

BOARD OF COMMISSIONERS

TODD M. SINAI, PRESIDENT

June 18, 2024 - 7:30 PM

AGENDA

1. Call to Order

2. Roll Call

3. Administration of Oath and Badge Ceremony for Superintendent of Police Andrew J. Block

4. Approval of Minutes

- Minutes of a special meeting of the Board of Commissioners held on May 1, 2024 and a stated meeting of the Board of Commissioners held on May 15, 2024, as distributed.

5. Announcements

- The Board met in Executive Session on Wednesday, June 5, 2024, Wednesday, June 12, 2024 and will meet on Tuesday, June 18, 2024 to receive reports from its professional staff.
- Wednesday, June 19, 2024, Juneteenth, is a legal Holiday. The Township Administration Building and Libraries will be closed for business. There will be no refuse and recycling collection.
- A Capital Improvement Plan (CIP) Workshop will be held on Wednesday, June 26, 2024 at approximately 6:00 p.m.
- Thursday, July 4, 2024, Independence Day, is a legal Holiday. The Township Administration Building and Libraries will be closed for business. There will be no refuse and recycling collection.
- The stated meeting of the Board of Commissioners for August will be held on Monday, August 5, 2024 at approximately 7:00 p.m.

6. Moment of silence in memory of Gloria Wolek, former Commissioner of Ward 5.

7. Public Privilege of the Floor

The Floor is open to provide the opportunity for the public to address the Board on any non-agenda item or any other public matter in which the Township has jurisdiction or authority.

Response to Public Privilege of the Floor - Appropriate time for any member of the Board, the Township Manager, or designated staff person to address and correct any statement made by a member of the public during the Public Privilege portion of the agenda.

8. Public Comment

The Floor is open to provide the opportunity for the public to address the Board on matters relating to agenda items which will be voted upon at this meeting.

Response to Public Comment - Appropriate time for any member of the Board, the Township Manager, or designated staff person to address or respond to any statement made by a member of the public during the Public Comment portion of the agenda.

9. Consent Calendar

Consent Calendar items are grouped together in the last section of the agenda which is marked "Consent Calendar." If there is a request from any member of the Board for separate discussion of any item listed on the Consent Calendar, the item will be removed from the Consent Calendar and considered during the appropriate Committee portion after non-consent items listed under that Committee are addressed.

- a. APPROVAL OF HISTORICAL COMMISSION APPLICATION FOR 223 N. HIGHLAND AVENUE
- b. CONDITIONAL USE APPLICATION – 223 N. Highland Avenue, Kohelet, Merion Station, Ward 12, CU# 3912C
- c. PRELIMINARY LAND DEVELOPMENT PLAN - 223 N. Highland Avenue, Kohelet, Merion Station, Ward 12, LD# 3912
- d. RESOLUTION - APPROVAL OF A LIQUOR LICENSE TRANSFER TO 36 GREENFIELD AVENUE, ARDMORE, OSUSHI JAPANESE RESTAURANT
- e. AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW
- f. TENTATIVE SKETCH PLAN - 727 & 731 Montgomery Avenue, Penn Valley, Ward 1, LD# 3916
- g. PRELIMINARY SUBDIVISION PLAN - 951 Idlewild Road, Gladwyne, Ward 1, PSP# 3915
- h. APPROVAL OF CERTIFICATES OF APPROPRIATENESS
- i. APPROVAL OF HISTORICAL COMMISSION APPLICATIONS
- j. REAPPOINTMENTS TO THE HISTORICAL ARCHITECTURAL REVIEW BOARD
- k. REAPPOINTMENTS TO THE PLANNING COMMISSION
- l. REAPPOINTMENT TO THE UNIFORM CONSTRUCTION CODE BOARD OF APPEALS
- m. APPOINTMENT TO THE ZONING HEARING BOARD
- n. AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - HAGYS FORD ROAD AND RIGHTERS MILL ROAD YIELD REGULATION
- o. RESOLUTION - OFFICIAL SEWAGE FACILITIES PLAN REVISION - 1400 MILL CREEK ROAD
- p. REAPPOINTMENTS TO THE SHADE TREE COMMISSION

10. Building and Planning Committee

- a. The Consent Calendar contains items referred from the June 5, 2024 and June 12, 2024

meetings of this Committee (items a - m).

