas	8,000	170,300	18,200	196,600
Vacant	0	168,500	57,000	228,900
TOTAL	381,200	551,000	161,700	1,097,400

Mixed Use

	A	B	C	TOTAL
Grocery & Drug	0	0	0	0
Food & Beverage	9,400	7,400	0	16,800
Hard & Soft Goods	0	0	0	0
Entertainment & Fitness	0	0	0	0
Services	0	0	0	0
Auto & Gas	0	8,600	0	8,600
Vacant	0	8,100	3,000	11,100
TOTAL	9,400	24,100	3,000	36,500

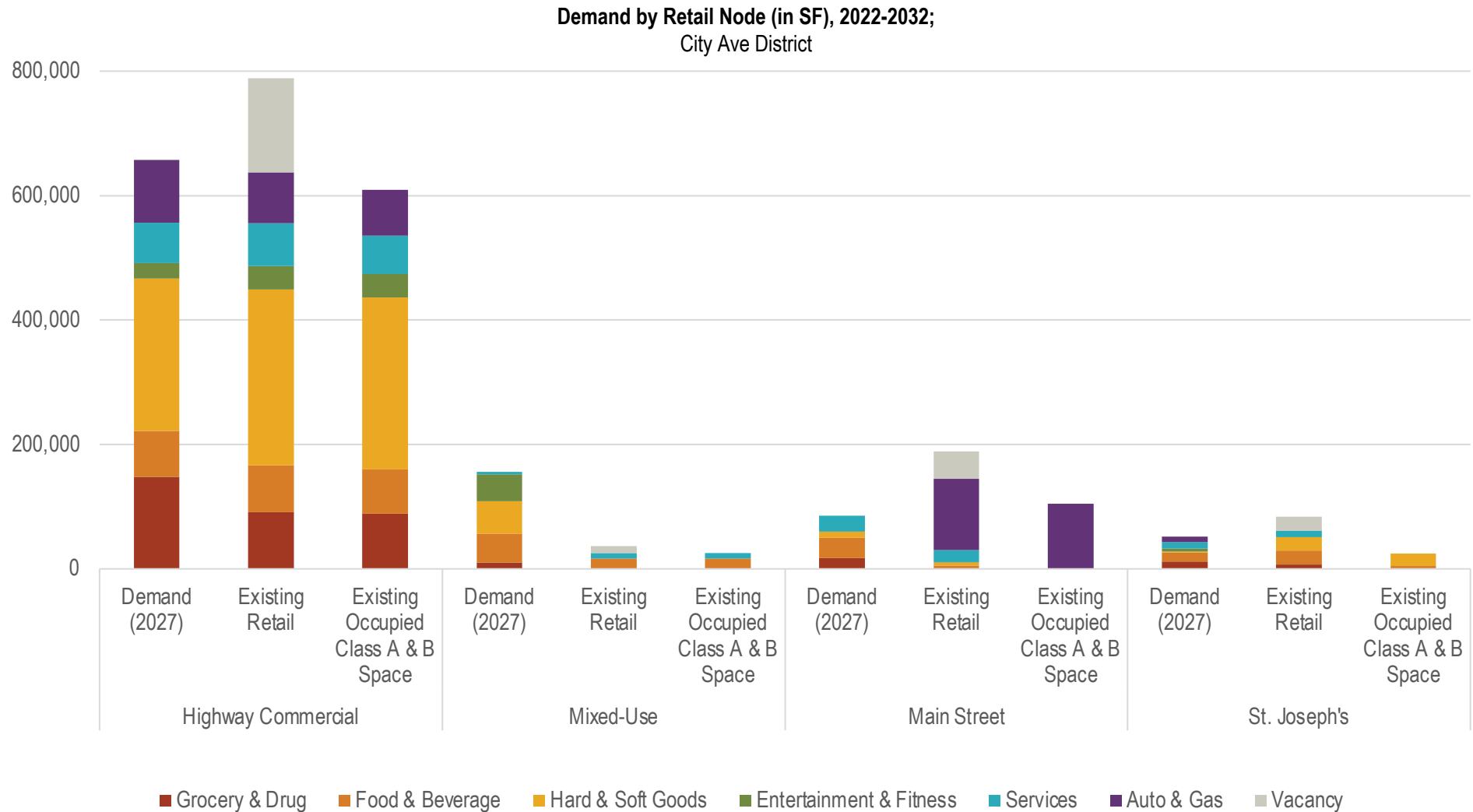
Main St.

	A	B	C	TOTAL
Grocery & Drug	0	0	0	0
Food & Beverage	0	0	5,200	5,200
Hard & Soft Goods	0	0	4,800	4,800
Entertainment & Fitness	0	0	800	800
Services	0	0	19,100	19,100
Auto & Gas	0	104,500	10,500	115,000
Vacant	0	12,000	31,700	43,700
TOTAL	0	116,500	72,100	188,600

Note: Class of Space does not include any under construction or planned space
Source: MSC; RCLCO

SUMMARY OF DEMAND BY NODE

- After determining the total demand for retail within City Ave District, RCLCO distributed this demand to the four nodes based on expected appeal to each customer group.



HIGHWAY COMMERCIAL NODE

PRIMARY NODE

MSC

- Occupied supply closely generally aligns with demand, with the exception of Grocery & Drug, where there are opportunities for expansion.
 - » Already, *One Belmont* plans to include 36,000 square feet of retail, including a grocery store that will meet a portion of the unmet Grocery & Drug demand. However, there is likely to be remaining Grocery & Drug Demand even after this delivery
- Outside of Grocery & Drug, there are likely opportunities for improved tenanting in other retail categories, with the goal of better responding to resident, employee, and visitor needs.

Node Spending Capture and Supportable Space, 2032;
Highway Commercial Node

	PMA HOUSEHOLDS	PMA EMPLOYEES	SMA HOUSEHOLDS	FUTURE ON-SITE HOUSEHOLDS	ON-CAMPUS STUDENTS	HOTEL GUESTS	TOTAL		
CAPTURE OF CITY AVE SPENDING ACTIVITY									
Grocery & Drug	80%	80%	80%	70%	50%	80%	79%		
Food & Beverage	40%	40%	60%	25%	15%	50%	44%		
Hard & Soft Goods	80%	80%	80%	60%	38%	60%	79%		
Entertainment & Fitness	40%	40%	25%	30%	10%	30%	34%		
Services	60%	60%	80%	50%	25%	70%	62%		
Auto & Gas	90%	90%	100%	90%	50%	90%	92%		
TOTAL	70%	66%	76%	57%	26%	56%	69%		
								EXISTING SF	
SUPPORTABLE SPACE WITHIN NODE							TOTAL	EXISTING SF	(CLASS A & B)
Grocery & Drug	115,840	17,440	7,280	3,010	3,500	1040	148,110	90,900	88,900
Food & Beverage	28,000	9,800	28,860	525	1,830	4,450	73,465	75,700	71,200
Hard & Soft Goods	91,600	15,920	133,760	2,040	1,000	660	244,980	282,300	276,300
Entertainment & Fitness	15,360	3,400	3,675	330	620	1,410	24,795	38,200	37,400
Services	40,020	8,940	12,640	1,600	525	1,120	64,845	68,500	61,500
Auto & Gas	56,340	11,970	27,000	1,710	750	3,330	101,100	81,600	73,900
Vacancy								151,100	136,700
TOTAL	347,160	67,470	213,215	9,215	8,225	12,010	657,295	788,300	745,900

MIXED-USE NODE

PRIMARY NODE

MSC

- Among the four nodes, the Mixed-Use node stands out as having the highest potential for expanded retail offerings.
- Major redevelopment projects offer opportunities to create a mixed-use “destination,” with new retail spaces that can be tailored to the needs of modern-day tenants. These spaces, along with the new residents, employees, and visitors these projects can bring, are likely to be attractive to the Food & Beverage, Entertainment, and Soft Goods retailers that can shape a more experiential environment than that which exists elsewhere in City Ave District today.

Node Spending Capture and Supportable Space, 2032;
Mixed-Use

	PMA HOUSEHOLDS	PMA EMPLOYEES	SMA HOUSEHOLDS	FUTURE ON-SITE HOUSEHOLDS	ON-CAMPUS STUDENTS	HOTEL GUESTS	TOTAL		
CAPTURE OF CITY AVE SPENDING ACTIVITY									
Grocery & Drug	5%	5%	15%	10%	0%	20%	6%		
Food & Beverage	25%	25%	35%	40%	10%	40%	28%		
Hard & Soft Goods	15%	15%	18%	30%	0%	40%	17%		
Entertainment & Fitness	60%	60%	70%	70%	15%	70%	59%		
Services	0%	0%	20%	5%	0%	30%	4%		
Auto & Gas	0%	0%	0%	0%	0%	0%	0%		
TOTAL	13%	15%	22%	20%	7%	38%	16%		
SUPPORTABLE SPACE WITHIN NODE							TOTAL	EXISTING SF	EXISTING SF (CLASS A & B)
Grocery & Drug	7,240	1,090	1,365	430	0	260	10,385	0	0
Food & Beverage	17,500	6,125	16,835	840	1,220	3,560	46,080	16,800	16,800
Hard & Soft Goods	17,175	2,985	30,370	1,020	0	440	51,990	0	0
Entertainment & Fitness	23,040	5,100	10,290	770	930	3,290	43,420	0	0
Services	0	0	3,160	160	0	480	3,800	8,600	8,600
Auto & Gas	0	0	0	0	0	0	0	0	0
Vacancy								11,100	8,100
TOTAL	64,955	15,300	62,020	3,220	2,150	8,030	155,675	36,500	33,500

MAIN STREET NODE

PRIMARY NODE

MSC

- Today, Bala Avenue lacks a traditional “Main Street” tenant profile, despite the traditional look and feel of such a street. Specifically, there is a shortage of the Food & Beverage, Soft Goods, and Services tenants that often locate in these environments.
- It is important to note that this demand projection should not imply the removal of the current BMW space; rather, the Main Street node should focus on adding additional retail tenants that are currently absent but essential, such as high-quality full-service restaurants, a specialty grocery store, or a café that can better address the desires of households within walking distance of Bala Avenue.

Node Spending Capture and Supportable Space, 2032;
Main Street

	PMA HOUSEHOLDS	PMA EMPLOYEES	SMA HOUSEHOLDS	FUTURE ON-SITE HOUSEHOLDS	ON-CAMPUS STUDENTS	HOTEL GUESTS	TOTAL			
CAPTURE OF CITY AVE SPENDING ACTIVITY										
Grocery & Drug	10%	10%	5%	15%	0%	0%	9%			
Food & Beverage	30%	30%	5%	30%	0%	10%	19%			
Hard & Soft Goods	5%	5%	2%	10%	0%	0%	3%			
Entertainment & Fitness	0%	0%	0%	0%	0%	0%	0%			
Services	30%	30%	0%	35%	0%	0%	24%			
Auto & Gas	0%	0%	0%	0%	0%	0%	0%			
TOTAL	12%	15%	2%	17%	0%	4%	9%			
SUPPORTABLE SPACE WITHIN NODE								TOTAL	EXISTING SF	EXISTING SF (CLASS A & B)
Grocery & Drug	14,480	2,180	455	645	0	0	17,760	0	0	
Food & Beverage	21,000	7,350	2,405	630	0	890	32,275	5,200	0	
Hard & Soft Goods	5,725	995	3,070	340	0	0	10,130	4,800	0	
Entertainment & Fitness	0	0	0	0	0	0	0	800	0	
Services	20,010	4,470	0	1,120	0	0	25,600	19,100	0	
Auto & Gas	0	0	0	0	0	0	0	115,000	104,500	
Vacancy								43,700	12,000	
TOTAL	61,215	14,995	5,930	2,735	0	890	85,765	188,600	116,500	

STAKEHOLDER FEEDBACK





STAKEHOLDER FEEDBACK	IMPLICATIONS FOR RETAIL STRATEGY
Bala Avenue has struggled with chronic vacancy, and its current retail tenants do not meet the needs or desires of the neighborhood. In particular, its lack of walkable food & beverage options is a major missed opportunity.	Removing barriers to entry for F&B tenants and initiating programming can lead the way for improvements
Many existing property owners are resistant to moving forward and looking for band-aid solutions to long-term problems. Short-term leases signed by non-credit tenants are ubiquitous in the market because they rarely negotiate and do not require significant TIs.	Facade grants or other improved outdoor space incentives can help to align tenant and district-level goals
Crime, vandalism, and trash continue to be issues throughout the district, although it has improved after efforts from City Ave District. Both perception and past experience have led many property owners to voice concerns over safety throughout the district	City Ave District has already initiated efforts to address safety but it is possible more can be done
There is no regional draw to the district. There are no public parks or spaces in which to hold events; there are not local food & beverage tenants, other than Pescatore, that are unique and draw people from outside the market; and, there is no “Main and Main.”	New mixed-use developments can become the major regional draw, and improved Bala Avenue can serve as local neighborhood core
Suburban Square is currently the preferred choice for nearby residents and visitors to the area due to its walkability, superior tenant profile, and overall scale of retail. It offers the ability to park and visit different retailers at the same time in a safe, clean environment.	Public realm plan, improved walkability, and better pedestrian infrastructure are key to drawing regional visits
St. Joseph’s students generally do not shop in City Ave District; many live, shop, or dine in Manayunk and Center City	Facade grants & programming can bring new energy to the node.
Retail in the district should serve households on the Philadelphia and Lower Merion sides, and it should serve individuals of all ages and incomes	Public space on Bala Ave can be a gathering place for all nearby households
Residents miss Lord & Taylor, a more accessible department store, as Saks serves only a select few households in the market	Target accessible Hard & Soft goods tenants in city-scaled space.
Each node in City Ave District operates as a silo; there is not sufficient walkability between different retailers, as seen in Ardmore/Suburban Square	Improved public realm plan and coordination with City Ave District can connect different spaces.

Source: MSC; RCLCO

HIGHWAY COMMERCIAL NODE

PRIMARY NODE

MSC

Current Character	<p>Currently the primary corridor in the district; car-oriented with significant retail but high vacancy rates.</p> 	Desired Character	<p>Car-orientation may continue but position node as a local-serving corridor that offers a variety of high-quality services, F&B, and large-format hard & soft goods</p> 
Challenge / Opportunity Statement	<p>Challenge: While there are pockets of strong retailers along City Ave, much of the node consists of auto-oriented uses or aging, vacant space with mostly non-credit tenants</p> <p>Opportunity: Provide a better mix of local-serving and car-oriented retail that complements the growing mixed-use core along St. Asaph's Road.</p>	Hypothesis	<ol style="list-style-type: none"> 1. City Ave will mostly be a car-centric corridor with limited walkability between developments. The district can still encourage walkability and placemaking within individual developments and incentivize high-quality tenantry to improve pedestrian experience 2. City Avenue should continue to have a similar retail profile, but there is an opportunity to improve safety, access, and public infrastructure to make visitation more pleasant & convenient 3. A lack of cohesiveness and branding throughout the district may be a factor in limiting re-investment and re-tenantry, particularly in secondary Class B & C strip retail.

IMPROVE WAYFINDING &
DISTRICT SIGNAGE

GRANTS &
INCENTIVES

EXPANDED RESOURCES
FOR PUBLIC SAFETY

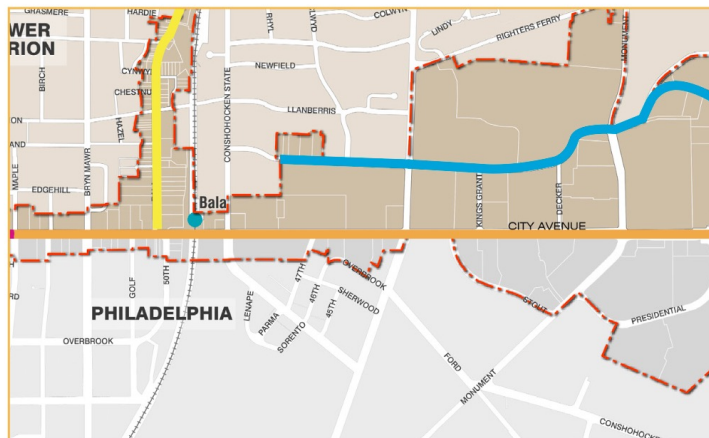


HIGHWAY COMMERCIAL NODE

PRIMARY NODE

MSC

Retail within the Highway Commercial Node is intended to support consumers within CASSD and those traveling transiently through the district. This retail is going to be accessed primarily by vehicle, in many cases by consumers traveling from outside the district, while also providing larger format retail opportunities, mostly from national tenants, with ample parking on surface parking lots.



