

# **BOARD OF COMMISSIONERS**

**TODD M. SINAI, PRESIDENT**

**April 23, 2025 - 7:30 PM**

## **AGENDA**

**1. Call to Order**

**2. Roll Call**

**3. Presentation - Lower Merion Police Department Commendations**

**4. Approval of Minutes**

- Minutes of a special meeting of the Board of Commissioners held on March 12, 2025 and a stated meeting held on March 19, 2025, as distributed.

**5. Announcements**

- The Board will meet in Executive Session on Wednesday, April 23, 2025.
- An Arbor Day Ceremony will be held on Friday, April 25, 2025 at 9:30 a.m. at Penn Valley Elementary School.
- Clean Up Weekend is being held Saturday, April 26 and Sunday, April 27, 2025 from 9:00 a.m. until 4:00 p.m. each day at the Township's Public Works Complex. Residents may dispose of their refuse and recycling free of charge. Proof of residency is required. Recycling must be separated from refuse. No household hazardous waste will be accepted.
- The Annual Go For the Green awards ceremony will be held on Monday, May 12, 2025, at 6:30 p.m. at Appleford.

**6. Proclamation - Public Service Recognition**

**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. AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW
- b. APPROVAL OF AN AGREEMENT WITH CITY AVENUE DEVELOPMENT CORPORATION TO OPERATE A FARMERS' MARKET
- c. APPROVAL OF CERTIFICATES OF APPROPRIATENESS
- d. AWARD OF CONTRACT – CONCRETE CURB, SIDEWALKS AND RAMP INSTALLATION
- e. AWARD OF CONTRACT – CUSTOM TAILORED POLICE UNIFORMS
- f. AWARD OF CONTRACT – PARKING LOT #23 RECONSTRUCTION
- g. AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE CHAPTER 126, SEWERS - SANITARY SEWER RENTAL RATE FOR 2025
- h. WAIVER OF APPARATUS POLICY TO ALLOW BELMONT HILLS FIRE COMPANY TO RETAIN THEIR 2003 KME ENGINE
- i. WAIVER OF ENFORCEMENT OF TOWNSHIP CODE 111-4.2 REGULATING OPEN CONTAINERS FOR THE BRYN MAWR TWILIGHT CONCERTS HOSTED BY LOWER MERION TOWNSHIP AND RISING SUN PRESENTS AT THE BRYN MAWR GAZEBO, 9 S. BRYN MAWR AVENUE BRYN MAWR
- j. NAMING THE TRAIL IN GULLEY RUN PARK IN HONOR OF BILL SWYER
- k. RESOLUTION - AUTHORIZATION OF A DCNR GRANT APPLICATION FOR THE ACCESSIBLE TRAIL LINK FROM THE CYNWYD HERITAGE TRAIL TO THE NORFOLK SOUTHERN TUNNEL
- l. RESOLUTION - AUTHORIZATION OF A DCNR GRANT APPLICATION TO PARTIALLY FUND IMPROVEMENTS ALONG RIGHTERS FERRY ROAD
- m. RESOLUTION - AUTHORIZATION OF A DCED GRANT APPLICATION FOR THE ACCESSIBLE TRAIL LINK FROM THE CYNWYD HERITAGE TRAIL TO THE NORFOLK SOUTHERN TUNNEL
- n. AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - RESCINDING YOUNGS FORD ROAD PARKING RESTRICTIONS
- o. RESOLUTION - APPROVAL TO EXPAND THE LOWER MERION ERUV IN BALA CYNWYD
- p. RESOLUTION - ACCEPTING SEPTA RIGHT-OF-WAY, DRAINAGE, CONSTRUCTION EASEMENT AT MONTGOMERY AVENUE, BALA AVENUE, AND CONSHOHOCKEN STATE ROAD

- q. RESOLUTION - PENNSYLVANIA SMALL WATER AND SEWER GRANT APPLICATION FOR THE SANITARY SEWER LINING AND MANHOLE REHABILITATION PROJECT

**10. Building and Planning Committee**

- a. TENTATIVE SKETCH PLAN - 21 Bala Avenue, Bala Cynwyd, Ward 9, LD# 3923TS
- b. The Consent Calendar contains items referred from the April 9, 2025 meeting of this Committee (items a - c).

**11. Finance Committee**

- a. The Consent Calendar contains items referred from the April 2, 2025 meeting of this Committee (items d - g).

**12. Fire Committee**

- a. The Consent Calendar contains items referred from the April 9, 2025 meeting of this Committee (item h).

**13. Parks and Recreation Committee**

- a. The Consent Calendar contains items referred from the April 2, 2025 meeting of this Committee (items i - m).

**14. Police Committee**

- a. The Consent Calendar contains items referred from the April 2, 2025 meeting of this Committee (item n).

**15. Public Works Committee**

- a. The Consent Calendar contains items referred from the April 2, 2025 meeting of this Committee (items o - q).

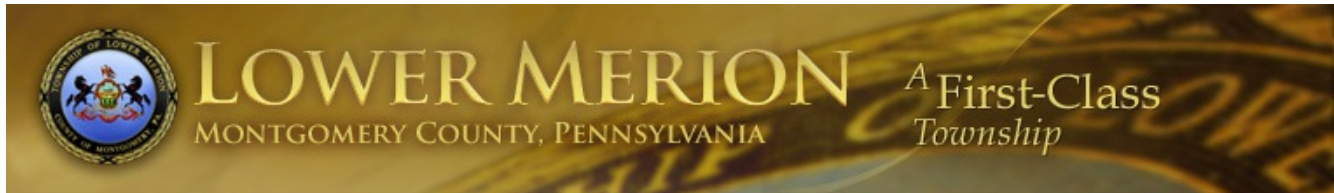
**16. Public Hearings / Adoption of Ordinances**

- ADOPTION OF ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - PENWYN ROAD AND BOLSOVER ROAD PARKING RESTRICTIONS

**17. Unfinished Business**

**18. New Business**

## **19. Adjournment**



## **AGENDA ITEM INFORMATION**

COMMITTEE: Building and Planning Committee

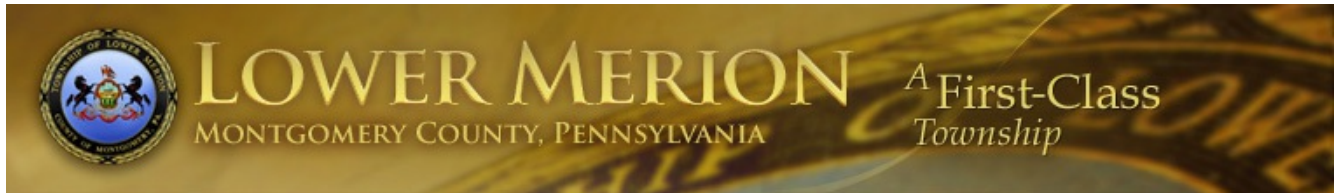
ITEM: AUTHORIZATION TO RELEASE FUNDS HELD IN ESCROW

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

1325 Club House Road (LOWM 231.37)  
Inwood Farm Subdivision  
Escrow Release No. 2  
Amount \$ 183,157.00

Bryn Mawr Hospital (LOWM 239.53)  
Master Plan  
Escrow Release No. 16 (FINAL)  
Amount \$ 36,257.00

211 Belmont Avenue (LOWM 248.40)  
LCB Senior Living Development  
Escrow Release No. 5  
Amount \$ 32,917.00

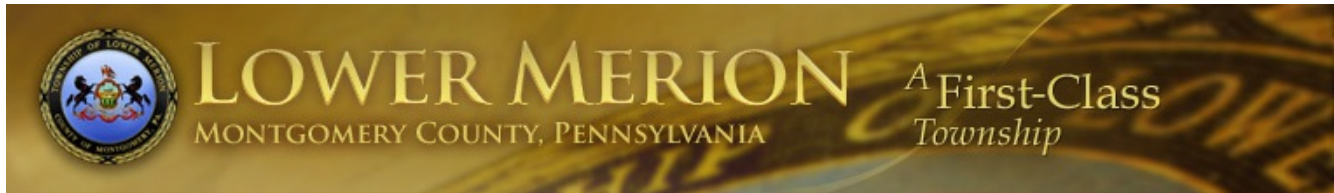


## **AGENDA ITEM INFORMATION**

COMMITTEE: Building and Planning Committee

ITEM: APPROVAL OF AN AGREEMENT WITH CITY AVENUE DEVELOPMENT CORPORATION TO OPERATE A FARMERS' MARKET

Consider for approval an agreement for the City Ave Development Corporation (CADC), a 501(c)3 non-profit to operate a farmers' market in Municipal Lot 7 in Bryn Mawr through 2025.



## **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 April 9, 2025:

- a) 4 East Lancaster Avenue, Ardmore Commercial Historic District, 25-10 – approval to install a sign consisting of halo-lit channel letters on a backing panel, citing Secretary of the Interior’s Standard 9.
- b) 6 East Lancaster Avenue, Ardmore Commercial Historic District, 25-11 – approval to install a sign consisting of non-illuminated PVC letters on a backing panel, citing Secretary of the Interior’s Standard 9.
- c) 29 West Lancaster Avenue, Ardmore Commercial Historic District, 25-12 – approval to install a sign consisting of non-illuminated acrylic letters, with a subcommittee to review a revised design with a backing panel to reduce the number of attachment points, citing Secretary of the Interior’s Standard 9.
- d) 45 East Lancaster Avenue, Ardmore Commercial Historic District, 25-13 – approval to install a plaque to accompany previously approved mural panels, citing Secretary of the Interior’s Standard 9.
- e) 14-16 West Lancaster Avenue, Ardmore Commercial Historic District, 24-16 – approval to remedy deviations from an approved plan to reconstruct two facades, with a subcommittee to review details for six specific revisions, citing Secretary of the Interior’s Standards 1, 2, 6 and 9.



## AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – CONCRETE CURB, SIDEWALKS AND RAMP  
INSTALLATION

Consider for approval to award a contract for Concrete Curb, Sidewalks and Ramp Installation to the following low bidder in accordance with bids received on Thursday, March 13, 2025 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Joseph J. Danielle, LLC	
Total Lump Sum Bid And acceptance of Add-Alternate unit prices for (1-A – 11) as needed	<u>\$37,927.08</u>





## AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – CUSTOM TAILORED POLICE UNIFORMS

Consider for approval to award a contract for Custom Tailored Police Uniforms to the following low bidder in accordance with bids received on Thursday, March 13, 2025 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Patriot Workwear	
Total Bid:	\$27,788.00



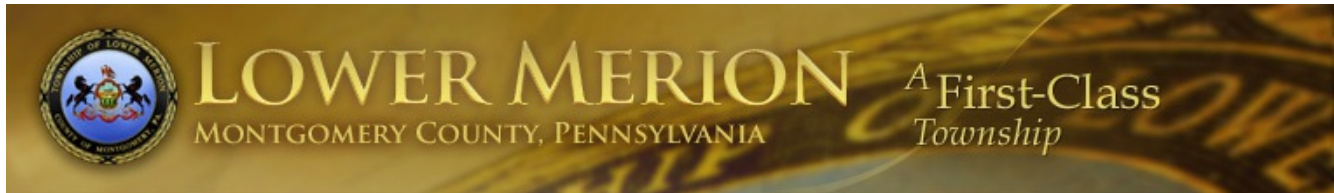
## AGENDA ITEM INFORMATION

COMMITTEE: Finance Committee

ITEM: AWARD OF CONTRACT – PARKING LOT #23 RECONSTRUCTION

Consider for approval to award a contract for Parking Lot #23 Reconstruction to the following bidder in accordance with bids received on Thursday, March 20, 2025 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

