

BOARD OF COMMISSIONERS

TODD M. SINAI, PRESIDENT

July 17, 2024 - 7:30 PM

AGENDA

1. Call to Order

2. Roll Call

3. Approval of Minutes

- Minutes of special meetings of the Board of Commissioners held on June 5, 2024 and June 12, 2024 and a stated meeting of the Board of Commissioners held on June 18, 2024 as distributed.

4. Announcements / Presentations

- The Board will meet in Executive Session on July 17, 2024 to receive reports from its professional staff.
- The stated meeting of the Board of Commissioners for August will be held on Monday, August 5, 2024 at approximately 7:00 p.m.
- National Night Out will be held on Tuesday, August 6, 2024 from 6:00 p.m. until 9:00 p.m. in the parking lot of the Wynnewood Shopping Center.
- The Board of Commissioners will be in recess from August 6, 2024 until September 4, 2024.

5. 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.

6. 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.

7. 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. AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW
- b. APPROVAL OF CERTIFICATES OF APPROPRIATENESS
- c. APPROVAL OF HISTORICAL COMMISSION APPLICATIONS
- d. AWARD OF CONTRACT – SOUTH ARDMORE PARK PLAYGROUND IMPROVEMENTS
- e. AWARD OF CONTRACT – ST PAUL’S TOT LOT PLAYGROUND IMPROVEMENTS
- f. AWARD OF CONTRACT – BLISS STREET – RIVER ROAD REPAIR
- g. AWARD OF CONTRACT – LIBRARY-WIDE VOICE OVER INTERNET PROTOCOL (VOIP) SYSTEM UPGRADE
- h. AWARD OF CONTRACT – LIBRARY-WIDE CAMERA SYSTEM UPGRADE
- i. AWARD OF CONTRACT – OWNER’S REPRESENTATIVE FOR THE ARDMORE AVENUE COMMUNITY CENTER, PALM SENIOR CENTER REPLACEMENT AND RENOVATION PROJECT AND THE ASHBRIDGE HOUSE RENOVATION AND ADDITION PROJECT
- j. RESOLUTION - ADOPTION OF COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN FOR YEAR L (2024-2025)
- k. WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT
- l. WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT
- m. WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT
- n. RESOLUTION - AUTHORIZATION OF GRANT APPLICATION FOR A GREENWAYS, TRAILS AND RECREATION GRANT TO PARTIALLY FUND TRAIL IMPROVEMENTS ALONG RIGHTERS FERRY ROAD

8. Building and Planning Committee

- a. RESOLUTION - APPROVAL OF CONDITIONAL USE APPLICATION – 1130 VAUGHANS LANE (BETH DAVID REFORM CONGREGATION), GLADWYNE, WARD 2, CU #3907C
- b. APPROVAL OF HISTORICAL COMMISSION APPLICATION - 10 MONUMENT ROAD, BALA CYNWYD, WCAU BUILDING, CLASS 2, 2024-R-16
- c. The Consent Calendar contains items referred from the July 10, 2024 meeting of this Committee (items a - c).

9. Finance Committee

- a. The Consent Calendar contains items referred from the July 10, 2024 meeting of this Committee (items d - i).

10. Grants and Community Development Committee

- a. The Consent Calendar contains items referred from the July 10, 2024 meeting of this Committee (items j - m).

11. Parks and Recreation Committee

- a. The Consent Calendar contains items referred from the July 10, 2024 meeting of this Committee (items n).

12. Adoption of Ordinances

- ADOPTION OF ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - HAGYS FORD ROAD AND RIGHTERS MILL ROAD YIELD REGULATION

13. Unfinished Business

14. New Business

15. Adjournment



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:

920 Youngs Ford Road (LOWM 248.63)
Gladwyne Montessori School
Escrow Release No. 5 (Final)
Amount \$ 32,791.00

101 N Merion Avenue (LOWM 254.55)
Bryn Mawr College Wellness Center
Escrow Release No. 4
Amount \$ 13,000.00

1064 & 1080 Mt. Pleasant Road (LOWM 256.31)
Escrow Release No. 8
Amount \$ 257,505.00

27 W. City Avenue (LOWM 260.05)
Auto Zone
Escrow Release No. 3
Amount \$ 21,316.50

529 Clothier Road (LOWM 256.41)
Escrow Release No. 3 (FINAL)
Amount \$ 22,155.00

523 Clothier Road (LOWM 256.41)
Escrow Release No. 3 (FINAL)
Amount \$ 21,770.00



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF CERTIFICATES OF APPROPRIATENESS

Consider for approval the following certificates of appropriateness as recommended by the Building & Planning Committee at their meeting held on July 10, 2024:

- a) 56 East Lancaster Avenue, Ardmore Commercial Historic District, 24-14 – approval to replace third floor windows with a configuration matching the original 1920s architecture, citing Secretary of the Interior’s Standard 9.
- b) 527 Old Lancaster Road, Haverford Station Historic District, 24-13 – approval to construct the foundation of an addition to contain garage and living area, with other elements including material and massing details tabled.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF HISTORICAL COMMISSION APPLICATIONS

Consider for approval of following applications as recommended by the Building & Planning Committee at their meeting held on July 10, 2024:

- a) 1301 W. Montgomery Avenue, Bryn Mawr, Ashbridge House, Class 1, 2024-R-10 – approval to demolish a late 19th century addition to the 18th century residence and construct a large rear addition, citing Secretary of the Interior’s Standards 9 and 10, with a subcommittee to review final drawings, further window details, with a preference for the regularized corner windows on the rear and side elevations as depicted in the renderings.
- b) 1533 Monk Road, Gladwyne, Class 1, 2024-N-11 – approval to amend a previous approval to construct a new residence on Lot 1 of the former Linden Hill estate, citing Secretary of the Interior’s Standards 9 and 10.
- c) 800 Yarrow Street, Bryn Mawr, Shipley School, Class 2, 2024-R-12 – approval to replace trim elements of third floor dormers with composite materials, with molding profiles and dimensions to be in-kind, with a subcommittee to review a mock-up created by the applicant for further review and approval and to coordinate any secondary railing required by Township Code to safeguard work on the roof.
- d) 83 West Levering Mill Road, Bala Cynwyd, Class 2, 2024-R-13 – approval to make modifications to a garage at the rear of the property, citing Secretary of the Interior’s Standard 9.
- e) 32 East Old Gulph Road, Wynnewood, Class 1, 2024-R-14 – approval to make various modifications and additions to a historic residence, with a subcommittee to review details of and revisions to design elements including the garage dormer, fenestration, eave line, rear cross-gable, with additional consideration given to the alteration of windows to doors in the current proposed design, citing Secretary of the Interior’s Standards 9 and 10.
- f) 1520 Spring Mill Road, Gladwyne, Class 2, 2024-R-15 – approval to construct a rear addition and a portico over the front entrance, and to replace shutters on the historic section of the residence, with additional window details to be submitted for staff review, citing Secretary of the Interior’s Standards 9 and 10.



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – SOUTH ARDMORE PARK PLAYGROUND IMPROVEMENTS

Consider for approval to award a contract for South Ardmore Park Playground Improvements to the following bidder in accordance with bids received on Thursday, June 13, 2024 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Couzins Inc.	
Total Lump Sum Bid:	\$168,000.00
Total Bid Contingencies Item: (2-1)	1,000.00
Total Bid Add Alt. Items: (3-1 – 3-3)	<u>47,000.00</u>
Total Bid:	\$216,000.00



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – ST PAUL’S TOT LOT PLAYGROUND IMPROVEMENTS

Consider for approval to award a contract for St Paul’s Tot Lot Playground Improvements to the following bidder in accordance with bids received on Thursday, June 13, 2024 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Couzins Inc.	
Total Lump Sum Bid:	\$168,030.00
Total Bid Contingencies Item: (2-1 – 2-4)	1,500.00
Total Bid Add Alt. Items: (3-1 – 3-2)	<u>15,000.00</u>
Total Bid:	\$184,530.00



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – BLISS STREET – RIVER ROAD REPAIR

Consider for approval to award a contract for Bliss Street and River Road Repair to the following bidder in accordance with bids received on Thursday, June 13, 2024 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Foresite Concepts LLC	
Total Lump Sum Bid:	\$410,000.00
Total Bid Contingencies Item: (2-1 – 2-4)	<u>5,000.00</u>
Total Bid:	\$415,000.00



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – LIBRARY-WIDE VOICE OVER INTERNET PROTOCOL (VOIP) SYSTEM UPGRADE

Consider for recommendation to the Board of Commissioners approval to award a contract for Library-wide VOIP System Upgrade to the following bidder in accordance with bids received on Thursday, May 2, 2024 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

CM3 Building Solutions, Inc..	
Total Lump Sum Bid:	\$85,140.00
Total Bid Contingencies Item:	3,162.00
Total Bid Add Alt. Items:	<u>3,827.00</u>
Total Bid:	\$92,129.00



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – LIBRARY-WIDE CAMERA SYSTEM UPGRADE

Consider for approval to award a contract for Library-wide Camera System Upgrade to the following bidder in accordance with bids received on Thursday, May 2, 2024 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

