**BUILDING, ZONING, & REVITALIZATION COMMITTEE**
**MEETING MINUTES**
**November 21st, 2016**
**7:30 p.m.**

**Call to Order**: President D. Pancoe called the meeting to order.

**Attendance**

- **Committee members present**: Councilor M. Golden.
- **Committee members absent**: Chairperson L. Durkin, Councilor T. Danilak and Councilor C. Whitney.
- **Others present**: President D. Pancoe, Vice President R. Bunker, Councilor K. Farrell, Solicitor N. Taylor-Smith, Borough Manager G. Locke, and Director of Finance R. Ware.

**Public Comment**: Peggy Downs, 301 Runnymede Avenue, appeared before the committee to ask for an update of the review of the videos and pictures she had sent over to the Borough regarding her neighbor at 303 Runnymede Avenue. Once Ms. Downs received the update below, Ms. Downs wants the committee to inform her where the determination has arisen from. Borough Manager G. Locke explained that to Ms. Downs that the videos and pictures that were sent does not rise to the level of proof that the property at 303 Runnymede Avenue has an appearance of a business use.

Ryan Downs, 301 Runnymede Avenue, wanted to know what in the code could constitute the proof of running a business. Borough Manager G. Locke stated that in the past the Borough constituted running a business with excessive noise, smoke, vibrations, glares, fumes, odors, or commercial equipment stored in plain view, stockpiling or inventory of a substantial nature. Borough Manager G. Locke stated that he cannot go into the garage and under the deck to inspect the property.

David Downs, 301 Runnymede Avenue, wanted the committee to know that all of the forms, sawhorses, and concrete for the work that was recently completed at McGoldrick's funeral home was taken from the garage on the property at 303 Runnymede Avenue. Mr. Downs believes that should constitute running a business.

Christian Wurst, 445 Leedom Street, regardless of whether he is running a business out of 303 Runnymede Avenue, Mr. Wurst would like to know where his business address is listed as it used to be listed at 443 Leedom Street which he no longer resides at. Solicitor N. Taylor-Smith stated that this question is not a zoning issue. Solicitor N. Taylor-Smith however did want to note that the permit that was pulled for the work that was completed at McGoldricks was pulled by McGoldricks before they signed a contract with any contractor. Borough Manager G. Locke stated that he did not think using his address on 303 Runnymede Avenue as a mailing address could not be the sole basis to consider that as an impact business. Solicitor N. Taylor-Smith also agreed to this. Mr. Wurst also wanted the committee to know that he reached out to Berkheimer's fraud department and spoke with them for two hours regarding JC Glass Masonry and Berkhiemer stated they had no account information available for JC Glass Masonry.

Peggy Downs, 301 Runnymede Avenue, also wanted Borough Manager G. Locke to be aware that the neighboring property at 303 Runnymede has had logs delivered to the property. Ms. Downs knows that the activities on Leedom Street are not in question here but wanted to make both Borough Manager G. Locke and the committee aware that she is afraid that he will be running a log splitting business like he did on

Leedom Street. Ms. Downs also wanted to note that the neighbor has also installed cameras facing their property as well as posted “No Trespassing” signs.

Denise Venuto-Wurst, 445 Leedom Street, wanted to know who would be available on the weekends or at night when Borough Manager G. Locke was not available to see the log splitting for commercial use. President D. Pancoe informed Ms. Venuto-Wurst that the Police would be available at all times if the Borough Manager was unable to be reached.

President D. Pancoe wanted all the parties involved to know that she is extremely sympathetic towards them but all parties involved need to remember that if the Borough is going to site the neighboring property for running a business then the Borough needs proof that is going to be upheld in court.

**Featured Items for Discussion**

- **2035 Comprehensive Plan –** No new update. President D. Pancoe stated that they are asking the County Planners to attend a Building, Zoning and Revitalization meeting within the coming months to present their findings.

- **Short and Long Term Plans for Parking Solutions –** No new updates.

- **Zoning Code Review –** No new updates. Last month, Chairperson L. Durkin stated that the Borough is looking to update their Zoning Code with the help of the County Planners, the Solicitors Office and the Zoning Officer. Borough Manager G. Locke began a preliminary list of items that have created a difficult review in the past. The Borough also received a preliminary list from the Jenkintown Borough Planning Commission. Both lists have been turned over to the Solicitors office for legal opinion.

- **Residential Resale Use & Occupancy –** Borough Manager G. Locke highlighted that this has been a topic of discussion for a few months. Borough Manager G. Locke placed a memo in Dropbox listing four items that he believes should be on the residential resale use & occupancy. These items include a notarized affidavit of the location of smoke detectors, curb and sidewalk inspection, videotaping of the sewer lateral from the house to the main and a four-inch reflective sign indicating the street address of the property. Borough Manager G. Locke would like to model the ordinance for the lateral inspection off of Cheltenham’s lateral inspection ordinance. President D. Pancoe is afraid that the cost of the inspection and repair may burden the sale or the owners. Councilor M. Golden suggested that the Borough recommends the inspection of the lateral rather than requires the inspection as he does not want to burden homeowners with the possibility of a replacement of thousands of dollars. Borough Manager G. Locke was asked to provide a draft model ordinance at the next Building, Zoning and Revitalization meeting.

