

November 5, 2014  
Curtis Hall

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Vice Chairman Morton J. Simon, Jr. presiding. Members present were Commissioners McKeown, Norris, Rappoport, and Sharkey, and Simon. Also present was Ex-Officio member Portner.

Staff present were Henry Sekawungu, Planning and Zoning Director; and Bryan T. Havir, Township Manager. Also present was Joseph M. Bagley, Esq., Township Solicitor. A Public Attendance List is attached.

Mr. Simon called the meeting to order at 9:00 p.m. He stated that an Executive Session was held prior to the meeting to discuss personnel matters.

1. The Committee reviewed and took action on the Zoning Hearing Board (“ZHB”) Agenda items for November 10, 2014 as follows:

**Appeal No. 3499 (continued)**: Appeal of Stenton Property LLC, owner of premises known as 1627 W. Cheltenham Ave., La Mott, PA 19027 from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a four (4) bay automobile repair facility, measuring 60 feet by 60 feet (3600 square feet) on the vacant rear portion of the property, with 17 off-street parking spaces, as well as the installation of two (2) parallel wall signs, and a free standing sign at the front of the property. The following zoning relief is required in an R-6 Residence District:

- a. A variance from CCS 295-50 to permit an automobile repair center in an R-6 Residence District.
- b. From CCS 295-221.B(5)(a) for a surface parking lot located between the building and the street.
- c. From CCS 295-221.B(5)(b) for the location of a surface parking lot on a corner lot on an arterial road (Cheltenham Ave.) as defined by the Cheltenham Township Comprehensive Plan.
- d. From CCS 295-163 to permit the disturbance of existing steep slope in conjunction with the construction of the proposed site improvements.
- e. From CCS 295-197A. in order to install:
  - i. One (1) freestanding 25' high internally lit sign with a maximum area of 40 square feet in addition to the existing free standing sign for the existing business, Enterprise Rent A Car and,
  - ii. Two (2) internally lit parallel wall signs with a maximum area of 20 square feet each with one sign facing Cheltenham Ave and one sign facing Sycamore Ave in addition to the existing wall sign for the existing business.

Mr. Simon noted a letter from the Historical Commission that opposed the application due to the proximity of the property to the La Mott Historic District and a concern that there could be archeological remains that would get destroyed during excavation. Ms. Rappoport

opposed the additional entrance/exit located on Sycamore Avenue due the residential neighborhood's believed the application was an inappropriate use for the area.

Mr. Portner stated that a previous, prior to Enterprise Rental Agency use was a body shop and that was approved by the Zoning Hearing Board, and it would not interfere with the museum since the museum is located on Willow Avenue.

#### Public Comment

Darlene Melton, Vice Chair of the La Mott Board of Historical and Architectural Review ("BHAR") and La Mott resident stated that the propose bays are not in the same location as the Enterprise Rental Agency; she reviewed the property's previous uses; the new application' uses vacant land, which has a Cheltenham Avenue address, and she questioned this address and believed that the accurate address was within the BHAR; the BHAR should be reviewing this;

Upon motion of Mr. Portner, the Committee directed the Township's Planning/Zoning Officer to advise the Zoning Hearing Board that it recommends the same action as previously stated but with the added contingencies that any excavation be carefully performed to consider any archeological remains and relief not be granted for the entrance/exit on Sycamore Avenue (Ayes: McKeown, Norris, Portner, Rappoport, Sharkey; Nay: Simon).

**APPEAL NO. 3457 (continued):** Appeal of 509 Ashbourne Road, L.P., and FHI Ashbourne Land Holding, Inc, 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.; Eric Naftulin, Executive Director of Federation Housing, and Sam Goldstein, former President of Federation Housing, were present.

Mr. Friedman reviewed the current development on the site; the lack of feasibility in converting the mansion; the applicant's search hiring of a real estate consultant to market the

mansion; inability to sell the mansion, inability for adaptive reuse; lack of parking suitable for any use; the mansion is on a small parcel. He reviewed the applicant's plans to make it a park for residents and the community.

### Public Comments

Adele Fricker, a resident of the Samuel Green House, supported the mansion's demolition; supported more green space; stated that the building attracts a lot of people loitering.

Dr. David Seltzer, a neighbor, supported the demolition; it is not an historic building; it was never maintained by the previous owners; he did not think it should be kept just because it is old.

Mr. Sharkey indicated that he was concerned this application sets a precedent in that future applications could agree to keep such buildings in order to obtain the Commissioners approval for their application.

Gail Gross, President of the residents' association, stated that the mansion is not serving a purpose and is a hazard; the land it is on could be used to benefit the residents and community.

Brtian Gralnick, a neighbor, stated that the mansion is imposing; it is always dark; it looks abandoned; it is an eyesore; the money being spent to maintain it could be put to better use to help the residents; green space aides in wellness.

Eric Naftulin, Federation Housing Executive Director, stated that his organization was committed to keeping the mansion and converting, leasing or selling, or have it reused; the mansion does not contribute to the campus; a lot of maintenance has been done to make the building safe and presentable looking; the previous owner destroyed the building inside; his organization allowed the Township Police and Fire Departments to use the mansion for training exercises; previous estimate for rehab was \$2,700,000; 20 parties who looked at it showed not interest. Mr. Naftulin presented a concept plan for the use of the green space and a petition and support letters from residents.

In response to a question from Mr. Norris, Mr. Naftulin stated that he could not project any future revenue from the mansion's reuse.

Sam Goldstein, stated that this application is not a bait and switch tactic; the cost of rehabbing was astronomical; all efforts were made to market the mansion;

Mr. Margoles stated that he is a commercial realtor hired by the applicant . He reviewed the measures he took to market the mansion. Several interested parties looked at it but their was always a lack of compatibility, i.e. parking, size, too much renovations needed.

Fred Milbert, a neighbor, felt that Federation Housing should pay an equivalent tax for a period of time; he proposed a boutique hotel that was not considered complimentary.

Mr. Simon stated that he understood Mr. Sharkey's concern but felt that the applicant did its best to maintain and market the mansion. It was his opinion that if the mansion had been converted to apartments, the use along Asbhourne Road would not have been desirable.

Upon motion of Mr. Simon, the Committee unanimously directed the Township's Planning/Zoning Officer to advise the Zoning Hearing Board that it recommends approval of said appeal contingent upon the mansion being demolished at the expense of the applicants subject to a covenant by both applicants that in perpetuity and running with the land, a park be constructed and reasonably maintained for the use by residents of the complex and neighbors and to be in conformity with the Township's Sustainability Plan as much as possible.

Mr. Sharkey asked that the applicants consider a contribution to the Township in lieu of taxes that would have been collected if the mansion was used. Mr. Goldstein responded that he would discuss this with Federation Housing's Board.

Ms. Rappoport suggested that innovative landscaping be included such as a rain garden and planting of native trees and working with members of the Sustainability Committee and Tookany/Tacony Frankford Watershed. She was concerned about requiring the applicants to act in good faith.

**APPEAL NO. 3500 (continued)**: Appeal of Natalie Lernerman, owner of premises known as 100 Elm Ave., Cheltenham, PA 19012, from the Decision of the Zoning Officer for a Special Exception in accordance with the rules and regulations of the Class R-8 Residence District as outlined in CCS 295-67.A.(2) for a lesser front yard setback of 1'-4" instead of the minimum required 25' in order to install an 11' x 16' shed.

Ms. Lernerman was present. Mr. McKeown noted opposition from neighbors and stated that the applicant has one shed presently on the property as well as two garages that she rents.

Ms. Lernerman stated that she has to store belongings that belong to her adult children.

Mr. Sekawungu stated that the property has several structures; it is a corner property and therefore, has frontage on two streets.

Mr. Simon noted encroachment onto the sidewalk. Mr. McKeown felt that the applicant had sufficient storage space on her property.

Ms. Rappoport felt that land use issues should be the issue, not the size of a family.

#### Public Comment

Dan Rickert, a neighbor, opposed the shed; it would block his view of Jefferson Avenue; it is too large.

Upon motion of Mr. McKeown, the Committee unanimously directed the Township's Planning/Zoning Officer to advise the Zoning Hearing Board that it recommends denial of said appeal.

**APPEAL NO. 3503:** Appeal of John Jay Institute, equitable owner of premises known as 8201 Fenton Ave., Glenside, PA 19038, from the Decision of the Zoning Officer for a variance in accordance with the rules and regulations of the Class R-3 Residence District in order to convert a single family residence into a residential study center. The applicant seeks the following zoning relief:

- a. A variance from CCS 295-21. to allow a residential study center instead of one of the permitted enumerated uses.
- b. An interpretation from CCS 295-21.E. that use of the barn for administrative offices and a handicapped accessible residential unit is an accessory use to the principal use of the property.
- c. In the alternative, a variance from CCS 295-21.E. to allow the barn containing administrative offices and a handicapped accessible residential unit as an accessory use to the principal use of the property.
- d. A variance from CCS 295-221.H. to allow ten parking spaces for use by the property instead of the required 22 spaces.

Present were Michael Yanoff, Esq.; Hal Lichtman, Architect; Alan R. Crippen, II, Founder and President of the John Jay Institute.

Mr. Yanoff stated that an historical house built in 1915 is being preserved; the use is being maintained; there will be changes only to the interior to make it more suitable and no changes to the exterior.

Mr. Crippen discussed the purpose and principles of the Institute and the bios of the alumni. He described it as a "Residential Study Center".

Ms. Rappoport asked about its taxability. Mr. Crippen responded that the Institute is a non-profit institution. Ms. Rappoport felt that since it was residential, it should be taxable. Mr. Crippen stated that the institution is committed to a contribution in lieu of taxes and was willing to negotiate this matter. Mr. Norris agreed. Mr. Rappoport asked for opinion on the Planning Commission's recommendations. Mr. Yanoff responded that parking is an issue, and there is no intent to park on the street. The other Planning Commission recommendations are acceptable.

Mr. Lichtman gave a PowerPoint presentation (see attached). He reviewed parking; location of guest apartment; conformity to the Township's Comprehensive Plan; conformity with the draft Local Landmark Ordinance.

Mr. Sharkey asked about a neighbor's concern with the sewer pipe and student cap. Mr. Lichtman responded that the sewage will flow into Springfield Township where there is no sewer moratorium, and the applicant has retained a civil engineer to evaluate its condition. Mr. Crippen stated that the student cap is 16 students with 3 on-site supervisors, and 1 on-site caretaker.

## Public Comments

Scott Laughlin owns an adjoining property, which was actually the original carriage house. The Institute's sewer line connect to his line and then to a common connection. A 20 person use on a 1958 sewer line that is a terracotta pipe could be a problem and expense for him. It was his opinion that the laterals for the mansion and barn should be separated with a size and capacity for 20 people and his should be replaced to be compatible or he will have a financial burden if it is not so. He was concerned about signage in a residential area; lighting for parking; impact on his property and the neighbors.

Jacqueline Stoy was concerned about impact; high usage; traffic on Fenton Road, which is narrow and has a lot of buses and a cut-thru for La Salle High School students; impact of the Institute events on the neighbors; concerned that rezoning could make it another Arcadia University in the future.

William Biddle was concerned about student noise.

John Baum was concerned about the Fenton Road neighbors' quality of life; change in the quietness of the neighborhood; Fenton Road is used as a cut-thru for La Salle students.

Ann Craxson stated that the Institute was denied a variance in Chestnut Hill because of the neighbors posed the same arguments.

In response to a question by Ms. Rappoport, Mr. Crippen stated that the Institute is currently leasing a Victorian home on the main line, which is being sold. The students are mature.

Mr. Sharkey did not believe students' behavior would be an issue since they do not seem to be an issue with Arcadia University students. He did not want the property developed for homes. If a future institution becomes property owner, it would have the same student cap.

Mr. Simon asked about the type of student events. Mr. Crippen stated there is a graduation and an occasional afternoon tea.

Upon motion of Mr. Sharkey, the Committee unanimously directed the Township's Planning/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal but if relief is granted, it be granted contingent upon no signage, 16 student cap; 20 total maximum of individuals occupying the property; the exterior lighting shall meet Township standards; and that the applicant works with the neighbor to resolve the sewer line issue.

**APPEAL NO. 3504:** Appeal of Montgomery County, tenant of premises known as 7853 North Front St., Cheltenham, PA 19012, from the Decision of the Zoning Officer for a variance in accordance with the rules and regulations of the Class R-4 Residence District as outlined in CCS 295-36 in order to install a 120 foot emergency communications mono pole tower with four antennas and small microwave dishes with an associated modular communications building measuring 16'-6" by 11'-8" and 10'-5" in height.

Present from the Montgomery County Department of Public Safety were John A. Corcoran, Deputy Director; Mike Stokes, Assistant Director; Rick Lohwasser, Assistant Deputy Director.

A PowerPoint presentation was given (see attached). Mr. Corcoran discussed the proposed tower is part of a county-wide upgrade; it will enhance communications between public safety agencies with a stronger signal; he showed the lack of coverage areas in the Township that the tower would cover; he explained that the tower is important since the signal services the volunteers and the paging equipment of the Fire Companies; he described the antenna, i.e. height, façade, antennas, microwave dishes, ground shelter. Mr. Corcoran noted that neighbors have concerns about radiation, and the expert testimony on that point will be given at the Zoning Hearing Board meeting.

Mr. McKeown noted residents' concerns of the close proximity of the tower to their homes. He agreed with the neighbors but the location was selected by the School District.

#### Public Comments

Ms. Henderson was concerned about commercial carriers using the tower, its visibility, and impact on property values. Mr. McKeown responded that no commercial carriers will be using the tower.

