

March 3, 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. Also present was Ex-Officio Member Greenwald. Staff present were Joseph Bagley, Esq., Wisler, Pearlstine, LLP; Bryan T. Havir, Assistant Township Manager; David M. Lynch, Township Engineer; Ruth Littner Shaw, Main Street Manager; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

Mr. Simon called the meeting to order.

1. A tentative Sketch Plan for the Hope Star Lloyd property at 1729-35 and 1777 E. Willow Grove Avenue was distributed by Ross Weiss, Esq., Ed Zoller, Hansen Properties and Anthony Hibbein, Engineer who represented the applicant. Mr. Lynch reviewed the plan for a 216 unit age-restricted community of 55-years+ with clubhouse; total acreage of 42 acres with 10 acres being in Cheltenham Township (CT) and 32 acres being in Springfield Township (ST); abutting roads – Willow Grove Avenue and Rt. 309 with Willow Grove Avenue being the only access; property lines; possible needed sub-division and zoning relief from ST; zoning issues; steep slopes; road and parking lot setbacks; and plans by the applicant to demolish the mansion.

Mr. Weiss identified certain issues such as the uniqueness of the property since its acreage is in two townships; the reduction in the number of planned units from the original plan; compliance with the CT ordinance for the Age-Restricted Overlay District; the age of the structures that are currently on the property and plans to save some of them, i.e. main mansion, carriage house, stable and gardens; plans to keep the brick wall surrounding the property; recommendations from the Montgomery County Planning Commission; density, including the number of units allowed on the Cheltenham portion of the property and the number of units allowed on the Springfield portion of the property. Mr. Weiss stated that the applicant needed both Township's to work together since

quite possibly, if ST did not grant zoning relief, the density of the development would be entirely in CT. The applicant wants to work with the neighbors and not ignore their concerns.

Mr. Kraynik reviewed previous talks that CT had with ST. Mr. Greenwald noted that although CT's portion of the property is small than ST's, the access to the property is on Willow Grove Avenue, and there is a concern about providing emergency vehicle services. It was Mr. Greenwald's opinion that it is incumbent upon the developer to have a portion of this development built on the ST portion of the property. He felt that there was too much density for the 10-acres on the CT portion, and the lay of the land with only one entrance could be a problem.

Mr. Weiss responded to several questions from Mr. Simon as follows:

- Hansen Properties does not own the property for speculation.
- There is a disagreement with the CT engineer about the township's lines being property lines.
- The township line will not be the property line from where the setback will be calculated, and all parcels will be merged.
- Mr. Weiss responded that if his client cannot work with both townships, then it would be a plan for the portion in CT.
- ST does not have an age-restricted zoning ordinance.
- The applicant has not submitted a plan to ST.
- CT was approached first due to its age-restricted ordinance.
- If ST grants relief, then the applicant would spread out the development into ST.
- ST zoning currently allows for 40 single family lots and has an overlay district that allows between 1.5 and 1.8 units per acre. There could be 80-100 clustered units in ST.

Mr. McKeown inquired as to the ultimate goal of the applicant for the property. Mr. Zoller stated that between the two townships, there is a permitted total of 350 units. The applicant worked with a user on the entire site and when the deal could not be completed, the applicant addressed it from CT's Age-Restricted Overlay District but Mr. Zoller felt it is in the best interest of everyone to try to get a joint effort to get an acceptable plan.

Mr. Greenwald stated that CT would work with ST to preserve the buildings and open space without having a negative impact to CT and ST residents but he was concerned about there being

only one entrance to the property. Mr. Simon noted that the location of Rt. 309 allows for only one ingress and egress, which happens to be in CT.

Residents expressed concerns and asked questions as follows:

Michael Harkins, who has lived on the ST portion of the estate for 30-years stated that the buildings have been kept in a pristine manner and now the lights are out and the property is deteriorating, copper has been ripped off the barn and potting shed, preservation is a moot point without security. He was concerned about the security of the property.

Mr. and Mrs. Lockett, 8001 Newbold Lane, were concerned about an entrance/exit that would almost be in their backyard; the narrowness and curves on Willow Grove Avenue; traffic congestion; noise; dirt; toxins; and pollution. Mr. Lockett was concerned that this could be a done deal and a question of which township gets the best deal. Mrs. Lockett stated that they purchased their home four months ago and had no idea this was happening. She asked for copies of minutes from any previous meeting there might have been on the subject. She was informed that this is the first meeting where the Commissioners have discussed the matter. Mr. Simon stated that this is the first time he is seeing a plan.