- **Division Street Retaining Walls –** Borough Manager G. Locke was excited to announce that the one wall has been completed. There is still a second wall that the needs to be completed however the Borough is happy to announce that the wall that was it danger of collapse has been completed. Borough Manager G. Locke wanted to note that the homeowners that owned a majority of the wall have paid for the wall to be completed however, the Borough will lien the property to the right of the wall for approximately $2,500 plus legal fees as that resident was taken to court and found to have no money to pay for the wall at that time. The matter was deemed a serious threat to public safety.

- **Borough Sidewalk Safety Program –** Borough Manager G. Locke highlighted that this pertains to all the curb and sidewalk notification that has taken place within the Borough. Borough Manager G. Locke stated that there is still one property on Linden Street, eight properties on Rodman Avenue, eleven properties on West Avenue and three properties on Greenwood Avenue that remain non-compliant. The Borough has followed up on each of these properties and sent out notices for completion.

**Items for Information**

- **Jenkintown Planning Commission Report –** No Report.

- **303 Runnymede Avenue –** Borough Manager G. Locke stated that the residents of 303 Runnymede Avenue, Mr. & Ms. Glass, have complied to the notice of violation and the violation has since been abated. Borough Manager G. Locke updated the committee that he has received three sets of videos and pictures from a concerned resident and after review Borough Manager G. Locke stated he did not find any evidence that showed the tenants at 303 Runnymede Avenue were running a business out of the home. Borough Manager G. Locke also forwarded the videos and the pictures along with his determination to the Solicitor for review, to which the Solicitors office upheld Borough Manager G. Locke's findings. Once Borough Manager G. Locke discussed all findings with the Solicitor, he sent a letter to the concerned residents stating that the Borough does not see the operation of a business from the videos provided.

- **Glanzmann Agreements –** There is no new updates for this topic. Borough Manager G. Locke stated that the side agreements were placed in Dropbox. Enforcement on these agreements cannot take place until November 1st of this year. Borough Manager G. Locke has written a letter and met with Mr. Glanzmann today regarding the properties in question. Jim Glanzmann has asked for an extension until the spring of 2017 as he would not like to complete the concrete and buffering in the winter as it will not set correctly. An extension was given to Mr. Glanzmann until May 1st 2017.

- **206 Township Line Road –** Borough Manager G. Locke stated that the Design Review Board met last month to discuss the two new single family homes that are being proposed at 206 Township Line Road. Final Design Review Board Comments have been sent to the developer and the owners specifying what Design Review Board would like to see. Also, Borough Manager G. Locke highlighted that the architect has sent in the building plans for review of the first house that will be built. The construction permit review letter that was sent to the architect can be found in Dropbox.

**Ongoing Items**

- **101 York Road Land Development Update –** Borough Manager G. Locke stated that Glanzmann Subaru has reported that they are 80% completed with their project at 101 York Road. They have hit a small glitch. Glanzmann Subaru was expecting to run a gas main from the old bank property across York Road, however PennDOT is requiring that the gas main ran in the alleyway behind the property as PennDOT has a moratorium that a newly paved road cannot be opened until three years after the road has been paved. Glanzmann Subaru and Speedwell Construction are currently trying to determine who is the owner of that alleyway as the owner of the alley must grant permission to place the gas main in the alley.

- **Borough Gateway Welcome Sign –** President D. Pancoe stated that Engineer K. Hassan from Pennoni Associates is working on the final design plans based off of the Planning Commission rendering. Borough Manager G. Locke will be setting up a meeting with all parties involved including the Engineer, the Planning Commission, Glanzmann Subaru, Speedwell Construction and the Borough regarding the design, location and size of the Borough's Welcome Sign.

- **Banner Program –** Borough Manager G. Locke wanted to highlight that the Borough has continually been working on implementing a banner program for Jenkintown Borough. Chairperson L. Durkin has reached out to King Design to have them design a branding proposal. Borough Manager G. Locke highlighted that the Borough has budgeted in 2017 for the design of the banners and $2,000 for replacement.

- **Dead Tress on York Road –** Borough Manager G. Locke stated that the Borough has looked into the cost of the replacement of the trees that were missing or dead on York Road from the Borough's original streetscape program. Borough Manager G. Locke reported that there are five trees that need to be replaced, which includes three dead trees and two trees that have been removed. The replacement cost for these trees have been budgeted in the 2017 budget.

**Adjournment**: On motion of Councilor M. Golden, seconded by Vice President R. Bunker, the motion adjourning the meeting passed unanimously.