

A regular meeting of the Planning Commission was held this evening at the Township Administration Building. The following Planning Commission members were present: Thomas Cross, Scott Laughlin, Eric Leighton, Sheila Perkins and Irwin Goldfarb. Also present were Brian Olszak, County Planner, Henry Sekawungu, Director of Planning & Zoning and Robert Habgood, Assistant to the Planning & Zoning Director.

Chairman Cross called the meeting to order at 7:30 p.m.

- 1. Acceptance of minutes of the Planning Commission meeting dated June 22, 2015.** Mr. Cross motioned to accept the minutes with a request that future approvals or denials of appeals be noted in the minutes as recommendations. Ms. Perkins seconded and the motion passed unanimously.
- 2. Review of CTDA # 15-08.** Mr. Habgood stated this project is for the proposed Cheltenham Mall preliminary/final plan of subdivision located at 2385 W. Cheltenham Avenue, Philadelphia, PA of the existing 53.7 acre lot into seven separate lots encompassing existing uses on the site.

Mr. Hercules Griegos, Esq. representing the Applicant gave an overview of the proposed subdivision plan. He presented plans and discussed the two phase project. Phase I addressed the legal subdivision of seven parcels to generate financing for the project. Phase II will focus on rebuilding and occupancy of the mall. Mr. Griegos stated that the mall is 50% vacant and performing poorly. The plan is to “de-mall” or abandon the traditional mall model, reduce the total square footage and create additional parking. Discussion ensued. Mr. Griegos stated that the Land Development Plan will be finalized in the next few months and will include their traffic engineer’s recommendations to resolve traffic concerns on Ogontz and Cheltenham Avenues and the location of storm water inlets and leveling of multiple grades in the parking lot.

Mr. Cross made a motion to recommend approval of the subdivision plan as submitted. Mr. Laughlin seconded, and the motion passed unanimously.

- 3. Review of the Zoning Hearing Board Agenda for August 10, 2015.**

**APPEAL NO. 15-3526:** Mr. Habgood summarized the applicant’s request for a variance from Section 295-223 of the Zoning Ordinance, fences and walls, in order to allow for the erection of a six foot high board on board solid fence in the front yard of the corner lot in place of the required four foot high open fence in the C-3 Commercial Zoning District at 100 Central Avenue, Cheltenham.

Ms. Jacqueline Latronica, the Applicant stated that, as a first time home owner in the Township, she was unaware that a permit was required when she built the fence. She was also unaware that the height of the fence was in violation of the ordinance and apologized for her mistake. Ms. Latronica stated that the purpose of the fence was for safety and containment of her dog and small children, and also presented letters of support from neighbors. There were no comments from the public. Mr. Cross informed her that the reason for the four foot height limitation is to prevent walls and barriers in the community.

Mr. Laughlin made a motion to recommend approval since the fence does not obstruct traffic sight lines. Ms. Perkins seconded, and the motion passed unanimously.

**APPEAL NO. 15-3527:** Mr. Habgood summarized the applicant's request for Zoning Relief in order to use the single family dwelling as a multi-family use of two apartments with up to five unrelated people including the owner, in Apartment A, and three unrelated people in Apartment B in the R-5 Residential Zoning District at 1313 Ashbourne Road, Elkins Park.

Mr. Donald Spiller, the Applicant stated that the original owner of his property filed an appeal in 1956 requesting zoning relief for three apartments. Though the zoning relief was granted, the property was never used as approved. Mr. Spiller stated he wants to use it as a two-family dwelling, housing one family per apartment, with no occupants in the basement, including a reasonable accommodation request for two additional occupants with disabilities to live in Apartment A with him for a total of five (5) occupants. Discussion ensued with respect to the following:

- Number of residents occupying the property and their relationship to one another.
- Expiration of the zoning relief granted in 1956.
- The current zoning of the property, i.e. single family versus multi-family.
- The grave safety concerns raised by the Fire Marshall in his letter dated June 16, 2015, including installation of a fire escape and sprinkler system.
- Whether the residence is currently being operated as a boarding house.
- The reasonable accommodation request.

Numerous neighbors were in attendance against the requested zoning relief and discussion ensued with respect to their multiple concerns including:

- Police and Emergency Medical activity.
- Condition of the property.
- History of some of the occupants.
- Noise.
- Disability status of the two occupants.

One neighbor was present who expressed support for Mr. Spiller's zoning relief.

Mr. Cross made a motion to recommend the Planning Commission take no action on Mr. Spiller's appeal. Mr. Laughlin seconded, and the motion passed unanimously.

**APPEAL NO. 15-3528:** Mr. Habgood summarized the applicant's request for Zoning Relief in order to allow for the installation of an above ground pool on the left side of the dwelling to encroach into the yard facing Church Road on the corner lot in the R-7 Residential Zoning District at 382 Church Road, Elkins Park.

Neither the applicant nor neighbors were present. Mr. Habgood stated that the pool has already been installed without a permit.