Richard Schuck, a volunteer firefighter and Deputy Chief of the Cheltenham Fire Company, stated that the pagers and radios do not work well; when he was inside the Ashbourne County Club building during its recent fire he could not talk on the radio; he cannot talk on the radio from his home in Cheltenham Village; the tower is needed because the pagers do not work in this vicinity.

Kenneth Hellendall, EMS Director and Emergency Management Coordinator, stated that his departments went door-to-door informing residents and had only one negative response to the tower; the tower will provide coverage for a traditional problem area; there will be no cell carriers using the tower.

Upon motion of Mr. McKeown, the Committee directed the Township's Planning/Zoning Officer to advise the Zoning Hearing Board that it recommends the grant of relief contingent upon the tower being used only for public safety and by public safety entities and not to be used by any commercial carrier.

**APPEAL NO. 3505** – Appeal of Hopkins Center, owner of premises known as 8100 Washington Lane, Wyncote, PA, from the Decision of the Zoning Officer in order to modify relief granted previously on Appeal #3479 to incorporate changes made by the Township Fire Marshal and Township Engineer to ensure safe circulation of emergency vehicles.

The following modifications to Zoning Relief granted under this Appeal are as follows:

1. A variance from CCS 295-24A.(2) (Front Yard Setback) to allow construction of a landscape wall with railing 7' from the Right of Way instead of the previously granted 18'.

2. A variance from CCS 295-221.B.(5)(a) (Location of surface parking) to allow surface parking between the existing building and Washington Lane of 12' and 15' instead of the previously granted 18' and 23' respectively.
3. A variance from CCS 295-164 to allow construction of a parking field, relocation and reconstruction of a trash enclosure and walkway and handrail in areas designated as having steep slopes.
4. A variance from CCS 295-220.A. front yard projections and CCS 295-220B side yard projections to allow a trash enclosure and landscape wall to project into the required setbacks.
5. A variance from CCS 295-221.B.(5)(b) to allow surface parking on corner lots that are located on collector of arterial roads.
6. A variance from CCS 295-221.F. to allow 59 parking spaces at the property which is in excess of the 120% required minimum.
7. A variance from CCS 295-223 to allow an open fence around a trash enclosure to measure no more than 8 feet in height instead of the required 6 feet.

Mark Baldwin, Maintenance Director and Anthony Hibbelin, Consultant, were present. Mr. Hibbelin discussed changes in accordance with recommendations of the Township Engineer and Fire Marshal; the plan was adjusted to allow for easier flow of fire apparatus; a landscaped buffer area is planned in accordance with recommendations of the Shade Tree Advisory Committee; a sidewalk has been added in accordance with the Planning Commission's recommendation; parking was shifted away from the building and closer to the street.

Ms. Rappoport was concerned about the capacity of the property. She did not have confidence in a facility that is and will constantly changing and most likely will want more in the future. She stated that she could not make a recommendation to approve this appeal.

Upon motion of Mr. Simon, the Committee directed the Township Planning/Zoning Officer to advise the Zoning Hearing Board that it takes no action on this appeal (Ayes: McKeown, Norris, Portner, Simon, Sharkey; Nay: Rappoport).

2. Upon motion of Mr. McKeown, the Committee unanimously accepted the Planning Commission Regular Meeting Minutes dated October 27, 2014.

3. Upon motion of Mr. McKeown, the Committee unanimously accepted the Select Committee Meeting Minutes dated October 6 and October 27, 2014.

4. Upon motion of Mr. Sharkey, the Committee unanimously authorized a Certificate of Appropriateness for 83 Limekiln Pike, Glenside (Wawa #111) for façade and fre-standing signage.

5. Upon motion of Mr. Portner, the Report of the Building Inspector for October 2014 was received.

6. The Committee reviewed two draft Ordinances pertaining to Hanson Properties' Falcon Hill Development in Laverock (see attached).

Present were Ross Weiss, Esq.; Mr. Bud Hansen, Vice President; and David Sherman, Chief Financial Officer. Ken Amey, the Township's Planning Consultant was also present. Mr. Weiss reviewed aspects of the proposed R3-A Ordinances dealing with the bulk and density modification and the proposed zoning map change. Mr. Amey reviewed the definition of the architectural standards language; architectural guidelines; impervious coverage not exceeding 50% of the lot area; he noted that the Commissioners recommendations were all included in the Ordinances, including the adjustment of density.

Public Comment

Wendy Blutsetin asked for a community meeting. She was concerned about having 3-storey dwellings; trails and sidewalks should be more definitive; square footage should be revisited.

David Cohen opposed the uniform design standard; demolition of the mansion; and the cookie-cutter design of the homes.

Mr. Weiss responded that his client was only looking for the committee to recommend authorizing a Legal Notice, and not to make any decisions. Mr. Bagley explained the process of advertising a Legal Notice and subsequent meetings.

Mr. Simon had questions and concerns as follows: low impact homes; lot areas of no less than 8,500 sq. feet and extensions from the street line; definition of a greenhouse; location of new buildings relative to 40-foot right-of-way on state roads; retention of trees, walls and fences and other structures; 20-foot front yards; and side yards of 10-feet.

Upon motion of Mr. Sharkey, the Committee agreed to table further discussion of these Ordinances to the Public Works Committee meeting on Wednesday, November 12, 2014.

7. Under Citizens' Forum – David Cohen felt that the Township's Preservation Overlay District should apply to Kerlin Farm, and asked that the developer be so informed.

There being no further business, upon motion of Mr. Sharkey, and unanimously approved by the Committee, the meeting was adjourned at 1:00 a.m., Thursday, November 6, 2014.



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Bryan T. Havir  
Township Manager

as per Anna Marie Felix



**PUBLIC ATTENDANCE LIST**  
**President's Budget Message, 7:30 p.m.**  
**Public Safety Committee, 7:45 p.m.**  
**Public Affairs Committee, 7:00 p.m.**  
**Building and Zoning Committee, 8:15 p.m.**  
**Wednesday, November 5, 2014**  
**Curtis Hall**

| <b>NAME</b><br>(Please Print Clearly) | <b>ADDRESS</b>                          | <b>E-MAIL and/or TELEPHONE</b>         |
|---------------------------------------|---|--|
| Luana Henderson                       | 805 Ashbourne Rd                        | 215 663 8173                           |
| Joshua stein                          |   | JStein1@montco.pa.org                  |
| JOHN & ANGELA<br>BAUM                 | 8216 Fenton Rd                          | angiebmicasa<br>@gmail.com             |
| DARLENE MERTON                        | 1829 Chestnut Rd<br>LAMITT PA           | <del>DMerton</del><br>MDM058@yahoo.com |
| Wendy Blustein                        | 1805 Hillcrest Rd.<br>Glenside PA 19038 | 215-233-<br>9529                       |
| JOANNEE KADIAK                        | 537 Boyer<br>Chest PA                   | 215-663-8769                           |
| Joe Trainer                           | 649 Lindlay Rd<br>Glenside              | 215-885-3969                           |
| Natalie Simon                         | 409 Waverly<br>Wyncote                  | 215 886 0938                           |



**PUBLIC ATTENDANCE LIST**  
**President's Budget Message, 7:30 p.m.**  
**Public Safety Committee, 7:45 p.m.**  
**Public Affairs Committee, 7:00 p.m.**  
**Building and Zoning Committee, 8:15 p.m.**  
**Wednesday, November 5, 2014**  
**Curtis Hall**

| NAME<br>(Please Print Clearly)           | ADDRESS                                    | E-MAIL and/or TELEPHONE          |
|--|--|----------------------------------|
| John F. Washington Jr                    | Wyncote                                    |                                  |
| MYRON GOLDMAN                            | 8102 HIGH SCHOOL RD<br>ELKINS PARK         | mgoldman13@comcast.net           |
| Megan Gorman                             | 1117 Melrose Ave<br>EP, PA                 | meganog@msn.com                  |
| Barbara Katz                             | Central Ave.                               |                                  |
| John Corcoran                            | MC Dept. of Public<br>Safety               | jcorcora@montcopa.org            |
| DAVID L. COHEN                           | 331 Genard Ave.<br>EP 19027                |                                  |
| Kurt Ahrens                              | 172 Fernbrook Ave                          |                                  |
| <del>ETHAN</del><br>Ethan Chebot-Goldman | 705 E. Glenside<br>Ave<br>Wyncote<br>19095 | chebgold@msn.com<br>215-887-7030 |



**PUBLIC ATTENDANCE LIST**  
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**Public Affairs Committee, 7:00 p.m.**  
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**Wednesday, November 5, 2014**  
**Curtis Hall**

| NAME<br>(Please Print Clearly) | ADDRESS                      | E-MAIL and/or TELEPHONE |
|--------------------------------|------------------------------|-------------------------|
| Gail Gross                     | 1509<br>Ashbourne R.         | 215-668-8659            |
| REBA BLAU                      | 1509<br>ASHBOURNE RD         | 215 982 8064            |
| ADELE RAPPOPORT                | 1509 ASHBOURNE<br>RD         | 215-635-1761            |
| Kathy Hodgkiss                 | 424 West Waverly<br>Glenside | 215 886 0423            |
| Judith Young                   | 529 Curtis Rd.<br>Glenside   | 215-512-6367            |
| Patricia Mc Cann               | Jefferson Ave,<br>Chittenden |                         |
| Eric WATSON                    |                              |                         |
| Karen Newsome                  | 8100 Fenton Rd.<br>Glenside  | <del>knews</del>        |



**PUBLIC ATTENDANCE LIST**  
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**Wednesday, November 5, 2014**  
**Curtis Hall**

| <b>NAME</b><br><b>(Please Print Clearly)</b> | <b>ADDRESS</b>        | <b>E-MAIL and/or TELEPHONE</b> |
|--|-----------------------|--------------------------------|
| ANN Croxson<br>Jackie Stoy                   | 8200 Fenter Rd        | acroxson@gmail.com             |
| William Biddle                               | 1640 CHATTIN RD       | SKIPBID4@AOL.COM               |
| JOSEPH SELTZER                               | 7813 PARK AVE<br>E.P. | SELTZERFAMILY@COMCAST.NET      |
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**CHELTENHAM TOWNSHIP**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 295, THEREOF, ENTITLED “ZONING” BY ADDING A NEW ZONING DISTRICT ENTITLED R3-A AND ENACTING REQUIRED AREA AND BULK REGULATIONS; AND AMENDING ARTICLE XXIV PRESERVATION OVERLAY DISTRICT.**

**SECTION 1.** Chapter 295, entitled “Zoning”, is hereby amended by adding a new Article XXXV, entitled R3-A Residence District, §295-255 to read as follows:

**§295-255. Applicable regulations.**

In the R3-A District, the regulations contained in this article shall apply. The purpose of this Article is to recognize and address the particular difficulties of properties which lie within two municipalities with varying zoning district requirements, and to develop regulations that allow for a coordinated development plan.

**§295-256. Use regulations.**

A building may be erected, altered or used and a lot or premises may be used for any of the following purposes and for no other:

- A. Single-family detached dwelling
- B. Municipal use.
- C. Accessory use on the same lot and customarily incidental to any of the foregoing permitted uses. The term “accessory use” shall not include an office for the conduct of business or any commercial enterprise but shall include:
  - (1) Private garage for use of the occupants.
  - (2) A professional office for a lawyer, doctor, dentist, chiropractor and any other practitioner of the healing arts for humans, as licensed by the Commonwealth of Pennsylvania, provided that such office or rooms are located in dwelling in which the practitioner resides, and further provided that such office shall not exceed 50% of the basement or first floor, as the case may be.
  - (3) A private swimming pool for the use of the occupants.

(4) A satellite earth station for the use of the occupants, provided that such satellite earth station complies with the requirements set forth in Article XXIX.

(5) A greenhouse, garden area, or accessory maintenance building.

D. Signs when erected and maintained in accordance with the provisions of Article XXV hereof and other applicable Township ordinances.

**§295-257. Lot area and lot width.**

A. A lot area of not less than 8,500 square feet and a lot width of not less than 70 feet at the street line and extending of that width from the street line to the depth of the rear yard shall be provided for every principal building hereafter erected, altered or used in this district.

**§295-258. Lot Coverage.**

A. The building coverage shall not exceed 30% of the lot area.

B. The impervious coverage shall not exceed 50% of the lot area.

**§295-259. Yard regulations.**

A. Front yard.

(1) There shall be a front yard, the depth of which shall be at least 20 feet.

(2) In the case of a corner lot, a front yard as provided for in Subsection A.(1) shall be required for each street on which the lot abuts.

B. Side yards.

(1) In the case of a single-family detached dwelling, there shall be two side yards, each having a width of at least 10 feet.

(2) In the case of any building other than a single-family detached dwelling or a building accessory thereto, there shall be two side yards, one on each side of the main building, neither of which shall be less than 20 feet wide.

C. Rear yard. There shall be a rear yard, the depth of which shall be at least 25 feet.

**§295-260 Building height.**

A. The height of any principal building shall not exceed three stories, and may in no case exceed 40 feet in height.

- B. The height of any accessory building or structure shall not exceed one story or 16 feet in height.

**§295-261 Special Regulations**

- A. Density. In an R3-A Residential District the number of units per acre shall not exceed 1.9 over the entire tract area, excluding the ultimate right of way of any existing public streets. In addition, one existing building per tract may be adaptively reused as a dwelling unit.
- B. No new building shall be located within 40 feet of the ultimate right of way of a state highway. Existing trees, walls, fences and other structures within such required 40 foot buffer shall be retained and perpetually maintained in accordance with a maintenance and operations plan to be approved as a part of any development of the property; and existing trees, walls, fences and other structures within the ultimate right of way shall be retained and perpetually maintained in accordance with a maintenance and operations plan to be approved as part of any development of the property
- C. No new road, driveway or building shall be located closer than 50 feet to an existing residential lot.
- D. Pedestrian circulation shall be provided throughout the tract. Whenever possible trail and sidewalk interconnection shall be provided to adjoining properties. All sidewalks and trails shall be available to the public.

