

**TOWNSHIP OF LOWER MERION**

**PARKS AND RECREATION COMMITTEE**

**Wednesday, July 31, 2024  
8:00 PM (Approximately)**

Chairperson: Gilda Kramer  
Vice Chairperson: Maggie Harper Epstein, Sean Whalen

AGENDA

1. **EXECUTION OF LEASE WITH NORFOLK SOUTHERN RAILWAY COMPANY  
FOR EXPANSION OF THE CYNWYD HERITAGE TRAIL**



## **AGENDA ITEM INFORMATION**

### **ITEM: EXECUTION OF LEASE WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR EXPANSION OF THE CYNWYD HERITAGE TRAIL**

Consider for recommendation to the Board of Commissioners authorizing the Township Manger to execute a lease with Norfolk Southern Railway Company necessary for construction of improvements to expand the Cynwyd Heritage Trail.

## **PUBLIC COMMENT**

### **ATTACHMENTS:**

Description	Type
☐ Issue Briefing - NFS Lease	Issue Briefing
☐ Diagram - NFS Lease	Backup Material

**TOWNSHIP OF LOWER MERION**

*Parks & Recreation Committee*

**Issue Briefing**

**Topic:** Norfolk Southern Lease for Expansion of the Cynwyd Heritage Trail

**Prepared By:** Christopher Leswing, Director, Department of Building & Planning

**Date:** July 26, 2024

**I. Action To Be Considered By The Board:**

Authorize the Township Manger to execute a lease with Norfolk Southern Railway Company necessary for construction of improvements to expand the Cynwyd Heritage Trail.

**II. Why This Issue Requires Board Consideration:**

The Board of Commissioners must authorize the Township Manger prior to his execution of real estate transactions.

**III. Current Policy Or Practice (If Applicable):**

N/A

**IV. Other Relevant Background Information:**

Staff has been negotiating the terms of this Lease and associated improvements to Norfolk Southern facilities necessary to connect the Cynwyd Heritage Trail with the existing publicly accessible trails along the Pencoyd waterfront for close to 5 years.

The Lease is for approximately 1.75 acres owned by Norfolk Southern located between the Schuylkill Expressway and the Schuylkill River at the western end of Pencoyd Landing/former Royal Athena Apartment Building property. The Lease also includes an area for bicycle and pedestrian passage under the existing Harrisburg Branch operated by Norfolk Southern. The Lease Area was historically a rail spur from the former Pennsylvania Cynwyd Branch (now the Cynwyd Heritage Trail) to the Pencoyd Iron Works which operated along the Schuylkill River between Belmont Avenue and City Avenue from 1852 until the 1920's. Eastern portions of the Pencoyd Ironworks complex have been repurposed for hotel/restaurant/public use while most of the western portion of the complex was demolished for construction of the Schuylkill Expressway in the 1950's.

With the exception of the portion of the Lease Area located under the operational tracks, the area is vacant, unimproved and has no development potential other than for open space. There is an existing billboard within the Lease Area that is not included in the Lease.

Key Lease Provisions:

- The Term of the Lease is for 10 years and includes a provision for automatic 10 year renewals.
- The Lease Rental is \$1,750 per year. The Lease includes a provision where the annual payment may be annually increased per the percentage of increase of Bureau of Labor Statistics Consumer Proce Index U.S. City Average.
- The Lease permits the Township to construct trail/park and security improvements and with physical improvements to the passage under the operating Norfolk Southern tracks necessary to for safe public trail use. Because the proposed trail will be near operational tracks the lease also requires the Township to install security fencing separating the trail improvements from the train tracks.
- Additional improvements not currently contemplated by the Lease require future review and approval by Norfolk Southern.
- The Lease Area may not be sublet or assigned by the Township to a third party without review and approval by Norfolk Southern.

