

February 3, 2016
Curtis Hall

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Morton J. Simon, Jr. presiding. Members present were Commissioners Brockington, Holland, Norris, Pransky, Rappoport, and Sharkey.

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

Mr. Simon called the meeting to order at 9:15 p.m.

1. Appeals scheduled for the Zoning Hearing Board (“ZHB”) meeting on February 8, 2016 were reviewed as follows:

APPEAL NO. 15-3539: Appeal of John Jay Institute, for the premises known as 7425 Old York Road, Elkins Park, PA 19027 from the Decision of the Zoning Officer for a special exception from Section 295-36.C., use regulations, to allow for an educational use with dormitory space, for a total of sixteen fellows, and administrative office support in the existing building or in the alternative a variance to allow for the use as described and a modification of the previous approvals granted under Appeals #2824 and #2951 in the R-4 Residential Zoning District.

Present representing the applicant were Michael Yanoff, Esq., Alan Crippen, President of the John Jay Institute, and Dan Lee, Architect.

Mr. Yanoff reviewed the Institute’s mission; the reason for a Special Exception; the number of students (16 students - 8 male/8 female); interior renovations; and current 42 parking spaces; no additional parking is required.

Mr. Norris asked how this location differs from the Institute’s previous appeal for a location on Fenton Road and if there would be a contribution to the Township’s PILOT Program (“Payment In Lieu of Taxes”). Mr. Yanoff responded that the Fenton Road premises was a home located in a residential neighborhood, and this location is on Old York Road and in a building that was previously used as offices and not surrounded by homes. Regarding the PILOT, that will be discussed with the Township Manager if ZHB grants relief.

Mr. Bagley questioned the following language in the appeal: “a modification of the previous approvals granted...” Mr. Yanoff stated that he always includes such language in case the appeal does not qualify for a Special Exception.

Ms. Rappoport questioned how many EDU’s would be needed and current property taxes. Mr. Yanoff responded that an engineer has been hired to study the history of water usage and determine an analysis of the necessary EDU’s that are needed to satisfy requirements and if they are available. The current total tax bill (County/Township/School District) is \$21,000.

Ms. Rappoport noted that a former member of the Institute's Board, Rev. Don Armstrong, was convicted of fraud, and asked if he is still affiliated with the Institute to which Mr. Crippen responded that he is not.

Mr. Lee reviewed the conditions of the existing building and plans for its remodeling including ADA compliant bathrooms; he reviewed the number of toilets, urinals, and sinks currently in the building; the number of gallons of wastewater.

Mr. Simon asked about the condition of the building's interior. Mr. Lee responded that the first floor rooms are intact and will be preserved but the other floors were undesirably remodeled over the years and will be restored and renovated to the building's original architecture.

Public Comments

Fred Milbert, 1100 Prospect Avenue, Elkins Park, asked that the applicant's contributions to the PILOT Program also include the School District.

Extensive discussion ensued regarding the applicant's participation in the PILOT Program. Mr. Crippen stated that the Institute is not looking for a free ride. It wants to be a part of the community, and it is not an anti-tax organization. Mr. Pransky indicated that there is a lot of frustration in the community because a lot of properties are off the tax roles, and the PILOT Program is important to the Township.

Peter Wieck, 1118 Stratford Avenue, supported the appeal; it is a stable use and suggesting otherwise is disingenuous.

Upon motion of Mr. Norris, the Committee unanimously directed the Planning/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal.

APPEAL NO. 16-3541: Appeal of Federation Housing, Inc., for the premises known as the Mandell Campus on Old York Road, Elkins Park, PA 19027 from the Decision of the Zoning Officer in order to allow for the subdivision of 5 acres, along Ashbourne Road, from the existing campus and construction of one 4 story building for a total of 122, one bedroom, units for elderly housing in the R-3 Residential Zoning District:

- a) A special exception from Section 295-21(H), use regulations, to allow for multiple-dwelling housing for the elderly.
- b) A variance from Section 295-167, permitted uses, to permit access ways and driveways within a Steep Slope Conservation District.
- c) A variance from Section 295-167, permitted uses, to permit the filling or removal of topsoil associated with the construction of landscaping, access ways and driveways within a Steep Slope Conservation District.
- d) A variance from Section 295-221(H), parking requirements by land use, to allow for 63 parking spaces in place of the required 183 parking spaces.

- e) A variance from Section 295-249, boundary definitions, to allow for the building to encroach within the Zone Two minimum corridor width of the Riparian Corridor Conservation District.
- f) Such other variances, special exceptions or zoning determinations as may be necessary to implement the Project.

Michael Yanoff, Esq. was present to represent the applicant. He reported that a Continuance will be requested at the Zoning Hearing Board meeting because the applicant will be submitting a revised plan.

Upon motion of Mr. Norris, the Committee unanimously directed the Planning/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal but if a Continuance is not granted, the Committee recommends denial based on a lack of information.

APPEAL NO. 16-3540: Appeal of Jeff & Erica Dunbar, for the premises known as 345 Sinkler Road, Wyncote, PA 19095 from the Decision of the Zoning Officer for a variance from Section 295-23., required building area, to allow for an increase of building coverage from 15% to 15.5%, for the proposed construction of a 20' x 26' one story addition on the right rear of the dwelling, in the R-3 Residential Zoning District.

