

A regular meeting of the **PLANNING COMMISSION** for March 2022 was held tonight via web-conference, Chairman Thomas Cross presiding. Members present were Kia Baker, Thom Cross, Carl Freedman, Mike Hayes, Rhonda Isser, Jesse Smith (alternate) and Bill Winneberger. Staff present via web-conference were Henry Sekawungu, Director of Planning and Zoning; Robert Habgood, Assistant to the Director of Planning and Zoning; Julia Detwiler, Planner 1, Roger Phillips, Township Engineer and Anne Nygard, Montgomery County Planning Commission (MCPC).

Mr. Cross called the meeting to order at 7:32 p.m. A quorum was present.

1. Ms. Isser motioned to recommend approval of the February 28, 2022 minutes. Ms. Baker seconded, and the motion passed unanimously.
2. CTDA-#21-04 Land Development Plan for 450 S. Easton Road, Glenside PA, 19038 (Arcadia University), for the construction of an approximately 20,000 square foot student recreational center.

Mr. Harold Lichtman, was present for Arcadia University and provided background on the changes made to the proposed student recreational center to ensure the project stays in compliance with the allowable disturbance of steep slopes and riparian corridor. He stated that the building was moved ten feet closer to the existing tennis courts that the storage area was moved to the opposite side of the building and the parking area near the building was reduced. Arcadia University would comply with the latest review letter, dated March 25, 2022, from the Township Engineer.

Mr. Phillips advised that the review letter of March 25, 2022 was mainly clean up items and easy for the applicant to comply with.

Ms. Nygard inquired if a door at the rear of the building would be used for student access. Mr. Lichtman stated that door is for emergency egress only. Ms. Nygard also advised that "crown vetch" is noted to be used on the landscaping plan. Mr. Lichtman stated that will be revised to not use that planting.

Mr. Winneberger motioned to recommend approval. Ms. Isser seconded, and the motion passed unanimously.

3. Review of Zoning Hearing Board Agenda for April 11, 2022.

A. Appeal #22-3694, Mark Johnson for 1000 S. Easton Road (Cedarbrook Plaza).

Mr. Habgood provided background on the proposed Zoning Relief to allow for an Event Facility use at the shopping center.

Mr. Johnson provided further background on the proposed event facility use including the following:

- Hours of Operation 9am – 11pm, mainly Friday, Saturday and Sunday with morning hours either 9am – 3pm or 10am – 4pm and afternoon/evenings as 4 pm – 10pm or 5pm – 11pm.
- Staff would be on site at all times during an event.
- Music would be kept to comfortable levels.
- All vendors would have insurance; food would be provided by professional caterers, and certified bartenders would serve alcohol with no selling of alcohol at an event.
- Occupancy to be 60 minimum and 80 maximum.

Discussion ensued with respect to the following:

- What happens if an event gets out of hand? Mr. Johnson stated that the onsite staff would give a warning first but will shut the event down if required.
- Location of the proposed event facility in relation to the existing event facility at the shopping center.

Mr. Winneberger motioned to recommend approval. Mr. Freedman seconded, and the motion passed unanimously.

B. Appeal #22-3695 Peter & Noreen McAleer for 400 W. Mt. Carmel Avenue

Mr. Habgood provided background that the application was an appeal of a Violation Notice dated 11/5/21 and a Zoning Determination dated 1/12/22 that the continuing use of the garage is a pre-existing non-conforming use or in the alternative a variance to allow for the garage to continue to be used for the maintenance of recreational vehicles.

Mr. Michael Yanoff, attorney, was present for the applicant, and provided further background in that the garage fronts on Tyson Avenue and had previously been a non-conforming uses as a scrap metal shop but currently was a non-conforming use for repair of recreational vehicles.

Discussion ensued with respect to the following:

- The previous use of a scrap metal shop vs. repairs for recreational vehicles.
- Noise and environmental concerns.
- Whether the vehicle repairs were a hobby or a business. Mr. McAleer advised that the vehicles repaired were owned by the individual renting the garage and was a hobby.

