

July 7, 2009
Township Building

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Morton J. Simon, Jr. presiding. Members present were Commissioners McKeown, Muldawer, Portner, Sharkey and Swavola. Staff present were Joseph Bagley, Esq., Wisler, Pearlstine, LLP; Bryan T. Havir, Assistant Township Manager; David M. Lynch, Director, Engineering, Zoning and Inspections; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

Mr. Simon called the meeting to order.

1. The Committee reviewed the Zoning Hearing Board Agenda for June 8, 2009, as follows:

APPEAL NO. 3336 – Appeal of Matrix Ashbourne Associates, L.P., owner of premises known as 1100 Ashbourne Road, Cheltenham, PA (a/k/a “Ashbourne Country Club”), from the Decision of the Zoning Officer for Zoning Relief in order to subdivide the premises into two (2) lots: an Age Restricted Development lot consisting of 88.657± acres and an Apartment Complex lot consisting of 15.836± acres and develop the two lots as follows:

A. The Age Restricted Development will consist of 103 building lots. Depending upon market demand, Applicant will construct one (1) of three (3) housing units on each of these building lots, namely:

- (1) An Estate Home (One (1) dwelling unit per building lot); or,
- (2) Two (2) single family homes with a 19' wide side yard area between each home (Two (2) dwelling units per building lot); or
- (3) Carriage Homes (Three (3) dwelling units per building lot).

The total number of dwelling units for the Age Restricted Development will vary from 103 dwelling units to 309 dwelling units depending upon market demand.

B. The Apartment Complex lot will consist of eleven (11) buildings with 16 apartments per building: 176 units total. The Apartments will be either one or two bedroom units. The Apartment Complex lot will have a separate entrance off of Jenkintown Road. Amenities will include a clubhouse, pool and landscaped seating area.

The total number of dwelling units being proposed will vary from 279 to 485 depending on market demand.

The following Zoning Relief is required:

1. Age Restricted Development lot
 - a. A Variance from the rules and regulations of the “Floodplain Conservation District” as outlined in CCS 295-156. so as to allow construction or development within the floodplain area.
 - b. 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 free-standing structures, building and retaining walls, internal accessways, driveways, parking areas, swimming pools, sanitary sewers, stormwater management facilities and other underground utilities.
 - ii. From CCS 295-168. for not submitting plans conforming to the stated Lines and Grades Plan(s) requirements.
 - c. Variances from the rules and regulations of “Parking and Loading” as outlined in CCS 295-221, as follows:
 - i. From CCS 295-221.C.(2)(c) for a lesser aisle width of 22' instead of the minimum required 24'.
 - ii. From CCS 295-221.F. for a greater amount of parking of 1287 parking spaces instead of the maximum permitted 120% of the required parking spaces which equals 633 parking spaces.
 - d. 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 Variance from CCS 295-242.A. so as to allow the lot to be configured under the Pennsylvania Uniform Communities Act.
 - ii. A Special Exception in accordance with CCS 295-242.B. for the Age Restricted Development (with clubhouse and associated recreation).
 - iii. A Variance from CCS 295-243.B.8.d. to permit development within areas having a slope of 15% or greater.
 - iv. A Variance from CCS 295-243.B.8.e. to permit stormwater management facilities within Riparian Buffer areas.
 - v. A Variance from CCS 295-244. for a front yard setback of 50' instead of the minimum required 100'.
 - vi. A Variance from CCS 295-244. for a minimum distance between buildings of 18.5' instead of the minimum required 30'.
 - e. 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.

2. Apartment Complex lot
 - a. Variances from the rules and regulations of the Class R-1 Residence District as outlined in Article III of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-07. for the Apartment Complex use (including clubhouse and pool) instead of one of the enumerated permitted uses.
 - ii. From CCS 295-09. for a greater building area of 13.1% instead of the maximum permitted 10%.
 - iii. From CCS 295-10.A. for a lesser front yard setback along Ashbourne Road of 50' and along Jenkintown road of 51.7' instead of the minimum required 75'.
 - iv. From CCS 295-10.C. for a lesser rear yard setback of 32.3' instead of the minimum required 50'.
 - b. A Variance from the rules and regulations of the "Floodplain Conservation District" as outlined in CCS 295-156. so as to allow construction or development within the floodplain area.
 - 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 free-standing structures, building and retaining walls, internal accessways, driveways, parking areas, swimming pools, sanitary sewers, stormwater management facilities and other underground utilities.
 - ii. From CCS 295-168. for not submitting plans conforming to the stated Lines and Grades Plan(s) requirements.
 - d. 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 352 parking spaces instead of the maximum permitted 120% of the required parking spaces which equals 317 parking spaces.
 - e. A Determination of whether or not the rules and regulations of the "Age Restricted Overlay District" as outlined in Article XXXIII of Chapter 295 of the Cheltenham Code apply to the Apartment Complex Development.
 - f. If a Determination is made that the rules and regulations of the "Age Restricted Overlay District" do apply to the Apartment Complex Development, then Variances from the following:
 - i. From CCS 295-243.B.8.d. to permit development within areas having a slope of 15% or greater.
 - ii. From CCS 295-243.B.8.e. to permit stormwater management facilities within Riparian Buffer Areas.
 - iii. From CCS 295-244. for a front yard setback of 50' instead of the minimum required 100'.
 - g. 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.

