

September 1, 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 & 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 Committee reviewed the Zoning Hearing Board (ZHB) Agendas for August 9 and August 17, 2010, as follows:

APPEAL 3380: Appeal of Ronald Dasant, owner of premises known as 7823 Cheltenham Avenue, Laverock, PA 19038, from the Decision of the Zoning Officer for the following zoning relief in order to install a 8' x 10' shed in the rear yard:

- a. A Variance from the Rules and Regulations of the Class R-4 Residence District as outlined in CCS 295-39.B.(1) for a lesser side yard setback of 5' from the southeast property line instead of the minimum required 10'.
- b. A Variance from the Rules and Regulations of "Yard Regulations" as outlined in CCS 295-220.C. for a lesser rear yard of 6' from the rear yard instead of the minimum required 15'.

Mr. Lynch reviewed the appeal.

Upon motion of Mr. Haywood and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it takes no action on this appeal.

APPEAL NO. 3382: Petition of Stephen and Deborah McCarter, owners of premises known as 211 W. Waverly Road, Glenside, PA 19038, from the Decision of the Zoning Officer for a Special Exception in accordance with the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-46.A.(1) and A.(2) in order to construct a 24' x 25' addition on the east side of the residence.

Mr. and Mrs. McCarter and their architect were present. Mr. Lynch reviewed the appeal.

He stated that it is a aesthetically appealing addition.

Upon motion of Mr. Sharkey and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it takes no action on this appeal.

APPEAL NO. 3381: Appeal of Arcadia University, owner of premises known as 450 S. Easton Road, Glenside, PA 19038, from the Decision of the Zoning Officer for the following zoning relief:

- a. Variances from the Rules and Regulations of the Class R-1 Residence District as outlined in CCS 295-07. for the expansion of the educational use on the premises (CTRERP Block 137, Units 26 and 27) by making the following improvements instead of the enumerated permitted uses:
 - i. Construction of 8,500 S.F., one-story gymnasium northeast of the main athletic fields (replaces previously approved Maintenance Building).
 - ii. Construction of a new vehicular bridge.
 - iii. Construction of a new pedestrian bridge.
 - iv. Construction of a 1,500 S.F., one-story addition to the Maintenance Shop.
 - v. Construction of a 2,600 S.F., one-story addition to Spruance Hall.
 - vi. Construction of a 20,000 S.F., one and two-story addition to Spruance Hall (Art Center).
 - vii. Construction of a 3,465 S.F., one story addition to Murphy Hall.
 - viii. Construction of a Maintenance Bridge.
- b. Variances from the Rules and Regulations of the Class R-3 Residence District as outlined in Article V of the Cheltenham Code for CTRERP Block 137, Unit 043 (Parcel at southeast corner of intersection of Church and Waverly Roads; formerly "Kaname Florists"), as follows:
 - i. From CCS 295-21. for the noted uses instead of the permitted enumerated uses, as follows:
 1. For Construction of a 10,000 S.F., one story Maintenance/Storage building as an educational use for Arcadia University
 2. For Business/Institutional use of the existing residential structure.
 - ii. From CCS 295-24.A.(1) and A.(2) for a lesser front yard setback along Waverly Road frontage equal to or greater than the existing setback of the existing greenhouse for the Maintenance/Storage building instead of the minimum required 50'.
- c. Variances from the Rules and Regulations of the Steep Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:
 - i. From CCS 295-167. for the construction of various site improvements associated with the improvements noted in a. and b., above, instead of the enumerated permitted uses.

- ii. From CCS 295-168. for not submitting a Lines and Grades plan; Applicant will submit Lines and Grades Plan(s) during the land development process.

Hal Lichtman, architect, was present to represent the applicant, and he reviewed the appeal. He explained that this appeal is part of Arcadia University's ("AU") 3-5 Year Construction Planning Program. He made a PowerPoint presentation that included the following:

- Kaname Center – Garage Reconstruction and New Storage Building
- New Campus Gymnasium
- Infrastructure Improvements to Existing and new Internal Creek Crossings
- Expansion of Existing Maintenance Center
- Spruance Fine Arts Center additions for Mainstage Theater Lobby and Art Center Studios/Office Space
- New Lacrosse Field

Mr. Lichtman stated that AU is not asking for any waivers, only for zoning relief from the R1 and R3 districts. He reviewed AU's plans for storage facilities, improving sports capabilities; increasing the availability of sports for male students; increasing space for the Fine Arts Department; pedestrian bridges to connect to trails; internal building for service vehicles; bridge to serve the maintenance area; the existing Kaname house will be used for offices; the Kaname garage will be reconstructed; the old Kaname greenhouses will be removed and replaced with a one-storey storage building.

