

The Planning Commission ("PC") meeting was held tonight at Curtis Hall. The following Planning Commission members were present: Messrs. Cross, Leighton, Goldfarb, Winneberger, Harrower, and Laughlin and also present was David R. Jones, Director of Engineering, Zoning & Inspections.

1. Election of Chair Person and Vice Chair Person of the Planning Commission 2013.

Mr. Cross opened the meeting at 7:30 PM and asked for nominations for Chair of the Planning Commission. Mr. Winneberger nominated Mr. Cross for Chair; Mr. Goldfarb seconded the nomination.

Mr. Cross asked if there were any other nominations for Chair; there were none. Mr. Winneberger made the motion for election of Mr. Cross as PC Chair by acclamation; Mr. Goldfarb seconded the motion; the motion passed.

Mr. Cross asked if there were any nominations for Vice- Chair of the Planning Commission. Mr. Goldfarb nominated Mr. Winneberger Vice-Chair; Mr. Harrower seconded the nomination for Vice-Chair.

Mr. Cross asked if there were any other nominations for Vice-Chair; there were none. Mr. Goldfarb made the Motion for election of Mr. Winneberger as PC Vice-Chair by acclamation; Mr. Leighton seconded the Motion; Mr. Winneberger was elected by acclamation.

2. Acceptance of the minutes of the November 26, 2012 Meeting.

Mr. Harrower stated that on the last page there is a typo it should read ensued instead of insured.

Mr. Leighton made a Motion to approve the minutes as amended, Mr. Laughlin seconded the Motion; the Motion passed .

3. Review of Zoning Hearing Board Agenda for February 11, 2013.

APPEAL NO. 3456: Appeal of The Pennsylvania Trust Company, Trustee of the Malik Finney Special Needs Trust, Owner of Premises known as 521 Montier Avenue, Glenside, PA 19038, zoned R-5, from the decision of the Zoning Officer for the following Zoning Relief in order to add a 4' x 20'+/- wheel chair ramp to the front of the premises:

The following Zoning Relief is required for the existing single family dwelling:

- a. A Variance from the rules and regulations of CCS 295-46.A (1) to allow the construction of a 4' x 20' +/- wheel chair ramp with a front yard setback of 33'+/- which is less than the required 40' front yard setback.

Mr. Jones stated that the handicap ramp has already been constructed and that the Township Staff has had experience with ramps in the past.

Mr. Cross asked if the ramp was structurally sound. Mr. Jones stated that the ramp will be inspected upon permit issuance.

Ms. Loretta Leader a neighbor in the community stated that the house was for sale for over a year. Ms. Leader expressed concern about the number of occupants in the house. Ms. Leader wanted to be assured that the property will not turn into a care facility for numerous people.

Mr. Cross made a motion of No Action with the recommendation of finding out the number of occupants residing at the address. Mr. Leighton seconded the motion, the motion passed.

APPEAL NO. 3457: Appeal of 509 Ashbourne Road, L.P., owners of premises known as 1509 Ashbourne Rd., Elkins Park, PA 19027, Zoned R-4, from the decision of the Zoning Officer for the following modification to Zoning Relief granted under Appeal 3277 in order to demolish the existing mansion and convert it into green space:

The following modification to Zoning Relief is required to remove the existing structure located on the premises:

1. Modification of Condition #1 of the Decision, so as to eliminate the retention of the three-story mansion.
2. Modification or elimination of Finding of Fact #10, which provided that the Applicant proposed to demolish three (3) of the four (4) buildings then existing on the property leaving the mansion to be renovated.
3. Modification or elimination of Finding of Fact #41, which provided for the conversion of the existing mansion into eight (8) dwelling units.
4. Modification or elimination of Finding of Fact #41 through #46 and #48 through #53 which referred to the conversion of the existing mansion into eight apartment units.
5. Modification or elimination of Conclusions of Law #1 through #4 which referenced the conversion of the existing mansion.

Peter Friedman, Esq. and Eric Naftulin, Executive Director of Federation Housing were present for this application.

Mr. Naftulin gave a presentation about the proposed demolition of the mansion.

Mr. Naftulin stated that the 84 unit building that was built under the previous appeal is now fully occupied with an extensive waiting list. Mr. Naftulin stated that the initial plan was to convert the mansion on the property into 8 apartments for seniors; however they have now concluded that they are unable to convert the building as originally planned.