Representing Matrix Ashbourne Associates (“Matrix”) were Don Epstein, Executive Vice President and Peter Friedman, Esq. Mr. McKeown advised that Matrix held a recent meeting for the public at the Rowland Community Center. He reported that Matrix is asking for a continuance until the September 14, 2009 Zoning Hearing Board meeting, and it plans to hold two additional public meetings in July and August at the Rowland Community Center. Mr. McKeown advised that the Zoning Hearing Board always grants continuances. There have been some developments that have requested several continuances and have taken numerous months. Due to the overwhelming interest in the appeal and the inadequacy of the Township’s Board Room to support a crowd, the August 5 and September 2 Building and Zoning Committee meetings will be held at Curtis Hall. Information on any future meetings regarding this appeal will be put on Channel 42, the Township’s website, and there will be mailings to neighbors. Some residents objected to meetings being held during a vacation time of year.

Mr. Epstein stated that Matrix will continue to work with the community; a plan has not yet been designed, and a concept plan is needed; it was not Matrix’s objective to rush this through as perception has it; Matrix will hold additional public meetings, and a final concept plan will not be submitted until the residents are comfortable with it; Matrix is asking for a continuance until the September 14, 2009 Zoning Hearing Board meeting. Mr. Simon read Matrix’s letter requesting a continuance and explained the rules of the Municipalities Planning Code that the Township is compelled to follow. Mr. Swavola explained how meetings have to be scheduled once an application is received to be in accordance with this code. Mr. Simon also explained that the monthly Standing Committee and Board meetings have been changed from Tuesday evenings to Wednesday evening to accommodate residents that may want to attend the Tuesday School Board meetings.

At this time, Mr. McKeown made a motion.

Upon motion of Mr. McKeown, and unanimously approved by the Committee, 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 this appeal based on a lack of hardship and because the requested variances are due to self-imposed hardships.

[Mr. Portner left the meeting at this time]

Members of the public commented as follows:

Larry Angert, 116 Yew Road, asked when the revised plan will be ready and if it will comply with the 2006 plan that included open space, the Tookany Watershed Management Plan, sewage facilities module, and compliance with the Aged-restricted Overlay district? Will it include aspects from the July 2003 HUD paper and practice low income development? Mr. Epstein explained that these items will be addressed and considered with the final plan, and that a plan will not be ready until after the public meetings and public input. Matrix wants feedback from everyone.

Mitch Zygmund-Felt, 35 Carter Lane, asked about contingency plans. Mr. Epstein stated that there were several versions of contingency plans. Matrix picked a plan that had different aspects of development. A Fiscal Impact Study has not yet been completed because it has not yet received public feedback.

Tom Collins, 527 Davis Road, was concerned about how much this appeal differed from the previously submitted appeal. Mr. Epstein stated that Matrix did not commit to keeping the golf course. Since the first appeal was submitted, the economic changes have had a negative impact on the golf industry, and maintaining Ashbourne as a country club/golf course is no longer financially viable, especially in the Cheltenham area.

Sherry Leather, 8031 New Second Street, was concerned about flooding and stormwater management and a possible burden on the School District. She asked about EDU's ("Equal Dwelling Units"). Mr. Epstein responded that sewer capacity was included in a Sewer Planning Module for redevelopment. Mr. Kraynik explained the current DEP four (4) year moratorium on EDU's and the Township's recently submitted corrective plan to DEP. In the Township's request to DEP for additional EDU's, the development of Ashbourne was anticipated. The Township's request also includes several other properties. Mr. Simon explained that the land development process would include the new state MS4 requirements of zero water flow off property, which did not exist when the first appeal was submitted. The Fiscal Impact Study would include any impact on the School District.

Natalie Hersky, 17 Lawnshide Road, questioned why more development was needed. In her opinion, the Township seems to have reached a saturation point. She did not see the point of requesting more sewage requirements. Mr. Kraynik explained that the Township may not need or use all EDU's it receives from DEP but wants to get as many as possible.

Amy Hansel, 8001 Jenkintown Road, asked why Matrix's profitability study is not sufficient and why Matrix needed so many variances. Mr. Epstein replied that since Matrix purchased the property, it is being developed as a repositioned hardship, and that the requested variances will be reviewed at the community meetings.

It was Mr. Swavola's opinion that adherence to the Preservation Overlay District, maintaining open space, and encouraging 55+ housing development were huge concessions that were needed from Matrix.

Lelisse Smith, 810 Rowland Avenue, asked about a timeframe for the start of construction and whether or not there would be apartments or condos. Mr. Epstein responded that said timeframe would be formulated after the land development process and would depend on the length of said process and that the development would consist of condo units and single family homes.

Megan Giampietro, 612 Rowland Avenue, asked if the units will be saleable in the Cheltenham real estate market, which seems to have a lot of properties for sale. According to Mr. Epstein, the units will be developed to be complementary with the existing homes and in accordance with what the market dictates will sell.

