

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; Henry Sekawungu, Director of Planning & Zoning and Scott Lynch, Fire Marshal. Also present via web-conference was Joseph Bagley, Esq.

Mr. Pransky called the meeting to order at 9:17 p.m.

1. Receipt of the Planning Commission Meeting Minutes for June 28, 2021

Upon motion of Mr. Pransky, the Committee unanimously received the Planning Commission minutes from the June 28, 2021 meeting.

2. Review of Zoning Hearing Board Decisions.

a. Appeal #21-3671, Two one fifth, LLC for 8023 Old York Road.

Upon motion of Mr. Zygmund-Felt, the Committee unanimously voted to take no action on the decision by the Zoning Hearing Board.

b. Appeal #21-3672, Keith Robinson for 1301 Spruce Lane, Wyncote, PA

Upon motion of Mr. Holland, the Committee unanimously voted to take no action on the decision by the Zoning Hearing Board.

3. Report of the Building Inspector for June 2021

Mr. Zygmund-Felt thanked the Building Inspector, Fire Marshal and Code Administrator for their efforts regarding 515 Stahr Road.

Upon motion of Mr. Pransky, the Committee unanimously received the report of the Building Inspector for June 2021.

4. Old Business – None.

5. New Business

a. Review of Proposed Map amendment to Chapter 295, Zoning, of the Township Code for the following: Rezone 105 E Glenside Avenue, PID # 31-00-11560-00-1 and 115 E. Glenside Avenue, PID # 31-00-11563-00-7 and a portion of lands N/F SEPTA Railroad, Cheltenham Township, Montgomery County, PA, from MU2 Mixed Use Zoning District to MU1 Mixed Use Zoning District.

Mr. Sekawungu provided an overview of the process. Mr. Areman added input including the public notification process and meeting with the residents to discuss the proposed map amendment, which is to change the zoning map that separates two adjacent properties owned by the same owner. Mr. Brian Regli, owner of the property for more than 30 years, provided additional input including:

- Possibility of a multi-use development using the opportunity created by the most recent updates to the ordinance.
- Transit-oriented dense reinvestment in the community.
- Owns new office building in Abington next to the LA fitness.
- The process for the map change was preliminary.

Mr. Marc Jonas Esq. added to the presentation as follows:

- The presentation was to allow for the start of the public process for the proposed map amendment, and was not a text amendment.
- Six parcels owned by his client are split-zoned and the desire is to have them zoned MU1.
- This will allow for a vibrant, robust potential development of the site.
- It was a sound planning process and request.
- Consideration for the Committee to recommend scheduling of a public hearing by the Board of Commissioners.

Mr. Steven Kline, Architect for the applicant, affirmed the same regarding the proposed map amendment.

Ms. Rappoport asked why the consideration is not to expand the MU2 as opposed to MU1. Mr. Regli said the uses in the MU1 District make more sense for the parcels' location in the downtown area close to the train station, which would be more transit-oriented. Mr. Zygmund-Felt said that based on the site visit, the applicant needs to pay special attention to the stormwater from the SEPTA tracks. Mr. Regli said that they would add green space and underwater basins for stormwater management, which would benefit the community and be a critical part of any future development. Mr. Pransky added that the alleviation of stormwater runoff would be a major improvement to the property.

Mr. Stamm raised concerns about the potential bypassing of the Zoning Hearing process. Mr. Regli said they would be going through that process when the time comes. Mr. Bagley opined that the proposed map amendment is to allow for a uniformed approach to the process and is not regulated by the Zoning Hearing Board. Mr. Jonas added that this process was a legislative matter and not part of zoning.

Mr. Hyslop, *211 Harrison Avenue, Glenside*, said that as part of the Public Hearing addressing the map amendment, the applicant should consider a change from the MU1 to MU2 district. Mr. Regli responded that change would resolve the zoning problem, but not the economic development problem, as MU1 allows for transit-oriented development. The proposed amendment considers both legislative and economic development aspects. Discussion ensued on the following:

- The property is 100% impervious, and there is no existing stormwater management.
- Consideration of MU2 rather than MU1.
- Any development beneficial to the owner would still resolve the stormwater management issue.
- Opportunity for a local developer to increase density for purposes of economic development.
- Nothing happens without this first step of a map amendment, before progressing to economic development and stormwater management, resulting in a robust and tax-ratable development in the Township.
- There are other properties in the area of similar height (four stories or 60ft.) as called for in MU1.
- Investment in the community by a property owner in proportion to the zoning permitted in the district.

**Recommendation to the Board of Commissioners:** Upon motion of Mr. Pransky, the Committee unanimously recommended the Board of Commissioners schedule a Public Hearing for the proposed Map amendment to Chapter 295, Zoning, of the Township Code for the following: Rezone 105 E Glenside Avenue, PID # 31-00-11560-00-1 and 115 E. Glenside Avenue, PID # 31-00-11563-00-7 and a portion of lands N/F SEPTA Railroad, Cheltenham Township, Montgomery County, PA, from MU2 Mixed Use Zoning District to MU1 Mixed Use Zoning District.

6. Report of the Township Manager

a. Discussion regarding the implementation of a rental licensing and inspection program.

Mr. Zienkowski said it is critical to know where rental properties are located in the Township, so as to address the property maintenance issues mainly related to rental properties. Mr. Pransky noted that this was discussed a few years ago, but it did not move forward at the time. Discussion ensued on the following:

- Concerns at the time included lack of staff.
- The program only generate enough revenue to cover the costs of administering the program
- Use of a third party and transitioning later to a full time inspector.
- Inspection program would be based on a three-year cycle.
- The Township would need to cover its expenses as part of running the program.
- Fees charged would need to be tied to running the program.
- Addition of an inspection component to the language developed three years ago.
- Draft of Ordinance would be shared with the Commissioners upon review by staff.
- Could start off with a consultant and based on the fee schedule, determine what fee to charge with an in-house inspector.
- Would be working with the Tax Office, Property Maintenance, Planning and Zoning and the Fire Marshal to establish the location of rental properties in the Township.

b. Discussion regarding the implementation of a property transfer use and occupancy inspection program.

Mr. Zienkowski highlighted the need to address life and safety issues as part of property transfers in the Township and suggested an inspection program be incorporated into the ongoing application of certification statement and affidavits for Zoning and Use Certifications as required per the Township Ordinances. With the recent events in Florida, the Township cannot afford to rubber stamp approvals; it needs to conduct inspections as an additional safety measure for residents. He also recommended establishing a premium fee for those that want the process expedited. He made a recommendation for the Board to consider approval of the amended process including the inspection checklist, as early as next month's Board of Commissioner's meeting.

Mr. Zienkowski said that he will work with the Township Solicitor and staff to draft legislation for both items under his report and bring them back to the Committee for review at a future meeting.

7. Citizen's Forum – None.

8. There being no further business, upon motion of Mr. Pransky, the meeting was adjourned at 10:11p.m.



Robert Zienkowski  
Township Manager & Secretary

As per Henry Sekawungu  
Director of Planning & Zoning