

The Planning Commission ("PC") meeting was held tonight at the Township Administration Building. The following Planning Commission members were present: Messrs. Cross, Greenberg, Brockington, Leighton, Gordon, Goldfarb and Winneberger. Also present was ex-officio member David Harrower. Also present was David M. Lynch, Director of Engineering, Zoning & Inspections; and Hannah Mazzaccaro from Montgomery County Planning Commission.

**1. Acceptance of the minutes of the May 23, 2011 Meeting.**

Mr. Harrower requested the minutes be revised to reflect the following:

- a. Under Item 2 Appeal No. 3402:

Enterprise Leasing Company, 1627 W. Cheltenham Avenue:

- i. It should note that the photographs presented for façade enhancements were for other Enterprise facilities and that no photographs or plans were submitted for proposed façade improvements at 1627 W. Cheltenham Avenue.
- ii. It should note that the proposed 6' high, blank, estate style fencing is not common to this area of La Mott.

Mr. Goldfarb made a Motion for acceptance of the May 23, 2011 Planning Commission Meeting Minutes, as amended; Mr. Leighton seconded the Motion; the Motion passed.

Mr. Lynch noted that the Board of Commissions had taken the following action in regard to the two Land Development Waiver of Land Development Requirements requests considered at the May 23, 2011 Meeting;

- a. CTDA No. 11-510: Arcadia University Pedestrian Trail – 450 S. Easton Road waiver request granted subject to installation of seepage bed designed for 100 year storm for former Kaname residence and funding of \$5000 inspection escrow.
- b. CTDA No. 11-520: Dunkin Donuts Site Improvements – 8250 Ogontz Avenue waiver request granted without conditions.

**2. Review of Zoning Hearing Board Agenda for July 11, 2011.**

**Appeal No. 3401: (Continued)** Appeal of Elizabeth R. Higgins, owner of premises known as 532 Woodland, Avenue, Cheltenham, PA 19012, from the Decision of Zoning Officer for the following Zoning Relief in order to construct and use a 9' W x 45' L deck and 9' W x 15' L shed along the northeast side of the residence:

- a. Variances from the Rules and Regulations of the Class R-8 Residence District as outlined in CCS 295-67.B.(2) for a zero foot (0') side yard setback from the northeast property line instead of the minimum required 9' for the following:
  - i. for the deck;
  - ii. for the shed.

Applicant Betsy Higgins was present.

Mr. Lynch explained the details of the application and stated that it essentially was a proposed deck with zero setback with a shed underneath.

Ms. Higgins stated that they have decided to exclude the shed from the plans and to wrap the deck around the side of the house and meet up with the twin house next door. Mr. Cross asked how high the retaining wall is and Ms. Higgins confirmed that the wall is about 5' in height. Ms. Higgins passed around to the committee a color rendering of the proposed deck. Ms. Higgins stated that they were planning on building the deck out of Trex with vinyl railings.

Mr. Cross asked about the materials used for the existing retaining wall. Ms. Higgins stated that in 1987 her husband built the wall out of cinderblock with stucco over top. Mr. Lynch noted that the retaining wall was done without permits.

Mr. Cross advised the Applicant to bring letters of support from the neighbors and photographs of the retaining wall to the ZHB Meeting.

Mr. Lynch noted that a seepage bed will be required for this project and advised the Applicant to contact Mr. Spector of the Building Department for the Township's requirements for deck construction.

Mr. Goldberg made a Motion for No Action; Mr. Winneberger seconded the Motion; the Motion passed.

**Appeal No. 3405:** Appeal of Dreck Properties, LTD, owner of premises known as 7770 Montgomery Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a Duplex on the Premises. The southerly 4.33' of the premises along Montgomery Avenue is within the Class R-5 Residence District; the northerly 40.67' of the premises along Montgomery Avenue is within the Class C-3 Commercial and Business District:

- a. Variances 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. From CCS 295-119. for a lesser lot area of 1220 S.F. per family in the C-3 Zoning District instead of the minimum required 2500 SF per family. The overall area per family is 1350 SF (C-3 and R-5 Zoning).
  - ii. A Variance from CCS 295-120. for a greater building area of 75.82% in the C-3 Zoning District instead of the maximum permitted 60%. The overall building area is 68.52%.
  - iii. From CCS 295-121.A. for a zero width front yard setback instead of the minimum required 15'.
  - iv. From CCS-295-121.C. for a zero width side yard setback from the north side Property line instead of the minimum required 8'.
  - v. From CCS 295-121.C. for a 3.67' side yard setback from the C-3/R-5 Zoning District boundary line instead of the minimum required 8'. The overall side yard setback from the south side property line is 8'.
  - vi. From CCS 295-121.D. for a lesser rear yard setback of 10' instead of the minimum required 25'.
  - vii. From CCS 295-124. for not landscaping the first 15' in from the street line.
  - viii. From CCS 295-125. for providing a lesser 3.67' wide buffer area along the C-3/R-5 Zoning District boundary line instead of the minimum required 5' wide buffer area.
- b. A variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the use of the southerly 4.33' x 60' section of the Premises that is within the R-5 Zoning District for the Duplex use instead of one of the enumerated permitted uses.
- c. A variance from Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.H. for a lesser amount of off-street parking: two (2) parking spaces instead of the minimum required four (4) parking spaces.

Mr. Mermelstein was present to discuss the application.

Mr. Lynch stated that this application was for a two (2) storey duplex at 7770 Montgomery Avenue.

Mr. Lynch noted that Mr. Mermelstein, under ZHB Appeal No. 3397, had submitted essentially the same application for a three (3) storey duplex which the ZHB denied at its March 14, 2011 Meeting.

Mr. Mermelstein stated that he thinks the main objection of the ZHB was to the original three (3) storey structure; he thinks that the ZHB will accept a two (2) storey structure.

Mr. Lynch noted that the Zoning Relief required under the new appeal is identical to the previous appeal with the addition of a variance request for providing two (2) off-street parking spaces instead of the required four (4) parking spaces.

Mr. Mermelstein stated that, based upon the Planning Commission's previous recommendation, he had eliminated the side entrance and increased the side yard width to 8'.

Mr. Mermelstein noted that the front first floor façade was a pre-cast concrete unit finished to resemble old fashioned fluted materials and that the second floor façade would be cementitious boards.

Mr. Lynch noted that Stormwater Management will have to be done for this project. Mr. Lynch recommended that the Planning Commission recommend a Land Development plan be required for this project.

Mr. Cross advised Mr. Mermelstein to present elevations of the side and rear of project. Mr. Lynch noted that if the plans are approved by the Zoning Hearing Board it must be built in substantial conformance to those plans.

Mr. Goldberg made a Motion for No Action; However, if zoning relief were to be granted, it should be conditioned on the submission of a land development plan to the Township for its review and approval. Mr. Winneberger seconded the Motion; the Motion passed.

**Appeal No. 3406** – Appeal of Salus University (formerly “Pennsylvania College of Optometry” (“PCO”), owner of premises known as 8340, 8360 and 8380 Old York Road and 50 Breyer Drive, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to erect two (2) free-standing signs: one on the Township Line Road frontage of premises and one on the Old York Road frontage of the premises; said free-standing signs having a sign area of 53.83 SF (7.68’H x 7.01’W) and a sign height of 8.68’; said premises being within the Class C-1 Commercial District:

- a. Applicant requests a Determination from the Zoning Hearing Board that the Premises is subject to the signage requirements in CCS 295-197.C.(1) which includes properties located within the C-1 Commercial District where there is an individual or single use of property.
- b. If the ZHB rules in the affirmative on Item a., above, Applicant requests the following variances from CCS 295-197.C.(1)(a):
  - i. For aforesaid signs being the fourth and fifth free-standing signs on the premises instead of the maximum permitted one (1) free-standing sign.
  - ii. For aforesaid signs having a sign area of 53.83 ± SF instead of the maximum permitted 50 S.F.
- c. In the alternative to Items a. and b., above, Applicant requests a Determination from the ZHB that the premises is subject to the signage requirements of CCS 295-197.A. which includes “Institutional Uses” in residential and multiple dwelling Zoning Districts.
- d. If the ZHB rules in the affirmative on Item c., above, Applicant requests the following variances from CCS 295-197.A.(4):
  - i. For aforesaid signs being the fourth and fifth free-standing signs on the premises instead of the maximum permitted three (3) free-standing signs (one per street frontage).
  - ii. For aforesaid signs having a sign area of 53.83 ± SF instead of the maximum permitted 20 SF.
  - iii. For aforesaid signs having a sign height of 8.68’ instead of the maximum permitted 4’.
  - iv. For aforesaid signs being internally illuminated instead of the required external illumination.