Lynne Myerson, 50 Hilldale Road, was concerned about the impact of traffic in the vicinity of the Cheltenham Elementary School. Mr. Epstein stated that Matrix will have a traffic engineer perform a study, and the Township may have its own engineer perform a traffic study.

William Schwartzchild, 8304 Jenkintown Road, was concerned about the impact of additional traffic on Jenkintown Road, which is a narrow two-lane roadway. Such a development could, in his opinion, require traffic lights where Jenkintown Road intersects Church Road.

Frank Farrell, 504 Arbor Road, asked about the status of Matrix's first appeal. Mr. Epstein was uncertain. Mr. Kraynik explained that said plan did not get to the land development stage and zoning decisions must be acted upon within two years.

Mercedes Fagnani, 625 Boyer Road, was concerned about the traffic impact on Boyer Road and asked about the availability of the traffic study and fiscal impact study. According to Mr. Epstein, the Fiscal Impact Study should be completed before the appeal is heard by the Zoning Hearing Board.

Doug Karan, 21 Pikes Way, asked about the possibility to have the entire development zoned for 55+. Mr. Epstein stated that it would not be unlawful to do so. Mr. Simon explained the Township's Ordinance that creates an Age-Restrict Overlay District.

David Lipshutz, 8121 Hammond Road, questioned why Matrix could not keep to the original plan. Residents like Cheltenham being a “green” community and want it to stay that way. Mr. Epstein stated that the original plan was designed for a real estate marketplace that no longer exists.

Hannah Venit, 7701 Oak Lane Road, was concerned because it takes her a long time to exit her driveway, and the added traffic will be a hardship on her and her neighbors.

Other public concerns included compliance with the Preservation Overlay District, overgrowth on the property and the dissemination of information about meetings. Mr. Kraynik indicated that the Township’s website would include a link to Matrix’s website.

Mr. Epstein stated that Matrix’s website is ashbournedevelopment@matrixcompanies.com and the website for the Ashbourne development should be operative in the near future at www.ashbournecommunity.com.

Residents advised of neighbors’ website www.cc4a.org (Concerned Citizens 4 Ashbourne).

APPEAL NO. 3303: (Continued) – Appeal of York Road Realty Co., L.P. for the following Zoning Relief at the following locations:

- A. Premises owned by York Road Realty Co., L.P. known as 8116 Old York Road, Elkins Park, PA (a/k/a 8116 Church Road, or “The Old York Road Skating Rink”) or Cheltenham Township Real Estate Registry Parcel (“CTRERP”) Block 174, Unit 054) (hereinafter referred to as “Rink Lot”);
- B. Premises owned by the Philadelphia Electric Company known as landlocked lot adjoining 8116 Old York Road (a/k/a CTRERP Block 174 Unit 056) (hereinafter referred to as “PECO Lot”); and
- C. Premises owned by the Township of Cheltenham known as “Wall Park” a/k/a CTRERP Block 174, Units 001 and 002 (hereinafter referred to as “Wall Park”) for the following improvements:

AA. On Rink Lot

- 1. A modification of the Decision under ZHB Appeal No. 2968 so as to eliminate the following Conditions (both as to Rink Lot and PECO Lot):

Condition (3)

The access driveway proposed to be installed on the Proposed Parking Area as depicted on Exhibit A-10 shall be limited to the minimum necessary width to allow the dropping-off of handicapped persons from motor vehicles and the associated

vehicular turn-around space, all as approved by the Township Engineer in accordance with generally accepted engineering principals; and

Condition (4)

There shall be no parking of vehicles or trailers on the Property and/or the PECO Property including, without limitation, within the Proposed Parking Area. The Proposed Parking Area shall be used only for the purposes set forth in Condition No. 3 above.

2. A Variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-117. for expansion of the non-conforming skating rink facility by construction of a parking field and associated improvements, installation of two (2) storage units and installation of one (1) storage trailer.
3. A Variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-121.A. for the following front yard setbacks instead of the minimum required 15'.
 - a. For two (2), 8' W x 40' L storage containers with a zero front yard setback.
 - b. For the storage trailer with a 6'± front yard setback.
4. A Special Exception in accordance with the rules and regulations of the "Steep Slope Conservation District" as outlined in CCS 295-168.B. and C. for any storm sewers and/or underground utility lines associated with the construction of the parking field.
5. Variances from the rules and regulations of the "Steep Slope Conservation District" as outlined in CCS 295-169. as follows:
 - a. From CCS 295-169.A.(1) for construction of storage trailer, retaining walls, sidewalk and landscaping.
 - b. From CCS 295-169.A.(2) for construction of the parking field.
 - c. From CCS 295-169.A.(3) for filling or removal of topsoil required for the construction of aforesaid improvements.
 - d. From CCS 295-169.B. to permit areas with slopes of 25% or greater within any of the required yard areas.
6. A determination as to the required amount of on-site parking.