USE CATEGORIES WITH REPRESENTATIVE TENANTS

NATIONAL FAST CASUAL 2,000 - 3,500 SF

DIG **sweetgreen**
CAVA **SHAKE SHACK**

FINANCIAL INSTITUTIONS 2,000 - 4,000 SF

CHASE **PNC**
TD Bank **TRUIST**

FULL SERVICE RESTAURANT 5,000 - 10,000 SF

HILLSTONE **TRUE FOOD KITCHEN**
IRON HILL **FIREBIRDS**

HEALTH & WELLNESS 3,000 - 10,000 SF

ULTA **ME**
BEAUTY **Massage Envy**

DISCOUNT GROCER 1,000 - 4,000 SF

ALDI **LIDL**
GROCERY OUTLET **Bargain Market**

JUNIOR ANCHOR RETAILERS 20,000 - 40,000 SF

TDx **OLD NAVY**
HomeGoods **ACE**



HOME FURNISHINGS 5,000 - 10,000 SF

The Container Store **ACE Hardware**
Blinds To Go **GARDEN STATE TILE**

MIXED-USE NODE

PRIMARY NODE

MSC

Current Character	<p><i>Little activity along St. Asaph's Rd today; new small format retail has struggled to find tenants</i></p> 	Desired Character	<p><i>Mixed-use corridor with pockets of walkability, serving both new apartments developed on-site and the surrounding community</i></p> 
Challenge / Opportunity Statement	<p>Challenge: There are several planned mixed-use projects along St. Asaph's, but each site is limited in scale or their ability to connect with each other</p> <p>Opportunity: Develop a mixed-use core with sufficient density, a strong sense of place, and connectivity to attract quality retail to compete with Suburban Square and other mixed-use projects.</p>	Hypothesis	<ol style="list-style-type: none"> 1. The key nexus should be intersection of Belmont Ave and St. Asaph's Road given access to redevelopments of Federal Realty, Tishman Speyer, and Keystone projects. 2. Ensure approved Bala Plaza master plan designates a main retail area of at least 100K square feet with strong visibility from and connection to City Ave to attract destination and restaurant tenants. 3. Distance from City Avenue may prove difficult to attract regional tenants to site, and the project will need infrastructure improvements, like roads and sidewalks to improve connectivity to mixed-use sites in order to enhance the appeal

PUBLIC MASTER PLAN
REVIEW

RETAIL AND PEDESTRIAN PLAN &
PRIVATE SECTOR ENGAGEMENT

PUBLIC REALM
PLAN

INFRASTRUCTURE
IMPROVEMENTS

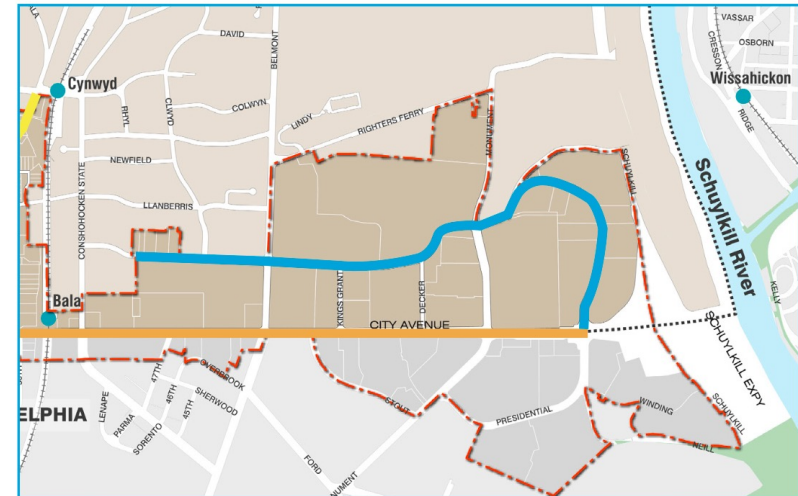


MIXED-USE NODE

PRIMARY NODE

MSC

The Mixed-use retail node is intended to both engage on-site residents with daily-needs amenities while also attracting outside consumers with a specific focus on extending the times and duration consumers spend in the district. This node needs to provide excellent vehicular access (ingress and parking) for outside consumers while also supporting a strong pedestrian experience that allows for cohesive connections between nearby developments.



USE CATEGORIES WITH REPRESENTATIVE TENANTS

SMALL FORMAT ENTERTAINMENT 3,000 - 8,000 SF



SANDBOX^{VR}



LARGE FORMAT ENTERTAINMENT 35,000 - 50,000 SF

PUNCH BOWL SOCIAL

PINSTRIPES



HEALTH & WELLNESS 1,500 - 3,000 SF

LaserAway

HEYDAY



BOUTIQUE FITNESS 1,500 - 3,000 SF

corepower YOGA

[solidcore]

pure barre

BARRY'S

FULL SERVICE RESTAURANT 5,000 - 10,000 SF

HILLSTONE

TRUE FOOD KITCHEN



FIREBIRDS

NEIGHBORHOOD ORIENTED FOOD 1,000 - 4,000 SF



HOME ROOM



EARLY CHILDHOOD SERVICES 3,000 - 10,000 SF



KUMON



MAIN STREET NODE

PRIMARY NODE

MSC

Current Character	<p><i>Sleepy, walkable main street with significant vacancy and little public realm programming</i></p> 	Desired Character	<p><i>Active, energetic, walkable Main Street with daytime and nighttime activation</i></p> 
Challenge / Opportunity Statement	<p>Challenge: Existing retail tenant profile does not match the Main Street character of the node. Currently non-credit services overwhelm the retail spaces in the node</p> <p>Opportunity: Reposition Bala Avenue as a charming, walkable main street that serves households in the surrounding neighborhoods as well as some regional visitors</p>	Hypothesis	<ol style="list-style-type: none"> 1. There are not sufficient restaurants, particularly sit-down full-service, to meet the needs of the nearby neighborhoods. 2. Bala Avenue will always feel separate from City Avenue, but there needs to be an established connection or entrance to the node 3. Lack of parking may serve as a barrier for certain retailers that rely on regional visitation. 4. Lack of public space or activated outdoor space prevents visitors from spending additional time in the district

CREATE AN
ENTRANCE TO
BALA AVE

REMOVE BARRIERS
FOR F&B TENANTS

INITIATE PROGRAMMING &
EVENTS

PUBLIC ART &
PLACEMAKING
PROGRAM

PUBLIC PARKING
PLAN

Low Energy, Moderate Impact

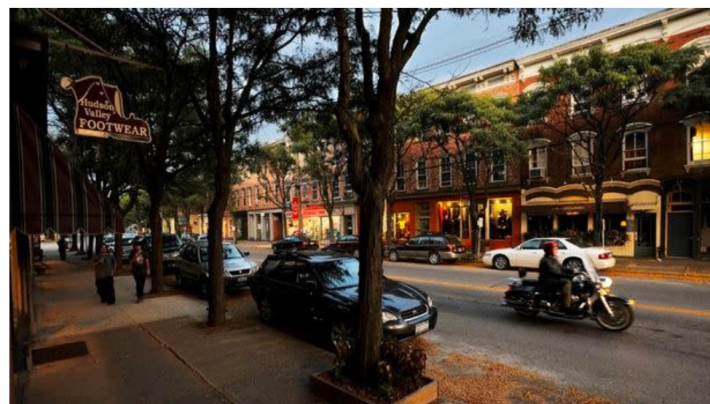
High Energy, High Impact

MIXED-USE NODE

PRIMARY NODE

MSC

The Main Street retail node is intended to attract and engage consumers throughout evenings and weekends while supporting unique local businesses in an authentic pedestrian experience. This node should create vibrant dining and boutique retail environments with an emphasis on streetscape placemaking.



USE CATEGORIES WITH REPRESENTATIVE TENANTS

**FULL SERVICE RESTAURANT
(BYOB & LIQUOR LICENSE)**
2,500 - 4,000 SF

IRIVA

At the Table



IN THE VALLEY
EST. 2016

COFFEE
1,000 - 2,000 SF

ELIXR
COFFEE ROASTERS



ULTIMO
COFFEE BAR

GRYPHON
COFFEE CO.

NEIGHBORHOOD BOUTIQUES
500 - 2,000 SF



hildes
TOY BOX

Occasionette
GOODS & GIFTS



MSC

*1845 Walnut Street, 6th Floor
Philadelphia, PA 191*

MATTHEW STEIN

mstein@hellomsc.com
215.883.7404

DOUGLAS GREEN

dgreen@hellomsc.com
215.883.7400



*7200 Wisconsin Avenue, Suite 1110
Bethesda, MD 20814*

JAKE ROSS

jross@rclco.com
240.404.6811



AGENDA ITEM INFORMATION

ITEM: AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 105, NOISE AND EXTERIOR LIGHTING - Noise Amendments - Z-22-012

Consider for approval authorizing the Township Secretary to advertise a public hearing and notice of intent to adopt an Ordinance to amend the Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, to amend the regulations for the prohibition of excessive noise, maximum permissible sound pressure levels, noise measurement locations, exemptions, and violations and penalties including but not limited to the institution of an administrative fee for a failure to comply with Article II, Noise.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Ordinance	Ordinance

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Proposed Ordinance to Amend Article II of Chapter 105, Noise

Prepared by: Christopher Leswing, Director, Building and Planning
Ernest Pendleton, Assistant Director, Building and Planning

Date: March 8, 2024

I. Action To Be Considered By The Board:

Authorize the Township Secretary to advertise notice of intent to adopt an ordinance to amend the Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, to amend the regulations for the prohibition of excessive noise, maximum Permissible Sound Pressure Levels, Noise Measurement Locations, Exemptions, and Violations and Penalties including but not limited to the institution of an administrative fee for a failure to comply with Article II, Noise.

II. Why This Issue Requires Board Consideration:

An amendment to the Township Code is subject to the approval of the Board of Commissioners.

III. Current Policy Or Practice (If Applicable):

N/A

IV. Other Relevant Background Information:

This matter was discussed at the February 14, 2024, Building & Planning Committee (B&P) meeting. At the February 21st Board of Commissioners meeting, the draft ordinance was referred back to the B&P to allow staff to clarify the proposed amendment to mechanical equipment in §105-6 A (4110)

Shown below is the original Code language and proposed new language as it appears in the draft ordinance. Staff now recommends the following amendments, shown in bold, to clarify this language as requested by the Board at their February 21st meeting:

(4110) ~~Commercial mechanical equipment that is operating normally and is located or terminated at roof level with sound baffling screening panels, is permitted to create an average sound pressure up to 75 decibels when measured in accordance with §105-4.~~
Commercial mMechanical equipment that was in place and Code compliant as of

the date of enactment and that is operating normally, but above the limits set forth in §105-3 is required to be brought into compliance to the greatest extent possible, as determined by the Director of Building and Planning or his/her designee, by use of sound baffling or other screening technology.

V. Impact on Township Finances:

There will be no impact on Township finances.

VI. Staff Recommendation

Staff recommends authorizing advertisement of intent to adopt the ordinance with the amendment recommended above.

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 105, Entitled Noise And Exterior Lighting, Article II, Noise, To Amend The Regulations For The Prohibition of Excessive Noise, Maximum Permissible Sound Pressure Levels, Noise Measurement Locations, Exemptions, And Violations And Penalties Including But Not Limited To The Institution Of An Administrative Fee For A Failure To Comply With Article II, Noise.

The Board of Commissioners of the Township of Lower Merion hereby ordains:

Section 1. The Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, § 105-2, Excessive noise prohibited, is hereby amended to read as follows:

§ 105-2 Excessive noise prohibited.

It shall be unlawful for any person to make or produce excessive noise, ~~thereby causing annoyance, inconvenience or detriment to the public or to any other person or persons.~~ Noise shall be considered excessive if the sound is subject to this chapter and the sound exceeds the limits hereinafter set forth exceeds the limits set forth in § 105-3 below.

Section 2. The Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, § 105-3, Maximum permissible sound pressure levels, is hereby amended in its entirety to read as follows:

§ 105-3 Maximum permissible sound pressure levels.

A. No person or equipment shall create or cause, or permit the creation of, sound having an Equivalent Continuous Sound Pressure Level ~~originating from~~ received by a residential property that exceeds 5 decibels above background level or the limits set forth in the chart below. up to maximum dBs levels of 75 dBs and an average of 70 dBs, measured beyond the property boundary except as provided for in § 105-6.

B. No person or equipment shall create or cause, or permit the creation of, sound having an Equivalent Continuous Sound Pressure Level ~~originating from~~ received by a non-residentially used or zoned property that exceeds 10 7 decibels above background level or the limits set forth in the chart below up to maximums dBs levels of 75 dBs and an averages of 70 dBs and measured beyond the property boundary except as provided for in § 105-6.

AC. Notwithstanding the provisions in A and B above, d During daytime or nighttime hours, the maximum permissible sound pressure levels and average levels shall not exceed those set forth in the following chart:

Maximum A-Weighted Sound Pressure Levels (SPL)			
8:00 a.m. - 8:00 p.m. Daytime/8:00 p.m. - 8:00 a.m. Nighttime			
Zoning District of Receiving Property	Time of Day	Maximum SPL (dBA)	LEQ Average SPL (dBA)
Residential (R)	Daytime	57 75	52 70
	Nighttime	52 60	45 50
Nonresidential (C)	Daytime	67 75	62 70
	Nighttime	62 65	55

~~B. If the background sound level measured at the receiving property line at the time of a noise complaint are within five dBA of the limits in this chart, or above such limits, then the levels in this chart shall not apply, and the following standards shall apply:~~

- ~~(1) The maximum SPL and the LEQ average SPL levels shall be increased by five dBA over the background sound level up to a maximum of 75 dBA.~~
- ~~(2) The background sound level shall be measured at the same location as the measurement for the sound contribution of the specific source in question and at a time immediately preceding that measurement.~~

Section 3. The Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, § 105-4, Noise measurement locations, is hereby amended to read as follows:

§ 105-4 Noise measurement locations.

- A. Sound measurements shall be made on the receiving property within 10 feet from the property line nearest the noise source, at least five feet from any structure that reflects sound, and at least three feet above the ground. Where the source of the noise occurs within a multi-unit building, or where buildings have a common party wall, the measurement shall be taken in a habitable space in the complainant's dwelling unit closest to the noise source.
- B. The background sound level shall be measured at the same location as the measurement for the sound contribution of the specific source in question and at a time immediately ~~preceding~~ following that measurement. All sound measurements shall be made using the zoning district permissible sound pressure limits of the receiving property found in 105.3.

Section 4. The Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, § 105-6, Exemptions, is hereby amended to read as follows:

- A. The following activities are exempt from the provisions of this chapter, subject to compliance with any restrictions listed below:

* * * * *

- (2) Noise created by refuse collection services, street sweepers, deliveries, and other similar activities associated with a permitted land use shall be exempt during the times as provided below:

~~(a) Residential districts: only during the hours of 7:00 a.m. to 6:00 p.m., Monday to Friday, and during the hours of 8:00 a.m. to 6:00 p.m., Saturday and Sunday, and federal holidays;~~

~~(b) Nonresidential districts: only during the hours of 6:00 a.m. to 8:00 p.m., Monday to Friday, and during the hours of 8:00 a.m. to 6:00 p.m., Saturday and Sunday, and federal holidays.~~

(a) Only during the hours of 7:00 a.m. to 8:00 p.m., Monday to Friday, and during the hours of 8:00 a.m. to 6:00 p.m., Saturday and Sunday, and federal holidays.

(e) Upon application, the Director of Building and Planning may grant an exception to the aforesaid activity exemptions set forth in this § 105-6A(2) if reasonably necessary to conduct the activity in question for a specifically limited duration, and as appropriate, subject to reasonable conditions to protect the public welfare. The decision of the Director of Building and Planning on such application shall be appealable in accordance with the procedures set forth in Chapter 5 of the Township Code.

