

April 21, 2008  
Township Building

The regular meeting of the Planning Commission was held tonight in the Township Administration Building. The following members were present: Messrs. Cross and Winneberger. Also present were: Carmen G. Reitano, Assistant to the Director of Engineering, Zoning & Inspections, Ms. Jean Holland, Montco Planning and David Harrower, Observer.

Mr. Cross stated that due to the lack of a quorum this will be an informal meeting.

1. No action was taken on the March 24, 2008 meeting minutes.
2. The following appeals to be discussed at the May 12 and May 21, 2008 Zoning

Hearing Board meetings were discussed as this time:

APPEAL NO. 3258 (Continued) – Appeal of the Jewish Federation of Greater Philadelphia, owner of premises known as 103 Lafayette Avenue, Elkins Park, PA (a/k/a CTRERP Block 35, Unit 28) from the Decision of Zoning Officer for the following Zoning Relief in order to construct a Single Family Residence thereon (said premises being within the Class R-4 Residence District):

- a. Zoning Relief from the rules and regulations of the Steep Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:
  - i. Special Exceptions in accordance with CCS 295-168., as follows:
    1. Pursuant to CCS 295-168.B. for Sanitary Sewers and Stormwater Management Facilities.
    2. Pursuant to CCS 295-168.C. for underground utility transmission lines.
  - ii. Variances from CCS 295-169., as follows:
    1. From CCS 295-169.A.(1) for the residence, retaining walls and landscaping.
    2. From CCS 295-169 A.(2) for the driveway.
    3. From CCS 295-169 A.(3) for the filling or Removal of topsoil associated with the foregoing.
    4. From CCS 295-169.B. for the inclusion of areas with a terrain gradient of 25% or more within any of the required yard areas.

APPEAL NO. 3260 (Continued) – Appeal of the Jewish Federation of Greater Philadelphia, owner of premises known as 105 Lafayette Avenue, Elkins Park, PA (a/k/a CTRERP Block 35, Unit 8) from the Decision of Zoning Officer for the following

Zoning Relief in order to construct a Single Family Residence thereon (said premises being with the Class R-4 Residence District):

- a. Zoning Relief from the rules and regulations of the Steep Slope Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:
  - i. Special Exceptions in accordance with CCS 295-168., as follows:
    1. Pursuant to CCS 295-168.B. for Sanitary Sewers and Stormwater Management Facilities.
    2. Pursuant to CCS 295-168.C. for underground utility transmission lines.
  - ii. Variances from CCS 295-169., as follows:
    1. From CCS 295-169.A.(1) for the residence, retaining walls and landscaping.
    2. From CCS 295-169 A.(2) for the driveway.
    3. From CCS 295-169 A.(3) for the filling or removal of topsoil associated with the foregoing.
    4. From CCS 295-169.B. for the inclusion of areas with a terrain gradient of 25% or more within any of the required yard areas.

Mr. Peter Friedman, Attorney for Jewish Federation of Greater Philadelphia, informed the Commission that the Applicant will be withdrawing Appeals No. 3258 and 3260 without prejudice.

In the event the Applicant does not withdraw these Appeals, the Commission reiterates its previous recommendation that Appeals No. 3258 and 3260 be denied.

APPEAL NO. 3272 (Continued) – Appeal of Keystone Outdoor Advertising Company, Inc., equitable owner of premises triangular tract of land situated at south quadrant of intersection of Old Limekiln Pike with Ogontz Avenue (a/k/a CTRERP Block 146, Unit 016), from the Decision of the Zoning Officer for the following Zoning Relief in order to construct and operate a 50' high, 14' W x 48' L (672 SF), double-faced free-standing billboard sign on the premises:

- a. Variances from the rules and regulations of the Class C-4 Commercial and Business District as outlined in Article XVIII of Chapter 295 of the Cheltenham Code, as follows:
  - i. From CCS 295-127. for the “Billboard” use of the premises instead of one of the permitted enumerated uses.
  - ii. From CCS 295-132. for a 36±' wide driveway instead of the maximum permitted 20'.

- b. A Variance from the rules and regulations of “Signs” as outlined in CCS 295-197.C. for the “Billboard” sign instead of one of the permitted enumerated sign types.