CM3 Building Solutions, Inc..	
Total Lump Sum Bid:	\$ 98,160.00
Total Bid Contingencies Item:	4,526.00
Total Bid Add Alt. Items:	27,369.00
Change Orders	<u>(1,256.00)</u>
Total Bid:	\$128,799.00



AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – OWNER’S REPRESENTATIVE FOR THE ARDMORE AVENUE COMMUNITY CENTER, PALM SENIOR CENTER REPLACEMENT AND RENOVATION PROJECT AND THE ASHBRIDGE HOUSE RENOVATION AND ADDITION PROJECT

Consider for approval entering into a professional services contract with Accurate Construction Management to serve as the Owner’s Representative for the Ardmore Avenue Community Center - Palm Senior Center Replacement and Renovation Project and the Ashbridge House Renovation and Addition Project as recommended by the Finance Committee.

Accurate Construction Management	
AACC & PALM:	\$560,000.00
Ashbridge House	<u>197,000.00</u>
Total Cost:	\$589,000.00



AGENDA ITEM INFORMATION

COMMITTEE: Grants and Community Development Committee

ITEM: RESOLUTION - ADOPTION OF COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN FOR YEAR L (2024-2025)

Consider for adoption a Resolution adopting the Annual Action Plan for Year L in the amount of \$1,011,161, and the filing of Fund Year L CDBG application including all Assurance and Certifications therein.

RESOLUTION

WHEREAS, the Township of Lower Merion is entitled to receive Federal financial assistance under the provisions of the Housing and Community Development Act of 1974, PL 93-383, as amended; and,

WHEREAS, to secure such financial assistance, it is necessary to file an Annual Action Plan for Fiscal Year 2024-2025 with the Department of Housing and Urban Development on or before August 15, 2024; and,

WHEREAS, the Housing and Community Development Act of 1974, as amended, requires each municipality to give certain assurances with respect to the Community Development Block Grant funds:

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Township’s Community Development Annual Action Plan (2024) attached hereto and made a part hereof, dated July 17th, 2024 is hereby approved.
2. The Township Manager of the Township of Lower Merion is hereby authorized as follows:
 - (a) to file said Plans and amendments with the Department of Housing and Urban Development (HUD) on or before August 15, 2024 ; and
 - (b) to serve as authorized representative of the Township of Lower Merion in connection with the Community Development Block Grant Program and to provide such additional information as may be required.
3. The Secretary of the Department of Housing and Urban Development be, and hereby is, assured of full compliance by the Township of Lower Merion to the assurances attached thereto and made a part hereof.

ATTACHMENTS:

Description	Type
☐ CDBG Funding Budget - Proposed	Backup Material

APPLICATION REQUESTS FOR CDBG FUNDING THROUGH LMT
FUND YEAR 50 (2024-2025)

ACTIVITY for Program Year 50 (2024-2025) Proposed Budget	AGENCY	COMMENTS	LAST YEAR'S REQUESTED FUNDING	LAST YEAR'S FUNDED AMOUNT	REQUESTED AMOUNT	RECOMMENDED FUNDING
<u>ADMINISTRATION</u>						
CDBG Administration	LMT	CDBG staff salaries, expenses, professional services, advertising	145,000	145,000	170,000	170,000
Affordable Housing Support	Lower Merion Affordable Housing	Supporting LMAH Admin Cost	15,000	15,000	15,000	15,000
Funds AI for Board Training	Ardmore Initiative	Funding for Board Training	N/A	N/A	2,000	2,000
Fair Housing Rights Assistance for Lower Merion	Housing Equality Center of PA	Seminars, workshops, complaints, housing outreach- agency in Montco	8,500	8,500	8,500	8,500
ADMINISTRATION TOTAL		20% Admin CAP per HUD \$197,062			\$195,500	\$195,500

APPLICATION REQUESTS FOR CDBG FUNDING THROUGH LMT
FUND YEAR 50 (2024-2025)