Regarding the plans for the greenhouses, Mr. Lichtman reviewed setbacks, the building's low profile to street, landscaping, and the recommendations of the Planning Commission to place the new storage facility in the same place as the greenhouses.

Mr. Sharkey opposed a storage facility at a major intersection that is a gateway to the community that fronts a Township road, and could be a nuisance to the neighbors with trucks, traffic and noise, and might be aesthetically unappealing. He asked about architectural renderings, which Mr. Lichtman did not have. Mr. Lichtman stated that other campus locations were considered but were unsuitable for this facility.

[Mr. Portner left the meeting at this time]

Mr. Simon was concerned about the storage of vehicles. Mr. Lichtman stated that it will not look like a parking lot, and vehicles will be stored inside.

In response to residents' concerns, Mr. Lichtman stated that the facility will store normal dry goods.

There were comments from the public:

Mike Ingram, 550 W. Waverly Road, was concerned about the additional traffic on Waverly Road; he opposed a storage building in a residential neighborhood; a storage building should be hidden since it is utilitarian. He claimed that AU is parking vehicles now and doing whatever it wants to do.

Teresa Preziosi and Patricia Santa, 2539 Church Road, was concerned about traffic, which is currently heavy due to AU; the location is near a stream that floods; there is no focal point for this type of activity on campus, and this will become the hub.

Ed Rozycki, 534 General Patterson Drive, a retired professor from Widener University, stated that education is a business, and AU does not care about local neighbors but only cares about what is best for its business; AU does not have the same interests as the neighbors; he opposed lumping all these buildings into one plan and felt that each building should be a separate plan and justified on its own basis. He opposed a blanket approval.

Ellen Miades, 2547 Church Road, opposed the location for a storage building; felt Waverly Road is not wide enough for trucks; was concerned about traffic and air quality.

Mr. Lichtman reviewed plans for the former Kanami garage, including the use of original materials; and historic restoration of the house. The current maintenance building use will be changed and will no longer be necessary, and he reviewed plans for a new gymnasium that will replace it. Discussion ensued regarding residents' concerns about the steep slope in the area of the new gymnasium.

Mr. Lichtman reviewed plans for the infrastructure improvements to existing and new internal creek crossings, bridge connections; the road behind the new gym; and internal routes to the new storage facility; and footpaths.

There were comments from the public:

Paul Appenzoller, 8210 Jenkintown Road, is not a neighbor but felt there should be other ways of consolidating the facilities on campus.

Ms. Miades did not object to trucks using internal on-campus roads since this would keep them off neighboring streets.

In response to residents' complaints that construction has already started, the Committee directed the Township Engineer to investigate said claims.

[Mr. McKeown left the meeting at this time]

Mr. Lichtman reviewed expansion of the existing maintenance center. In response to residents' questions, he stated that the dumpsters would remain there.

Mr. Lichtman reviewed Spruance Fine Arts Center additions for Mainstage Theater Lobby and Art Center Studios/Office Space, including a new space between the buildings and advised that the existing maintenance garage will become storage for the Fine Arts and Theater Departments.

Mr. Lichtman reviewed plans for the Lacrosse Field, including needed regrading and variances for steep slopes. In response to a neighbor's question,, Mr. Lichtman stated that there will be no additional lighting.

Mr. Swavola stated that in his tenure, he did not recollect any zoning application that covers a 3-5-year span and for so many facilities; this plan appears to be a broad brush approach; plans should be submitted for one facility at a time; the application lacks detail; there is a "handshake" approach, which is expecting a lot of trust on the Township's part; he had issues with approving a plan 5-years in advance with no order on how it will all be accomplished. He asked for Mr. Lynch's opinion who indicated that AU appears to be nailing down a Master Plan all at once when the traditional way is to submit facility plans one at a time.