Mr. Naftulin stated that Federation Housing asked 20 different agencies and institutions if they would be interested in leasing the 3 storey mansion. Mr. Naftulin read from a list of interested buyers that were previously contacted. Mr. Naftulin stated the solicitation process began in May of 2011 and that they received no positive responses. Mr. Naftulin stated that during this time there was extensive vandalism done to the building.

Mr. Naftulin stated that due to costs of the repairs, the state of deterioration and the cost of insurance Federation Housing would like to demolish the mansion and convert it into Green Space.

Mr. Friedman stated that he believed the relief previously granted by the ZHB has nothing to do with the mansion and that the mansion is laced inside of the zoning decision due to it being left on the plan originally.

Mr. Naftulin stated that a committee called the "Mansion Reused Committee" was put together to develop ideas to reuse the mansion. Mr. Naftulin stated that the building had been chopped up throughout the years by previous owners and has sat unheated and vacant. Mr. Naftulin stated that the Greens the original donors suggested tearing down the mansion and putting in a park like setting.

Discussion ensued regarding various tax credits obtained by Federation Housing.

Mr. Cross stated that this is not a creative adaptive reuse. Mr. Cross stated that there is a concern in the community to keep a certain building style and a certain feel to the neighborhoods. Mr. Cross stated that it was a condition of the original approval that the mansion be kept.

Mr. Cross further stated that the mansion was a very important part of the approval process of the first appeal and the land development process and that his concern is that this would not remain green space for very long. Mr. Cross stated that there is not a good enough argument to justify removing the mansion.

Mr. Cross stated that the building has historical significance and he doesn't believe that all the possibilities have been exhausted.

Mr. Cross stated that the building could be used as many other things, it may not be in Federation Housings business plan but the Planning Commission would still like see the building maintained.

Mr. Naftulin stated that when the first plan was originally done, Federation thought they would be able to use the mansion, but didn't do a full study on the property first. He stated that due to the severe deterioration of the building restoring it isn't feasible. Discussion ensued regarding various ADA issues pertaining to the building.

Mr. Naftulin stated that the Fire Marshall required Federation Housing to block up the rear windows of the mansion because of the close proximity to the new building. Mr. Naftulin stated that everything in the building would need to be redone to meet current code.

Mr. Cross asked about the average size of the other units in the complex. Mr. Naftulin stated that individual units are about 600 sf and they are 1 bedroom units only.

Mr. Laughlin asked if there was any restrictions due to state financing that would prevent Federation from selling the mansion for uses outside of a 62 plus housing.

Mr. Naftulin stated the list of interested parties did include companies beyond 62 plus housing and they were considering sale of the mansion as part of the investigation.

Mr. Winneberger stated that all issues that are being brought up this evening were also known issues in 2008 when project was originally approved. Mr. Winneberger stated that he is puzzled why all of a sudden there is now an issue and why a full study wasn't done then. Mr. Winneberger stated that a simple walk thru would have alerted them to the problems.

Mr. Laughlin stated that he recalled that Township approval was given originally to the project based on knowledge that the mansion would be additional living units.

Mr. Cross stated that accessibility was known issue back in 2008.

Mr. Harrower stated that the idea is to preserve a historic resource. Mr. Harrower stated that he is not sympathetic to this situation as the preservation of the mansion was a condition of approval by the Township originally.

Discussion ensued regarding points on a presented plan for the green space.

Discussion ensued regarding accessibility distances and ADA codes. Mr. Cross stated that there are creative ways of incorporating the building that have not been considered or may not be part of the Federations Business Plan.

Discussion ensued regarding elevation differences and fire blocking. Mr. Naftulin stated that they originally looked to incorporate the mansion into the current new building but couldn't because of the different levels.

Mr. Harrower stated that he recalls discussing the issue of having the new building too close to the mansion.

Mr. Cross read into the record an email from a concerned member of the community, Mr. David Cohen, dated Monday, January 28, 2013. (See Attachment PC-1.)

Mr. Laughlin made a motion of denial; Mr. Winneberger seconded the denial; the motion passed.

APPEAL NO. 3458 – Appeal of Calvary Assembly of God Church, owner of premises known as 7904-7910 Washington Lane, Wyncote, PA from the decision of the Zoning officer to construct a new multi-purpose addition and sanctuary along with required parking.