ACTIVITY for Program Year 50 (2024-2025) Proposed Budget	AGENCY	COMMENTS	LAST YEAR'S REQUESTED FUNDING	LAST YEAR'S FUNDED AMOUNT	REQUESTED AMOUNT	RECOMMENDED FUNDING
<u>PUBLIC SERVICES</u>						
Ardmore Avenue Community Center - partially fund staff salaries	Parks & Recreation	Adult and Youth group activities in low to moderate income area	487,646	108,500	110,000	102,000
Mini Bus Program-partial funding for driver's salary	Parks & Recreation	Transportation for senior citizens, residents with mental and physical challenges to various cultural, social and recreational trips	30,767	6,000	10,000	3,500
Escort Driver - partially funds driver service	ElderNet	Provides cab rides when volunteers are not available to help the elderly	3,000	1,800	2,500	2,000
Care Management & Clerical Assistance- fund partial salary	ElderNet	Social worker works with elderly & disabled residents	65,000	7,500	10,000	8,000
Senior Center in Ardmore -funds partial pay for program services	PALM-Positive Aging in Lower Merion	Instructional programs-seniors	38,250	7,500	23,000	8,000
Domestic Violence Satellite Office in Bryn Mawr partial rent payment	Women's Center of Montgomery County	Presumed benefit abused victims	3,500	3,500	4,000	4,000
New Horizons Senior Center-fund partial salary Program Coordinator	New Horizons Senior Center	Presumed benefit seniors	15,500	6,000	15,500	6,000
Neighbors Helping Neighbors on the Main Line	NHN	Food Insecurity/instructional programming - low mod	87,070	7,500	16,950	8,000
Free Meal delivery for seniors	Meals on Wheels	Expansion of number of no-cost meals delivered	N/A	N/A	8,840	8,000
Exercise Programs for Seniors	Kaieserman JCC	Expansion of Classes for Seniors	N/A	N/A	10,000	8,000
Monthly free legal clinic in Bala Cynwyd	Episcopal Legal Aid	Expansion of free legal Services	N/A	N/A	10,000	8,000
Job Training for in home Care Givers	Surrey Services	Job Training	N/A	N/A	10,000	8,000
		15% Public Serice Cap on Allocation - \$147,796				

APPLICATION REQUESTS FOR CDBG FUNDING THROUGH LMT
FUND YEAR 50 (2024-2025)

PUBLIC SERVICES TOTAL		15% Public Service Cap with added allowance for \$172,341 in 2023 Program Income - \$173,647		\$230,790	173,500
------------------------------	--	--	--	------------------	----------------

APPLICATION REQUESTS FOR CDBG FUNDING THROUGH LMT
FUND YEAR 50 (2024-2025)

ACTIVITY for Program Year 50 (2024-2025) Final Budget	AGENCY	COMMENTS	LAST YEAR'S REQUESTED FUNDING	LAST YEAR'S FUNDED AMOUNT	REQUESTED AMOUNT	RECOMMENDED FUNDING
<u>PUBLIC WORKS</u>						
Accessibility: Curb Cuts includes engineering, construction and PENNDOT reviews	Public Works	Remaining money from previous years is available and can be used together with current funding.	230,000	100,000	230,000	150,000
<u>ECONOMIC DEVELOPMENT</u>						
Façade Restoration	LMT	Program details in process.			25,000	25,000
PUBLIC WORKS & ECONOMIC DEVELOPMENT TOTAL					\$255,000	\$175,000

APPLICATION REQUESTS FOR CDBG FUNDING THROUGH LMT
FUND YEAR 50 (2024-2025)

ACTIVITY for Program Year 50 (2024-2025) Final Budget	AGENCY	COMMENTS	LAST YEAR'S REQUESTED FUNDING	LAST YEAR'S FUNDED AMOUNT	REQUESTED AMOUNT	RECOMMENDED FUNDING
<u>HOUSING</u>						
Res.Rehab Program Soft Costs	LMT	Pays for salary, risk assessor, temporary relocations expenses, lead and roof inspections	15,000	15,000	20,000	20,000
Residential Rehab Program	LMT	Hard construction costs includes lead paint hazards and staff salaries	250,000	306,260	300,000	232,161
Housing Development- Home Purchase Program	LMT/LMAH	Funds to Purchase-Sell a home to low to moderate income families/assist LMAH	150,000	150,000	150,000	165,000
Rental Rehab Program	LMT	Grant money to landlords for rental unit rehab in return for renting to a low/mod income household.	50,000	50,000	50,000	50,000
HOUSING TOTAL					\$520,000	\$467,161
TOTAL REQUESTS FOR FUNDING					\$1,625,698	\$1,011,161
<i>The Township's CDBG allocation for Fund Year 50 is \$985,310. Previous year's fund allocation was \$964,068. The proposed budget is \$1,011,161, and includes \$25,851 in Program Income from FY 2023.</i>						
15% Public Services		HUD imposed funding cap- \$173,642	<i>Cap includes 15% of program income funds from 2023 (\$172,341)</i>			
20% Administration		HUD imposed funding cap- \$197,062				



AGENDA ITEM INFORMATION

COMMITTEE: Grants and Community Development Committee

ITEM: WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT

Consider for approval to add \$19,292 to the staff approved expense of \$75,000 for a total of \$94,292 to bring a property in Ardmore to minimum standards pursuant to CDBG regulations.



