



BUILDING, ZONING, & REVITALIZATION COMMITTEE
MEETING MINUTES
March 21, 2018
7:30 p.m.

Call to Order: Chairperson K. Farrell called the meeting to order.

Attendance

- **Committee members present:** Chairperson K. Farrell, Councilor M. Golden, Councilor A. MacHaffie, Councilor D. Ballard and Councilor J. Lugar
- **Committee members absent:** None at this time.
- **Others present:** President D. Pancoe, Vice President R. Bunker, Borough Manager G. Locke, Solicitor P. Hitchens, Director of Finance R. Ware, Mayor A. Dobbs and Fire Marshal K. Lynch.

Public Comment: Kevin Poirot, 503 Cheltena Avenue, appeared before the committee to discuss the proposed Taco Bell development. Mr. Poirot feels as though the proposal has missed a lot of purpose and intent of the Borough Zoning Code. Mr. Poirot also noted that the proposed development must go before Zoning Hearing Board for a use variance, rather than a dimensional variance. A use variance has more stringent policies and procedures and are rarely justified. Mr. Poirot does not believe that this proposal is justified for a use variance. Mr. Poirot also believes that the light that is being proposed should not be for one property.

President D. Pancoe noted that they are not the forum who hears Zoning Hearing Board applications. Borough Manager G. Locke noted that the application before the Zoning Hearing Board has not been received to date.

Alyson Lester, 315 Greenwood Avenue, asked if the public would be allowed to talk about Taco Bell after the presentation regarding their tax numbers. Chairperson K. Farrell noted that they would allow public comment after.

Alyson Lester, 315 Greenwood Avenue, asked if public comment would be allowed after the agenda item pertaining to the Summit House. Chairperson K. Farrell noted that the committee does not want to open up public comment that often. Alyson Lester proceeded to address the Committee regarding her concerns on the proposed development at 606-610 Summit Avenue. Ms. Lester noted that she does not believe the parking that is being proposed by the developers is adequate enough for the number of units that are being proposed. She, along with others, have visited similar properties and have noticed that there is a lot more parking per unit and a large majority of these parking spaces are being utilized. Ms. Lester also feels as though the lack of proposed parking will spill over into the public lots, which will take the needed parking, which is in high demand, away from the businesses and their patrons. Ms. Lester also feels as though the amount of handicap parking is not enough. Chairperson K. Farrell noted that parking has always been a concern from businesses and residents.

Regina, 209 Leedom Street, wanted the committee to know that she is concerned about parking with the proposed development at 606-610 Summit Avenue.

Rhett Regan, 135 Cedar Street, wanted the committee to know that some residents on Cedar Street do not have a driveway and parking is already at a premium.

Robert Richie, 600 ½ Summit Avenue, wanted the committee to know that he is also concerned about the parking as he is currently parked on Walnut Street and lives on Summit Avenue.

Scott Hummel, 491 York Road, stated that parking is always a difficult topic because it is hard to obtain an urbanistic feeling with parking. Mr. Hummel noted that his employees are grateful that there are many places to walk to within the Borough.

Randy Garbin, 99 Runnymede Avenue, noted that filled parking lots show that the businesses are successful. Mr. Garbin noted that you cannot have tons of parking and walkability in the same location, it simply just does not exist. Either the Borough will be a place like Willow Grove or a place with charm.

Kevin Poirot, 503 Chetena Avenue, noted that inadequate parking is a financial hardship. Mr. Poirot stated that the developers of 606-610 Summit Avenue should look at an underground parking garage.

Ralph McDermott, 600 Harper Avenue, appeared before Council to express that he feels as though the proposed development at 606-610 Summit Avenue is so large and out of proportion. Mr. McDermott also noted that this development would block out the skyline.

Maureen Lucak, 115 Cedar Street, appeared before the committee to express her concerns regarding the parking that will be overflowing onto Cedar Street due to the proposed development. Ms. Lucak also expressed concerns regarding the water runoff of the proposed development due to the size of the structure. Councilor K. Farrell noted that the development, if approved, would have to comply with the storm water management protocol.

Andrew Fulleborn, 300 Mather Road, appeared before the committee to read a statement on behalf of his wife, Hillary Fulleborn, regarding the tax appraisal that Taco Bell would be submitting tonight. Ms. Fulleborn's statement, read by Mr. Fulleborn, noted that the appraiser may misrepresent numbers on behalf of the applicant that he is looking for. Ms. Fulleborn asked that the vote for Taco Bell be tabled for a month to allow residents to attend as most families are away for spring break.

Debra Langer, 124 Cedar Street, presented a presentation that was prepared by Eric Horowitz of 149 Cedar Street. This presentation before the committee noted that there were detrimental flaws with the design that would significantly impact the Borough residents such as height of the building casting shadows on the neighboring residents, including blocking the natural skylight for the residents closest to the proposed property. Ms. Langer also noted that this project would set the precedent for projects like this in the future and the proposed project does not keep with the consistency of the area.