7. A Variance from the rules and regulations of “Fences and Walls” as outlined in CCS 295-223. for 3'± of 6' high, chain link fencing within the required front yard setback area along the SEPTA R/W line instead of the maximum permitted 4' high fencing.

BB. On PECO Lot

1. A Variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-117. for the use of a parking field for the non-conforming skating rink and installation of the storage trailer instead of any of the enumerated permitted uses.
2. A Variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-121.A. for a lesser front yard setback of 7'± instead of the minimum required 15' for the storage trailer.
3. Variances from the rules and regulations of the “Steep Slope Conservation District” as outlined in CCS 295-169. as follows:
 - a. From CCS 295-169.A.(1) for construction of storage trailer, retaining walls, sidewalk and landscaping.
 - b. From CCS 295-169.A.(2) for construction of the parking area.
 - c. From CCS 295-169.A.(3) for filling or removal of topsoil required for the construction of aforesaid improvements.
 - d. From CCS 295-169.B. to permit areas with slopes of 25% or greater within any of the required yard areas.
4. A Variance from the rules and regulations of “Fences and Walls” as outlined in CCS 295-223. for 15' of 6' high, chain link fencing within the required front yard setback area along the SEPTA R/W instead of the maximum permitted 4' high fencing.

CC. On Wall Park (said premises being within the Class R1 Residence District)

1. A Variance from the rules and regulations of “Signs” as outlined in CCS 295-197.A. for 25.5± S.F., 10' high, double sided, free-standing billboard advertising the “Old York Road Ice Rink” instead of one of the enumerated permitted sign types.

Mr. Lynch reviewed the appeal.

Upon motion of Mr. Swavola, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee takes no action on this appeal but if relief is granted, it be contingent upon certain conditions as previously stated.

APPEAL NO. 3329 - Appeal of T-Mobile Northeast, LLC, proposed site leaseholder on premises known as 2000 Ashbourne Road, Elkins Park, PA (a/k/a Cheltenham Township School District Administration Building), from the Decision of the Zoning Officer for the following Zoning Relief in order to replace an existing 41' high flagpole with a 100' high faux flagpole telecommunication tower with six (6) internal antennas and to install the associated telecommunication equipment compound (w/space for three (3) future cabinets):

- a. Variances from the rules and regulations of the Class R-3 Residence District as outlined in Article V of Chapter 295 of the Cheltenham Code, as follows:
 - ii. From CCS 295-21. for the proposed telecommunication complex instead of one of the enumerated permitted uses; and
 - iii. From CCS 295-25. for the 100'± high faux flagpole telecommunication tower instead of the maximum permitted 40' high structure height.

Mr. Lynch stated that he was told by the applicant that the tower is being placed on the side of the School District Administration building that is closest to Washington Lane but he has not had a written confirmation.

Upon motion of Mr. Swavola and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee recommends denial due to a self-imposed hardship.

APPEAL NO. 3338 – Appeal of Debra D. Oliver, owner of premises known as 1635 W. Cheltenham Avenue, LaMott, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 9.5'W x 15.5'L deck to the rear of the residence:

- a. Variances from the rules and regulations for the Class R-5 Residence District as outlined in Article VIII of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-43. for expansion of a non-conforming structure (A “Twin” is not a permitted dwelling type in the R-5 Zoning District).

- ii. From CCS 295-46.B.(2) for a lesser side yard setback of 2± feet from the southeast property line instead of the minimum required 20'.
- iii. From CCS 295-46.B.(2) for a lesser side yard setback of 10'± feet from the northwest property line instead of the minimum required 20'.
- iv. From CCS 295-46.C. for lesser rear yard setback from the rear driveway easement of 8.5' instead of the minimum required 25'.

Ms. Oliver was present. Mr. Lynch reviewed the appeal. This is a twin home and a previously damaged deck is being replaced. It met with BHAR approval.

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

APPEAL NO. 3339 – Appeal of Rosemary Miller and Raymond E. Miller, Jr., owners of premises known as 768 Church Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 22' x 19' (Irr.) deck to the rear of the residence:

- a. Zoning Relief 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. Variance from CCS 295-36. for expansion of a non-conforming Structure.
 - ii. A Special Exception in accordance with CCS 295-39.A.(2) for a lesser front yard setback of 3±' instead of the minimum required 40'
 - iii. A Special Exception in accordance with CCS 295-39.B. (1) for lesser side yard setback of 5±' instead of the minimum required 10'.
- b. In the alternative for a.i., above, a Special Exception in accordance with CCS 295-41. for the expansion of the non-conforming structure.

Mr. Lynch reviewed the appeal, including corner lot, irregularity of the lot, legal non-conforming use, location of the rear of the deck near the right-of-way. Plans were reviewed.

Ms. Miller presented a letter of support from neighbors.

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

APPEAL NO. 3340 – Appeal of Clearwire, prospective tenant at 7900 Old York Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief to install and operate two 2'-0" M.W. Dish Telecommunication Antennas on the west utility penthouse:

- a. Variances from the rules and regulations of the Class M-3 Multiple Dwelling and Office District as outlined in Article XIV of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-89. for the two (2) telecommunication antennas instead of one of the enumerated permitted uses.
 - ii. From CCS 295-95. for a height of 114.0' A.G.L. instead of the maximum permitted 85'.