Numerous residents from the neighborhood were present with the following concerns:

- Noise, since the vehicles being repaired are modified for racing and could be heard at a distance from the location of the garage.
- That there had never been a repair use at the garage.
- That there is noise from the repairs at odd hours.
- That some cars were left outside causing a nuisance.
- That there is no bathroom facility within the garage.
- The increase in traffic flow for the neighborhood
- Environmental concerns from oil drums and fumes.

Mr. Freedman motioned to recommend denial. Mr. Winneberger seconded, and the motion passed unanimously.

C. Appeal #22-3695, Iain & Barbara Duguid for 608 Twickenham Road.

Mr. Michael Yanoff, attorney for the applicant, provided background on the application which is an Appeal of a Zoning Determination that the existing dog breeding use was a no-impact home based business.

Mr. Yanoff reviewed the requirements of a no-impact home based business and advised that the testimony presented at a prior Zoning Hearing Board hearing would be used for this application.

Discussion followed with respect to excess trash from the use. Mr. Duguid advised of the steps that had been taken to reduce the trash that included collection of dog waste by a third party. Additionally, there are currently 15 adult dogs at the property that have around 8 to 10 liters per year.

Ms. Isser motioned to recommend denial. There was no second to the motion.

Mr. Freedman motioned to recommend approval. Mr. Winneberger seconded, and the motion passed 5 ayes to 1 nay (Ms. Isser voting nay).

4. Review of Zoning Hearing Board Agenda for April 19, 2022.

A. Appeal #22-3697, Kelly Qualls for 7-B Wesley Avenue.

Mr. Habgood provided background on the proposed Zoning Relief for a variance to have a Personal Care Business use within 750' of another personal Care Business use.

Ms. Kelly Qualls provided further background on her Personal Care Business use in that the use was centered more on skin care and retail of skin products which was different from a nail salon use.

Ms. Isser motioned to recommend approval. Mr. Winneberger seconded, and the motion passed unanimously.

B. Appeal #22-3698, Lien Truong for 140 S. Easton Road.

Mr. Habgood provided background on the proposed Zoning Relief for a variance to have a Personal Care Business use within 750' of another personal Care Business use.

Ms. Lien Truong provided further background on the Personal Care Business use, in that the use was moving down the road from the current location of 130 S. Easton Road to allow them to expand and provide more comfort for their clients. Discussion followed the expansion of the nail salon and that DEP approval would be required for the increase in water usage.

Mr. Freedman motioned to recommend approval. Ms. Isser seconded, and the motion passed unanimously.

C. Appeal #22-3700, Sheena Berry-Johnson for 835 E. Glenside Avenue.

Mr. Habgood provided background on the proposed Zoning Relief for a variance to have a Personal Care Business use within 750' of another personal Care Business use.

Ms. Sheena Berry-Johnson provided further background on the Personal Care Business use which is body contouring and nail salon in the existing building. Ms. Berry-Johnson advised that the other Personal Care Business use in the building is a massage use. There was discussion on whether there would be any medical waste generated by the business. Ms. Berry-Johnson advised that there would be no medical waste.

Ms. Baker motioned to recommend approval. Mr. Winneberger seconded, and the motion passed unanimously.

D. Appeal #22-33699, Arcadia University for 125 Royal Avenue.

Mr. William Kerr, attorney was present for Arcadia University along with Harold Litchman, Joan Singleton and Tom Macchi. Mr. Kerr provided background on the proposed appeal wherein Arcadia University is purchasing the property of Bishop McDevitt and looking for Zoning Relief to allow a change from the previous Public/Private School use (D-12) to a University use (D-2) with an accessory educational facility use (D-6) and possible Public/Private School use (D-12).

Mr. Kerr advised of the following with respect to the property:

- Arcadia University has not decided which programs would have courses at the property.
- There would be no changes to the exterior of the building; just some interior alterations.
- The hours would normally be during the day but there could be some night and weekend hours.
- There would be some administration offices in the building.
- The fields would be upgraded but there would be no lights and/or sound system. The fields would be used for practices and intramural sports.
- There would be no housing of students in the building.
- The gym and cafeteria would not be changed.
- Landscaping and any signage would be similar to the appearance of the main campus.
- The community would have the ability to access the facility.