Mr. Peter Friedman, Attorney, was present to discuss this Application. He stated that this Appeal was presented at the March 24, 2008 Planning Commission meeting at which time the Commission recommended denial because of its size and location. It was presented at the April 14, 2008 Zoning Hearing Board meeting but due to the Township Solicitor requesting additional information was continued to the May 12, 2008 Zoning Hearing Board meeting.

Mr. Friedman stated the Applicant intends to decrease the height of the billboard from the original 50' to 45'.

The Commission reiterates its previous recommendation of denial.

APPEAL NO. 3273 (Decision Only) – Appeal of Melrose Court Investors LP, owner of premises known as 7340 Old York Road, LaMott, PA (a/k/a “Melrose Court Apartments, (hereinafter “Lot 1”), and 1330 Willow Avenue Associated, LLC, owner of 1330 Willow Avenue, LaMott, PA, (hereinafter “Lot 2”), from the Decision of the Zoning Officer for the following Zoning Relief in order to construct and operate a 32 space parking field, 10 spaces of which are to be on Lot 1 and 22 spaces of which are to be on Lot 2, said parking field to straddle the Lot 1/Lot 2 common line; the purpose of the parking field is to provide off-street parking spaces for Lot 1 (both premises being within the Class R-7 Residence District):

A. For Lot 1:

1. A Special Exception in accordance with the rules and regulations of “Non-conforming Uses” as outlined in CCS 295-227.C. for the expansion of the non-conforming multi-family use of the premises.
2. In the alternative to A.1., above, a Variance from the rules and regulations of the Class R-7 Residence District as outlined in CCS 295-57. for a parking field for a multi-family use instead of one of the permitted enumerated uses.

B. For Lot 2:

1. A Variance from the rules and regulations of the Class R-7 Residence District as outlined in CCS 295-57. for a parking field for a multi-family use instead of one of the permitted enumerated uses.

No representatives were present to discuss this Application. Mr. Reitano stated this Application was presented at the March 24, 2008 Planning Commission meeting at which time the Commission took no action.

This Appeal was presented at the April 14, 2008 Zoning Hearing Board meeting at which time the hearing was closed. The Zoning Hearing Board Solicitor requested that the applicant clarify information submitted on the site plan presented. A decision will be rendered at the May 12, 2008 Zoning Hearing Board Meeting.

The Commission reiterates its previous recommendation and takes no action.

APPEAL NO. 3275 (Continued) – Petition of Drew and Robin Nagele, owners of premises known as 410 Lodges Lane, Elkins Park, PA, from the Decision of the Zoning Officer for a Special Exception in accordance with the rules and regulations of the Class R-4 Residence District as outlined in CCS 295-39.A.(2) for a lesser front yard setback of 18' from the Chapel Road frontage of the premises instead of the minimum required 40' for a 32' x 14' in-ground swimming pool.

No representatives were present to discuss this Application.

This appeal was presented at the April 14, 2008 Zoning Hearing Board meeting at which time the hearing was closed. The Zoning Hearing Board Solicitor requested that the applicant clarify information regarding the site plan presented and a decision will be made at the next Zoning Hearing Board Meeting on May 12, 2008.

The Commission reiterates its previous recommendation and takes no action.

APPEAL NO. 3267 – Appeal of E. B. Miles, Jr., equitable owner, and Tony Biello & Sons, Inc., owner of premises known as 7875 Mill Road, Elkins Park, PA, from the Decision of the Zoning Officer for a determination pursuant to CCS 295-227.F. that the proposed non-conforming use of the premises as an automobile salvage yard is of the same class of use as the existing automobile salvage yard and permissible (said premises being within the Class R-5 Residence District).

Ms. Barbara Studley, Real Estate Agent for the equitable owner, Mr. Miles and Mr. Biello, were present to discuss this Application.

Mr. Reitano stated the Applicant is requesting a determination in order to continue the legal non-conforming usage of the property as an automobile salvage yard.

Mr. Cross inquired if Stormwater Management has been addressed.

Mr. Reitano stated that the applicant would be required to adhere to the Township's Stormwater Management Ordinance already in effect.