John A. DiRocco General Contractors, Inc.	
Total Lump Sum Bid	\$212,723.81
Total Contingency Item (C-1 – C-3)	<u>46,859.41</u>
Total Bid	\$259,583.22

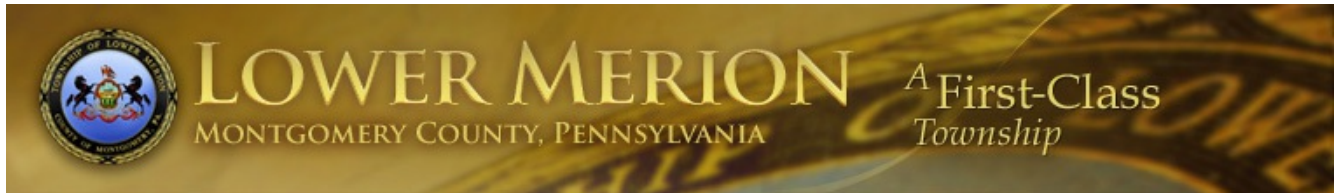


## **AGENDA ITEM INFORMATION**

COMMITTEE: Finance Committee

ITEM: AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE CHAPTER 126, SEWERS  
- SANITARY SEWER RENTAL RATE FOR 2025

Consider for approval authorizing the Township Secretary to advertise notice of a public hearing and intent to adopt an Ordinance enacted pursuant to the Code of the Township of Lower Merion, Chapter 126, Sewers, fixing the amount of the annual Sanitary Sewer Rental fee and establishing the amount of \$4.51 as the charge to each property connected to the Township sanitary sewer system for each 1,000 gallons of water consumed; and fixing the amount of the annual Sanitary Sewer Rental fee for each property directly connected to the City of Philadelphia sanitary sewer system as that amount charged by the City of Philadelphia for such service.

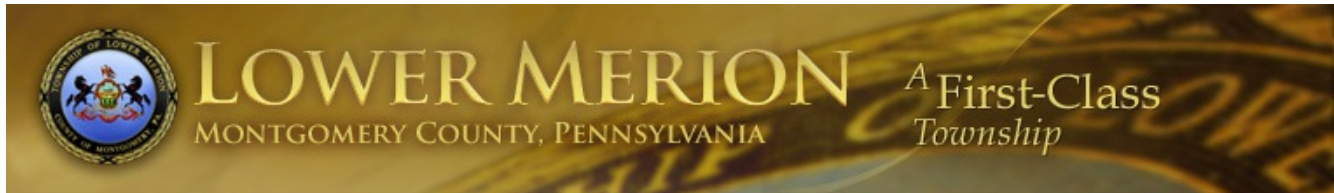


## **AGENDA ITEM INFORMATION**

COMMITTEE: Fire Committee

ITEM: WAIVER OF APPARATUS POLICY TO ALLOW BELMONT HILLS FIRE COMPANY TO RETAIN THEIR 2003 KME ENGINE

Consider for approval a waiver of the current Apparatus Policy disposition provision to allow the Belmont Hills Fire Company (BHFC) to retain ownership of the 2003 KME Engine which is being replaced in exchange for BHFC paying the Township the vehicle's appraised value of \$20,000.



## **AGENDA ITEM INFORMATION**

COMMITTEE: Parks and Recreation Committee

ITEM: WAIVER OF ENFORCEMENT OF TOWNSHIP CODE 111-4.2 REGULATING OPEN CONTAINERS FOR THE BRYN MAWR TWILIGHT CONCERTS HOSTED BY LOWER MERION TOWNSHIP AND RISING SUN PRESENTS AT THE BRYN MAWR GAZEBO, 9 S. BRYN MAWR AVENUE BRYN MAWR

Consider for approval a waiver of Township Code §111-4.2 as requested by the Parks and Recreation Department and Rising Sun Presents to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages in public rights-of-way within a regulated area at the Bryn Mawr Gazebo, 9 S. Bryn Mawr Avenue Bryn Mawr during the Bryn Mawr Twilight Concerts (BMTc).

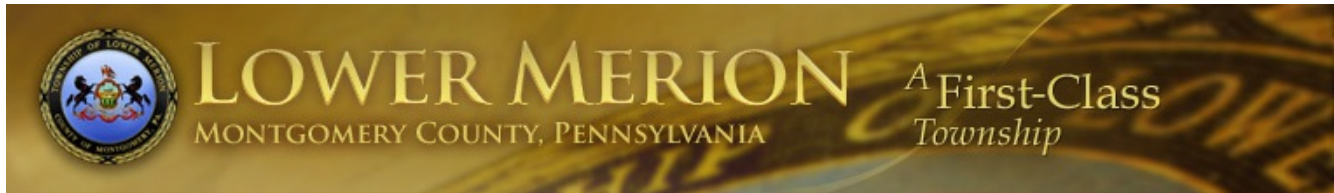


## **AGENDA ITEM INFORMATION**

COMMITTEE: Parks and Recreation Committee

ITEM: NAMING THE TRAIL IN GULLEY RUN PARK IN HONOR OF BILL SWYER

Consider for approval authorizing the naming of the trail in Gulley Run Park in honor of Bill Swyer.



## **AGENDA ITEM INFORMATION**

COMMITTEE: Parks and Recreation Committee

ITEM: RESOLUTION - AUTHORIZATION OF A DCNR GRANT APPLICATION FOR THE ACCESSIBLE TRAIL LINK FROM THE CYNWYD HERITAGE TRAIL TO THE NORFOLK SOUTHERN TUNNEL

Consider for adoption a resolution authorizing the Township to submit a grant application in the amount of \$500,000 to the DCNR Community Conservation Partnership Program (C2P2) Grant to partially fund the Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel.

### RESOLUTION

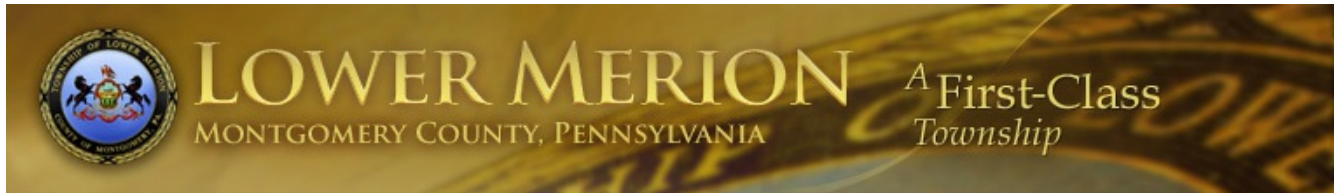
WHEREAS, the Township of Lower Merion desires to undertake the project Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel; and

WHEREAS, the Township of Lower Merion desires to receive from the Department of Conservation and Natural Resources (DCNR) a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled “Terms and Conditions of Grant”; and

WHEREAS, the Township of Lower Merion understands that the contents of the document entitled “Terms and Conditions of Grant,” including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the Township of Lower Merion and DCNR if the Township of Lower Merion is awarded a grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Lower Merion hereby authorizes Donna Heller, Director of Parks and Recreation, to execute all documents and agreements between the Township of Lower Merion and DCNR related to DCNR-C2P2, Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel.



## **AGENDA ITEM INFORMATION**

COMMITTEE: Parks and Recreation Committee

ITEM: RESOLUTION - AUTHORIZATION OF A DCNR GRANT APPLICATION TO PARTIALLY FUND IMPROVEMENTS ALONG RIGHTERS FERRY ROAD

Consider for adoption a resolution authorizing the Township to submit a grant application in the amount of \$550,618.95 to the DCNR for a Community Conservation Partnership Program (C2P2) Grant to partially fund improvements along Righters Ferry Road.

### RESOLUTION

WHEREAS, the Township of Lower Merion desires to undertake the project Righters Ferry Road to Pencoyd Trail; and

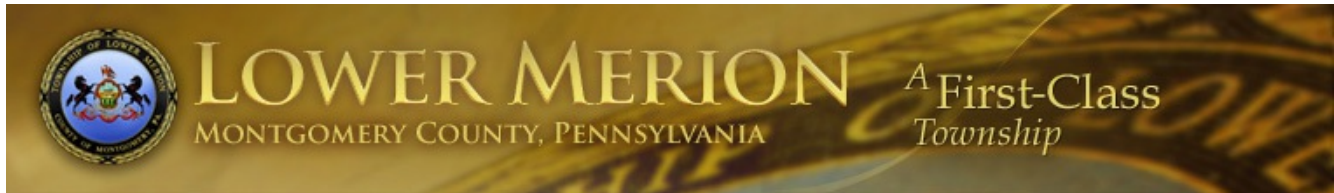
WHEREAS, the Township of Lower Merion desires to receive from the Department of Conservation and Natural Resources (DCNR) a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled “Terms and Conditions of Grant”; and

WHEREAS, the Township of Lower Merion understands that the contents of the document entitled “Terms and Conditions of Grant,” including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the Township of Lower Merion and DCNR if the Township of Lower Merion is awarded a grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Lower Merion hereby authorizes Ernie McNeely, Township Manager, to execute all documents and agreements between the Township of Lower Merion and DCNR related to DCNR-C2P2, Righters Ferry Road to Pencoyd Trail.





## **AGENDA ITEM INFORMATION**

COMMITTEE: Parks and Recreation Committee

ITEM: RESOLUTION - AUTHORIZATION OF A DCED GRANT APPLICATION FOR THE ACCESSIBLE TRAIL LINK FROM THE CYNWYD HERITAGE TRAIL TO THE NORFOLK SOUTHERN TUNNEL

Consider for adoption a resolution authorizing the Township to submit a grant application in the amount of \$250,000 to the Department of Community & Economic Development (DCED) Greenways, Trails and Recreation Program (GTRP) Grant to partially fund the Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel.

### 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 Pennsylvania Department of Community & Economic Development (the “PA 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 2026 Capital Improvement Program for the Township of Lower Merion includes Service to People Project No. 4500, Connelly Site Master Plan allocates funding for the Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel; and

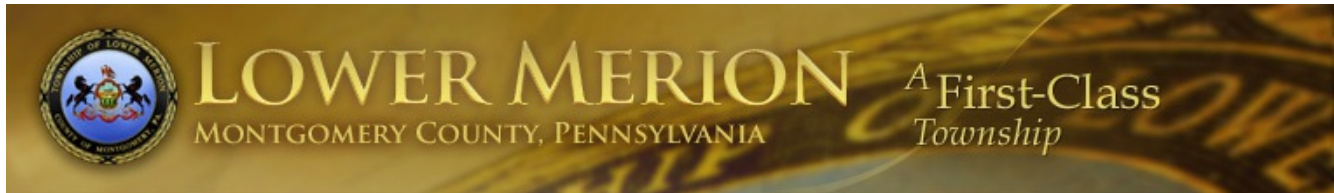
WHEREAS, the Township seeks to apply to the PA DCED through its Greenways, Trails and Recreation Grant Program for implementation grant funds of \$250,000 to construct the Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel for the project estimated by the Township Engineer for the cost of \$1,800,000 with a match 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 PA 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 the Accessible Trail Link from the Cynwyd Heritage Trail to the Norfolk Southern Tunnel.

BE IT FURTHER RESOLVED, that the Township hereby designates Ernie B. McNeely, Township Manager, and Donna Heller, Director of Parks and Recreation, 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.