Joseph Lewis, 1408 Wistar Drive, stated that he lives near the Cheltenham Square Mall where there are issues regarding privacy and the neighbors have faced all kinds of issues with developers that were never anticipated.

Robert Damerjian, 733 Willow Grove Avenue, asked for a description of the buildings. Mr. Zoller stated that they will be 4-stories above grade and was not sure if there would be balconies. Mr. Damerjian stated that the occupants will be looking onto Newbold Lane and Willow Grove Avenue properties; he calculates a potential of 642 cars.

Martina Johnson-Allen, 8008 Newbold Lane, had questions about the start of construction. Mr. Weiss stated that it will probably take about 18 months before any plan is approved. Testing of soils, traffic studies, engineering design and many other development steps still have to be taken.

Wendy Blutstein, 1805 Hillcrest Road, resented Mr. Weiss' opinion on the CT ordinance that creates an age-restricted overlay district and the adaptive reuse of the buildings. She objected to his statement that the applicant is entitled to a right to special exception. Mr. Weiss responded that a property owner cannot be compelled to keep the buildings but the applicant is doing all it can to preserve them.

Meg Crofton, 1740 E. Willow Grove Avenue, felt that Mr. Weiss used threatening language. She was concerned about height of the buildings, especially tall buildings on top of a hill; people looking down into her windows; loss of privacy; she did not want the units to be rentals; and safety issues.

Len Eisenman, 7808 Froebel Road, stated that Laverock does not have any parks and suggested that CT and ST issue a bond to buy this property and make it a park.

Stacey Wyman, 540 Twickenham Road, wanted open space; she felt Mr. Weiss was disingenuous; the required parking and setbacks would not allow 311 units; she opposed his interpretation of the CT ordinance that allows for the creation of an age-restricted overlay district. She objected to Mr. Weiss' attitude that he feels his client can do as it wishes.

Mary Harkins, 1799 Willow Grove Avenue, felt that there are a lot of cars on Willow Grove Avenue, and spreading out the development over a larger area would not help. Any density coming out onto Willow Grove Avenue is an issue.

Tony Lane, 100 Heacock Lane, asked if the ordinance that creates an age-restricted overlay district trumps the ordinance that creates an historic overlay district. Mr. Weiss felt this was a legal issue that he did not want to discuss at this time.

Mary Beth Carroll, 123 Rices Mill Road, felt that the applicant should be taking better care of the existing buildings and not let them deteriorate.

Tamra Willis, 8003 Newbold Lane, was concerned about an underground stream on the property because his property gets flooded and his pumps work hard after a rainfall. He asked for a privacy wall.

Bob Elfant, 7812 Froebel Road, asked if the applicant wants to develop the property or sell it. Mr. Zoller responded that the intent is to get the approvals. It was bought without any contingencies, and Hansen Properties would entertain selling it. Mr. Elfant asked if the applicant was the ultimate developer or if this would be transferred to someone else. Mr. Zoller stated that he wanted to make it clear that someone else could ultimately be involved.

Joel Perilstein, 1778 E. Willow Grove Avenue, asked that if ST is not willing to alter its zoning, and the applicant is going to be bound in CT, would the applicant maximize the number of units in CT? Mr. Weiss responded that the proposed plan is the plan the applicant intends to submit if CT and ST cannot work things out. It was Mr. Perilstein's opinion that this development changes the nature and character of the community and equates to 600 people. He felt the rug was pulled out from under the community. This is an institutional type of development. The residents in this development have the potential to be a political body. Their needs could change over time.

Mr. Greenwood recommended, and the Committee agreed, that Township Staff contact Springfield Township to arrange a meeting.

2. The Committee reviewed the Zoning Hearing Board agenda for March 9, 2009 as follows:

APPEAL NO. 3319: Appeal of CJK Development LLC, owner of premises known as the Melrose Shopping Center (a/k/a CTRERP Block 87D, Unit 048 and Block 087E, Unit 001) from the following actions of the Township:

A. From the Notice of Violation, dated August 20, 2008, issued by the Zoning Officer

stating that the 6" high, white plastic fencing along both the western (Block 87D, Unit 048) and eastern (Block 87E, Unit 001) parcels of the Dewey Road frontages is in violation of Cheltenham Code Section 295-223, which limits fencing within the required front yard setback area to 4' in height with said fencing being 50% open.