AGENDA ITEM INFORMATION

COMMITTEE: Grants and Community Development Committee

ITEM: WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT

Consider for approval to add \$29,665 to the staff approved expense of \$75,000 for a total of \$104,665 to bring a property in Ardmore to minimum standards pursuant to CDBG regulations.



AGENDA ITEM INFORMATION

COMMITTEE: Grants and Community Development Committee

ITEM: WAIVER OF CDBG RESIDENTIAL REHABILITATION FUND LIMIT

Consider for approval to add \$41,598 to the previously approved expense of \$137,290 for a total of \$178,888 including a contingency of \$5,000 to bring this home in Ardmore to minimum standards pursuant to CDBG regulations.



AGENDA ITEM INFORMATION

COMMITTEE: Parks and Recreation Committee

ITEM: RESOLUTION - AUTHORIZATION OF GRANT APPLICATION FOR A GREENWAYS, TRAILS AND RECREATION GRANT TO PARTIALLY FUND TRAIL IMPROVEMENTS ALONG RIGHTERS FERRY ROAD

Consider for adoption a resolution authorizing submission of a grant application in the amount of \$250,000 to the PA DCED for a Greenways, Trails and Recreation Grant to partially fund trail improvements along Righters Ferry Road including authorization of matching funds of 15% of the grant amount (\$37,500).

RESOLUTION

WHEREAS, the Commonwealth of Pennsylvania “ the Commonwealth” passed Act 13 of 2012 that establishes the Marcellus Legacy Fund and allocates such funds to the Commonwealth Financing Authority for planning, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, parks and beautification projects; and

WHEREAS, the Department of Community & Economic Development (the “DCED”) has established a Greenways, Trails and Recreation Grant Program to distribute Marcellus Legacy Funds; and

WHEREAS, the Township of Lower Merion is an eligible applicant as a municipality for a grant that shall not exceed a total of \$250,000; and

WHEREAS, eligible projects for development, rehabilitation and improvements include greenways and trails; and

WHEREAS, the 2024 Capital Improvement Program for the Township of Lower Merion includes Service to People Project No. 4499, Cynwyd Heritage Trail – Phase II that allocates funding for the lower trail along Righters Ferry Road from Pencoyd Landing to Monument Road; and

WHEREAS, the Township seeks to apply to the DCED through its Greenways, Trails and Recreation Grant Program for implementation grant funds of \$250,000 to construct a lower trail along Righters Ferry Road from Pencoyd Landing to Monument Road for the project estimated by the Township Engineer for the cost of \$1,101,237 that exceeds the minimum 15% match requirements for the total grant being sought from the Commonwealth; and

WHEREAS, the Township fully understands the application requirements, including the contracting process if awarded grant funds from the Greenways, Trails and Recreation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Lower Merion hereby authorizes the Township Manager to submit an application to the DCED requesting a Greenways, Trails and Recreation Program (GTRP) grant in the amount of \$250,000 from the Commonwealth Financing Agency to be used for the construction of a lower trail addition to the Cynwyd Heritage Trail along

Righters Ferr Road from Pencoyd Landing to Monument Road.

BE IT FURTHER RESOLVED, that the Township hereby designates Ernie B. McNeely, Township Manager, and Christopher Leswing, Director of Building and Planning, to execute all documents and agreements between the Township of Lower Merion and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: RESOLUTION - APPROVAL OF CONDITIONAL USE APPLICATION – 1130
VAUGHANS LANE (BETH DAVID REFORM CONGREGATION), GLADWYNE, WARD 2, CU
#3907C

Consider for adoption a Resolution approving a Conditional Use application. The applicant seeks Conditional Use approval to modify condition(s) imposed by the Zoning Hearing Board (ZHB) pursuant to Zoning Code §155-4.4.C(6) by modifying ZHB conditions of January 24, 1984, June 26, 2008, December 8, 2008, and January 9, 2009, to expand its existing use and add a preschool to the existing educational facilities making the property available for:

- a) Preschool services for up to 90 students occurring Monday - Friday.
- b) Student drop-offs and pick-ups limited to the hours of 7:30 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m.
- c) Total enrollment for all educational uses to not exceed the 280-student limit.

Expiration Date – 7/24/2024.....Zoning – IC

Applicant Representative: Dan Rowley, Esq.

Owner: Beth David Reform Congregation

On July 10, 2024, the Building & Planning Committee recommended adoption.