Presentations

- **SEPTA - Flood Mitigation Project** – Dennis Stefanski, representative from SEPTA, appeared before the committee to present the new Flood Mitigation plan for the SEPTA rail station. This project is funded through the Federal Transit Authority (FTA) and will widen the basins to help with the flooding around the train station. Mr. Stefanski noted that they are looking to begin construction in 2019 and end in 2021, as this design is approximately 30% complete.

Vice President R. Bunker asked that Mr. Stefanski reach out and work with the Borough Engineer as to the collaboration of the project as the Borough will also be working on flood mitigation on Cedar Street.

President D. Pancoe asked if SEPTA would provide the presentation to the Borough, to which Mr. Stefanski replied that they can provide the presentation to the Borough.

Borough Manager G. Locke asked if the rock cuts that were being completed behind Runnymede Avenue have been finished. Mr. Stefanski replied that the project was delayed, however the project is scheduled to be completed in early June 2018.

- **Taco Bell – Tax Appraisal of Proposed Helweg Development** – Scott Hummel, representative for Taco Bell, appeared before the committee to submit the tax appraisal that the Borough had asked for regarding the proposed Taco Bell development at 459-471 York Road. Mr. Hummel noted that Mark Abisi from Indian Valley Appraisal Company was here to present the report and answer any questions that the committee may have.

Mark Abissi, Indian Valley Appraisal Company, presented an appraisal on the proposed Taco Bell development. Mr. Abisi's appraisal noted that he has completed work not only for the Borough but for multiple clients including, but not limited to, PennDOT and the PA Turnpike. Mr. Abisi noted that he is an unbiased appraiser and did appraise the proposed development at 459-471 York Road. Mr. Abisi noted that this appraisal is hypothetical since the building has not been erected and also noted that he cannot tell you what the County will assess the building at. Mr. Abisi appraised the proposed Taco Bell building at 2 million dollars and the half of twin at 471 York Road at \$433,000 for a total combined appraisal of 3.1 million dollars. Mr. Abisi noted that the potential taxes for the development would be an additional \$50,000 than what is currently being brought in by that property for a total of \$90,000.

Kevin Poirot, 503 Cheltena Avenue, asked Mr. Abisi why he did not use the purchase price in his proposal. Mr. Abisi replied that the purchase price does not always relate to the assessed value.

Solicitor P. Hitchens asked Mr. Abisi if he wrote this appraisal as though it was an assessment appeal. Mr. Abisi replied that he did not. Solicitor P. Hitchens asked if he would have written it like this should it have been an assessment appeal, to which Mr. Abisi replied that he would.

President D. Pancoe asked Mr. Abisi to repeat the proposed / potential taxes as she did not comprehend them the first time. Mr. Abisi noted that there would be \$90,000 total being produced by the proposed Taco Bell. The School District would receive an additional \$38,000, the Borough would receive an additional \$7,000 and the county would receive an additional \$3,000.

Councilor M. Golden asked if they are anticipating double than what is currently being brought in. Mr. Abisi responded by stating that is correct.

Solicitor P. Hitchens noted that the Borough nor the developers have any control over what the assessor does.

Vice President R. Bunker asked if the tax assessment included other taxes such as business privilege taxes or earned income taxes. Mr. Abisi replied that they were not included, just real estate taxes.

Councilor D. Ballard asked at what variance do most get a reassessment. Mr. Abisi responded when the variance between assessed and appraised is larger than 15%.

Scott Hummel noted that they asked another appraisal company to complete an appraisal on the current building and its use. Mr. Hummel noted that although the appraisal company asked that he did not produce the document, Mr. Scott Marvalsis noted that in its current condition the building is not worth more than \$450,000 which was determined by reviewing the current leases and expenses.

It was asked if the document can be reviewed by the public, it was noted that the Solicitor for the applicant, Solicitor A. Fritzges, had no objection to the document should be subjected to the freedom of information act.

Alyson Lester, 315 Greenwood Avenue, asked how the appraisal is over a million when there are two Taco Bells, one in North Wales and one on Trooper Road, only would \$560,000 each. Ms. Lester asked how the appraiser keeps it black and white and not a judgement call. Mr. Abisi noted that the North Wales and the Trooper Road Taco Bells are assessments not appraisals therefore they may not get the same information which is why the numbers may be different.

Solicitor P. Hitchens asked Mr. Abisi who the information was submitted by. Mr. Abisi replied that the developer provided the information. Solicitor P. Hitchens noted that the cost approach was most reasonable.

Resident of 460 Leedom Street asked if Solicitor P. Hitchens has ever seen a successful reverse assessment since July 2017. Solicitor P. Hitchens replied yes.

Kevin Poirot, 503 Cheltona Avenue, noted that the appraisal is high due to the light being solely for the proposed property. Mr. Poirot asked if the light was moved to Cherry Street would the appraisal change as well as change the appraisal for the adjacent properties. Mr. Abisi noted that another analysis would have to be completed to determine an answer. Scott Hummel replied that Taco Bell would not come without the driveway and without the traffic light.

