



BUILDING, ZONING, & REVITALIZATION COMMITTEE

November 18, 2013

7:30 p.m.

Meeting Minutes

Call to Order: Chairperson Pancoe called the meeting to order.

Attendance:

- **Committee members present:** Chairperson Pancoe, Vice-President Marlowe, Councilor Danilak, Councilor L. Durkin, and Councilor Golden.
- **Committee member absent:** Councilor Boutcher
- **Others present:** Councilor Soltysiak, Manager Locke, Assistant Manager Bashore, and Public Works Director Frank.

Public Comment: There was no public comment at this time.

Reports

- **Jenkintown Planning Commission:** Assistant Manager Bashore reported that the Planning Commission met to issue a decision on the Property Maintenance Appeal filed by 201 West Avenue. Assistant Manager Bashore reported that the Commission voted to affirm the property maintenance violation found by the Borough.
- **Design Review Board:** There was no report given as the Design Review Board did not meet.
- **Director of Code Enforcement & Zoning:** A written report was provided to the Committee. Councilor Bunker asked about the issue at 212 Township Line Road. Manager Locke summarized the issue, noting that the property is vacant and that he has visited the property with the Police. Manager Locke noted that he has contacted the Borough Solicitor regarding this matter and has been advised not to enter the property. Councilor Pancoe asked why the property could not be entered. Manager Locke stated that he was advised he could enter the property with the Police in order to see the condition and condemn the property if there are recognized safety hazards on the interior of the property. Manager Locke noted that the police advised him that there is nothing on the interior of the house that it could be condemned for. Councilor L. Durkin asked if a complaint of trespassing were received, could the people in the house be removed. Manager Locke stated that they could be. Councilor Golden asked if the Police Department could approach the bank as this may present a safety issue. Manager Locke stated that the property is owned by a bank and that Sgt. Tucker is working with the bank.

Old Business

- **Property Maintenance Initiative:** Manager Locke stated that the Borough will need to begin notification of sidewalk maintenance earlier in 2014 due to the roads being considered for paving. Chairperson Pancoe asked which roads are being considered. Manager Locke stated that the roads being considered are West Ave. from Walnut St. to Florence Ave. and Myrtle Ave. Vice-President Marlowe asked when the 2014 paving project would begin. Manager Locke stated that the Borough is looking to begin the project in July in order to avoid conflicting with the school season. Chairperson Pancoe asked when notification would be issued. Manager Locke stated that he would like to send notification in December. Councilor L. Durkin asked when Hillside Ave. between Walnut St. and Florence Ave. would be considered for paving. Manager Locke stated that he is working on the development of a five (5) year paving plan. Councilor L.

Durkin asked if enforcement of sidewalk and curb maintenance will continue outside of the paving program. Manager Locke stated that properties found to be in violation will continue to be cited under the Borough's Property Maintenance Code.

- **Recognition Program:** Assistant Manager Bashore stated that Recognition Awards will be given to Lindy Properties and Rosnov Jewelers in the month of November. Chairperson Pancoe asked if the Borough has received any feedback regarding the program. Assistant Manager Bashore stated that the feedback has been positive.
- **201 West Avenue Property Maintenance Appeal:** This matter was discussed during the Jenkintown Planning Commission report.
- **Proposed Ordinance change - Dog nuisance and fencing regulations:** Manager Locke stated that a draft ordinance is being prepared. Manager Locke stated that citations were issued against the owner of concern on Washington Lane, but that they were dismissed by the District Justice due to testimony that was not specific. Manager Locke reported that the property owner on Washington Lane relocated the electric fence on their property back five (5) feet. Councilor Bunker noted that there were safety concerns over the dog on Washington Lane and individuals being forced into the street. Manager Locke asked if provisions for invisible fences could be included, noting that nothing currently exists in the Jenkintown Borough Code. The Committee believed that provisions for an invisible fence could be included. Chairperson Pancoe asked if a permit is currently required for an invisible fence. Manager Locke stated that a permit is not currently required. The Committee directed Manager Locke to research the requirements for invisible fences for surrounding communities.

Manager Locke stated that he has been with the resident who expressed concerns over the barking nuisance regulations in the Jenkintown Borough Code. Manager Locke noted that the current regulations require 30 continued minutes of barking for two (2) consecutive days and that this may be removed, noting that there is not a time requirement in the ordinances of Abington and Cheltenham Townships that he reviewed. Councilor Golden asked if there was enough development to send a proposed ordinance to Borough Council for advertisement. Chairperson Pancoe noted concerns over the potential line of where this would cross into a neighbor dispute. Manager Locke stated that he did meet with Chief DiValentino regarding concerns over removing the 30 minute requirement. Chairperson Pancoe recommended obtaining additional data before moving the proposed ordinance to full Council.