11. Police Committee

- a. The Consent Calendar contains items referred from the June 12, 2024 meeting of this Committee (item n).

12. Public Works Committee

- a. The Consent Calendar contains items referred from the June 12, 2024 meeting of this Committee (items o - p).

13. Unfinished Business

14. New Business

15. Adjournment



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF HISTORICAL COMMISSION APPLICATION FOR 223 N. HIGHLAND AVENUE

Consider for approval of the following application as recommended by the Building & Planning Committee at their meeting held on June 5, 2024:

A) 223 North Highland Avenue, Merion Station, Class 2, 2024-R-02 – approval to construct an addition onto an academic wing of the school that would not directly abut the historic section of the building, citing Secretary of the Interior’s Standard 10.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: CONDITIONAL USE APPLICATION – 223 N. Highland Avenue, Kohelet, Merion Station, Ward 12, CU# 3912C

Consider for adoption a resolution approving a Conditional Use application. The applicant seeks Conditional Use approval, pursuant to Zoning Code Section 155-4.4.C(6), to modify a condition imposed by the Zoning Hearing Board Appeal No. 4362 to increase its enrollment by 40 students bringing the proposed total to 400 students.

Expiration Date – 6/30/2024.....Zoning –IE1/HROD
Applicant Representative: Jamie Jun, Esq.
Applicant: Jennifer Groen
Owner: Kohelet Foundation

RESOLUTION

WHEREAS, the Township of Lower Merion received application #3912C, filed by Jennifer Groen on behalf of Kohelet Yeshiva High School, which seeks conditional use approval pursuant to § 155-4.4.C(6) of the Zoning Code of Lower Merion Township to modify a condition imposed by the Zoning Hearing Board (Appeal No. 4362) which capped enrollment at 360 students on the property pursuant to grant of a special exception for the property located at 223 N. Highland Avenue; and

WHEREAS, Applicant seeks permission to expand the educational use at 223 N. Highland Avenue to 400 students; and

WHEREAS, the Township Planning staff recommended approval of the Conditional Use application with the request that the Conditional Use Hearing Officer require the applicant to provide a revised traffic study that addresses the Township Engineer’s Traffic Study Review dated March 25, 2024; and

WHEREAS, the application was reviewed by the Lower Merion Planning Commission which recommended approval subject to the conditions set forth by the planning staff; and

WHEREAS, the application was referred to Pamela M. Loughman, Esq., Hearing Officer, to take testimony and recommend Findings of Fact, Conclusions of Law and an Order for the consideration of the Board of Commissioners; and

WHEREAS, the Applicant provided a revised Traffic Study dated April 2, 2024 produced by F. Tavani & Associates, Inc. updated from its original March 15, 2024, in order to address Township Engineer’s comments as recommended by the Township Planning Commission; and

WHEREAS, following a public hearing on October 10 2023, the Hearing Officer prepared and submitted to the Board of Commissioners her “Recommendations for Findings of Fact, Conclusions of Law and Order,”

(the “Report”) whereby the Hearing Officer recommends that the requested relief be granted, finding that the applicant demonstrated that safe loading, circulation, signage and traffic movements were adequate, but subject to the following conditions: (1) enrollment/staffing: enrollment is capped at 400 students; the number of faculty/staff/volunteers is capped at 74; any increase in these amounts must be approved by the Board of Commissioners by conditional use; (2) the Applicant shall provide the number of enrolled students of driving age to the Director of Building and Planning and the Township Engineer for annual review to ensure there is sufficient on-site parking to meet the parking requirements of Code and prevent incompatibility with the surrounding neighborhood.; and

WHEREAS, the Board of Commissioners, having reviewed and considered the Hearing Officer’s Report, wishes to render its decision.

NOW THEREFORE, the Board of Commissioners of the Township of Lower Merion hereby resolves:

1. Paragraphs 1 through 84, together with Part III, Discussion, set forth in the attached Hearing Officer’s Report, are incorporated herein by reference and accepted as the Findings of Fact and Conclusions of Law of the Board of Commissioners with respect to application #3912C, the application of Jennifer Groen on behalf of Kohelet Yeshiva High School concerning the property at 223 N. Highland Avenue.
2. In consideration thereof, the Board adopts and issues the following order, with respect to the aforementioned application:

ORDER

AND NOW on this 18th day of June, 2024, application #3912C, the application of Kohelet Yeshiva High School for conditional use to modify a condition imposed by the Zoning Hearing Board (Appeal No. 4362) which capped enrollment at 360 students, pursuant to Code §155-4.4.C(6) and the application procedure and standards found in §155-11.1.F&G is GRANTED.