RESOLUTION

WHEREAS, the Township of Lower Merion received application #3907C, filed by Daniel Rowley, Esq. on behalf of Beth David Reform Congregation, which seeks to modify condition(s) previously imposed by the Zoning Hearing Board (hereinafter the “ZHB”) pursuant to orders dated January 24, 1984, June 26, 2008, December 8, 2008, and January 9, 2009 concerning the use of the property located at 1130 Vaughans Lane, further identified as Parcel I.D. No. 40-00-63652-00-1 (hereinafter the “Property”); and

WHEREAS, specifically, the Applicant seeks conditional use approval to expand its existing use of the Property’s educational facilities and add a preschool which will include preschool services for up to 90 students occurring Monday – Friday; student drop-offs and pick-ups limited to the hours of 7:30am to 9:00am and 3:00pm to 6:00pm; and a total enrollment for all educational uses to not exceed the 280-student limit; and

WHEREAS, the Township Planning staff the Lower Merion Planning Commission reviewed and recommended approval of the application, subject to satisfaction of certain proposed conditions of approval; 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, following public hearings on December 21, 2023; January 18, 2024; February 20, 2024; March 21, 2024; and April 21, 2024, 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 conditional use approval to modify the existing conditions of approval be granted subject to the Applicant satisfying several further conditions of approval enumerated therein;

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. That the Findings of Fact and Conclusions of Law set forth in the attached Report of Pamela M. Loughman, Esq., Hearing Officer, be and the same are hereby adopted as the Findings of Fact and Conclusions of Law of the Board of Commissioners in the matter of the application of Daniel Rowley, Esq. on behalf of Beth David Reform Congregation, concerning 1130 Vaughans Lane.
2. In consideration thereof, based thereupon, the Board hereby issues the following order with respect to said application:

ORDER

AND NOW on this 17th day of July, 2024, application #3907C, the application of Beth David Congregation, for conditional use approval to expand its existing use, add a preschool to the existing educational facilities, and make the property available for: preschool services for up to 90 students occurring Monday – Friday; student drop-offs and pick-ups limited to the hours of 7:30am to 9:00am and 3:00pm to 6:00pm; and a total enrollment for all educational uses to not exceed the 280-student limit, 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 congregation is permitted to expand its existing use of the existing educational facilities and provide preschool services for up to 90 students occurring Monday – Friday. 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 compliance with the following:

1. Total enrollment in educational programs, at any one time, is capped as follows: (a) 280 students for Sunday School; (b) 240 students for Tuesday classes (which were previously held on Thursdays); and (c) 90 students for preschool classes. At no time shall the number of students onsite on the Property exceed these totals.
2. Student drop-offs and pick-ups for the preschool classes shall be limited to the hours of 7:30 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m.
3. A maximum of 23 preschool staff members is permitted on-site at any one time between the hours of 7:30 a.m. to 6:00 p.m. on Mondays through Fridays.
4. The Applicant shall notify the Director of Building and Planning and the Township Engineer whenever enrollment in the preschool increases by twenty (20) students over the first year’s enrollment numbers and any subsequent increase of an additional twenty (20) students. The Director of Building and Planning and the Township Engineer have discretion to require the Applicant to submit updated traffic studies of Vaughan Lane and the intersection with Conshohocken State Road to facilitate traffic movements, levels of service, parking, loading, queuing, and all other matters related to transportation, parking, loading, queuing and safety for preschool students and staff.

5. The Applicant shall encourage of students to carpool, and its preschool staff shall facilitate arranging carpools with parents and caregivers.
6. The Applicant shall attend a meeting of the Gladwyne Civic Association annually to discuss operational concerns and issues. The date of attendance shall be advertised with adjacent neighbors by the Applicant.
7. The Applicant shall provide, to the satisfaction of the Director of Building and Planning, a 20-ft buffer of deciduous and evergreen trees and shrubs along all property lines adjacent to residential uses including 1110 Vaughan Lane, if one does not already exist.
8. The Applicant shall cooperate with the Board of Commissioners and the Township Engineer if they elect to install a school zone on Conshohocken State Road.
9. The Applicant shall cooperate with the Township Engineer and the Department of Building & Planning to evaluate the benefits of a 75-ft left-turn lane southbound on Conshohocken State Road for traffic entering Vaughans Lane.
10. All other prior conditions of approval imposed by the Zoning Hearing Board in connection with prior grants of special exception approval on the Property shall remain in full force and effect, except as modified herein, specifically in 1984 (Appeal No. 2618); June 2008 (Appeal No. 4125); December 2008 (Appeal No. 4152) and January 2009 (Amended ZHB Decision).



AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF HISTORICAL COMMISSION APPLICATION - 10 MONUMENT ROAD, BALA CYNWYD, WCAU BUILDING, CLASS 2, 2024-R-16

Consider for approval the issuance of a building permit to install window openings on two sides of the building's brick façade as recommended by the Building & Planning Committee at their meeting held on July 10, 2024.

