

**The Neighborhood Club of Bala Cynwyd  
Board Meeting February 13, 2018  
The Fairmont Condominiums**

**Board Attendees**

Vanessa Coke Cohen, Eric Godfrey, Maxine Goldberg, Anne M. Greenhalgh, Ricky Guerra, David Haas, David Rosenbaum, Dan Russoniello, Jerry Skillings, Shifra Vega, David Yavil and Merle Zucker

**Excused**

Courtenay Harris Bond, Jonathan Harrison, Randy Myer, Roger Moog, and Linda Sagman

**Call to order**

President David Rosenbaum called the meeting to order at 7:35 pm.

**Vice President Dan Russoniello**

On behalf of The Board of the Neighborhood Club of Bala Cynwyd, Vice President Dan Russoniello gave a plaque to Past President Jerry Skillings in appreciation of his service to the community.

**Police Report**

Officers Merrill reported that the Police Department has apprehended a ring of burglars. The burglars gaining access on the second floor. They put trash cans on driveways so that home owners make noise and alert burglars to grab and go. Officer Merrill also reported that the Township has seen more heroin overdoses as a direct result of the opioid epidemic and that no neighborhood in the Township is immune to this problem.

**President's Report**

President David Rosenbaum reported that Mike McKeon is now the Commissioner for Ward 3. He added that Alison Munoz has resigned from the Board. The Nominating Committee will need to nominate a candidate to fill this and one other vacancy.

**Treasurer's Report**

Treasurer Eric Godfrey gave no report.

**Secretary's Report**

Secretary Anne M. Greenhalgh presented the January 2018 minutes to the Board. Jerry Skillings moved to approve the minutes. David Haas seconded the motion. The Board unanimously approved the January 2018 minutes.

**Solicitor's Report**

Solicitor David Haas gave no report.

**The Nominating Committee**

On behalf of the Nominating Committee, Past President Jerry Skillings nominated Michal Frankel to fill a vacancy on the Board. Vanessa Coke Cohen moved to approve Michal Frankel's nomination. Dan Russoniello seconded the motion. The Board unanimously approved the nomination.

## **Presentations to the Board**

### **The Bala Theatre**

Commissioner Dan Bernheim gave an update on the litigation over the Bala Theatre. He explained that, although he is a Lower Merion Township Commissioner, he is counsel to the property owner and speaking in that capacity at the meeting. Clearview originally held the lease, which had a term of 20 years. Clearview assigned the lease to a limited liability company owned by the Bow Tie Company (BTC), which currently owns 50 theaters. When BTC decided that it no longer wanted to operate the theater, BTC transferred the membership interest in the limited liability company to the operator of the Narberth and Wayne Theaters. After the operator of the Narberth and Wayne Theaters became the controlling member of the tenant of the Bala Theater, an issue arose about the non-payment of rent and obligations that the tenant claimed the landlord failed to fulfill. This resulted in litigation involving both the owners of the theater, Bow Tie and the current tenant now.

The litigation against Bow Tie has been settled pursuant to a confidential settlement agreement. The litigation against the current tenant continued. Just before trial, the current tenant filed for bankruptcy. The owner of the theater successfully challenged the bankruptcy filing and got it dismissed as a bad faith filing. A motion to determine the amount of the sanctions was pending in the Bankruptcy Court at the time of the meeting. The case will go back to the Montgomery County Court of Common Pleas and it will be put back assigned a new trial date.

In the meantime, the Theatre is dark and deteriorating. Dan Bernheim claims that the owners want to find a major operator who would run the Theatre, but that those efforts have not yet been successful.

Solicitor David Haas gave an update on zoning as it pertains to the Bala Theatre. Roughly five years ago, Bala Village was rezoned as a local neighborhood and commercial district. The current zoning ordinance allows a change in use of the theatre property, retail or other identified non-residential uses on the ground floor and residential on the upper floors.

Jerry Francis, President of the Lower Merion Historical Society, and Kathleen Abplanalp, Director of Historic Preservation, spoke about the place of the Bala Theatre as one of the Township's top resources. The Theatre is a Class 2 resource, which means that it could be demolished after a 90 day waiting period, intended to give stakeholders an opportunity to find a new owner and save the resource from demolition. If the building was designated as a Class 1 resource, it could only be demolished with the approval of the Board of Commissioners. Jerry Francis added that one idea being considered is to establish a Historic Preservation Trust that could raise funds from residents and foundations to try to save the Theater.