Ms. Studley inquired if a representative of the Township will visit the site and advise the Applicant of the necessary Stormwater Management requirements; Mr. Reitano stated a Township representative will visit the site.

The Commission takes no action, subject to the Applicant complying with all Stormwater Management requirements.

APPEAL NO. 3279 – Appeal of Bethany Christian Services, prospective owner of the front 2.5± acres (on Old York Road) of 7827 Old York Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief:

- a. A variance from the rules and regulations of the Class R-4 Residence District as outlined in CCS 295-36. in accordance with the rules and regulations of “Executive Office or Research Office Conversion” as outlined in CCS 295-225. for the use of the premises as administrative offices for a human services organization instead of one of the permitted enumerated uses.
- b. A determination as to the parking required.

Mr. Michel Yanoff, Attorney for the Applicant, and Mr. Jeff Nitz, representing Bethany Christian Services, were present to discuss this Application.

Mr. Yanoff stated this building has been vacant for some time. He stated Bethany Christian Services is a child placing agency, and the use of the building will be limited to administrative duties. He stated parking has been discussed with Mr. Lynch and there is sufficient parking, but eight additional parking spaces may be proposed.

Mr. Reitano stated this application will require a land development submittal. He also recommended that approval be contingent upon the applicant withdrawing Appeal No. 2810 to the MCCCCP, and Cheltenham Township Development Application No. 00-05.

In response to withdrawing ZHB Application No. 2810 to the MCCCCP, Mr. Yanoff stated there is a potential buyer for the rear of the property which may be sold independently, thus withdrawing this Appeal would not be feasible. Also, CTDA No. 00-05 is associated with the Wordsworth School and is consistent with the potential usage. Regarding the submission of a land development application, Mr. Yanoff stated it has not been decided if the parking will be changed, therefore a land development submittal may not be necessary.

The Commission takes no action contingent upon the following recommendations:

- a. That a Land Development Application relevant to this Appeal be submitted.
- b. That the Applicant withdraw the appeal of ZHB Appeal No. 2810 to the MCCCCP; and
- c. That the Applicant withdraw Cheltenham Township Development Application No. 00-05.

APPEAL NO. 3283 – Appeal of Mark R. Williamson and Philynn M. Hepschmidt, owners of premises known as 424 N. Sterling Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 15' x 18' (270 SF) addition to the rear of the residence:

- a. A variance from the rules and regulations of “Non-conforming Uses” as outlined in CCS 295-227.K. for expansion of a non-conforming structure.
- b. In the alternative to a., above, variances from the rules and regulations of the Class R-4 Residence District as outlined in Article VII of Chapter 295 of the Cheltenham Code, as follows:
  - i. From CCS 295-38. for a greater Building Area of 27.4% instead of the maximum permitted 20%. (The existing building coverage is 23.1%).
  - ii. From CCS 295-39.B.(1) for a lesser side yard setback of 8±' instead of the minimum required 10'. (The existing smallest building setback is 6').

No representatives were present to discuss this Application.

Mr. Reitano presented plans of the proposed project. These plans were reviewed and discussed by the Planning Commission.

The Commission takes no action.

APPEAL NO. 3284 – Appeal of Leader Investment Group, LLC, owner of premises known as 51-57 S. Keswick Avenue, Glenside, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 4900 SF, 1 storey retail building (to replace a building damaged by fire in May 2007 and demolished in December 2007) and enlarge an existing row of storage garages by 4.5±' (4.5' x 78' = 351± SF). Said premises being within the Class C-4 Commercial and Business District, in part, and the Class R-7 Residence District, in part):