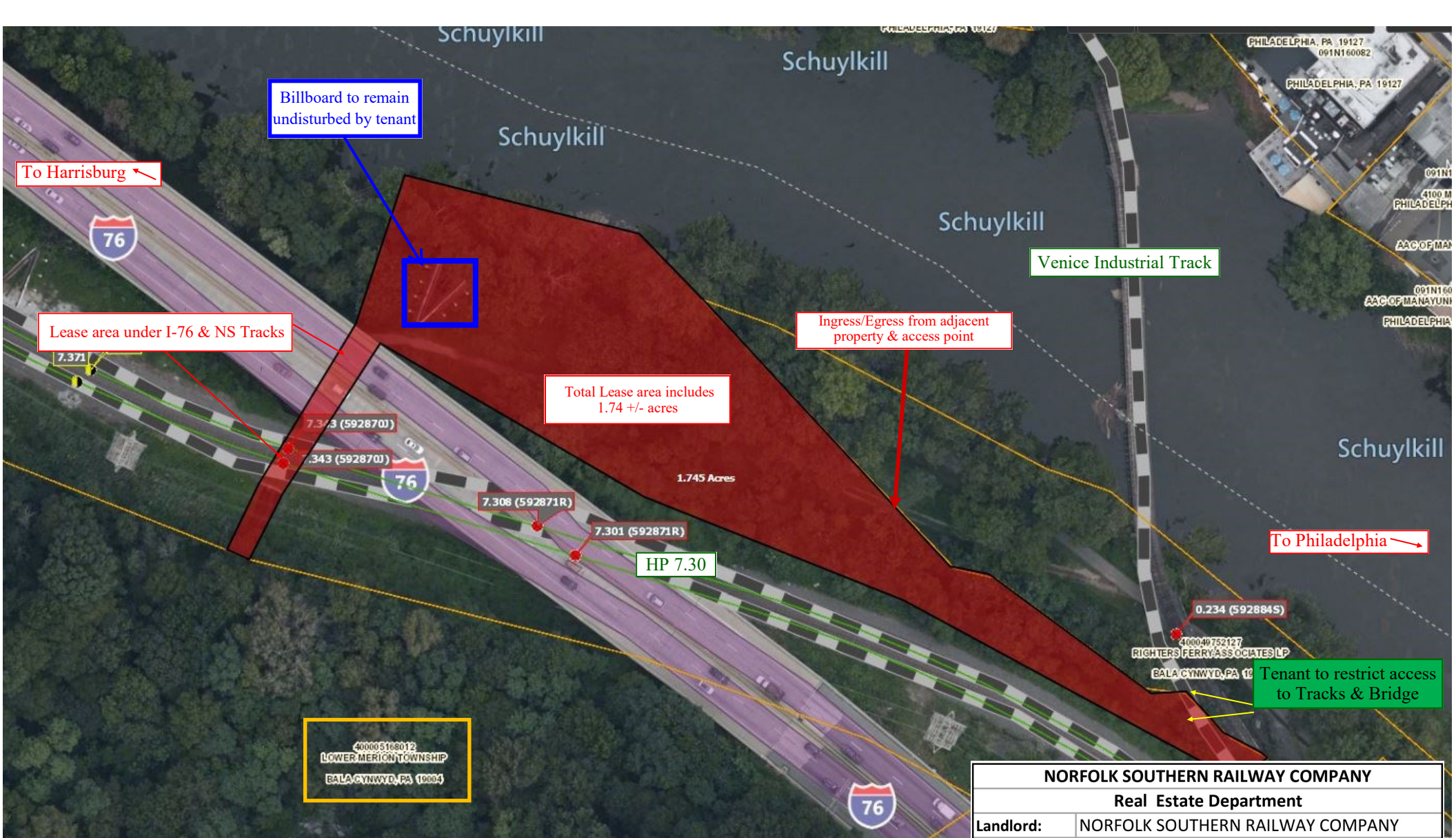
**V. Impact On Township Finances:**

The Lease requires an annual payment by the Township to Norfolk Southern of \$1,750. The Lease includes a provision where the annual payment may be annually increased per the percentage of increase of Bureau of Labor Statistics Consumer Proce Index U.S. City Average.

Execution of the Lease will permit construction of CIP Project #4500 - Connelly Site Master Plan. CIP Project #4500 is budgeted at approx. \$2.24M and includes \$1M of ARP funds.

**VI. Staff Recommendation:**

Staff recommends that the Board of Commissioners authorize the Township Manager to execute a lease with Norfolk Southern Railway Company necessary for construction of improvements to the Cynwyd Trail



NORFOLK SOUTHERN RAILWAY COMPANY		
Real Estate Department		
Landlord:	NORFOLK SOUTHERN RAILWAY COMPANY	
GPS:	40.021556 N; -75.221930 W	
Location:	Bala Cynwyd, Montgomery County, PA	
Tenant:	Lower Merion Township	
Area:	76,011 Sq. Ft. +/- (1.74 Acres +/-)	
Maps:	V1P (PA) Map 35	Milepost: HP 7.30
Activity No:	1281567	Exhibit "A"
Date:	7/9/2024	Not to Scale

