

LAND USE, PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of November 2, 2023

Members Present

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| ✓ Steve Gendler, Co-chair | ✓ Joyce Lenhardt |
| ✓ Chris Linn, Co-chair | ✓ Jean McCoubrey |
| ✓ Jan Albaum | ✓ Andrew Moroz |
| Jason Friedland | ✓ Camille Peluso |
| ✓ John Landis | ✓ Craig Schelter |
| ✓ Greg Lattanzi | ✓ Laura Lucas, President CHCA (ex-officio) |
| | ✓ Matt Rutt, VP Physical CHCA |

Others Attending:

Lavi Schenkman, developer, 209 West Chestnut Hill Ave Greylock
 Matt Millan, architect, 209 West Chestnut Hill Ave Greylock
 Adam Laver, attorney, 209 West Chestnut Hill Ave
 Neighbors and Community members 209 West Chestnut Hill Ave
 Mark Ferranti, owner 7918 Ardleigh
 Dawn Tancredi, attorney 7918 Ardleigh
 Patricia Cove, HDAC
 Kathi Clayton, past President CHCA
 Randy Williams, HDAC
 William O'Keefe, HDAC
 Lori Salgonicoff, CH Conservancy
 Anne McNiff, Executive Director CHCA
 Celeste Hardester, Development Review Facilitator
 Melissa Nash, recorder

Neighbors and Committee Members

Stephen McGargee	Rob Fleming	Karren DeSeve
Matt Wilar	William Blasdel	Melissa Degenhardt
Elizabeth and Jim	Carolyn Adams	David Dannenberg
Ounsworth	Janet Potter	Jennifer Yusin, 7918 N
David Danneberg	Christina Puntel	Chris Clauson
Anna Csink	Chris Lau?	Kimberly Dukes, 209 N
Ruffian Tittmann, FOW	Caretha Clausen	Kim Jones, 209 N
Lisa Mancuso	Linda O'Brien	Brian T, 7918 N
Mason Barnett	Ann Williams	Joan Giannoble
Deborah Popky, HDAC	George Zeleznik, 209 N	Nigel Richardson
Cathy Brzozwski	Linda Baldwin	Tallulah Regan
Margaret Guerra, 7918 N	Brad Bank, 209 N	Robert Caserio
Eileen Javers, HDAC	Gail Cataldi	

The meeting opened at 8:00 PM by Chris Linn, co-chair. He briefly introduced the two projects and the process. For each project, the project will be presented first. The floor will then be open to the Committee followed by neighbors and community members.

209 West Chestnut Hill Ave Greylock

•Presentation: Lavi Schenkman introduced the project. Letters have been sent to neighbors. There have been many falsehoods going around. These developers were not part of earlier proposals. The property was purchased in November 2022. It started as a joint venture in October 2021 and was finally purchased by the present developers in November 2022. There have been repairs to the fencing, tree care and roof repair to prevent further deterioration to the mansion. The site had been abandoned for 15 years. There are 2 easements: a conservation easement on the land and a preservation easement for the house. There are two major issues – the need for variances and possible changes to the easements, which will be treated separately. The refusal was received in September and the ZBA appointment is in mid-December. Matt Millan presented the project. The house is located on the highest point of the property, which abuts the park. The land is about 6.77 ac. The original front of the building faces the park. The conservation easement includes the street side land from West Chestnut Hill Ave for about 435'. The house, which sits on a raised terrace, has 16,800 sq ft. It was built in 1909 and was used as a single family residence until 1945. It was then used as a nursing home and then banking offices. The carriage house has about 5,200 sq ft; most existing openings face the Crefeld School. The project remodels the house with 4 living units and the carriage house with 2 units. Much of the paving above the driveway circle will be removed. New construction includes two twins and a five unit terrace building as well a 2 three car garages, pool equipment shed and pool, and surface parking. The driveway is included in the conservation easement and will be retained. There will be some pull-offs added to aid circulation. The existing driveway under the port-cochere will remain but will not be driven through. Floor plans for the units were shown. The pool will be terraced into the slope with a shallow stone wall. Dimensionally, the project fits rules except for two areas with 18' rear setbacks rather than the required 30'. The property included two Wissahickon Watershed categories. Category 5 has no limits on coverage. Category 2 limits impervious coverage. The category 2 coverages fall within the limits. The refusal included 5 violations: multiple structures on the site, steep slope disturbance, inadequate tree replacement, rear setback violation and lack of an ADA-compliant parking space. Adam Laver addressed the lack of a refusal for multifamily residences in the refusal. The refusal needs clarification, but this will be kept in mind. The process does not change. Views of the property, with and without trees, shrubs and grasses, were then shown. These included views from the Lavender Trail. Openings could be made in the terrace walls of the existing house for additional parking. The new construction will include schist, siding, shingles and metal. There will be some difference in the materials used in the twins and the terrace. There are three distinct drainage areas on the property. The rear of the lot drains to the park. The area south of the driveway drains to the south. The conservation easement from the house to West Chestnut Hill Ave drains to West Chestnut Hill Ave then towards 305 West Chestnut Hill Ave and then to a small stream. The intention is to capture all storm water on site. In part, there will be a basin in the meadow near the street and an infiltration/spreader bed. There will be an onsite septic system and the required backup system. Perc tests are in progress. There are some small areas of steep slope that may be disturbed for utility construction. There are 23 significant dead/dying trees. They are in the 12"-30" diameter range. The city requires in kind replacement which will lead to crowding of trees. The allée of trees along the drive will be restored. There will be a lawn meadow, a wet meadow, gardens, and woodlands.