ATTACHMENTS:

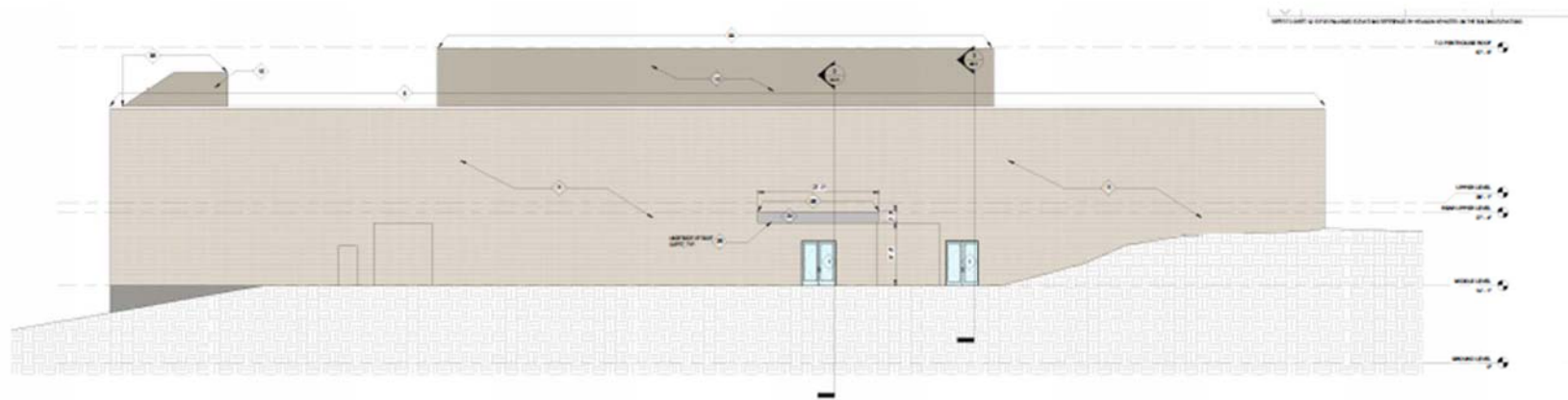
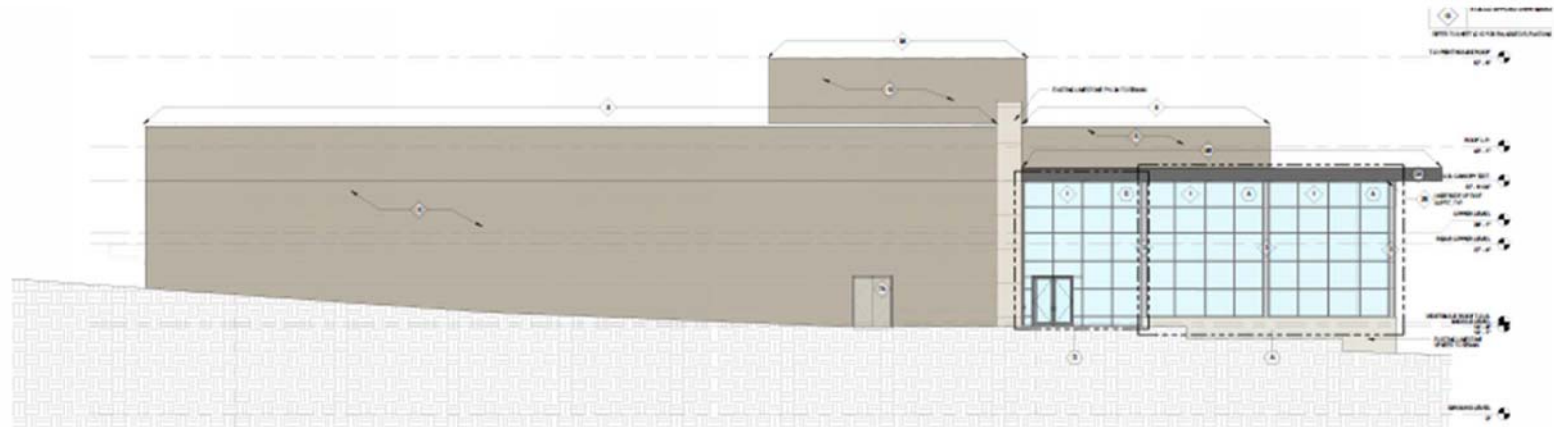
Description	Type
▣ Slides - 10 Monument Rd	Backup Material



