

February 4, 2015
Curtis Hall

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

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

Mr. Simon called the meeting to order at 8:30 p.m.

1. The Committee reviewed and took action on the following Zoning hearing Board agenda items for February 9, 2015:

APPEAL NO. 15-3510: Appeal of Salisbury Behavioral Health, Inc. d/b/a PAHrtners Deaf Services, tenant of premises known as 333 Bent Road, Wyncote, PA from the Decision of the Zoning Officer for the following Zoning Relief in order to use the premises as a Group Home for up to fifteen (15) unrelated deaf children with co-existing mental health disabilities, and a range of from two(2) to six(6) scheduled staff personnel at the premises at any one time; said premises being within the Class R-3 Residence District:

- a. The Applicant requests a reasonable accommodation in accordance with the rules and regulations of "Zoning Hearing Board" as outlined in CCS 296-2, 295-206, 295-207 and 295-209.1. The Applicant is proposing a child residential facility as that term is defined in 55 Pa.Code §3800.5 in order to use the premises as a Group Home with associated staff.
- b. A determination as to the number of parking spaces required for the Group Home with associated staff.

Present representing the applicant were Bernadette Kearney, Esq. and Paul Volosov. Mr. Bagley stated that since his law firm has represented the applicant, there is a conflict of interest, he ceded to Marc Jonas, Esq., Eastburn and Gray, who the Commissioners have selected as legal advisor in this matter. Mr. Bagley took a seat in the audience, and Mr. Jonas assumed a chair with the Committee.

Mr. Jonas stated that he reached out to Ms. Kearney and asked if the applicant would consider requesting a 30-day continuance to the Zoning Hearing Board. He recommended that the Committee do the same.

Mr. Volosov asked if he could make a presentation to which Mr. Portner responded that since a continuance is being requested, making a presentation would be folly this evening. Mr. Portner believed that the applicant needed to discuss said appeal with the neighbors. Mr. Volosov stated that his organization has long been established, and met with similar community opposition elsewhere, and their appeals have prevailed 100% of the time in such zoning applications. Mr. Portner responded that Mr. Volosov's arguments are for the Zoning Hearing

Board, and he asked Mr. Volosov to request a continuance to meet with neighbors and address their concerns. Mr. Volosov felt that meeting with neighbors would incite them more, and the law was in his favor. Mr. Jonas suggested that Mr. Volsolov be more optimistic in this respect. Mr. Volosov agreed to a continuance but not to any meeting not required by law.

Michael Yanoff, Esq. stated that he represents certain neighbors and joined in the request for continence and for a meeting between the applicant and neighbors.

Mr. Vosolov agreed to meet with all attorneys, representative from the Township and from neighbors to discuss mutually acceptable concessions and hoped that said meeting would not based on criticisms.

Ms. Rappoport was concerned that if the Zoning Hearing Board did not grant a continuance, it would not be aware of certain facts/issues in this matter. Mr. Jonas advised that such arguments should be raised to the Zoning Hearing Board and not to the Committee. Mr. Simon suggested that Ms. Rappoport prepare facts/arguments and submit them to Mr. Jonas before he attends the Zoning Hearing Board meeting. Mr. Jonas agreed to raise them before the Zoning Hearing Board.

Mr. Simon reviewed the appeal process and the next round of meetings and suggested that neighbors attend the Zoning Hearing Board meeting. He advised that Commissioners cannot attend said meeting, and the Committee this evening makes recommendations but the Zoning Hearing Board is the decision-maker.

Mr. Sharkey indicated that Mr. Jonas would reach out to the Zoning Hearing Board Solicitor and try to get an opinion regarding the grant of a continuance in advance of the hearing.

Upon motion of Mr. Portner, the Committee unanimously directed the Township's Planning /Zoning Officer and Marc Jonas, Esq. to attend the Zoning Hearing Board meeting and advise that the Committee recommends the grant of a continuance, and if a continuance is not granted, the Committee recommends denial of said appeal based on a lack of a full presentation and information to the Committee this evening.

2. Upon motion of Mr. McKeown, the Committee unanimously received the Planning Commission Regular Meeting Minutes dated January 29, 2015.

3. The Committee reviewed recommendations by the Economic Development Task Force ("EDTF") for signage as follows:

a. 433 W. Cheltenham Avenue, Elkins Park (All Stars Haircut). Upon motion of Mr. Portner, the Committee unanimously approved the issuance of a Certificate of Appropriateness for façade and freestanding signage contingent upon the conditions set forth by the EDTF.

b. 2636 Mt. Carmel Avenue, Glenside, for façade signage. Upon motion of Mr. McKeown, the Committee unanimously approved the issuance of a Certificate of Appropriateness for façade signage.

4. Upon motion of Mr. Portner, the Committee unanimously received the Report of the Building Inspector for January 2015.

5. The Committee reviewed recent Zoning Hearing Board decisions as follows:

Appeal No. 3457: Appeal of 509 Ashbourne Road, L.P., 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 Zoning Hearing Board granted the applicant's request for relief with conditions.

