

Neighborhood Club of Bala Cynwyd
Board Meeting March 11, 2008
Lower Merion Academy

Board Attendees: Casey O'Bannon, Michael Taichman-Robins, Deedee Litvin, Meredith Toole, Jerry Skillings, David Haas, Bob Zimmerman, Dan Russoniello, Anne Greenhalgh, Roger Moog, Ellen Wertheimer, Phyllis Faber Kelley, Maxine Goldberg, John Grugan, Ilene McCaffrey and Serge Nalbantian

Excused: Eric Foster, Mark Kocent, and Judy Strazzella

Officials Attending: LMPD Officer McCormick, Commissioners Bruce D. Reed, Paul McElhaney and George Manos

Call to order:

President O'Bannon called the meeting to order at 7:35 p.m.

POLICE REPORT:

Officer McCormick reported that there have been retail thefts and thefts from automobiles in the area surrounding City Avenue.

PRESIDENT'S ANNOUNCEMENTS

President O'Bannon reported that Channel 99 interviewed the 16 civic associations in the area and will begin broadcasting those spots.

Ann Cotton resigned from the Board and will not complete her term, so the committee will begin its work on filling the empty seat.

There will be a meeting on April 16 about the Emerald Necklace committee.

TREASURER'S ANNOUNCEMENTS

So far members have not been using the credit card option. President O'Bannon moved to accept the treasurer's report, Roger Moog seconded, and the motion was unanimously approved.

SOLICITOR'S ANNOUNCEMENTS

Nothing to report.

Meeting Minutes: Phyllis Faber Kelley moved to approve the minutes circulated for the February 2008 meeting, Jerry Skillings seconded the motion, and it was unanimously approved.

MEMBERSHIP ANNOUNCEMENTS

We have received dues from 560 residential members and 41 businesses.

COMMISSIONER'S ANNOUNCEMENTS

Commissioner Reed explained that the LMT Board will be hearing from other RFP respondents for Ardmore on March 19, the first developer selected in January withdrew as a result of funding issues.

St. Joes is proceeding with plans for the Episcopal site and intends to file plans this month.

The work being done to refurbish the Cynwyd Train Station is going well.

Commissioner McElhane reported that efforts are continuing with respect to the Cynwyd Trail walk, the hope is that it will be clear and walkable in April. We need someone to volunteer tree-chipping services for the work associated clearing the Cynwyd Trail. Discussions continue with regard to Rock Hill Road and the details associated with the overlay ordinance.

Commissioner Manos reported on the M-district. The Board is introducing an ordinance for the M-district that is very similar to the ROHO Ordinance, which is intended to foster development while avoiding overdevelopment. LMSD is currently using a site in the M-district to park school buses while the high schools are under construction. There have been a few legal challenges filed by Aqua Fitness to the buses parking on that site, but those challenges have been summarily rejected and now an appeal has been filed to challenge the Zoning Hearing Board's decision to permit temporary structures to be placed on the site.

ZONING PRESENTATION:

34 DERWEN ROAD

Howard Cohen addressed the Board and the residents present regarding the pending request for a conditional use permit for the rental of a carriage house on his property at 34 Derwen Road.

The carriage house was recognized in its own right as a historic structure by a unanimous vote of the Historic Commission. The property has been occupied by servants, family or renters for a very long time. The change is that the owners want to have permission to allow renters to use the property as a one-bedroom rental. Property values on Derwen Road have risen dramatically over the last few decades and now many homes on the road are valued at over \$1 million.

Dr. Murray, a resident of Derwen Road, spoke and indicated that when he purchased his property, he did not know that there were renters in the area. For the past 30 years the

Cohens have owned the home, it has been occupied, originally by home-helpers, then in part based on rent and services provided, and later just rented. The rentals were not legally proper and this way of proceeding to seek this conditional use was a course of action recommended by the Township staff.

The requirements of the preservation ordinance are stringent and have required substantial investment and it would involve a covenant that would run with the deed and prevent the demolition of the home or the carriage house.

Lower Merion Conservancy will be appearing before the Commissioners tomorrow and they support the request for a conditional use permit.

27 Derwen Road resident, Stewart Ebby, spoke against the application. There are 4 homes on Derwen Road that have been designated as historic structures. He argued that permitting this use could transform the entire nature of Derwen Road because the other properties would also be entitled to pursue permissions for such rentals and, arguably, subdivide the primary structure as well. Representatives from 42, 38, 40, 37, 42, 10, 14, 23 Derwen Road and a resident of West Levering Mill Road were present and stood to note their opposition to the Cohen's application.