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 takes no action on this appeal.

APPEAL NO. 3341 – Appeal of Randal S. and Florence E. Wachsmuth, owners of premises known as 8228 Marion Road, Elkins Park, PA, from the decision of the Zoning Officer for the following Zoning Relief in order to construct a 16'W x 28.33'L addition to the front of the residence:

- a. Zoning Relief 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. A variance from CCS 295-39.A.(1) for a lesser front yard setback of 16.33' instead of the minimum required 40'.
 - ii. A variance from CCS 295-39.B.(1) for lesser side yard setback of 8.67' from the northwest property line instead of the minimum required 10' for the Addition (the existing residence has a minimum side yard setback of 7.17' from the northwest property line.).
 - iii. A variance from CCS 295-38. for a greater Building Area of 24.3% instead of the maximum permitted 20%.
 - iv. In the alternative to Items a.i., a.ii. and a.iii., above, special exceptions in accordance with CCS 295-41. for the following:

1. From CCS 295-39.A.(1) for the lesser front yard setback of 16.33'.
2. From CCS 295-39.B.(1) for the lesser side yard setback of 8.67'.
3. From CCS 295-38. for the greater Building Area of 24.3%.

Mr. Lynch reviewed the appeal including the pie shape of the lot, removal of existing covered porch and new retaining wall and planters.

Upon motion of Mr. Swavola, 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.

APPEAL NO. 3342 – Appeal of Monifa Thelwell, prospective tenant at 110 Yorktown Plaza, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to operate an “Adult Daycare Center”:

- a. Zoning Relief from the rules and regulations of the Class C-3 Commercial and Business District as outlined in Article XVII of Chapter 295 of the Cheltenham Code, as follows:
 - i. A special exception in accordance with CCS 295-117.T. for the proposed “Adult Daycare Center.”
 - ii. In the alternative, a Variance from CCS 295-117. for the proposed “Adult Daycare Center” instead of one of the enumerated permitted uses.
- b. A determination as to the amount of parking required for the “Adult Daycare Center.”

Ms. Thelwell and her attorney Peter Friedman were present. Mr. Lynch reviewed the appeal. Mr. Friedman stated that the location of the center is on the lower level of the plaza facing Walgreens; it would enroll 20 individuals; and those people would get dropped off. Ms. Thelwell explained that this facility will provide a service for individuals over 60-years of age; most of these individuals live with family; it will provide respite care; it will provide arts and crafts, nutritional support, occupation therapy, physical therapy, garden therapy, social service, nurse practitioner, pet therapy, caregiver support groups, meal service and pastoral support. In

response to a question from Mr. McKeown, Ms. Thelwell stated that there will be a nap room and recliner chairs.

Diane Williams, 1812 Beech Avenue, felt the center's clients are individuals who need a stimulation that they do not get from family members at home.

Parking was discussed. Ms. Thelwell stated that clients will be dropped off. Mr. Simon questioned the sufficiency of parking if the Zoning Hearing Board should required it. Mr. Lynch stated that parking should be sufficient since the property is zoned for retail.

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. Muldawer, and unanimously approved by the Committee, the Planning Commission Meeting Minutes dated June 22, 2009, were received.

3. There was discussion of the Ad Hoc Zoning Review Committee Minutes from the December 6, 2008 LaMott Town Center Community Visioning Workshop.

Upon motion of Mr. McKeown, and unanimously approved by the Committee, the Ad Hoc Zoning Review Committee Meeting Minutes dated June 22, 2009, were received.

4. The Committee considered a request from Arcadia University to begin construction of a proposed parking garage at the Oak Summit Apartment Complex, Easton Road, Glenside, with a partial subdivision and land development agreement. Hal Lichtman, architect and Michael Coveney, Vice President of Finance for Arcadia University, were present.

Mr. Lichtman stated that the request is to accomplish the grade level parking where the existing swimming pool is located before the start of school. Construction on the lower parking lot would be completed next summer. The land development plan does not include two-phases of construction. Mr. Lichtman discussed escrow, changes to the entrance on Easton Road in

accordance with neighbors' requests. Mr. Simon felt that it is prudent to get the students off the street and to expedite this.

In response to questions from Mr. Sharkey, Mr. Bagley expressed concern because the Board of Commissioners did not consider the construction in two phases and the risk of proceeding without the land development plan is that the Township does not have the security. Mr. Bagley stated that he does not have an issue if the Board approves Arcadia's amendment and the construction phases it is suggesting and executes a land development agreement for the first phase. This agreement could be accomplished by next week.

Mr. Swavola noted that the Township has granted similar requests from Arcadia University in the past, and that it now appears this is becoming precedent-setting. Mr. Bagley stated that even if the land development plan is amended to include two construction phases, work cannot start before said amendment is approved by the Board of Commissioners. Mr. Coveney stated that if there was any more than a week's lapse, work could not be started. Mr. Sharkey responded that there was no further action for the Committee to take this evening.