Upon motion of Mr. Simon, the Committee unanimously agreed to take no action.

Appeal No. 3499: 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:

The Zoning Hearing Board denied the applicant's request for relief.

Upon motion of Mr. Portner, the Committee unanimously agreed to take no action.

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:

The Zoning Hearing Board denied the applicant's request for relief.

Upon motion of Mr. Holland, the Committee unanimously agreed to take no action.

6. Old Business – None.

7. New Business – None.

8. Citizens' Forum – None.

Upon motion of Mr. Portner, unanimously approved by the Committee, the meeting was adjourned at 9:15 p.m.



Bryan T. Havir
Township Manager

as per Anna Marie Felix

PUBLIC SAFETY COMMITTEE – 7:30 pm
PUBLIC AFFAIRS COMMITTEE – 7:45 pm
BUILDING AND ZONING COMMITTEE – 8 pm
Wednesday, February 4, 2015
PUBLIC ATTENDANCE LIST

<u>NAME</u> <i>(Please print clearly)</i>	<u>ADDRESS</u>	<u>PHONE or E-MAIL</u>
Tiffany Skinner		281-688-3301
ADRIENNE STUCK	407 RANPARK WYNCOTE	
DEBORAH SNIPES	307 BENT RD WYNCOTE	
GLENN BROT	1304 E. 66 th AV Phila	
IDA NEWTON	1304 E. 66 th AVE Phila	
MICHAEL RIVERS	800 Accemic Rd Wynco	TOPPING @ Construction
Khari McKie	1410 73rd Ave Phila PA 19134	
TENESSA OVERTON	6492 Lensen St Phila, PA 19119	
Joyce Bridgforth		
Barbara Willis	327 Bent Rd	215 881-8958
Missy Cooper	650 Foxcroft Pd	
David Bend	125 Heacock	david bend@aol.com

11

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PUBLIC AFFAIRS COMMITTEE – 7:45 pm
BUILDING AND ZONING COMMITTEE – 8 pm

Wednesday, February 4, 2015

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<u>NAME</u> <i>(Please print clearly)</i>	<u>ADDRESS</u>	<u>PHONE or E-MAIL</u>
Bill England	Elkins Park	
Mynor Goldman	EP	215 480 3091
Andrea Platt	410 Accomac Rd Wyncote	215.740.0872 aplatt8@comcast.net
Jack Platt	"	215.740.0870 jplatt@jack-lcp.com
Darren Harrison	EPFC 7818 Montrose Ave EP	
Daria Hackman	301 Bent Rd Wyncote	215 498 8522
Albert Gillman	301 Bent Rd. Wyncote 19085	215 498 5350
Fernando Arteaga	420 GREENWOOD AVE	215 887-6776
Susan Arteaga	420 Greenwood Ave	215 887-6776
Linda & Louie	318 Bent Rd	215.718.6366
Jack Platt		
Betty Ann Schmidt	337 Bent Rd	215-886-1837
John-Jay Krutsvanger	337 Bent Rd	215 605-9494

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<u>NAME</u> <i>(Please print clearly)</i>	<u>ADDRESS</u>	<u>PHONE or E-MAIL</u>
Gabriel Bucurescu	319 Bent Rd	(267)992-3776
Ann Bucurescu	319 Bent Rd	267 303 4978
Alia Abengocher	304 Bent	aliaabengocher@hotmail.com
Debra Lee-Torchiana	115 Webster Ave.	leetorch1@verizon.net
Jess Daniel	109 webster Ave.	Bebeg82@AOL.com
Marshall Fleisher	215 Hewitt Rd	marfleisher@me.com
Perry L. Wilkins	325 Bent Rd.	designconplus@aol.com
ANDREW KROH	2417 FAIR HILL AVE	703.474.4779
Matthew Walker	308 Bent Road	215 572-6785
Dana Walker	"	"
Ted & Edie Cerebi	300 Maple Ave	
Robert Miodobry Dawn Hershock	343 Bent	215 887 9184
KRISTIN MULLEY	162 FERNBROOK AVE	zkmulley@gmail.com

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<u>NAME</u> <i>(Please print clearly)</i>	<u>ADDRESS</u>	<u>PHONE or E-MAIL</u>
WARREN SCHMIDT	515 BEAVER GENSE	WARREN@POSTALWORKS.COM
Dana Howard	353 Bent Rd	howard.dana@comcast
Mat Clark	10 Greenwood Pl	matthewclark@verizon.net
Michael Love	10 Walt Lane	215 517 5674
Ellex Watson	2 Walt Lane	215-887-8332
Hilary Love	10 Walt Lane	215-517-5674
Goya Weiner	418 Accomac	215-885-8278
Al Tedesco	418 Accomac	215-885-8278
William Wuermer	324 Bent	215 371 6696
David Matus	420 Accomac	215 886 7745
MaryEllen Matus	11	11
NANCY ZOSA	300 BENT RD	215 884 5723
Throng Nguy	150 Glenside	215 303 4922