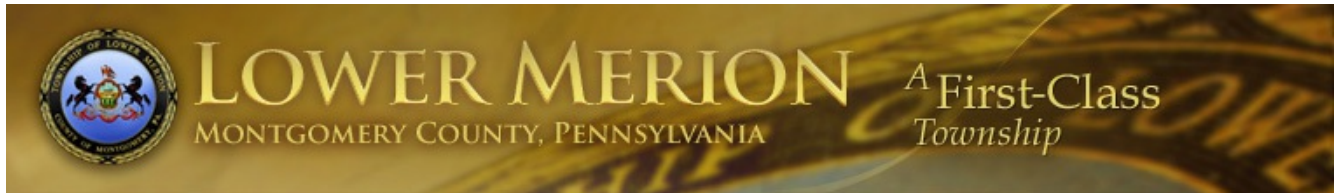


## **AGENDA ITEM INFORMATION**

COMMITTEE: Police Committee

ITEM: AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - RESCINDING YOUNGS FORD ROAD PARKING RESTRICTIONS

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, §145-118, Schedule XVIII: Parking Time Limited, By repealing the 2-hour parking limitation between the hours of 8:00 a.m. to 6:00 p.m. except Saturday and Sunday on the west side of Youngs Ford Road from Conshohocken State Road to Righters Mill Road.



## **AGENDA ITEM INFORMATION**

COMMITTEE: Public Works Committee

ITEM: RESOLUTION - APPROVAL TO EXPAND THE LOWER MERION ERUV IN BALACYNWYD

Consider for adoption a resolution authorizing execution of a lease with the Eruv of Lower Merion, Inc., for one silver dollar to expand the existing Lower Merion Eruv to include one square block bounded by City Avenue, Conshohocken State Road, St. Asaph's Road, and Belmont Avenue.

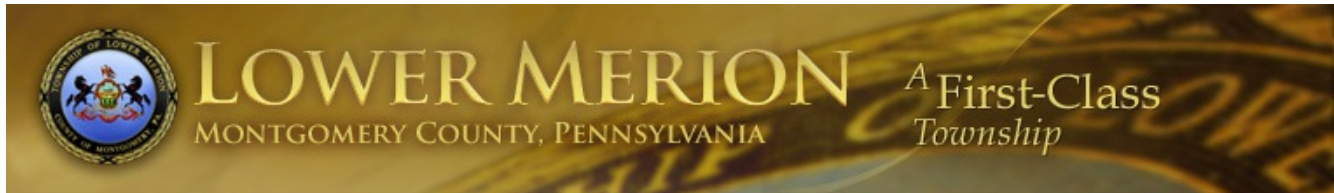
### RESOLUTION

WHEREAS, the Eruv of Lower Merion, Inc. has previously requested, and the Township of Lower Merion has previously approved the construction and maintenance of an Eruv over an area in the Township; and

WHEREAS, for this purpose the Township of Lower Merion previously agreed to lease to the Eruv of Lower Merion, Inc. for one silver dollar (\$1.00) a portion of the domain of the Township of Lower Merion which falls within the Eruv boundaries for the limited purpose of satisfying the requirements of Orthodox Jewish law and practice as they relate to carrying on the Jewish Sabbath and Holidays; and

WHEREAS, the Eruv of Lower Merion, Inc. has now requested that the area of the Eruv be enlarged to accommodate additional Jewish congregations and communities as set forth in a certain Lease Agreement presented to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Lower Merion agrees to lease an additional portion of the domain of the Township of Lower Merion for one dollar to the Eruv of Lower Merion, Inc. for the limited purpose of defining the Sabbath Bounds in accordance with Jewish Religious Law and the proper officers of the Township are hereby authorized to execute a Lease Agreement for this purpose on behalf of the Township of Lower Merion.



## AGENDA ITEM INFORMATION

COMMITTEE: Public Works Committee

ITEM: RESOLUTION - ACCEPTING SEPTA RIGHT-OF-WAY, DRAINAGE, CONSTRUCTION EASEMENT AT MONTGOMERY AVENUE, BALA AVENUE, AND CONSHOHOCKEN STATE ROAD

Consider for adoption a resolution authorizing execution of an agreement to accept permanent right-of-way, drainage easement, and temporary construction easement at the intersection of Conshohocken State Road and Montgomery Avenue for an intersection improvement project that was authorized under CIP 4236 and completed in 2024.

### RESOLUTION

WHEREAS, the Board of Commissioners of the Township of Lower Merion has undertaken, in conjunction with the Pennsylvania Department of Transportation (“PennDOT”) to perform roadway improvements at the intersection of Montgomery Avenue, Bala Avenue and Conshohocken State Road in the Township (the “Project”); and

WHEREAS, the Project requires that the Township obtain from the Southeastern Pennsylvania Transportation Authority (“SEPTA”) a right -of-way easement for highway purposes of an eight hundred twelve (812) square foot portion of SEPTA’s property at the location of its Cynwyd Station, SEPTA having acquired the property by Deed from Consolidated Raid Corporation, which deed is recorded in Montgomery County Deed Book 4523, Page 101 on June 12, 1980; and

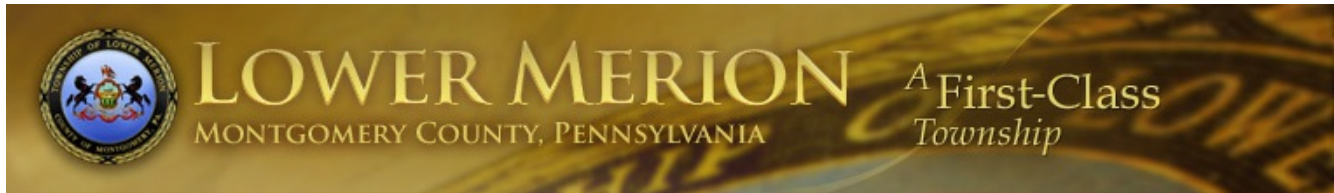
WHEREAS, SEPTA and the Township have agreed to enter into an Easement Agreement for Highway Purposes enlarging the Right-of-Way of Montgomery Avenue, together with a Perpetual Drainage Easement, and a Temporary Construction Easement; and

WHEREAS, the additional Right-of-Way will extend the Right-of-Way width of Montgomery Avenue, a state highway, so that this acquisition by the Township is intended to hereafter be conveyed to PennDOT.

NOW, THEREFORE, in consideration of the above, the Board of Commissioners of Lower Merion Township does hereby resolve as follows:

1. The Easement Agreement between SEPTA and the Township attached hereto as Exhibit “A” is hereby accepted and approved and the Township is authorized to make payment in consideration therefore to SEPTA of the sum of Twenty-Five Thousand, Seven Hundred Sixteen and 04/100 Dollars (\$25,716.04).
2. The proper officers of the Township are hereby authorized to execute the Agreement and, thereafter, upon execution by SEPTA and payment of the consideration by the Township, to record the same in the office of the Montgomery County Record of Deeds, Norristown.
3. Thereafter the proper officers of the Township are authorized to convey the easement area to

PennDOT upon reimbursement by PennDOT of the Township's costs in conjunction with this acquisition.



## **AGENDA ITEM INFORMATION**

COMMITTEE: Public Works Committee

ITEM: RESOLUTION - PENNSYLVANIA SMALL WATER AND SEWER GRANT APPLICATION FOR THE SANITARY SEWER LINING AND MANHOLE REHABILITATION PROJECT

Consider for adoption a resolution supporting the submission of a grant requesting up to \$500,000 from Pennsylvania Department of Community and Economic Development (DCED) and to the Commonwealth Financing Authority (CFA) for the lining of sanitary sewers and rehabilitation of sanitary manholes at various locations within the Township with a required minimum grant match of 15%, or at least \$88,235.

### RESOLUTION

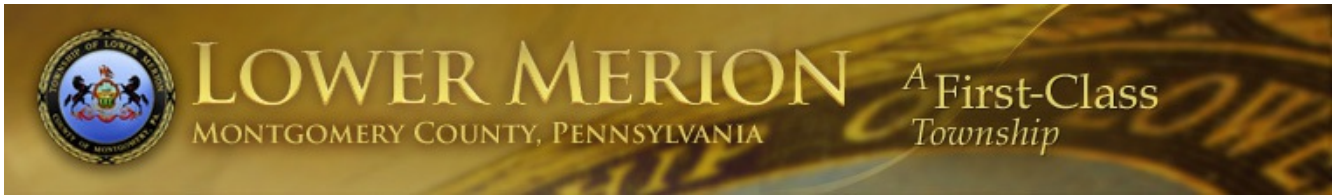
WHEREAS, the Board of Commissioners is desirous of obtaining funds from the Commonwealth Financing Authority in the amount of up to \$500,000 for the Sanitary Sewer Lining and Manhole Rehabilitation project in the Township.

BE IT RESOLVED, that the Township of Lower Merion of Montgomery County hereby requests a PA Small Water and Sewer Program grant of up to \$500,000 from the Commonwealth Financing Authority to be used for the Sanitary Sewer Lining and Manhole Rehabilitation project.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate the Township Manager and President of the Lower Merion Board of Commissioners 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.

BE IT FURTHER RESOLVED, that the Secretary of the Township of Lower Merion is directed to execute a certificate attesting to the adoption of this Resolution by a majority vote of the Lower Merion Board of Commissioners and its recording in the Minutes of the Lower Merion Board of Commissioners, and to furnish a signed and dated copy of the Resolution to PA Department of Community and Economic Development and Commonwealth Financing Authority.





## AGENDA ITEM INFORMATION

COMMITTEE: Building and Planning Committee

ITEM: TENTATIVE SKETCH PLAN - 21 Bala Avenue, Bala Cynwyd, Ward 9, LD# 3923TS

Consider for approval a Tentative Sketch Plan. The Plan prepared by Ruggiero Plante Land Design, LLC, dated October 15, 2024 and last revised March 14, 2025, shows the demolition of all existing structures and the construction of a four-story mixed-use building (44,250 sq. ft. floor area) containing 1,800 sq. ft. of commercial space on the ground floor and 32 units of multifamily housing on the upper floors. The project will also include 53 parking spaces and an on-site stormwater management system.

In addition, the application requires the following waiver from the Township Code which was recommended for removal/denial by the Building & Planning Committee:

- §135-4.9(Q)(7) to provide a pedestrian pathway as generally shown on the plans from the rear of the surface parking lot that is physically delineated through the installation of impression style stamped asphalt and other approved means other than sidewalks and defined crosswalks and that is not completely separated from vehicular use areas.

Expiration Date – 4/30/2025.....Zoning – CAD-BV

Applicant: Andrew Langsam

Owner: 19-21 Bala Associates

Applicant's Representative: George Broseman

On April 9, 2025, the Building & Planning recommended approval of the tentative sketch plan subject to the following conditions:

### Township Engineers Review

1. The Township Engineer's review letter dated March 25, 2025 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.

### Circulation and Parking

2. The proposed pedestrian path shall provide a pedestrian connection from the commercial parking spaces to the rear building entrance and/or the pedestrian path along the northwest side of the structure, if the requested waiver is approved.

3. The pedestrian pathway in the vehicle use area shall be an impression-style stamped asphalt if the requested waiver is approved. The applicant shall provide additional delineation that may include a painted ceiling where the pathway is covered by the proposed structure and additional signs and bollards as determined to be necessary upon preliminary plan review.



4. A maintenance plan shall be submitted for the pedestrian pathway if the requested waiver is approved.
5. The preliminary plan shall demonstrate compliance with, including a chart, for the residential, commercial and public gathering space bicycle parking requirements of §155-8.8 Bicycle Parking Requirements.
6. Wheel stops or bollards shall be shown at all parking spaces.
7. The applicant shall provide a curb along the south side of the drive aisle from the entrance through the first parking space.
8. The preliminary plan shall demonstrate compliance with the electric vehicle readiness and capacity standards required by §135-4.9(R).
9. The preliminary plan shall include a shared parking chart.