- a. A Special Exception in accordance with the rules and regulations of “Non-conforming Uses” as outlined in CCS 295-227.B. and C. for the expansion of the non-conforming storage garages within the R-7 Zoning District.
- b. In the alternative to a., above, variances from the rules and regulations of the Class R-7 Residence District as outlined in Article X of Chapter 295 of the Cheltenham Code, as follows:
  - i. From CCS 295-57. for the use of the premises for storage garages instead of one of the enumerated permitted uses.
  - ii. From CCS 295-59. for a greater Building Coverage of 44.8% instead of the maximum permitted 35%. (The existing building coverage within the R-7 Zoning District is 39.2%).
- c. Variances from the rules and regulations of the Class C-4 Commercial and Business District as outlined in Article XVIII of the Cheltenham Code for the proposed retail building, as follows:
  - i. From CCS 295-129.A. for a lesser front yard setback of zero feet (0') from the Keswick Avenue frontage of the premises instead of the minimum required 15').
  - ii. From CCS 295-129.A. for a lesser front yard setback of 10±' from the Paxson Avenue frontage of the premises instead of the minimum required 15'.
  - iii. From CCS 295-129.A. for a lesser front yard setback of zero feet (0') from the SEPTA R/W line instead of the minimum required 15'.
  - iv. From CCS 295-132. for a lesser green area of 568±' instead of the minimum required 722 SF.
  - v. From CCS 295-132. for vehicular parking within the 15' wide vehicular parking setback area in which no vehicular parking is permitted.
  - vi. From CCS 295-133. for a lesser buffer area of zero feet (0') instead of the minimum required 11' along the C-4/R-7 District boundary line.
- d. A variance from the rules and regulations of “Parking and Loading” as outlined in CCS 295-221.D. for no on-site parking instead of the minimum required 11 parking spaces.  
(Applicant is concurrently asking for permission/waivers for the dedicated use of 16 perpendicular parking spaces on the Keswick and Paxson Avenues frontages of the premises from the Cheltenham Township Board

of Commissioners; said parking spaces are wholly or partially within the public right of way. Parking for the recently demolished retail/office building was in the same location).

Mr. Cross recused himself from the Planning Commission for its consideration and deliberation of ZHB Appeal No. 3284.

Mr. Richard Berlinger, Attorney and Mr. Stephen Kline, Architect, were present to discuss this Application.

It was stated that the previous structure on this property was destroyed by fire and demolished. A rendering of the proposed project was presented and it was stated that this parcel is located within the C-4 Commercial and Business District with a section in the R-7 Residence District.

Mr. Berlinger stated a major issue with this location is parking. He stated vehicles park on Paxson and Keswick Avenues, within the Township's Right-of-Way. Two-way vehicular traffic along Paxson Avenue, except in the residential area, is being requested.

Mr. Kline stated the Applicant is proposing to construct a one storey, 4,900 SGF retail building, suitable for six vendors.

The Applicant is seeking permission for the dedicated use of eleven parking spaces along Keswick Avenue and five parking spaces along Paxson Avenue from the Township. The existing private drive will be maintained. Nine storage garages will be extended and two will be eliminated.

A brick arcade will be constructed to provide cover for the pedestrian walkway along the property frontage.

A four foot wide green buffer area will include a six foot high fence and shrubbery and is being proposed to be constructed along the residential property line borders of the adjacent neighbors.

Mr. Berlinger stated Zoning Relief is required for parking and setback requirements. He stated the Applicant is rebuilding what was originally there but in a different and more suitable configuration. All mechanical equipment will be mounted behind the roof line and not be visible from the street.

Mr. Berlinger stated the Applicant has met with the neighbors, Township Staff and Commissioner Sharkey.

He also stated that the parking issues have not been resolved.

There is a small portion of two-way traffic indicated on the proposed plan in front of the commercial frontage on Paxson Avenue. The Applicant is suggesting that the traffic flow in front of this section be changed to two-way traffic. The existing traffic flow on Paxson Avenue should continue to be one way west until the stop sign and physical barriers and lane changes identify the two-way traffic pattern. Mr. Reitano stated that the traffic on Paxson Avenue runs from Edgley Avenue, west on Paxson Avenue to the corner of Paxson and Keswick Avenue. Traffic runs east from Edgley Avenue along Paxson Avenue to Rices Mill Road. Cars have illegally turned onto Paxson Avenue from the north and south bound lanes in order to park on Paxson Avenue at the corners. Cars also turn onto the automotive garage parking lot across from the property the same way. A discussion ensued with the residents on the parking on both Keswick Avenue and Paxson Avenue.