Henceforth, the educational use is permitted to expand to 400 students at 223 N. Highland Avenue. This approval is granted based on the documents and plans submitted in support of the application (all of which are specifically incorporated herein by reference), and conditioned upon the following:

- (1) Enrollment/staffing: enrollment is capped at 400 students, with a maximum 135 High School students in grades 9-12.; the number of faculty/staff/volunteers is capped at 74; any increase in these amounts must be approved by the Board of Commissioners by conditional use.
- (2) The Applicant shall provide the number of enrolled students of driving age to the Director of Building and Planning and the Township Engineer for annual review to ensure there is sufficient parking to meet the parking requirements of the Zoning Code and prevent incompatibility with the surrounding neighborhood.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: PRELIMINARY LAND DEVELOPMENT PLAN - 223 N. Highland Avenue, Kohelet, Merion Station, Ward 12, LD# 3912

Consider for approval a Preliminary Land Development Plan. The Plan shows the construction of a 2,976 sq. ft. footprint, three-story addition to the existing upper grade classroom building known as the Kaplan Wing. The plans also show the reconfiguration of existing parking, expansion of two existing stormwater management systems, and construction of porous walkways.

The Plan requires the following waivers from the Township Code which were recommended for approval by the Building & Planning Committee:

- a. §135-3.4 to not submit a Tentative Sketch Plan application.
- b. §135-5.1.C(1) to not provide shade trees in the right-of-way.
- c. §135-5.1.C(7) to not plant shade trees or large canopy trees at a rate of at least one tree per 30 feet of public or private street frontage, common driveway, or walkway, or portion thereof. Trees shall be distributed along the entire length of the public or private street frontage, access driveway, or walkway, although they need not be evenly spaced. Trees planted along walkways shall be staggered on either side of the walkway in order to create areas of alternating shade and sun.

Expiration Date – 6/30/2024.....Zoning –IE1/HROD
Applicant Representative: Jamie Jun, Esq.
Applicant: Jennifer Groen
Owner: Kohelet Foundation

On June 5, 2024, the Building & Planning Committee 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 May 29, 2024, shall be incorporated by reference into these conditions of approval to the extent the same is not consistent with these conditions of approval.

Previous Approvals:

- 2. Conditional Use approval 3896CU required that the applicant collaborate with Township staff, adjacent property owners at Adath Israel, and SEPTA to install a bus shelter at the intersection along Old Lancaster. Given the expansion of use on the property, the applicant shall engage with the Township and SEPTA to explore the relocation of the current bus stop, situated along the property frontage, to a more suitable location where amenities such as a shelter can be provided for users.

Architecture/Building Elevations:

3. The building height shall be verified by the Zoning Officer prior to issuance of any permits. The building height shall not exceed 45 feet from mean grade to the top of the roof ridge.
4. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan, including the proposed materials.
5. The proposed building shall be constructed substantially as shown on the architectural elevations and plans prepared by KCBA Architects, dated March 25, 2024, with the exception of any de minimis changes, including those mutually agreed to with staff.
6. 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).
7. The applicant is encouraged to consider adopting architectural standards that relate to the existing buildings in terms of scale and should utilize a quality of materials that are sympathetic to the existing buildings and institutional campus.

Site Design:

8. All proposed impervious surfaces and impervious areas to be removed shall be dimensioned on the plan prior to issuance of any permits.
9. The existing and proposed mean grade shall be calculated and shown on the plan.

Pedestrian Circulation:

10. A porous pathway connecting pedestrians from the main entrance directly to the expanded parking area shall be provided.

Landscape Plan:

11. The Planting Plan must be approved by the Planning Department and the Township Arborist.
12. The applicant shall undertake an annual program to remove vines from all plant material on the site. Vines shall be removed to the ground. The program shall be included on the landscape plan.
13. A revised landscape plan complying with SALDO Section 135 Article 5, and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the grading permit.
14. The applicant shall provide native or non-invasive adapted plant species on the landscape plan.
15. A maintenance and operations plan shall be submitted for the proposed landscaping and other amenities installed as part of this project.
16. Landscape improvements provided for this application and application 3767 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 grading permit.