#### Architecture

10. The preliminary submission for the architectural plan and elevation submission shall show the minimum six-foot setback from the primary front façade at 38 feet as required by CAD-BV Dimension Standards §155 Table 6.8.2 Note 5.
11. Exterior wall materials shall only include native stone, cast stone, brick, stucco over masonry, wood, cementitious board, metal or glass. The preliminary plan submission shall include a materials chart.
12. The preliminary plan submission shall include a consistent unit number count on civil and architectural plan sheets.
13. The preliminary plan submission shall label the ground floor active use as “Office/Retail” and, based on parking calculations, future occupants shall be only non-food and beverage types unless the parking requirements change in the future to allow for such uses, or other relief is obtained as required.
14. The preliminary plan submission shall include architectural plans, elevations and renderings of all sides of the proposed building including proposed materials and glazing charts demonstrating compliance with Zoning Code §155-6.8 (CAD-BV) and §155-3.9 (Architectural Standards.)
15. A design manual shall be submitted with the Preliminary Plan demonstrating how the development will comply with the development design standards of §155-6.8(I).
16. The mean grade of the structure shown shall be verified. Documentation showing the calculations shall be provided.
17. The preliminary plan submission shall demonstrate compliance with §155.6.8(I)(5)(a)[6] which states that all roof-top mechanical equipment, including antennas, shall be screened visually and acoustically and that such screening shall be integral to the architectural design of the building.

#### Public Gathering Space

18. The preliminary plan submission shall demonstrate compliance with Public Gathering Space requirements and include relevant compliance charts demonstrating compliance with §155-6.8 Table 6.8.1 and §135-4.6(B).
19. To guarantee public access, the public gathering space shall be permanently set aside as such by a recorded covenant in a form acceptable to the Township Solicitor as per §135-4.6(B)(2)(b).

### Landscape Plan and Streetscape

20. The preliminary plan submission shall state the vehicle usage area and demonstrate compliance with the minimum interior landscaping area requirements of §135-5.3(C)(1).
21. The landscape plan submitted with the preliminary plan shall include compliance charts demonstrating that all SALDO Article 5 requirements are met without double-counting for buffers, greening, parking lot greening and the public gathering space, except as permitted by the Code.
22. Trees marked as impacted but not able to be saved during construction shall be replaced one-for-one and the applicant shall work with the Township on species selection and placement.
23. The 15' (from centerline) force main sanitary easement shall be shown on the future submitted landscape plan with the placement of three (3) street trees as per §135-5.1(C)(7) in the area between the sanitary easement and building.
24. The landscape plan shall identify the type of rear landscape buffer as per §135-5.2 Table 5.2.1 and demonstrate compliance with the selected buffer option.
25. The landscape plan shall specify any proposed trees to be planted along the northwest side of the building as ones that can grow in shady and narrow conditions.
26. The placement of any fencing shall be shown consistently on civil, landscape and architectural plan submissions and shall take into account the parking lot perimeter landscape buffer requirements of §135-5.3(D).
27. A landscape plan complying with applicable sections of the Township's Natural Features code (§101 Article III), Landscape standards (§155-3.10), buffer planting requirements (§155-6.8(C)(5) and §135-5.2), parking lot greening standards (§135-5.3), and greening standards (§135-5.5) shall be prepared and sealed by a Registered Landscape Architect and submitted with the Preliminary Plan.

### Engineering Comments

28. Adequate clearance shall be provided for the parking lot beneath the proposed structure in a manner that maintains a feasible transition to existing grade on the adjacent property(ies).
29. The circulation diagrams shall include all movements necessary to access parking and loading areas by passenger, delivery, and emergency vehicles. Maneuverability shall be demonstrated for the end parking space in the northeast corner of the center aisle.
30. Bala Avenue is a state road; therefore, a PennDOT Highway Occupancy Permit shall be required for the site access driveway and other proposed work within the right-of-way.
31. Erosion control measures shall be provided with the preliminary plans. The proposed construction access location shall be indicated. Details that conform to township standards shall be shown.
32. The applicant shall communicate with SEPTA regarding the feasibility of the proposed gates on the rear property line which may be restricted by SEPTA.

### Public Works

33. The applicant shall provide an encroachment agreement, approved by the Township Solicitor, for the proposed hardscape and landscape items located within the right-of-way and/or public easement(s).

34. The applicant shall obtain sanitary sewer seal permits and a connection permit for the proposed sanitary sewer connection. The applicant shall include plan drawings of the connections and laterals. Permits for reconnection will need an EDU evaluation and the sewer permit fee will be based on the proposed increases.

#### Lighting & Signage

35. An outdoor lighting plan, sealed by a responsible design professional, shall be submitted with the Preliminary Plan to demonstrate compliance with Township Code Ordinance No. 4299 and Chapter 105.

36. Signs shall be according to sign standards Chapter 155 Article IX, and § 155-9.8A. All signage shall be subject to a separate review for compliance by the Zoning Officer.

#### Sustainability

37. 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 no natural gas connections.

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

#### Other

39. The applicant shall use good faith, commercially reasonable efforts and employ a range of strategies to actively recruit a permitted commercial or retail occupant for the ground floor commercial/retail space.

40. The applicant shall provide confirmation of a deed consolidation for the 19 Bala Avenue and 21 Bala Avenue properties with the final plan submission.

#### Standard Conditions

41. The preliminary plan submission shall include a copy with any changes highlighted. A letter shall also be provided with the revised plan indicating how each condition of tentative sketch approval has been addressed.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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.

**ATTACHMENTS:**

Description	Type
▣ Issues Briefing	Backup Material
▣ Slides	Backup Material

March 31, 2025

**TO:** Planning Commission Members

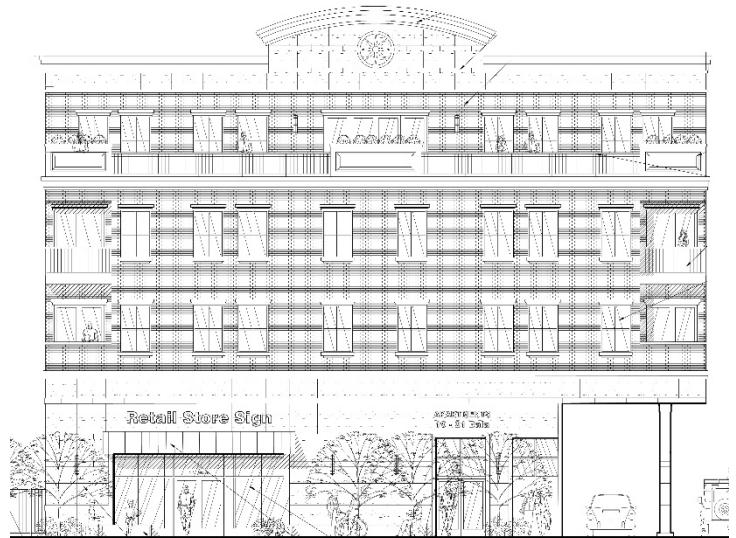
**FROM:** Sarah Carley, Planner, Department of Building and Planning

**SUBJECT:** TENTATIVE SKETCH PLAN – 19-21 Bala Avenue, Bala Cynwyd, LD# 3923TS

## Proposal

Andrew Langsam (Applicant), on behalf of 19-21 Bala Associates, is seeking Tentative Sketch Plan approval for a land development project at 19-21 Bala Avenue including the:

- Demolition of two (2) existing structures
- Construction of a four-story 44,250 square foot (SF) gross mixed-use residential building with 32 residential units and 1,800 SF of ground floor commercial space
- 53 parking spaces
- Onsite stormwater management.



The proposed project is illustrated on plans prepared by Ruggiero Plante Land Design originally submitted on October 15, 2024 and last revised on March 14, 2025.

**Waiver Request:** The Applicant seeks a waiver for §135-4.9(Q)(7) which requires a pedestrian pathway through a surface parking lot with 10 or more parking spaces.

## Property Description

The subject property is a 0.69-acre parcel situated on the east side of Bala Avenue between City Avenue and Union Avenue and abutting the Cynwyd Line rail tracks at the rear. The property is zoned CAD-BV.

The property is currently improved with two (2) 1950s-era office commercial buildings situated at the rear of the property with surface parking in front.

Immediately adjacent uses are a commercial office building to the north and commercial car repair to the south. Across Bala Avenue to the west, uses are residential (zoned MDR1), and across the train tracks to the rear, the use is residential (zoned MDR3).

SEPTA's Bala Station on the Cynwyd Line is located half a block from the site on City Avenue and there are SEPTA bus stops at either end of the block.



## Process

**Tentative Sketch Plan:** The purpose of a Tentative Sketch Plan is to determine appropriate locations for buildings, driveways and parking lots and how such improvements can least impact a site's natural features. The Tentative Sketch Plan phase is an opportunity to flesh-out other issues that may be addressed at the Preliminary Plan phase.

**Meeting Schedule:** The anticipated schedule for the tentative sketch plan land development and relief request review is:

March 31, 2025	Planning Commission
April 9, 2025	Building & Planning Committee
April 23, 2025	Board of Commissioners



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

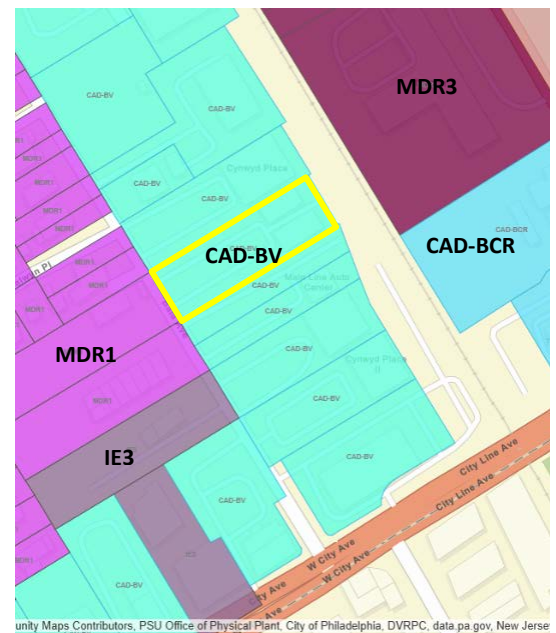
## Zoning

**District:** The property is located within the City Avenue District-Bala Village (CAD-BV) district. The intent of the district is to encourage pedestrian-oriented development and a more economically productive use of land along Bala Avenue between City Avenue and Montgomery Avenue and along City Avenue between the Cynwyd Rail Line and Orchard Road.

The CAD-BV district recognizes the importance of Bala Village as a gateway to Lower Merion Township and as a neighborhood and transit-oriented center by permitting appropriate densities and a mix of land uses while providing sufficient on- and off-street parking.

The general goals and objectives include the following specific purposes:

- Encourage multiple-use real estate development within the CAD-BV district that creates a sense of place and welcomes residents, visitors and workers.
- Preserve and enhance the special character of the traditional early-20th Century Bala Shopping District.
- Encourage pedestrian- and transit-oriented development through adoption of high standards of architecture and design.
- Minimize to the greatest extent possible any adverse impacts on existing residential neighborhoods of any new development in the CAD-BV district.
- Promote the livability and identity of the district by providing for dwellings, shops and workplaces in close proximity to each other.
- Enhance the visual character and identity of the district through appropriate building scale and design, landscaping and signage, and by encouraging the renovation and erection of buildings and storefronts that provide direct connections to the street and sidewalk.
- Discourage the dependence on automobile use by promoting alternative modes of transportation, including rail and bus, bicycling and walking, thereby reducing traffic congestion.
- Promote the smooth and safe flow of vehicular traffic through the corridor while reducing cut through traffic in the neighboring residential districts.
- Encourage the development of shared parking and attractive, unobtrusive and convenient off-street parking facilities to reduce on-street congestion and facilitate vehicular and pedestrian circulation.