### **121 City Avenue**

George W. Broseman and Andrew Bottaro gave an update on the Federal Realty property. The plan is to build an apartment building with 87 units. 87 units is within right and less than the 120 units permitted in the "restricted area" under the terms of the FRIT-condominium owners' settlement agreement. The mix of proposed apartments includes studio, one bedroom, and two bedroom. The single person household is the target market. The bulk of parking is under the building. The front of the apartment building will be three stories in the front and five stories in the back. Traffic is the main concern. The Township has approved a sign prohibiting a left hand turn onto St. Asaph's Road during peak traffic hours.

### **Officials Attending:**

**State Representative Pam DeLissio** announced a Town Hall meeting at 7 p.m. on February 22, 2018 at the Bala Cynwyd Library. The Town Hall will cover three main topics. The first is the Governor's proposed budget. Representative DeLissio said that non-preferred allocations (for example, to Penn State, Temple, and Penn Vet) will have to go by the wayside if revenue and spending are misaligned. The second issue is the

redrawing of congressional districts. At this point, the Pennsylvania Supreme Court will redraw the map. The third topic is the reduction of members of the House.

**Commissioner Mike McKeon**, representing Ward 3, spoke to the Board and encouraged neighbors to express their viewpoints and, moreover, to get involved in the issues.

**Commissioner George Manos**, representing Ward 9, added that he is glad to discuss any issue.

**Commissioner Brian McGuire** reported on funding of a rain garden and sidewalk improvements as part of Old Lancaster & Montgomery Avenues (A rain garden is a form of storm water management). Jerry Skillings moved that The Neighborhood Club send a letter of support to the township in support of funding a rain garden and sidewalk improvements. Ricky Guerra seconded the motion. The Board unanimously approved the motion.

### **Committee Reports**

**Zoning, David Rosenbaum** – reported on upcoming meetings (See Attachment #1).

**Membership, Shifra Vega and Merle Zucker** – reported that The Neighborhood Club is working on ways to improve data collection on membership and the acknowledgement of new memberships

**Independence Day, Anne M. Greenhalgh and David Rosenbaum** – have spoken with Event Planners who have expressed interest in partnering with The Neighborhood Club on the Independence Day Celebration. Anne M. Greenhalgh also requested nominations from the Board for Citizen of the Year, Merchant of the Year, and speakers who will give the opening and closing remarks.

**Federation, Ricky Guerra** – moved that the Board approve the sending of an attorney to the DPZ meetings simply to observe. Maxine Goldberg seconded the motion. Two Directors abstained. Nine Directors voted no. The motion was defeated.

### **New Business**

President Rosenbaum asked if a member of the Board would be interested in looking into the creation of address signs as markers and possible promotional items for The Club.

With respect to The Club's conflict of interest policy, David Haas reported that he is playing with his jazz band at a the NOBA Workspace (owned by Cross Properties) for one of the monthly community events planned at that site; he will not be paid.

Maxine Goldberg brought the topic of proper recycling of plastic bags to the Board's attention. She also brought Lower Merion Dog Walker Watch Training to the attention of the Board (See Attachment #2).

David Haas moved to adjourn. Jerry Skillings seconded the motion. The Board gave the motion unanimous approval.

Respectfully Submitted,  
Anne M. Greenhalgh, Secretary

**Upcoming Public Meetings on BC Land Development Projects:**

2/5/18 @ 7pm

Planning Commission Meeting

Proposed Ordinance – Lot Width Amendment – A proposed ordinance to increase the minimum lot width in the RAA, RA, R1, R2, R3, R4 and R5 Residential Districts