* * * * *

- (5) Concerts, block parties, graduations, wedding receptions, religious ceremonies, sporting or recreational activities, carnivals, festivals, or other performances or similar activities (public or private) shall be exempt, provided that:

- (a) Such activities, except for sport shooting on ranges existing on July 1, 2017, do not produce sound at the property line ~~of 10 dBA or more~~ in excess of the sound levels set forth in § 105-3; and

- (b) Such exemption shall not apply from 10:00 p.m. to 8:00 a.m. the following day, Sunday through Thursday, or from 11:00 p.m. to 9:00 a.m. the following day on Friday and Saturday and federal holidays.

* * * * *

- (7) Noise created by emergency generators during a power outage. Noise created by emergency generator testing shall be exempt, but only during the hours between 10:00 a.m. and 4:00 p.m. for a maximum of 20 minutes; provided however, that if generator testing from 10:00 a.m. to 4:00 p.m. is prohibited by another governmental entity, then testing occurring after 4:00 p.m., but no later than 8:00 p.m., shall be exempt.

* * * * *

- ~~(10) Residential mechanical equipment that is operating normally is permitted to create an average sound pressure up to 70 decibels when measured in accordance with § 105.4.~~

- ~~(1110) Commercial mechanical equipment that is operating normally and is located or terminated at roof level with sound baffling screening panels, is permitted to create an average sound pressure up to 75 decibels when measured in accordance with § 105.4.~~ **Commercial mechanical equipment that is operating normally, but above the limits set forth in 105-3 to be brought into compliance to the greatest extent possible, as determined by the Director of Building and Planning or his/her designee, by use of sound baffling or other screening technology.**

- ~~(1211) Noise created by life safety equipment including but not limited to fire pumps, sirens, required fire alarm systems, and ventilation systems controlled by CO detectors or similar devices.~~

- ~~(1312) Aircraft and Railway Transportation.~~

* * * * *

- C. Where there is a conflict between a specific provision and a general provision of this ordinance, the specific provision shall take precedent.

Section 5. The Code of the Township of Lower Merion, Chapter 105, entitled Noise and Exterior Lighting, Article II, Noise, § 105-7, Violations and penalties, is hereby amended to read as follows:

- A. As authorized by Chapter A167-1, Fees, § A167-1, Schedule of fees, of the Lower Merion Township Code of Ordinances, if the Township Building and Planning Department, or its designee, is called to a property two or more times within any sixty (60) day period to investigate noise complaints, upon confirmation of any

violation of this Code related thereto, the property owner shall be assessed a reinspection fee of \$75.00 for each inspection thereafter.

A.B. Any person who shall fail to comply with any of the provisions of this chapter shall be liable, on conviction thereof, to a fine or penalty of not less than ~~\$25~~100 nor more than \$1,000 for each offense. Whenever such person shall have been notified by the Director or by the service of a summons in a prosecution or in any other way that he is committing a violation of this chapter, each day in which he shall continue such violation after notification shall constitute a separate offense, punishable by a like fine or penalty. Such fines or penalties shall be collected before any District Justice as like fines or penalties are now by law collected.

Section 6. Nothing in this Ordinance or in Chapter 105 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 105 prior to the adoption of this amendment.

Section 7. Nothing in this Ordinance or in the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Code of the Township of Lower Merion prior to the adoption of this amendment.

Section 8. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 9. This Ordinance shall take affect and be in force from and after its approval as required by law.

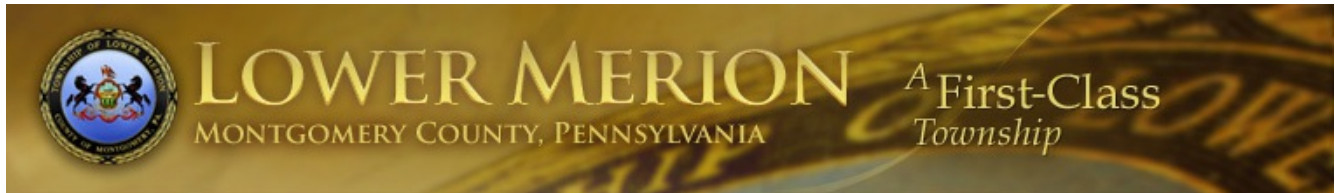
Approved by the Board of Commissioners of the Township of Lower Merion this _____ day of _____, 20_____.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



AGENDA ITEM INFORMATION

ITEM: AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 59, BRUSH, GRASS AND WEEDS - Bamboo Amendments

Consider for approval authorizing the Township Secretary to advertise notice of intent to adopt an Ordinance to amend the Code of the Township of Lower Merion, Chapter 59, Brush, Grass, and Weeds by amending the Qualified Bamboo Exemption, revising a Property Owner's abatement responsibilities, establishing a new appeals process and conditions for defense to a violation; requiring the installation of a bamboo barrier at least 20 feet away from a property line only when feasible, and removing duplicative language.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Ordinance	Ordinance

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Proposed Ordinance to Amend Chapter 59, Brush, Grass and Weeds

Prepared by: Christopher Leswing, Director, Building and Planning
Ernest Pendleton, Assistant Director, Building and Planning

Date: February 9, 2024

I. Action To Be Considered By The Board:

Authorize the Township Secretary to advertise notice of intent to adopt an ordinance to amend the Code of the Township of Lower Merion, Chapter 59, Brush, Grass And Weeds, by amending the Qualified Bamboo Exemption, revising a Property Owner's abatement responsibilities, establishing a new appeals process and conditions for defense to a violation; requiring the installation of a bamboo barrier at least 20 feet away from a property line only when feasible, and removing duplicative language.

II. Why This Issue Requires Board Consideration:

A Code amendment requires approval of the Board of Commissioners.

III. Current Policy Or Practice (If Applicable):

The current Code requires a property owner from whose property bamboo originated to abate the bamboo which has encroached on neighboring properties.

IV. Other Relevant Background Information:

This amendment has been discussed with the Township Solicitor and the Board of Commissioners bamboo subcommittee because the current Code has proven to be unenforceable by Township staff. The ability to ascertain from what property the bamboo is growing in violation of the current code originated has been difficult to document. The current code requires that the property owner from which the bamboo originates be held responsible for abatement on all impacted properties. Without an ability to prove with certainty where the violating bamboo originated, it is challenging to enforce the code and require a specific property owner to abate all impacted properties. Even when a property owner is identified as responsible for abatement, the current code requires that said property owner abate all encroaching bamboo from neighboring properties. The ability to force or even allow a property owner to go onto an adjacent property has proven to be legally challenging and difficult to enforce.

The Township has received 22 bamboo complaints over the last two years. In all but three of these complaints, the owners have all alleged that the bamboo started elsewhere. In most cases the Township cannot verify where the bamboo originated with 100% accuracy. In an actual example, bamboo that has been growing for 40 years along the property lines of six properties makes identifying the source property impossible.

With the inability of the Township to verify origination, this situation has frequently been handled by issuing violation notices to all involved parties, prompting them to remove the bamboo on their own properties. This is the process the proposed ordinance would codify. Property owners have been and will continue to be advised that they maintain the right to file a private complaint against the neighbor they feel the bamboo migrated from. However, the Township will not be party to such private complaints.

This proposed ordinance would delete the requirement in Chapter 59-2 to have the respondent-landowner remove migrating bamboo from surrounding private properties. Instead, the proposed amendment would make each property owner responsible for bamboo found on their property within 20 feet from their property line and require the installation of barriers to prevent the encroachment of bamboo onto adjacent properties. This amendment would ultimately speed up the bamboo abatement process and eliminate the requirement for the Township to determine where the bamboo began.

This proposed amendment will also add authorization for the Director of Building & Planning or his/her designee to impose modified abatement requirements, when it is determined that removal of bamboo or placement of the required barrier is impractical, not feasible or would unreasonably disturb natural features.

V. Impact on Township Finances:

There will be no impact on Township finances.

VI. Staff Recommendation

Staff recommends authorizing the Township Secretary to advertise notice of intent to adopt the ordinance.

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 59, Brush, Grass And Weeds, By Amending the Qualified Bambo Exemption; Revising a Property Owner's Abatement Responsibilities; Establishing a New Appeals Process and Conditions for Defense to a Violation; Requiring the Installation of A Bamboo Barrier At Least 20 Feet Away From A Property Line Only Where Feasible; And Removing Duplicative Language.

The Board of Commissioners of the Township of Lower Merion hereby ordains:

Section 1. The Code of the Township of Lower Merion, Chapter 59 thereof, entitled Brush, Grass and Weeds, §59-1, Declaration of objectionable and poisonous vegetation as health hazards and nuisance, subsection B, Prohibited acts, paragraph (2), Qualified Bamboo Exemption, shall be revised to provide as follows:

§59.1 Declaration of objectionable and poisonous vegetation as health hazards and nuisance

B. Prohibited Acts.

(2) Qualified Bamboo Exemption. Although bamboo is declared to be a nuisance plant and growing or allowing it to grow on land within the Township is prohibited, bamboo that was propagated or allowed to grow before May 18, 2016, is exempt from the prohibition and may remain on the land. This exemption does not apply, however, to any bamboo that migrates or falls onto any land owned or held by the Township, public or private right-of-way ~~onto any roadway or sidewalk, onto the private property of another, or which is within 20 feet of the property line of an adjoining property, a third party or a public or private right-of-way.~~

Section 2. The Code of the Township of Lower Merion, Chapter 59 thereof, entitled Brush, Grass and Weeds, §59-2, Notice to Abate Violation and Landowner's Duty to Abate, shall be revised to provide as follows:

§59.2 Notice to Abate Violation and ~~Landowner's~~ Property Owner's Duty to Abate.

- A. The Township is hereby authorized to issue a notice of violation to any ~~landowner~~ property owner upon finding that a nuisance plant is growing on ~~that landowner's~~ a property, or has migrated onto any land owned or held by the Township, or public right-of-way, or onto any roadway or sidewalk, or onto the private property of another in violation of this chapter. Such notice shall be served by regular mail, with proof of mailing, or hand delivery, or if service cannot be effected by either means, by posting the notice in a conspicuous manner on the property. The notice shall require the ~~landowner~~ property owner, within 30 days of the date of the notice, to remove the nuisance plant from the owner's property(ies), or public right-of-way sidewalk, or roadway specified in the notice, and shall set forth the penalties for a failure to abate, including payment of the costs incurred by the Township in removing the nuisance from public property or public right-of-way ~~should the landowner fail to do so~~.
- B. A ~~property owner~~ landowner may appeal a notice of violation by letter setting forth only a defense listed in subsection 59.2.C below ~~the grounds therefor~~ and sent within 14 days of receipt or posting of the notice of violation to the Director of Building and Planning. The appeal shall be heard by the Building and Planning Committee of the Board of Commissioners or by an appointed hearing officer.
- C. ~~If~~ The following shall be a valid and complete defense to a notice of violation: ~~based on the presence of bamboo on the respondent landowner's property either that:~~
- (1) The bamboo was growing on the property prior to ~~May 18, 2016~~, and is not within 20 feet of the property line of ~~a third party~~ an adjoining property or a public or private right-of-way; or
 - (2) The following: The property owner has previously taken adequate steps to remove the encroaching bamboo and to prevent its future migration.
 - (a) ~~The bamboo migrated from property not owned or controlled by the respondent landowner, and either:~~
 - [1] ~~Before receiving the notice of violation, the respondent landowner had given written notice to the owner of the land from which the bamboo migrated of the unlawful encroachment and had demanded its removal, to no avail; or~~
 - [2] ~~The respondent landowner has taken steps to remove the encroaching bamboo.~~

D. ~~If bamboo growing on a property prior to May 18, 2016, encroaches onto adjoining property, public or private, or within 20 feet of the property line of an third party adjoining property or a public or private right-of-way, the respondent landowner~~ property owner is hereby required to remove the ~~encroachment bamboo~~ and to install ~~at least 20 feet from the property boundary~~ an impenetrable barrier on the owner's property to prevent further encroachment as follows:

- (1) The barrier shall be made of masonry, metal, or high-density, eighty mil thick polyethylene to a depth of 30 inches below grade and two to three inches above grade to prevent the encroachment from recurring. The barrier shall be placed at least 20 feet from the property boundary.
- (2) If the Director of Building & Planning or his/her designee determines that removal of bamboo or placement of the required barrier is impractical, not feasible or would unreasonably disturb natural features, he/she is authorized to impose modified requirements so that the goal of preventing bamboo migration can most effectively be prevented.
- (3) The failure to comply with either of these requirements remove the bamboo and the failure to install an impenetrable barrier shall constitute a separate violations.

E. ~~If bamboo growing on a property prior to May 18, 2016, encroaches onto adjoining property, public or private, or within 20 feet of the property line of a third party or a public or private right of way, the respondent landowner is hereby required to remove the encroachment and to install at least 20 feet from the property boundary an impenetrable barrier to a depth of three feet below grade to prevent the encroachment from recurring. The failure to comply with either of these requirements shall constitute a separate violation. (Reserved)~~

Section 3. Nothing in this Ordinance or in Chapter 59 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 59 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this day of , 2024.

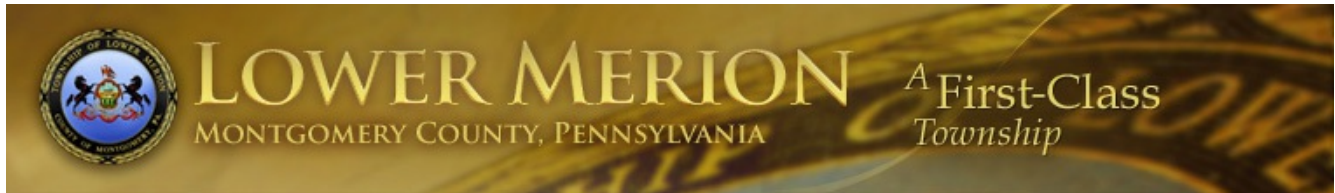
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary

DRAFT



AGENDA ITEM INFORMATION

ITEM: RESOLUTION - AUTHORIZATION OF REAPPOINTMENT TO THE CITY AVENUE SPECIAL SERVICES DISTRICT BOARD OF DIRECTORS

Consider for recommendation to the Board of Commissioners adoption of a Resolution to reappoint John Glomb to the Board of Directors of the City Avenue Special Services District for five year terms to expire December 31, 2029.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issues Briefing	Issue Briefing
<input type="checkbox"/> Resolution	Resolution

TOWNSHIP OF LOWER MERION

Building and Planning Committee

Issue Briefing

Topic: Consider for approval a resolution to appoint members to the Board of Directors of the City Avenue Special Services District

Prepared By: Jillian Dierks, Senior Planner, Department of Building & Planning

Date: March 5, 2024

I. Action To Be Considered By The Board:

Adopt a resolution reappointing John Glomb to the City Avenue Special Services District (CASSD) Board of Directors for a five-year term.

II. Why This Issue Requires Board Consideration:

The Articles of Incorporation of the City Avenue Special Services District provide that Board of Director's seats that are representative of Lower Merion Township be approved by the governing body of the Township of Lower Merion through a resolution of the Board of Commissioners.

III. Current Policy Or Practice (If Applicable):

The Board of Commissioners has generally approved nominations presented by the City Avenue Special Services District in accord with the articles of incorporation.

IV. Other Relevant Background Information:

The CASSD Board of Directors support the nominations. The five-year terms would begin on January 1, 2025 and expire on December 31, 2029. Brief biographical information on the candidate is attached to this agenda item.

V. Impact On Township Finances:

This application has no impact on Township finances.

VI. Staff Recommendation:

Staff recommends that the Board of Commissioners approve the resolution.

City Avenue Special Services Board of Directors Reappointment

- **JOHN GLOMB** is the President and CEO of Philadelphia Insurance Companies, headquartered in Bala Cynwyd. Mr. Glomb also serves as an Executive Officer within the Executive Management Team at Tokio Marine Holdings, the parent company of PHLI. He holds degrees from the Wharton School of the University of Pennsylvania and actively participates in various organizations and committees.