**SECTION 2.** Chapter 295 entitled “Zoning”, Article XXIV Preservation Overlay District, §295-187 B. is hereby amended to read as follows:

**§295-187. District Established.**

- B. Notwithstanding the foregoing, multiple-dwelling housing for the elderly projects, and the R3-A District (only if the tract under development under single and separate ownership extends into another municipality) are exempt from the requirements of this Article.

**SECTION 3.** Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

**SECTION 4.** In all other respects, the Code of the Township of Cheltenham, Chapter 295, entitled “Zoning” is hereby ratified and reaffirmed except where the same is inconsistent with the provisions contained in this Ordinance.

10/28/14

**SECTION 5.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Cheltenham Township Board of Commissioners that this Ordinance would have been adopted if such legal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

**SECTION 6.** This Ordinance shall take effect and be in force from and after it is approved as required by law.

ENACTED into an ORDINANCE this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS

BY: \_\_\_\_\_  
Harvey Portner, President

ATTEST:

\_\_\_\_\_  
Bryan Havir, Cheltenham Township Manager/Secretary

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWNSHIP OF CHELTENHAM, ATTACHED TO AND INCORPORATED IN CHAPTER 295, SECTION 4, OF THE CHELTENHAM TOWNSHIP CODE, BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND FROM THE R3 RESIDENTIAL DISTRICT TO R3-A RESIDENTIAL DISTRICT**

THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, DO HEREBY ENACT AND ORDAIN:

**Section 1:** That Chapter 295, Section 4, Zoning Map of Cheltenham Township, shall be amended to change the hereafter described tract of land presently zoned R3 Residential District to the R3-A Residential District.

All that certain tract or parcel of ground situate in Cheltenham Township, Montgomery County, PA described as follows:

**BEGINNING** at a concrete monument set on Township line dividing Cheltenham and Springfield Townships and being set on the westerly side of Willow Grove Avenue, said monument being set South 35 degrees 03 minutes 56 seconds West 20.57 feet from a concrete monument set on the westerly side of Willow Grove Avenue marking a corner of lands of David Lloyd and now or formerly Michael F. Harkins; thence leaving said point of beginning and along said right of way the following five courses and distances to wit:

1. South 02 degrees 01 minutes 50 seconds West 78.36 feet to a point,
2. By a curved line curving to the left having a radius of 512.40 feet and an arc length of 5.32 feet to a point,
3. South 03 degrees 12 minutes 07 seconds West 223.91 feet to a point,
4. By a curved line curving to the right having a radius of 1583.50 feet and an arc length of 324.60 feet to a point,
5. South 14 degrees 56 minutes 48 seconds West 161.03 feet to a point thence leaving said right of way and crossing to title line in said Willow Grove Avenue South 55 degrees 03 minutes 18 seconds East 17.89 feet to a point in the bed of said road thence along said road South 12 degrees 33 minutes 42 seconds West 651.57 feet to a point thence leaving said road and along various lots in the Laverock Manor Subdivision North 55 degrees 00 minutes 39 seconds West 651.41 feet to a concrete monument set on the aforementioned township line thence along said township line North 36 degrees 07 minutes 55 seconds West, crossing a water line easement and a driveway easement, 1306.43 feet to a concrete monument being the first mentioned point and place of beginning.

CONTAINING: 10.556 Acres

Such property is also known as Cheltenham Township, Parcel Numbers 31-00-29050-007, 31-00-29053-004, 31-00-29056-019, and 31-00-29056-001.

10-30-14

**Section 2:** That the proper officers of the Township of Cheltenham shall be directed to amend the Zoning Map of Cheltenham Township in accordance with this ordinance.

ENACTED AND ORDAINED THIS \_\_\_\_ day of \_\_\_\_, 2014.

BOARD OF COMMISSIONERS  
OF CHELTENHAM TOWNSHIP

By: \_\_\_\_\_  
Harvey Portner, President

ATTEST:

\_\_\_\_\_  
Bryan Havir, Cheltenham Township Manager/Secretary



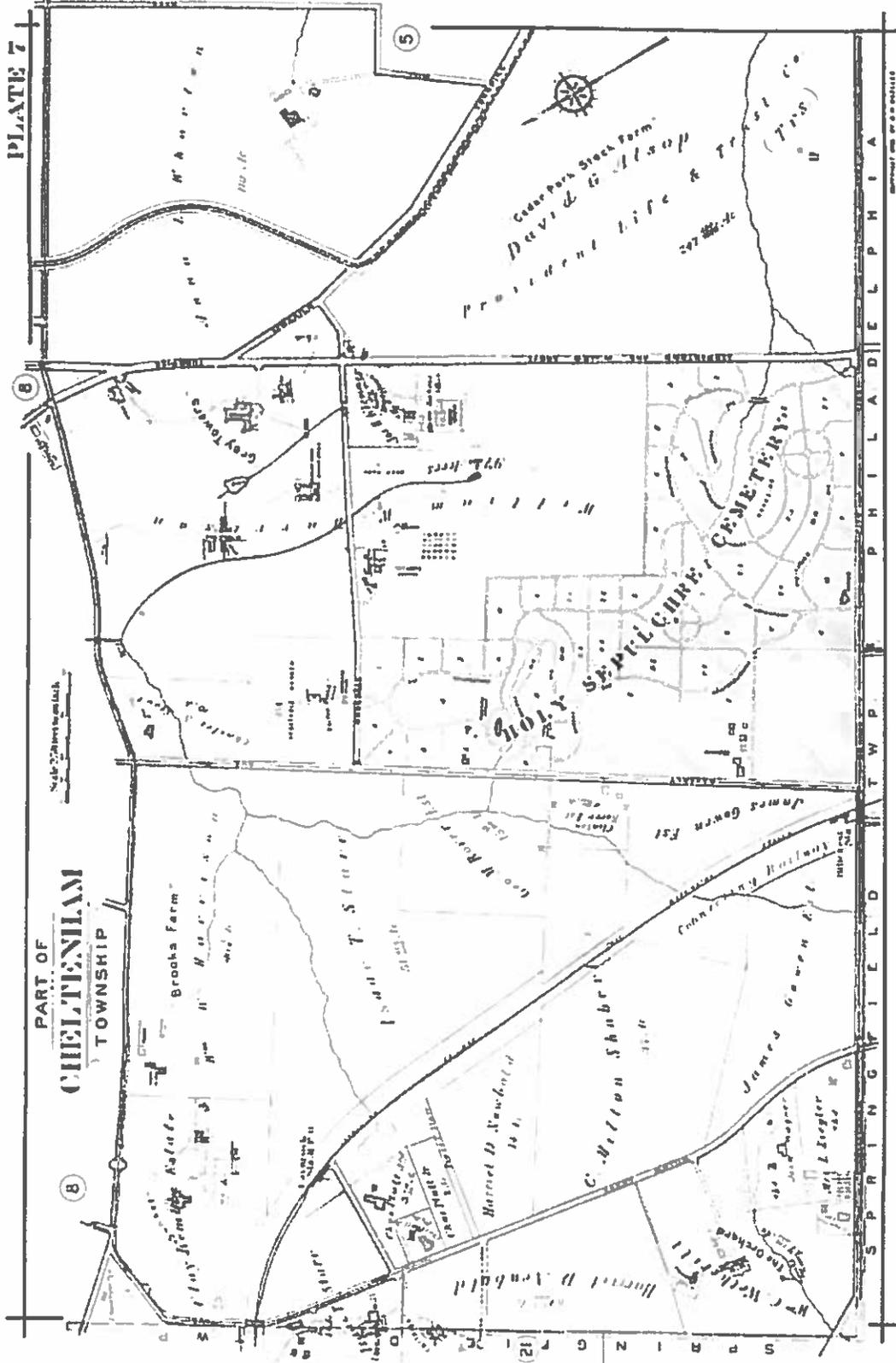
Proposed New Location for their

**Resident Fellowship Program**

8201 Fenton Road  
Laverock, Pennsylvania



PART OF  
**CHELTENHAM**  
TOWNSHIP



S P R I N G F I E L D T W P P H I L A D E L P H I A

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**GTP**  
 ARCHITECTS INC.  
 1000 CHANDLER ROAD  
 CHANDLER, PA 15015  
 (724) 225-1100  
 www.gtparchitects.com

Proposed  
 Renovations  
 to:  
 8201  
 Fenton  
 Road  
 Laverack  
 PA  
 for  
 The John Jay  
 Institute  
 300 Bala  
 Avenue  
 Bala Cynwyd  
 PA

|             |          |
|-------------|----------|
| DATE        | 12/15/11 |
| SCALE       | AS SHOWN |
| PROJECT NO. | 11070    |
| DATE        | 12/15/11 |