Stormwater Management:

17. A minimum pipe size of eight (8") inches shall be used for all proposed stormwater conveyance piping.

Lighting Plan:

18. 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.

19. There shall be a minimum of 50% reduction of power to all exterior lighting within one hour after site operations cease, but no later than 10:00 PM.

20. An updated outdoor lighting plan, sealed by a responsible design professional, that includes illuminance patterns shall be submitted with the Final Plan. 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.

21. Any damaged or broken light fixtures shall be repaired or replaced as part of this project.

22. The current depiction of the light levels for the site indicate that there are 0.0 footcandles across the entire site beyond the limits of the new parking area, however, there appears to be existing light fixtures that are on site that have not been accounted for in the illumination grid that is provided. The applicant shall work with the Township Lighting Consultant to provide a more comprehensive analysis of the lighting for this application.

23. The proposed light fixtures are not shown on the Landscape Plan (Sheet 15 of 18), nor is the landscape material shown on the Lighting Plan (Sheet 16 of 18). Each plan shall coordinate to ensure that there are no conflicts between the proposed improvements.

24. It appears that one of the P4 fixture locations would be within the paved parking area. Clarification shall be provided, or location revised. It is noted that this location is also in proximity (approximately 20') to what appears to be an existing light that is to remain. Proposed lighting shall be coordinated with existing fixtures and modeled accordingly.

25. Max/Min Light Level Ratio for the new parking area shown on (Sheet 17 of 18) is 34.67:1. Current IES standards recommend a ratio of no more than 20:1 for parking areas. It is recommended that the proposed lighting is revised to align with IES recommended ratios.

26. The applicant shall verify that the proposed color temperature of the lights (4000K) is consistent as possible with the existing fixtures. A color temperature of 3000K is preferred.

Traffic, Parking & Vehicular Circulation:

27. A post-development traffic study shall be completed that evaluates the Level of Service at the site driveways and the intersections of Old Lancaster Road and Melrose Avenue, Old Lancaster Road and Summit Lane, and Old Lancaster Road and Highland Avenue when enrollment reaches 380 total students or 135 High School students or when required by the Zoning Officer. The study shall document the number of students picked up by car or van, the number of students driving to and from school, and the number of students arriving and departing by bus. The study shall additionally assess internal traffic circulation and queue conditions and evaluate the safety of students walking to and from the property.

28. The number of parking spaces required for the development shall be approved by the Zoning Officer.

29. A striping and signage plan shall be provided.

30. The applicant shall investigate the possibility of shared parking amongst the five different institutions located at the adjoining intersection.

31. There shall be no student or employee parking along Melrose Avenue. At the start of every school year and the start of every summer camp session the applicant shall provide notice to all employees and students of this no parking restriction.

Construction Details:

32. Top and bottom of curb elevations shall be provided on the plan.

33. A construction entrance location shall be provided on the plan and is to be installed if washing vehicle tires proves ineffective.

34. A construction staging plan shall be provided for the project which depicts site access, emergency vehicle access, construction staging areas, safety fencing and contractor, employee and visitor parking during construction.

35. An As-Built Plan shall be submitted to confirm that the project complies with the building area and impervious surface.

36. A temporary circulation plan to maintain pedestrian connections during construction shall be provided prior to issuance of the grading permit.

37. 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.

38. The applicant shall submit a parking plan with the permit 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.

39. 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.

Utilities:

40. The location of all existing and proposed utilities shall be shown on the plan from the structure to the mains.

41. The location of all transformers and utility boxes shall be shown on the Final Plan.

42. 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.

Sustainability:

43. 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.

Standard Conditions of Approval:

44. All signage shall be subject to a separate review for compliance with the Zoning Code by the Zoning Officer.

45. The applicant shall install a Knox Box entry system at the exterior of all commercial, institutional and multifamily residential buildings at or near the main entrance to the building and/or at other locations as determined and approved by the Fire Marshal.

46. 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.

47. 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.

48. 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).

49. 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.

50. 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.

51. 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.

52. 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.