**Form Standards:** The proposed project is subject to dimensional standards as indicated in Code §155-6.8 Table 6.8.2.

**Uses:** The proposed project is subject to permitted uses as stated in Code §155-6.8 [Table 5.1 Uses](#) & [Table 5.3 Regulations](#).

Mixed-use residential is permitted in CAD-BV within the Multifamily (Large) use type. Proposed projects must have at least 80% of the ground floor façade devoted to active commercial use.

CAD-BV Dimensional Standards §155-6.8 Table 6.8.2		Requirement	Proposed
<b>Lot Occupation</b>			
Impervious Surface		90% maximum	86.8% (Existing 75.2%)
Primary Frontage		70%	70%
<b>Setbacks</b>			
Front		20' minimum 25' maximum	25'
Side		0 or 10' minimum 15' maximum	10'
Rear		25' minimum	25'
Buffer		10' Softening	10'
<b>Building Height</b>			
Between Bala Ave and Cynwyd Rail Line		2 stories minimum, up to 60' maximum	4 stories (54.6')
<b>Intensity</b>			
Floor Area Ratio (base)		1.25 maximum	
Mixed-Use Building*		0.25 Increase	
Maximum Permitted		1.50	1.47
* Public Gathering Space required			

Use	District	Table 5.3 Use Regulations
Multifamily (Large)	CAD-BV	<p>(1) Residential uses are not permitted on the ground floor of buildings facing Bala Avenue. No single-use residential building shall be permitted.</p> <p>(2) A minimum of 80% of the ground floor primary front facade must be devoted to active ground floor commercial use. The floor area devoted to the ground floor commercial use shall be a minimum depth of 40 feet.</p>

**Parking:** Vehicle and bicycle parking requirements are stated in Chapter 155 [Table 8.1 Minimum Parking Requirements](#), [Table 8.2.1 Mixed Use and Shared Parking](#) and [Table 8.7.1 Minimum Bicycle Parking Requirements](#).

Proposed vehicular parking is shown at surface level behind the structure and will be partially covered by the structure's 2<sup>nd</sup> floor. Short-term bicycle parking is located outside the commercial entrance and adjacent to the driveway. Long-term bicycle parking will be provided inside the building on the basement level.

Parking Type		Requirement	Calculation	Spaces REQUIRED	Spaces PROVIDED
Vehicle	Multifamily - Large	1.5 spaces/unit	1.5 space x 32 units = 48	52 (with shared parking provisions applied)	53
	Retail	3 spaces/1,000 SF	(1,800 SF/1,000 SF) x 3 spaces = 5 spaces		
Bicycle	Multifamily (>20 Units)	Short-Term 0.5 space/unit	0.5 space x 32 units = 16 Short-Term Spaces	22 Short-Term 16 Long-Term	16 Short-Term 16 Long-Term
		Long-Term 0.5 space/unit	0.5 Space x 32 units = 16 Long-Term Spaces		
	Commercial Office	Short-Term 0.3 space/1,000 SF	(1,800 SF/1,000 SF) x 0.3 Space = .54		
		Long-Term 0.2 space/1,000 SF	(1,800 SF/1,000 SF) x 0.2 Space = .36		
	Public Gathering Space	Short-Term 1 space/300 SF	(1,460 SF/300 SF) x 1 space = 5 spaces		

## Waiver Request

The Applicant has requested a waiver from Subdivision and Land Development Ordinance §135-4.9(Q)(7) which requires a pedestrian pathway through a surface parking lot with 10 or more parking spaces to be clearly separated from vehicular use areas.

The proposed parking lot is a surface lot with 53 spaces shown on plans at grade level with 37 spaces underneath or partially beneath the columned upper stories of the structure.

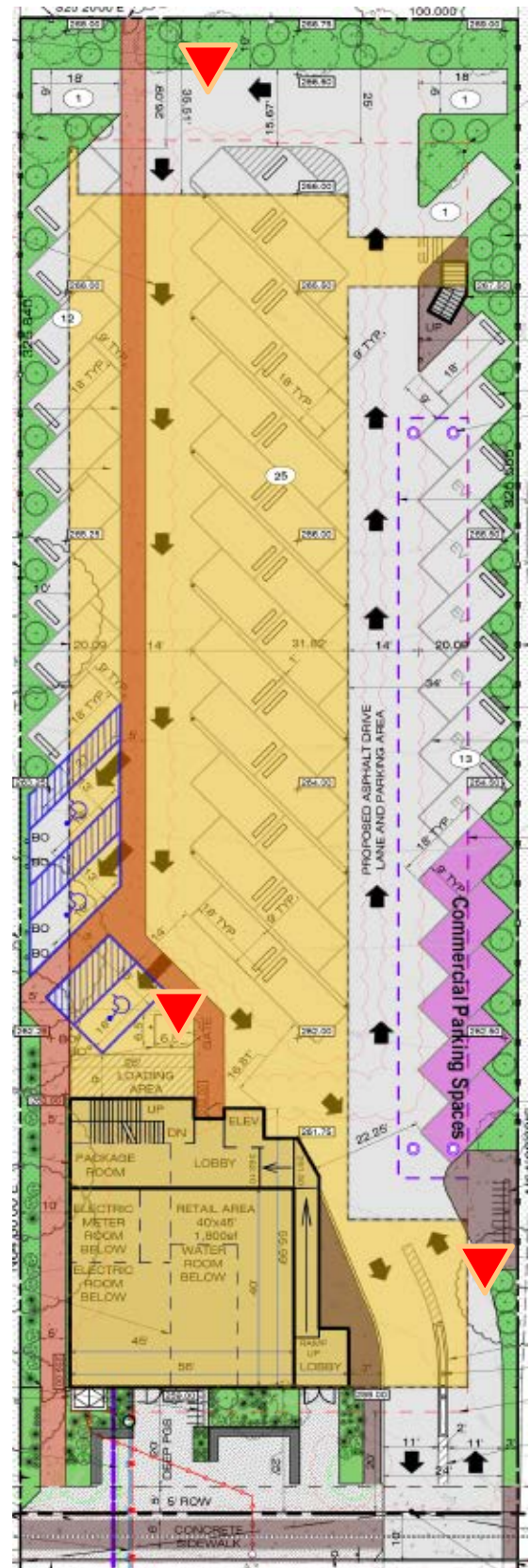
The Applicant proposes to provide the required pedestrian pathway within the drive aisle. As required, the pathway will be delineated by a change of material. Plans show the pathway material will be concrete. Additionally, plans show several pedestrian yield signs and bollards.

While a material change serves to delineate a pathway, it will not clearly separate pedestrians from vehicles as required by Code §135-4.9(Q)(7) which states that the pathway “be physically delineated and provided through the installation of sidewalks and defined crosswalks.”

The Applicant’s relief request states that “the waiver is justified given the long and narrow shape of the lot, which precludes providing the pedestrian route on the side of the parking area.” Additionally, the Applicant states that “given the low volume nature of the parking area, and the commonly recognized fact that pedestrians routinely walk through parking aisles without incident in various types of land uses, including those with much higher levels of traffic within their

SALDO §135-4.9(Q)(7) Pedestrian pathways and crosswalks. The following requirements shall apply to all surface parking lots where 10 or more new parking spaces are proposed.

- a) Pedestrian access to each building on-site from adjacent public sidewalks, the street, and all areas of the parking lot shall be physically delineated and provided through the installation of sidewalks and defined crosswalks.
- b) Pedestrian pathways.
  - [1] Pedestrian pathways shall be clearly separated from vehicular use areas with sidewalks, landscaping, a change in grade, or a change in paving material.
  - [2] Pedestrian pathways in parking areas shall be barrier-free, and a minimum of five feet wide. Additional width may be required in some areas with heavy pedestrian traffic.
  - [3] To facilitate pedestrian movement, at least one pedestrian route shall be provided that enables access from the far end of the parking lot to the main entry of a building.
- c) Crosswalks. Where a pedestrian circulation route within the parking area crosses a vehicular drive aisle, a crosswalk with a differing paving material, continental-style crosswalk markings, or a speed table shall be provided.



Yield to Pedestrians Sign and Bollard



parking areas than the proposed redevelopment, the proposed pedestrian route provides for enhanced pedestrian access as compared with similar and higher traffic applications.”

Considerations related to the waiver request along with recommended conditions of approval are included below.

## Township and Regional Comprehensive Plan Compliance

**Township:** The Land Use Element of the *2016 Lower Merion Township Comprehensive Plan* identifies Bala Village as one of the Township’s Traditional Main Streets. The proposed development is consistent with the statement that “residential uses are integral to these districts and are located in mixed-use buildings over street-level commercial.”

**Regional:** The Bala Avenue commercial area is identified as a Town Center in the Future Land Use Plan of the Montgomery County Comprehensive Plan, *Montco2040: A Shared Vision*. Town Centers are defined as “traditional downtown areas with a mix of retail, institutional, office, and residential uses.” The proposed development is generally consistent with the statement that town centers “are pedestrian-oriented, with buildings built close to sidewalks and often attached, side to side.”

## Applicable Studies and Reports

- Commercial Retail Analysis for City Avenue Special Services District (2023)
- Lower Merion Township Comprehensive Plan, Commercial Land Use Element (2016)
- Bala Avenue Master Plan (2000)

## Additional Reviews

**Montgomery County Planning Commission (MCPC):** MCPC’s 03/24/25 and 01/30/25 review letters are attached. MCPC generally supports the applicant’s proposal but identified issues to be addressed including 1) the lack of a pedestrian pathway from the designated commercial parking spaces and 2) the feasibility of complying with all related landscape and greening standards as part of future submissions.

**Township Engineer:** The Township Engineer’s review comments are included. Major engineering issues identified are stormwater, traffic, confirmation of vertical clearance for emergency vehicles, and separation of the pedestrian walkway through the parking lot, for which a waiver has been requested.

**Community Input:** The Applicant met with representatives of the Neighborhood Club of Bala Cynwyd on January 30, 2025.

## Considerations

### 1. Connect the pedestrian pathway to the commercial parking spaces.

As shown on the most recent submission, the pedestrian pathway through the parking lot does not connect to the parking spaces designated for retail/commercial use. Staff suggests that the pedestrian pathway either be extended along the drive aisle which has the retail/commercial parking spaces, or that those spaces be relocated to the other side of the parking lot where the pathway is shown.

The following recommended condition of approval (RCA) is included:

*RCA #2: The proposed pedestrian path shall provide a pedestrian connection from the commercial parking spaces to the rear building entrance and/or the pedestrian path along the northwest side of the structure, if the requested waiver is approved.*

## 2. Further delineate the pedestrian pathway.

The Applicant proposes to use concrete to delineate the proposed pedestrian pathway through the parking lot and plans show three (3) yield to pedestrian signs with bollards. To increase the visibility of the pathway and to provide a driving texture that will alert drivers to presence of the pathway and maximize pedestrian safety, staff recommends that the pathway located in the vehicular use area be further delineated with an impressed style stamped asphalt. Additionally, where the path passes underneath the upper story, additional safety features such as a painted ceiling can be added.

