

LAND USE, PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of October 7, 2021

Members Present

- | | |
|----------------------------|--|
| ✓ Jean McCoubrey, Co-chair | ✓ Larry McEwen |
| ✓ Steve Gendler, Co-chair | Ned Mitinger |
| ✓ Jason Friedland | ✓ Andrew Moroz |
| ✓ John Landis | |
| ✓ Joyce Lenhardt | Kathi Clayton, President CHCA (ex-officio) |
| ✓ Chris Linn | ✓ Larry McEwen, VP Physical |

Others Attending:

Camille Peluso, prospective LUPZC member
Jan Albaum, Streetscape DRC representative
Patricia Cove, HDAC DRC representative
Sanjiv Jain, owner 8612 Germantown Avenue
Randy Williams, HDAC
Diane Fiske, CH *Local* and *Inquirer*
Celeste Hardester, Development Review Facilitator
Anne Mc Niff, Executive Director CHCA
Melissa Nash, recorder

The meeting was opened at 8:03 pm by Jean McCoubrey, co-chair. This meeting was conducted remotely using Zoom. The agenda includes membership, minutes approval, 8612 Germantown Ave and update of Lower Germantown Avenue special exception.

Membership

- Introduction: The committee can have 12 voting members and the CHCA president and CHCA VP Physical. Two members can be in complementary professions. The remainder are design professionals. A seat for an attorney (non-voting) has been discussed. New members are approved by the LUPZC members. The proposed member is then referred to the Board for final approval. Members are required to attend 75% of meetings. The term of office is indefinite. Co-chairs serve 2 year terms.
- Introduction of Potential Member: Camille Peluso has submitted her resume for membership in the committee. She was recently elected to the Board, which asks members to participate in 2 committees. C Peluso has been an architect for 30+ years and has worked on commercial and residential projects. She has been a Chestnut Hill resident for 20+ years. She wishes to help maintain the beauty of Chestnut Hill and to be a steward of the committee. J McCoubrey stated that the committee needs to discuss the nomination. Steve Gendler noted that this process seems irregular to him as he believes that prospective members are nominated by a committee member, rather than self-nominating. He further noted that C Peluso lives across the street from the Goldenberg's Mermaid Lane project. and asked if she would recuse herself from that project's review. C Peluso said she would. Andrew Moroz stated that he knows C Peluso and would nominate her. John Landis noted that the East Mermaid Lane neighbors are impassioned about the project. and asked if she could be objective. A discussion of her behavior at a neighbors meeting followed. A Moroz noted that an article supporting the 30 West Highland project was published in the Local was written by LUPZC members. He asked how this was different. It was noted that the article was published after the project was approved. *[subsequent information for*

clarification: The project was approved by the LUPZC on 2/11 and DRC 4/13. The article was published on 4/21 and received CHCA Board approval on 4/25.] Committee members noted that C Peluso's behavior at the meeting was very negative. Civility is needed. C Peluso noted that she was defending herself and her home. Neighbors were fighting the developers who were threatening their homes/street. Joyce Lenhardt was also disturbed by the behavior. Patricia Cove stated that she was at that meeting and felt there was passion for the place and that the defense was courageous. L McEwen noted there was lots of passion.

•Committee Action: A motion was made to nominate Camille Peluso for LUPZC membership. The motion was seconded. J McCoubrey asked if this should be done in an open session or in executive session. C Peluso noted that there has been no cooperation from the Goldenberg Group. J Lenhardt asked if C Peluso would be willing to serve as a co-chair after serving a year on the committee. She would. It was decided that the vote on C Peluso would be tabled until the November meeting.