Mr. Reitano stated the Board of Commissioners will need to review and approve any proposed dedicated parking spaces. If these spaces requested are to be used by the Applicant, then it is recommended that the Applicant should pay a yearly rental fee to the Township. Also the Applicant is to be responsible for maintaining the parking spaces and maintain the buffers, curbs, signage and to hold the Township harmless.

It was stated the building rendering presented tonight has been reduced from that originally proposed and shown to the neighbors.

In response to a question posed by Mr. Winneberger, it was noted that there are insufficient parking spaces on-site.

Mr. Winneberger stated he has concern with the lack of sufficient parking spaces, as this is a very congested area during the morning and evening rush hours.

It was stated the contours of the street slope downwards and consideration should be given to keep traffic off Paxson Avenue. There will be additional signage to help provide safety. The sidewalk will remain and continue to be used by the public.

A concern of the residents is that the existing traffic direction signage is disregarded.

Mr. Winneberger inquired if the Applicant could be required to provide a traffic study;

Mr. Reitano replied it could be made a condition.

During discussion it was stated that a two way thoroughfare is not essential and the possibility of placing barriers and do not enter signs would act as a deterrent from vehicles entering the site. The possibility of eliminating the two way thoroughfare from Paxson Avenue, going west and thru Stanley Avenue was also discussed.

The elimination of parking spaces and the dumpster access on Paxson Avenue was discussed. Access for the dumpster would be on Paxson Avenue.

Mr. Reitano stated the original plan called for a three storey building, therefore more parking would have been required.

Residents stated that the issues, including the two way thoroughfare and parking on Paxson Avenue, are still problematic.

Residents stated prior to Pepperoni Pizza occupying this space there were issues with traffic going the wrong way on Paxson Avenue from Rices Mill Road and from Keswick Avenue.

Specific tenants are not known, but the Township could impose conditions addressing the hours of operation, noise pollution and odor pollution.

The intersection of Mt. Carmel and Keswick Avenues was discussed and there is a concern that there will be an increase of traffic with the proposed use of the building. It was ascertained the retail businesses generate more traffic movements than offices.

The proposed walkway will continue under the bridge. Parallel parking could be available in the rear of the building.

Residents are concerned with the use of the private garages, and Mr. Reitano stated restrictions could be placed on the usage of the garages and stop renters from running business from their garages.

A resident stated the proposed building is attractive. He also stated that the first 80 feet of the two-way as a thoroughfare on Paxson Avenue will help decrease traffic. There is also concern that vehicles will park on the sidewalk, thereby eliminating the pedestrian thruway. The possibility of eliminating parking along Paxson Avenue and providing parallel parking on Keswick Avenue was discussed, as parallel parking tends to slow down traffic.

It was also noted that parallel parking would provide for lesser parking spaces and that angled parking on Keswick Avenue would also lose a parking space. Angled parking on Keswick Avenue would permit traffic to go north on Keswick Avenue rather than cars backing straight out into North Bound traffic.

By modifying the original plan and eliminating office space, the existing garages are necessary for this project to be successful.

Employee parking was discussed and it was stated that employee parking will be included in the 11 parking spaces. The proposed parking exceeds the Township's parking requirements.

Mr. Kline stated he will research the possibility of parking behind the building.

The dumpster will have the proper enclosure and green buffer areas.

The proposed changes to Paxson Avenue will have a concrete curb bump out located on the southwest side of Paxson Avenue installed to divert traffic to one lane west bound to Keswick Avenue. This would also stop traffic from continuing eastbound on Paxson Avenue along the R-7 Residential Zoned properties.

Mr. Winneberger stated he is in favor of the retail concept but recommends that a traffic study be performed as he has concerns regarding parking, cars exiting onto Keswick Avenue, and the type of islands being proposed for Paxson Avenue.

Questions regarding the width of the sidewalk and type of signage were raised; Mr. Reitano stated the sidewalk issues will be addressed at the time a land development application is presented.

The Commission takes no action conditioned upon the following:

- a. That a Traffic Study be performed
- b. That a safety study on Keswick Avenue to extend up to Glenside Avenue be submitted
- c. That the pedestrian walkway continue along Keswick Avenue

Mr. Cross rejoined the meeting.