A representation of Salus University was present.

Mr. Lynch noted that this application was for two (2) free-standing signs: one on Township Line Road and one on Old York Road; the signs are directory signs for Salus tenants, primarily the proposed Jeanes Hospital Women's Center. Mr. Lynch also noted that in December 2008 under ZHB Appeal No. 3311, Salus received zoning relief for a comprehensive re-signage package when it changed its name to Salus University.

The Salus representative stated that the proposed signage will be supplied by the same sign company that furnished the 2008/2009 signage.

Mr. Cross asked if the proposed signage had been reviewed by the EDTF Design Committee; Mr. Lynch replied that it had not been reviewed by the Design Committee as it was not within a commercial enhancement district.

Mr. Cross expressed concern about the internal illumination and did want the sign background to become a bulb of light in the evening. Mr. Lynch noted that, under the current sign regulations for internally lit signs, signage background must be opaque – not translucent; the only sign elements that are to be visible at night are the sign message and logo.

Mr. Lynch noted that Salus might want to consider making Sign L1 on the Old York Road frontage perpendicular to the road to increase its visibility.

Mr. Goldberg made a Motion for No Action; Mr. Winneberger second the Motion; the Motion passed.

**Appeal No. 3407:** Appeal of New Cingular Wireless, PCS, LLC d/b/a AT& T Mobility, existing tenant at telecommunications facility on premises known as 2727 Cheltenham Avenue, Philadelphia, PA 19150 from the Decision of the Zoning Officer in order to upgrade its Telecommunications Facility by the addition of three (3) "LTE" antennas and related equipment within the fenced compound; there are currently nine (9) antennas; after the upgrade there will be twelve (12) antennas; the height to the top of the new antennas will be kept at the existing overall height of 101' above ground level (A.G.L.):

- 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 upgrading of the Telecommunications Facility instead of one of the permitted enumerated uses.
  - ii. From CCS 295-131. for an antenna height of 101' A.G.L. instead of the maximum permitted 50" A.G.L.
- b. Applicant also applies for such other interpretations, waivers and/or variances as may ultimately be required.

A representative of AT & T was present.

Mr. Lynch stated that the applicant wanted to install three (3) additional antennas on an existing monopole antenna with associated equipment in the fenced compound.

Mr. Goldberg made a Motion for No Action; Mr. Winneberger seconded the Motion; the Motion passed.

**Appeal No. 3408:** Appeal of Arcadia University, owner of Premises known as 2053 Church Road, Glenside, PA 19038, from the Decision of the Zoning Officer for the following Zoning Relief in order to use the premises as an educational institution office:

- a. A Special Exception in accordance with the Rules and Regulations of the Class R-4 Residence District as outlined in CCS 295-36.C. for the use of the premises as an educational institution office.
- b. A Variance from the Rules and Regulations of " Parking and Loading" as outlined in CCS 295-221.H. for the provision of three (3) on-site parking spaces instead of the required ten (10) parking spaces.

No one was present to represent the Applicant.

Mr. Lynch stated that Arcadia University has acquired most of the properties on the north side of Church Road across from its main campus over the years; it has used 2053 Church Road as a guest house but now wants to convert it to educational office use. A special exception is required for the use change and variance is required for providing only three (3) off-street parking spaces instead of the required ten (10) parking spaces.

Mr. Wayne Luker of Abington Township was present to represent his parents who reside in the adjoining property, 2047 W. Church Road. Mr. Luker stated that three (3) cars can now be parked on the 2053 Church Road driveway; his parents' concern was that Arcadia would try to park additional cars on the property, either on the lawn or by adding additional paving.

Mr. Lynch inquired if a condition limiting the maximum number of cars to three would address the issue; Mr. Luker said yes.

Mr. Goldberg made a Motion for No Action; however, if the Zoning Relief were to be granted, it should be conditioned upon a maximum of three (3) cars be parked on the property and that no cars are to be parked on the lawn. Mr. Winneberger seconded the Motion; the Motion Passed.

### **3. Adjournment**

Mr. Cross made a motion for adjournment; Mr. Goldfarb seconded the Motion, the Motion passed. The meeting adjourned at 8:41 P.M.

  
David G. Kraynik  
Township Manager

Per Holly A. Nagy