The following recommended condition of approval is included:

*RCA #3: The pedestrian pathway in the vehicle use area shall be an impression-style stamped asphalt if the requested waiver is approved. The applicant shall provide additional delineation that may include a painted ceiling where the pathway is covered by the proposed structure and additional signs and bollards as determined to be necessary upon preliminary plan review.*



*An example of a painted parking lot ceiling that enhances pathway visibility and safety.*

## 3. Feasibility of meeting landscaping and greening standards.

As noted in MCPC's review, consideration must be given to the feasibility of meeting all landscape and greening requirements. The proposed development and site have several significant landscape-related constraints:

- The vehicle use area of the proposed development is more than 20,000 SF and, as per §135 Table 5.3.1, a minimum interior landscaping area percentage of 8% or 1,632 SF is required.
- The columned building design covers a large portion of the parking lot and shades the northwest perimeter, limiting planting and growing potential.
- A force main with a 15'-centerline easement located under the sidewalk area will limit streetscape and public gathering space landscaping.

It is important to note that the respective requirements for the general landscape, parking lot greening, buffer plantings, and public gathering space will need to met individually, and not double-counted. For example, street trees cannot be counted towards the required plantings for the public gathering space.

The landscape plan submitted with the preliminary plan will need to carefully address and demonstrate compliance with landscape, greening, and public gathering space requirements. The Applicant may need to request additional relief.

The following recommended conditions of approval are included:

*RCA #20: The preliminary plan submission shall state the vehicle usage area and demonstrate compliance with the minimum interior landscaping area requirements of §135-5.3(C)(1).*

*RCA #21: The landscape plan submitted with the preliminary plan shall include compliance charts demonstrating that all SALDO Article 5 requirements are met without double-counting for buffers, greening, parking lot greening and the public gathering space, except as permitted by Code.*

## 4. Primary façade setback

The architectural elevation submitted shows a 10' setback at 43'. As stated in CAD-BV §155 Table 6.8.2 Note 5, dimensional standards require a setback at 38' when the building fronts Bala Avenue.

The following recommended condition of approval is included:

*RCA #10:* The preliminary submission for the architectural plan and elevation submission shall show the minimum six-foot stepback from the primary front façade at 38 feet as required by CAD-BV Dimension Standards §155 Table 6.8.2 Note 5.

## **Action**

The Planning Commission must take the following actions:

1. Recommendation on the Tentative Sketch Plan
2. Recommendation on Relief Request



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LOWM 260.52

March 25, 2025

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

**Re: 19-21 Bala Avenue – Bala Lofts  
Tentative Sketch Plan Review**

Dear Mr. Leswing:

In accordance with your request for the referenced submission, we have reviewed a set of four (4) plans dated 10-15-24, last revised 03-14-25, prepared by Ruggiero Plante Land Design. The plans show the demolition of the existing buildings and construction of a new four-story mixed-use building. We offer the following comments for your consideration:

**A. MAJOR ENGINEERING ISSUES**

- ❖ **Stormwater**— Since the principal building on this site will be demolished, stormwater rate and volume controls must be provided considering the predevelopment ground cover condition as meadow. The increased volume of stormwater generated by the proposed development for the twenty-five (25) year storm shall be recharged and the rate control volume must be capable of draining in twenty-four (24) hours. The permanent stormwater control facility shall be located to provide access for maintenance and a description of how the facility will be operated and maintained shall be submitted.
- ❖ **Traffic** — A traffic study shall be completed for the proposed development. Adjustments to improve vehicular access and pedestrian connectivity may be required.
- ❖ **Parking** — Confirmation is required that fire/emergency vehicle access can be accommodated with the ten-foot three-inch (10'-3") vertical clearance in the rear of the building structure. The pedestrian walkway through the proposed parking lot shall be separated with a curb or barrier. A waiver is required.

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

**B. ORDINANCE REQUIREMENTS**

1. Section 121-4A(1b)2—As the property is located within the Non-watershed District, the five (5) year frequency storm must be controlled to the lesser of the two (2) year predevelopment rate. For the ten (10) year through one hundred (100) year storms, rate shall be controlled to the peak discharges which occurred prior to development in the respective storm frequencies. Meadow ground cover condition shall be used as the predevelopment condition in this analysis. This shall be fully evaluated with the Preliminary Plan submission.

2. Section 121-4B(2a)1, 121-15—At a minimum, the increased volume of stormwater generated by the proposed development for the twenty-five (25) year storm shall be recharged. Calculations documenting this shall be submitted with the Preliminary Plans.
3. Section 121-4E(2c)—Seepage beds installed for rate control shall be designed to empty the total design storm volume in twenty-four (24) hours or less. Calculations verifying this shall be submitted with the Preliminary Plans.
4. Section 121-4E(2f)—The requested seepage beds must contain a sediment trap accessible for maintenance. Details shall be submitted with the Preliminary Plans.
5. Section 121-4E(2i)—For any proposed seepage beds, soil permeability tests shall be performed to a depth adequate to demonstrate the functioning of the system. The location of the percolation tests shall be indicated on the plan the complete test report must be submitted for review.
6. Section 121-5B(4A)—Since more than seventy-five (75%) percent of the principal building areas of structures on this site are being demolished, the Cn number for the predevelopment conditions on the site shall be considered as meadow for all rate control analysis.
7. Section 121-15—The runoff crossing to the adjacent properties during the construction phase of the project shall be managed so that the water quality/quantity does not adversely impact the adjacent properties. Diversion berms, stoned construction staging areas, and inlets/piping shall be noted to be provided as required and/or as directed by the township so as to ensure acceptable conditions during the construction phase.
8. Section 121-4E(4)—A description of how the permanent stormwater control facility will be operated and maintained shall be submitted by the design engineer. The frequency of inspection shall be listed on the plan. The contact information for the party responsible for the operation and maintenance of the facility shall be listed. The plan shall be presented in recordable form as a covenant running with the land and must be approved by the Township Solicitor prior to recording the Final Plan.
9. Section 121-6J—A sequence of construction activities shall be submitted. Installation of a temporary basin, seepage bed, roof collection system, and connection to an existing storm sewer shall be listed. Notification of the Township Engineer shall be listed in the sequence following installation of protective barriers and prior to earth disturbance. Notification of the Township Engineer for inspection shall be listed prior to installation of the seepage bed and piping.
10. Section 101-6A(1)—All woody vegetation to be retained within twenty-five (25') feet of a building site or disturbed area shall be protected from equipment damage by fencing placed at the driplines. The location of the fence shall be provided. A detail shall be included on the plans that complies with township standards. The Township Arborist must approve the location of the tree protection fence if it is not indicated at the driplines.
11. Section 135-4.9(Q)—The Fire Marshal must approve the design for maneuverability and to confirm that fire/emergency vehicle access can be accommodated with the ten-foot three-inch (10'-3") vertical clearance in the rear of the building structure.
12. Section 135-4.9(Q.7.b)—The pedestrian walkway through the proposed parking lot shall be separated with a curb or barrier. A waiver is required.

13. Section 135-4.9(M)— The Traffic Safety Unit of the Lower Merion Police Department must approve the final drive condition.
14. Section 135-4.10(B)—A Sewage Facilities Planning Module or Exemption must be approved by the City of Philadelphia and the DEP prior to recording the Final Plan.
15. Section 135-4.10(A)—Adequate water supply must be documented for the development. A letter from Aqua Pennsylvania must be submitted certifying adequate supply for the additional demand. This shall be submitted with the Preliminary Plan.
16. Section 135-4.10—All new electric services must be provided with underground cables. The location of the underground service line shall be shown from the proposed structure to the main.
17. Section 135-8.2(C.1)—A traffic study shall be completed for the proposed development. Adjustments to improve vehicular access and pedestrian connectivity may be required. The scope of the study must be coordinated with our office and the Township must be copied on all correspondence with PennDOT.
18. Section 155-7.5—Compensatory tree calculations shall be added to the plan and must be compatible with the current code. An exact tree count for the lot shall be provided on the plan. Upon removal of twenty-five (25%) percent of existing trees having a caliper of six inches or greater, appropriate replacement trees will be required. The Township Arborist must approve the size, species, and location of any required replacement trees.
19. Section 155-8.6(C)—Surface parking lots should be configured to allow for shared access and circulation with adjacent surface parking lots. The proposed site shall be developed to maintain feasibility for future shared access and parking.

### **C. ENGINEERING COMMENTS**

1. Adequate clearance shall be provided for the parking lot beneath the proposed structure in a manner that maintains a feasible transition to existing grade on the adjacent property(ies).
2. The circulation diagrams shall include all movements necessary to access parking and loading areas by passenger, delivery, and emergency vehicles. Maneuverability shall be demonstrated for the end parking space in the northeast corner of the center aisle.
3. Bala Avenue is a state road; therefore, a PennDOT Highway Occupancy Permit is required for the site access driveway and other proposed work within the right-of-way.
4. Erosion control measures shall be provided with the preliminary plans. The proposed construction access location shall be indicated. Details that conform to township standards shall be shown.
5. Sidewalk and curb shall be noted on the plan to be repaired/replaced at the direction of the township.
6. The Zoning Officer must agree with the number and tabulation of the final parking demand schedule.
7. A Planting Plan must be approved by the Planning Department and the Township Arborist.
8. A Lighting Plan shall be submitted with the Preliminary Plan. The Director of Building and Planning must approve the lighting plan.

9. The proposed gates on the rear property line may not be feasible, since access may be restricted by SEPTA.

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

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

Sincerely,



Joseph A. Mastronardo, P.E.

**PENNONI ASSOCIATES**

Township Engineer

cc: Collen Hall, Senior Planner  
Charles Doyle AICP, Assistant Director of Planning  
Ruggiero Plante Land Design

U:\Accounts\LOWMM\LOWM136052 - 19-21 Bala Ave (Bala Lofts)\COMMUNICATION\260.52 dtd 2025-03-24\_19-21 Bala Ave.docx

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

NEIL K. MAKHIJA, CHAIR

JAMILA H. WINDER, VICE CHAIR

THOMAS DIBELLO, COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO BOX 311  
NORRISTOWN, PA 19404-0311  
610-278-3722 • FAX: 610-278-3941  
[WWW.MONTGOMERYCOUNTYPA.GOV](http://WWW.MONTGOMERYCOUNTYPA.GOV)

SCOTT FRANCE, AICP  
EXECUTIVE DIRECTOR

March 24, 2025

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

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

SUBJECT: MCPC #24-0227-004  
SOPI - 19-21 Bala Avenue

We have received and reviewed a “SOPI” submission for the above-referenced subdivision and land development application as you requested on March 14, 2025. The comments in this memo are based on the most recent submission. We have attached our most recent full review letter (for submission MCPC #24-0227-003) for reference; however, some comments in our previous review letter(s) may have been addressed.

#### UPDATED BACKGROUND

We have reviewed the most recent “SOPI” submission and noted that the number of residential units has been reduced from 33 to 32 and the number of parking spaces has been reduced from 54 to 53. Other minor revisions have been made to the conceptual landscaping and streetscape design, building façade, pedestrian walkways, and handicapped parking areas.

#### ADDITIONAL REVIEW COMMENTS

We have reviewed the most recent “SOPI” submission and feel that several comments from our January 30, 2025 review letter (please see Attachment B) may still be worthy of discussion, especially related to the need to consider the feasibility of complying with all related landscape and greening standards requirements as part of future submissions. In addition, we wish to offer the following additional comments:

Parking Spaces for Commercial Use: The first five parking spaces along the right side of the entrance driveway are now shown to be designated for the proposed ground floor retail space; however, there is no clearly-marked pedestrian path from these parking spaces to the commercial space.