Present were Jeff and Erica Dunbar and Brett Hand, Architect. Mr. Hand reviewed building coverage and square footage increase of 78-feet.

Upon motion of Mr. Holland, the Committee unanimously directed the Planning/Zoning Officer to advise the Zoning Hearing Board that it recommends approval of said appeal.

2. Upon motion of Mr. Norris, the Planning Commission Regular Meeting Minutes dated January 25, 2016 were unanimously accepted.

3. Review of Text Amendment for the M-4 Zoning District. Upon motion of Mr. Brockington, the Committee unanimously agreed to table discussion to the Public Works Committee meeting on February 10, 2016.

4. Continued discussion of the Proposed Draft Zoning Ordinance. Mr. Simon noted that said Ordinance would not be discussed in detail this evening.

Present from the Montgomery County Planning Commission were Eric Jarrell and Brian Olszak. Mr. Olszak identified the three (3) parcels for which a Fiscal Impact Study would be performed as requested at the January meeting of the Committee. They are: Elkins Estate, Melrose Country Club, and two (2) parcels being considered as one at the southeast corner of Spring Avenue and Old York Road. He noted that 573 public comments have been received – 40% were questions to be answered; 35% were comments; 25% were policy decisions. Mr. Olszak suggested that going forward, further review of the Ordinance be done at separate dedicated meetings rather than at Committee meetings.

Mr. Simon proposed postponing further discussion of the Ordinance until the Fiscal Impact Studies are received on March 2, 2016 and rather than having extensive discussions at the Building and Zoning meetings, that discussions be held via workshops at the Township Building and follow the same schedule as the previous workshops on the Ordinance. Since all parties involved were most available on Thursday evenings, Mr. Simon proposed the following dates:

For Articles I, II, III, Residential/Multi-Family/Commercial/Mapping
From 6 p.m. – 9 p.m.
Thursday, March 10

For MU1, MU2, MU3, Overlay Provisions/Procedural Items/Mapping
From 6 p.m. – 9 p.m.
Thursday, March 31

He suggested that April 21 and April 28 could be follow-up meetings, if necessary. Mr. Pranksy noted that April 28 overlaps with Passover.

In response to a question from Ms. Rappoport, Mr. Olszak stated that a revised Draft Ordinance incorporating all comments will be provided at the March 2, 2016 Building and Zoning Committee meeting.

The Committee unanimously agreed to Mr. Simon's suggestion of extending the written public comment period to February 12, 2016, especially in light of the recent Zoning Hearing Board appeal of Federation Housing for an elderly housing complex on the Mandell Campus.

Public Comment

Hal Lichtman requested that comments be answered prior to the March workshops, which would help expedite the meeting since everyone would have their answers.

Mr. Jarrell stated that the Fiscal Impact Study will take a lot of time answers to questions will be given at least by the second meeting. He noted that the overall density of MU3 received a lot of comments.

5. Upon motion of Mr. Sharkey, the Committee unanimously received the Report of the Building Inspector for January, 2016.

6. Under Old Business: None.

7. Under New Business: None.

8. Under Citizens' Forum:

Mr. Cohen asked the status of the Local Landmark Ordinance. Mr. Havir responded that Staff is still working on it and administrative work remains to be completed.

There being no further business, upon motion of Mr. Norris, and unanimously approved by the Committee, the meeting was adjourned at 10:30 p.m.



Bryan T. Havir
Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST
PUBLIC SAFETY COMMITTEE – 7:30 P.M.
PUBLIC AFFAIRS COMMITTEE – 7:45 P.M.
BUILDING AND ZONING COMMITTEE – 8:00 P.M.
Wednesday, February 3, 2016
Township Building

NAME <i>(Please Print Clearly)</i>	ADDRESS <i>(Please Print Clearly)</i>	E-MAIL and/or TELEPHONE <i>(Please Print Clearly)</i>
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Kevin Scott	2000 Market St Phila PA	KSCOTT@ FoxPohndell.com
Michael Mittelman	8260 Old York Rd Elkins Park PA	mmittelman@salus.edu
C. McKeown	—	—
ROBERT HYSLOP	211 Harrison	215-886-0813
DAVID L. COHEN	321 GERARD EP	dcohen1@ix.netcom.com
Robin Rifkin	1112 Prospect Ave CHP, PA	robinrifkin@comcast.net



PUBLIC ATTENDANCE LIST
PUBLIC SAFETY COMMITTEE – 7:30 P.M.
PUBLIC AFFAIRS COMMITTEE – 7:45 P.M.
BUILDING AND ZONING COMMITTEE – 8:00 P.M.
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NAME (Please Print Clearly)	ADDRESS (Please Print Clearly)	E-MAIL and/or TELEPHONE (Please Print Clearly)
Nichole Rifkin	1701 Stratford Ave M.P. 14027	nichole.rifkin.07@gmail.com
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ERIC J. ...	315 SINDLER RD WYNOLFE, PA 19383	
BRIAN ...	121 HEATHCOTE HILL DR DOUGLASS PA 19335	
TED EGON CERCHI	300 Maple Ave	
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NAME <i>(Please Print Clearly)</i>	ADDRESS <i>(Please Print Clearly)</i>	E-MAIL and/or TELEPHONE <i>(Please Print Clearly)</i>
KEVIN AIXES	7604 WEST AVE	Kevinaires@aol.com
Robert Jenks	1430 Ashbourne Rd	