53. 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.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: RESOLUTION - APPROVAL OF A LIQUOR LICENSE TRANSFER TO 36 GREENFIELD AVENUE, ARDMORE, OSUSHI JAPANESE RESTAURANT

Consider for adoption a resolution authorizing the transfer of a liquor license to 36 Greenfield Avenue, Ardmore from a location that is outside of the Township.

RESOLUTION

WHEREAS, Act 141 of 2000 ("the Act"), which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of liquor licenses across municipal boundaries regardless of the quota limitations provided for in Section 461 of the Liquor Code if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the receiving municipality to issue a resolution approving the inter-municipal transfer of the liquor license from the transferring municipality prior to an Applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties residing within the municipality to make comments and recommendations regarding Applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of the liquor license into the municipality;

NOW, THEREFORE, BE IT RESOLVED, that Osushi Japanese Restaurant LLC requested the approval of Lower Merion Township Board of Commissioners for the proposed transfer of Pennsylvania Restaurant Liquor License No. R-14067 to an existing restaurant located at 36 Greenfield Avenue, Ardmore, Lower Merion Township, Montgomery County, Pennsylvania, from Fun Eats and Drinks LLC located at 51 Town Center Drive, Store G-56, Collegeville, Montgomery County, Pennsylvania, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Lower Merion Township Board of Commissioners held a public hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of a restaurant liquor license into Lower Merion Township by the Applicant will not be detrimental to the welfare, health, peace and morals of Lower Merion Township or its residents; and

BE IT FURTHER RESOLVED, that the Lower Merion Township Board of Commissioners approves, by adoption of this Resolution, the proposed transfer of Restaurant Liquor License No. R-14067 into Lower Merion Township to Osushi Japanese Restaurant LLC, conditioned upon the Applicant complying with all applicable rules and regulations of the Pennsylvania Liquor Control Board with respect to the liquor license in

question; and

BE IT FURTHER RESOLVED, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW

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

225 E. Montgomery Avenue (LOWM 248.53)
Escrow Release No. 7 (FINAL)
Amount \$ 14,400.00

23 City Avenue (LOWM 254.80)
French International School
Escrow Release No 4 (FINAL)
Amount \$ 8,193.00

255 Fairhill Road (LOWM 256.32)
Escrow Release No. 1 (FINAL)
Amount \$ 9,680.00



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: TENTATIVE SKETCH PLAN - 727 & 731 Montgomery Avenue, Penn Valley, Ward 1, LD# 3916

Consider for approval a Tentative Sketch Plan. The plan dated April 3, 2024, last revised May 17, 2024 prepared by Yohn Engineering, LLC, shows the consolidation of two (2) parcels into one 16,079 sq. ft. parcel, demolition of all existing structures and improvements and construction of a two-story office building with a 6,017 sq. ft. footprint. The building will include 868 sq. ft. of retail space on the ground level fronting Montgomery Avenue, and 5,938 sq. ft. of office use on the second floor. The plan also proposes the installation of 24 at-grade parking spaces located beneath the building, installation of an underground stormwater management system and improvement to a shared common driveway.

Expiration Date - 8/4/24.....Zoning –VC
Applicant & Owner: SARA Holdings, LLC
Applicant's Representative: Chris Yohn

On June 12, 2024, the Building & Planning Committee recommended approval of the plan subject to the following conditions which shall be complied with on the Preliminary Plan:

Township Engineer Review:

1. The Township Engineer's review letter dated May 28, 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.

Architecture:

2. Architectural elevations and renderings of all sides of all proposed buildings and additions shall be submitted with the Preliminary Plan, including proposed materials.

3. The mean grade of the structures shown shall be verified. Documentation showing the calculations shall be provided. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.

4. The proposed method of visually and audibly screening the proposed mechanical equipment serving the new buildings shall be submitted with the Preliminary Plan.

5. The applicant shall demonstrate compliance with all relevant architectural standards, as outlined in §155-3.9, including storefront design, and to consider incorporating elements such as sign bands, display windows, and bulkheads.

6. The applicant shall explore incorporating design elements that differentiate the first and second floors to enhance human scale and proportion, differentiate functional permitted commercial uses, emphasize the building's

horizontal lines, and respect the existing context of the corridor to enhance the pedestrian connection to the street.

7. The applicant shall work with Township staff to utilize appropriate building materials reflecting the character of the Penn Valley commercial corridor.