TOWNSHIP OF LOWER MERION

RESOLUTION NO. _____

**RESOLUTION APPOINTING A MEMBER TO THE
BOARD OF DIRECTORS OF THE CITY AVENUE
SPECIAL SERVICES DISTRICT OF PHILADELPHIA
AND LOWER MERION TO FILL SEATS THAT ARE
REPRESENTATIVE OF LOWER MERION TOWNSHIP.**

WHEREAS, as of January 1, 2025, a vacancy will exist in a seat on the Board of Directors of the City Avenue Special Services District of Philadelphia and Lower Merion that is representative of Lower Merion Township, and

WHEREAS, the Articles of Incorporation of the City Avenue Special Services District provide that individuals to be appointed to fill those vacant seats that are representative of Lower Merion Township be appointed by the governing body of the Township of Lower Merion through a resolution of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Lower Merion hereby appoints the following individuals to the City Avenue Special Services District Board of Directors to serve the following terms:

<u>Name</u>	<u>Term Commences</u>	<u>Term Expires</u>
John Glomb	January 1, 2025	December 31, 2029

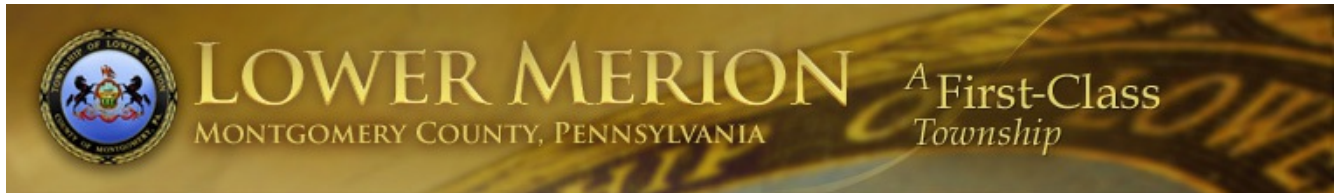
ENACTED by the Board of Commissioners of the Township of Lower Merion the
_____ day of _____, 2024.

BOARD OF COMMISSIONERS
TOWNSHIP OF LOWER MERION

By: _____
Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



AGENDA ITEM INFORMATION

ITEM: PRELIMINARY SUBDIVISION PLAN – 21 Sandringham Road, Bala Cynwyd, Ward 8, SD# 3909PSP

Consider for recommendation to the Board of Commissioners approval of a Preliminary Subdivision Plan. The Plan dated September 14, 2023, last revised February 14, 2024, prepared by Wilkinson Apex Engineering Group, LLC, shows the subdivision of 21 Sandringham Road a 2.25-acre parcel (98,072 sq. ft.) into three (3) lots, demolition of the existing single-family dwelling and all improvements, and the construction of a new single-family dwelling on each lot. All three lots will take access from Sandringham Road and have new on-lot stormwater management systems. Lot 1: Contains 15,115 sq. ft. (.34 acres), includes the construction of a new three-story single-family detached dwelling and two-car garage with a 2,704 sq. ft. footprint. Lot 2: Contains 19,821 sq. ft. (.45 acres), includes the construction of a new three-story single-family detached dwelling and two-car garage with a 2,882 sq. ft. footprint. Lot 3: Contains 47,480 sq. ft. (1.09 acres), includes the construction of a new three-story single-family detached dwelling and three-car garage with a 3,999 sq. ft. footprint.

In addition, the application requested the following waivers which were recommended for approval by the Planning Commission:

A. Subdivision & Land Development Code Section 135-4.9.C.(1) from widening the cartway width of Sandringham Road to 27-30 feet.

B. Natural Features Code 101-5.C.(2)(b) to disturb manmade slopes exceeding 25% for the installation of utility lines.

The applicant also requested the following waiver which was recommended for denial by the Planning Commission:

C. Subdivision & Land Development Code Section 135-4.9.F - waiver from providing a sidewalk along the frontage of each parcel.

Applicant: KD Building & Development, LLC
Property Owner: Lawrence Delgatto I LLC

Expiration Date: 3/31/2024.....Zoning: LDR3

On March 4, 2024, the Planning Commission recommended approval of the plan subject to the following conditions which shall be complied with on the Final Plan or as otherwise required:

Township Engineer's Review:

1. The Township Engineer's review letter dated March 1, 2024, shall be incorporated by reference into these conditions of approval to the extent the same is not inconsistent with these conditions of approval or any relief or modifications granted.

Easement:

2. The existing 20-foot-wide access easement between 18 Mary Waterford Road and 21 Sandringham Road shall be recorded with the Final Plan.

Plan Drafting Requirements:

3. On sheet five, the Township Zoning District Table LDR 3 shall be updated to provide the correct impervious surface limitations for all lots.

Architectural Elevations/Site Design:

4. The applicant shall investigate adding additional articulation to the rear elevations through the use of material changes for Lots 1 and 2.

5. The convergence of various roof forms, including shed dormers, shall be reassessed to achieve a design approach that is visually simpler.

6. Details of the porous walkways, that conform to Township standards, shall be provided along with material selection. The porous paving specification shall be subject to the approval of the Township Engineer.

7. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan, including the proposed materials.

8. The proposed building(s) shall be constructed substantially as shown on the architectural elevations prepared by McIntyre, Carson & Associate, P.C., Architects and Land Planners, dated November 14, 2023, last revised January 18, 2024, with the exception of any de minimis changes, including those mutually agreed to with staff.

9. The mean grade of all structures shall be calculated and shown on the Final Plan. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.

10. The applicant shall explore shared driveway access between the lots.

Landscape Plan/Streetscape:

11. The applicant shall consider altering the landscape plans to preserve as many mature and noninvasive existing trees as possible; and consider planting additional replacement trees beyond what is required by the Code with deer protection, and shall consider other means of preserving wildlife.

12. A revised landscape plan complying with Natural Features Code Section 101-9 and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan.

13. The Landscape Plan shall be approved by the Planning Department and the Township Arborist.

14. The proposed transformer shall be adequately screened in accordance with Township zoning standards.

15. The applicant shall consider relocating the proposed transformer to a location further away from the neighboring homes.

16. All trees in the right-of-way shall be trimmed. Dead or diseased trees shall be removed and replaced. New

street trees shall be planted as required.

17. All existing trees to remain shall be devined.

18. The HVAC/mechanical equipment shall be screened on all sides whether on the roof of the building or on the ground. If located on the roof, the screening shall be integrated into the architecture of the building to improve the appearance and better mitigate noise from the unit(s).

19. The applicant shall provide native or non-invasive adapted plant species on the landscape plan.

20. Landscape improvements provided for this application shall be perpetually maintained in a healthy and/or sound condition in compliance with Natural Features Code Section 101-11. The applicant shall record a covenant on the property in a form acceptable to the Township Solicitor to guarantee this requirement. A draft covenant shall be submitted with the Final Plan.

Road Design Standards:

21. A five-foot wide sidewalk shall be installed along the proposed property frontages on Sandringham Road.

Construction:

22. The contractor shall conduct a pre-construction video inspection of Sandringham Road to document existing conditions. Any damage or accelerated deterioration caused by construction shall be the responsibility of the contractor to restore the road to pre-construction conditions at their expense. The extent of all repairs and restoration work shall be approved by the Township Engineer.

23. The applicant shall conduct regular street cleaning of all roadways adjacent to active portions of the construction site. Staff shall have the right to order street cleaning more often if there is evidence of construction related debris in the roadway during the project.

24. The applicant shall document compliance with the notification requirements of the Federal Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) and shall submit an Asbestos Abatement and Demolition/Renovation form to the Pennsylvania Department of Environmental Protection and the EPA at least 10 days prior to commencing demolition. Copies of these documents shall be provided to the Township prior to the issuance of a building permit.

25. The applicant shall submit a demolition plan with the Final Plan. The demolition plan shall indicate how dust and other air particles will be controlled, the procedure for demolishing the buildings and how the demolished building materials will be removed from the site. If asbestos or any other regulated hazardous material exists within the building, it shall be removed and certifications to that effect shall be filed with the Pennsylvania Department of Environmental Protection. Notice of demolition shall be provided by posting of the site at least seven days in advance of the proposed demolition.

26. During demolition of the existing structures the applicant shall ensure that the contractor takes appropriate measures to minimize dust at all times during active demolition. Multiple hoses and/or a water truck shall be provided on site to continually spray the building during demolition. The demolition plan shall include the specific water measures to be used to reduce the dust during demolition.

27. The applicant shall utilize the services of an architectural salvage or deconstruction company, to preserve or recycle building materials on the existing structures, including but not limited to stone, brick, and wood. Architectural details such as windows and interior and exterior details including but not limited to fixtures and any wood, glass and metalwork of quality and good condition shall be salvaged. The applicant shall provide

documentation to planning staff indicating how this condition will be met.

28. The applicant shall submit a parking plan with the Final Plan detailing where construction vehicles will be parked. The plan shall be subject to the approval of the Township prior to the issuance of any permits.

29. All construction-related vehicles shall be parked on site or at a remote site not in the neighborhood. No construction-related vehicles may park on the street. This includes personal vehicles operated by construction workers or vehicles operated for construction workers, material suppliers, product vendors, and all construction trades engaged in the project.

Sanitary Sewer, Stormwater and Utilities:

30. The applicant shall work with the Township Fire Marshal to locate, and install a fire hydrant as part of the subdivision prior to permit close for any lot.

31. The location of all transformers and utility boxes shall be shown on the Final Plan. Additional utility improvements resulting in material changes to approved plan including but not limited to the loss of required parking, changes to circulation patterns or the alteration of the quantity or location of proposed landscaping shall require an amendment to the approved plan.

32. If trenches for utilities or storm facilities are proposed within the driplines of trees, all disturbed roots must be cut as cleanly as possible. The trench must be backfilled as quickly as possible, avoiding compaction. Adequate watering of the root systems must be performed. Tree limbs must be cut back in proportion to the root area loss. This shall be noted on the plan.

33. All inlets in non-paved areas shall be shown to be graded in a twelve (12") inch sump condition in order to increase the efficiency of runoff collection. Spot elevations shall be added to the plan to clarify grading.

34. Inlet protection shall be provided for all inlets downstream, including the street inlet on Sandringham Rd; appropriate details for an open-mouth inlet top shall be provided.

35. Additional dimensions shall be provided on the stormwater management basin details to establish adequate openings to facilitate required maintenance and inspections.

36. The new sanitary sewer connections shall require permits and approval from the Public Works Department.

37. The applicant should strongly consider extending the existing storm sewer on Sandringham Road to provide a direct connection for the seepage bed overflow pipes and eliminate the need for the proposed level spreaders.

Sustainability:

38. The applicant shall consider incorporating green technology into the project including but not limited to a green roof, solar panels, geothermal heat and air conditioning and an electric vehicle charging station. The applicant shall also consider having no natural gas connections.

39. The new single-family dwellings with garages shall be constructed to include a dedicated 40-amp branch circuit capable of powering a 32 amp Level 2 EVCS within the garage, and installation of a 220-240 volt/40 amp outlet in a location within the garage that would be conducive to EVCS use.

Standard Conditions of Approval:

40. New legal descriptions, including metes and bounds, shall be submitted with the Final Plan for each new lot line and/or property boundary.
41. New deeds shall be recorded subsequent to the recording of the Final Plan.
42. An outdoor lighting plan, sealed by a responsible design professional that includes illuminance patterns shall be submitted to and approved by the Director of the Building and Planning Department prior to issuance of any permits. The location, luminaire type, wattage, means of control and pole height shall be indicated. Lighting shall be designed to minimize the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties. Exterior luminaires shall be full cut-off unless it can be demonstrated that cut-off luminaires are more appropriate and will result in less off-site light trespass.
43. The lighting plan shall be designed to comply with the IECC or the ANSI/ASHRAE/IES Standard 90.1 that is in effect at the time of the application.
44. If required by a Township Public Safety Agency, all new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems at the exterior of the building.
45. An as-built plan shall be submitted certifying the amount of impervious surface on each lot prior to finalization of the permit. A construction note shall be included noting that an as-built plan shall be submitted for all three lots.
46. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of a Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant.
47. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).
48. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission.
49. The Final Plan, complying with all applicable conditions of approval, shall be filed with the Department of Building and Planning within twelve (12) months from the date of the Preliminary Plan approval by the Board of Commissioners.
50. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.
51. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.

PUBLIC COMMENT

ATTACHMENTS:

Description		Type
	Issue Briefing	Issue Briefing
	TE Review	Backup Material
	County Review	Backup Material

Meeting Date: March 4, 2024

TO: Lower Merion Township Planning Commission Members

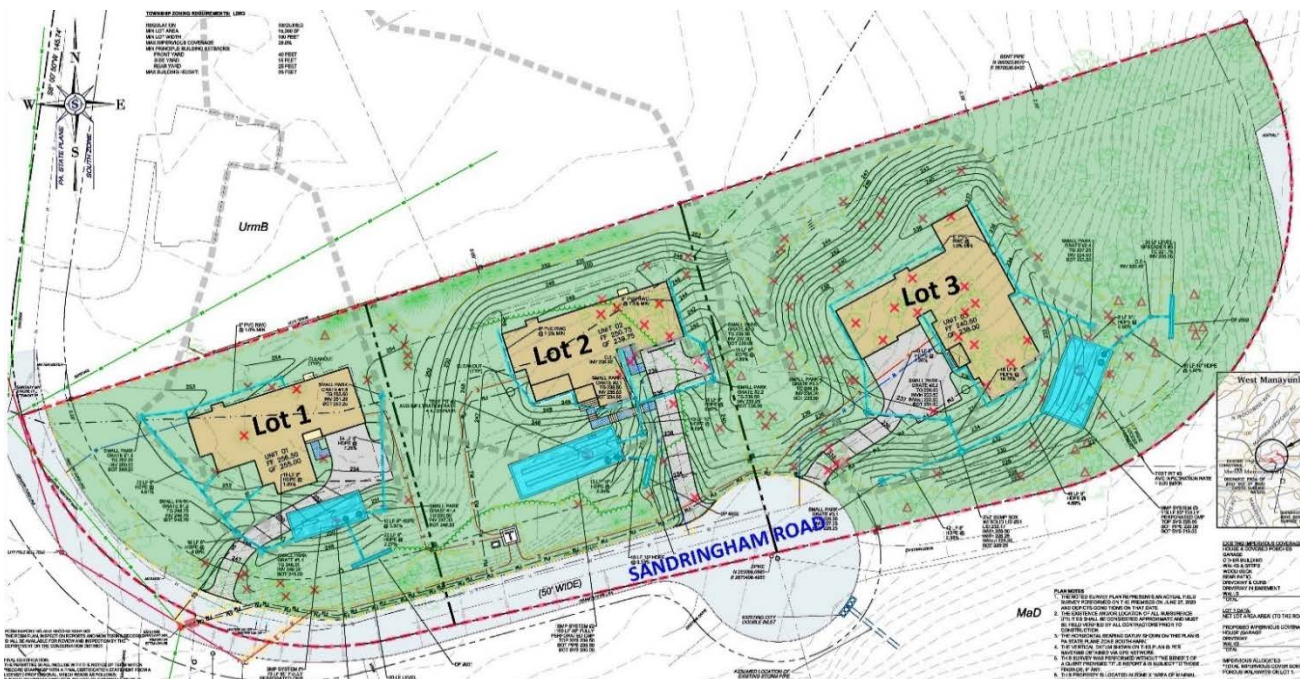
FROM: Department of Building and Planning – Chris Leswing, Director, Colleen Hall, Senior Planner & Holly Colello, Planner

SUBJECT: Preliminary Subdivision Plan – 21 Sandringham Road, Bala Cynwyd, SD# 3909PSP

PROPOSAL:

KD Building & Development, LLC the applicant, and Lawrence Delgatto I LLC, the equitable owner are seeking Preliminary Subdivision Plan approval for the subdivision of 21 Sandringham Road a 2.25-acre parcel (98,072 sq. ft.) into three (3) lots, demolition of the existing 1.5 single-family dwelling and all improvements, and the construction of a new single-family dwelling on each lot. All three lots will be accessed from Sandringham Road and have new on lot stormwater management systems.

- **Lot 1:** Contains 15,115 sq. ft. (.34 acres), includes the construction of a new three-story single-family detached dwelling and two-car garage with a 2,704 sq. ft. footprint.
- **Lot 2:** Contains 19,821 sq. ft. (.45 acres), includes the construction of a new three-story single-family detached dwelling and two-car garage with a 2,882 sq. ft. footprint.
- **Lot 3:** Contains 47,480 sq. ft. (1.09 acres), includes the construction of a new three-story single-family detached dwelling and three-car garage with a 3,999 sq. ft. footprint.