APPEAL NO. 3285 – Appeal of Brookview at Elkins Park, owner of apartment complex known as “Brookview at Elkins Park Apartment Homes” at 235 Ashbourne Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to renew/update the apartment complex signage (The apartment complex is within the M-2 Multiple Dwelling District):

- a. Variances from the rules and regulations of “Signs” as outlined in Article XXV of Chapter 295 of the Cheltenham Code, as follows:
  - i. From CCS 295-197.A.(2)(a) for a monument sign (Sign A) at the complex entrance/exit having a sign area of 33.6± S.F. instead of the maximum permitted 20 SF.
  - ii. From CCS 295-196.A.(3) for the following freestanding directional signage exceeding 4 S.F. with apartment complex logo

instead of the permitted directional signage being 4 S.F. or less without logo:

1. For Sign B: "Leasing Center" w/directional arrow at 12 SF
  2. For Sign C: "Leasing Center" w/ directional arrow at 12 SF
  3. For Sign D: "Leasing Center" at 12 SF
  4. For Sign E: "Fitness Center" at 12 SF
- iii. From CCS 295-97.A. for the following parallel wall signage with apartment complex logo instead of no permitted parallel wall signage:
1. For Sign F: "Resident Services & Leasing Office" at 4 SF
  2. For Sign G: "Hours..." at 4 SF
  3. For twenty (20) Signs H: Apartment unit address signs at 1.78 SF.
- iv. From CCS 295-196.A.(3) for the following freestanding directional signage not exceeding 4 SF with apartment complex logo instead of the permitted directional signage being 4 SF or less without logo:
1. For three (3) Signs I: "Future Resident Parking" at 4 SF
  2. For Sign J: "Swimming Pool" with directional arrow at 4 SF
- v. From CCS 295-197.A. for the following freestanding signage instead of no permitted freestanding signage except for development identification:
1. For two (2) Signs N.1: "Attention All Pets Must Be On A Leash" at 1.5 SF.
  2. For two (2) Signs N.2: "Please Clean Up After Your Pet" at 1.5 SF.

No representatives were present to discuss this Application.

Mr. Reitano presented renderings of the proposed signage.

Mr. Cross stated this signage was not presented to the Township Design Committee for review.

During review of the signage it was ascertained that the signage proposed is larger than the existing signage and exceeds what is permitted by the Township Code.

Mr. Cross noted that all are replacement signs except two signs addressing pets. He stated that the signs proposed are three times larger than permitted. It was also stated that the apartment complex is operational and fully leased.

Residents adjacent to the apartment complex stated they were advised that the signage would be subtle. There is also a quarter acre buffer area not maintained, trees have been removed and when the replacement trees died, they were not replaced.

The Commission recommends denial as no hardship was presented. Also, it is recommended that the Applicant submit plans to the Design Committee and be represented at the various Committees.

APPEAL NO. 3277 – Appeal of 509 Ashbourne Road, L.P., owner of premises known as 509 Ashbourne Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct and operate Multiple Dwelling Housing for the Elderly which will consist of one (1) three-story apartment building containing eighty-four (84) apartment units for the elderly, plus one (1) apartment for the manager of the building and the conversion of the existing mansion into eight (8) apartment units (for a total of 93 units):

- A. A Special Exception in accordance with the rules and regulations of the “Age Restricted Overlay District” as outlined in CCS 295-241. and CCS 295-242.B. for 509 Ashbourne Road, Elkins Park, PA. Said premises, being within the Class R-4 Residence District, having an area of 5.13± acres to the ultimate R/W lines of streets upon which it has frontage (Ashbourne Road, Park Avenue and Elkins Avenue) and having a frontage on Ashbourne Road, a state road, of 485.61'; Said premises meets the basic requirements for a Special Exception set forth in CCS 295-241.: A parcel of land 5 acres or greater, being within a Residential, Institutional or Commercial Zoning District and having a frontage on a state road for parcels 5.0 to 8.0 acres of at least 450'.
- B. A Variance from the rules and regulations of the “Age Restricted Overlay District” as outlined in CCS 295-244. for the distance between the proposed three (3) storey apartment building and the existing mansion being 15.92' instead of the minimum required 30'.

- C. A finding that the architectural design of the facade of the proposed three (3) storey apartment building is in substantial compliance with the “Architectural Guidelines” set forth in CCS 295-245.L.
  
