

DEVELOPMENT REVIEW COMMITTEE

Minutes of the Meeting of April 13, 2021

The DRC meeting was held via Zoom

Members Present

✓	Larry McEwen, Co-chair (recused)	✓	Sam Filippi, Business Assn.
✓	John Landis, Co-Chair	✓	Richard Snowden, TT&P
✓	Steve Gendler, LUPZC		
✓	Jean McCoubrey, LUPZC	✓	Jan Albaum, Streetscape Committee
✓	Patricia Cove, HDAC		Tony Banks, VP Physical (interim)
		✓	Kathi Clayton, CHCA President

Others Attending

Lori Salgonicoff, CH Conservancy
Leah Silverstein, CH Conservancy
Randy Williams
Craig Schelter
Jennifer Rezeli
Henry O'Reilly, owner 30 W. Highland Ave.
Larry McEwen, architect 30 W. Highland Ave
Carl Primavera, attorney for 30 W. Highland
Diane Fiske, *Local* and *Inquirer*
Neighbors of 30 W. Highland
Other interested Community members
Joyce Lenhardt, LUPZC
Anne McNiff, Director CHCA
Celeste Hardester, Development Review Facilitator
Melissa Nash, recorder

The meeting was opened by John Landis, co-chair, at 7:08 pm. The purpose meeting is to review 30 W. Highland and to make a recommendation for the project to the CHCA Board to support, oppose or support with provisos. Kathi Clayton gave an opening intro to the meeting. Intros were made. J Landis noted that letters to the editor in the *Local* reveal an uncertainty in how the process works. He then presented a detailed explanation of how the process works. It was noted to the audience that chat comments would be saved.

30 W Highland

•History: This project was first seen by the committee in September 2020 at an advisory meeting only. In October, the project began its journey through the committees and was seen by DRC, LUPZC, HDAC and Streetscape. In February HDAC opposed the project, LUPZC supported the project with revisions and Streetscape supported it with conditions. At the March DRC, there was no consensus. The sub-committee was established. Earlier in this month, HDAC was still opposed to the project. Patricia Cove read a statement summarizing the HDAC's opposition, which objects to the loss of the old building.

•Presentation: Larry McEwen introduced himself, owner Henry O'Reilly and attorney Carl Primavera. L McEwen noted the performance of the sub-committee. The project was shared with the attendees. Project is proposed for the current O'Reilly site. The owner intends to live in one unit. The project included 8 townhouses arranged on a garden walk. Project is to be built to comply with all codes. The site has 18,620 sq ft. and has a shared alley. If the property were zoned RSA3 it could accommodate 8.3 units. The current impervious coverage is 86%, mostly parking and driveways. There are no trees in the interior. There is one street tree. 20 W Highland currently has a side view of parking and a lot of heat from the paving. The current zoning is CA-1 and CMX-1. The majority of the property is in CA-1, which allows no residential use. The property will not be re-zoned. CA-1 would be the guiding zoning. The only refusal is use. The project complies with dimension rules for CA-1. A zoning referral is needed as only one structure is allowed on the CMZ-1 portion. Currently the site has no eyes on the street or afterhours activity. The Univest Bank across the street is moving out, a reflection of the decline of commercial uses. Other properties on Germantown Avenue are vacant. To keep the old building would cause problems with parking, including using the alley for regular traffic flow. Storm water management would be difficult. The proposed has better curb cut management. There is a lot of asbestos in the old building. To have windows in the west face, the wall would need to be moved from the property line. A steel frame would be needed to enlarge the older building. It would lose its historical connection. The stone in the old building will be cleaned and re-used for the new building. The new project will improve the view for 20 West Highland. Vehicle circulation will be on pervious pavement and will have improved circulation. Only units 7 and 8 would use the alley for exiting. The project has 8-10 internal trees and additional street trees.

• Presentation of Changes: The Highland face would be moved back 7' from the prior location. This allows for a pocket park with additional trees. A planting screen will be installed along the parking lot to the west. The top floor of the first unit is pushed back as well. The location of the old arched entry is preserved. Coverage is reduced as well. The project is required to install a new storm sewer. The alley will be cleaned up and storm water management will be improved. Brick will not extend all the way up the building faces. Cornices were developed to reflect neighbors' cornices. There are an increased number of balconies. There will be a door on the first floor of unit 1 facing Highland. The top floors will have bay windows. L McEwen compared this scheme to earlier schemes. The rear facades have similar changes.

•Response to Sub-Committee: H O'Reilly reviewed operational issues. The sub-committee issued a 21 point memo, which included development issues and operational issues that have been addressed. The pocket park was created. The allée of trees is unique. A door was added to the Highland side of unit 1. The upper floors have been set back, Coverage has been reduced. Units 7 and 8 were revised. Balconies were added. The fixed area ratio is 1.36. The Shawnee street project is 1.56. Operational issues were addressed. C Primavera explained the Home Owners Association. Pennsylvania has laws governing HOAs. Each townhouse would be separately owned. The HOA would have a board and would have defined tasks to be done. It would manage the common elements. PA law does not allow the HOA to be abandoned. A document will memorialize the condition and use of the alleyway. The HOA will maintain the alleyway. Acadia would not agree to have an exit driveway on its lot. Site deliveries would use the existing loading zone. Private trash collection would be utilized. Snow removal would be included in the HOA as would site maintenance. There will be pervious pavement which will be maintained by the HOA.