Submission Materials:

The proposal is illustrated on the attached set of plans that includes:

- **Civil Plans:** Eighteen (18) sheets prepared by prepared by Wilkinson Apex Engineering Group, LLC., dated September 14, 2023, last revised by Schock Group LLC., dated February 14, 2024.
- **Architectural Plans:** Nine (9) sheets prepared by McIntyre, Carson & Associate, P.C., Architects and Land Planners, dated November 14, 2023, last revised January 18, 2024.
- **Landscape Plans:** Two (2) sheets prepared by Glackin, Thomas, Panzak, Land Planning/ Landscape Architecture dated September 14, 2023, last revised February 14, 2024.

PROPERTY DESCRIPTIONS & EXISTING CONDITIONS:

Overview:

21 Sandringham Road is a 2.25-acre (98,072 sq. ft) parcel.

Manmade Features:

- 1950's 2,770 sq. ft., 1.5 story single-family dwelling which also enjoys an attached breezeway, two-car garage, and 2nd story deck. There are remnants of a former building on the property.

Proximity and Access:

- The property is accessed from Sandringham Road via a horseshoe driveway and shares a 616 sq. ft. driveway easement with 18 Mary Waters Ford Road.

Natural Features:

- The property is heavily wooded, steeply sloped, and contains a mature tree canopy with both native and invasive trees.



Front of home facing Sandringham Road

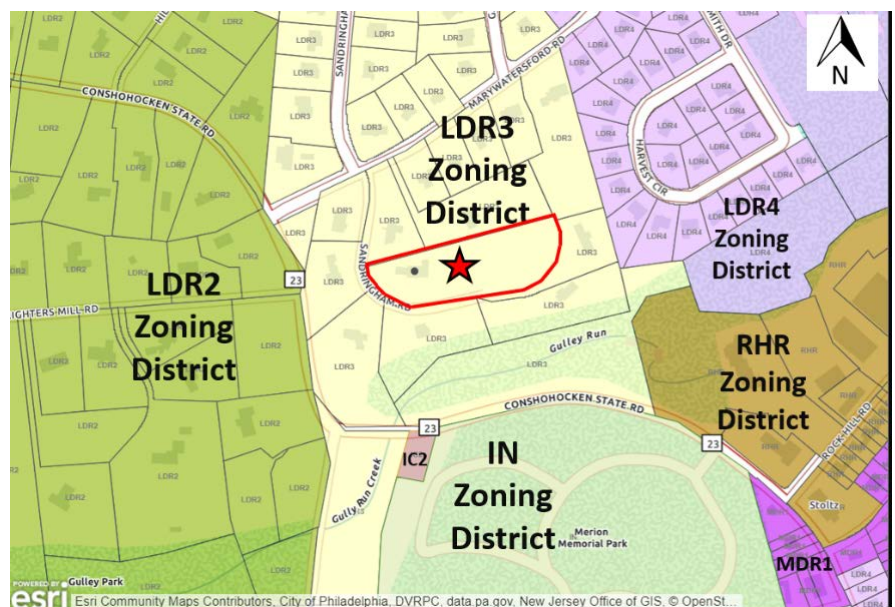


Remnants of a former building on property

ZONING DISTRICT & SURROUNDING USES - LOW DENSITY RESIDENTIAL (LDR3) DISTRICTS:

Zoning District – LDR3

- The property is located within the **Low Density Residential (LDR3) District** which is intended to preserve the character of the neighborhoods, enhance the established housing stock and neighborhood pattern, and capitalize upon opportunities to add complementary, attractive, high quality housing that are affordable to a wide range of households at appropriate densities through infill and redevelopment.



FORM STANDARDS:

The proposal is subject to the form standards contained within [155-4.1 Article IV; TABLE 4.1.3 Dimensional Standards](#). The following table details the applicable standards and proposed conditions:

Table 4.1.3. LDR3 Dimensional Standards

Required			Existing 21 Sandringham Road	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3
<u>Lot Occupation (See § 155-3.4, Lot occupation.)</u>						
A	Lot width	100 feet minimum	477.29 ft.	217.98 ft.	159.19 ft.	100 ft.
	Lot area	15,000 square feet minimum	82,416 sq. ft. (1.89 acres) net to ROW 98,072 sq. ft. (2.25 acres) total area to the title line	15,115 sq. ft. (net) 22,089 sq. ft. (gross)	19,821 sq. ft. *(net) 26,654 sq. ft. (gross)	47,480 ft**(net) 49,329 sf (gross)
	Impervious surface	28% maximum***	11.4% 9,423 sq. ft.	27.9% 4,212 sq. ft. <i>*Total impervious does not include 50 sq. ft. of pours walkways</i>	19.96%* 3,957 sq. ft. <i>*Total impervious does not include 177 sq. ft. of pours walkways</i>	12.1%** 5,751 sq. ft.
<u>Setbacks (See § 155-3.5, Frontages.)1</u>						
Principal Building (feet)						
B	Front	40 minimum	42.85 ft.	40.22 ft.	43.31 ft.	54.22 ft.
C	Side	15 minimum	21.57 ft.	15.18 ft.	15.28 ft.	48.39 ft.
D	Rear	25 minimum	>25 ft.	26.17 ft.	33.76 ft.	43.35 ft.
<u>Building Height (maximum) (See § 155-3.3, Building height.)</u>						
I	Principal building	2 to 3 stories up to 35 feet⁽³⁾	2 stories up to 35 feet ⁽³⁾	2 stories up to 35 feet ⁽³⁾	2 stories up to 35 feet ⁽³⁾	2 stories up to 35 feet ⁽³⁾
* The average slope of lot 2 is between 10% & 15% resulting in the minimum lot area of 19,500 sq. ft. & the maximum impervious coverage as 20%						
** The average slope of lot 3 is between 15% & 25% resulting in the minimum lot area of 22,500 sq. ft. & the maximum impervious coverage as 15%.						


NOTES:

1. Garage location shall be according to § 155-8.4, Parking location.
 2. Refer to § 155-3.4F.
 3. Refer to § 155-4.1C(4).
- PB Principal Building

MEETING PROCESS & SCHEDULE:

The purpose of a Preliminary Subdivision Plan is to determine the layout and design of a residential site or subdivision project, including necessary public improvements including the arrangement, location, and width of streets; arrangement and size of structures; feasibility of water supply and sewage disposal; general handling of site drainage, lot sizes, and arrangement; the relationship of adjoining vacant and developed lands.

Meeting Schedule: The *tentative* schedule for the Preliminary Subdivision Plan is as follows:

	Monday, March 4, 2024	Planning Commission	Review of the Preliminary Subdivision Plan
Upcoming	Wednesday, March 13, 2024	Building & Planning Committee	Review of the Preliminary Subdivision Plan
	Wednesday, March 20, 2024	Board of Commissioners	

Additional information about the Township's Land Development approval process is illustrated in the [Subdivision & Land Development Flowchart](#). This application is currently in the *Stage 4: Public Meetings* portion of the process.

ARCHITECTURAL STANDARDS & STAFF REVIEW:

Architectural Standards

The proposal is subject to form standards contained within Zoning Code Section [155-3.9.C. Architectural standards](#). The code provides guidelines for architectural standards which serves to support the visual character of the Township that is representative of its long-standing emphasis on beauty, cultural history, and resilient design. The code also provides guidelines for building massing, architectural expression related to public and open space, with attention to sidewalk pedestrian experiences, long views, terminations of axial vistas, intersections of public space, ground plane changes and the skyline silhouette. Lastly, it notes that any new buildings shall respect the integrity of the existing buildings of its district setting through consistency in location on the lot, scale, and materials as noted below:

C. Exterior wall materials, including building, street screens and garden walls and fences, windows and doors, shall be of a quality that ensures longevity and resilience. Additionally, the following regulations apply:

(1) *In NC, LDR, MDR, VC, TC, LI, RHR, CAD, and I Districts, exterior wall materials of new construction shall only include native stone, cast stone, brick, stucco over masonry, wood, cementitious board, metal or glass. Vinyl siding is permitted in LDR and MDR Districts.*

(a) *Building walls shall minimize variety, and the number of exterior materials shall be limited to four, not including glass.*

(b) *Materials shall change along a horizontal or vertical joint, and the change shall correspond to a change in the plane of the wall.*

(c) *Materials that change along a vertical line shall reflect a building rhythm, such as an historic building or storefront or narrow property width.*

(d) *Materials that change along a horizontal line should place the heavier material below the lighter.*

(2) *Windows shall not be flush-mounted and shall be inset from the exterior wall a minimum of three inches.*

(3) *Roof materials shall be of a quality that ensures longevity and resilience. When used, sloped roofs shall consist of slate (natural or synthetic), clay tile, concrete tile, shingle (wood, fiberglass or asphalt composition), and metal standing seam.*

Architectural Staff Review

Sandringham Road is not listed in a Historic District, nor does it share a rhythm, or materiality between dwellings that provides a consistent architectural pattern for the neighborhood.

- Staff reviewed the existing architecture of the single-family dwellings on Sandringham Road, noting several distinct architectural styles and years of construction. These range from the first home being a Class II Historic Resource built in 1890 (9 Sandringham Road) to the last home(s) being built in 1995 (30 Sandringham Road) and 1997 (34 Sandringham Road), which is not pictured in the collage. While most of the homes are two-story single-family dwellings the choice of building materials reflects the decades of construction. Some of the existing homes exterior walls consist of brick, stucco, and Wissahickon stone. The roof lines and roof materials are varied as well including slate shingles as well as asphalt/composition.



- **Staff has reviewed the architectural submission from McIntyre, Carson & Associate, P.C., Architects and Land Planners and determined that the submission materials are in compliance with Zoning Code Section 155-3.9(C). Any revisions to the submission will be reviewed by Township staff at Final Plan submission for compliance.**

ADDITIONAL REVIEWS:

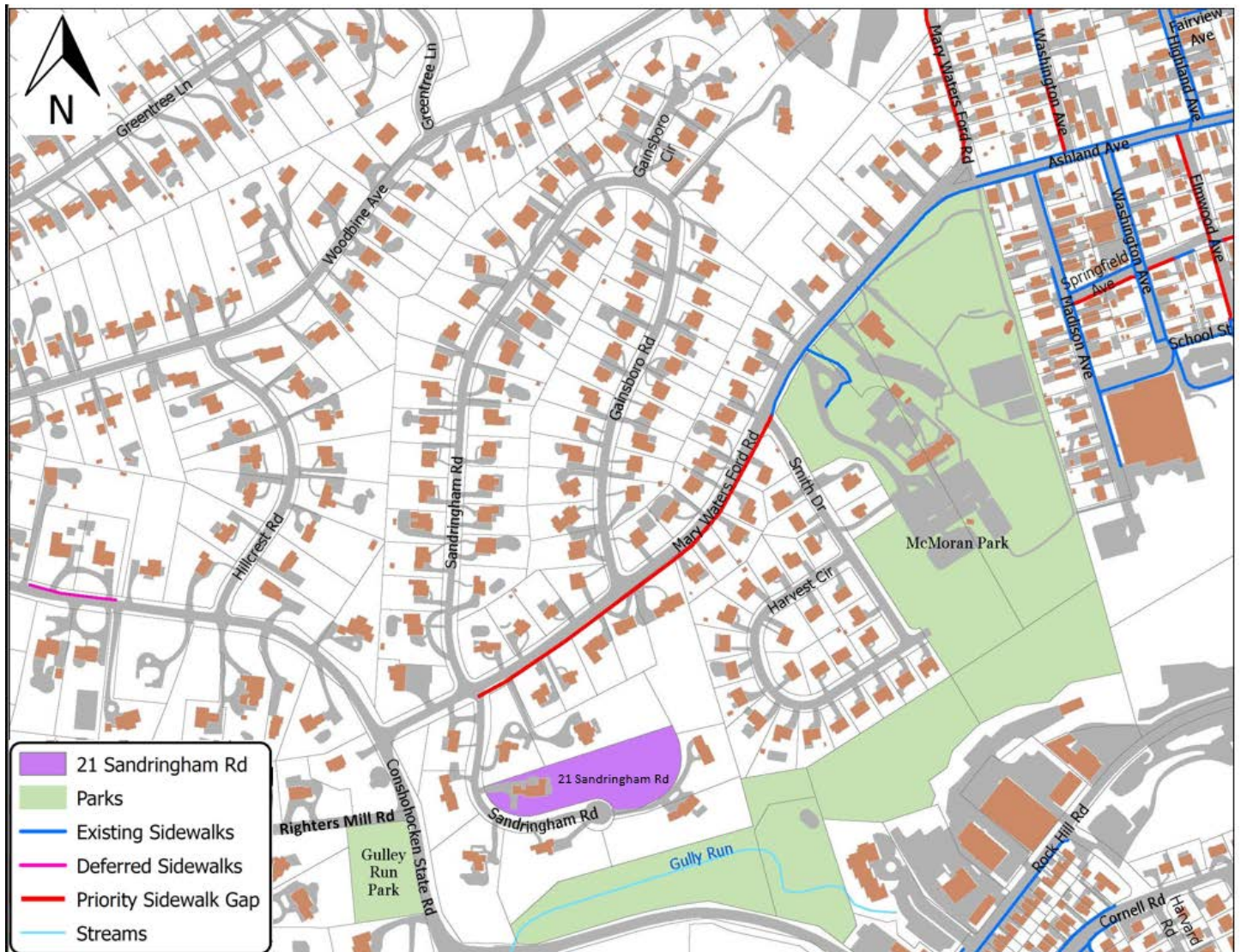
- **Township Engineer's Review:** (Attached) The Township Engineer's review letter dated March 1, 2024, comments have been elaborated on below and/or incorporated into the recommended conditions of approval.
- **Montgomery County Planning Commission (MCPC) Review:** (Attached) The MCPC review letter dated December 19, 2023, last reviews January 25, 2024, generally supports the application, but has suggested several SALDO and Zoning Ordinance comments. The Lower Merion Township Zoning Officer has reviewed the transcript and has found the transformer location, and garage location on lot #3 to be zoning compliant. The SALDO items are both addressed by the applicant submitting waivers for these code sections.
- **Penn Valley Civic Association meeting; January 4, 2024:** The Civic association's main concerns were the proposed landscaping, which were addressed by Township staff in coordination with the applicant.

OPPORTUNITIES & CONSTRAINTS:

1. SIDEWALKS

The applicant is requesting a waiver from Subdivision and Land Development Code Section 135-4.9.A.6. to install sidewalks.

