

TOWNSHIP OF LOWER MERION  
Building & Planning Department

MEMORANDUM

TO: Douglas S. Cleland, Township Manager

FROM: Robert Duncan, Director, Building & Planning Department

SUBJECT: Preliminary Land Development Plan, 401 City Avenue, 480 N. Latches Lane, 35 and 39 Berwick Road, Saint Joseph's University, Merion.

DATE: March 18, 2011

Staff has incorporated certain additional conditions of approval into the March 23, 2011 Special Building and Planning Committee agenda that were voted on at the March 16<sup>th</sup> Building & Planning Committee meeting. There were a number of additional conditions discussed but which have not yet been voted on and therefore have not been incorporated into the recommended conditions of approval March 23, 2011 agenda. Those conditions of approval are listed below. Please note that the conditions with numbers represent revisions to existing conditions and bulleted conditions represent new suggestions. The Zoning Hearing Board order under appeal no. 4191 is attached.

**Staff**

Staff recommends revising condition no.19 because the sign regulations within the Zoning Code already prohibit commercial signage. Staff recommends inserting the following new language to reflect changes proposed by the applicant at the Planning Commission meeting to mitigate noise:

19. ~~Any advertising that may be erected within the proposed athletic fields shall be in compliance with the Township Code and shall not be visible from any neighboring residences.~~ The applicant shall relocate the softball field bleachers behind home plate between the dugouts.

**Applicant:**

Condition no. 20 - Staff notes that the submitted plans show a 6 foot high board on board fence. The applicant has agreed to install a 10' high sound wall behind the men's baseball bleachers in exchange for providing an open chain link fence instead of a solid board on board fence. This wall is required in condition 1.a.iv which states the following:

Condition 1.a.iv - A continuous sound attenuation wall shall be installed immediately to the rear of the bleachers on the baseball field. The wall will begin at grade and extend a minimum of four feet higher than the highest seat of the bleachers.

In order to address this change, the applicant proposes the following new language for condition 20:

20. The applicant shall install a 6 foot black vinyl coated chain link fence ~~investigate the use of sound absorbing fencing~~ along the western property line in place of the proposed 6 foot board on board fencing.

Commissioner Gordon has proposed the following alternative language:

20. The applicant shall install a ~~investigate the use of sound absorbing fencing along the western property line in place of the proposed~~ 6 foot board on board fence along the western property line which shall be installed at the commencement of constructioning.

**Commissioner Gordon:**

At the March 16<sup>th</sup> B&P meeting, Commissioner Gordon proposed the following revisions to the conditions of approval:

Commissioner Gordon proposed striking the following condition entirely:

Condition no. 10: If the garage associated with 39 Berwick Road is demolished then a 20 foot wide landscaped buffer shall be installed in place of the garage.

Commissioner Gordon proposes changes to the following conditions:

Condition no. 16 - Where feasible and to not resulting in impacts to existing trees, a ~~three~~-four foot high berm shall be installed at the southern end of the field hockey field. Proposed landscaping shall be planted on this berm where feasible. Where a berm is not feasible a 4 foot high stone wall or sound attenuation wall shall be installed.

Condition no. 73 - If Berwick Road is used for construction vehicle access to the campus, then the applicant shall repave the road and repair any damaged culvert or stormwater conveyance system at the completion of construction as directed by the Township Engineer.

Commissioner Gordon proposed the following new conditions:

- There shall be no logos or advertisement applied to any fields or equipment.
- Traffic shall be guided for athletic events to lots intended for use by students and spectators by signs and by reasonable posting of personnel to direct traffic to intended lots for their use. **(Staff notes that similar language exists at the end of new condition #1D)**
- The applicant shall provide parking free of charge to their students and staff to prevent parking off campus where spaces are available.
- The applicant shall enforce its own rules limiting the use of personal transportation vehicles by freshmen and sophomores by providing reasonable patrolling of surrounding streets and using their disciplinary procedure to enforce compliance with this rule.
- The applicant shall limit construction traffic on neighborhood streets. Construction traffic shall enter directly to the campus from City Avenue without using neighborhood streets.

## Exhibit A

- Add a 4 foot high wall made of sound absorbent material (such as Sound Fighter) along the south side of the baseball field from the bleachers to the upper sports complex (except for sidewalks) at baseball field grade.
- The applicant agrees to meet regularly with the Merion Civic Association together with the Merion Community Coalition to address issues relating to the construction, operation, and ongoing use of the Maguire Campus. Both groups shall be invited to attend but not required to attend all such neighbor to neighbor meetings.
- The applicant shall allow permanent sound monitor testing devices at the property line.
- A sound attenuation wall shall be provided at both the softball and field hockey fields.
- Berwick Road will not be used for construction vehicle access to the campus. Existing parking along the sidewalk of York Lynne Manor will not be impeded at any time during construction. Any required repaving of Berwick Road will be undertaken only in consultation with and agreement by, all Berwick Road residential property owners and the owner of 45 Raynham Road.
- Construction vehicles shall access the site from City Avenue only.

If you or any Board members have any questions prior to the special Building & Planning Committee meeting, please contact me.