The following Zoning Relief is required for the proposed site improvements within the R3 Residential District:

1. A variance from CCS 295-227 C. (2) and CCS 295-227 C (3) "No addition or structural alteration for such nonconforming use shall exceed 25% of said building when the building first became nonconforming and shall no increase the number of employees and the magnitude of the use more than 25%" to construct an addition.
 - a. 6,795 square foot Multi-Purpose room.
 - b. 9,706 square foot 2- storey wing.
 - c. Construct a pedestrian bridge to connect the new addition to the existing church building.
 - d. New 500-seat Sanctuary
2. A special exception is requested under section 295-227.B 295.227.C. (3) to allow for the expansion of the existing nonconforming church and sanctuary building as follows.

Mr. John Tresslar from Boucher and James, Inc. and Rev. John Holt were present for this application.

Discussion ensued regarding points on the presented plan. Mr. Tresslar stated that the area is now zoned R3 but when the church was originally built the church was a permitted use. Mr. Tresslar stated that due to the zoning change, the church needs a variance and a special exception to expand.

Mr. Tresslar stated that the plan is to proceed with construction of the project in 2 phases. Mr. Tresslar stated that now churches must provide activities for young people thus the need for the basketball court and community center. Mr. Tresslar stated that when funds become available phase 2 a new sanctuary would be constructed. Discussion ensued regarding percentages of increase.

Mr. Cross asked how large of a congregation currently attends. Rev. Holt stated approximately 400 adults, youth and children, Mr. Winneberger asked about the time lines for Phases 1 and 2. Rev. Holt stated that the projects are fund driven and depend on congregation growth and financial growth. Rev. Holt stated that the church would like to begin construction of Phase 1 in mid 2014 to 2015.

Mr. Harrower asked why build a new structure instead of renovation. Rev. Holt stated that there was a renovation done in 2003 which added additional spaces upstairs and downstairs, but the church has experienced growth and they again need more room.

Mr. Cross asked if the plans were to mimic the frontage of Washington Lane. Rev. Holt explained that the church hasn't expended any funds for detailed architectural plans yet.

Mr. Tresslar stated that there would be a bridge joining the existing sanctuary to the new proposed building. Mr. Laughlin questioned if the bridge would be enclosed and heated. Mr. Tresslar stated that all plans were conceptual.

Mr. Leighton asked if Green Lane which is listed as a paper street is currently being used by the church. Rev. Holt stated no, that Wyncote Academy uses Green Lane now. Rev. Holt stated that a discussion was held with former Township Engineer Mr. Patrick Duffy, P.E. and Mr. Duffy stated that he thought it would be acceptable for the church to use Green Lane.

Discussion ensued regarding various points on presented plan and parking.

Mr. Cross stated that the retention basin is being paved over for additional parking and that the applicant will have to use subsurface stormwater management.

Mr. Cross asked if the parking is sufficient for 400 people and will there be an overflow agreement with Wyncote Academy. Rev. Holt stated that there is no agreement in writing just a verbal agreement between the church and Wyncote Academy.

Mr. Leighton asked if Washington Lane was a state highway and stated that it seems appropriate to use Green Lane for a driveway. Discussion ensued regarding driveways.

Mr. Cross asked if there was a Township review done on this project. Mr. Jones stated that no review has been done by the Township Staff or its consultants.

Mr. Winneberger asked what the facade of the building facing Washington Lane will look like in between the two construction phases.

Mr. Cross asked if there was a possibility of being able to do Phase 1 without Phase 2. Rev. Holt stated Yes.

Mr. Winneberger made a motion of No Action; Mr. Laughlin seconded the motion; the motion passed.

4. Review of Cheltenham Township Development Application No. 08-12: Tentative Sketch Plan Laverock - 1729-35 and 1777 E. Willow Grove Avenue.

Mr. Jones stated that the applicants of CTDA 08-12 provided a time extension letter to the Township for the review period to April 30, 2013 and that the pending tentative sketch plan has been removed from the Planning Commission agenda tonight.

5. Laverock- Petition for Amendment to the Zoning Ordinance.

Ross Weiss, Esq. Attorney for Hansen Development Inc. was present.

Mr. Weiss made a presentation about the various phases of the Laverock project.

Mr. Weiss stated that the applicant was previously asked by the Board of Commissioners and Planning Commission to save the gardens and the mansion on the property.