2/12/18 @ 7 pm

Planning Commission Meeting

- Preliminary Land Development Plan, 121 City Avenue, Bala Shopping Center. A proposal to construct an 87 unit, six-story apartment building above at grade parking. Applicant previously received Tentative Sketch Plan approval on 11/16/16 and conditional use approval to deviate from the multi-purpose path design standards.
- PRELIMINARY LAND DEVELOPMENT PLAN - 206-216 Bala Avenue & 5-9 N. Highland Avenue, Bala Cynwyd, LD# 3792, Ward 9. A proposal to demolish all existing buildings, consolidate five existing lots to create a 57,939-square foot (1.33 acre) lot, and construct a new six-story mixed-use building containing ground floor retail along Bala Avenue and 83 apartments. The plan shows two levels of at-grade parking located behind the proposed retail space and beneath the building which will be accessed from vehicular driveways off Bala Avenue and N. Highland Avenue.
- PRELIMINARY LAND DEVELOPMENT PLAN – 15 Kings Grant Drive, Bala Cynwyd, LD# 3801, Ward 9. A proposal to construct a one level parking structure around the existing building above the existing surface parking lot. (Discussion Item Only)
- PROPOSED ORDINANCE – City Avenue District: Bala Village-Off-Site Parking – A proposed ordinance to limit the use of off-site public parking to existing and expanded mixed-use buildings. The ordinance reduces the number of public parking spaces that may be counted towards the required amount of parking to 10 and does not allow any public parking spaces to be counted for new buildings.
- ~~PROPOSED ORDINANCE – City Avenue District: Regional Center Area – Remove Single Use Incentives – A proposed ordinance to remove the Floor Area Ratio (FAR) incentives for single-use developments – TABLED~~

attachment # 1

2/14/18 @ 6pm Special Meeting of Board of Commissioners to elect Vice President of Board of Commissioners

2/14/18 @ 7:45pm Building and Planning Committee

Likely will include same issues as discussed at 2/5/18 Planning Commission Meeting

2/21/18 @ 7.30pm Board of Commissioners Meeting

Likely will include same issues as discussed at 2/14/18 Building & Planning Committee.

2/28/18 @ 6pm Building and Planning Committee Meeting on New Zoning Code. Consultant writing new Zoning Code will report on their timetable, a proposed schedule of public meetings, the proposed Code Structure, Process Analysis and Institutional Zoning.

3/1/18, 9am-1pm Follow Up Workshop on New Zoning Code (Open to the Public)

3/5/28 @ 7pm Planning Commission (Agenda to Be Announced)

3/14/18 @ 6:00pm Building and Planning Committee (Agenda to Be Announced)

4/2/18 Planning Commission

Waiver of Land Development Plan Relating to St. Mathias, dealing with "minor improvements to the property, has been submitted to the Building and Planning Department. The proposed improvements include removal of existing paved parking areas for a playground, restriping the parking lot, and changes to the building entrance."

**Upcoming Meetings Relating to LMSD**

- 2/5/18 @ 7-9pm **Special Meeting of the Board, Facilities Update: The Board of School Directors for the Lower Merion School District will hold a Special Meeting to act on facilities and possible land acquisition matters and such other matters that may come before the Board at this meeting.**
- 2/6/18 @ 8:30am Curriculum Committee Meeting:
- 2/9/18 @ 8:30am School Board Policy Meeting
- 2/12/18 @ 7:00pm School Board: Education Committee & Supplementary Regular Business Meeting
- 2/12/18 @ 8:30am School Board Policy Committee Meeting
- 2/13/18 @ 8:30am ISC- Feb. Hot Topic: The 2018-2019 LMSD Budget Process
- 2/15/18 @ 8:30am School Board Facilities/Purchasing Committee Meeting

# RECYCLE SMART!

**NO PLASTIC BAGS IN THE CART**

Collecting Recyclables In A Bag?

Empty The Contents Into The Cart!

**DO NOT  
BAG  
RECYCLABLES.**



**LOWER MERION TOWNSHIP**  
[610] 667-1952  
[WWW.LOWERMERION.ORG](http://WWW.LOWERMERION.ORG)



## LOWER MERION DOG WALKER WATCH TRAINING

Learn more about Lower Merion's Dog Walker Watch program. Meet with Lower Merion Police Department. Leashed, well-mannered dogs are welcome.

**WHEN:**

Sunday, March 11 from 2 PM - 3 PM

**WHERE:**



*Attachment #2*