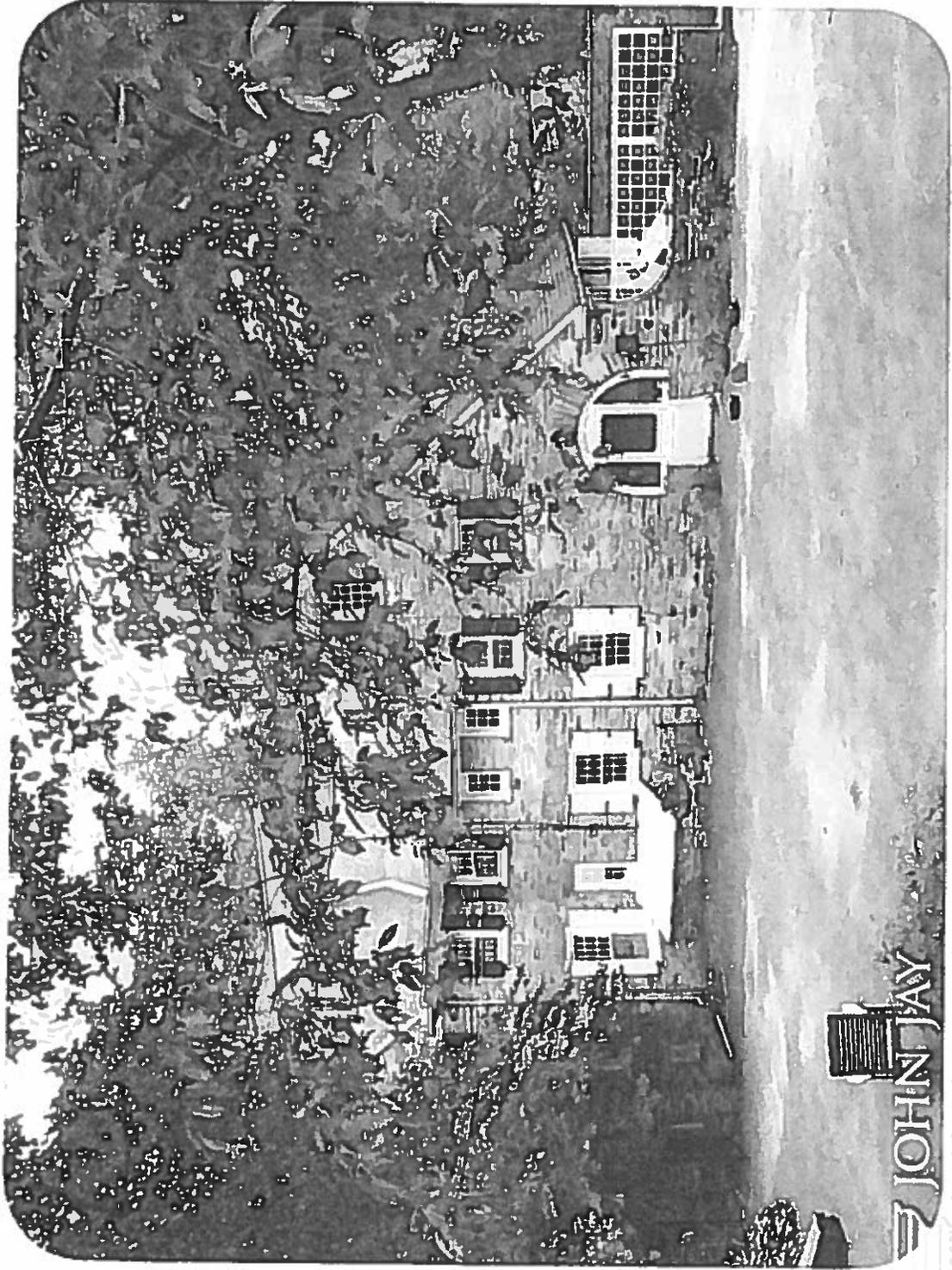
**SP-1**



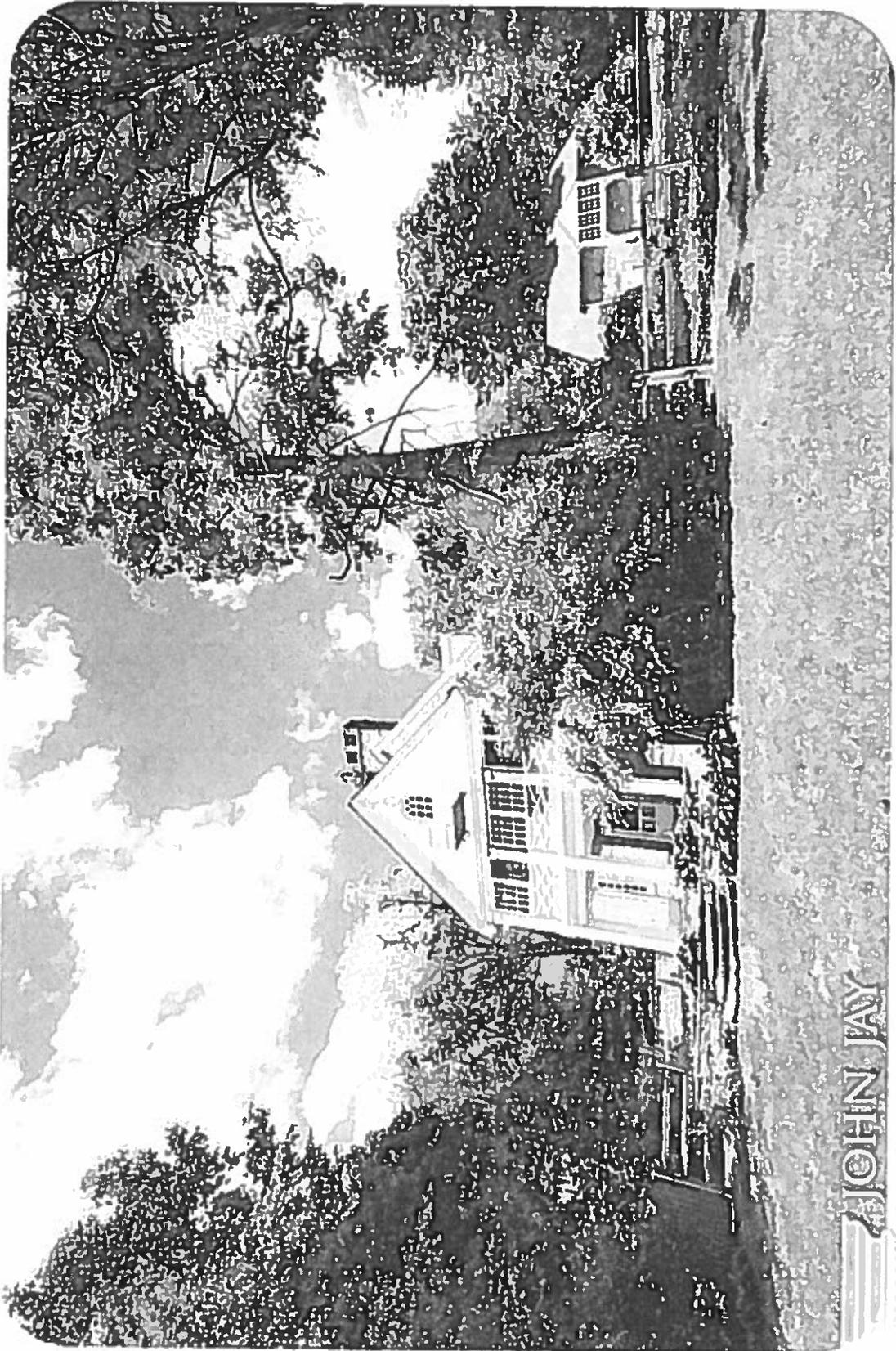
**SITE LOCATION MAP**  
 SCALE: 1" = 200'



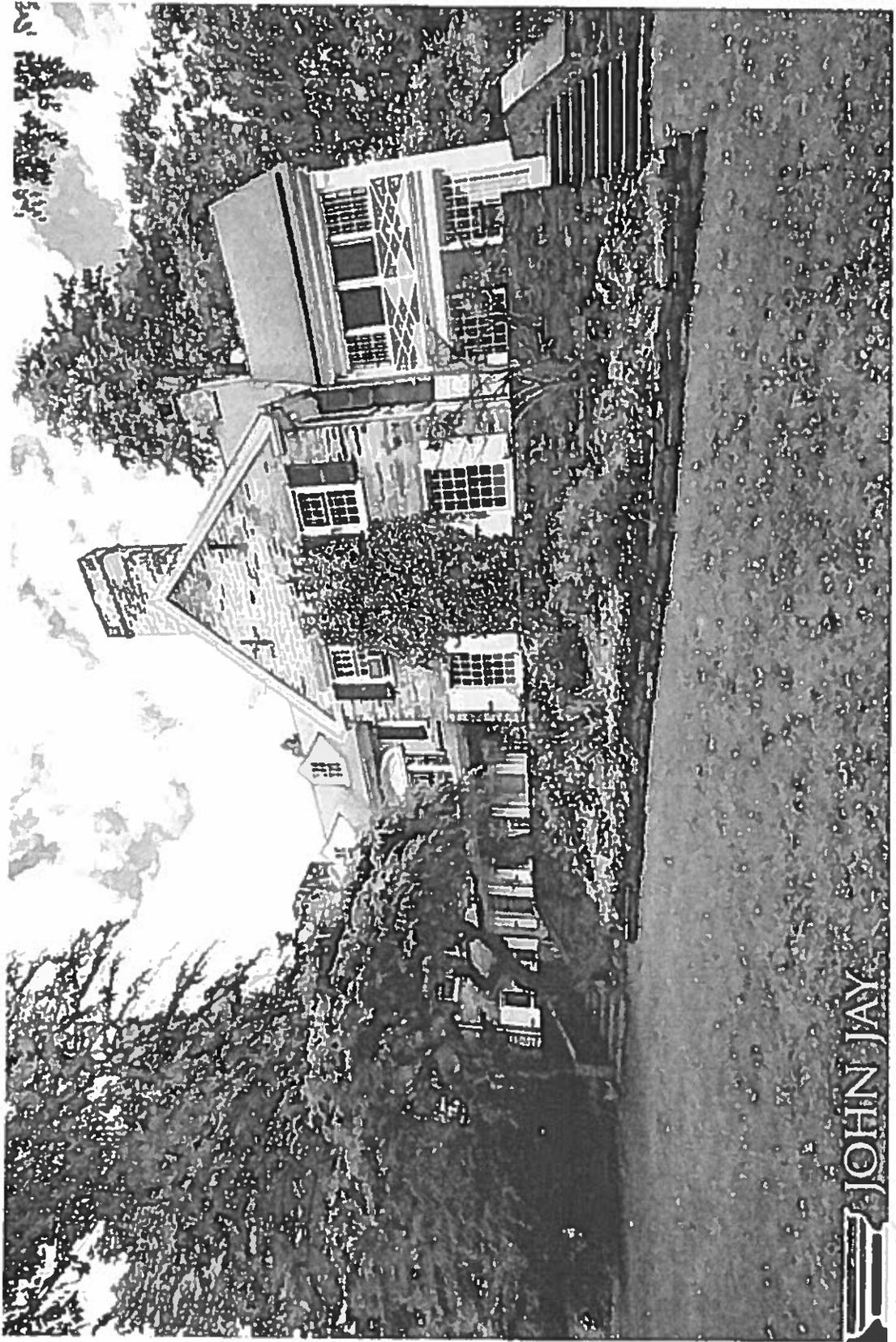




 JOHN JAY  
INSTITUTE



JOHN JAY  
INSTITUTE



JOHN JAY

UNIVERSITY

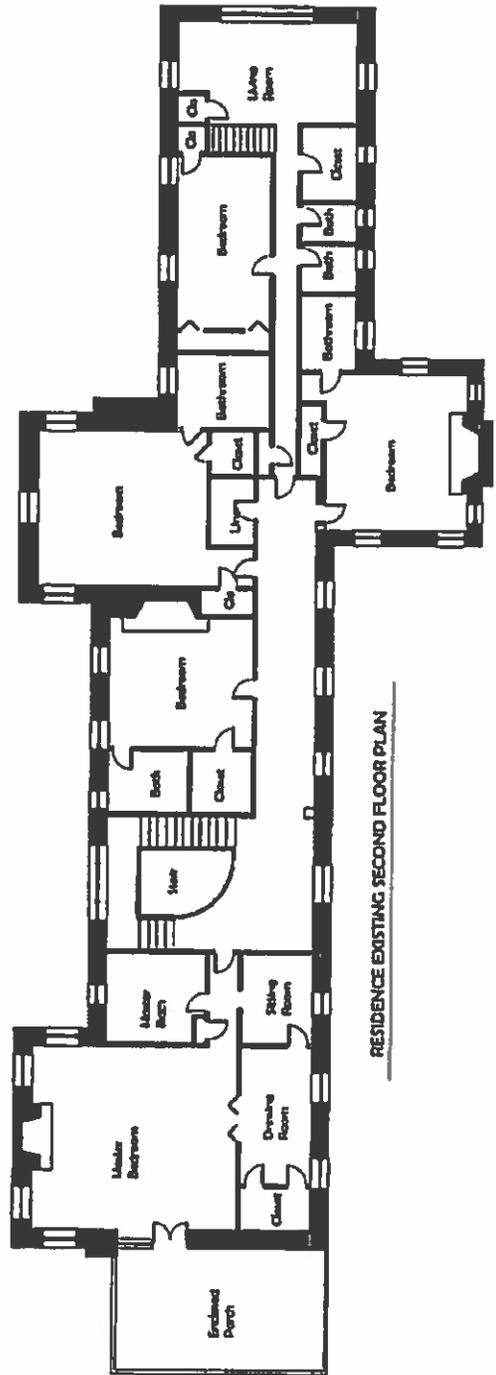


JOHN JAY  
UNIVERSITY

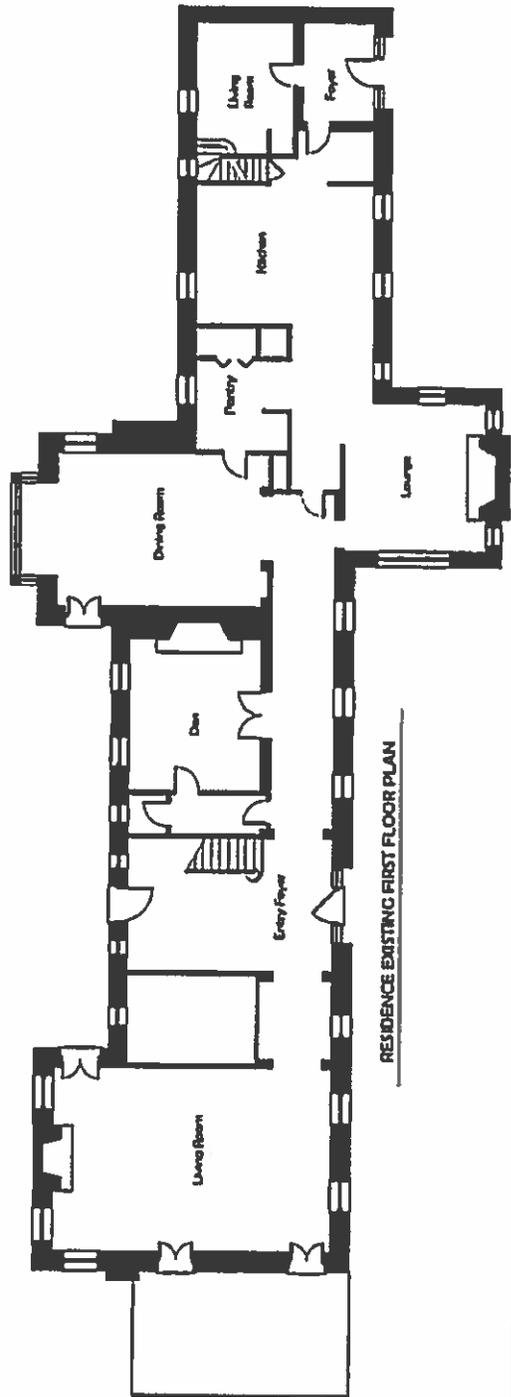
Proposed Renovations  
 8201 FANTAN ROAD  
 LAWRENCEVILLE, GA 30046

