

December 8, 2010
Curtis Hall

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Michael J. Swavola, Chairman, presiding. Members present were Commissioners Hampton, Haywood, McKeown, Portner and Sharkey. Also present was Ex-Officio Member Simon. 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. Swavola called the meeting to order.

1. The Zoning Hearing Board Agenda for December 13, 2010 was reviewed as follows:

Appeal No. 3389: Appeal of Ancillae Assumpta Academy, owner of Premises known as 2025 Church Road, Wyncote, PA 19095, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 1295 SF, 1 storey lobby addition to the northeast rear of the "Sacred Heart Center":

- a. A Variance from the Rules and Regulations of the Class R-3 Residence District as outlined in CCS 295-21. for the expansion of the Non-conforming Religious Use of the premises instead of one of the permitted enumerated uses.
- b. In the alternative to a, above, a Special Exception in accordance with the Rules and Regulations of "Non-conforming Uses" as outlined in CCS 295-227.B. and C. for expansion of the Non-conforming Religious Use of the premises.

Mr. Simon recused himself due to personal conflicts. Mr. Lynch reviewed the appeal. John DiBenedetto, architect was present. Also present were representatives of Ancillae Assumpta Academy. Mr. DiBenedetto reviewed the appeal and certain changes in accordance with neighbors' concerns and recommendations and concerns of the Township's Planning Commission ("PC"), which included recommendations for a reduction of the size of the building, setback, landscape buffer, location of glass windows and reduction in the building's height. He showed a photo board. He asked that the intrinsic value of the project be considered. He

reviewed the school's academic reputation, existing conditions on the campus, the new lobby entrance, new lobby stairs to the convent pre-school, there will be no additional teachers or students, early morning program, a completed feasibility study, original study model, floor plan, Environmental Impact study, PC's concerns about setback, exposed glass area, and height of the building, existing conditions that are dangerous for the elderly, existing entrances, new site lighting and bollards, new motion detectors in the stairwell, elimination of exterior floodlights, new exit lighting, existing driveway removal, expansion of existing flower garden, view from Gribbel Road, stormwater management, and the glass windows will be directed towards the interior of the school.

Comparisons of the old model with the new model were reviewed. In response to questions from Mr. Haywood, Mr. DiBenedetto stated that the size of the lobby presents a formal entrance for the new program and the redesign has not been reviewed with the neighbors. Mr. Haywood reported that he did a walk-thru but this is the first time that he has seen the amended plans.

There were comments from the public:

Paul Greenwald, 344 Gribbel Road, acknowledged that certain neighbors' concerns have been addressed but he opposed the blue and silver panels that will be in his backyard (he showed photos of what he will see from his home), lack of a green buffer, he will be looking at two storey blue and silver panels, which will not make his home saleable. There are existing panels but they face the interior of the campus and not neighbors as these new panels would. He noted Mr. DiBenedetto's description of the school, its operations and academic awards but felt that zoning issues are based on the merits of the zoning. He asked that if the Committee recommends approval or takes no action that there be a statement that if zoning is granted that it be contingent upon the plan being in substantial compliance with tonight's amended plan and the façade's blue and gray panels be changed.

Susan Millis, 352 Gribbel Road, stated that many issues have been addressed but the panels are a problem for her. Past issues with the school have made neighbors' skeptical.

There was extensive discussion about the façade and evergreen buffer.

Mr. DiBenedetto showed samples of wall tiles and stated that the façade materials were a matter of individual aesthetics, that similar panels already exist and agreed to accept a height requirement for evergreens as a buffer.

Discussion concluded.

Upon motion of Mr. Swavola, and unanimously approved by the Committee, with Mr. Simon recusing himself, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends the grant of relief contingent upon the plan being in substantial compliance with the revised drawing and model as shown to the Committee this evening and that the applicant agrees to have a landscape architect design a buffer facing the Gribbel Road neighbors of mature evergreens with a specific height, diameter and number of trees, subject to the approval of the Township Engineer.

Appeal No. 3390: Appeal of Y&P Development, Inc. owner of Premises known as 1355 W. Cheltenham Avenue, La Mott, PA 19027, from the Decision of the Zoning Officer for the following Zoning Relief in order to use 9,000 SF of space on the first floor of the building for a business school with accessory offices and administrative space to support the school:

- a. A Variance from the Rules and Regulations of the Class C-4 Commercial and Business District as outlined in CCS 295-127. for the proposed business school use instead of one of the permitted enumerated uses.
- b. A Variance from the Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.D. and H. for a lesser amount of 47 Parking Spaces instead of the required 58 Parking Spaces.