Presentation ensued regarding various differences in the plans over the years.

Mr. Weiss stated that he believes Springfield Township is willing to cooperate with Cheltenham Township to save the mansion currently on the property.

Mr. Weiss stated that the applicant has come up with a plan to use for the mansion that exists on the property. Mr. Weiss stated that the developer Hansen Development, Inc. restored Normandy Farms in Blue Bell into an event facility.

Mr. Weiss stated that Hansen is proposing an event facility in the Lloyd Estate Mansion and wouldn't be in use 24/7 and would be used for meetings and events only.

Mr. Weiss continued with his presentation of Plan A and Plan B.

Mr. Weiss stated that the Zoning Amendment proposed would provide for an event facility; recognize and address parking and steep slopes. Mr. Weiss stated that the steep slopes are man made and probably were developed because of the development of Rte. 309. Mr. Weiss stated that the developer sees this as a landmark and feels that this request should be considered in attempt to save a landmark.

Mr. Weiss stated that the same presentation was made before the Springfield Board of Commissioners on January 7, 2013. Mr. Weiss stated that the Springfield Board of Commissioners suggested that representatives from both municipalities should get together and have discussions about the project.

Mr. Harrower asked if the mansion would work as an event facility. Mr. Weiss said his client has already done this before and believes this property can be successfully used as an event facility.

Mr. Cross asked if there are other structures on the site. Mr. Weiss stated that there are currently 5 buildings all of which are currently single family residences and are proposed to stay that way.

Mr. Cross stated that the parking of the event facility is close to the townhouses. Mr. Weiss stated that valet parking would be used and would be separated from the proposed townhouse driveways.

Mr. Weiss stated that the plans are examples of what could be developed; the details are customarily dealt with in Land Development.

Discussion ensued regarding density totals proposed on the various different plans he displayed for the Planning Commission.

Mr. Weiss stated that the Amendments that are being requested are necessary to save the mansion and have market rate housing.

Mr. Harrower stated that he's very appreciative of the developer trying to save the Lloyd estate and also appreciates the effort to preserve the Trumbauer Building.

Mr. Cross asked which plan was preferred by Springfield Township. Mr. Weiss stated that there was nothing specific chosen, but everything is still evolving. Mr. Cross asked if there are any meetings planned between the Townships. Mr. Weiss stated that the Cheltenham Township Solicitor Joseph Bagley is working on a date convenient to both Townships. Mr. Weiss stated that Hansen was asked to make the same presentation to the Cheltenham Township Building and Zoning Committee on February 6, 2013.

Mr. Cross asked what the Township's position was on the matter. Mr. Jones stated that the Township is currently providing information to Ken Amey a Land Planner that the Township has engaged. Mr. Jones stated that the Planning Commission will have a month or two to consider the Ordinance and to review Mr. Amey's comments once they are available.

Mr. Joseph Nixon from Montgomery County Planning Commission suggested that the Township proceed with caution when going through the review.

Mr. Cross stated that he appreciated the presentation and noted the Planning Commission would not be acting on anything related to this matter at the meeting tonight.

Community Comments:

Mr. Edward Kohler-

Dr. Kohler stated that this sounds a lot like Spot Zoning. Mr. Kohler stated that the only portion of the presentation he is in agreement with is preserving the mansion. Mr. Kohler also stated that the slopes on the property are not due to the development of 309 and that the steep slopes found are prior to this property and are natural occurring Steep Slopes.

Mr. Joel Pearlstein-

Mr. Pearlstein stated that he is part of the neighborhood group concerned about the development of this property. Mr. Pearlstein stated that he opposes the change to the zoning ordinance. Mr. Pearlstein stated that without the change in the ordinance the applicant would be subject to the Zoning Hearing Board's stricter standards.

Mr. Pearlstein stated that the property has been zoned R3 for decades and to change the zoning for this developer would set a bad precedence. People want to live in that neighborhood with single family homes.

Mr. Pearlstein stated there is no benefit to Cheltenham Township in granting this request.

Mr. Robert Elfant -7812 Froebel Road.

Mr. Elfant stated that he recognizes the property will be developed eventually and the neighborhood is prepared to work towards a solution. Mr. Elfant requested that no action be taken for 90 days to allow the neighbors to hire professionals to come up with a plan acceptable for everyone. Mr. Elfant asked that if a decision must be made at this evening to please recommend denial.