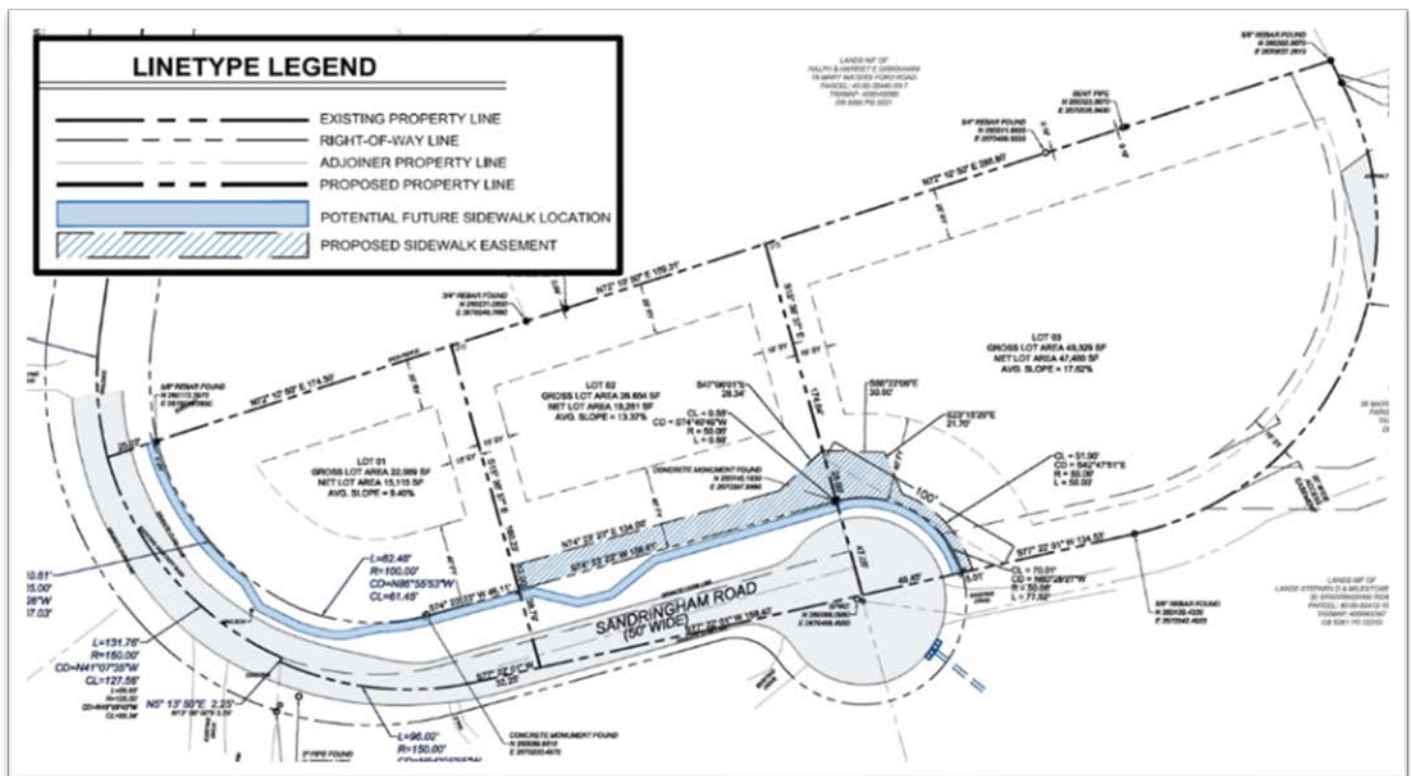
- The subject property (*highlighted in periwinkle on the adjacent map*) is located on a low traffic volume dead end street off of Mary Waters Ford Road. There are currently no sidewalks on Sandringham Road between the subject property and Mary Waters Ford Road. There are currently no sidewalks on Mary Waters Ford between Sandringham Drive and the Belmont Hills Library/Pool where the Belmont Hills sidewalk network begins. The Belmont Hills sidewalk network extends into Belmont Hills and connects with the Fire Station and Belmont Hills Elementary School.
- The east side of Mary Waters Ford Road from Conshohocken State Road to the Belmont Hills Library/Pool was identified as a one of approximately 100 priority sidewalk segments on the Township's recent priority sidewalk evaluation because it serves as a neighborhood spine connecting neighborhoods of homes with community amenities.
 - **Due to the proximity of the subject property to an identified priority sidewalk segment, staff does not support the applicant's request for relief from installing sidewalks.**



2. CARTWAY WIDTH

The applicant is requesting a waiver Section [135-4.9.C.\(1\)](#) of the Township's SALDO which requires a minimum cartway width of 27-30 feet for local (minor) streets.

- Sandringham Road is a privately owned road and does not currently meet the minimum width requirement for its full length. Private streets must be constructed in conformance with all design and engineering regulations of the Township Code that apply to public streets. The minimum cartway width required is twenty-seven (27') feet. At a minimum, an area needs to be reserved for future widening/sidewalk. The applicant has requested a waiver of this requirement.
 - The Lower Merion Township Engineer supports the waiver request.***



ACTION:

The Planning Commission must take the following actions with respect to this application:

1. A recommendation on the requested Preliminary Subdivision Development Plan.
 - **Staff supports this request.**
2. A recommendation on (3) three Waivers:
 - a) [SALDO Code Section 135-4.9.F](#) - Waiver from providing a sidewalk along the frontage of each parcel.
 - **Staff does not support this waiver request.**
 - b) [SALDO Code Section 135-4.9.C.\(1\)](#) - Waiver from widening the cartway width of Sandringham Road to 27-30 feet.
 - **Staff supports this waiver request.**
 - c) [Natural Features Code Section 101-5.C.\(2\)\(b\)](#) - Waiver to disturb manmade slopes exceeding 25% for the installation of utility lines.
 - **Staff supports this waiver request.**



**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY

TOWNSHIP ENGINEER

75 E. Lancaster Avenue
Ardmore, PA 19003 2376
Telephone: (610) 645-6200
www.lowermerion.org

LOWM 256.58

March 1, 2024

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

Re: 21 Sandringham Rd
Preliminary Subdivision Plan Review

Dear Mr. Leswing:

In accordance with your request for the referenced submission, we have reviewed a set of eighteen (18) plans dated 02-14-24, and associated stormwater management report dated 02-14-24, prepared by Wilkinson Apex Engineering Group, LLC. The plans show the subdivision of the existing property into three separate parcels and the construction of a new single-family residence with associated improvements on each parcel. We offer the following comments for your consideration:

A. MAJOR ENGINEERING ISSUES

- ❖ **Traffic**—Private streets must be constructed in conformance with all design and engineering regulations of the Township Code that apply to public streets. The minimum cartway width required is twenty-seven (27') feet. At a minimum, an area needs to be reserved for future widening/sidewalk. The applicant has requested a waiver of this requirement.
- ❖ **Stormwater Management** – Control for post-construction stormwater runoff is provided by individual on-lot seepage beds. Minor adjustments to the size of the seepage beds may be necessary to comply with the runoff rate reduction requirements and facilitate required maintenance and inspections. The applicant should consider extending the existing storm sewer on Sandringham Road to provide a direct connection for the seepage bed overflow pipes and eliminate the need for the proposed level spreaders.

With the resolution of the preceding major engineering issues and the remaining comments in this letter incorporated, we recommend that the Preliminary Plan be approved.

B. ORDINANCE REQUIREMENTS

1. Section 101-5.C(2.b)—Grading and other improvements are shown in slopes exceeding twenty-five (25%) percent. Site improvements, with the exception of utilities and driveways, are prohibited on slopes twenty-five (25%) percent or greater. A waiver of this requirement has been requested; and, we support the waiver for the minimal disturbance necessary to install utility services for the new lots.

2. Section 135-4.9(C.1)—Private streets must be constructed in conformance with all design and engineering regulations of the Township Code that apply to public streets. The minimum cartway width required is twenty-seven (27') feet. The applicant has requested a waiver of this code section.
3. Section 135-4.9(F)—Sidewalks shall be installed along all existing and proposed public and private streets, common driveways, and common parking. The applicant has requested a waiver of this requirement; and we support the request, since the plan includes an easement that would permit installation of future sidewalk.
4. Section 121-4(D.6) — The Cn number for the pre-development conditions on the site shall be considered “wooded” in the wooded areas on lots 2 and 3. A Cn number of 55 shall be used to provided conservative results.
5. Section 101-6A(1)—All woody vegetation to be retained within twenty-five (25') feet of a building site or disturbed area shall be protected from equipment damage by fencing placed at the driplines. The location of the fence shall be provided. The Township Arborist must approve the location of the tree protection fence if it is not indicated at the driplines.
6. Section 101-6A(6)—Grade changes around the driplines of trees to be retained shall be minimized. Impacted trees to remain shall be clearly identified. Treatment of any impacted trees prior to construction to protect the root system shall be performed if/as directed by the Township Arborist. The Township Arborist must also approve the procedure.
7. Section 101-6A(5)—No impervious cover shall be permitted within the driplines of trees to remain without approval from the Township Arborist. The Township Arborist must approve the location and extent of the driveway paving if the impacted trees are scheduled to remain.
8. Section 101-6A(8)— Should any trees not scheduled or permitted to be removed be irreparably damaged during construction and die within eighteen (18) months of the conclusion of construction activities, those trees will be required to be replaced in accordance with the provision of Section 101-9A(2). The Township shall be contacted for the inspection of impacted trees prior to permit closeout.
9. Section 121-12—An NPDES Permit must be obtained from the Montgomery County Soil Conservation District prior to issuance of any permits.
10. Section 135-41.1(A)—Adequate water supply must be documented for the subdivision. A letter from Aqua Pennsylvania must be submitted certifying adequate supply for the additional properties.
11. Section 135-32—Concrete road control monuments shall be shown to be installed at the right-of-way at the intersection of each property line and at all changes in direction where feasible as determined by the Township Engineer.

12. Section 135-40—A Planning Module or Exemption must be approved by the City of Philadelphia and the DEP prior to recording the Final Plan.
13. Section 121-4E(1b)—Discharge from the stormwater basin shall be converted from a concentrated flow to a sheet flow. Proposed level spreaders shall be designed to discharge on level existing undisturbed grade; verification shall be provided that the area down-slope of the level spreader discharge remains stable.
14. Section 121-4F(4)—Capacity calculations shall be provided for the proposed inlets verifying that runoff generated by the 100-year storm in the drainage area tributary to each inlet is captured without bypassing the inlets.
15. Section 155-8.5(A.1)—Driveways are limited to ten (10') feet in width from the cartway to the building setback. The driveway on Lot 1 shall be modified to meet this requirement.

C. ENGINEERING COMMENTS

1. The Landscape Plan must be approved by the Planning Department and the Township Arborist.
2. The proposed transformer shall be adequately screened in accordance with Township standards. Consideration shall be given to placing it at a location further away from neighboring homes.
3. All inlets in non-paved areas shall be shown to be graded in a twelve (12") inch sump condition in order to increase the efficiency of runoff collection. Spot elevations shall be added to the plan to clarify grading.
4. Inlet protection shall be provided for all inlets downstream, including the street inlet on Sandringham Rd; appropriate details for a open-mouth inlet top shall be provided.
5. Additional dimensions shall be provided on the stormwater management basin details to establish adequate openings to facilitate required maintenance and inspections.
6. An as-built plan must be submitted certifying the amount of impervious surface on each lot prior to finalization of the associated grading permits for this subdivision.
7. The new sanitary sewer connections require permits and approval from the Public Works Department.
8. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission.

Please advise if we may be of further assistance in this matter.

Sincerely,



Joseph A. Mastronardo, P.E.

PENNONI ASSOCIATES

Township Engineer

cc: Colleen Hall, Senior Planner
Schock Group, LLC

U:\Accounts\LOWMM\LOWM115658 - 21 Sandringham Rd\COMMUNICATION\256.58 dtd 2024-03-01 Preliminary Plan
Review(updated).docx

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JAMILA H. WINDER, CHAIR
NEIL K. MAKHIJA, VICE CHAIR
THOMAS DIBELLO, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722 • FAX: 610-278-3941
WWW.MONTGOMERYCOUNTYPA.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

January 25, 2024

TO: Mr. Christopher Leswing, Director of Building & Planning
Building & Planning Department
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, Pennsylvania 19003

FROM: Marley Bice, AICP, Community Planning Assistant Manager
marley.bice@montgomerycountypa.gov | 610-278-3740

SUBJECT: MCPC #23-0244-002
21 Sandringham Road SOPI Submission

We have received and reviewed a “SOPI” submission for the above-referenced subdivision and land development application as you requested on January 2024. The comments in this memo are based on the most recent submission and some comments in our previous review letters may have been addressed; however, our most recent full review letter (for submission MCPC #23-0244-001) is also attached for reference.

UPDATED BACKGROUND

We have reviewed the most recent “SOPI” submission for changes and did not notice any substantive changes to the amount or type of development proposed.

ADDITIONAL REVIEW COMMENTS

We have reviewed the most recent “SOPI” submission and have not identified any new review comments.

ATTACHMENTS

Attachment A: Reduced Copy of Applicant’s Proposed Site Plan
Attachment B: MCPC #23-0244-001 Review Letter Dated December 19, 2023



**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

KENNETH E. LAWRENCE, JR., CHAIR
JAMILA H. WINDER, VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO BOX 311
NORRISTOWN, PA 19404-0311
610-278-3722 • FAX: 610-278-3941
WWW.MONTGOMERYCOUNTYPA.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

December 19, 2023

Mr. Christopher Leswing, Director of Building & Planning
Building & Planning Department
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

Re: MCPC #23-0244-001
Plan Name: 21 Sandringham Road
(3 lots/3 du comprising 2.11 acres)
Situate: Sandringham Road (E); south of Mary Waters Ford Road
Lower Merion Township

Dear Mr. Leswing:

We have reviewed the above-referenced subdivision and land development in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on December 6, 2023. We forward this letter as a report of our review.

BACKGROUND

The applicant, KD Building & Development, LLC, proposes to demolish an existing residential building at 21 Sandringham Court, subdivide the property into three parcels, and construct three new single-family detached homes. Vehicular access for all three homes is shown from Sandringham Court, which is an existing cul-de-sac off of Mary Waters Ford Road. Additional improvements shown at this time include underground stormwater management basins on each proposed lot and porous walkways on Lots 1 and 2. The property is located in the township's LDR3 Low-Density Residential zoning district.

COMPREHENSIVE PLAN COMPLIANCE

The Land Use Element of the 2016 Lower Merion Township Comprehensive Plan identifies this area of the township as Low & Medium Density Residential. In addition, this area of Lower Merion Township is identified as a Suburban Residential Area in the Future Land Use Plan of the Montgomery County Comprehensive Plan,

Montco 2040: A Shared Vision. Suburban Residential Areas are residential areas which depend on automobiles for transportation and often have extensive landscaping on individual properties. These areas will have a variety of housing types, with single-family detached homes being the most prominent type.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal; however, in the course of our review we have identified the following issues that the township may wish to consider prior to final approval. Our comments are as follows:

REVIEW COMMENTS

ZONING ORDINANCE COMMENTS

Based on the information provided, we have identified the following items related to the township's zoning ordinance that we feel should be addressed as part of any future land development submissions associated with this property:

- A. Transformer Location. Section 155-3.5.F.(1)(g) of the township's zoning ordinance prohibits electrical transformers within a frontage yard, which is defined in §155-2.1 as "the area between a building façade and the cartway". It appears that an electrical transformer is proposed within the frontage yard of Lot 2.
- B. Garage Location. Section 155-8.4.D.(2)(a) of the township's zoning ordinance states that "if the attached garage is along the primary front façade, it shall be stepped back a minimum of 20 feet." It does not appear that the location of the attached garage relative to the primary front façade of the proposed home on Lot 3 meets this setback requirement.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

Based on the information provided, we have identified the following items related to the township's subdivision and land development ordinance that we feel should be addressed as part of any future land development submissions associated with this property:

- A. Sidewalk. According to the Official Highway Map (Map C2) in the Circulation Element of the township's comprehensive plan, Sandringham Road is a minor road. Section 135-4.9.C.(1) of the township's subdivision and land development ordinance requires a minimum of a 3-foot-wide verge and a 5-foot-wide sidewalk along local (minor) streets. In addition, this area of the township is identified as a priority area for pedestrian improvements in the Prioritized Pedestrian Improvement Map (C16) in the Circulation Element of the township's comprehensive plan due to its close proximity to several pedestrian destinations along Mary Waters Ford Road, including the Belmont Hills Elementary School. According to the list of waiver requests on Sheet 5, the applicant has requested a waiver from providing a sidewalk along the frontage of each parcel.

- B. Cartway Width. Section 135-4.9.C.(1) of the township's subdivision and land development ordinance requires a minimum cartway width of 27-30 feet for local (minor) streets. It does not appear that the current paved width of Sandringham Road meets this minimum width requirement for its full length. Given the proposed increase in residential density along this stretch of roadway, the township may wish to consider whether road widening is warranted.

DRIVEWAY SIGHT DISTANCE

Future versions of the site plans should demonstrate that adequate clear sight distance can be provided at each proposed driveway location. It would also be helpful if the site plans showed the locations of existing driveways along Sandringham Road in the vicinity of the proposed development.

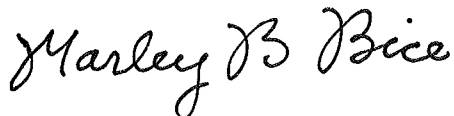
CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal to construct three new single-family homes; however, we believe that our suggested revisions will better achieve Lower Merion Township's planning objectives for residential development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#23-0244-001) on any plans submitted for final recording.