8. The applicant shall revise the renderings to ensure that material changes only occur with façade plane changes and at interior corners.

9. The applicant shall consider the use of bird-friendly glass.

Streetscape:

10. The applicant shall work with staff to redesign the streetscape amenities, including sidewalk and landscape verge, to accommodate modifications to maintain clear driveway access sightlines.

11. The sidewalk shall be increased in width as required by the Subdivision and Land Development Code.

12. The applicant shall work with staff to incorporate native perennial plantings that do not inhibit sight lines in the landscape verge.

13. The applicant shall work with staff to include street furniture, such as benches, in the landscape verge where appropriate to enhance the pedestrian experience.

Landscape Plan:

14. A landscape plan complying with the applicable sections of the Natural Features Code, Subdivision & Land Development Code Section 135-30 and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Preliminary Plan.

15. Wooded lot calculations including all viable trees to be removed and impacted by the proposed construction shall be submitted with the Preliminary Plan submission.

16. The applicant shall work with staff prior to the submission of the Preliminary Plan on the design of the landscape plan to consider the quality and quantity of the buffer plantings.

Access/Circulation/Parking:

17. The plans shall indicate the minimum vertical clearance height of cantilever.

18. Prior to the submission of the Preliminary Plan, the applicant shall meet with the Lower Merion Township Fire Department to review emergency vehicle access requirements.

19. The plans shall indicate the location of wiring for the potential future installation of EV charging infrastructure.

20. The applicant shall work with the adjacent property owner at 723 Montgomery Avenue to install a sidewalk or delineate a pedestrian path to the side-entrance steps adjacent to the shared driveway.

21. The plans shall be revised to provide a pathway parallel to the driveway, which connects the rear parking area to the streetscape.

22. The plans shall be revised to provide a 5' pedestrian pathway from the far end of the parking lot to the rear

building entry and that is separated from vehicular use areas.

23. The plans shall be updated to include the pedestrian pathway extending from sidewalk to the retail entrance.

24. Any proposed curb shall be fully detailed. A full reveal and depressed concrete curb detail shall be provided with the Preliminary Plans. Depressed curb shall be clearly shown and labeled at all driveway/roadway connections. The length of depressed curb for the new driveways and any curb to be raised to full reveal shall be dimensioned on the plan.

Lighting Plan:

25. A lighting plan shall be submitted with the Preliminary Plan. The location, luminaire type, wattage, pole height and illumination patterns shall be indicated. The lighting shall be designed to reduce the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties.

26. The lighting plan shall be designed to comply with the applicable code in effect at the time of approval.

Plan Revisions:

27. The plans shall be revised to identify the proposed Frontage Yard Type as 'Shallow' (Table 4.3.1.)

28. The plans shall be revised to identify the proposed Façade Type as 'Storefront,' (Table 4.3.1.)

Standard Conditions:

29. Curb and sidewalk shall be noted to be repaired or replaced as directed by the Township.

30. 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.

31. The applicant shall submit a statement with the Preliminary Plan indicating how the Township's recycling requirements will be complied with.

32. 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.

33. The Preliminary 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 Tentative Sketch Plan approval by the Board of Commissioners.

34. Approval of this Tentative Sketch Plan does not ensure that the developer or the owner can ultimately develop the property as shown on the plan. The proposed development's compliance with various Township ordinances, including but not limited to the Natural Features Conservation Code shall not be determined until the applicant submits a Preliminary Plan for Township approval.

35. A revised Tentative Sketch Plan addressing conditions herein shall be submitted for Township records.

36. 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.

37. 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.

38. 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.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: PRELIMINARY SUBDIVISION PLAN - 951 Idlewild Road, Gladwyne, Ward 1, PSP# 3915

Consider for approval a Preliminary Subdivision Plan. The Plan shows the subdivision of 951 Idlewild Road into two lots with the construction of a new single-family residence totaling a 5,051 square foot footprint on Lot #2, which will take access from Rock Creek Road. The existing single-family home will be maintained on Lot #1 along with the existing vehicular driveway from Idlewild Road. Lot #1 will have a 1.35-acre lot size and Lot #2 will have a 1.04-acre lot size.

