



BUILDING, ZONING & REVITALIZATION COMMITTEE

July 21, 2014

7:30 p.m.

Meeting Minutes

Call to Order: Chairperson L. Durkin called the meeting to order at 9:08 p.m.

Committee members present: Chairperson L. Durkin, Councilor Danilak, Councilor Golden

Committee members absent: Councilor Boutcher and Councilor Marlowe

Others present: Vice President Bunker, Councilor Farrell, Mayor Foley, Manager Locke, Director of Code Enforcement/Public Works Frank, and Chief of Police DiValentino

Public Comment: None.

Items for Discussion:

Status Report on 204 Wyncote Road:

Bruce Binns, 204 Wyncote Road, stated that pressure washing was done as well as painting of the house. Four large dead trees were taken down; one in the front and three in the back of the property. 95% of the debris of dead trees was removed and large pieces of wood from trees are in the process of being cut and stacked in the back of the property.

Another issue is roof repair, and three roof contractors have been onsite and three more are scheduled to come to the property next week.

Mayor Foley asked Mr. Frank what he directed Mr. Binns to do about the driveway to the property?

Mr. Frank replied the driveway is not a concern at this time, but will not remain as is. The immediate concerns are the right-of-way, the neighboring property and protecting the home onsite. Power lines have been protected and the trees that have endangered the property have been taken care of as to safeguard the structure of the home. Once the repairs have been completed, the driveway will be rectified.

Councilor Danilak asked Mr. Binns what his plans are for the property going forward.

Mr. Binns replied nothing has been resolved at this time.

Chairperson L. Durkin noted that all timeframes for work to be completed have been met to-date and the next timeframe for the roof is August 5th. Will that timeframe be met as well?

Mr. Binns replied that will be difficult because the structural items that need to be replaced are not evident until roof work is underway. He anticipates showing progress in terms of getting these issues addressed.

Chairperson L. Durkin questioned a procedure for revising the timeline.

Manager Locke replied if Mr. Binns signs a contract with a roofer, the timeline can be revised by a few days.

Mr. Frank added that he met with Mr. Binns last Friday, and we discussed a contract with a roof contractor going forward, and we need a signed contract prior to that date to avoid going to the next level, and Mr. Binns understood his position.

Vacant property updates:

Manager Locke reported that the home located at 108 Walnut Avenue will be auctioned on Thursday, August 28th at 10 a.m. A letter was written regarding the home located on 206 Township Line Road, and 204 Wyncote Avenue is the third property.

The only other vacant property is the Metroplex on York Road, which Mr. Goodman owns, and we will meet to discuss the four empty stores.

Chairperson L. Durkin commented that on the commercial side, we also targeted the train station for restaurant development, which is on our to-do list as well as the former Dunkin Donuts property.

Manager Locke replied he received calls from brokers about a possible Americana restaurant at the former Dunkin Donuts site that includes a liquor license.

Chairperson L. Durkin said in regards to the Vacant Property Ordinance; research of other municipalities that has this type of ordinance was done for Council to review. There is opportunity to consider residential protocol versus commercial protocol or craft language that does not penalize active commercial real estate.

Councilor Golden commented that as long as there are amateur landlords, the Borough will have these problems and we need to protect ourselves.

Councilor Danilak commented that vacant commercial property owners need to maintain it to a certain level, but after a certain period of time, they should be required to make

sure canopies do not deteriorate and that snow and trash are removed from the property regardless of whether there is a tenant or not.

Manager Locke said last year, Borough officials visited 90% of the commercial buildings as per Fire Code requirements making sure they were in compliance.

Chairperson L. Durkin suggested forming a working group to work on developing a draft for vacant property ordinance for both commercial and residential property owners and then send to Borough Solicitor for review.

MCPC – Partnership:

Chairperson L. Durkin noted that she and Manager Locke previously met with the MCPC's Executive Director, Jody Holt, who took part in developing the Borough's Comprehensive Plan in 2002.

The Borough has not updated its Comprehensive Plan since then and she was educated on the difference between a revitalization plan and a comprehensive plan. A revitalization plan focuses more on economics, which was done in 2010.

The MCPC has tools and skillsets to assist with grant writing, etc. and they offer a partnership in which the Borough pays 50% of the cost and the other 50% is subsidized by the County in the amount of \$9,000-\$15,000 a year for a three-year contract. Reps of the MCPC would attend all Borough meetings essentially as extra staff assisting the Borough.

Councilor Bunker suggested asking reps of the MCPC to attend a Borough meeting to make a presentation on this partnership agreement.

Chairperson L. Durkin agreed. She and Manager Locke discussed putting a proposal together to be considered for budget of 2015.

Items for Decision to forward to full Council:

Zoning Hearing Board – Recommendation for Appointment:

Chairperson L. Durkin reported that the Zoning Hearing Board has recommended the appointment of David Ballard. The ZHB has requested that the BZ&R Committee recommend this appointment to full Council for consideration and approval.

Councilor Golden made a MOTION, seconded by Councilor Bunker to recommend to full Council appointment of David Ballard as member of the Zoning Hearing Board.