#### ATTACHMENTS

Attachment A: Reduced Copy of Applicant’s Proposed Site Plan  
Attachment B: MCPC #24-0227-003 Review Letter Dated January 30, 2025



**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

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SCOTT FRANCE, AICP  
EXECUTIVE DIRECTOR

January 30, 2025

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

Re: MCPC #24-0227-003  
Plan Name: 19 & 21 Bala Avenue  
(33 du and 1,800 sq. ft. commercial on approximately 0.69 acres)  
Situate: Bala Avenue (E); south of Union Avenue  
Lower Merion Township

Dear Mr. Leswing:

We have reviewed the above-referenced tentative sketch plan as you requested on January 17, 2025. We forward this letter as a report of our review.

## BACKGROUND

The applicant, Andy Langsam, proposes to consolidate two existing lots at 19 and 21 Bala Avenue and construct a four-story, mixed-use building. The proposed building will have 1,800 square feet of retail space on the ground floor and 33 apartments on the upper floors, partially cantilevered over a surface parking lot containing 54 parking spaces. All existing structures on the combined properties are proposed to be removed. Additional improvements shown at this time include widened sidewalks and a public gathering space along Bala Avenue (which is a State Road) and an underground stormwater management facility. The property is located in the township's CAD-BV City Avenue District – Bala Village zoning district.

## COMPREHENSIVE PLAN COMPLIANCE

The Land Use Element of the 2016 Lower Merion Township Comprehensive Plan identifies this property as Commercial. Furthermore, the Commercial Land Use Element of the Township Comprehensive Plan identifies the Bala Avenue commercial area as a Traditional Main Street. The proposed development appears to be consistent with the desired form of Traditional Main Street commercial areas because it is a mixed-use building with a ground floor commercial use and a limited front yard that is activated as a public gathering space.

In addition, this area of the township is identified as a Town Center in the Future Land Use Plan of the Montgomery County Comprehensive Plan, *Montco 2040: A Shared Vision*. Town Center areas are traditional downtown areas with a mix of retail, institutional, office, and residential uses. The proposed building placement appears to be consistent with the criteria that buildings in Town Center areas be pedestrian-oriented with buildings built close to the sidewalk and parking located to the rear of buildings.

## RECOMMENDATION

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

## REVIEW COMMENTS

### ZONING ORDINANCE COMMENTS

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

- A. Landscape Buffer. Section 155-3.10.B. requires that a landscape buffer be provided in compliance with the standards in Chapter 135. Future submissions should include a landscape plan demonstrating compliance with the landscape buffer requirement, as applicable.
- B. Greening Standards. Future versions of the plans should demonstrate how the applicant proposes to comply with the greening standards, as required by §155-3.10.E. of the township's zoning ordinance.

### SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

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

- A. Pedestrian Access within Parking Lot. Section 135-4.9.Q.(7) contains standards for pedestrian pathways and crosswalks that apply to all surface parking lots with 10 or more new parking spaces. The proposed site plan does not appear to provide a 5-foot-wide pedestrian pathway from the far end of the parking lot to the main entry of the building that is clearly separated from vehicular use areas. Alternatively, the applicant is proposing two concrete pedestrian walkways through the parking area to connect to gates along the rear property line that appear to leave open future opportunities for trail connections along the railroad right-of-way to the rear of the property. We defer to the Township Engineer to determine if additional pavement markings and signage may be needed to further distinguish the proposed in-driveway pedestrian pathway.
- B. Street Trees. Section 135-5.1.C.(7) states that street trees shall be planted at a rate of at least one tree per 30 feet of street frontage, or portion thereof. Based on the site's frontage length of 100 feet, four street trees should be provided; however, it is unclear whether any street trees are proposed. The

placement of street trees may be impacted by utilities and easements that run along the Bala Avenue frontage. Therefore, we encourage the applicant to work with the township to explore ways to maximize tree cover within the public gathering space.

- C. Landscape Plan. In general, future submissions should include a landscape plan demonstrating compliance with the landscaping requirements in the township's subdivision and land development ordinance, including the buffer planting requirements (§135-5.2), parking lot greening standards (§135-5.3), and greening standards (§135-5.5), as applicable.

#### PARKING LOT DESIGN

- A. Handicapped Parking. It appears that a proposed support column is located along the passenger side of the middle handicapped parking space, potentially obstructing access to that parking space's adjacent accessible aisle. In addition, we noted in reviewing ADA guidelines for accessible parking spaces (<https://www.ada.gov/topics/parking/>) that angled parking is required to have an accessible aisle on the passenger side of each parking space. The third handicapped parking space does not include an accessible aisle on the passenger side. Overall, we defer to the township engineer to review the ADA compliance of the proposed parking area.
- B. Parking Lot Edging. It is unclear from the information provided how the edge of the surface parking lot will be defined. If the parking lot will not be curbed, we suggest that wheel stops be used to define the edge of the parking lot and protect adjacent landscaping.

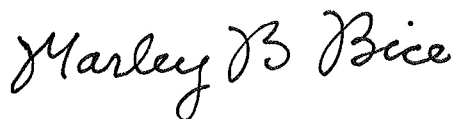
#### CONCLUSION

We wish to reiterate that MCPC generally supports the proposed development; however, we believe that our suggested revisions will better achieve Lower Merion Township's planning objectives for mixed-use development.

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

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#24-0227-003) on any plans submitted for final recording.

Sincerely,



Marley Bice, AICP, Community Planning Assistant Manager  
610-278-3740 – [marley.bice@montgomerycountypa.gov](mailto:marley.bice@montgomerycountypa.gov)

c: Andy Langsam, Applicant

Ruggiero Plante Land Design, Applicant's Engineer  
Gilbert P. High, Jr., Esq., Twp. Solicitor  
Ernie B. McNeely, Twp. Manager  
Jody Kelley, Twp. Secretary  
Joseph Mastronardo, P.E., Twp. Engineer  
Charlie Doyle, Twp. Asst. Dir. of Planning  
Colleen Hall, Twp. Senior Planner  
Greg Prichard, Twp. Historic Preservation Planner  
Holly Colello, Twp. Planner  
Sarah Carley, Twp. Planner  
Hope Viviani, Twp. Planning Technician  
Fran Hanney, Scott Burton, Paul Lutz, PennDOT

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





SOP1 19-21 Bala Avenue  
MCPC#240277002

Montgomery  
County  
Planning  
Commission

Montgomery County Courthouse - Planning Commission  
PO Box 311, Norristown PA 19404-0311  
(p) 610 278-3722 (f) 610 278-3941  
[www.montcopa.org/plancm](http://www.montcopa.org/plancm)  
Aerial photography provided by Newmap

0 50 100 200 Feet





# 19-21 Bala Avenue | Bala Cynwyd | Ward 9

Application #3923TS

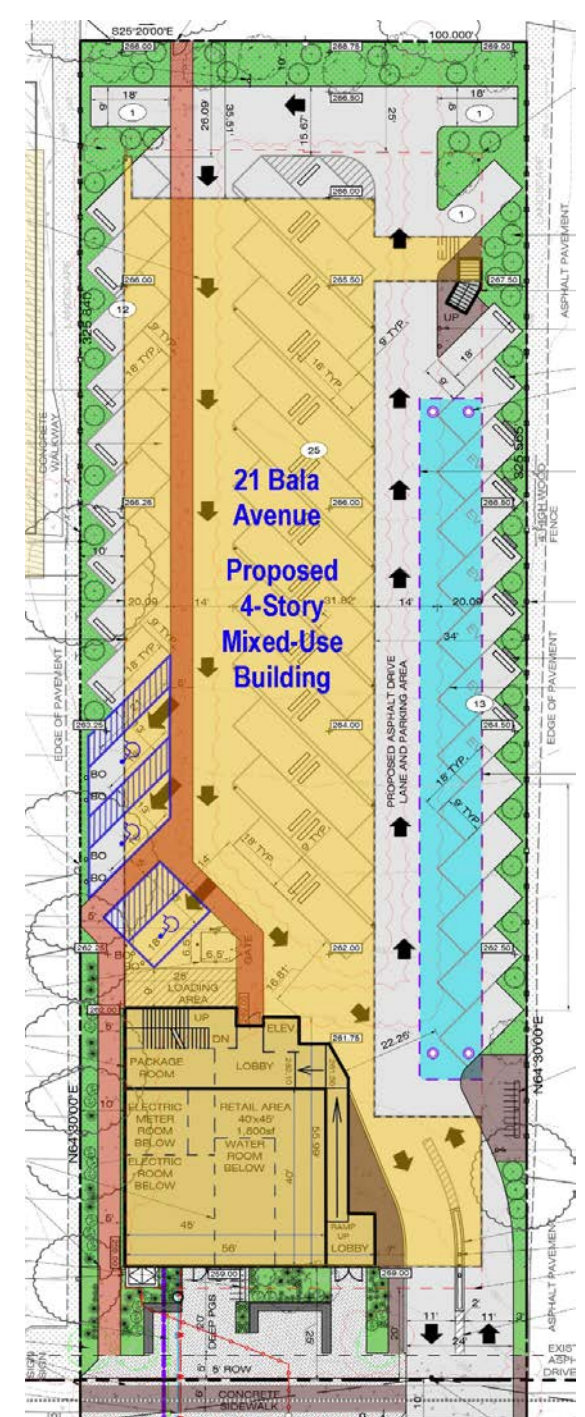
Tentative Sketch Land Development Plan

## Proposal

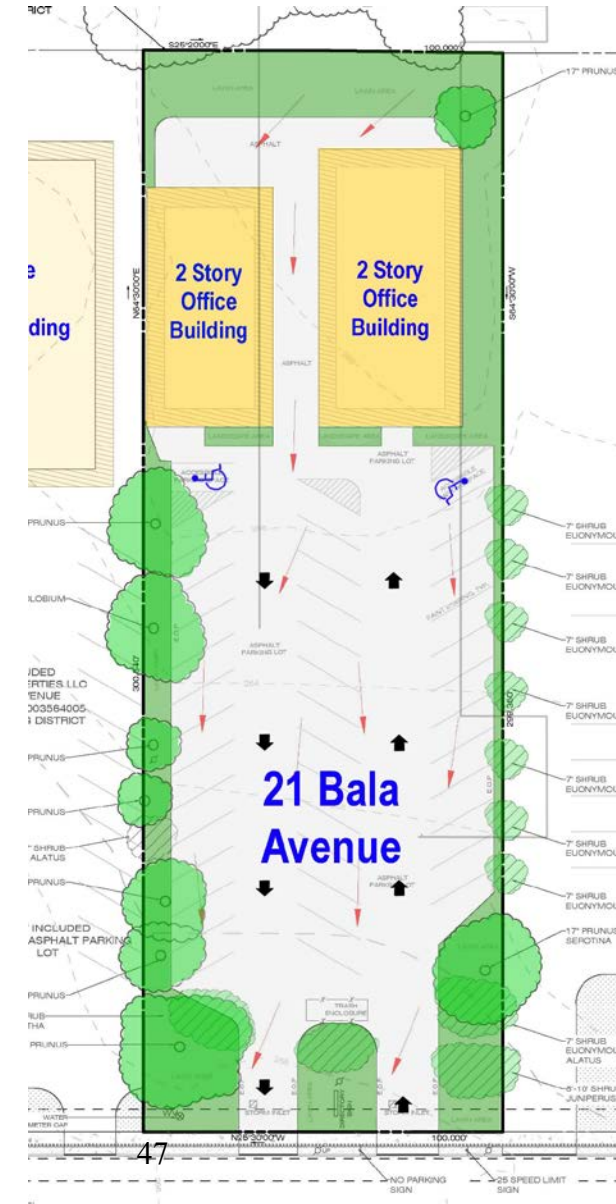
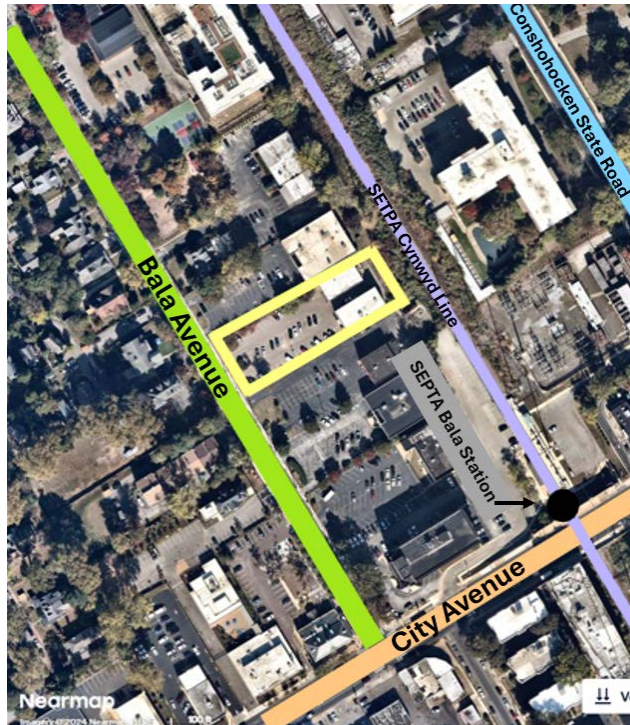
- Demolition of two (2) existing structures
- Construction of a four-story 44,250 (SF) mixed-use residential building with 32 units and 1,800 SF ground floor commercial space
- 53 parking spaces
- Onsite stormwater management

