

January 5, 2011
Curtis Hall

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Art Haywood, Vice Chairman, presiding. Members present were Commissioners Hampton, McKeown, Sharkey and Simon. Also present was Ex-Officio Member Portner. Staff present were Joseph Bagley, Wisler Pearlstine LLC; Bryan T. Havir, Assistant Township Manager; David M. Lynch, Director of Engineering, Zoning and Inspections; Ruth Littner Shaw, Main Street Manager; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

Mr. Haywood called the meeting to order.

1. The Zoning Hearing Board Agenda for January 10, 2011 was reviewed as follows:

APPEAL NO. 3336 (continued and amended) – Appeal of Matrix Ashbourne Associates, L.P., owner of premises known at 1100 Ashbourne Road, Cheltenham, PA (a/k/a “Ashbourne Country Club”), from the Decision of the Zoning Officer for Zoning Relief in order to develop the Premises into a 226 Unit Development consisting of a minimum of seventy (70) Single-Family Residences and a maximum of one hundred and fifty six (156) Carriage Homes. In addition, an area containing approximately 1.25 acres has been set aside for a future clubhouse and swimming pool. The premises is within the Class R-1 Residence District.

The following Zoning Relief is required:

- a. A Variance from the rules and regulations of the “Floodplain District” as outlined in CCS 295-156. so as to allow construction of portions of Stormwater Management Basins # 2C, # 2D and # 2E and replacement of the existing 8” T.C. Sanitary Sewer Line (if required) within the 100 Year Floodplain Area.
- b. Zoning Relief from the rules and regulations of the “Steep Slope Conservation District” as outlined in Article XXII of the Cheltenham Code, as follows:
 - i. An Appeal from the determination of the Zoning Officer and/or Township Engineer pursuant to CCS 295-164.B.2. regarding man-made steep slopes.
 - ii. From CCS 295-167. for the construction of ~~free-standing~~ structures, building and retaining walls, internal accessways,

- driveways, parking areas, swimming pools, sanitary sewers, stormwater management facilities, other underground utilities and landscaping.
- iii. A Determination that the Lines and Grades Plans submitted with the Application substantially conforms with the Lines and Grade Plan(s) requirements set forth in CCS 295-168.
 - iv. In the alternative to, b.ii, above, a Variance from CCS 295-168. for not submitting plans conforming to the stated Lines and Grades Plan(s) requirements.
- c. A Determination that the number of parking spaces shown on the Applicant's plans are not in excess of the maximum permitted under CCS 295-221.F.
 - d. In the alternative to c., above, a Variance from the rules and regulations of "Parking and Loading" as outlined in CCS 295-221.F., for a greater amount of parking of 631 parking spaces instead of the maximum permitted 120% of the required parking spaces which equals 491 parking spaces.
 - e. Zoning Relief from the rules and regulations of the "Age Restricted Overlay District" as outlined in Article XXXIII of Chapter 295 of the Cheltenham Code, as follows:
 - i. A Special Exception in accordance with CCS 295-242.B.1 for the Age Restricted Development.
 - ii. A Special Exception in accordance with CCS 295-242.B.3 for a Clubhouse with common areas and meeting rooms, indoor and outdoor recreational facilities and maintenance and security facilities.
 - iii. A Special Exception in accordance with CCS 295-242.B.3 for a swimming pool for the residents of the Age Restricted Community only.
 - iv. A Variance from CCS 243.B.8.a. to permit sanitary sewer facilities (if required) and Stormwater Management Basins #2C, #2D and #2E within the floodplain.
 - v. A Variance from CCS 295-243.B.8.d. to permit development within areas having a slope of 15% or greater.
 - vi. A Variance from CCS 295-243.B.8.e. to permit sanitary sewer Facilities (if required) and Stormwater Management Basing #1A, #2C and #2E within the Riparian Buffer Areas.
 - f. A Variance from the entirety of the rules and regulations of the "Preservation Overlay District" as outlined in Article XXIV of Chapter 295 of the Cheltenham Code.
 - g. In the alternative to f., above, an interpretation that the rules and regulations of the "Preservation Overlay District, as outlined in Article XXIV of Chapter 295 of the Cheltenham Code are not applicable due to the provisions of the last sentence of CCS 295-241.

No new action was required to be taken by the Committee on this appeal.

2. Upon motion of Mr. Portner, and unanimously approved by the Committee, the Report of the Building Inspector for December 2010 was received.

There being no further business, upon motion of Mr. McKeown, and unanimously approved the Committee, the meeting was adjourned, and the Commissioners commenced an Executive Session to discuss litigation matters.



David G. Kraynik
Township Manager

as per Anna Marie Felix