Linda Miller, 411 Cedar Street, asked how often the Board of Assessment has changed. Mr. Abisi stated that there have been a lot of denials from the Board of Assessment and usually the assessment goes into negotiation before it has a hearing.

Maya Cheek, 614 Greenwood Avenue, wanted to note that she is the President of the School Board and that the Board of Assessment is very stringent on the appeals and often favors on the side of the applicant that is appealing their assessment.

Borough Manager G. Locke noted that they have engaged a third party to review the assessments. Borough Manager G. Locke noted that he expects an answer before the Council meeting

Reports

- **Jenkintown Planning Commission Report** – No Report. Chairperson K. Farrell noted that the Planning Commission met and re-organized.
- **Building Department** – The monthly reports were placed with the monthly meeting materials.

New Business

- **207 Leedom Street – Branding of Historical Nature** – Chairperson K. Farrell highlighted that the Lindys have researched the area that 207 Leedom was built on. It was the location of the “Pump House” that provided water to the Borough. They have designed a gear like monument and signage. They have also petitioned the US Post office and Montgomery County to change the address to Water Street. Packets in package. Borough Manager G. Locke noted that they are only looking to change the building address, not the whole street.
- **SEPTA Open House – Upcoming Accessibility Improvements** – Chairperson K. Farrell noted that SEPTA is holding an open house pertaining to the accessibility improvements. Chairperson K. Farrell highlighted that everyone is welcome to attend and it will be held at the Jenkintown/Wyncote Station from 4:00 PM to 7:00 PM on Tuesday, March 27th
- **New Zoning & Use Permits issued to Proposed Businesses** – Chairperson K. Farrell noted that there were two new Zoning & Use permits issued this month, one for a clothing store out of

471 York Road and the second an Art Consultant out of 459 York Road. Chairperson K. Farrell noted that these two businesses are located within the Helweg property.

- **Current Development Proposals** – Chairperson K. Farrell noted that the Borough has 610 Summit Avenue, Roizman which will be holding a conditional use hearing during the March 28th Council meeting. Additionally, 459/471 York Road, Hummel, which was discussed tonight and will be discussed during future meetings. Also, 169 Greenwood Avenue, Greenwood Terrace, have submitted plans to expand Greenwood Terrace Apartments. The Borough completed a review, sent a letter, and now the applicant is revising their plans.
- **2018 Paving Project** – Chairperson K. Farrell highlighted that all deficient concrete has been marked and the official notice letters have been sent.
- **2035 Comprehensive Plan** – Chairperson K. Farrell highlighted that the Borough will be setting the public hearing for the adoption of the 2035 Comprehensive Plan and noted that the County has received input from Borough Residents. Borough Manager G. Locke noted that the 2035 Comprehensive Plan public hearing will take place during the May council meeting.

Ongoing Business

- **610 Summit Avenue – Roizman Development – Senior Housing** – Chairperson K. Farrell noted that the Applicants, Roizman Development Inc., will be coming before Council for their Conditional Use hearing on Wednesday March 28th at 7:30 PM.
- **206 Township Line Road** – Chairperson K. Farrell noted that the plans have been approved and a pre-construction meeting was held. Currently, the grading of the site is taking place. Borough Manager G. Locke noted that the permits have not been issued yet due to a Design change that is going back before the Design Review Board.
- **RFI - Borough Property Development Proposals** – Chairperson K. Farrell highlighted the Borough entered in to agreement with the Re-Development Authority, no other binding decisions made at this time.
- **Cedar Street Property** – Chairperson K. Farrell noted that the Borough has applied for the PECO Green Region Grant for the planning and engineering of the project. The awards have been postponed until June. The Borough is now looking to apply for a grant to cover demolition, grading site and possible infrastructure improvements.
- **Verizon Utility Pole Removal – Update** – Borough Manager G. Locke noted that the Borough received word today that work is to begin again tomorrow, March 22nd, and will be coordinated with Public Works Foreman K. Riggins. The Borough is looking at possibly filing a grievance with the Public Utilities Commission, however it is found that the Public Utility Company that had the grievance filed against them usually become unresponsive. The Borough is hopeful that this work will be completed without needing to file the grievance. Currently there are approximately 60 poles left.
- **93 York Road – Possible Re-Development** – Chairperson K. Farrell highlighted that the Solicitor for property owner has reached out to the Borough to discuss the Zoning questions asked at February presentation. Currently, a meeting is being arranged.

- **Commercial Fire Inspection Program** – Fire Marshal K. Lynch noted that the Commercial Fire Inspection Program is continuing and is receiving positive feedback.
- **Property Maintenance Inspections** – Fire Marshal K. Lynch noted that the Borough currently has two open complaints however believes that the property maintenance program is going well.
- **West Avenue & Greenwood Avenue Concrete / Code Enforcement** – Chairperson K. Farrell highlighted that there are currently two properties remaining on West Avenue and one property on Greenwood Avenue that need to comply with the concrete repairs. All three properties have indicated that they intend to comply.

Adjournment: On motion of Councilor M. Golden, seconded by Councilor J. Lugar, the motion adjourning the meeting passed unanimously.