

REVISED

A regular meeting of the **BUILDING AND ZONING COMMITTEE** for October 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 Elliot, Assistant Township Manager and Henry Sekawungu, Director of Planning & Zoning. Also present via web-conference was Joseph Bagley, Esq., Township Solicitor.

Mr. Pransky called the meeting to order at 9:02 p.m.

1. Action on Zoning Hearing Board Agenda for October 18, 2021, 2021.
 - a. Appeal # 21-3679, Zenida Driver (Sunrise Community of Pennsylvania) for 2 Edgemoor Road. Dr. Zenida Driver, Executive Director for Sunrise and Ms. Kathy Childs, Executive Director for Sunrise were present and highlighted the following:

- The business is based in Miami and the applicant is seeking to provide this service in Cheltenham Township.
- Sunrise provides services nationwide that include day, in-home and residential services, similar to this home.
- Sunrise provides in-home medication and individuals would be transitioning from their homes or different programs.

Mr. Pransky raised concerns about losing tax income on a property that currently pays taxes while still receiving services from the Township, such as police, fire, trash pickup, snow removal and other services. Ms. Childs stated that they are a charity that provides services to those who are disadvantaged and would talk to their board about the concerns raised about the property being tax exempt and would get back to the Township solicitor with a compromise.

Ms. Rappoport raised a question about their licensing in PA; the response was that this would be the first home in the state as Sunrise Community of Pennsylvania and as part of the Sunrise Group. There was also a question asked about any outstanding violations in other states; which there were none.

Other concerns and considerations made between the Committee and the applicant included the following:

- A Payment in Lieu of Taxes (PILOT) program to ensure they were not a liability, but an asset.
- A condition to pursue an arrangement with the applicant's Board prior to appearing before the Zoning Hearing Board.
- Number of neighbors that they had talked with; which was only three (3).
- Shelly Carson, a homeowner in the vicinity of this proposed use, indicated that she spoke to Dr. Driver and was not thrilled with the proposal due to the fact that she was told it would only have two individuals plus an office in this four bedroom home.
- Dr. Driver's prior employment as a NJ Mentor Residential Home and primarily worked with transitional homes.
- Concerns about the size of the van. The applicant agreed to downsize the vans if they were an eyesore but stated that it was not a commercial van and was more of a passenger van similar to what a large family would have.
- Ownership of the home which was purchased outright.

- Average length of ownership by Sunrise partners and response was that this would be the resident's home. Regional Properties Inc. is the property holding company of the Sunrise Group that holds ownership of all their properties, but is a not-for-profit company. Applicant would provide additional information on this.
- Referrals, which came from the Office of Developmental Programs and from across the country and state, for the residents who were permanent.
- Staff would not reside there but would use the fourth room as an office. The site manager was different from the wake staff and would be there every day.
- Question about payment of transfer tax; applicant offered to provide additional information on this.
- Clarification that the home would be for adults, not children.

Public Comment:

Rhonda Isser asked about the Association between Sunrise Community in the USA and Sunrise Community Inc.; the response was that there was no relationship between the two.

Theresa Camerota asked about their affiliation with the greater Philadelphia community like Resources for Human Development and Project Homes; the response was that they were not affiliated, but would consider reaching out to them.

Shelly Carson inquired about the change from two to three residents and when that occurred; the response was that it was a consideration at the time, but they did not have any residents either. Concerns were also raised about an increase in traffic; the response was that it would be similar to any other residence with a family.

Mr. Bagley explained the difference between the Building and Zoning Committee and the actual Hearing on October 18, adding that the current meeting was for informational purposes and the Committee would be making a recommendation to the Zoning Hearing Board.

Upon motion of Mr. Pransky, the Committee unanimously voted to have the Township Solicitor attend the Zoning Hearing Board meeting ~~in opposition to regarding~~ the application to submit additional ~~information~~ questions, as requested.

b. Appeal #21-3683, SPIN Inc. for 7804 Caversham Road

Brandon Savron, Esq, Michael Hughes and Mindy Lutts, Corporate Officers with Special People of the Northeast (SPIN) were present. Mr. Savron stated that their organization and proposal were different from what was previously before them. SPIN is based out of the Northeast and has about 90 group homes, with three or four in Cheltenham, and had been around for about 50 years. He added that they held a community meeting with several neighbors and added that the home would be for three women with intellectual disabilities who lived together for a long time and would be transitioning from Springfield Township due to accessibility issues with their current residence. Pictures were shared of some of the renovations as part of the presentation, stating that they were requesting reasonable accommodation to have the three ladies live together as part of the relief by the Zoning Hearing Board. They would have 24/7 staff, and would only need one person per shift. One of the residents requires dialysis and they would be able to fit four (4) cars in the driveway. Residents reside in these homes until their death some other reason necessitates them leaving.

Discussion ensued on the following:

- As a non-profit organization, their partaking of Township services and contributing equally and similar to other residents towards these services including trash, fire and police services.

- Levying of taxes to all the nonprofits and agreeing to some kind of PILOT and its effect on their out-of-pocket costs as they would not get reimbursed.
- Payment of transfer taxes and reimbursing the owner for the current year.
- Cascading effect of this use on the neighborhood and future property purchases.
- Other locations, including one on Spring Avenue.

Mr. Yanoff Esq. submitted that he represented 18 separate neighbors, and counting, most of whom lived on Caversham, and raised the following concerns:

- Was put off of the presumption of the owner renovating this house without zoning approval.
- The Zoning Determination request also stated that it was a community living home and this is not an approved use.
- Lack of consideration of a PILOT program prior to the onset of this submission, and urged the Committee to send the Township Solicitor to the Hearing.

Residents' concerns raised included the following:

- Willingness by the applicant to contribute to services offered by the Township.
- Concerns with what would happen to the residence when the occupants passed away.
- Request of the applicant to focus on the business aspects and its implications on the neighborhood as this was a very serious matter.

Upon motion of Mr. Pransky, the Committee with a 6-0-1 vote motioned to send the Township Solicitor to the Zoning Hearing Board ~~in opposition to~~ regarding this application (~~Nays Abstained~~: Commissioner Areman).

2. Receipt of the Planning Commission Meeting Minutes for September 27, 2021
Upon Motion of Mr. Pransky, the Committee unanimously received the Planning Commission minutes from the September 27, 2021 meeting.
3. Report of the Building Inspector for September 2021.
Upon motion of Mr. Pransky, the Committee unanimously received the report of the Building Inspector for September 2021.
4. Old Business – None.
5. New Business – None.
6. Citizen's Forum – None.
7. There being no further business, upon motion of Mr. Pransky, the meeting was adjourned at 10:39 p.m.



Robert Zienkowski
Township Manager

As per Henry Sekawungu
Director of Planning & Zoning