

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight via web conference, Chairman Brad M. Pransky presiding. Members present were Commissioners Areman, Brockington, Holland, Rappoport and Zygmund-Felt. Also present was Ex-officio member Norris.

Staff present via web-conference were Robert Zienkowski, Township Manager; Alyson Elliott, Assistant Township Manager; and Henry Sekawungu, Director of Planning & Zoning. Also present via web-conference were Joseph Bagley, Esq., and Roger Phillips, Interim Township Engineer.

Mr. Pransky called the meeting to order at 10:21 p.m.

1. Action on Zoning Hearing Board Agenda for February 8, 2021.

- A. Appeal #20-3657 of Varun Pillai, for the premises known as 403 E. Glenside Avenue, Glenside, PA 19038, from the Decision of the Zoning Officer for a variance from Section 295-801., to allow for a Use G-1, Multifamily Building of four (4) units in place of the existing Duplex Use of two (2) units for the property located in the R-4 Residential Zoning District.

Mr. Sekawungu provided background on the amended application which reduces the number of unites from four (4) to three (3) units. Stephen Zafutto, Esq., representative for the applicant, confirmed the change. Mr. Lichtman AIA, also representing the applicant, added that they were now seeking a special exception as opposed to a variance, for the three (3) units as permitted by the Ordinance. They propose less parking spaces, less impervious coverage, and the 3rd unit would be placed at the lower level of the building. Revised site and building plans were submitted as part of the application and the Planning Commission recommended approval. They are not required to make it handicapped accessible. In regards the design of the egress and ingress for the lower level apartment, the plan was to remove the bilco door and add a structure that would allow independent access to this unit. Discussion continued on the following:

- The parking lot cross hatching to ensure there was no conflict with backing in and out.
- Concerns about the driveway right at the intersection and safety issues.
- Driveway access and control by the existing traffic light.
- Consideration of “hidden driveway signage” as a condition of the approval.
- Increase in the impervious surface which was 100sqft more than what was existing. The additional density did not improve the stormwater issues that this area was prone to.
- The use being permitted as a Special Exception as opposed to a variance which requires proof of hardship, and the conditions that can be imposed.
- Criteria for a special exception based on a building having little economic value or usefulness as a single family dwelling. This had not been proven by the applicant.

Upon motion of Mr. Areman, the Committee with a 4-2 vote, took no action on the application, but had the following conditions:

- Add ‘hidden driveway’ signage in the vicinity of the intersection.
- Consider using a pervious surface for the additional parking area that was being proposed for the new units.

- B. Appeal #20-3663 of St. Paul’s Episcopal Church, for the premises known as 537- 555 Ashbourne Road, Elkins Park, PA 19027, from the Decision of the Zoning Officer, to allow for the subdivision of the existing Place of Worship parcel into three (3) lots for a Multi-Family Residential, Single-Family Residential and Place of Worship with accessory uses for the property located in the C-2 Commercial Zoning District.

Mr. Sekawungu provided background on the application, which was initially submitted as a Land Development application. It was determined during the review process that zoning approval would be required for the new primary uses and associated parking. Mr. Citro, P.E., representative for the applicant, indicated that the church is one of the oldest in the Township and is looking to subdivide and take out mortgages for financing renovations to the buildings. Banks do not finance lots with cemeteries and as such they need to go through the lot subdivision process. The new uses would be nonconforming as primary uses and would have shared parking agreements in compliance with and/or in excess of the required parking. The applicant is seeking variances for the uses and not the parking, for which they planned on having parking agreements with a neighboring property in place prior to the hearing.

Upon motion of Mr. Pransky, the Committee unanimously motioned to take no action on this appeal.

2. Upon motion of Mr. Pransky, the Committee unanimously received the Planning Commission minutes and the 2020 summary report from the January 21, 2021 meeting.
3. Review and Comment under Section 106 Review of National Historic Preservation Act for the proposed Modifications to the Cellular Antenna Facility by T-Mobile located on the existing smokestack at 827 Glenside Avenue, Wyncote, PA 19095.

Mr. Sekawungu provided background on the proposal as part of a Section 106 public review process involving the switching out and collocation of antennas at the existing smokestack. Dana Freshcoln, Project Manager for ACER Associates, LLC, provided additional input on what was being proposed. The applicant would be replacing three (3) antennas, three (3) remote radio units below the antennas and adding six (6) new antennas. Comments on the proposed modifications included the following:

- Proximity to residential homes and potential radio waves from a potential 5G network.
 - Anticipation of adding more antennas to the stack.
 - Location of smokestack right where the Glenside Flood Control project is located.
 - Contribution to the Glenside Flood Control project.
 - Concerns about the structural integrity of the smokestack and need for that to be submitted prior to building permitting.
 - Financial obligations by the utility companies as they upgrade and modify these facilities.
 - Potential environmental impact on the Township as a whole.
 - T-Mobile is paying rent to the owners of the smokestack; antennas appear to be getting much larger and the increase of from 3 to 9 antennas will be detrimental. Not a benefit to the Township.
 - Eyesore that will just get worse. It appears that the proposed will be using old technology as opposed to the newer cells.
 - Need for high speed technology and response to 911 calls.
 - Concerns with the characterization as a commercial area as opposed to low impact mixed use in the middle of a residential neighborhood and flood zone.
 - Height of the antennas in relation to the smokestack.
 - Additional benefits to the Township.
 - Cellular Antenna impacts on birds and navigation and concern about the existing bird sanctuary.
4. Upon motion of Mr. Pransky, the Committee unanimously received the report of the Building Inspector for January 2021.
 5. Old Business

- A. Review and consider a recommendation to the Board of Commissioners to adopt an Ordinance amending Chapter 295 Entitled “Zoning” of the Cheltenham Township Code, categorizing the Use Tobacco Store/Smoke Shop as an Industrial Use and otherwise amending the definition of the Tobacco Store/Smoke Shop Use.

Mr. Bagley provided background on the Ordinance based on the proposed changes that would allow for better enforcement by the Township, which would not just be based on the 20% of merchandise, but other aspects as part of the recategorization for the sale of tobacco, tobacco products, and/or vaping products. The Ordinance would take effect right after the legislative meeting.

Recommendation to the Board of Commissioners: Upon motion of Mr. Pransky the Committee unanimously recommended that the Board of Commissioners adopt an Ordinance amending Chapter 295 Entitled “Zoning” of the Cheltenham Township Code, re-categorizing the Use Tobacco Store/Smoke Shop as an Industrial Use and otherwise amending the Definition of the Tobacco Store/Smoke Shop Use.

6. New Business

- A. Recommendation to appoint the position of the Township Building Inspector to the La Mott and Wyncote Boards of Historic and Architectural Review (BHARs).

Mr. Sekawungu highlighted that Article XVIII, Historical Architectural Review Overlay District, of the Zoning Ordinance required that one member had to be the Township’s Building Inspector. The Department Head has been serving in that role. This appointment would free the position up allowing the Department Head to provide policy oversight, while eliminating any conflicts when dealing with applicants.

Recommendation to the Board of Commissioners: Upon motion of Mr. Pransky, the Committee unanimously agreed to recommend the appointment of the position of the Township Building Inspector to the La Mott and Wyncote Boards of Historic and Architectural Review (BHARs).

7. Citizen’s Forum – None.

8. There being no further business, upon motion of Mr. Pransky the meeting was adjourned at 11:27 p.m.

Robert Zienkowski
Township Manager

As per Henry Sekawungu