for  
 The John Jay Institute  
 300 Bole Avenue  
 Bala Cynwyd PA

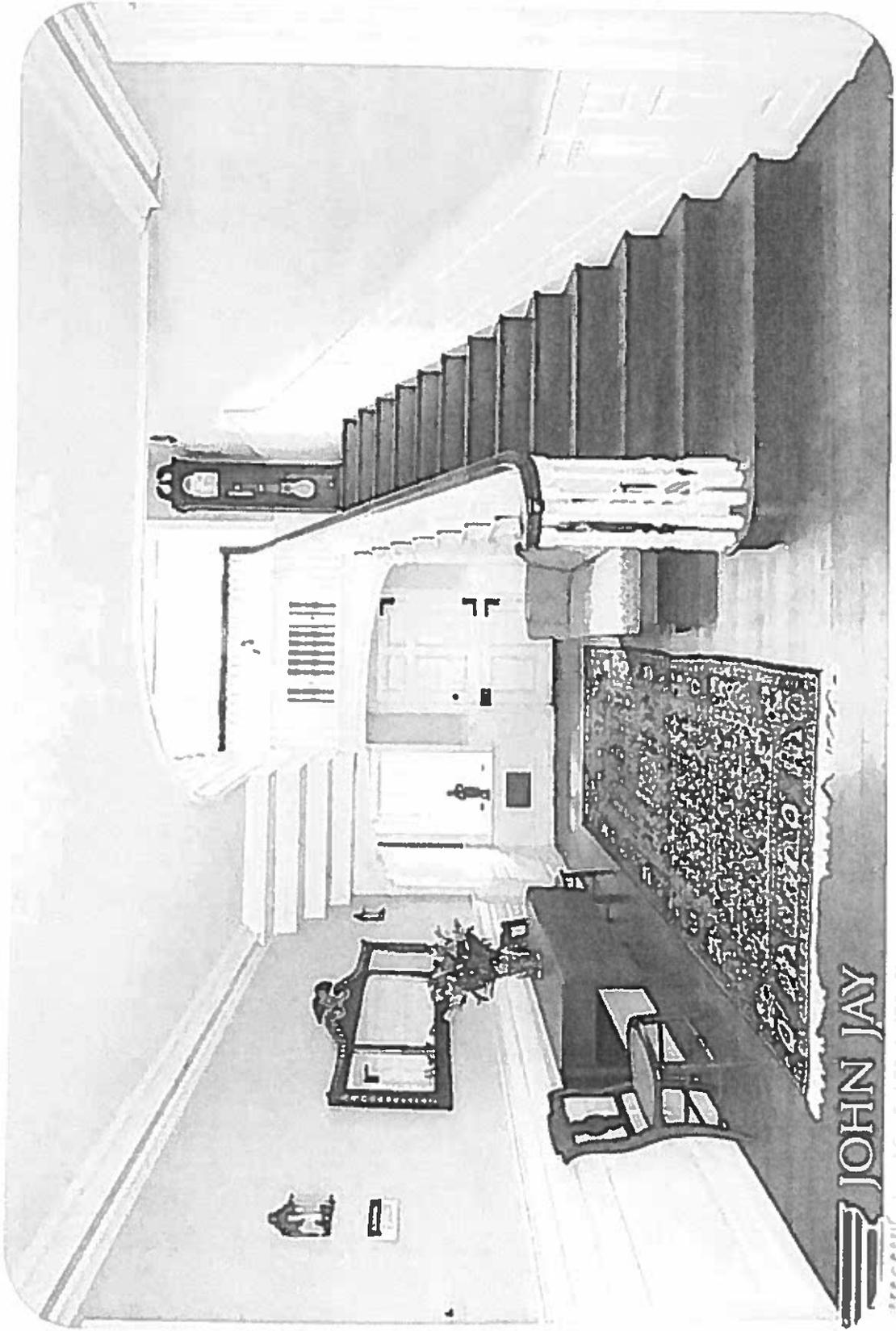
|              |            |
|--------------|------------|
| DATE         | 11/20/2014 |
| SCALE        | AS SHOWN   |
| PROJECT NO.  | 14079      |
| DESIGNED BY  | GP/MS      |
| DRAWN BY     | GP/MS      |
| CHECKED BY   | GP/MS      |
| DATE PLOTTED | 11/20/2014 |
| SCALE        | AS SHOWN   |
| PROJECT NO.  | 14079      |
| DESIGNED BY  | GP/MS      |
| DRAWN BY     | GP/MS      |
| CHECKED BY   | GP/MS      |
| DATE PLOTTED | 11/20/2014 |



RESIDENCE EXISTING SECOND FLOOR PLAN



RESIDENCE EXISTING FIRST FLOOR PLAN



 JOHN JAY  
INSTITUTE



 JOHN JAY  
INSTITUTE



 JOHN JAY  
INSTITUTE



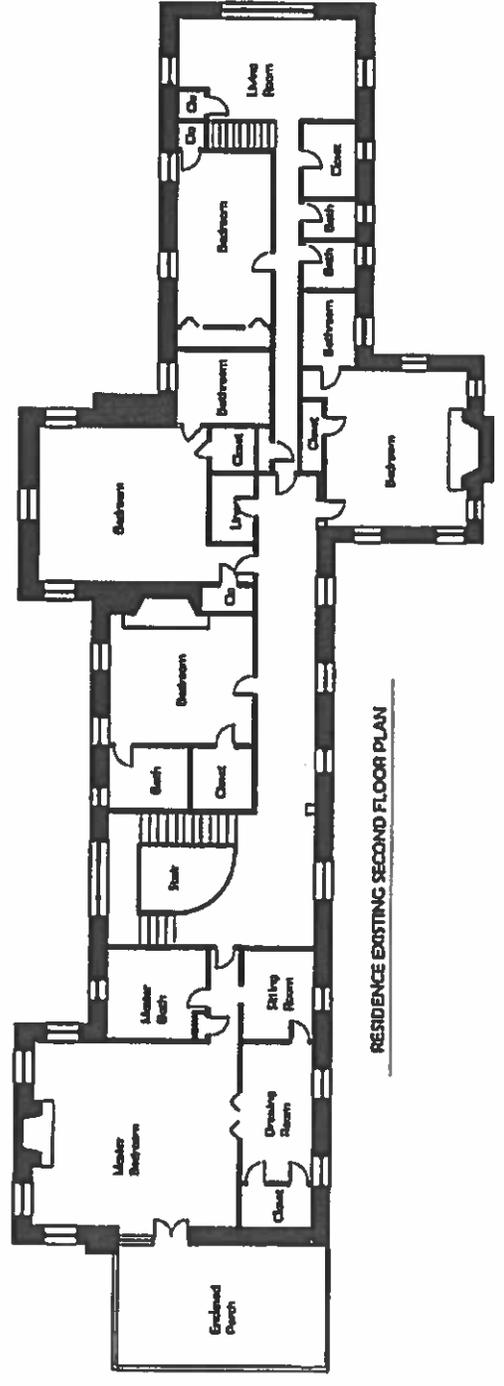
JOHN JAY  
INSTITUTE



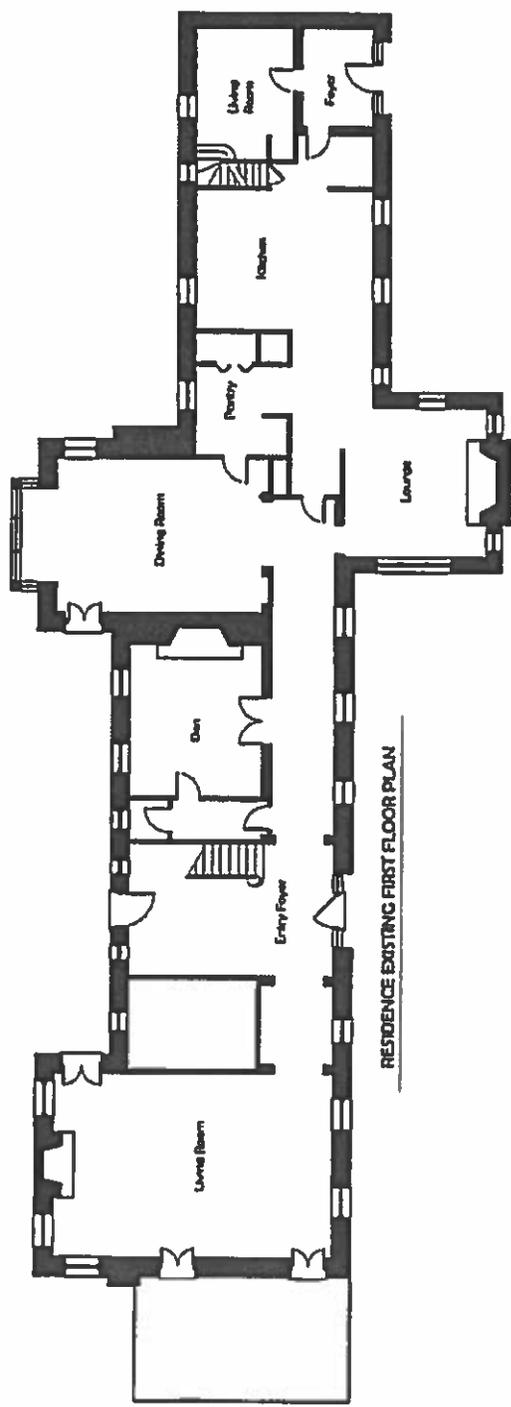
JOHN JAY  
INSTITUTION



JOHN JAY  
INSTITUTE



RESIDENCE EXISTING SECOND FLOOR PLAN



RESIDENCE EXISTING FIRST FLOOR PLAN





JOHN JAY  
INSTITUTE

**GTP**  
**ARCHITECTS, PC**  
 1000 University Avenue  
 Suite 1000  
 Berkeley, CA 94702  
 Tel: 415.841.2200  
 Fax: 415.841.2201  
 www.gtparchitects.com

Proposed  
 Renovations  
 In:

8201  
 Fenton  
 Road

Leverock  
 PA

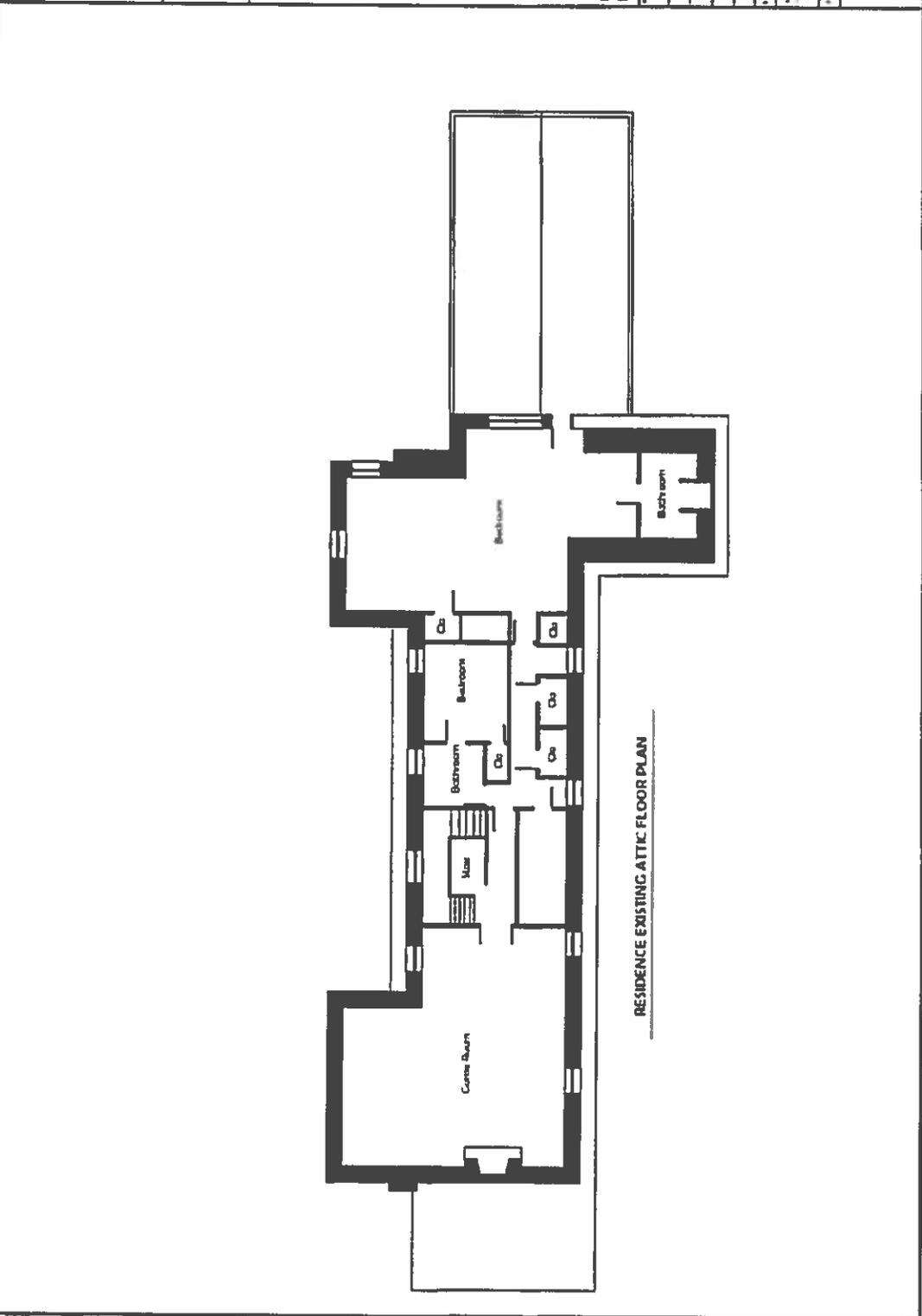
for  
 The John Jay  
 Institute

306 Bala  
 Avenue

Bala Cynwyd  
 PA

|      |          |
|------|----------|
| DATE | 10/11/11 |
| BY   | JLH      |
| NO.  | 1        |
| REV. |          |
| DATE |          |
| BY   |          |
| NO.  |          |
| REV. |          |