•Sub-Committee Comments: Bill O’Keefe, the chair of the sub-committee, described the structure of the committee that has 9 members. Twelve or thirteen meetings were held with and without the applicants. There were three areas of concerns: the existing building, the design of the project and operations. There was no overall consensus. B O’Keefe summarized the majority viewpoint. The demolition was a sore point for many. Alternatives were explored. The applicants were asked to counterproposals. There was a reasonable defense of the demolition. A lot of time was used to develop the Highland façade. Rhythm of west façade was improved. Planting on property line was approved. Operational issues were developed. Project was supported with the design changes, operations and an enforceable agreement with the CHCA that would run with the deed. J Landis thanked the sub-committee for its work. Ross Pilling discussed the minority view, which expressed dissent on many issues. The developers were not responsive to community neighbors. The project establishes a new norm for the area with a building that is too tall. Operational issues are not fully addressed, especially traffic including too many exits in one place on both sides of the street. The size, mass and density are negatives. There is too much development in a small space. This minority view would not grant the variance. More change is needed.

•Committee Reports: Jan Albaum asked about the “ghost” pediment on the Highland façade. L McEwen replied that it is an outline nod to the old building. J Albaum also asked how the HOA would be memorialized. C Primavera noted the HOA will be established. There will be a budget and fees required for all owners. Owners are required to follow the rules. P Cove noted that the HDAC appreciates the efforts made. The HDAC still has problems with the project and still does not approve the project. The demolition is still a problem, the process advanced to quickly, and it is setting a precedent. J Albaum stated that the Streetscape Committee supports the project with the earlier condition: no signage, external lighting for safety only, limiting internal spillage, planting the 12 mature trees, the existing street tree is not a heritage tree and a similar color brick is used. LUPZC had not heard the revised proposal before this meeting, but three LUPZC members were on the sub-committee and they went with the majority view. The LUPZC conditions –top floor pushback on Highland and changed massing on the top floor of unit 8 have been addressed.

•Audience comments and Questions:

1. It was asked if light studies have been done. No studies have been done. L McEwen noted that there is no light spillage from garages. Lighting will be used along the pathway to enunciate the units. There will be a light at each door. Lighting will be low and down. Plantings will be spaced to prevent lurkers. Garages are recessed. Recessed lighting for security will be located at each door.
2. Elizabeth Moxey noted that the construction is not in keeping with Chestnut Hill; it is not substantial. It does not look like it will last 100 years. L McEwen noted that materials are like others in Chestnut Hill – schist, brick, prefinished panels. The panels are rated for 45 years. Quality windows will be used. E Moxey noted she is speaking for hundreds of years not 45. L McEwen noted that part of Druim Muir was completely remodeled but was crumbly before. Maintenance is needed for all materials.
3. Gail Marshall echoed the concern for the length of life of the materials. Traffic is a problem. Regarding adverse impacts, what are the benefits? Traffic is a major concern. Asbestos is not a great reason to demolish a building. Roof decks are not needed. L McEwen noted that roof decks give a new view. Traffic is reduced in the new project. The public parking lot has inadequate width for easy ingress/egress.

4. A neighbor asked if the hardships and heights regarding the variance could be reviewed. L McEwen noted there is no variance needed for height. The only variance is for use.
5. Comment: design is improved but massing is too much for neighbors. Pilot houses are too much for Chestnut Hill. L McEwen noted the pilot houses are set back and are limited in size. Another question asked who would be allowed to house the roof deck. L McEwen stated there is no enclosed space. Half of the roof is a green roof. Small gatherings and viewing the city are possible activities. Roof decks can only be used by owners.
6. Comment: Presently there is open space on the property, which is filled by the proposed project. The new design is not historical. Construction will be a nightmare.
7. Comment: Agrees with Conservancy.
8. Comment about the need for light studies.
9. Mary Ellen, a near neighbor, is concerned about light from the roof decks – a glow from the decks. There will also be noise, conversation, music, parties. Light into the sky at night is also a concern. She believes there is only one elevator and one large deck. L McEwen noted there is limited lighting. He noted that the roof decks are not communal. Each townhouse has an individual elevator. Mary Ellen is concerned about strings of lights on the railings. L McEwen noted there is about 60' from the new building to her house. She also was concerned about spotlights. Lights can be controlled by the HOA
10. Have traffic studies been made? L McEwen noted that there has not been a study but traffic will be reduced.
11. Jennifer noted that she is supported of higher and better use. Owner occupied units are an asset.
12. Have light studies for sun and shadow been done? Has light and air been preserved for adjacent properties. L McEwen noted that the 7/8 building has been altered to minimize the effects on neighbors.
13. Christian Pilling stated that “eyes on the street” has not really been achieved. The garages are on the first floor; there are cars not people. It is like King of Prussia or Levittown.
14. Hillary O’Carroll doesn’t believe there was an attempt to blend the building into the neighborhood. It sticks out.
15. Shane Cramer asked about the standards for the variance. There seems to be a conflict in the standards. The scale is too large. It is just plopped down. A traffic study is needed. Highland gets congested. L McEwen has addressed traffic.
16. Patricia Estajt, who lives next door, stated this is a tall building that could interfere with her use of her backyard. She is concerned about her privacy. She also asked about weekend traffic.
17. Robert Kaine noted the historic nature of the community. This design does not fit in with Philadelphia and Chestnut Hill. He noted that neighbors can send letters to ZBA. They will listen to neighbors.
18. Celeste Hardester noted that Zoom was applying a limit of 100 participants instead of the 300 limit requested. There were other neighbors who could not attend.
19. Regarding the hardship, Is this for an in demand use? L McEwen noted benefits there will be eyes on the street from balconies and entries from the street, the screen planting, The ground floor is half car, half living. The two cars for each unit alleviates street parking. Materials are like others on the street. It was asked if the HOA could limit ownership to two cars. The HOA cannot do this.
20. Comment: The person is frustrated with the process. The almighty dollar and maximum profit are goals at the neighbors’ expense.