Mr. Coveney stated that Arcadia did not realize that splitting the construction into two phases would be an issue. It is Arcadia's oversight.

It was agreed that Arcadia University would present an amended land development plan to the Public Works Committee on July 14, 2009 that would include two phases for construction.

5. The Committee reviewed and approved Economic Development Task Force recommendations for issuance of Certificates of Appropriateness for signage within the Commercial Enhancement Districts as follows:

Upon motion of Mr. Simon, and unanimously approved by the Committee, a Certificate of Appropriateness was issued to Hungry Heart, 7854 Montgomery Avenue for signage.

In response to a question from Mr. Simon, Mr. Havir reported that the applicant has chosen not to apply for funding under the Facade Enhancement Program.

6. Under Old Business:

a. Mr. McKeown inquired about signage at 20 Central Avenue. Mr. Lynch reported that he and Mr. Bagley are resolving zoning issues on that property.

b. Mr. Muldawer asked about the status of the new Amici restaurant in Glenside. Mr. Lynch reported that there were electrical problems, food preparation issues with the County Health Department, and ADA issues with the restroom.

7. Upon motion of Mr. McKeown and unanimously approved by the Committee, it is recommended to the Board of Commissioners the adoption of a Resolution recognizing John Hayes III for his service with the Army in Afghanistan.

8. Under Citizens' Forum:

- a. Loretta Leader, 542 W. Glenside Avenue, thanked the Committee for its decision regarding Arcadia's request to start work on its parking lot. She had inquiries about the following:
- "Bar/Coors" sign at the Towers of Wyncote. Mr. Lynch reported that they requested and received a continuance to the August 10, 2009 Zoning Hearing Board meeting.
 - Fence at the Melrose Shopping Center. Mr. Swavola stated that all parties will be meeting in the future.
 - She suggested that the Township consider an Asian language interpreter. Mr. Lynch advised that applicants who speak Asian languages use young relatives to interpret. An interpreter has been used for Zoning Hearing Board meetings, and they are very costly. Mrs. Leader suggested an individual from the Pan Asian Center in Jenkintown might be considered.
- b. Diane Williams, 1825 Chelsea Road, reported that large trucks were delivering large stones to the front of the former Dominican Retreat property. She questioned their use. The deliveries generate a lot of noise, and it sounds like they are being chipped away. Mr. Lynch reported that the stones are being stockpiled to do masonry repairs, and it is not a zoning issue. Ms. Williams stated that she would take photos and felt the amount of stones delivered was too excessive for just repairs.

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

A handwritten signature in black ink, appearing to read 'DK', written over a horizontal line.

David G. Kraynik
Township Manager

as per Anna Marie Felix



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Township Building

NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Barb Duffy	8 Hewett Rd. Wyncboro	beduffy@comcast.net
Mark Garvin	7816 Haines Rd.	mark@markgarvinphoto.com 215-635-9696
Bill & Joan Ford	605 Boyer Rd	215-603-9457
Mark Chermony (Story)	7913 Joubert Road	215-663-8812 chorms@comcast.net
Debra & Brian Zastow	24 Pike's Way	215-379-0220 bzastow@comcast.net
Shelley Gaither	7634 Waters Rd	215-635-2718 shellgaither@verizon.net
Robert J. Cross	139 Tookany Creek Pon/Cheltenham Pa	
Antoinette Gonnella	905 Pitt Road Cheltenham, PA 19012	215 379 2446



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Denise Finer	4 Pike's Way Cheltenham, PA 19012	denise.finer@prufoxroads.com 215-669-0261
CLIFF BASSMAN	7820 OAK LANE RD CHELTENHAM, PA 19012	cliff B bassmanlyndh.com 215/499-0102
Merle Drake	8339 Thomson Rd Elkins Park Pa 19027	merledrake8339@ Comcast.net
Chris & Jeanne Gaynor	1103 Ashbourne Rd Cheltenham PA 19012	ctgaynor@comcast.net 215 782 1517
Eileen Rudnick	27 Carter Lane EP, 19027	egrudnick@comcast.net
Andy Packer	7936 Round Green Rd Cheltenham, PA	ANDY@PACKER.COM
Eileen and John Gillard	528 Ashbourne Rd Cheltenham, Pa.	JPG @ @ @ @ @ @ @ @ aol.com
ED & TINA HAZEWSKI	735 ASHBORNE RD. CHELTENHAM PA	TINA735@COMCAST.NET



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Maureen Tobin	305 Ashmead Rd. Cheltenham, PA 19012	215-663-1584
Tanya Soboloff	7807 Gayl Rd Cheltenham, PA	267-287-8150 tsoboloff@hotmail.com
Gang Cwescewzo	136 Jefferson Ave Cheltenham Pa	215 379-4661
Heleen Meyer	8300 Fair View Rd EP, PA 19022	215-635-4905
Heidi Krout	729 Ashbourne Rd Cheltenham, PA 19012	215 379 8332 hkrout@yahoo.com
David Pecci	700 Tookany Creek Parkway Cheltenham PA 19012	215 379 3631 peccidavid@yahoo.com
Ingrid Nyborg	46 Carter Lane 19027	Inyborg @ Comcast.net
FRANK Farrell	504 Arbo- Rd Cheta 19012	FRANKFTR1 @verizon.net