- That Arcadia University had an open house on March 1, 2022 with the community to advise them of the purchase and that there would be more meetings in the future.

Mr. Litchman provided the following information with respect to the property:

- That the combine property made up of two parcels was approximately 18 acres.
- The existing building was a T-shape with approximately 90,000 square feet in 3.5 stories.
- The building would be made to be fully ADA accessible.
- No stands, lighting and/or a sound system would be added to the fields.
- The fence around the edge of the property would be repaired.
- A parking analysis was being completed but there were 270 existing parking spaces and only 225 spaces were required per the Zoning Code.
- There would be no band practice and/or prep rally's at the property.

Discussion ensued with respect to the following:

- Hours for the building would be around 8am – 10 pm depending on the programs.
- The maximum occupancy of the building, which is 820.
- The total amount of parking that would be needed and whether the parking area could be reduced to lower the existing impervious surface.
- Outside organization use of the facility would be in order to assist in the education of the students.
- That exterior updates to the building may be needed in the future.
- Whether an artificial field would be added to the property, and were advised that no artificial field would be added.
- That there would be no housing of students at the property.
- Stormwater Management (SWM) of the property. Mr. Lichtman advised that no work was proposed at this time on any SWM system.

Ms. Nygard inquired as to the size of the parking area and whether that could be reduced. Mr. Lichtman advised that the parking area is approximately 20% of the site.

Ms. Diane Schott, 209 Royal Avenue, had the following comments with respect to the application:

- The occupancy limit for the building and limit of the use to graduate programs only.
- That there was no existing plan for the complete use of the property.
- Whether this was the only building to be used off of the main campus and the issues that could come from that use.
- Whether Freshman would use the building and if they had cars at the University.
- Whether a shuttle service would be set up from the main campus.
- Whether there would be any on street parking and/or additional lights added along Royal Avenue.
- Whether any changes would be made to the timing of the traffic light at Royal Avenue and S. Easton Road.
- Whether any changes would be made to the existing lighting on the exterior of the building and parking lights.
- That there would be no electronic sign added to the property.
- That no extra noise comes from the property.

Mr. Earl Stamm, 200 Block of Gribbel Road, gave a statement to PC that there were too many open items that need to be resolved first before making a decision. Mr. Kerr advised Mr. Stamm that he could contact him with respect to any concerns.

Mr. Freedman advised that the ongoing traffic analysis should include a study of the light at Royal Avenue and S. Easton Road and the others lights along S. Easton Road near Royal Avenue. Mr. Lichtman advised that the request would be passed to the firm performing the study.

Mr. Winneberger motioned to recommend approval. Mr. Freedman seconded, and the motion passed unanimously.

5. Zoning Hearing Board Decisions-

Mr. Habgood advised the Planning Commission of the Zoning Hearing Board Decisions on the following Appeals:

- a. Appeal #21-3683 for 7804 Caversham Road approved with conditions.
- b. Appeal #21-3687 for 2401 Cheltenham Avenue denied.
- c. Appeal #22-3693 for 2929 Cheltenham Avenue denied.

6. Old Business - None

7. New Business

Mr. Habgood advised the PC that for September the regularly scheduled meeting would be on Monday, September 26, 2022 during the Rosh Hashanah Holy Day and inquired if PC would want to have the meeting on that day or moved to the third Monday, September 19, 2022. PC recommended moving the meeting to Monday, September 19, 2022.

Mr. Habgood also advised that the meeting in December was being moved to Monday, December 19, 2022 since the Township building would be closed for the Holiday on Monday, December 26, 2022.

Ms. Isser advised that the consent decree regarding the sewer was still in effect and that there was no timeframe as to when that would be lifted and EDU's released to the Township. She also advised that Aqua had a program where they were replacing lead water laterals at no cost to the property owner.

8. Adjournment- Mr. Cross motioned to adjourn the meeting at 10:36 p.m., seconded by Mr. Winneberger.



Robert Zienkowski
Township Manager

Submitted by Robert J. Habgood