The Plan requires the following waivers from the Township Code which were recommended for approval by the Building & Planning Committee:

1. Subdivision and Land Development Code Section SALDO §135-4.9.C(1) to defer installation of public sidewalks along local and minor streets.
2. Subdivision and Land Development Code Section SALDO §135-4.9.C. to not widen the existing road/cartway.

Expiration Date – 6/30/2024.....Zoning –LDR2
Owner and Applicant: Carrie & Steven Birdsall

On June 5, 2024, the Building & Planning Committee 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 May 29, 2024, shall be incorporated by reference into these conditions of approval to the extent the same is consistent with these conditions of approval.

Pedestrian Improvements:

2. A future five-foot wide sidewalk shall be installed along the property frontages Idlewild Road and Rock Creek Road if and when required by the Board of Commissioners. The future sidewalk shall be shown on the final plan and noted as deferred. The requirement to install the deferred sidewalk shall be recorded in a covenant running with the land.

Architectural Elevations/Site Design:

3. The building height shall be verified by the Zoning Officer prior to issuance of any permits. The building height shall not exceed 35 feet from mean grade to the top of the roof ridge in accordance with the code.
4. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final

Plan, including the proposed materials. The applicant shall provide a chart to demonstrate compliance with the Architectural Design Standards in Zoning Code Section 155-3.9.

5. The proposed building(s) shall be constructed substantially as shown on the architectural elevations prepared by R. A. Hoffman Architects, Inc., dated May 21, 2024, with the exception of any de minimis changes, including those mutually agreed to with staff.

6. 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).

7. The mean grade of the structure 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.

8. The stair tread, riser and railings final design must comply with the applicable building code.

9. The pool will require a separate building permit. The pool, equipment, and enclosure must comply with the 2018 International Swimming Pool and Spa Code.

Landscape Plan/Streetscape:

10. The developer is encouraged to continue to work with neighbors to modify the landscape plan to address neighbor's screening and privacy concerns.

11. A revised landscape plan complying with SALDO section 135 Article 5, and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan.

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

13. The applicant shall provide three additional evergreen trees on lot #1 to meet the side yard buffer requirements, in Section 135-5.2.

14. The Landscape Plan and compensatory plantings shall be approved by the Building and Planning Department.

15. All existing trees to remain shall be devined.

Plan Drafting Requirements:

16. The depressed curb for the new driveway location shall be dimensioned on the plan.

17. The applicant shall revise the landscape plans to coordinate with the civil plans in the area of the Lot #2 proposed driveway.

18. The proposed pervious pavers on the pool deck of Lot 1 shall not be wider than six feet in width.

19. The applicant shall dimension the pervious pavers on the pool deck to be replaced with pervious pavers and provide a detail of these pavers for approval by the Township Engineer.

Construction:

20. 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.

21. 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.

22. 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 streets. 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.

Stormwater & Utilities:

23. 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.

24. Permits from the Public Works Department shall be required for the proposed driveway work and work within the Township right-of-way.

Sustainability:

25. 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.

26. The applicant shall also consider having no natural gas connections.

27. 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 Plan Items/Conditions of Approval:

28. An as-built plan shall be submitted certifying the amount of impervious surface on each lot prior to finalization of the permit(s).

29. 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. Alternatively, significant changes may require the submission of a second stage plan if so, determined by the Director of Building & Planning.

30. New legal descriptions, including metes and bounds, shall be submitted for each new lot line/property boundary prior to recording the Final Plan.

31. New deeds shall be recorded for all lots after the Final Plan has been recorded. The following restriction, to be verified by the Director of Building and Planning, shall be placed in the two deeds: The continued operation and maintenance of the stormwater management facilities are the responsibility of the property owner.

32. Two copies of the revised plan shall be submitted with all changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission.

33. The Final Plan, complying with all applicable requirements, shall be filed with the Department of Building and Planning within twelve (12) months from the date of the Preliminary Plan approval.

34. 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.

35. The owner shall make payment of the Township Engineer's and/or Clerk of the Works' 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.