**EX-2**

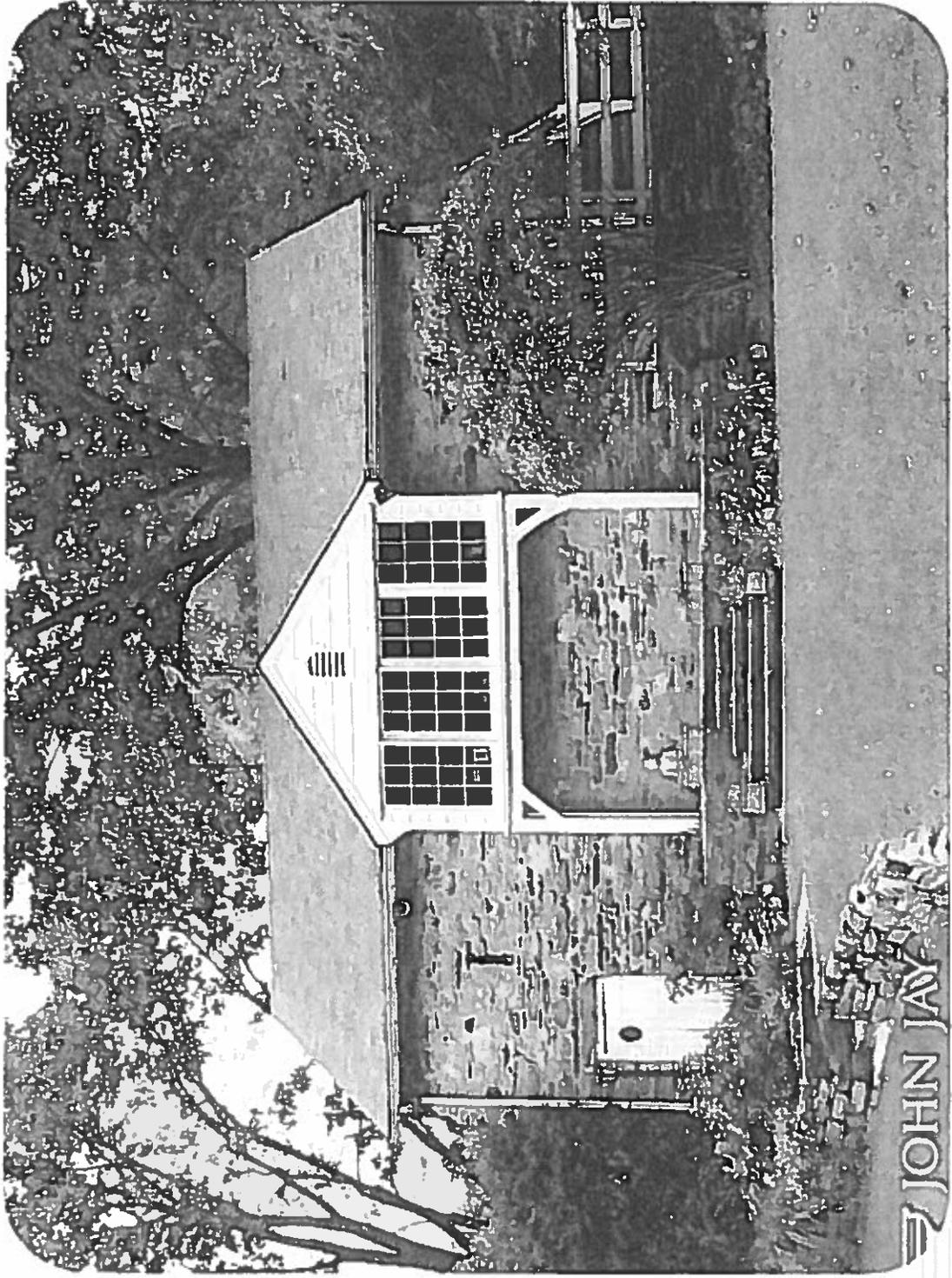




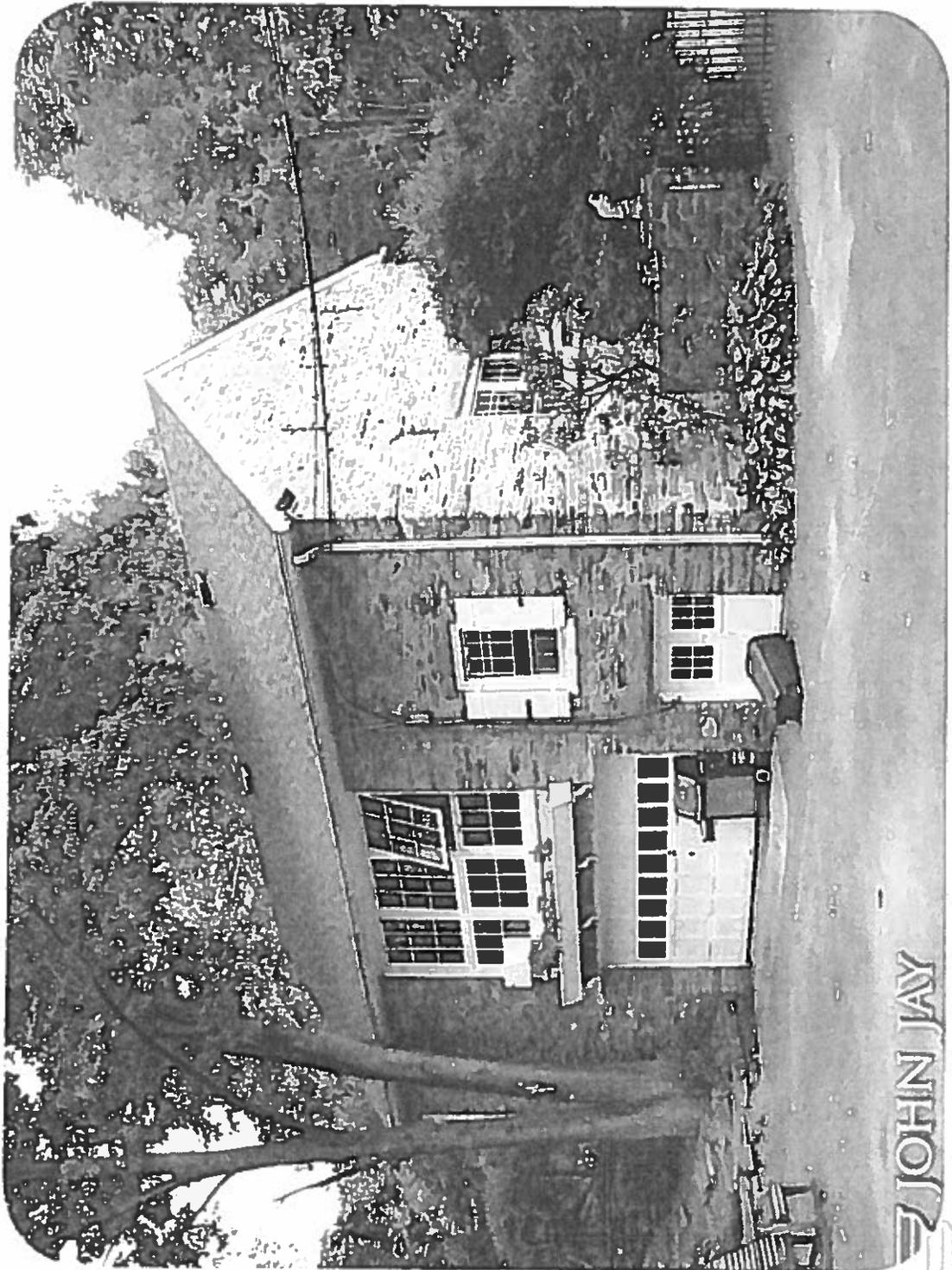
 JOHN JAY  
INSTITUTE



 JOHN JAY  
INSTITUTE



JOHN JAY  
UNIVERSITY



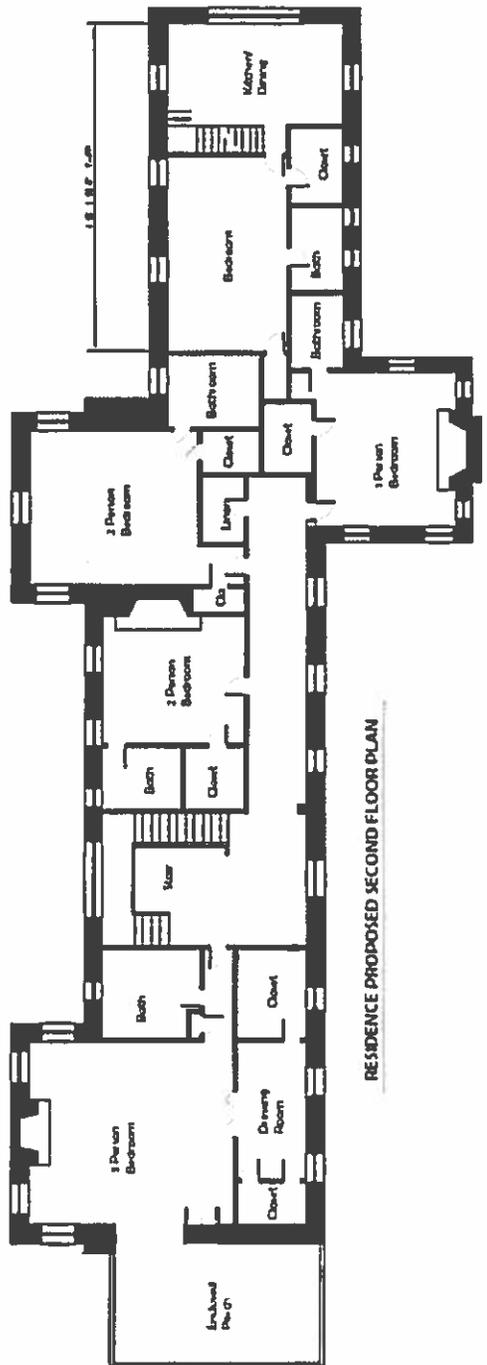
JOHN JAY  
INSTITUTE



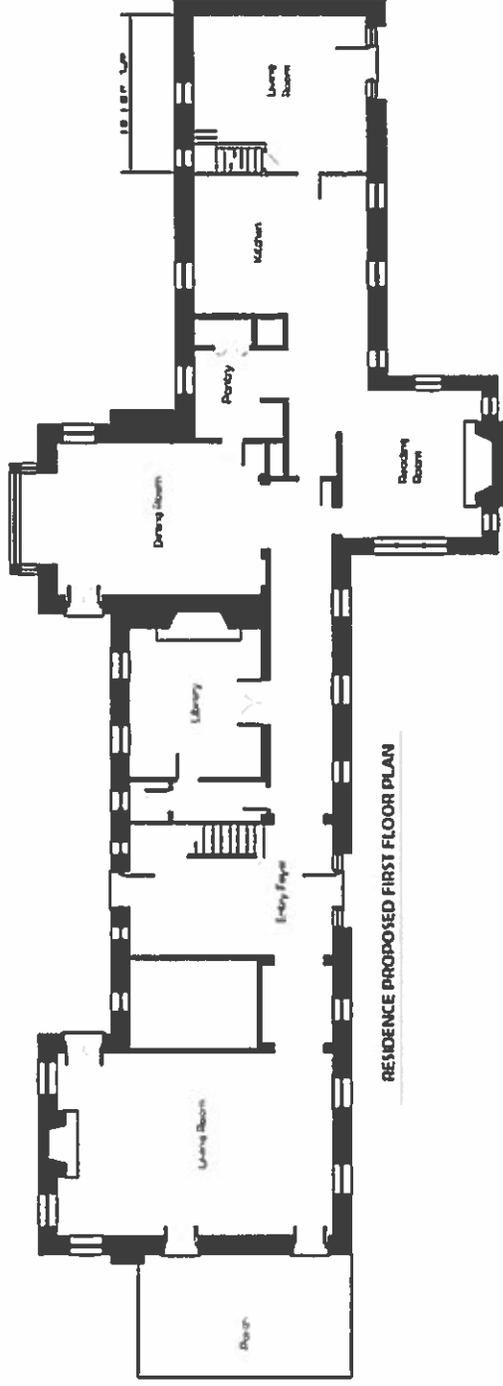


JOHN JAY  
INSTITUTE

|     |     |     |     |
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| 1.0 | 1.0 | 1.0 | 1.0 |
| 1.0 | 1.0 | 1.0 | 1.0 |
| 1.0 | 1.0 | 1.0 | 1.0 |



RESIDENCE PROPOSED SECOND FLOOR PLAN



RESIDENCE PROPOSED FIRST FLOOR PLAN











Proposed New Location for their

**Resident Fellowship Program**

8201 Fenton Road  
Laverock, Pennsylvania



# Cheltenham Elementary 911 Communications Tower Site

*Presentation to the Cheltenham  
Township Building and Zoning  
Committee 11/05/14*



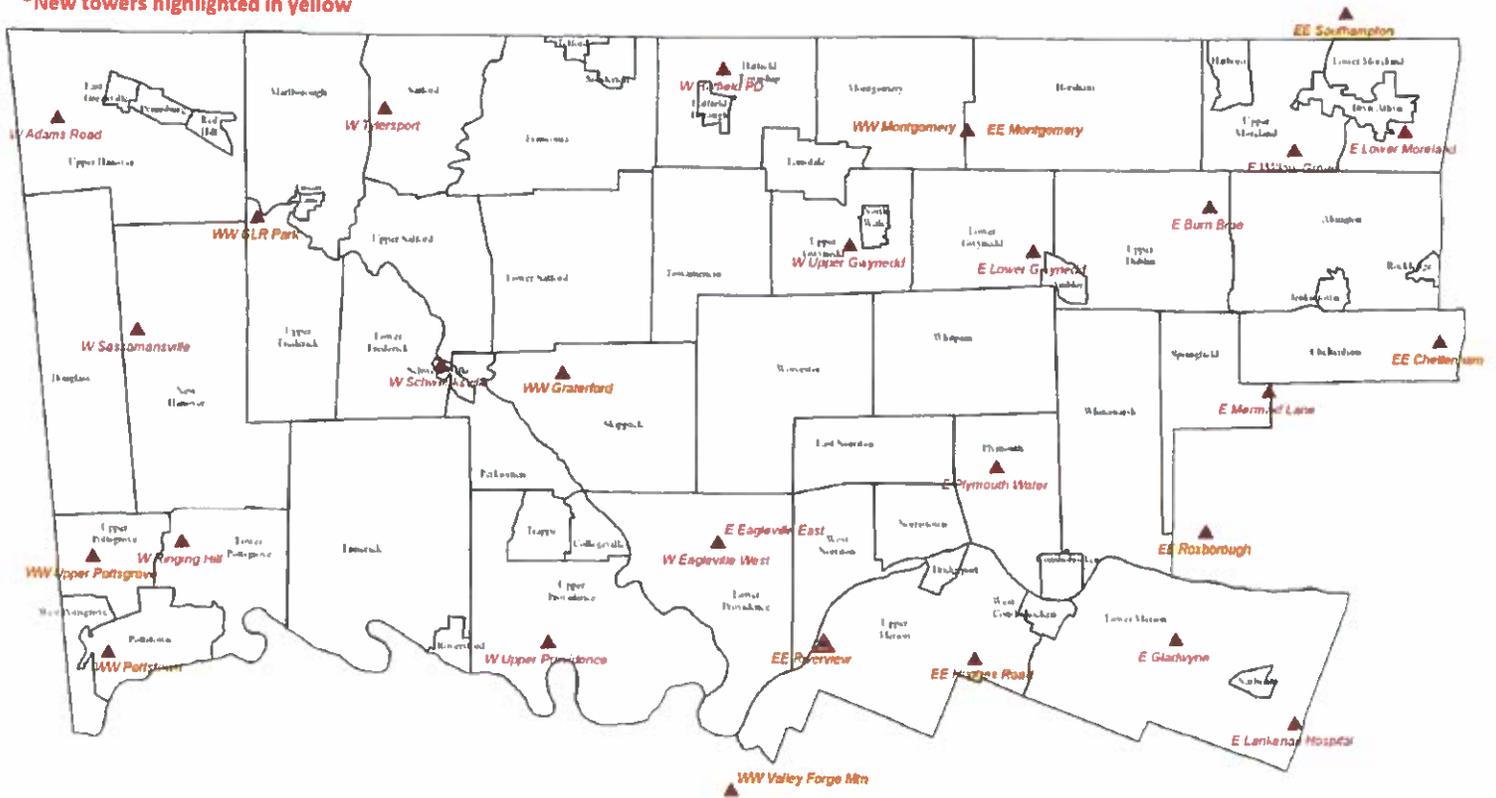
## Project Overview

- \$29.9 million Emergency Radio System Upgrade
- Improve the safety of residents
- Improve the safety of police, fire and EMS
- 10 new antenna sites
  - Improve radio coverage
  - Improve signal strength