Sincerely,



Marley Bice, AICP, Community Planning Assistant Manager
610-278-3740 – marley.bice@montgomerycountypa.gov

- c: KD Building & Development, LLC, Applicant
Wilkinson Apex Engineering Group, LLC., Applicant's Engineer
Gilbert P. High, Jr., Esq., Twp. Solicitor
Ernie B. McNeely, Twp. Manager
Jody Kelley, Twp. Secretary
Joseph Mastronardo, P.E., Twp. Engineer
Charlie Doyle, Twp. Asst. Dir. of Planning
Colleen Hall, Twp. Senior Planner
Jillian Puleo-Dierks, Twp. Senior Planner
Greg Prichard, Twp. Historic Preservation Planner

Holly Colello, Twp. Planning Technician

Attachment A: Reduced Copy of Applicant's Proposed Site Plan
Attachment B: Aerial Image of Site





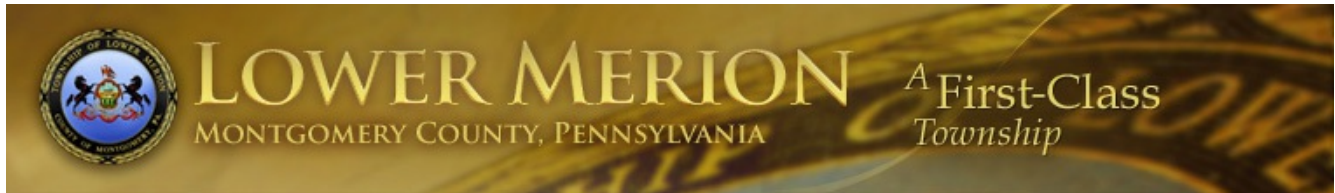
21 Sandringham Road
MCPC#230244001

Montgomery
County
Planning
Commission

Montgomery County Courthouse - Planning Commission
PO Box 311, Norristown PA 19384-0311
(610) 278-3723 (T) 610-278-3344
www.montcopa.org/planning
Aerial photography provided by Newsmap

0 50 100 200 Feet





AGENDA ITEM INFORMATION

ITEM: PRELIMINARY LOT LINE CHANGE - 1301 Sussex Road & 730 Argyle Road, Wynnewood, Ward 8, LD# 3910LLC

Consider for recommendation to the Board of Commissioners approval of a Preliminary Lot Line Change Plan. The Plan dated July 25, 2023, last revised February 14, 2024, prepared by Yerkes Associates, Inc., shows the transfer of 2,400 sq. ft. from 730 Argyle Road to 1301 Sussex Road.

Expiration Date - 4/8/24.....Zoning – LDR4

Applicant: Scott Rothman, Esq.

Owners: Arthur & Carole Zatz, 1301 Sussex Road; and Charlotta Thunander & Jeffrey Kallberg, 730 Argyle Road

On March 4, 2024, the Planning Commission recommended approval of the plan subject to the following conditions which shall be complied with on the Final Plan:

Township Engineer's Review:

1. The Township Engineer's review letter dated February 26, 2024, shall be incorporated by reference into these conditions of approval to the extent the same is not consistent with these conditions of approval.

Easements:

2. The applicant shall provide easement language for the sanitary sewer lateral and any other utility services for the 730 Argyle Road lot passing through the 1301 Sussex Road. The easement language shall be submitted to the Township for review. The language of any new or revised easement shall be subject to the approval of the Township Solicitor prior to recording the Final Plan.

3. Any proposed easements shall be shown on the record plan.

Plan Drafting Requirements:

4. The error of closure shall be calculated and provided on the plan.

5. The applicant shall correctly label sheet 1 of 2 notes as 730 Argyle Road in the Lot Areas calculations.

6. A zoning compliance summary table shall be provided for each lot. The existing and proposed lot information shall be itemized.

Standard Conditions of Approval:

7. Standard signature blocks for Lower Merion Township, Montgomery County, and the property owners shall be added to the plans before recording.

8. New legal descriptions, including metes and bounds, shall be submitted with the Final Plan for each new lot line and/or property boundary.
9. New deeds shall be recorded subsequent to the recording of the Final Plan.
10. Two copies of the revised plan shall be submitted with all changes highlighted and a letter shall be provided indicating how each requested revision has been addressed.
11. The Final Plan, complying with all applicable conditions of approval shall be filed with the Department of Building and Planning within twelve (12) months from the date of approval by the Board of Commissioners.
12. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of the Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant.
13. Existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).
14. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.
15. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.
16. Existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inches (12.7mm).
17. The property owner(s) shall comply with all applicable federal, state, county, local and Lower Merion Township ordinances and laws regardless of specific mention herein.

PUBLIC COMMENT

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> TE Review	Backup Material
<input type="checkbox"/> County Review	Backup Material

Meeting Date: March 4, 2024

TO: Lower Merion Township Planning Commission Members

FROM: Department of Building and Planning – Colleen Hall, Senior Planner & Holly Colello, Planner

SUBJECT: Preliminary Lot Line Change Plan – 1301 Sussex Road & 730 Argyle Road, Wynnewood, Ward 8, LD# 3910LLC

PROPOSAL:

Scott Rothman, Esq., authorized agent, and applicant on behalf of Arthur & Carole Zatz the owners of 1301 Sussex Road, and Charlotta Thunander & Jeffrey Kallberg the owners of 730 Argyle Road are seeking approval for a Preliminary Lot Line Change Plan. The plans show the transfer of 2,400 sq. ft. from 730 Argyle Road to 1301 Sussex Road. This land currently contains the driveway exclusively used by 1301 Sussex Road but is under ownership of 730 Argyle Road; this application seeks to correct this condition.

- No improvements are proposed in connection with the Lot Line Change Plan and no new lots will be created.
 - The applicant also seeks to create a sanitary sewer easement allowing 730 Argyle Road access to the existing sewer line from Sussex Road over 1301 Sussex Road.



Submission Materials:

- The proposal is illustrated on the attached set of Civil Plans that includes two (2) sheets prepared by Yerkes Associates, Inc., dated July 25, 2023, last revised February 14, 2024.

PROPERTY DESCRIPTIONS & EXISTING CONDITIONS:

Overview:

1301 Sussex Road

A 9,561 sq. ft. corner parcel which has frontages on both Argyle Road and Sussex Road. It is improved with an 1,866 sq. ft. 2-story single-family dwelling with attached 2-car garage which was built in 1983. There are no sidewalks along Sussex Road on either side of the street.

730 Argyle Road

A 9,852 sq. ft. flag lot. The parcel is improved with a 1,564 sq. ft. 2-story single-family dwelling and detached 2-car garage which was built in 1984. The property is accessed from Argyle Road which has a public sidewalk. The parcels northern most property boundary abuts Caskey Torah Academy of Greater Philadelphia (742 Argyle Road) and there is a wooden privacy fence between the neighbors.



- **Special Note:** SEPTA Bus #106 has a stop along Argyle Road. Route 106 is one of 48 Suburban Division bus routes serving Penn Wynne and Ardmore; it runs along Haverford Road between 69th Street Transportation Center & Paoli. Route 106 averages 1,109 miles, 658 riders per day, and travels through four different counties including Philadelphia, Montgomery, Delaware, and Chester.

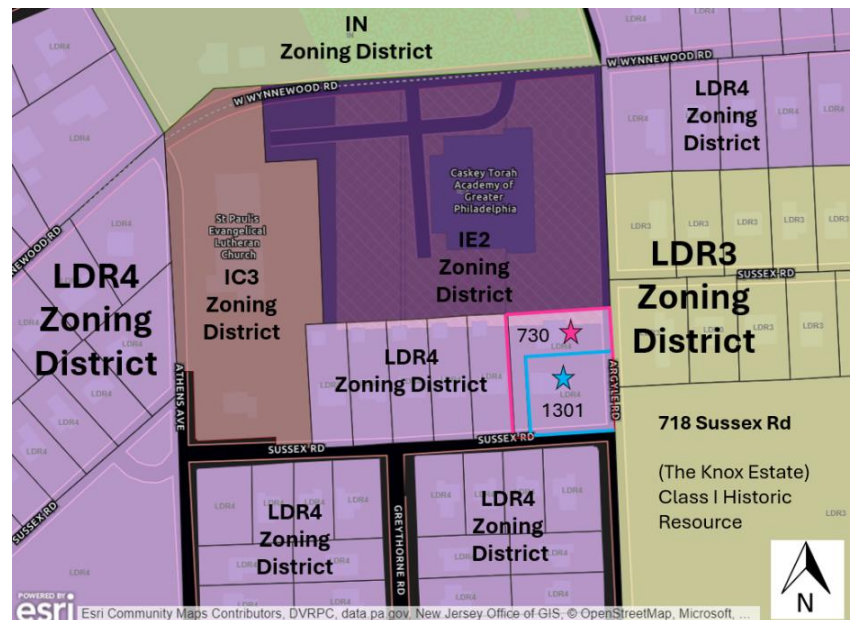
ZONING DISTRICT – LOW DENSITY RESIDENTIAL (LDR4) & SURROUNDING USES:

Zoning District – LDR4:

The property is located within the Low Density Residential. The (LDR4) Zoning District is a low-intensity district intended for detached single-family residential homes and the preservation of the existing neighborhood character.

Surrounding Uses:

- **North = (IE2) Institutional Educational Zoning District:**
 - Uses:
 - *Caskey Torah Academy of Greater Philadelphia (742 Argyle Rd)*
- **South & West = (LDR4) Low Density Residential & (IC3) Institutional Civic Zoning Districts:**
 - Uses:
 - *2-story single-family dwellings with attached and detached garages on small lots.*
 - *St. Paul's Evangelical Lutheran Church (415 E Athens Ave).*
- **East = (LDR3) Low Density Residential Zoning District:**
 - Uses:
 - *2-story single-family dwellings with attached garages on small lots.*
 - *The Charles C. Knox Estate, and former s Resource. (718 Sussex Rd)*



FORM STANDARDS:

The proposal is subject to the LDR4 form standards contained within 155-4.1 [Table 4.1 LDR Form Standards and TABLE 4.1.1 LDR4 Dimensional Standards](#). The following details the applicable standards and proposed conditions:

Table 4.1.4. LDR4 Dimensional Standards						
REQUIRED			EXISTING 730 Argyle Road	EXISTING 1301 Sussex Road	PROPOSED 730 Argyle Road	PROPOSED 1301 Sussex Road
Lot Occupation (See § 155-3.4, Lot occupation.)						
A	Lot width	60 feet minimum	65.01 ft.	Argyle Frontage = 120.02 ft. Sussex Frontage = 129.54 ft.	no change	Argyle Frontage = No Change Sussex Frontage = 149.54 ft.
	Lot area	7,500 square feet minimum	12,302 sq. ft. (gross lot area) 9,852 sq. ft. (net lot area)	15,677 sq. ft. (gross lot area) 9,562 sq. ft. (net lot area)	9,902 sq. ft. (gross lot area) 7,952 sq. ft. (net lot area)	18,077 sq. ft. (gross lot area) 11,462 sq. ft. (net lot area)
	Impervious surface	45% maximum	4,954 sq. ft. 50.28%	3,255 sq. ft. 30.04%	3,909 sq. ft. *49.15%	4,300 sq. ft. 37.52%
Setbacks (See § 155-3.5, Frontages.)¹						
Principal Building (feet)						
B	Front	Predominant setback ⁴	34.5 ft.	31.5 ft.	no change	no change
C	Side	10 minimum	12.0 ft.	24.4 ft.	no change	no change
D	Rear	25 minimum	40.3 ft.	3.3 ft.	no change	28.3 ft.
Accessory Buildings and Structures (feet)²						
E	Front (measured from rear of PB)	20 minimum	12.2 ft.	none	no change	none
F	Front corner	25 minimum	94.2 ft.	none	no change	none
G	Side	5 minimum	5.8 ft.	none	no change	none
H	Rear	5 minimum	5.8 ft.	none	no change	none
Building Height (maximum) (See § 155-3.3, Building height.)						
I	Principal building	2 to 3 stories up to 35 feet ³	2 story - <35 ft.	2 story - <35 ft.	no change	no change
	Accessory structure	1 story up to 15 feet	1 story - existing	none	no change	none

1. Garage location shall be according to § 155-8.4, Parking location.

2. Refer to § 155-3.4F.

3. Refer to § 155-4.1C(4).

4. See § 155-3.4I, Predominant setback. Where the predominant setback does not apply, the front setback shall be a minimum of 25 feet.

PB = Principal building


*Existing Nonconforming

APPLICABLE STUDIES AND REPORTS: Regional and Township Comprehensive Plan

- The proposed Preliminary Lot Line Change is consistent with the Township and County Comprehensive Plans.

MEETING SCHEDULE:

The *tentative* meeting schedule for the review of the Preliminary Lot Line Change Plan is as follows:

	Monday, March 4, 2024	Planning Commission	Review of the Preliminary Lot Line Change Plan
Upcoming	Wednesday, March 13, 2024	Building & Planning Committee	Review of the Preliminary Lot Line Change Plan
	Wednesday, March 21, 2024	Board of Commissioners	

Additional information about the Township's Land Development approval process is illustrated in the [Subdivision & Land Development Flowchart](#). This application is currently in the *Stage 4: Public Meetings* portion of the process.

ADDITIONAL REVIEWS:

- **Township Engineer's Review dated February 26, 2024:** (Attached) The review comments have been incorporated into the staff's recommended conditions of approval.
- **Montgomery County Planning Commission (MCPC) Review dated January 25, 2024:** (Attached) MCPC generally supports the proposed Preliminary Lot Line Change without comment and has not identified any significant issues.
- **Ardwood Civic Association:** Has no comments & recommends approval of the application to the Planning Commission.

CHALLENGES AND OPPORTUNITIES:

- Staff has not identified any issues.

PLANNING COMMISSION ACTIONS & STAFF RECOMMENDATIONS:

The Planning Commission must take the following actions:

1. Recommendation on the Preliminary Lot Line Change Plan.

- Staff supports approval the of Preliminary Lot Line Change with the following conditions.



**TOWNSHIP
OF
LOWER MERION**
MONTGOMERY COUNTY

TOWNSHIP ENGINEER

75 E. Lancaster Avenue
Ardmore, PA 19003 2376
Telephone: (610) 645-6200
www.lowermerion.org

LOWM 256.62

February 26, 2024

Christopher Leswing, Director of Building and Planning
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, PA 19003

**Re: 1301 Sussex Road, 730 Argyle Road
Lot Line Change Plan Review**

Dear Mr. Leswing:

In accordance with your request for the referenced submission, we have reviewed a set of two (2) plans dated 07-25-23, last revised 02-14-24, prepared by Yerkes Associates Inc. The plans show the adjustment of the common lot line between the properties of 1301 Sussex Rd and 730 Argyle Rd. We offer the following comments for your consideration. Since there are no major engineering issues, with the resolution of the following items in this letter, we recommend that the Lot Line Change Plan be approved.

A. ORDINANCE REQUIREMENTS

1. Section 135-4.4(F)—Concrete road control monuments must be shown to be installed at the right-of-way at all property lines and at changes in direction. Iron pins can be installed only with concurrence of the Township Engineer where concrete monument installation is not feasible. An as-built plan or equivalent shall be provided to certify the installation of monuments prior to recording the Final Plan.
2. Section 135-4.10—The easement for the sewer lateral and any other utility services for the 730 Argyle Road lot passing through the 1301 Sussex Road property shall be recorded prior to recording the Final Plan. Any proposed easements shall be shown on the record plan.
3. Section 155-4.1—A zoning compliance summary table shall be provided for each lot. The existing and proposed lot information shall be itemized.

B. ENGINEERING COMMENTS

1. The error of closure shall be calculated and provided on the plan.
2. A copy of the revised plan shall be submitted with any changes highlighted.

Please advise if we may be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Mastronardo", with a stylized flourish at the end.

Joseph A. Mastronardo, P.E.

PENNONI ASSOCIATES

Township Engineer

cc: Colleen Hall, Senior Planner
Angela Forney, Planning Technician
Yerkes Associates, Inc.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JAMILA H. WINDER, CHAIR

NEIL K. MAKHIJA, VICE CHAIR

THOMAS DIBELLO, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722 • FAX: 610-278-3941
WWW.MONTGOMERYCOUNTYPA.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

January 25, 2024

Mr. Christopher Leswing, Director of Building & Planning
Building & Planning Department
Township of Lower Merion
75 East Lancaster Avenue
Ardmore, Pennsylvania 19003

Re: MCPC #24-0004-001
Plan Name: 1301 Sussex Road & 730 Argyle Road
(2 lots comprising 37.25 acres)
Situates: Spring Mill Road (north)/east of Morris Avenue
Lower Merion Township

Dear Mr. Leswing:

We have reviewed the above-referenced subdivision plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 8, 2024. We forward this letter as a report of our review and recommendations.