- D. Zoning Relief from the rules and regulations of “Steep Slopes” as outlined in Article XXII of Chapter 295 of the Cheltenham Code, as follows:
  - 1. Special Exceptions in accordance with CCS 295-168., as follows:
    - a. Pursuant to CCS 295-168.B. for Sanitary or Storm Sewers and Stormwater Management Facilities.
    - b. Pursuant to CCS 295-168.C. for Underground Utility Transmission Lines.
  
  - 2. Variances from CCS 295-169. as follows:
    - a. From CCS 295-169.A.(1) for the proposed three-storey apartment building, retaining walls and landscaping.
    - b. From CCS 295-169.A.(2) for access driveways and parking facilities.
    - c. From CCS 295-169.A.(3) for the filling or removal of topsoil associated with the above.
    - d. From CCS 295-169.B. for the inclusion of areas whose slope is 25% or greater within any of the required yard areas.

Mr. Peter Friedman, Attorney, and Mr. Stewart Appel, Architect, were present to discuss this Application.

Mr. Friedman stated that the Township, on February 26, 2008, adopted the Age Restricted Overlay Ordinance.

He stated the Applicant previously applied for and received Conditional Zoning approval for a similar development at this location.

The Applicant is proposing a 93 unit, three storey building. The existing mansion will remain and consist of three apartment units.

The Applicant is requesting a variance for the minimum distance between the proposed three (3) storey apartment building and the existing mansion. Zoning Relief is also being requested for Steep Slope Disturbance.

Mr. Appel presented renderings of the original plan and stated 62 parking spaces were required and a fire lane around the property was being proposed. Subsequently, the Applicant met with the neighbors and the concept has been improved. Trees along the ravine will not be disturbed and a fire lane is not required. The building is in conformance with setback requirements. The building will be fully sprinklered. Parking has been increased to 72 parking spaces. The height of the building is below the allowable height requirement. Residential amenities are not known at this time. The requirement of no blank walls will be met. In response to a question posed regarding the review of the Fire Marshal, it was ascertained that the Fire Marshal has not reviewed the plans. Mr. Cross recommends that the Fire Marshal review the proposed plans.

The Commission takes no action but suggests that the Fire Marshal review the proposed plans.

Also, it is recommended that the Applicant, prior to the Building and Zoning Committee meeting, submit an elevation of what is existing and what is being proposed to the Township.

3. Cheltenham Township Development Application No. 08-01: Record Plan William H. Lublin and James Walsh Subdivision – 7656 New Second Street was discussed.

Mr. Peter Friedman, Attorney, was present to discuss this Application.

Renderings of the proposed subdivision/land development were presented.

The Commission recommends that Cheltenham Township Development Application No. 08-01: Record Plan William H. Lublin and James Walsh Subdivision – 7656 New Second Street be approved as presented.

4. Cheltenham Township Development Application No. 08-05: Record Plan St. Joseph's Church Subdivision – Waters Road and Front Street was discussed.

Mr. Peter Friedman, Attorney, was present to discuss this Application.

It was stated that this is a simple lot line subdivision, no development is being proposed.

The Commission recommends that Cheltenham Township Development Application No. 08-05: Record Plan St. Joseph's Church Subdivision – Waters Road and Front Street be approved as presented.

5. Cheltenham Township Development Application No. 08-04: Record Plan Elkins Park Garden Apartments – HVAC Units – 8000 High School Road was discussed at this time.

Mr. Reitano stated that if there is a noise pollution issue, then it must be resolved. He stated Staff has researched noise ordinances and discovered that Reading, PA. adopted an Industry Standard for Noise Ordinance that addresses sound levels emitted from a concentrated grouping of HVAC Equipment, as is the case with this Application.

The Commission recommends that Cheltenham Township Development Application No. 08-04: Record Plan Elkins Park Garden Apartments – HVAC Units – 8000 High School Road be tabled until the criteria being proposed is reviewed and found acceptable to the Township, and that the Parking Agreement is approved by the Township Solicitor.

6. The meeting adjourned.

David G. Kraynik  
Township Manager

Per: Emma Wetzel