# Proposed 911 System

\*New towers highlighted in yellow





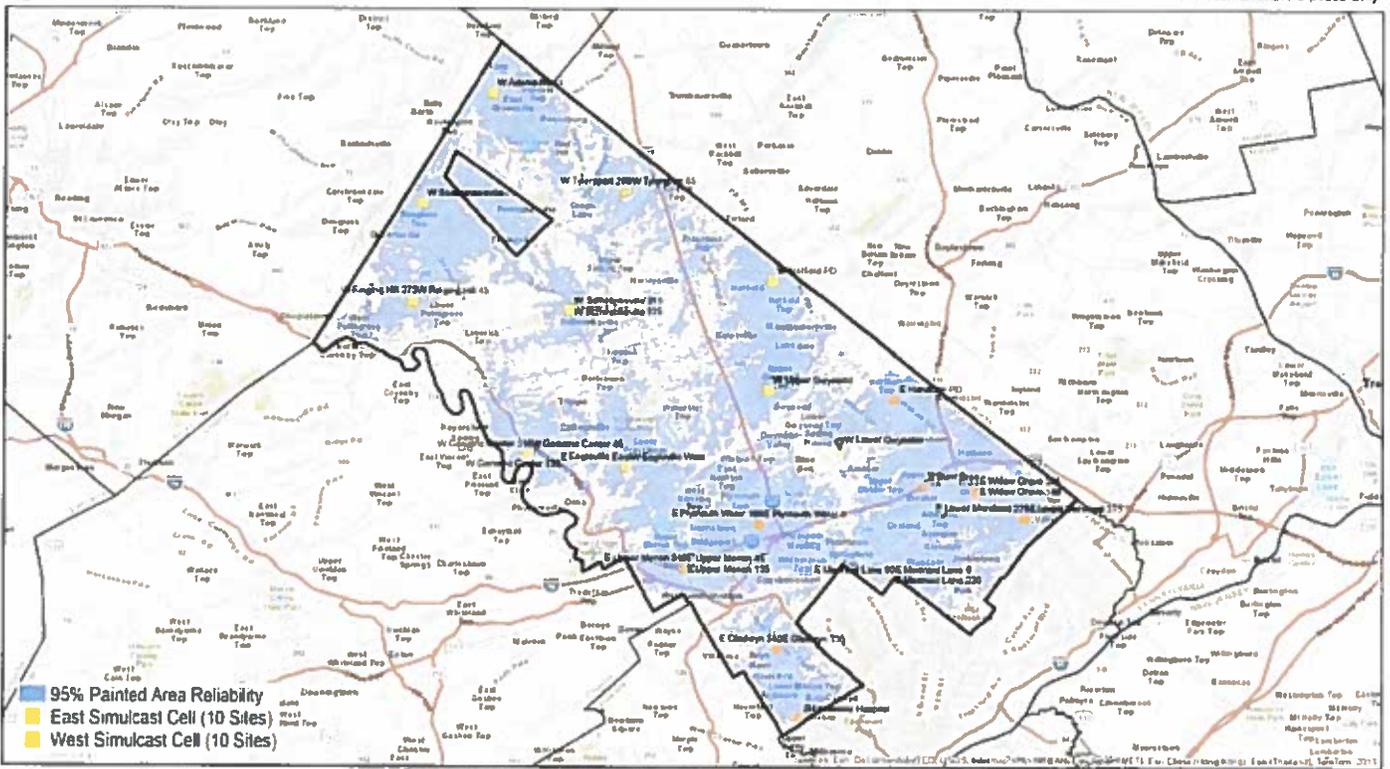
# Current Radio Coverage



Montgomery County, PA

Smartzone 20 Existing Sites, 800MHz antennas, 2 Simulcast Cells, DAQ 3 4

For informational Purposes Only



0dB On Street in Identified State Gameland and 1dB Loss Applied Countywide Roundtrip Coverage  
 XT5 Portable, 3W, Hp Level (3.5A)  
 Swivel Case Speaker Microphone, Half Wave Flex Whip Antenna Configuration

1 inch = 3.95 miles  
 Projection World\_Mercator  
 PA\_MONTCO\_20130422\_EXISTING\_17  
 Nov. 20 2015  
 3:41:08 PM 11/20/15