David Rosenbaum, of 38 Derwen Road, addressed the Board in opposition to the application. They purchased their home three years ago and were not aware that renters occupied the Cohen's carriage house. Mr. Rosenbaum spoke of the significance of having privacy in his yard and pool area.

A resident of West Levering Mill spoke against the concept of allowing any rentals in a single-family home community.

The resident from of 40 Derwen Road spoke, not concerned about whether Cohen's would do anything disruptive, but expressed concern about the uncertainty of how future owners would proceed.

A resident whose property backs up on another nearby carriage house voiced the problems and frustrations she has experienced with tenants at that location.

The newest resident of this section of Derwen Road indicated that his family would not have chosen to purchase the home and raise their young children in an area with high-density and transient residents.

23 Derwen Road resident purchased in 1985 and was also told it was a single-family neighborhood. This resident also questioned whether there is any evidence that the carriage house should be recognized as a historic structure.

Jerry Francis spoke on behalf of the Lower Merion Historical Society and gave some background on the Historic Preservation Ordinance. The Planning Commission voted 3-2 to deny the request for the conditional use permit, noting it was a very tough decision.

COMMITTEE REPORTS

ZONING - 207 CONSHOHOCKEN STATE ROAD

In connection with the subdivision, the issue of covenants to be imposed upon the primary structure will be addressed tomorrow at the LMT Commissioners meeting.

ROHO ORDINANCE COMMITTEE

Dan Russoniello will be circulating a summary soon and plans to attend the planning committee meeting tomorrow regarding the issue.

Publicity

The newsletter is being printed and will soon be mailed.

City Ave & St. Joseph's & the Bala Avenue/Merion Business District

Serge Nalbantian reported on a meeting he attended with the City Avenue District and the people occupying, and trying to purchase, the BMW dealership. They are from the area and interested in investing in development of these parcels. They have the dealership property with a 17- year lease and they are purchasing the Baby's Room property. They are interested in a COSI-type sandwich shop or restaurant at that location.

Schools

Redistricting is being discussed. March 24 and 31 at the Lower Merion High School Library at 8 pm, these are identical meetings to review the process for redistricting – identifying various methodologies and outlining the strengths and weaknesses of each approach. Bala Cynwyd is on the table and the redistricting must be done before the re-opening of Harriton in Fall 2009.

There are candidates being considered for Superintendent.

Public Service & Improvements

April 29 will be the public officials dinner at the Tavern. If you have suggestions about people who should be invited, please submit your ideas to Roger Moog.

Transportation

Meredith Toole had nothing to report.

Independence Day Celebration Committee

There have been virtual meetings and many festivities are lined up. The patriotic and religious speakers have been more challenging. The committee recommends Jerry Francis to be the patriotic speaker. Aldar was recommended for merchant of the year, and Phyllis recommended Aldar as well, noting they have gone smoke free and have lovely landscaping. Anne invited additional recommendations for citizen and merchant of the year. The Board agreed that Anne should extend an invitation to Jerry Francis as the patriotic speaker this year.

Federation of Civic Associations

John Grugan reported on the recent Federation meeting. A budget surplus was celebrated. There was a big push for the community watch program.

New Business

Al Vitiello reported on the Lower Merion Community Watch – 100% volunteer organization, recruiting members and purchasing new equipment. To get involved, a one-night training at LMPD is required.

Flags will be raised in West Laurel Hill Cemetery, Sunday, May 18, to honor fallen heroes.

Al noted that Boy Scout Troop Bala 1 was formed 100 years ago and was supported by The NCBC. Two Eagle Scout candidates from this troop will champion the Cynwyd Trail as their project.

Zoning

The Board discussed the conditional use permit sought at 34 Derwen Road. Several Board members spoke and expressed views in support of and in opposition to the application, and others expressed ambivalence. One member suggested the Board request information about the details of the covenant to be determined before the Board made a decision about whether to oppose it, and there was agreement that this was important information. Another member noted that historically our Board has not opposed actions that are consistent with the applicable ordinances of the Township. There was discussion of requesting the substance of the covenant to be determined before the Commissioners vote on the application.

Maxine Goldberg moved to have President O'Bannon attend the Commissioners' meeting and express The NCBC's view that the details of the covenant the Cohen's would agree to should be known before The NCBC takes a position on the application

and before the Commissioners act of the application. Bob Zimmerman seconded the motion and it was unanimously approved.

ADJOURNMENT

David Haas moved to adjourn at 9:56 p.m., Ellen Wertheimer seconded the motion, and it was unanimously approved.

Respectfully submitted,

Deedee Litvin
Secretary