Significant investment in the old buildings is needed before they can be fitted out. The new buildings are needed to enable care for the historic and the land for their current and long-term health.

•Committee Comments/Questions: John Landis asked about a traffic update. A study of the traffic impact is needed. M Millan noted that a traffic engineer indicated informally that the traffic impact could be scored a high A (good). J Landis also suggested that the twin across from the porte-cochere could provide a greater nod to the older building. C Linn asked about the garages for the twins. They are each 2 cars in a stacked configuration. Craig Schelter asked if trees would be planted in the setback facing the park. Some are planned for that area as well as between the buildings. He also asked about the elevation change between the Lavender trail and the buildings. Jean McCoubrey stated that she walks the trail and did not realize that Greylock was there. She asked if the architect tried to avoid invading the setback and suggested exploring moving the porches. C Linn noted that the new construction is closer to the park and more visible. It was noted that the porches soften the view and break down the mass. Steve Gendler suggested flipping the living room and dining room of the twins and moving the porches back. He asked about the visibility of the pool from the street and the drive. The pool is generally not visible. It was suggested that the pool equipment be moved closer to the carriage house. Camille Peluso suggested that the 5 unit building seems too dense. A third twin would be better. She asked about the planned heights of the buildings. The new buildings would be under the allowable 38'. The mansion is 44'. Jan Albaum noted that making the terrace building into a twin would allow more space for the porches to be moved back. She asked if it would be possible to add a unit to the mansion. M Millan noted that the existing marble stair hall is preserved as a common area and eats into the space allowed for units. Matt Rutt noted that work on the terrace may be more viable with fewer units. C Linn asked about the fencing repair. The existing cast iron fence will be repaired and preserved. The stone piers will be restored. Additional fencing on the property will be repaired or renewed. Joyce Lenhardt asked about zoning for the multifamily building and should it have separate zoning. M Millan noted that any multifamily use on this site needs a variance. Even without the terrace building, there would still be multifamily on the site. She asked about impervious coverage. The new buildings will add about 6,000 sq ft. She also asked about access for emergency services. A formal evaluation is needed. A study of deliveries is also important. It was asked what the hardship is, especially for the setback encroachment and the steep slopes. The setback encroachment is not significant and the steep slopes are not natural. C Schelter noted the density is not excessive.

•Neighbor Comments/Questions: Brad Bank, a neighbor, issued an objection that the septic system and pool are in the easement area. Everything should be behind the house. He suggested rather than building additional separate unit that wings with additional units be added to the mansion. He also asked what the proper channels were to register objections. Anne McNiff stated that neighbors could express objections at meeting and by writing concerns, submitting petitions, etc. S Gendler noted that adding wings to the historic building was antithetical to the easements. George Zeleznik noted that he is in favor of the restoration of Greylock but is against additional building. He is also afraid that residents would complain about the school. That would have a negative effect on the school. He stated that a number of trees came down on the Lavender trail this summer. The property was purchased with the easements. Profit and loss is not of concern to him. This construction would double the number of residences on West Chestnut Hill Ave. Ian Dukes asked how the ZBA will view the fact that the HDAC has recused itself. A McNiff stated that the ZBA takes letters from many RCOs. I Dukes asked why the HDAC doesn't address the easements. Kim Dukes noted that not all zip codes in the city have historic districts and she spoke at length on this

subject. S Gendler noted that this property has been neglected by its owners. C Schelter further noted that near neighbors is a greater concern for the ZBA. David Caulk asked why there was a pool when there were so many owners. M Millan noted the pool was for all owners. It is a beautiful setting and is an issue only with the conservation easement. Ruffian Tittmann argued for retaining the full rear yard setback. Density should be shifted out of the Wissahickon Watershed 2 category. It was reiterated that all storm water will be retained on site. David Dannenberg stated that zoning does not care about easements, and easements trump zoning. Tallulah Regan noted that she is happy to be part of a passionate community. She asked if the development would be good for Chestnut Hill. She could be open to amendments (to the easements). Lisa Mancuso, a Crefeld Street neighbor, thanked neighbors for their responses. She noted the proposal is too much development.