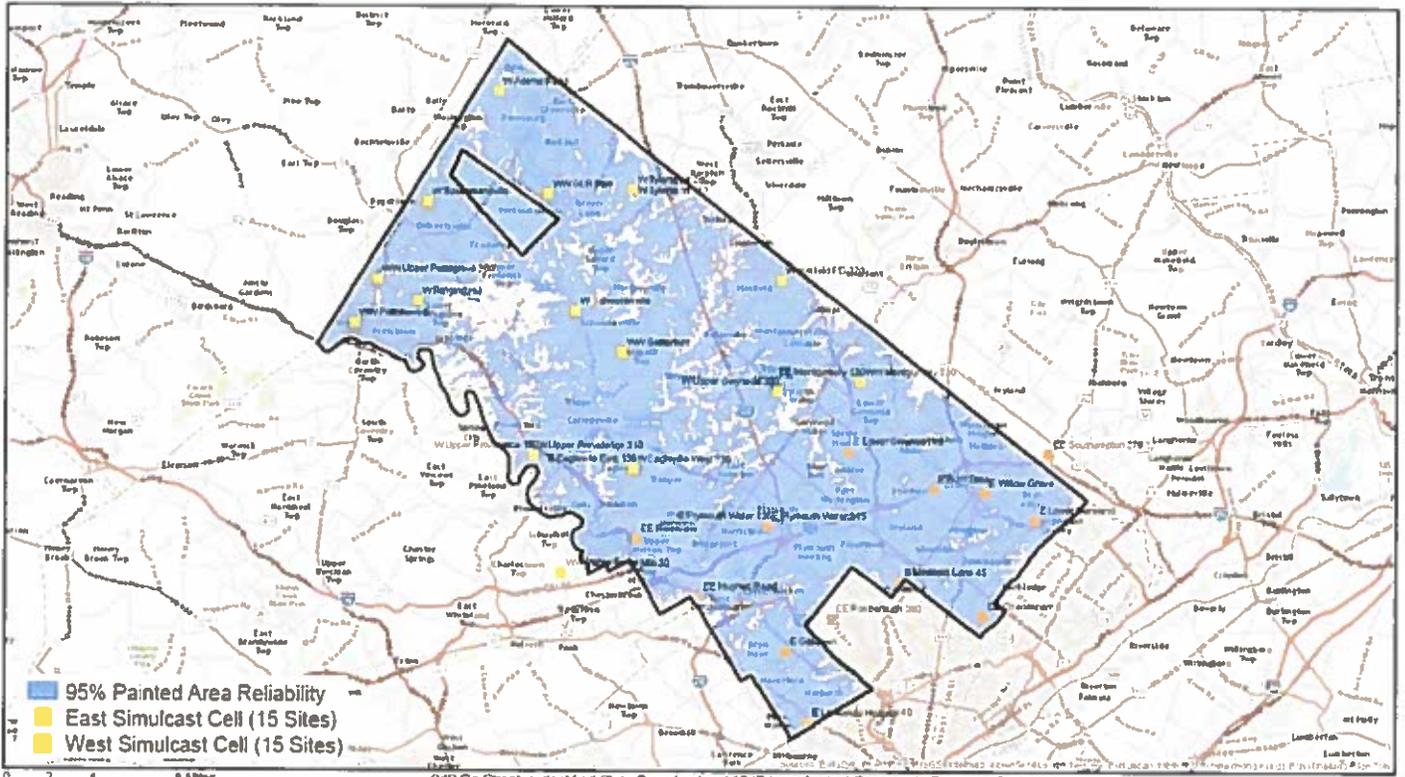
# Upgraded Radio Coverage



Montgomery County, PA

P25 TDMA, 30 sites, 700/800MHz, 2 Simulcast Cells, DAQ 3 4

For Informational Purposes Only

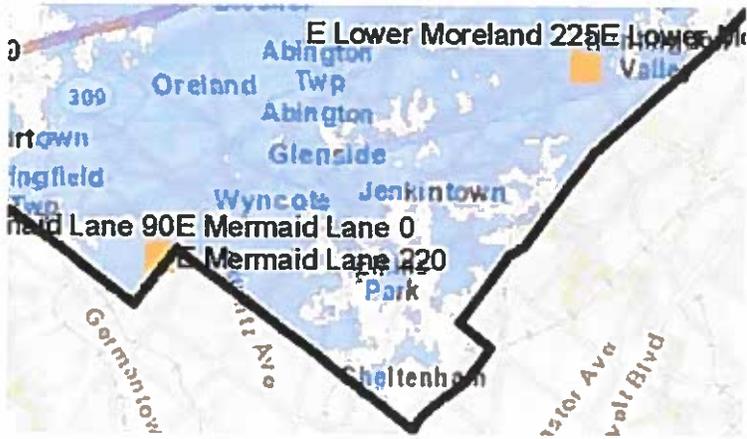


PA\_MONTCO\_2014313\_P25\_78ANT\_3

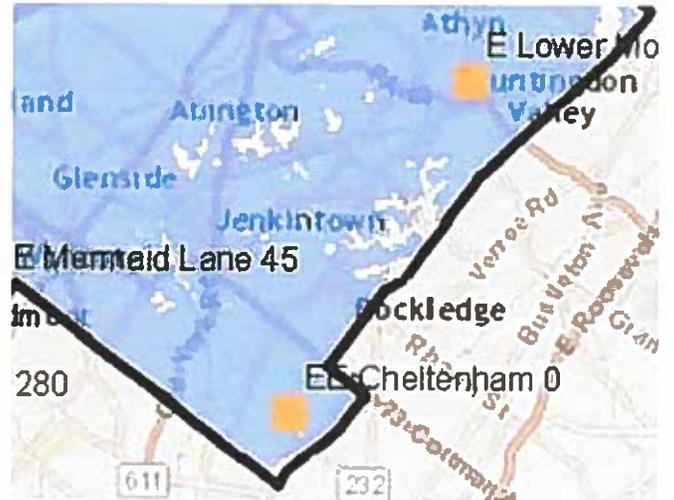


# Eastern Montco Coverage

Current



Upgraded



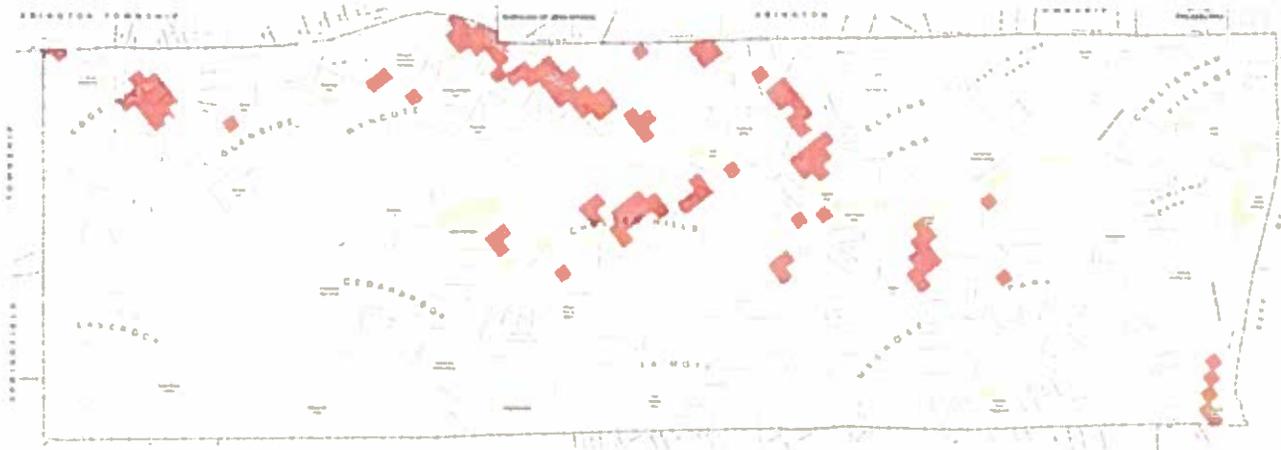


# Cheltenham Coverage

**Current**



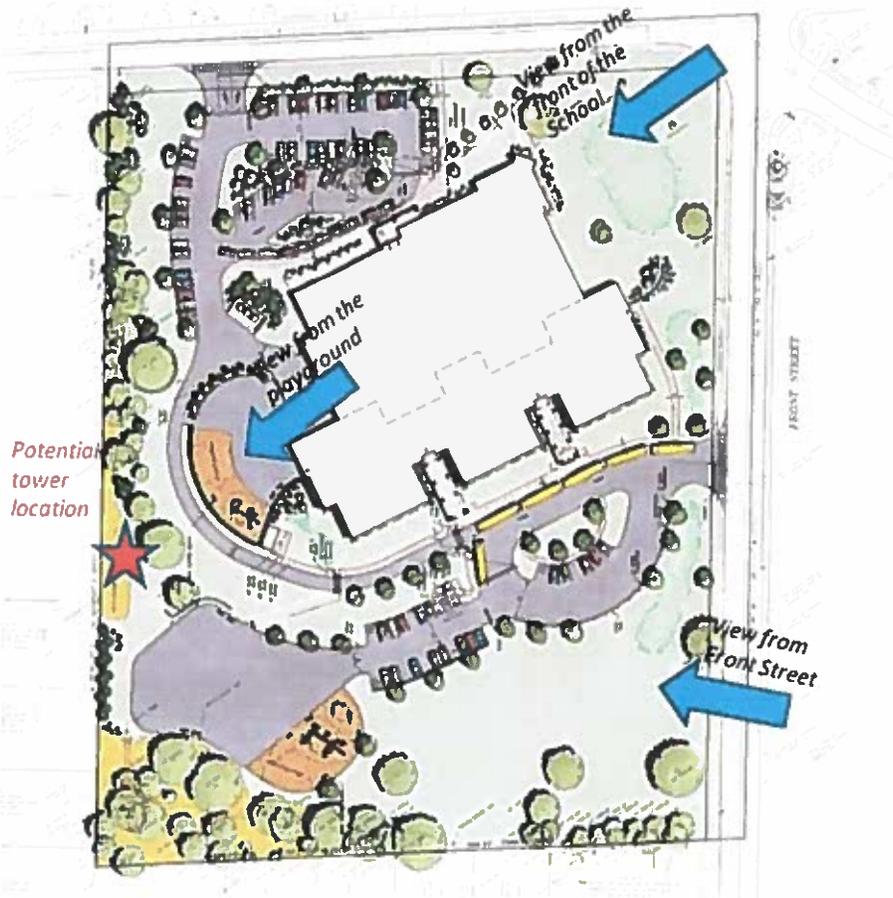
**Upgraded**







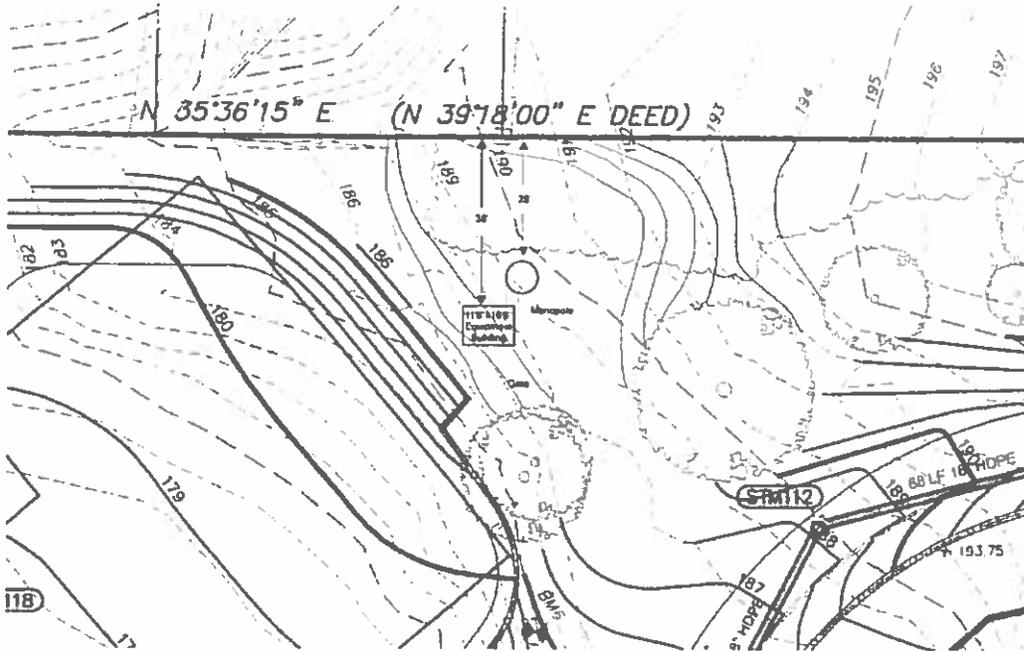
# Cheltenham Elementary Tower Location



Cheltenham Elementary School  
911 Tower Views



# Cheltenham Elementary Site Plan



**General Notes**

1. Property boundaries and survey reference markers are as noted on plan and shall be shown on all copies.
2. The building shall be constructed in accordance with the zoning ordinance.
3. All work shall be done in accordance with the applicable codes and regulations of the County of Montgomery.
4. The Contractor shall obtain all necessary permits and approvals from the local authority prior to commencement of any construction activity.
5. The Contractor shall ensure that all utility lines are properly marked and that all necessary safety precautions are taken.
6. The Contractor shall ensure that all construction materials and equipment are stored in an approved manner.
7. The Contractor shall ensure that all construction activities are completed in accordance with the approved plans.
8. All necessary safety precautions shall be taken at all times during construction.
9. The Contractor shall ensure that all construction activities are completed in accordance with the approved plans.
10. All construction materials and equipment shall be stored in an approved manner.

**Zoning Data**

R-4 Residential District

**Site Data**

Cheltenham Elementary School  
7853 N Front St  
Cheltenham PA, 19012



Call Before You Dig  
Pennsylvania law requires 3 working days notice  
for construction phase and 10 working days in  
design stage. CALL  
Pennsylvania One Call System, Inc.  
1 800 242-1778

|   |                 |
|---|-----------------|
| Montgomery County                                 |                 |
| Revised   | Description     |
| Date  | October 8, 2014 |
| Drawn   |                 |
| Checked   |                 |
| Drawing Name: Site Plan/Construction Improvements |                 |
| 811 Radio System<br>County Upgrade                |                 |
| Location: Cheltenham Elementary School            |                 |
| Date  | August 20, 2014 |
| NOT TO SCALE                                      |                 |
| Sheet Number:<br>3 of 4                           |                 |

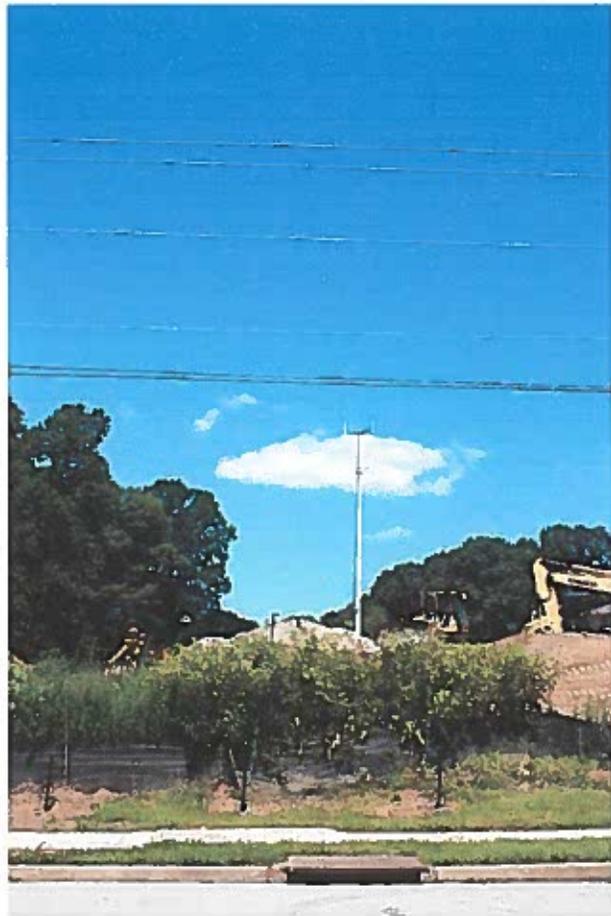


# Front of School View



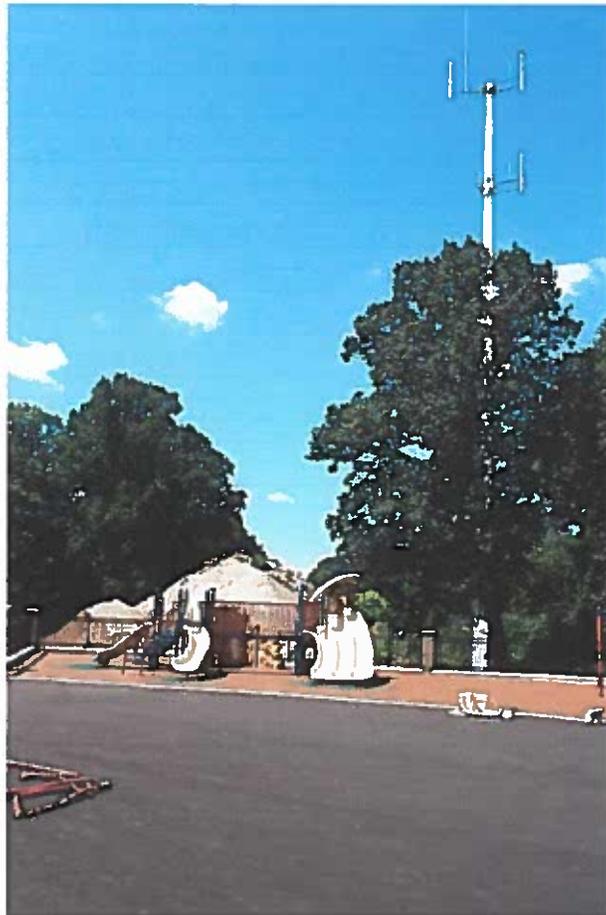


# Front Street View





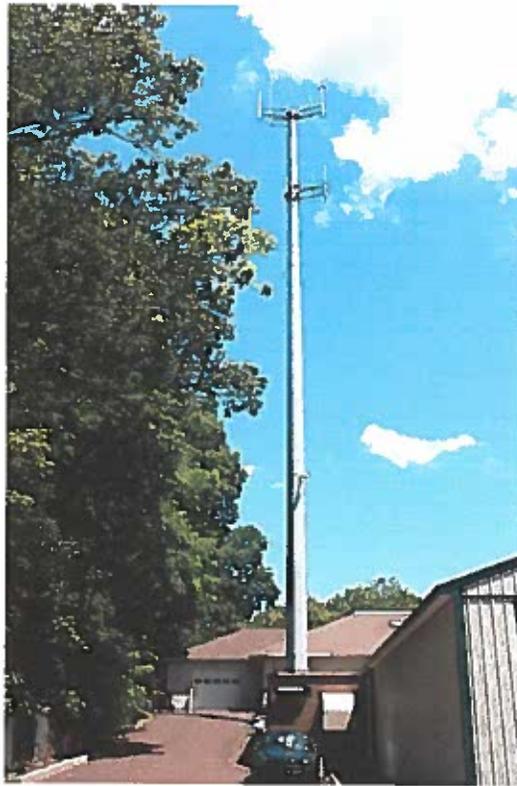
# Playground View





# Typical Monopole Tower

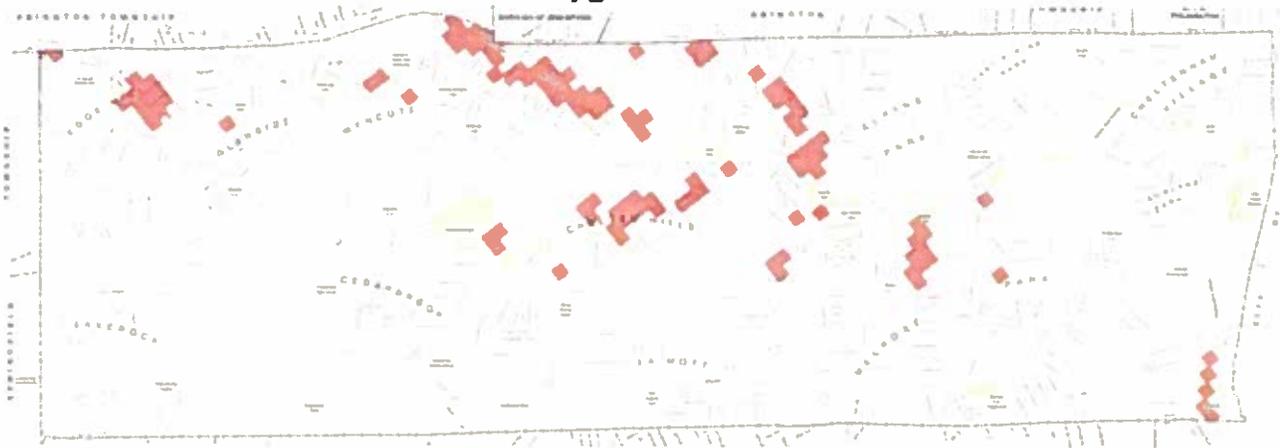
Hatfield Township





# Cheltenham Coverage

Upgraded



Alternative Tower Site in Philadelphia