Mr. Leighton made a motion to recommend denial. Ms. Perkins seconded, and the motion passed unanimously.

**APPEAL NO. 15-3529:** Mr. Habgood summarized the applicant's request for a variance from Section 295-221.B.(5)(a) of the Zoning Ordinance, location of surface parking, to allow for an approximately

40' x 58' parking area in the front yard to remain between the front of the dwelling and the street in the R-4 Residential Zoning District at 1719 Ashbourne Road, Elkins Park.

Ms. Yulanda McAllister, the applicant stated she was unaware that it was considered a parking lot. She has a large front lawn, often muddy, which she dislikes. Because her driveway is small and she is disabled, it is difficult to turn her car around which is why she had the front lawn paved. Mr. Cross informed Ms. McAllister that the size of the parking lot she had installed could result in enormous run-off causing drainage problems for her neighbors and suggested she consider a circular driveway or another alternative.

Mr. Leighton made a motion to recommend denial. Ms. Perkins seconded, and the motion passed unanimously.

**APPEAL NO. 15-3530:** Mr. Habgood summarized the applicant's (AU 8000, LLC) request for a special exception from Section 295-36 of the Zoning Ordinance, use regulations, to allow for a dental office use in the existing building that was previously used as an accounting and legal office, including the removal of 221 square feet of the existing building and construction of an 804 square foot addition with a basement in the rear of the building for a total increase of 194 square feet in the R-4 Residential Zoning District at 8000 Old York Road, Elkins Park.

A representative of the Applicant stated the addition will be used for increased office space. Additionally, a retaining wall would be constructed in the rear of the parking area to make it more level and allow for a total of 10 parking spaces.

Mr. Leighton made a motion to recommend approval. Ms. Perkins seconded, and the motion passed unanimously.

**APPEAL NO. 15-3531:** Mr. Habgood summarized the applicant's Appeal for Zoning Relief in order to allow for a 10' x 14' shed to encroach within the minimum side and rear yard setbacks and to exceed the maximum allowable building coverage in the R-4 Residential Zoning District at 606 Elkins Avenue, Elkins Park.

Ms. Ciarlo-Hayes, the Applicant presented photographs of the shed demonstrating where it will be situated in the yard and a letter signed by her neighbors who have no issues with the requested relief.

Mr. Laughlin made a motion to recommend approval. Ms. Perkins seconded, and the motion passed unanimously.

**4. Review of CTDA # 15-09:** Mr. Habgood stated the Sketch Plan Review for the Enclave at Kerlin Farms located at 1050 Ashbourne Road, Cheltenham, PA is for the proposed development of the existing 7.49 acre lot, into three buildings, each four stories high, with 79 age-restricted dwelling units with a community room and kitchen in one of the buildings.

Mr. David Plante of Plante Ruggiero Land Design and Mr. John DiBenedetto of Associates Architects, Inc., both representing the Applicant, gave an overview of the sketch plan as submitted and existing conditions at the site. They advised that there were approximately 600 trees on the property and that except for the area needed for the new driveway along Ashbourne Road, the stone wall as well as the majority of the trees around the perimeter and four larger trees would be preserved.

Mr. Olszak went over each line item in his review letter dated July 22, 2015 and discussion ensued. Mr. DiBenedetto stated the proposed location of the buildings maintains the maximum amount of existing vegetation preserves the large several hundred year-old tree and avoids problems with the existing steep slopes. Mr. Plante agreed to incorporate Mr. Olszak's courtyard design recommendations and stated they were considering the proposed walkway for Cheltenham Elementary School. Mr. Plante further stated that they were amenable to building a bus shelter on Oak Lane Road as long as the existing stone wall would not need to be torn down. He advised that the traffic engineer would address pedestrian and vehicular access as part of the Land Development Plan.

Mr. Cross thanked the applicant for the information submitted on their Sketch Plan and stated that the Planning Commission would like to see the courtyard design and the bus shelter on their Land Development Application.

- 5. **Old Business – None**
- 6. **New Business – None**
- 7. **Adjournment**

As there was no further business to discuss, Mr. Cross made the motion to adjourn. Mr. Laughlin seconded and the motion passed unanimously. The meeting adjourned at 9:40 p.m.

  
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Bryan Havir  
Township Manager

As per Carol Hughes  
Secretary, Planning and Zoning

## PLANNING COMMISSION SIGN-IN SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>APPEAL NO</u>
Maurine Doggett	1310 Ashbourne	
Carol Lorber	7741 Mill Rd	1313 Ashbourne
Nick & Peg Sciortino	1267 Ashbourne Rd.	
James Thacker	1310 Ashbourne Rd	
Derek Fisher	1313 Ashbourne Rd.	
Patty Finley	1302 Ashbourne	
Jacqueline Latorica	100 Central Ave.	
Kristin Harrington	214 Passmore St	
Michelle Carlo-Hays	606 Ellens Ave	
RANDALL & ANITA WINGARD	1258 ASHBURNE RD	
Carol & Michael Cornelison	1316 Ashbourne Rd	.