- B. From the revocation of the CJK's building permit No. 08-3307 for 6' high, white plastic fencing along both the western and eastern parcels of the Dewey Road frontages as set forth in the letter of David M. Lynch, P.E., P.L.S., Director-Engineering, Zoning and Inspections, dated December 24, 2008.

Said premises being within the Class C-3 Commercial and Business Zoning District.

Doug Schleicher, Esq. and Hal Lichtman, architect were present to represent the applicant.

Mr. Lynch reviewed that application, history of the shopping center and fence, dimensions of the fence, issues regarding zoning relief and permits, his Notice of Violation letter, his revocation of the building permit for the replacement fence, the pending Civil Appeal Hearing on the Notice of Violation, the Township's solicitor's opinion, concerns about the color, landscaping, grading and height of the fence, and neighbors' concerns. Regarding the Notice of Violation and pending court hearing, Mr. Bagley reviewed his Notice to Dismiss, and stated that the only issue for the Magisterial District Judge to decide is the amount of the fine.

Mr. Schleicher reviewed ownership of the property; history of the fence; his client's proposed fencing at the loading dock that was denied by the Township; the Township's complaints about the fence, the desires of his client to fix the fence and update the property. Mr. Schleicher stated that the fence was built in accordance with the permit approved by the Building and Zoning Department and \$40,000 was spent.

Mr. Swavola expressed neighbors' concerns. The neighbors of the shopping center are concerned about safety and privacy. Neighbors were unaware of the new fence until it was erected. Mr. Swavola stated that there might not be a problem with the fence if there was not a problem with the neighbors. In the past, if neighbors saw someone or something that looked suspicious, they would call the police. Now, neighbors cannot see through the fence. A neighbor was mugged because she could not see behind the fence. This has induced fear into the neighbors. The litter is

enormous and unsightly and blows along Front Street and Dewey Road. The fence affects property values. The neighbors need a remedy. Mr. McKeown reported that his constituents complain about the color.

Representatives of CJK were present and responded that the Township issued a permit for the fence, the Township asked that it be painted green, a lot of money was spent to comply with the Township, they want to be a good friend and neighbor, they thought everyone would like the fence, and they have tried to accommodate in every way.

Mr. Swavola responded that he understands that the applicant proceeded with the best intentions and installed a fence in accordance with a permit that perhaps should not have been issued. Mr. Swavola suggested that the applicant request a continuance. The applicant agreed. Mr. Bagley recommended that the Committee take action and support his Motion to Dismiss and he and Mr. Schliecher could meet to resolve the issue prior to the Zoning Hearing Board meeting on March 9, 2009.

The applicant stated that he would do whatever is necessary to make all accommodations but wanted a meeting with the neighbors to find out what they wanted before proceeding any further.

Upon motion of Mr. McKeown, and unanimously approved by the Committee, the Committee directed the Township Engineer to advise the Zoning Hearing Board that it recommends the grant of a continuance. The Committee also concurred with the recommendation of the Township Solicitor and concurred with the Notice to Dismiss.

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. Pulley, the applicant, and his attorney Peter Friedman, Esq. were present. Mr. Lynch reviewed the plan and a history of the fence. Mr. Pulley reviewed the location of utility lines, access to the facility, his plan to modify his application to include a storage trailer to the site that will be used by a local college, and his agreement to locating the sign to Bosler Drive.

Upon motion of Mr. Portner, 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. 3317 (Decision only) – Appeal of Arcadia University, owner of premises known as 318 S. Easton Road, Glenside, PA (a/k/a "Oak Summit Apartments"), from the decision of the Zoning Officer for the following Zoning Relief in order to construct and operate a one (1) storey parking garage (83 parking spaces on second level) for the use of the faculty, staff and students of Arcadia University:

- a. Variances from the rules and regulations of Article XIV, entitled "M-3 Multiple Dwelling and Office Districts," of Chapter 295 of the Cheltenham Code, as follows:
  - i. From CCS 295-89. for the construction and operation of a parking garage (as a primary use) instead of one of the permitted enumerated uses.
  - ii. From CCS 295-93.A.(1) for a lesser front yard setback of 15' instead of the minimum required 35'.
  - iii. From CCS 295-93.B. for a lesser side yard setback of 8' instead of the minimum required 15'.
  - iv. From CCS 295-94. for a lesser Green Space Landscape Buffer Strip Width of 8' instead of the minimum required 10'.