Dr. Jane Gilmore- 8409 Newbold Lane, Springfield Township.

Dr. Gilmore stated that she is directly impacted by this project. Dr. Gilmore stated that the traffic on Newbold Lane and Cobden Road in the mornings is bad. Dr. Gilmore also expressed concern about the impact on the schools.

Mr. John Degasse- Willow Grove Avenue.

Mr. Degasse stated that he is concerned about the traffic impact. Mr. Degasse applauds trying to save the mansion.

Ms. Wendy Bludstein-

Ms. Bludstein stated she also applauds reuse of the mansion. Ms. Bludstein stated that she is concerned about the parking lots and all the beautiful trees being removed. Ms. Bludstein stated that the removal of the trees and all the parking will change the feel of the neighborhood.

Mr. Cross asked if any parking studies have been done. Mr. Weiss stated not yet.

A resident stated that the traffic density of Willow Grove Ave is going to be horrible. The resident stated that the quality of life will be directly impacted. The project will impact the wildlife and have a negative effect on pollution and noise. The resident urges the Planning Commission to take into consideration how this will impact the neighborhood and people's lives.

Mr. Edward Buchanan- 634 Twickenham Road.

Mr. Buchanan asked if any pedestrian improvements are apart of this? Mr. Buchanan stated that Willow Grove Avenue is not a walkable road. Mr. Buchanan asked if there will be any sidewalks installed or if Willow Grove Avenue will be widened. Mr. Weiss stated that the project is not at that stage yet and such considerations would be part of the land development process.

6. Review of a draft Ordinance establishing a Riparian Corridor Conservation District scheduled for a Public Hearing on February 20, 2013.

Mr. Nixon stated that this Overlay District is to protect waterways for properties abutting the creek. Discussion ensued regarding various setbacks and Ordinance language.

Mr. Nixon stated that this Ordinance model has been used numerous times by various municipalities.

Mr. Cross questioned the usefulness in massive flooding. Mr. Nixon stated that the reason for the Ordinance is not for flooding but to protect the waterways. Mr. Nixon stated that any buffer done tends to help during floods, but the Ordinance's purpose is to protect the waterways from future development.

Mr. Harrower recommended approval; Mr. Winneberger seconded the motion; the motion passed.

7. Acknowledgement of receipt of the Act 537 Plan.

Holly Nagy stated that she would forward a link to the Act 537 Plan for the Planning Commission to review.

8. Old Business:

Mr. Harrower stated that he is concerned about the wording of the Age Restricted Ordinance. Discussion ensued regarding the criteria for a property being eligible for historic status.

Mr. Harrower proposed a change of wording in the ordinance.

Mr. Harrower stated that he thinks the problematic word is "found". "Listed or *found* eligible for listing on the National Register..." Mr. Harrower stated that he thinks things would be clearer by eliminating the word "found". Mr. Harrower suggested the wording "Listed or eligible for listing on the National Register..."

Mr. Harrower stated that when a historic property is surveyed, the State Historic Preservation Office - PHMC (Pennsylvania Historical and Museum Commission) responds with a "finding of eligibility".

The Planning Commission made a recommendation to change the wording of the Age Restricted Ordinance to reflect Mr. Harrower's suggestions.

Mr. Harrower stated that the Cheltenham School District stated that Wynote Elementary School was not a historic building. Mr. Harrower submitted a document from the Cheltenham Township Comprehensive Plan that lists 333 Rices Mill Road "Wyncote Elementary School" historic.

Mr. Harrower also expressed concern about the Zoning Hearing Board's determination regarding 1050 Ashbourne Road. Mr. Harrower stated that there was a technicality regarding the use of the word structure. The reported decision of the ZHB states that the building was no longer considered a structure because all that's left is remnants of the building, and thus no longer qualified as a structure and no longer considered historic.

9. New Business:

Mr. Cross stated that there is a need for a Planning Commission member to also be apart of the Ad-Hoc Zoning Committee since Mr. Gordon stepped down. Mr. Winneberger volunteered.

10. Adjournment:

Mr. Cross made a motion for adjournment; Mr. Goldfarb seconded the motion, the motion passed. The meeting adjourned at 11:00 P.M.



Bryan T. Havir
Township Manager

Per: Holly Nagy