

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING
TUESDAY, DECEMBER 30, 2019**

SUPERVISORS PRESENT:

Kathleen Hunsicker, Chair
Dr. J. Richard Booth, Vice-Chair
Edward J. Brandt
Mark Grey

ABSENT: Stephen Paccione

STAFF:

Craig McAnally, Township Manager
James Garrity, Esq., Township Solicitor

Call to Order and Pledge of Allegiance

The Chair called the meeting to order at 4:00 PM in the Lower Gwynedd Township Board Room and led those in attendance in the pledge of allegiance.

PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda. There were none.

BUILDING AND ZONING

Item for Discussion: Proposed Settlement Agreement -discussion with possible vote pertaining to the two Appeals filed by MRA, 727 Norristown Road, for the Spring House Innovation Park Land Development & Conditional Use Decisions

Mr. Garrity provided a full background on the property at 727 Norristown Road going back to the 1970's when the 400' building setbacks and 300' parking setbacks were established for Rohm and Haas. More recently an ordinance change to allow a multi-tenant use was adopted instead of strictly a single-tenant use for this property.

On September 24, 2019, the BOS voted to approve a Conditional Use and Preliminary Land Development in favor to allow a fitness center, hotel, conference center, restaurant and an educational use component. The applicant, the MRA Group, appealed two conditions set forth in the approvals: 1.) what is considered the "GAP" roadway enhancements and 2.) extension of a walking trail along Norristown Road under the 309 overpass.

Mr. Garrity further advised that the Township requested their traffic engineer, McMahon and Associates, along with the township engineer, Gilmore and Associates, to provide a "worse case" cost estimate for the work required for the two conditions of appeal. The "GAP", the area of the project from where a future Township roadway project ends and the applicant's projects begins along Norristown Road, was estimated at \$350K worse case. The extension of the walking trail under the 309 overpass was estimated at \$1.2M.

Mr. Garrity explained that in front of the Board tonight is a Settlement Agreement between Lower Gwynedd Township and MRA which keeps all conditions in the previous approvals the same

including everything required on McKean Road and the driveway at Spring House Estates/MRA entrances in addition to keeping the existing setbacks (400' Building/300' Parking) explained earlier on the site; but includes changes to the following:

- 1.) "GAP"- appellant (MRA) is responsible to complete 100% of the improvements mandated by PennDOT and agreed upon the scope with the Township within the area of the "GAP" with the understanding that the Township would reimburse the appellant the amount actually spent for such improvements after completion over the \$150K amount;
- 2.) "Trail"- a trail will be constructed by the appellant on their property to the right-of-way of Pennsylvania Route 309. In the future, should the Township be able to construct a trail heading westbound to the edge of this property, the appellant will connect to the Township trail.

MRA's attorney, Nate Fox, informed the Board of the need for his clients to acquire a Highway Occupancy Permit (HOP) from PennDOT and asked if the Township would consider issuing Temporary Use and Occupancy (U&O) Permits for the hotel and conference center should PennDOT delay them in acquiring a HOP for Norristown Road. Mr. Garrity responded that the Township WILL NOT provide any type of U&O unless a HOP is approved. Larry Stuardi, Principal of The MRA Group, asked for the Board to reconsider as all the "risk" is on his company if PennDOT delays them. Mr. Garrity replied the HOP must be approved, issued and in-hand before any U&O will be issued.

Michael Twersky from Spring House Farms HOA asked if the developer's project and township project would be constructed at the same time. Mr. Garrity replied that would be ideal but there is no certainty the projects would be constructed simultaneously. Mr. Twersky then thanked the Board and MRA for getting this done; while thanking Dr. Booth and Mr. Paccione for their efforts on this project and their work throughout the years.

Danielle Duckett from Brookside Ave questioned when the two conditions being appealed were added to the original approvals and what was the vote to approve these conditions by the Board. Mr. Garrity stated the approvals were prepared and sent to the Board for review and the Board approved the conditions at a Public Meeting.

Tessie McNeely from Surrey Drive questioned what exposure is the Township putting themselves into by accepting this agreement. Mr. Garrity stated the engineers provided "worse case" scenarios for the "GAP" at \$350K; the developer agreed to \$150K so potentially, worse case, \$200K to complete the GAP. Mr. Grey informed that engineering still must be performed to secure a hard number but without this agreement there would be several hundred feet between projects not improved.

Dan Steinman of Norristown Road asked the Township to work with the developer to get this project moving with the hotel and conference center, and he thinks this is good for the Township.

Robert Piccotti from 1517 McKean Road questioned if there are plans for improvements to McKean Road onto Norristown Road. Mr. Garrity responded that if the applicant applies for any future development there possibly would be improvements required at that intersection.

Richard Cameron from McKean Road asked why widen Norristown Road. Mr. Garrity stated to add a middle lane to safely make turns into properties along Norristown Road. Mr. Cameron stated there is 20 acres behind the YMCA that could be developed in the future- now is the time to fix McKean Road.

There being no more discussion or questions a motion was made by Dr. Booth, seconded by Mark Grey to accept the Settlement Agreement between Lower Gwynedd Township Board of Supervisors and 727 Norristown Road, LP as presented. The motion carried unanimously 4-0.

OTHER BUSINESS

Motion for a time extension for the Green Light Go project until December 31, 2020

Mr. McAnally informed the Board that PennDOT has asked for another time extension from all 31 municipalities in the 2015 Green-Light-Go Grant as they complete construction and finalize the financial requirements amongst the group. The extension would be for one-year until 12/31/2020.

A motion was made by Dr. Booth, seconded by Ed Brandt to approve the time extension for the 2015 Green-Light-Go Grant for one year ending on 12/31/2020. The motion carried unanimously 4-0.

There being no further questions or comments, the meeting was adjourned at 5:05 PM until the Organizational Meeting scheduled for January 6, 2020 at 6:00 PM at the Lower Gwynedd Township Building.

Respectfully submitted,

Craig T. McAnally
Township Secretary