21. A comment was made that O'Reilly has stated he is moving his business outside of Philadelphia to save taxes. H O'Reilly corrected that statement. He is not moving the business out of Chestnut Hill. He is looking for a new property in Chestnut Hill.
22. Marian Frank noted that she has considered downsizing. She likes the location but does not like the aesthetics.
23. The pilot houses will be visible from down the street. This process was not a negotiation. The developer did not consider problems. L McEwen noted that the trees will hide them. They have considered alternatives.

•Motion: J Landis called for a motion for the project. Steve Gendler made the motion after a brief summary of his opinion of the strengths and weaknesses of the project including the uniqueness of the site, the current building not suitable for redevelopment

The DRC recommends approval of the 30 West Highland project with the proviso that the agreements between the subcommittee and the owner/developer, the design of the project, and the work of the subcommittee be memorialized in the letter to the ZBA. This proviso will run with the land in perpetuity. J Albaum suggested a further proviso that the Streetscape Committee's points be included. This addition was agreed to. The motion was seconded. J McCoubrey suggested that the 3 conditions from the sub-committee also be included: the graphics for the design from the April 11 meeting, the textual description of the design and the CHCA have an enforceable agreement with the owner/developer, which will run with the deed. An audience comment asked that the neighbors be given a construction schedule which includes utility work and street closures. Richard Snowden noted that he does not have a problem with the roof decks as there are roof decks on the new houses on W. Gravers, the number of units, and that a traffic study is not needed. The problem with eh project is the removal of the contributing building. He also felt the height of the Highland façade should be further reduced. He noted that that there are divisions in the neighbors. He will vote against the motion and recommended that further work should be done on the Highland façade. J Albaum noted that that there have already been meaningful changes made to the Highland façade. Joyce Lenhardt noted that people have said they are uncomfortable with the design. It is to be built with high quality materials and she stated that the HDAC will not change its mind. P Cove noted that there had been comments about the sense of place in Chestnut Hill. That sense is not found in this building. J Landis called the question. The motion passed with 3 votes in favor (Jean McCoubrey, Steve Gendler, Jan Albaum), 2 votes against (Patricia Cove and Richard Snowden) and one abstention (Sam Filippi). The motion will move to the CHCA Board meeting in 2 weeks. The meeting will be on April 22 at 5 PM. The ZBA hearing is on April 28 at 2 PM.

The motion re-stated:

It is moved that the DRC recommend approval of the 30 West Highland project with four provisos that the following be memorialized in the letter to the ZBA.

Proviso #1. The design of the project, agreements between the subcommittee and the owner/developer, and the work of the subcommittee are memorialized.

Proviso #2. The following requirements for the Streetscape Committee are memorialized:

- The complex will not have external signage (i.e. name of the complex, etc.)
- External lighting is for safety
- Internal lighting will blocked from spilling onto the sidewalk or into other residential buildings

- Lanterns or other similar lighting fixtures will be on each garden wall
- At a minimum 12 mature trees will be planted on the property
- It will be verified that the existing large tree that is slated for removal is not a heritage tree
- Confirmation that the color of the brick is similar to that used in nearby

Proviso #3. The following three conditions from the subcommittee report are memorialized:

1. The appearance of the development will be as shown on architectural drawings by McEwen Architects including all changes/modifications agreed to through 11 April 2021. These changes/modifications are further described in text format as of 12 April 2021.
2. The operational issues discussed and agreed to are described in text format as of 12 April 2021. These items will be incorporated into such documents required for the operation of the completed development.
3. An enforceable Agreement will be executed between the development's Owner and the Chestnut Hill Community Association stating these conditions, to be recorded with and run with the deed.

Proviso #4. The applicant/owner keep the neighborhood apprised of the proposed construction schedule and impacts of construction including street closures and utility work.

Adjournment

- The meeting was adjourned at 10:01 PM