It was Mr. Sharkey's opinion that the storage facility is a problem, and AU is asking for a leap of faith. The Township wants to see renderings.

It was Mr. Swavola's opinion that the Township is being denied the process of knowing what is happening. He wanted to see a timetable for the projects i.e. a 3-5 year construction plan with a timetable. He felt that AU was asking for lump approval for buildings that are planned for 3-5 years away. Mr. Swavola requested a zoning application be submitted specifically for the gym and storage facilities first so that the Township and neighbors can have a better idea of what the plans are.

It was Mr. Haywood's opinion that AU is treating the intersection of Waverly and Church as if it is the back of the campus and treating Easton Road as the front of the campus, and this is a problem.

Mr. Simon felt the storage facility should go in the vicinity of Easton Road and recommended that AU ask for a continuance. He suggested reducing the magnitude of the consolidation onto the Kaname site.

Ms. Hampton asked about consolidating the maintenance and storage facilities on the campus. Mr. Lichtman stated that there is no other suitable alternative location.

Mr. Lichtman agreed to ask for a continuance.

Upon motion of Mr. Swavola, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends the grant of a continuance. If a continuance is not granted, the Committee recommends denial of said appeal based on the lack of adequate detail.

APPEAL NO. 3383: Appeal of James C. Bullock, Jr., owner of premises known as 1510 Juniper Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 36' x 48' four season enclosure of the existing swimming pool:

- a. Variances from the Rules and Regulations of the Class R-4 Residence District as outlined in Article VII of Chapter 295 of the Cheltenham Code, as follows:

- i. From CCS 295-38. for a greater building coverage of 27.56% instead of the maximum permitted 20%.
- ii. From CCS 295-39.A.(1) and (2) for a lesser front yard setback of 33' from the Juniper Avenue frontage of the premises instead of the minimum required 40'.
- iii. From CCS 295-39.B. (1) for a lesser side yard setback of 4.7' from the northwest property line instead of the minimum required 10'.
- iv. From CCS 295-39.C. for a lesser rear yard setback of 11' from the southwest property line instead of the minimum required 25'.

Mr. Lynch reviewed the appeal. He reported that there is one (1) similar pool enclosed in the Township that received zoning relief, and this enclosure is visually very large. Ms. Shaw commented that she lives in the area, and not all of the neighbors received a notice. The Committee directed Mr. Lynch to investigate.

Upon motion of Mr. Simon and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it takes no action on this appeal.

APPEAL NO. 3384: Appeal of Case Investments, Inc., owner of premises known as 7901 High School Road, Elkins Park, PA 19027 (formerly "Elkins Park Pharmacy"), from the Decision of the Zoning Officer for a variance from the Rules and Regulations of "Parking and Loading" as outlined in Cheltenham Code Section 295-221.H. for providing six (6) off-street parking spaces instead of the required twenty-five (25) parking spaces for a proposed convenience store. Said premises is within the Class 3 Commercial and Business District.

Hal Lichtman, architect, was present to represent the applicant. In response to a suggestion from Mr. Haywood, Mr. Lichtman stated that his client would be receptive to providing recycling containers and responsible for their collection and will do whatever is necessary in accordance with Township ordinance to recycle. Mr. Lichtman presented photos and reviewed previous and new uses for the property, current off-street parking and the needed parking variance. Parking, as it relates to the neighborhood, was discussed.

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

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 Basins #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 action was needed by the Committee. Mr. Swavola was concerned about the availability of public access to the property, and felt that the Township needed a commitment from the applicant on this matter. He said he would follow-up with the applicant.

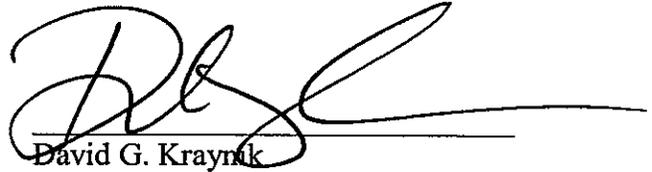
2. Mr. Sharkey asked that the Public Hearing scheduled for September 15, 2010, regarding a proposed Ordinance regulating outdoor storage/merchandise in business districts be rescheduled to enable the Economic Development Task Force to review said Ordinance. The Planning Commission had a wide-range of concerns relating to various types of businesses such as outdoor restaurants and landscaping sales, which he felt were legitimate. The Committee unanimously agreed. Mr. Simon noted that merchants in the Keswick (Abington) business district keep goods/merchandise out and felt that the proposed Ordinance should be given serious consideration.