## Waiver Request:

For §135-4.9(Q)(7) which requires a pedestrian pathway through a surface parking lot with 10 or more parking spaces



# Location & Existing Conditions





# Consideration 1

Connect the pedestrian pathway to the commercial parking spaces.

*RCA #2: The proposed pedestrian path shall provide a pedestrian connection from the commercial parking spaces to the rear building entrance and/or the pedestrian path along the northwest side of the structure, if the requested waiver is approved.*

Or relocate commercial spaces to proposed current pathway location



Add a pedestrian pathway to connect to commercial parking

# Consideration 2

Further delineate the pedestrian pathway.

**RCA #3:** *The pedestrian pathway in the vehicle use area shall be an impression-style stamped asphalt if the requested waiver is approved. The applicant shall provide additional delineation that may include a painted ceiling where the pathway is covered by the proposed structure and additional signs and bollards as determined to be necessary upon preliminary plan review.*



# Additional Considerations

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## Feasibility of meeting landscaping and greening standards.

**RCA #20:** *The preliminary plan submission shall state the vehicle usage area and demonstrate compliance with the minimum interior landscaping area requirements of §135-5.3(C)(1).*

**RCA #21:** *The landscape plan submitted with the preliminary plan shall include compliance charts demonstrating that all SALDO Article 5 requirements are met without double-counting for buffers, greening, parking lot greening and the public gathering space.*

## Primary façade setback.

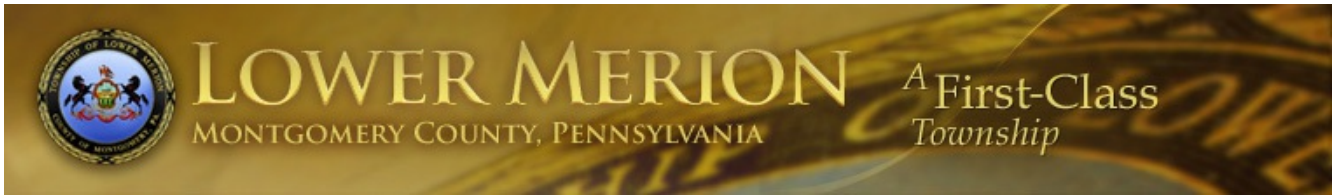
**RCA #10:** *The preliminary submission for the architectural plan and elevation submission shall show the minimum six-foot setback from the primary front façade at 38 feet as required by CAD-BV Dimension Standards §155 Table 6.8.2 Note 5.*

# Elevations









## AGENDA ITEM INFORMATION

COMMITTEE: Police Committee

ITEM: ADOPTION OF ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - PENWYN ROAD AND BOLSOVER ROAD PARKING RESTRICTIONS

An Ordinance to amend the Code of the Township of Lower Merion, Chapter 145, entitled Vehicles And Traffic, Article XV, Schedules, §145-115, Schedule XV: Parking Prohibited At All Times, to establish a no parking during certain hours regulation on the southwest side of Bolsover Road from Penn Road to Penwyn Road, on the west side of Penwyn Road from Penn Road to Bolsover Road and on alternating sides of Penwyn Road from Bolsover Road to Sabine Avenue; and to amend Article XV, Schedules, §145-118, Schedule XVIII: Parking Time Limited by establishing a 4 hour parking regulation from 7:00 AM to 3:00 PM, except weekends, on the southwest side of Penwyn Road from Sabine Avenue to Bolsover Road; and to amend Article XV, Schedules, §145-119, Schedule XIX: Special Purpose Parking Zones by establishing School Impacted Zones in place of Student Permit Parking Zones and to establish a School Impacted Zone on both sides of Penwyn Road from Penn Road to Sabine Avenue; and to amend Article VII, Applications and Issuance Of Permits, to remove provisions for student parking permits, and to provide for residential parking permits within a School Impacted Zone.

This Ordinance was authorized for advertisement at a stated meeting of the Board of Commissioners held March 19, 2025 and duly advertised in the April 13, 2025 edition of the Main Line Times & Suburban.

### ATTACHMENTS:

Description	Type
□ Proposed Ordinance - Penwyn Road & Bolsover Road Parking Regulations	Ordinance

AN ORDINANCE

NO. \_\_\_\_\_

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 145, Entitled Vehicles And Traffic, Article XV, Schedules, §145-115, Schedule XV: Parking Prohibited At All Times, To Establish A No Parking During Certain Hours Regulation On The Southwest Side Of Bolsover Road From Penn Road To Penwyn Road, On the West Side of Penwyn Road From Penn Road To Bolsover Road And On The ~~Northeast~~Alternating Sides Of Penwyn Road From Penn ~~Bolsover~~ Road To Sabine Avenue; And To Amend Article XV, Schedules, §145-118, Schedule XVIII: Parking Time Limited By Establishing A 4 Hour Parking Regulation From 7:00 AM To 3:00 PM, Except Weekends, On The Southwest Side Of Penwyn Road From Sabine Avenue To Bolsover Road; And To Amend Article XV, Schedules, §145-119, Schedule XIX: Special Purpose Parking Zones By Establishing School Impacted Zones In Place Of Student Permit Parking Zones And To Establish A School Impacted Zone On Both Sides Of Penwyn Road From Penn Road To Sabine Avenue; And To Amend Article VII, Applications and Issuance Of Permits, To Remove Provisions For Student Parking Permits, And To Provide For Residential Parking Permits Within A School Impacted Zone.

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

**Section 1.** The Code of the Township of Lower Merion, Chapter 145, entitled Vehicles and Traffic, Article XV, Schedules, Section 145-115, Schedule XV: Parking Prohibited at All Times, is hereby amended by adding thereto in alphabetical order the following regulation:

**§145-115. Schedule XV: Parking Prohibited at All Times.**

<u>Name of Highway</u>	<u>Side</u>	<u>Limit</u>
Bolsover Road	Southwest	From Penn Road to Penwyn Road
* * * * *		
<del>Penwyn Road</del>	<del>Northeast</del>	<del>From Penn Road to Sabine Avenue</del>
Penwyn Road	Southwest	From Sabine Avenue north for 154 feet



Penwyn Road	Northeast	From 154 feet north of Sabine Avenue north for 114 feet
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Penwyn Road	Southwest	From Bolsover Road south for 128 feet
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Penwyn Road	West	From Penn Road to Bolsover Road
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**Section 2.** The Code of the Township of Lower Merion, Chapter 145, entitled Vehicles and Traffic, Article XV, Schedules, §145-118, Schedule XVIII: Parking Time Limited, is hereby amended by the addition of the following regulation:

**§145-118. Schedule XVIII: Parking Time Limited**

<b>Name of Highway</b>	<b>Side</b>	<b>Hours</b>	<b>Location</b>
Penwyn Road	Southwest	4- hour parking 7:00 a.m. to 3:00 p.m. except Sat. and Sun.	From Sabine Avenue to Bolsover Road

**Section 3.** The Code of the Township of Lower Merion, Chapter 145, entitled Vehicles and Traffic, Article XV, Schedules, §145-119, Schedule XIX: Special Purpose Parking Zones, is hereby amended as follows:

**§145-119. Schedule XIX: Special Purpose Parking Zones**

<b><u>Name of Highway</u></b>	<b><u>Side</u></b>	<b><u>Authorized Purpose or Vehicle</u></b>	<b><u>Location</u></b>
All time-zone restricted residential streets south of Cherry Lane, east of Llanfair Road, North of the SEPTA Railway, and West of Penn Road	Both	School permit parking <del>School impacted zone</del>	All time-zone restricted residential streets south of Cherry Lane, east of Llanfair Road, North of the SEPTA Railway, and West of Penn Road

\* \* \* \* \*

<u>Penwyn Road</u>	<u>Both</u>	<u>School impacted zone</u>	<u>From Penn Road to Sabine Avenue</u>
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**Section 4.** The Code of the Township of Lower Merion, Chapter 145, entitled Vehicles and Traffic, Article VII, On Highway Parking Privileges, §145-37, Applications and issuance of Permits, subsection (E) thereof, Student parking permit, is hereby amended in its entirety to

provide as follows:

**§ 145-37. Applications and issuance of permits.**

\* \* \* \* \*

~~E. Student parking permit zone.~~

E. School impacted zone. Upon application to the Parking Services Department, a person residing within a school impacted zone shall be entitled to one residential parking permit in addition to the number of permits to which the owner would otherwise be entitled by this article.

- ~~(1) Where a student parking permit zone has been established as set forth in § 145-119, Schedule XIX, the Parking Services Department will issue a restricted number of student parking permits to the Lower Merion School District for use while attending school by students selected by the School District administration. Upon distribution of a permit to a student, the School District administration will provide to the Parking Services Department information requested by the Department, including the name and address of the student to whom the permit has been issued and identification of the permitted motor vehicle. The permit may not be validly used unless such information has been submitted to the Parking Services Department. Use of the permit is confined to the student in whose name the permit is registered with the Parking Services Department for use only in conjunction with the motor vehicle associated with such permit.~~
- ~~(2) Upon application to the Parking Services Department, a person residing within the student parking permit zone shall be entitled to one residential parking permit in addition to the number of permits to which the owner would otherwise be entitled by this article.~~
- ~~(3) Students shall pay a fee of \$20 for each permit to park in the student parking permit zone.~~
- ~~(4) Student parking permits for the student parking permit zone shall be valid for one school year commencing in September and ending the following June.~~

\* \* \* \* \*

**Section 5.** 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 6.** 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 7.** 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            , 2025.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

\_\_\_\_\_  
Todd M. Sinai, President

ATTEST:

\_\_\_\_\_  
Jody L. Kelley, Secretary