BACKGROUND

The applicant proposes to transfer 2,400 square feet of land from 730 Argyle Road to 1301 Sussex Road. The 20-foot wide by 120-foot long strip of ground to be conveyed shall be a permanent sanitary sewer easement for 730 Argyle Road. No additional site improvements are shown. The property is located in the township's LDR4 Low Density Residential zoning district.

COMPREHENSIVE PLAN COMPLIANCE

The Land Use Element of the 2016 Lower Merion Township Comprehensive Plan identifies this property as Low & Medium Density Residential. In addition, this area of the township is identified as a Town Residential Area in the Future Land Use Plan of the Montgomery County Comprehensive Plan, *Montco 2040: A Shared Vision*. Town Residential Areas are traditional residential areas that are oriented towards pedestrians more than automobiles and have a variety of housing types that are often mingled within blocks or small neighborhoods.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the proposed lot line change without comment as we have not identified any significant issues.

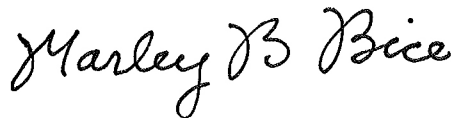
CONCLUSION

We wish to reiterate that MCPC generally supports the proposed lot line change without comment as we have not identified any significant issues.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#24-0004-001) on any plans submitted for final recording.

Sincerely,

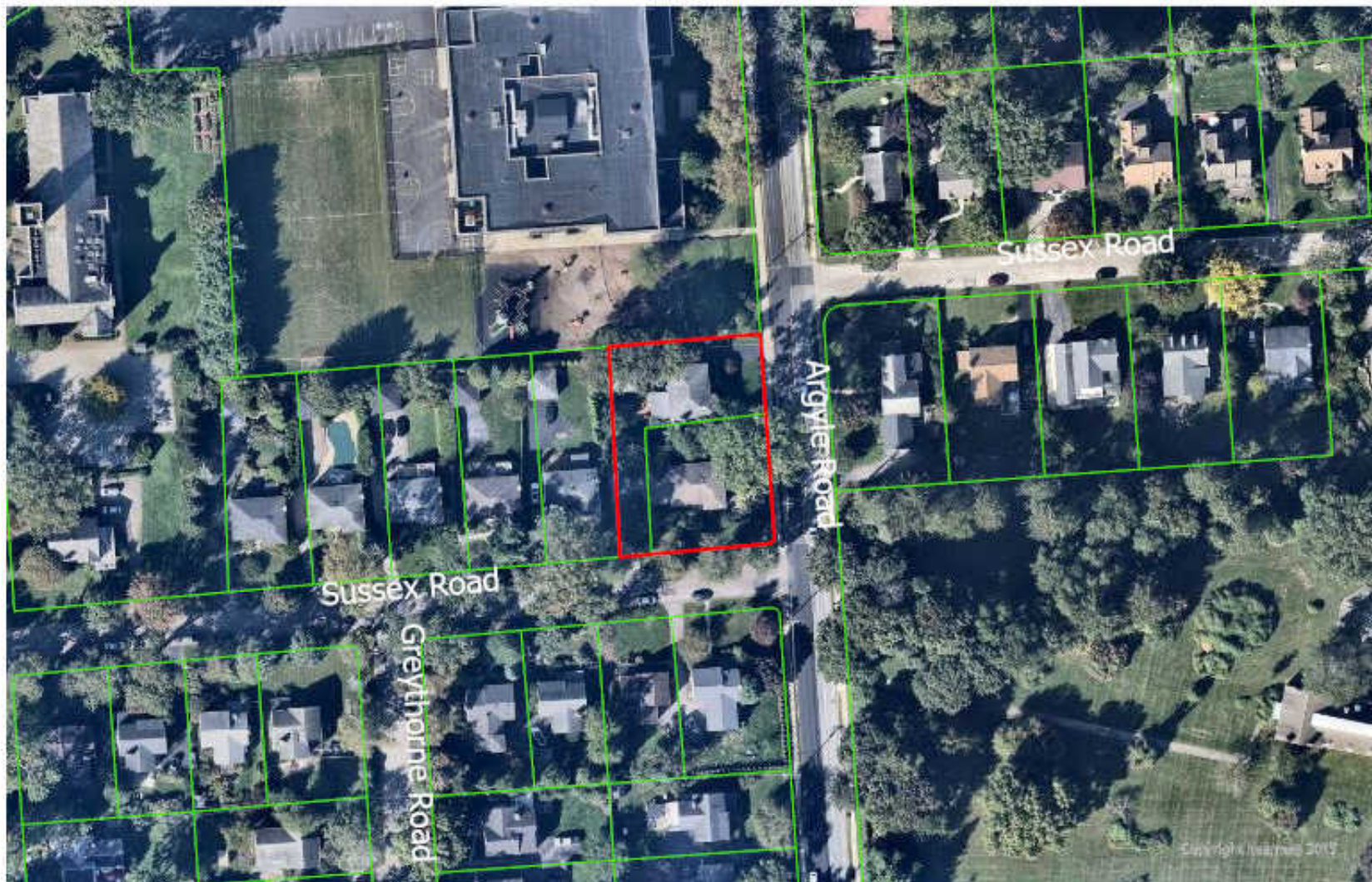


Marley Bice, AICP, Community Planning Assistant Manager
610-278-3740 – marley.bice@montgomerycountypa.gov

c: Scott Rothman, Esq., Applicant's Representative
Gilbert P. High, Jr., Esq., Twp. Solicitor
Ernie B. McNeely, Twp. Manager
Jody Kelley, Twp. Secretary
Joseph Mastronardo, P.E., Twp. Engineer
Charlie Doyle, Twp. Asst. Dir. of Planning
Colleen Hall, Twp. Senior Planner
Jillian Puleo-Dierks, Twp. Senior Planner
Greg Prichard, Twp. Historic Preservation Planner
Holly Colello, Twp. Planner

Attachment A: Reduced Copy of Applicant's Proposed Site Plan
Attachment B: Aerial Image of Site





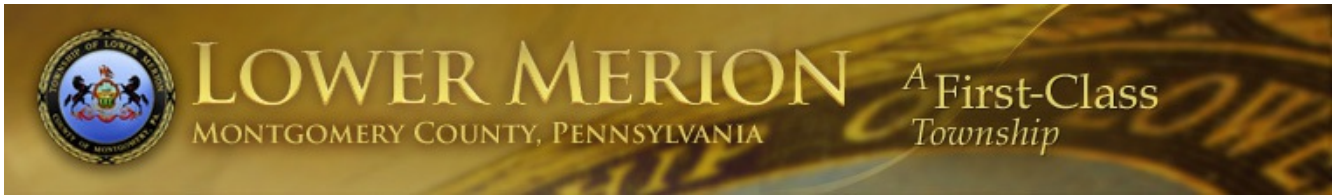
1301 Sussex Road & 730 Argyle Road
MCPC#240004001

Montgomery
County
Planning
Commission

Montgomery County Courthouse - Planning Commission
PO Box 311 Northtown PA 19604-0311
(p) 610 278-3733 (f) 610 278-3841
www.montcopa.org/plncom
Aerial photography provided by Noamap

0 50 100 200 Feet





AGENDA ITEM INFORMATION

ITEM: APPROVAL OF HISTORICAL COMMISSION APPLICATIONS

Consider for recommendation to the Board of Commissioners approval of the following applications as recommended by the Historical Commission at their meeting held on February 26, 2024:

- a) 325 West Montgomery Avenue, Haverford, Class 1, 2024-R-01 – approval to reconstruct dormer window trim on the Men’s Locker Room Building using composite materials matching original dimensions and profiles, or to apply cladding to existing wood trim with a subcommittee to review a mock-up, citing Secretary of the Interior’s Standards 5, 6, and 9.
- b) 1115 Bryn Tyddyn Drive, Gladwyne, Class 2, 2024-R-03 – approval to make various alterations to a stone pool house, a historic element on the property, with clarifications and additional details to be submitted for subcommittee review.

PUBLIC COMMENT

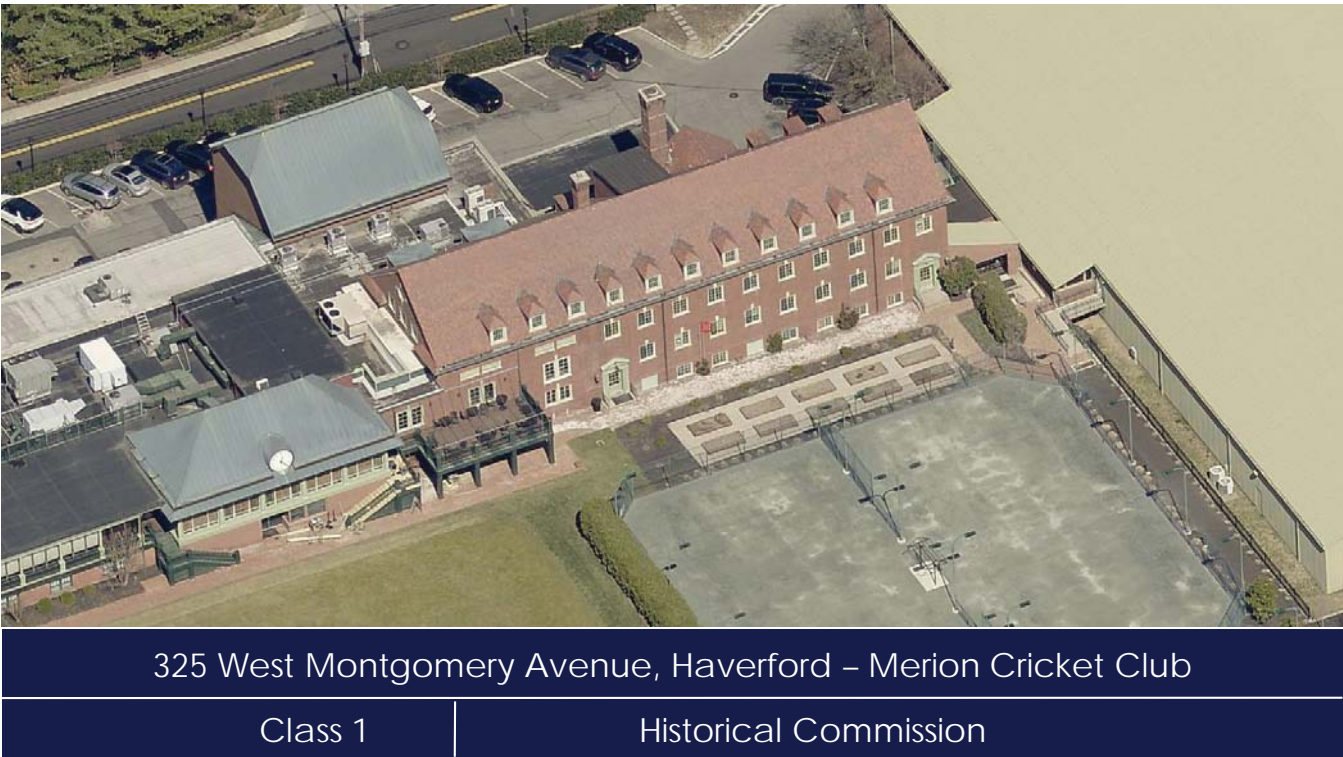
ATTACHMENTS:

Description	Type
 Slides	Backup Material

Agenda item #?
APPROVAL OF HISTORICAL
COMMISSION APPLICATION

Consider for recommendation to the Board of Commissioners action on the following application as recommended by the Historical Commission at their meeting held on February 26, 2024.

13



325 West Montgomery Avenue, Haverford – Merion Cricket Club

Class 1

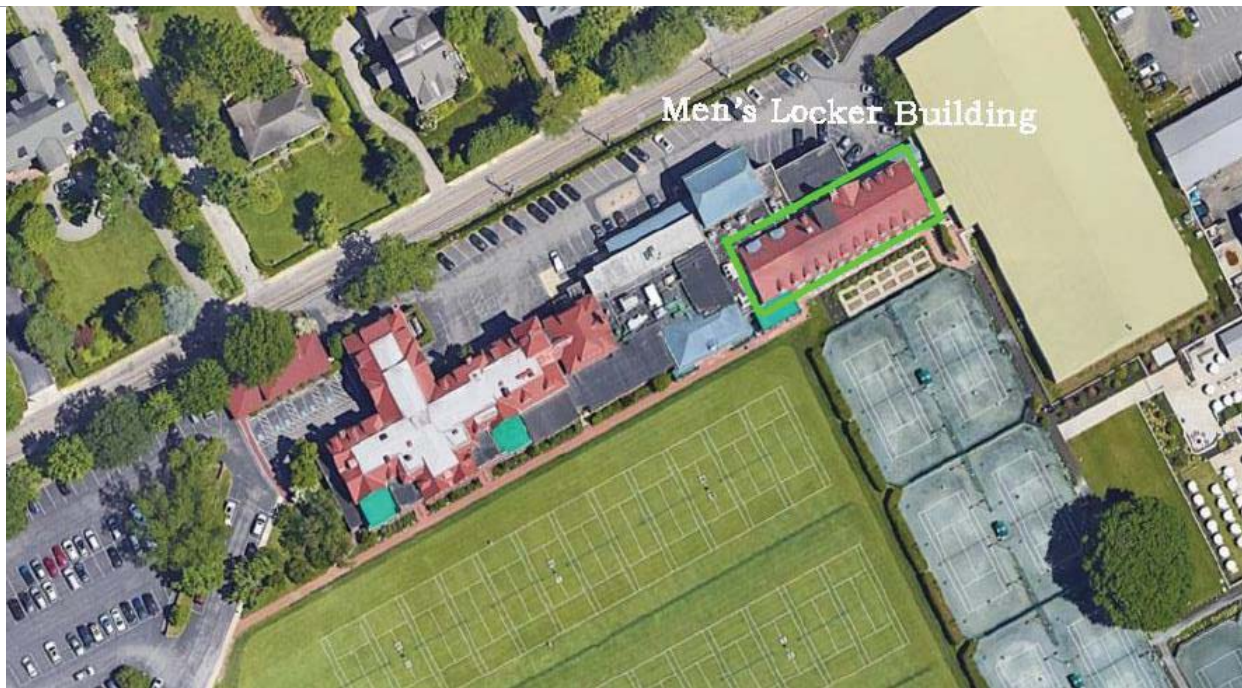
Historical Commission

14

Recommendation:

Approval to reconstruct dormer window trim on the Men's Locker Room Building using composite materials matching original dimensions and profiles, or to apply cladding to existing wood trim with a subcommittee to review a mock-up, citing Secretary of the Interior's Standards 5, 6, and 9.

15



Site Plan

16



Northwest Roof Face – 6 Dormers

17



Southeast Roof Face – 11 Dormers

18



View of Dormers With Tile Roof in Place – Southeast Roof Face

19



View of Dormers With Tile Roof in Place – Northwest Roof Face

20



Current Condition of Dormers

21



1115 Bryn Tyddyn Drive, Gladwyne

Class 2

Historical Commission

22

Recommendation:

Approval to make various alterations to a stone pool house, a historic element on the property, with clarifications and additional details to be submitted for subcommittee review.

23



Elevations of Existing Pool House Building

24

Existing:

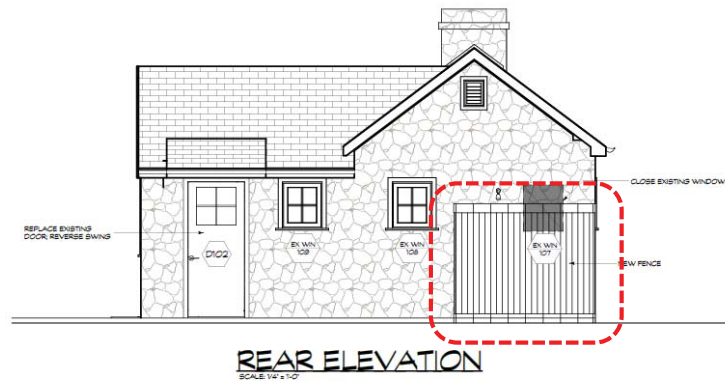


Proposed:



Elevations: Existing and Proposed

25



Proposed Vinyl Shower Enclosure

26

Items for Subcommittee Review

- Revised, annotated drawings calling out new and original elements
- Dimensions of new windows
- Detailing and mouldings, to be replicated in-kind
- A final, more sympathetic window manufacturer and model
- A shower enclosure of alternate materials that is more in keeping with the historic character of the building