- **A.D.A. ramp project:** Manager Locke reported that a new contractor has been brought in to complete the A.D.A. ramp project and the ramps that were not completed initially should be installed by November 22, 2013. Manager Locke reported that he and Public Works Director Frank inspected the ramps in the paving project with the Borough Engineer. There are five (5) ramps on Wyncote and Mather Roads that are not code compliant and must be repaired. Manager Locke stated that a plan to address the non-compliant ramps is being developed. Chairperson Pancoe asked if this is being done at the expense of the Borough. Manager Locke stated that additional concrete will need to be paid for by the Borough, but Remington Vernick has agreed not to bill the Borough for engineering expenses. Manager Locke stated that there will be a 25% retainage until the non-compliant ramps are addressed.
- **Lindy Management - Proposed addition of second dumpster (recycling) / enclosure:** Manager Locke stated that there is no new information to report and that the applicant is currently developing a plan.
- **Shade Tree Commission:** The existing Shade Tree Commission Ordinance in the Jenkintown Borough Code was presented to the Committee for discussion on proposed changes. The Committee proposed the following changes to the existing ordinance:
 1. Amend section 167-2 to have the Shade Tree Commission report to the Building, Zoning, and Revitalization Committee of Borough Council.
 2. Amend section 167-3 to read as follows:

"A written permit from the Commission is required for trees to be planted in or upon or removed from any public right-of-way, park, parkway, or other public area."

ACTION: On motion of Vice-President Marlowe, seconded by Councilor Danilak, the motion recommending proposed changes to chapter 167 of the Jenkintown Borough Code pertaining to trees passed unanimously.

- **Remaining EDU status update:** Manager Locke stated that there are approximately 8.99 EDUs in the Borough's unallocated pool. Manager Locke reported that a request for reallocation of the EDUs for Stutes Candy into the Borough's unallocated pool has been submitted. Manager Locke stated that this will add 8.57 EDUs to the Borough's unallocated pool. Manager Locke reported that the EDUs for the new Dunkin Donuts has been approved without use EDUs from the Borough's unallocated pool. Vice-President Marlowe asked if all three (3) vacant stores will be used. Manager Locke stated that only the former Brueggers Bagels will be utilized. Manager Locke reported that the EDU request for the new brew pub in the former Antique Guild has been filed and will utilize 6.2 EDUs from the Borough's unallocated pool.

Manager Locke reported that a nail salon at 812 West Ave. was also approved. Manager Locke stated that a waiver has been filed for 309 York Rd. for no new flow. Councilor Bunker asked how long it would take to hear from Cheltenham on the waiver request. Manager Locke stated that it would take approximately two (2) to four (4) weeks.

New Business

- **600/602 Greenwood Avenue project:** Manager Locke reported that a meeting was held with concerned residents in the vicinity of the 600/602 Greenwood Avenue project, specifically regarding the parking lot at 526 Greenwood Ave. Councilor Bunker noted that he attended the meeting and highlighted concerns brought forth regarding the condition of a retaining wall on the property. Councilor Bunker stated that the property owner expressed a willingness to create a visual barrier between the parking lot at 526 Greenwood Ave. and the street if it may be done.

Councilor Danilak asked about the actual use of 526 Greenwood Ave. Manager Locke stated that the use has always been as a parking lot, noting that the only time there were numbered spots were when the Borough leased the parking lot. Councilor Danilak asked about the actual use of the lot. Manager Locke stated that he will review the property file. Councilor Danilak requested to review a plan for the property in order to determine the location of curb cuts on the property. The Committee directed Manager Locke to review the property file for a plan for the parking lot.

- **Proposed Aqua water main project:** Manager Locke stated that Aqua is planning to replace two (2) water mains in the Borough: one on Washington Lane and surrounding Town Square on West Ave., Leedom St. and Greenwood Ave. A copy of the proposed plan was provided to the Committee for review. Chairperson Pancoe asked if a traffic control plan had been outlined for Washington Lane. Manager Locke stated that he would speak to Aqua regarding traffic control. The Committee directed Manager Locke to speak to Aqua about phasing construction, completing the project at night, and working during August in order lessen the impact to the business district.
- **Proposed PECO gas line replacement project:** Manager Locke reported that PECO is scheduled to install a medium pressure gas line down West Ave. The Committee directed Manager Locke to discuss locating the gas regulators in the building and to see if this and the Aqua water main project could be coordinated.
- **2014 Commercial fire alarm inspection program:** Manager Locke stated that the Borough is beginning its 2014 Commercial Fire Alarm inspection program.
- **Town square electrical project:** Public Works Director Frank stated that the electrical outlets in Town Square are being replaced to exterior outlets.
- **Proposed 205 West Avenue demolition:** Manager Locke stated that the owner of 205 West Ave. has requested to demolish the existing single-family detached dwelling on the property and replace it with a twin. Councilor L. Durkin asked if a twin would still constitute a single-family dwelling. Manager Locke

stated that it would. Manager Locke stated that he prepared a Zoning Opinion letter for the property owner and he would circulate this letter to the Committee.

- **Facade Improvement Grants:** Assistant Manager Bashore reported that he met with representatives from Montgomery County regarding reimbursement of grants for the Facade Improvement Program. Assistant Manager Bashore stated that a \$4,200 reimbursement is being processed. Manager Locke stated that he will be meeting with one of the grant recipients in order to obtain the last information need for the reimbursement. Assistant Manager Bashore stated that he would like to have future applicants come before the Committee to present proposed ideas.
- **Montgomery County Comprehensive Plan - MontoCo 2040:** Assistant Manager Bashore stated that he will be attending the public workshop for the Montgomery County Comprehensive Plan on November 19. The Committee directed Assistant Manager Bashore to distribute an e-mail notification regarding the survey being conducted by the County for the plan.

Adjournment: On motion of Vice-President Marlowe, seconded by Councilor L. Durkin, the motion to adjourn the meeting passed unanimously.