- b. A Variance from the rules and regulations of the "Steep Slope Conservation District" as outlined in CCS 295-167. for any steep slope disturbance caused by the construction of the proposed parking garage.

Mr. Lynch advised that the Zoning Hearing Board has completed the taking of testimony on this appeal. A motion was not needed by the Committee.

APPEAL NO. 3320: Appeal of Raymond Massey, Jr., owner of premises known as 8126 New Second Street, Elkins Park, PA for the following zoning relief for the noted improvements on the Premises (said premises being within the Class R-4 Residence District.):

- A. A variance from the Rules and Regulations of "Yard Regulations" as outlined in CCS 295-220.C. for a lesser rear yard setback of one (1) foot instead of the required 15' for a 8' x 10' shed.
- B. A variance from the Rules and Regulations of the "Steep Slope Conservation District" as outlined in CCS 295-167. for the construction of 110± L.F. Keystone retaining wall instead of one of the enumerated permitted uses.

Mr. Lynch reviewed the appeal including the steep slope and erosion issues.

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

APPEAL NO. 3321: Appeal of Beth Sholom Congregation, owner of premises known as 8231 Old York Road, Elkins Park, PA from the decision of the Zoning Officer for the following relief for the expansion of the playground at the southwest corner of the premises and for making the access walkway on the northeast side of the building handicapped accessible:

- 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 special exception in accordance with CCS 295-36.C. for the existing playground.
  - ii. A special exception in accordance with CCS 295-36.C. for expansion of the existing playground.
  - iii. A variance from CCS 295-39.A. (1) for the installation of new playground equipment within the required front yard setback area.
  - iv. A special exception in accordance with CCS 295-36.C. for expansion of the accessway on the northeast side of the building.

Mr. Lynch reviewed the appeal.

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

APPEAL NO. 3322: Appeal of Montgomery Signs, Inc. on behalf of Janney Montgomery Scott LLC, tenant at 8101 Washington Lane, Wyncote, PA, ( a/k/a "One Washington Square") from the decision of the Zoning Officer for a variance from the Rules and Regulations of "Signs" as outlined in CCS 295-197.A. (3) for a 3' high x 9.08' long (text "Janney") parallel wall sign instead of no permitted parallel wall signage. Said premises being within the Class R-O Residence and Office District.

Mr. Lynch reviewed the appeal.

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 takes no action on this appeal.

APPEAL NO. 3323: Appeal of Breyer Woods Condominium Association, owner of Breyer Woods Condominium, Elkins Park, PA from the decision of the Zoning Officer for a variance from the Rules and Regulations of "Fences and Walls" as outlined in CCS 295-223. for 230 ± L.F. of 6' high, solid fencing within the front yard setback area along the Township Line Road frontage of the premises (Near Condo Units 111-114) instead of the permitted 4' high, 50% open fencing.

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 the Committee recommends approval of this appeal.

APPEAL NO. 3324: Appeal of Frederick Robinson, II, owner of premises known as 7325 Keenan Street, LaMott, PA (a/k/a CTRERP Block, 193, Unit 037), from the decision of the Zoning Officer for a variance from the Rules and Regulations of the Class R-7 Residence District as outlined in CCS 295-58. for a lesser lot area of 3400 Sq. Ft. instead of the required 3500 Sq. Ft. for new Lot B (a building lot) being created by the subdivision of the premises into two (2) lots.

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 the Committee recommends approval of this appeal.

APPEAL NO. 3325 – (Continued; former Appeal No. 3314) of Phuong Mgod Trinh and Chuong Trinh, owners of premises known at 1101 Ashbourne Road, Cheltenham, PA, from the decision of the Zoning Officer for the following Zoning Relief for the noted improvements of the premises:

- a. Variances from the rules and regulations Article VII, entitled “R-4 Residence Districts,” of Chapter 295 of the Cheltenham Code, as follows:
  - iii. From CCS 295-39.(1) and (2) for a lesser front yard setback than the minimum required 40’ for the following:
    1. For a 8’ x 10’ aluminum shed (Item 16 on Site Plan)
    2. For a 3’ x 5’ plywood shed (Item 15)
    3. For a 8’ x 8’ octagon gazebo (Item 14)
    4. For a 4’ x 4’ tween plywood shed (Item 13)
    5. For a 9.5’ x 10.5’ treehouse w/gazebo (Item 12)
    6. For a 7’ x 10’ swing gazebo (Item 11)
    7. For a 2.5’ x 4.5’ vinyl shed (Item 10)
    8. For a 8’ x 10’ vinyl shed (Item 9)
    9. For a 11’ x 18’ pond/bridge area (Item 8)
    10. For a 2.5’ x 4.5’ vinyl shed (Item 7)
  - iv. From CCS 295-39.B(1) for a lesser rear yard setback than the minimum required 10’ for the following:
    1. For the back yard deck (Irregular shape) (Item 4 and 6)
    2. For the canopy over backyard deck (Irregular shape) (Item 5)
    3. For a 3’ x 5’ plywood shed (Item 3).

Mr. Lynch reported that said appeal is being continued since the applicants did not appear at the Zoning Hearing Board meeting.

Upon motion of Mr. Swavola, 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 as previously stated.

3. Upon motion of Mr. Sharkey, and unanimously approved by the Committee, the Planning Commission Meeting Minutes dated February 23, 2009, were received.

4. Upon motion of Mr. Portner, and unanimously approved by the Committee, the Ad Hoc Zoning Review Committee Meeting Minutes dated February 11, 2009 and February 23, 2009, were received.

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

Appeal No. 3302: Appeal of Arcadia University, 450 S. Easton Road, Glenside, Pennsylvania 19038 owner of the premises known as: 450 S. Easton Road, 2005 Church Road 2035 Church Road, 2059 Church Road, 777 Limekiln Pike, 1601 Church Road, 16 Forsythe Avenue, 310 S. Easton Road, Glenside, Pennsylvania from the determination of the Zoning Officer finding that reconfiguring and expanding the parking areas along the frontage of the property at 450 S. Easton Road to construct a grand pedestrian accessway with plaza at the northeast corner of the Property, expansion of a nonconforming educational use of the Property, eliminating lawn areas within the required front yard setback area, installation of storm sewers and stormwater management facilities and underground utility transmission lines, construction of retaining walls, the filling or removal of topsoil associated with the proposed reconfiguration, inclusions of areas with a terrain gradient 25% or greater within the required front yard setback area, and the installation of various monument, flagpole/banner and wall signage would violate the Cheltenham Ordinance of 1929, as amended, and, specifically, Article XXIX, Section 295-227, regulating nonconforming uses; Article III, Section 295-7, regulating uses; Article XXIX, Section 295-220, regulating yard setbacks; Article XXII, Sections 295-168 and 169, regulating uses permitted by special exception and prohibited uses, respectively, in a Steep Slope Conservation District; Article XXV, Section 295-197, regulating signs requiring a permit.

The Zoning Hearing Board granted applicant's request for relief.

Upon motion of Mr. Greenwald, and unanimously approved by the Committee, no action was taken.

APPEAL NO. 3298: Appeal of Karl Sohlberg and Yibai Chen, owners of the premises known as 1408 Juniper Avenue, Elkins Park, Pennsylvania 19027, from the determination of the Zoning Officer finding that enclosure of an existing front porch and construction of a second floor addition over said front porch creating a greater than allowed building area and creating a less than required front and side yard setbacks would violate the Cheltenham Ordinance of 1929, as amended, and, specifically, Article XXIX, Section 295-227, regulating nonconforming uses, Article VII, Section 295-38, regulating building area, and Article VII, Section 295-39, regulating yard setbacks.

The Zoning Hearing Board granted applicants' request for relief, subject to conditions.

Upon motion of Mr. Portner, and unanimously approved by the Committee, no action was taken.

APPEAL NO. 3299: Appeal of Margaret Home, owner of the premises known as 7804 Caversham Road, Bertha M. Demps, owner of the premises known as 7805 Caversham Road, Elkins Park, Pennsylvania 19027 from the determination of the Zoning Officer finding that installation of 50% open fencing, measuring 6 feet in height, in the front yard setback area along the Washington Lane frontage of the Property instead of the permitted 4 foot height 50% open fencing would violate the Cheltenham Ordinance of 1929, as amended, and, specifically, Article XXIX, Section 295-223, regulating fences and walls.

The Zoning Hearing Board granted applicants' request for relief, subject to conditions.

Upon motion of Mr. Muldawer, and unanimously approved by the Committee, no action was taken.