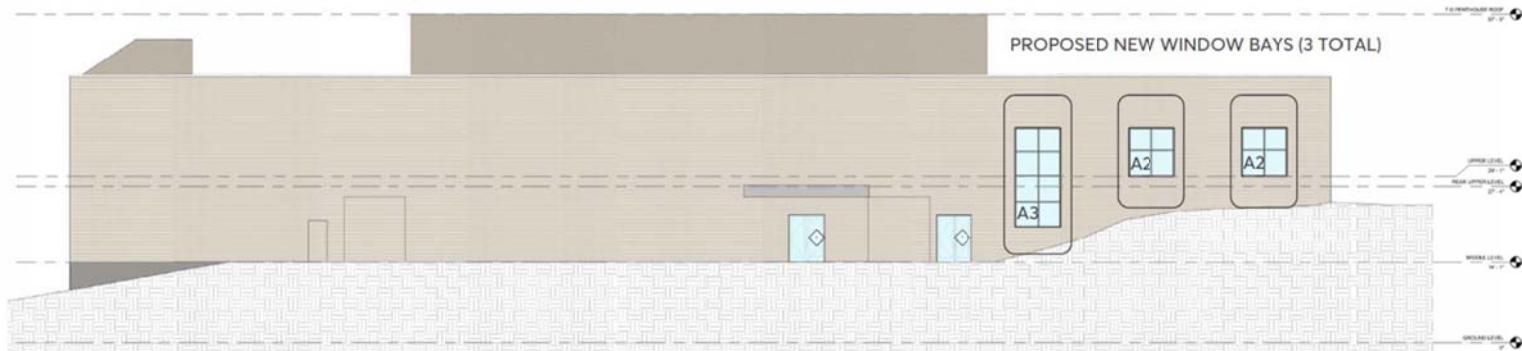
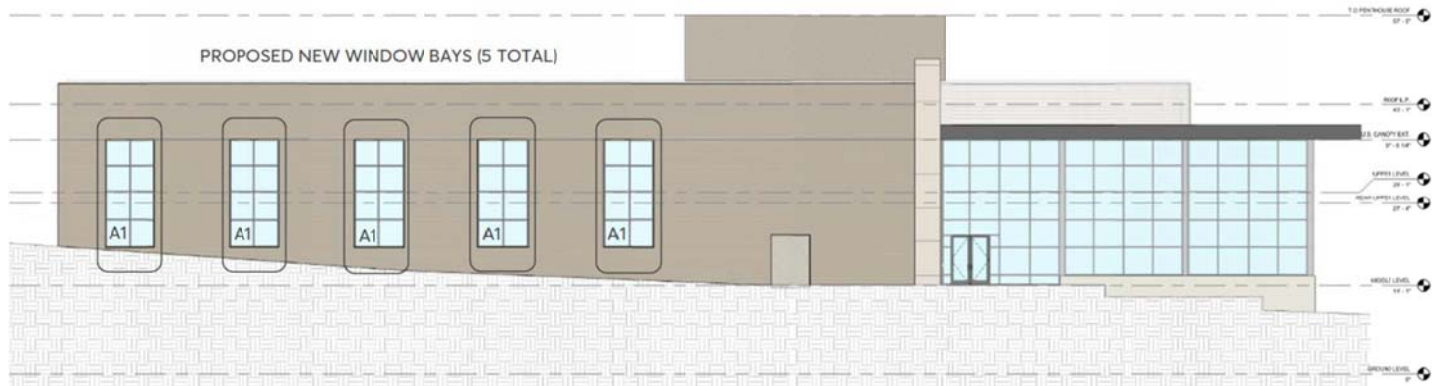
10 Monument Road, Bala Cynwyd

Class 2

Historical Commission



Previously Reviewed Front and Side Elevations



Revised Front and Side Elevations with 8 (total) New Window Openings



AGENDA ITEM INFORMATION

COMMITTEE: Police Committee

ITEM: ADOPTION OF ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - HAGYS FORD ROAD AND RIGHTERS MILL ROAD YIELD REGULATION

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.

This Ordinance was authorized for advertisement at a stated meeting of the Board of Commissioners held June 18, 2024 and duly advertised in the July 7, 2024 edition of the Main Line Times & Suburban.

ATTACHMENTS:

Description	Type
▣ Proposed Ordinance - Yield at Hagys Ford & Righters Mill	Ordinance

AN ORDINANCE

NO. _____

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.

Section 1. The Code of the Township of Lower Merion, Chapter 145, entitled Vehicles and Traffic, Article XV, Schedules, Section 145-109, Schedule IX: Yield Right-Of-Way Intersections, is hereby amended by establishing the following regulation:

§145-109. Schedule IX: Yield Right-Of-Way Intersections.

Yield Sign on

At Intersection of

Hagys Ford Road
northbound
traffic turning east)

Righters Mill Road (controlling

Section 2 Nothing in this Ordinance or in Chapter 145 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 145 prior to the adoption of this amendment.

Section 3. 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 the 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 as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. 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