

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Brad M. Pransky presiding. Members present were Commissioners Brockington, Holland, Rappoport, Sharkey and Zygmund-Felt. Also present was Ex-Officio Member Commissioner Norris.

Staff present were Bryan Havir, Township Manager, Alyson Elliot, Assistant Township Manager, and Henry Sekawungu, Director of Planning & Zoning. Also present was Joseph Bagley, Township Solicitor. A Public Attendance List is attached.

Mr. Pransky called the meeting to order at 10:25 p.m.

**1. Receipt of the Planning Commission Meeting Minutes for September 5, 2018.**

Mr. Zygmund-Felt discussed the fiscal impact study for CTDA #1705 (Enclave at Kerlin Farms) and requested a commitment or safeguard from the developer changing the housing from age-restricted to market rate, and to provide funding to the Cheltenham School District, and also followed up with a question regarding the percentage of 55 and older residents with school age children.

Mr. Bagley stated that the Township has a requirement as part of the age restricted overlay district, that an age restricted community had to be 55 and older. He also stated that the developer was required to submit condominium/apartment documentation to the Township Solicitor for maximum limits and in turn receive the Solicitor's approval. This agreement would be similar to what was done with the Federation Housing Development also built in the Township almost ten (10) years ago. Mr. Bagley also stated that there were HUD regulations regarding school age children in age restricted homes.

Ms. Rappoport inquired about the "banking" of trees for this development and a financial escrow. She recommended establishing a "Tree Fund", and including it as an agenda item for the next Board of Commissioners Meeting.

**Recommendation to the Board of Commissioners:** Upon motion by Mr. Pransky, the Committee unanimously agreed to recommend to the Board to direct staff and the Township Solicitor to research the creation of a separate fund for tree replacement for new developments.

Discussion followed regarding the definition of Airbnb, Bed and Breakfast and vacation rentals within Cheltenham Township and consideration of the maximum number of rental days. Mr. Bagley would work on Ordinances with regard to regulating them.

Upon motion by Mr. Pransky, Mr. Bagley was directed to proceed with drafting of regulations and an ordinance regarding these rentals. The motion was seconded by Mr. Norris and the Committee unanimously agreed.

Upon motion of Mr. Pransky, the Committee unanimously received the Planning Commission Minutes from the September 5, 2018 meeting.

**2. Report of the Building Inspector for September, 2018.**

Upon motion of Mr. Zygmund-Felt, the Committee unanimously received the report of the Building Inspector for September, 2018.

**3. Old Business** – Mr. Sharkey commented on the Distributed Antenna Systems (DAS) and the fact they may not be able to continue to be regulated by local ordinances. The FCC had continued to preempt local zoning and he encouraged the Solicitor and Staff to look at ordinances to protect us. He encouraged the Commissioners to write opposition letters to local representatives.

Commissioner Holland commented on Appeal 18-3605 regarding tobacco and tobacco related sales and the issue of enforcement of maximum sales. Mr. Bagley stated that the Tobacco Ordinance stated no more than 20% of sales could be tobacco related. He also reported that the applicant had agreed to no more than 10% of tobacco related sales.

Mr. Bagley reported on a proposed development in Abington Township located at 882 Township Line Road. The residents on Cadwalader Road, located on the Cheltenham Township side of Township Line Road in Commissioner Zygmund-Felt's Ward, are concerned about the impact of the development. The Commissioners asked the Township Solicitor and Township Engineer to enter an appearance for Cheltenham Township at the Abington Township Zoning Hearing for this project. The applicant entered a Continuance with a hearing in October.

**4. New Business** – Mr. Pransky reported that Zoning Hearing Board Chair, Ameer Farrell, Esq. would be conducting a "Zoning 101" class on Thursday, November 15, 2018 at 7:15 p.m. at Curtis Hall and encouraged all Citizen Committees to attend.

**5. Citizen's Forum** – None.

**6. Adjournment**

There being no further business, upon motion of Mr. Pransky, the meeting was adjourned at 10:48 p.m.



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Bryan T. Havir  
Township Manager  
As per Patricia Gee

**PUBLIC ATTENDANCE LIST**  
**Public Works Committee @ 7:30 PM**  
**Building & Zoning Committee @ 8:00 PM**  
**Wednesday, October 3, 2018**  
**Curtis Hall**  
**Wyncote, PA 19095**

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