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
SABINA Graebner	8264 Thomson Rd Elkins Park, PA 19027	SIBBY 12 PAWS@COMCAST. NET.
Eileen Collins	527 Davis Rd Chelt. PA 19012	
Donna Cartwright	14 Lawnside Rd Cheltenham, PA 19012	
Michael, Mercedes & Joe Fagnani	625 Boyer Rd Cheltenham, PA 19012	
Laura L. Zaika	40 Johns Rd Cheltenham PA 19012	
LYNNE MYERSON	50 HILDALE RD CHELTENHAM PA 19012	
Kathy + Bob SHAW	913 Ashbourne Rd Cheltenham, PA 19012	
JOE FAGNANI	625 BOYER Cheltenham 19012	



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Devorah Grosky Roberts	7810 Oak Lane Rd Cheltenham 19012	215-860-6203 devorah.roberts@ yahoo.com
AARON Grosky	7810 Oak Lane Rd Cheltenham 19012	215-860-6203 aige02@gmail.com
Sam & Megan Giampicchio	612 Rowland Ave Cheltenham PA 19012	(215) 663-1666
ELEANOR RYAN	61 Tookany Creek Pkwy Cheltenham 19012	215-379-4152
Michael & Jacqueline OWENS	648 Croyden Rd. Cheltenham, PA 19012	215-379-2410
DONNA GARNER	109 Pleasant Hill Rd Cheltenham	215-782-8681
CATHERINE PETETTI	111 Tookany Creek Pkwy Cheltenham	215-782-1539
Lynn Brown	7865 Brookfield Rd Cheltenham	915-635-3182



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
DIANE WILLIAMS	1812 BEECH AV LAMOTT PA.	
Lutha Luder		
Jesse Civallo	148 Mt. Carmel Ave Glenside, PA 19028	jcivallo@verizon.net
William Sammons	8504 Jansons Rd Eckes Port PA	215 635 2349
Amy Hansel	8001 Jenkintown Rd.	adshansel@ Comcast.net
MARVIN Christopher	7310 Butcher St	
Debra Marberger	Tookany Creek Pkwy	
Christy Niezgoda	636 Woodland Ave	christy.niezgoda @ gmail.com



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Margaret Vescovich	107 Tookany Creek Parkway Cheltenham, PA 19012	215-663-1303
DAVID LIPSHUTZ	8121 HAMMOND RD ELKINS PARK, PA 19027	DLIPSHUTZ@HOSMARC.COM (215) 782-8284
Kate B. Vaughan	35 Johns Rd Cheltenham PA 19012	215 635-2478
ROB BERNHARD	123 TOOKANY CREEK PKY CHELTENHAM, PA 19012	r1bernhard@hotmail.com 610-504-9198
G. BARTOSIC	7633 LEVIS Cheltenham	—
Barbara E. Woods	119 Pleasant Hill Rd Cheltenham Pa 19012	
Gwen Bowman	117 Pleasant Hill Rd Cheltenham, PA 19012	SGBowman27@msn.com
Steve & Doris Hankins	121 Pleasant Hill Road Cheltenham, PA 19012	shankins5011@yahoo.com 215-635-0968



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Lelisse Smith	810 Rowland Av Cheltenham, PA 19012	Lsmith611@gmail.com 215-313-9462
Michael & Sarah Latini	18 Carter Lane Elkins Park, PA 19027	scarrrs@gmail.com
Joseph + MARGARET CAUVIN	135 TOOKANY CR. PKW Cheltenham, PA 19012	CAUV@COMCAST.NET 215-635-5970
Ameen + NAFIYSA Khabir	906 Rowland Ave Cheltenham, PA 19012	urnm4@bu.comcast.net 215-379-0824
CAROL SCHWARZSEBILD	8304 Jen Kintown Rd Elkins Park, PA 19027	CMS8304@Jen2001.net 215-635-2349
Mitch and Allyn Zygmund-Felt	35 Carter Ln. EP	mitchmzf@msn.com 215-635-1083
Johnie L. Fennell	103 Pleasant Hill Rd Cheltenham PA. 19012	Jfennell01@msn.com 215-635-0234
Dan Zygmund-Felt	35 Carter Ln EP	eemman@gmail.com



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Mindy Dorfman	617 Arbor Rd	harry-smoms@yahoo.com 215-667-2325
Josh Kerstenbaum	645 Arbor	Josh@Davefrankel.com 215-379-5565
VIRGINIA HELM	7630 LEVIS RD	—
Robert Caperton	8566 Thomson Rd	—
Tom Collins	527 DAVIS Rd	—
Steve Bogdan	307 Ashmead Rd.	Histflyington@hotmail.com 215-379-5974
Charles Payne	7643 Front St	CPPAYNE1@YAHOO.COM 215-782-1110
Monifa Threlwell	615 Plymouth Rd Apt D3 Plymouth Mtng, PA 462	monthelwell@hotmail.com 215 913 9029