36. 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.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF CERTIFICATES OF APPROPRIATENESS

Consider for approval of the following certificates of appropriateness as recommended by the Building & Planning Committee at their meeting held on June 12, 2024:

- a) 572 Barrett Avenue, Haverford Station Historic District, 24-10 – approval to renovate a freestanding garage at the rear of the property, citing Secretary of the Interior’s Standards 9 and 10.
- b) 65 Cricket Avenue, Ardmore Commercial Historic District, 24-11 – approval to install a halo-lit retail façade sign and an aluminum blade sign, citing Secretary of the Interior’s Standard 9.
- c) 14 West Lancaster Avenue (Rear), Ardmore Commercial Historic District, 24-12 – approval to alter the rear façade with a glazed storefront system and to install a fence-style railing on the roof above, citing Secretary of the Interior’s Standard 9, with a subcommittee to review installation details of the railing installation and additional product information for the proposed windows.
- d) 362 Righters Ferry Road, Gladwyne Library, Gladwyne Historic District, 24-14 – approval to replace copper and aluminum gutters and downspouts with bronze-colored aluminum gutters and downspouts, citing Secretary of the Interior’s Standard 9.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF HISTORICAL COMMISSION APPLICATIONS

Consider for approval the following applications as recommended by the Building & Planning Committee at their meeting held on June 12, 2024:

- a) 444 North Highland Avenue, Merion Station, Class 2, 2023-R-06 – approval to revise the material selection of a previously approved rear addition, citing Secretary of the Interior’s Standard 10.
- b) 70 Merbrook Lane, Merion Station, Class 2, 2024-R-09 – approval to replace several non-original windows, with a subcommittee to review additional details regarding materials and trim, citing Secretary of the Interior’s Standard 9.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: REAPPOINTMENTS TO THE HISTORICAL ARCHITECTURAL REVIEW BOARD

Consider for approval the following reappointments to the Historical Architectural Review Board: Philip Franks for a five year term, such term to expire May 2029; and, Julie Alexandre, for a five year term, such term to expire May 2029.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: REAPPOINTMENTS TO THE PLANNING COMMISSION

Consider for approval the following reappointments to the Planning Commission: David Rosenbaum for a four year term, such term to expire February 2028; and, Timothy Mathews, for a four year term, such term to expire April 2028.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: REAPPOINTMENT TO THE UNIFORM CONSTRUCTION CODE BOARD OF APPEALS

Consider for approval the reappointment of Joseph Graci to the Uniform Construction Code Board of Appeals Board for a five year term, such term to expire November 2028.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPOINTMENT TO THE ZONING HEARING BOARD

Consider for approval the appointment of Amanda Masucci to the Zoning Hearing Board for a three year term, such term to expire June 2027.



AGENDA ITEM INFORMATION

COMMITTEE: Police Committee

ITEM: AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - HAGYS FORD ROAD AND RIGHTERS MILL ROAD YIELD REGULATION

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 145 thereof, entitled Vehicles And Traffic, Article XV, Schedules, Section 145-109, Schedule IX: Yield Right-Of-Way Intersections, by establishing a Yield Right-Of-Way on Hagys Ford Road at the intersection of Righters Mill Road.



AGENDA ITEM INFORMATION

COMMITTEE: Public Works Committee

ITEM: RESOLUTION - OFFICIAL SEWAGE FACILITIES PLAN REVISION - 1400 MILL CREEK ROAD

Consider for adoption a resolution revising the Official Sewage Facilities Plan by accepting a Sewage Facilities Planning Module submitted by C.F. Holloway, III & Company in connection with the 1400 Mill Creek Road development for the installation of a new on-site, private pump station and force main to connect to the existing River Road common low-pressure force main system and authorizing the submission of the revised Official Sewage Facilities Plan to the Department of Environmental Protection for approval.

RESOLUTION

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management; and

WHEREAS, C.F. Holloway, III & Company has proposed the development of a parcel of land identified as 1400 Mill Creek Road, and described in the attached Sewage Facilities Planning Module, and proposed that such subdivision be served by sewer tap-ins and pump station; and

WHEREAS, the Township of Lower Merion finds that the subdivision described in the attached Sewage Facilities Planning Modul conforms to applicable sewage related zoning and other sewage related municipal ordinances and plan, and to be a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Lower Merion hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above reference Sewage Facilities Planning Module which is attached hereto.



AGENDA ITEM INFORMATION

COMMITTEE: Public Works Committee

ITEM: REAPPOINTMENTS TO THE SHADE TREE COMMISSION

Consider for approval the following reappointments to the Shade Tree Commission: James McKee for a five year term, such term to expire December 2028; and, Barry Jeffries for a five year term, such term to expire February 2029.