

LAND USE, PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of August 15, 2019

Members Present

<u>✓</u>	Brad Flamm, Chair	<u> </u>	Larry McEwen (recused)
<u> </u>	Steve Gendler	<u>✓</u>	Ned Mitinger
<u>✓</u>	John Landis	<u> </u>	Andrew Moroz
<u>✓</u>	Joyce Lenhardt	<u>✓</u>	Bradley Wells
<u> </u>	Chris Linn	<u> </u>	Laura Lucas, Pres, CHCA (ex-officio)
<u>✓</u>	Jean McCoubrey	<u>✓</u>	Joyce Lenhardt, VP Physical

Others Attending:

Matthew and Janet Stern, Owners 248 E Evergreen Ave
Larry McEwen, architect for 248 E Evergreen
Carl Primavera, Attorney for 248 E Evergreen
East Evergreen Neighbors
Reps from the Historical Society
Boris Karol, representing 8136 Germantown Ave
Brendan Sample, Chestnut Hill *Local*
Celeste Hardester, CHCA
Melissa Nash, recorder

The meeting opened at 8:00pm by Brad Flamm, chair. The agenda items include 248 E Evergreen Ave and 8136 Germantown Ave. Intros were made. The minutes from the July meeting were presented. It was noted that Ned Mitinger was not at that meeting. With that correction, it was moved that the minutes be approved as submitted. The motion was seconded and was approved. B Flamm presented an overview of the process for the 248 project, which was first shown at the DRC in April. In July, it was reviewed by the LUPZC. The LUPZC moved the project back to the DRC with a number of conditions; the motion was read by B Flamm. The committee recommended development of the project, providing more detail and material samples. The RCO notice for the DRC meeting on August 2 was sent to the neighbors on July 30, as required. The Board meeting is on August 22. John Landis explained that the various CHCA bodies do not grant variance, but they make recommendations to the ZBA. Residents are permitted to attend and speak at any meeting along the way – including the ZBA. A neighbor asked if there were specific criteria for approvals. There project is judged on its impact on the greater community and the local community (neighbors). Committees also judge if the project is as good as it can be.

248 E Evergreen Avenue/250 E Evergreen Avenue

•Presentation: Larry McEwen, architect, presented the project. The property was purchased by the Sterns in 2012. The site included 3 parcels. They consolidated the three lots into one with the intention of adding to the twin. In 1926, there was a barn on the back lot. He showed some schematic drawings of possible additions. The Sterns decided to re-subdivide the lots. The resulting (original) lot of 248 is too narrow for RSD3, generating the lot width and side yard refusals. The refusal on 250 for rear yard is due to the easement, which does not count in the rear yard calculation. The proposed house is three stories tall with a garage. The height of the building has been lowered by 16” from the earlier design. The bay window on 248 is reflected by an inverted portion on 250. There will be a deck over the

garage. The front elevation steps back to allow better light access and views for 252. Solar studies were shown. The back driveway will be landscaped as will the side yards. The house will have an elevator.

•Discussion: One issue is materials, which have not been reviewed. It was suggested that the materials, once reviewed, be a proviso in the letter to the ZBA. The width of the driveway was questioned. It will be 12' wide and will be planted. Joyce Lenhardt noted that the lowering of the height was positive. The attorney for 252 asked about the impact on that house. It was noted that the owners had been contacted by the Sterns and sent info. Their specific concerns are the size of the house and the blocking of the sun. There was also a concern about the property becoming a rental. The intention is to sell the house. A neighbor asked about the impact of the Wissahickon Watershed. The property is in zone 5, which imposes no restrictions. A brief discussion of the codes was provided. The code for this property allows up to 50% coverage. This design has 42% coverage. An opinion was stated that the building at the rear seems to loom over the neighbors on Highland. It was noted that there is some stepping back. A neighbor expressed concern at the continued infilling of all available space. J Lenhardt stated that the committees use a lot's availability. It was asked if a condition could be added that 250 could not use the on street parking sticker. It was also suggested that it might be good if committee members were not able to present to the committees. Celeste Hardester stated that the depth of the rear yard was a concern. A question was asked about the hardship involved. The hardships can be defined as functional and material. In this case the subdivided lots increase functionality including parking and financial. A question was asked about the paving of the driveway – would it be pervious or impervious. There is no requirement for pervious.

•Committee Action: No action was taken as the committee has made a recommendation to the DRC. J Landis encouraged neighbors to attend the DRC meeting the following Tuesday. He described the makeup of the DRC in response to a question. There will be 2 LUPZC members as well as reps from the HDAC, Streetscape and the Business Association.

8136 Germantown Avenue

•Presentation: Boris Karol, one of the business owners, presented. One of the owners lives in Chestnut Hill. The proposed site is a former restaurant. It has been closed long enough for the variance to lapse. Bahia Bowls is a franchise. There will be some tables inside, but the business is considered to be takeout. It will have counter service. There may be coffee and waffles but the majority of the food is cold. The committee asked for a menu. A concern is litter on the sidewalks. The applicant should keep the premises clean. Letters were sent out to the city list. They have had no responses. There will be no take-out window. Signage is not known. They will work with the Streetscape committee.

•Committee Action: John Landis moved that the committee give support to the DRC for the variance with the following provisos: opening hours should be 8 am to 8 pm, possibly extended to 10 pm, the premises, including the exterior areas are cleaned in the morning and the evening, a menu is provided to the committee, there is no takeout window, signage and exterior alterations, including paint colors, are worked out with the Streetscape Committee, approval is limited to this specific business and that restrooms are provided. The motion was seconded and approved.

Adjournment

•The meeting was adjourned at 10:00PM.