•Closing Comments/Questions: Laura Lucas thanked all for attending and encouraged avoiding personal attacks. J Landis noted that it was time for a motion but that the project was not ready. He asked if the applicant could return with revisions. The board meeting is November 30. Committee members both expressed desires to delay a decision and to go forward with a decision. Some additional items are needed including a traffic analysis. More outreach tours were needed. M Rutt asked what more is needed. J Lenhardt noted more info about the total project was needed. M Millan stated that he has been taking notes. J Landis suggested asking the ZBA for an extension. L Schenkman would like to stay in the timeline. A discussion of how to implement further meeting followed. It was agreed to try to hold a special LUPZC meeting on November 16. This will be set up.

7918 Ardleigh

•Presentation: Dawn Tancredi, attorney for the owners, began the presentation. The building has 3 units and is applying for a variance to allow visitor accommodations of fewer than 30 days. The rental is family oriented, parties are not allowed. It is kept clean and is in good condition. The owners self-manage the property, which they purchased and re-habbed in 2019. Less parking is generally needed for the short rentals than would be needed by longer rentals. Mark Ferranti, the owner, noted that they have contacted neighbors. In response to an earlier question, they are having the code compliance of the decks and stairs assessed. He has signatures of some near neighbors. The neighbors on the left and right have supported as has the owner of the property to the rear.

•Committee Comments/Questions: C Peluso asked about the hardship. This was an on-going business and the rules changed. The property next door has a similar permitted use. (It is actually a slightly different use as it is owner occupied.) J McCoubrey asked about the length of the rentals. Two nights is the minimum, but it is mostly longer and is booked through Airbnb and the owners' website. L Lucas asked how concerns from the neighbors are addressed. The owners have some local support people. J Landis suggested that a proviso could be added to the motion (when made) regarding mixed use units and responsibilities would need to be worked out. D Tancredi noted that a neighbor could have responsibility for overseeing property as a business relationship and that there is also a handyman who sees to local problems. J Lenhardt noted that neighbors did not elect to live next door to a small hotel. The next door neighbor property is owner occupied, which is a separate zoning use. D Tancredi noted that the owners have a track record. C Peluso asked how the property has a permit. J Albaum stated that this use seems more appropriate for Germantown Ave in retail blocks. D Tancredi described some of the renters including a professor teaching temporarily, people looking for a house to buy in the area, families coming for programs like those offered at the

Institutes for the Advancement of Human Potential, and family members visiting their Chestnut Hill families.

- Neighbor/Community Comments: Jennifer Yusin, 201 Benezet Street (across the street), asked where to send questions and comments. She has asked for a close neighbor meeting and would like to see the owner on premises. Sometimes there is garbage all over. Parking on the block is full at night. M Ferranti noted that the short term renters usually have one car or no car. Long term would probably have more. There are usually 6 cans for trash pick-up on Friday. Cans are put out and picked up in a timely manner. It was asked if extra pick up could be supplied. Margaret Guerra, 7728 Ardleigh, does not support short term rentals. Robert Caserio and Chris Jacobs noted that there are short term rentals all around. Airbnbs around them create noise. Philadelphia needs more apartments. Stephen McGargee asked about the hardship. D Tancredi noted that the property has been used in this way. Brian T, a neighbor, expressed concern about setting precedents and changing the character of the community. It was also asked how this use is continuing during the variance procedure. C Hardester noted there are three categories of shorter term rentals; this is the most restrictive. C Schelter noted that the applicant is given reasonable time to obtain the variance.

- Committee Action: C Peluso moved that the LUPZC recommend that the variance not be supported due to the City working to build community and the neighbor objections. The motion was seconded. J Landis asked if the owner would consider reserving one or more units for long term rental. The owners would consider this. He further asked if the application would be amended to be for only one unit. J Albaum clarified that would be one unit for visistor accommodation. C Linn noted that this would set a precedent. J Lenhardt noted that the variance runs with the land. D Tancredi noted that this could be amended. The ZBA appointment is December 13. Andrew Moroz suggested voting on the motion as presented as short term rentals do not foster community building. The vote was made with 6 votes in favor of the motion and one opposed. The next meeting is the DRC on November 21 and then the Board on November 30.

Committee Business

- Minutes: It was moved that the July minutes be approved (No August, September, or October meetings) as submitted. The motion was seconded and approved.

Adjournment

- The meeting was adjourned at 11:27PM.