3. Upon motion of Mr. Sharkey and unanimously approved by the Committee, the Planning Commission Regular Meeting Minutes dated August 23, 2010, were received.

4. Upon motion of Mr. Haywood and unanimously approved by the Committee, the Ad Hoc Zoning Committee Meeting Minutes dated August 10, 2010 were received.

5. Upon motion of Mr. Sharkey and unanimously approved by the Committee, the Report of the Building Inspector for the month of August, 2010 was received.

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

A handwritten signature in black ink, appearing to read 'DK', with a long horizontal line extending to the right.

David G. Kraynk
Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST
Public Affairs Committee, 7:30 p.m.
Public Safety Committee, 7:45 p.m.
Building and Zoning Committee, 8:00 p.m.
Wednesday, September 1, 2010
Curtis Hall

NAME (Please Print)	ADDRESS	E-MAIL and/or TELEPHONE
Minnie Reeves	1990 Ashbourne Rd	215-376-0197
JAMES & JACKIE HOLLOWAY	504 GENERAL PATTERSON DR.	215.277.5046
Gloria Detwiler	7809 Park Ave.	215 635-8959
MARCIA WEBBER	7811 PARK AVE	215-782-1590
Ellen Miades	2547 Church Rd	Emiades@comcast.net
TERESA PREZZI	2539 CHURCH RD	tprez@jet.compliant.com
Stephen McCarter	211 W. Waverly Rd	215-884-7306
Heather Shaff	2547 Church Rd	215 481-9453



PUBLIC ATTENDANCE LIST
Public Affairs Committee, 7:30 p.m.
Public Safety Committee, 7:45 p.m.
Building and Zoning Committee, 8:00 p.m.
Wednesday, September 1, 2010
Curtis Hall

NAME (Please Print)	ADDRESS	E-MAIL and/or TELEPHONE
GRACE Miles	1990 Ashbourne Rd	215-884-2858
Johnnie Morsell	" " " "	215-887-1915
FLORA GANT		
Melva James	1990 Ashbourne Rd	215-887-5650
Lois Locks	"	215-886-3589
Joan Foster	"	267-438-9339
Alice Alchava		215-881-9288
Rev. Mr. Betty Blount	"	215-884-1913



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Building and Zoning Committee, 8:00 p.m.
Wednesday, September 1, 2010
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NAME (Please Print)	ADDRESS	E-MAIL and/or TELEPHONE
Judy Hendrixson Steven & Deb McCarter	211 W. Waverly	Judy@Hendrixson Architects.com
Michael + Juliet Ingram	550 W. Waverly Rd	mikesr@ingrams plumbing.net
Loretta J. Stano	1128 Coventry Ave	Ljstj19012@aol.com
[Signature]	609 Central Ave. Cheltenham	
GREG McCowin	550 GENERAL PATTERSON DR	Gmcc992258 @AOL.COM



PUBLIC ATTENDANCE LIST
Public Affairs Committee, 7:30 p.m.
Public Safety Committee, 7:45 p.m.
Building and Zoning Committee, 8:00 p.m.
Wednesday, September 1, 2010
Curtis Hall

NAME (Please Print)	ADDRESS	E-MAIL and/or TELEPHONE
Brian & Pamela D'HURIEUX	719 LIMESKILN Pkve Glenside	DHURIEUX Ⓢ Comcast-Net
JANE HOOVER	746 LIMESKILN Pkve Glenside	daisy Hoover Ⓢ COMCAST.NET
JESSE KLAPHOLZ	1012 MELROSE AVE. MELROSE PARK	JESSEK @ KLAPHOLZ .com
Margaret Griffen	419 Lodges Ln Elkins Park	griffens@verizon.net
PAUL APPARTOZZI	8210 TOWNHOLLOW RD ELKINS PK.	
Robert M. Brown Jr	569 General PATTERSON DR - Glenside	
Sylvia A. Cooper	550 Gen. Patterson Drive Glenside	215 885-3445 SYLCP3@AOL.com
Nicolas Roberts	563 Gen Patterson Glenside	