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Linda Stein Zach Stein	125 Pleasant Hill Cheltenham PA 19012	lstein@erialsystems.net
Maryory Albee Larry Albee	8248 Thomson Rd Elkins Park, PA 19027	mpalbee@aol.com lalbeephoto@aol.com
Dan Goldberg	7804 Weyl Rd Cheltenham PA 19012	jagoldberg@comcast.net
Barbara Kotzmi	609 Central Ave Cheltenham Pa.	215-663-0505
Hannah Venit	7700 Oak Lane Rd Cheltenham PA 19012	215 635-1998 Shark362@aol.com
Karen Martino John	529 Boye Rd Cheltenham PA 19012	215-663-8144 MARTINO529@comcast.net
JAMES + MARIA SATKO	901 ASHBOURNE RD CHELT	215 3791758
Ed Fisher	621 Boyer Rd Cheltenham PA	215 663 0958 Hedfisher@yahoo.com



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
CHRISTA & JEREMY HEAR	8256 NEW 2nd ST EP, PA 19027	cmsh@comcast.net 215.517.6477
Sarah Putterman	17 Beryl Rd. Cheltenham 19012	sputterman@ Cheltenham.org
KEONETH THOMAS	8256 THOMSON RD ELKINS PARK PA 19027	dmthom@comcast.net
Amala Daniels	628 Arbor Rd Cheltenham Pa 19012	amala.daniels@yahoo.com
Rob Davis	628 Arbor Rd. Cheltenham Pa 19012	rdavitt@aol.com
Kathleen G. WERNER	615 Boyer Road Cheltenham, Pa 19012	
James C. Cole	617 Boyer Rd Cheltenham PA 19012	215 379-2134
Stephen Byruch	42 JEFFERS Rd Cheltenham, PA 19012	215-635-6819



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Michelle Byruch	42 Johns Rd.	215-635-6819 mbyruch@gmail.com
Raymond + Rosemary Miller	768 Church Rd Elkins Park	215 682 6742 rosebud_m@msn.com
TINA + ED HAZEWSKI	735 Ashbourne Rd Cheltenham, Pa 19012	215.663.8492 TINA735@comcast.net
Jonathan Morein	618 Boyer Rd. Cheltenham, Pa. 19012	215-663-1106 -jmore715@aol.com HAZEWSKI
Leslie Leff	108 Andrea Road Cheltenham, PA 19012	215-635-4676 lesleleff@gmail.com
Michael Leff	"	215-635-4676 leffm@hotmail.com
Alex Leff	"	" alexleff@comcast.net
Paula Robert	7967 Oak Hill Dr Cheltenham PA 19012	215 663-0986



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Elissa Siegel	515 Arbor Rd. Cheltenham, Pa. 19012	(215) 663-8473 elissaandjade@juno.com
Avery China	7642 Brookfield Rd, Cheltenham 19012	shuler_china@hotmail.com
Hautyn Foti	Times-Chronicle	215-542-0200 ext 268
Jennifer + Reginald Macon	7702 Brookfield Rd Cheltenham PA 19012	jennifermaron@pennarobotry.com
Debbie D. Oliver	1635 W. CHELTENHAM AVE	
Cherie Leather	8031 New 2nd St E.P. 19027	Fcleather@juno.com
Suzie Sommovilla	7716 LECOMING AVE EF 19027	Sommoo@comcast.net
June Feith	204 Marvin Rd Elkins Park PA 19027	junefeith@yahoo.com



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Tom McHugh	127 Hewett Rd Wyncote 19095	tom.mchugh@monitordata.com
Debra Carse	7948 Oak Hill Dr Cheltenham 19012	dcarse@comcast.net 215-279-0509
Walter J. Bastogic	7633 Lewis Rd Cheltenham, PA 19012	215-635-3074
Jeff Cawthorne	1 Ashbury Ave Elkins Park PA	jcawthorne@gmail.com 267-825-0574
Mavra Simon Taro	157 Greenwood Ave	215-884-4644
Brooke Walsh	1112 Church Rd. Wyncote, PA 19095	(215) 572 0752
Donna Calkwood	8006 Hammond Chelt. PA 19012	215-635-2651
J. BRISBANE	7 Edge Moor Rd Cheltenham, PA 19012	215-385-2444



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Sherry Hantey	34 Carter Lane Elkins Park	tjuhahley@aol.com 215-635-5232
Michael R Mercedes Fagnoni	625 Boyer Rd Chelt. 19012	mugzybrown@gmail.com
Donna Cartwright	14 Lawnside Rd Chelt. 19012	dcartwright66@ Verizon.net
Eric Sou	16 Mulberry Ln Elkins Park 19027	emsoll@yahoo.com



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Howard Schetz	815 Cedar Rd Elkins Park PA 19022	rcarus12@hotmail.com 215 635 3264
Ilan Rosenberg	1123 COVENTRY AVE. CHELTENHAM, PA 19012	janeandilan@comcast.net
Sara Koval	7961 Oak Hill Dr. Cheltenham PA 19012	hskoval@hotmail.com