MOTION was ADOPTED 3-0.

Recognition Award – Eisner Amper Accountants and Advisors:

Chairperson L. Durkin said the committee has a resolution in appreciation of Eisner Amper Accountants to forward to full council for consideration and approval. Councilor Danilak made a MOTION, seconded by Councilor Bunker to recommend approval to full Council to adopt Resolution No. 2014-20 in appreciation to Eisner Amper Accountants.

MOTION was ADOPTED 3-0.

Other Items for Discussion:

PECO 2014 Natural Gas Projects:

Manager Locke noted PennDOT requested that PECO change their work schedule to nighttime on York Road because forcing traffic down to one lane was backing it all the way to Philadelphia, so now the work is done between the hours of 8 p.m. until 6 a.m.

Also, Aqua will continue working during the nighttime hours on West Avenue.

Items of Information:

Jenkintown Planning Commission:

Manager Locke reported there was no meeting held tonight; however, a plan will be coming in for cell tower antennas in September. Act 191 permits applicants to not have to go through the local zoning process for maintenance or colocation of antennas. There is an ordinance that has been passed by other municipalities that helps to strengthen zoning codes for some of the loopholes in Act 191, although, he has not reviewed it yet. He suggested having the Planning Commission review it as well.

Councilor Golden commented if that ordinance is worthwhile, he suggested since there are no committee meetings held next month, bringing it before full Council next month for consideration of advertisement, so it is pending legislation.

New businesses; closed businesses; progress re: business planning to open:

Manager Locke said the Code Enforcement report lists new businesses that opened. Otto Architects - 455 Johnson Street, Suite 100; Hirschhorn Architects – 505 York Road, Suite L06 and Up Your Do – 807 Greenwood Avenue.

NovaCare was located at 680 York Road and they were considering moving to Abington; however, he gave them a name of the realtor in which they decided to move to 455 York Road next to the new Dunkin Donuts.

The Primp House will be opening at 471 York Road and Marsano Restaurant will open at 309 York Road.

Chairperson L. Durkin noted that quite a few businesses closed on West Avenue.

Mayor Foley commented this committee previously discussed that Borough ordinances should be more favorable for food trucks in Town Square.

Chairperson L. Durkin said we can research to see how other municipalities handle it. She questioned where they would park as the street could be problematic.

Councilor Danilak questioned the advantages of having food trucks, which may be a problem for established restaurants.

Mayor Foley replied it provides something new on a frequent basis and a different price point for food in Town Square. It may be possible to permit them while considering business owners' concerns. Parking could be in the Town Square and it may be just ice cream trucks or allow them only on a specific day.

Councilor Farrell suggested inviting food trucks on Tuesdays during the music event at Town Square.

Chairperson L. Durkin asked about the protocol for permitting food trucks under Borough Code.

Manager Locke replied it is permitted under current code requirements as it is considered an event held on public property. Event coordinator, who signed the contract with the Borough, provided insurance and each vendor has to provide insurance and name the Borough as insured.

The committee agreed to permit food trucks for the remaining Tuesday music events held at Town Square.

Ongoing Items:

Property Maintenance Notices:

Chairperson L. Durkin noted that Code Enforcement personnel used door hangers as notices and has distributed a wide variety with residents responding to them.

Councilor Farrell commented that she heard complaints from residents that there was no demarcation on their curb or sidewalk, so they were unsure what to do.

Manager Locke replied properties were not marked intentionally because it would cause an uproar. The letter indicates to contact the Borough and we will visit residents' properties and point out what is in violation of the code.

Councilor Danilak suggested letting residents know that the Borough will work with them as long as they are working to comply with the code.

Mr. Frank said he will send out a notice via email for the fall season in regards to what is required for exterior cleanup and send it out again in the springtime.

Lindy Sign Proposals – Piazza:

Manager Locke reported that a sign package was submitted. He reviewed it and indicated in writing what relief they would need to apply for from the Zoning Hearing Board. They decided to withdraw the sign package proposal to revise it and he has not heard from them. It has been three weeks since their last meeting.

Façade Grant:

Chairperson L. Durkin reported that the work has been completed at 301 Old York Road in a timely fashion to be eligible for grant reimbursement.

Other Issues:

Councilor Golden commented that he just received a 25-page form from DVRPC (Delaware Valley Regional Planning Commission) for classic towns. The deadline for completion is prior to September. He, along with Mayor Foley will work on it to get it done, although, he will send a copy to Council members for comments.

Manager Locke noted that an application has been submitted to the Zoning Hearing Board for an addition to a home at 153 Highland Avenue.

Councilor Golden questioned whether there will be time in September for Council to decide on taking a position.

Manager Locke replied he will look into it. Also, there is a proposed ordinance in regards to dogs barking in which there has been a large response by residents.

Adjournment: Chairperson L. Durkin made a MOTION, seconded by Councilor Danilak to adjourn the meeting.

MOTION was ADOPTED 3-0. Meeting adjourned at 10:22 p.m.

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