Mr. Lynch reviewed the appeal.

Upon motion of Mr. Portner, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends approval of said appeal.

Appeal No. 3391: Appeal of T-Mobile Northeast LLC, tenant at premises known as 25 Washington Lane, Wyncote, PA (a/k/a CTRERP Block 168, Unit 22, and as the “Wyncote House”), from the Decision of the Zoning Officer for the following Zoning Relief for the installation of additional telecommunication equipment: three (3) TMAS Units mounted on existing pipe and sled mounts, equipment cabinet and co-axial cables on the roof of the building (“Telecommunication Installation”); the premises is within the Class M-3 Multiple Dwelling and Office District:

- a. A variance from the rules and regulations of the Class M-3 Multiple Dwelling and Office District as outlined in CCS 295-89. for the Telecommunication Installation instead of one of the permitted enumerated uses.
- b. A variance from the rules and regulations of the Class M-3 Multiple Dwelling and Office District as outlined in CCS 295-95. for the telecommunication antennas height of 111±' AGL instead of the maximum permitted 85' AGL. The existing building mean height of 98' AGL is legal non-conforming per ZHB Appeal No. 2656.

Mr. Lynch reviewed the appeal.

Upon motion of Mr. Portner, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends approval of said appeal.

Appeal No. 3392: Appeal of the Archdiocese of Philadelphia Catholic Cemeteries Office, owner of Premises known as CTRERP Block 115, Unit 003 (34 ± acre parcel along the south side of Church road northwest of the intersection of Church and Waverly Roads), from the Decision of Zoning for the following Zoning Relief in order to construct and use a 6570 ± SF, 1 Storey temporary administrative office building and to construct and use a 4500 ± SF, 1 Storey permanent administrative office with associated site improvements on the premises; both buildings are for the administration of the Catholic Cemeteries of the Archdiocese of Philadelphia:

- a. A Variance from the Rules and Regulations of the Class R-3 Residence District as outlined in CCS 295-21. for the proposed buildings and associated site improvements instead of one of the permitted enumerated uses.

Representatives of the Archdiocese were present. Mr. Lynch reviewed the plan for offices and ingress from Waverly and Church Roads. In response to a question from Mr. McKeown, Mr. Lynch stated that there would be about 12 employees. The Committee reviewed the recommendations of the Planning Commission (“PC”). It was noted that the

applicant has agreed to the recommendation of the PC to move the modular units to the Route 309 side of the cemetery.

Upon motion of Mr. Haywood, and unanimously approve by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee recommends approval of said plan as revised December 8, 2010 contingent upon the temporary modular units being removed by the time the Use and Occupancy Permit is issued.

Appeal No. 3393: Appeal of T-Mobile Northeast, LLC, Prospective tenant on PECO Utility Pole No. 31712 which is located within the W. Cheltenham Avenue Right-of-Way in front of 101 W. Cheltenham Avenue, Cheltenham, PA 19012 (a\k\ a "Shop Rite" Grocery Store) (said Utility Pole is located 26 ±' northwesterly of the centerline of W. Cheltenham Avenue, measured at a right angle thereto, and 216 ±' northeasterly of the intersection of the centerlines of W. Cheltenham Avenue and Front Street), from the Decision of the Zoning Officer for a variance from the Rules and Regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-117. for a telecommunication installation consisting of a pole-top extension, one (1) Panel Antenna, four (4) Equipment Cabinets, one (1) Distribution Panel and associated cabling; the Antenna, Equipment Cabinets, Distribution Panel and associated cabling will be painted to match existing pole.

Mr. Lynch reviewed the appeal.

Upon motion of Mr. McKeown, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee recommends approval of said appeal.

2. Upon motion of Mr. Sharkey and unanimously approved by the Committee, the Planning Commission Regular Meeting Minutes dated November 22, 2010, were received.

3. Upon motion of Mr. Sharkey and unanimously approved by the Committee, the Ad-Hoc Zoning Committee Regular Meeting Minutes dated November 9, 2010, were received.

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

There being no further business, upon motion of Mr. Portner, and unanimously approved the Committee, the meeting was adjourned.



David G. Kraynik
Township Manager

as per Anna Marie Felix