6. Upon motion of Mr. Sharkey, and unanimously approved by the Committee, the report of the Building Inspector for the month of February, 2009, was received.

7. Under Citizens' Forum:

a. Tony Lane, 100 Heacock Lane, felt that the law regarding whether or not the ordinance that creates an age-restricted overlay district trumps the ordinance that creates an historic overlay district should be determined first before there is any meeting with Springfield Township about the Laverock Tentative Sketch Plan that was presented this evening. Mr. Bagley responded that the bigger open issue is what is going to happen in Springfield Township.

b. Loretta Leader, 542 E. Glenside Avenue, inquired about the status of illegal signs and a trailer at the Towers of Wyncote. Mr. Lynch responded that the Building Inspector visited the site, took photos, and a Notice of Violation is forthcoming to the property owner.

Ms. Leader expressed a concern about the Township having Hal Lichtman serving as the Chairman of the Ad Hoc Zoning Review Committee and that in his position as an architect he is serving on a committee that is reviewing the Township's zoning ordinances. She felt there was an impropriety and a possible conflict of interest. She reviewed past conflicting interest with a member of the Planning Commission and developers who protected his interests as an architect. Mr. Muldawer felt it was important to have someone with Mr. Lichtman's credentials on the committee. Ms. Leader agreed but felt that there were other architects who could also act in this capacity.

c. Joseph Lewis, 1408 Wistar Lane, asked for the Township's help in resolving the neighbors' issues with Shoppers Lane. Mr. Portner responded that the matter will be investigated by the Police Department.

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



David G. Kraynik  
Township Manager

as per Anna Marie Felix



**PUBLIC ATTENDANCE LIST**  
**Public Affairs Committee, 7 p.m.**  
**Public Safety Committee, 7:30 p.m.**  
**Building and Zoning Committee, 8 p.m.**  
**Tuesday, March 3, 2009**  
**Township Building**

NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Martina Johnson-Allen	8008 Newbold Land Laverock, PA 19038	efuntina@verizon.net
Mr & Mrs. Northa Willis	8003 Newbold Laverock PA 19038	215-836-1742
Myrtle Jackson Marcus Martin	8000 Newbold (2) Laverock, PA 19038	mjacksiz@temple.edu motownmarcus@verizon.net
Laetta Leader	542 W Glenside Ave Glenside Pa 19038	
Derrick Townes	8203 Newbold Lane	Townes D @ AOL.com (215) 6516660
Joe Lewis	1408 Wister DR Wyncote, 19095	215-576-6378
BOB & NANCY ELFANT	7812 FROEBEL RD. LAVEROCK, PA 19038	215-233-1041
Gilbert Toll Esq Atty for Brayer Woods Condaminium	150 Monument rd Suite 603 Bala Cynwyd Pa 19004	gtollpc@verizon.net 610-660-6505



**PUBLIC ATTENDANCE LIST**  
**Public Affairs Committee, 7 p.m.**  
**Public Safety Committee, 7:30 p.m.**  
**Building and Zoning Committee, 8 p.m.**  
**Tuesday, March 3, 2009**  
**Township Building**

NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Joel Perilstein	1778 E. Willow Brook Ave.	Joel@Perilstein.com
Paul + Lorraine DAMERJIAN	733 WILLOW GROVE ave	



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**Township Building**

NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Brian Grew	525 Franklin Ave.	bgrew@chestnuthillacademy.org 215)379.0169.
L. T. Dunn	135 Wilsbur Ave	dunntrace@ yahoo.com
J. Lewis	1408 Wistar DR.	
Doug Schleicher	representing CJK Development	dschleicher@ klehr.com 215-569-2795
Wendy Blutstein	chelt 2-1	215 2339529
The Focketts	8001 Neubold Lane 19038	gypensz@verizon.net 215-237-9642
HARKINS	1799 E. Willow @LOVE AJ	HARKS1004@ aol.com
Mey Crofton	1740 E. Willow Grove Lanrock	Crofton1740@ comcast.net



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NAME (Please Print)	ADDRESS	E-MAIL/TELEPHONE
Stacey Wyman	540 Twickenham Rd Glenside, PA 19038	215-885-8543 CROWYM@AOL.COM
LEN & ROBBIE EISENMAN	7808 FROEBEL RD GLENSIDE, PA 19038	leonard.eisenman@ jetterson.edu