8612 Germantown Avenue

•Presentation: Sanjiv Jain, owner, stated that he is excited about the project, which is to create an outside dining area for el Limon. He has gone door-to-door to show the neighbors, except Richard Snowden, the design. All have been in support. There will be a screen gate at the top of the sidewalk. S Jain has met with Sam Filippi about the gate design. The gate will be closed/locked when the restaurant is closed. There will be a fence along the walkway, replacing the low railing. It will be a solid fence. Zoning approval for the gateway may be needed. The outdoor space will be rectangular with a fountain/waterfall at the top of the area. The drop off to the station will have a wall or fence. The wall starts when the outside space starts. J McCoubrey asked about the height of the wall. The wall is 42" tall with a planter over. There will be a gate to the parking area. There will be a drop off on the lower end of the wall. S Gendler noted that it could be expensive to level the seating area. The stone wall is on the property line. The slope falls off after the wall. Stewart Graham has given permission for patrons to cross his property from the parking lot and will give an easement for this. Jason Friedland asked about the location of the area. It is behind el Limon and the Mixd Salon. He asked about deliveries. Deliveries are to be made from the parking lot. There is a shared dumpster in the parking lot per the agreement. It will be fenced at S Jain's expense. The fountain is a barrier between the fire escape as well as shielding the AC units. Stormwater will be addressed by drains and some retention. There will be some absorption. The paved area is about 1000sq ft. A formal runoff plan is still needed. Lighting will be soft white string lights from the building back to the trees. L McEwen asked about the slope down to the train. J McCoubrey asked if the presentation would be enough for conceptual approval. Jan Albaum noted that the earlier presentation has an open fence that has become a solid wall. S Jain stated that the design has advanced and the neighbors like it. It was noted that a solid fence/wall encouraged lurkers. This wall is only 42" tall. It is similar to the wall design at the Chestnut Hill Hotel. L McEwen suggested reversing the position of the fountain - moving it from the building to the end wall - may be an advantage. However, this would leave the AC units exposed. J Landis noted that he appreciates the efforts and the amenities and observed that this was a much more costly design. It was suggested that S Jain preview with L&I to see if there are concerns and to enlist the assistance of an engineer.

•Committee Action: J McCoubrey asked for a motion to accept the conceptual design. S Gendler stated that engineering is needed before voting; this includes dimensions. L McEwen noted that the technical questions do need to be answered including a topo map and a survey as well as a grading plan. S Jain stated that he has enough direction to proceed without a formal committee action. He will let the committee know before the next meeting about the status of the project. He was reminded that time is needed for the item to be advertised in the Local.

Minutes Approval

- Minutes for July and September were reviewed. C Hardester noted that she was present at both meetings but was not in the attendees list. She has been added. It was moved that the July minutes be accepted with that correction and a corrected spelling of Hardester. The motion was seconded and approved. It was moved that the September minutes be accepted with that correction. The motion was seconded and approved.

Update 8201 Shawnee

- J Landis asked about the requested documents for the project. There has been a lot of back and forth for this project. Matt Spector asked for the motion regarding the documents. M Spector has expressed frustration. Jon Mayer has submitted some documents. There is more detail needed. There has been no written acceptance of the verbal assurances. There was a drop dead date, which has passed, but construction continues on the townhouses with a lot of framing materials being delivered. J Landis asked C Hardester if the L&I inspection process could be utilized to get compliance. C Hardester will look into this.

Lower Germantown Avenue Special Exception

- Update: J Landis described the initiative as an effort to change lower Germantown Avenue remapping as proactive for future land uses. This would allow a residential/commercial mix that is currently not allowed. City Planning has suggested a Special Exception that will require projects to come to the committee process but will not need to be seen by ZBA. Hardship and traffic impact do not need to be demonstrated. This is an easier process than obtaining variances. The overlay would include one block of depth to Abington on the east side. The west side from Springfield to Willow Grove will be excluded as a mini commercial block. Some issues are parking for the residences (J Landis will research) and design review for commercial uses. This was generally thought to be a good idea with the need to include the BID and the CHBA. The next meeting is October 21 at 4 PM. Comments and feedback are appreciated. The effect of Staples and CVS being gone should be considered. S Gendler asked if the proposal was to use the full first floor as residential or just the rear of the first floor. A question was asked about children. Chris Linn commented on the loss of critical mass for commercial uses. The top of the hill will be retained as commercial. L McEwen suggested engaging the new retail advocate. She has been included already. The former McDonalds is to become a Garden State Tile store. There is parking on that block. J McCoubrey suggested that J Landis remind members about a week ahead. J Landis noted that this effort is intended to improve Germantown Avenue.

Adjournment

- The meeting was adjourned at 10:02 PM.