The Neighborhood Club of Bala Cynwyd (NCBC)
Board Meeting January 14, 2020
The Lower Merion Academy Building

Board Attendees
Eric Godfrey, Maxine Goldberg, Anne M. Greenhalgh, Aaron Gross, Ricky Guerra, David Haas, Brian McGuire, Randy Myer, Anita Pepper, Dan Russoniello, and David Rosenbaum

Excused
Vanessa Coke Cohen, Glenn Manko, Roger Moog, Linda Sagman, Julia Salinas, Jerry Skillings, and Merle Zucker

Officials Attending:
Commissioners Gilda Kramer, David McComb and Mike McKeon

Call to Order
President Ricky Guerra called the meeting to order at 7:35 pm.

President's Announcement
President Guerra passed along an announcement from Merle Zucker: State Representative Pam DeLissio will hold a 92nd Town Hall meeting to discuss gun safety and the Second Amendment. The Town Hall will take place on Saturday, January 25 at Cathedral Village in Roxborough from 10:00 a.m. until noon.

President Guerra shared his goals for the coming year:

- To increase membership
- To reduce expenditures and increase sponsorship for the Independence Day Celebration
- To advocate for the neighborhood and community on issues that affect them
- To enhance community outreach by doing events beyond the Independence Day Celebration that would bring neighbors together

President Guerra will also ask Directors to sign a conflict of interest form.

Finally, President Guerra is working on filling the chairs of the following committees:

- Zoning Committee, Aaron Gross
- Membership Committee, Merle Zucker & Co-Chair TBA
- July 4th Committee, Anne M. Greenhalgh & Co-Chair TBA
- Publicity/Newsletter, TBA
- Public Service Committee, TBA

Police Report
No report

Treasurer's Report
Past Treasurer Eric Godfrey gave an oral accounting of the January 2020 Treasurer's report:
• 2019 YTD Statement of Financial Activity (January 1, 2019 – December 31,

2019) indicating YTD Net Revenue of $1,736.30
• 2019 YTD Financial Position (through December 31, 2019) indicating current
Total Assets of $18822.67 of which $13,131.25 are temporarily restricted funds.
• Proposed FY 2020 Budget
An electronic copy of the report will go to the Board for approval in February.

Past Treasurer Godfrey also presented the 2020 Neighborhood Club Projected Budget; in short: Total Expenditures are projected to be $41,660.00, and Net Revenue $602.00. (See Attachment #1). David Rosenbaum moved to approve the budget. Maxine Goldberg seconded the motion. The Board unanimously approved the 2020 Budget Projections.

Secretary's Report

Anne M. Greenhalgh presented the December 2019 minutes. With two edits (the removal of the names Courtenay Harris Bond and Michal Frankel under the heading Excused and the addition of the names David Haas and Randy Myer under the same heading), Aaron Gross moved to approve the minutes. Anita Pepper seconded the motion. And the Board unanimously approved the December 2019 minutes.

PRESENTATIONS TO THE BOARD

PRESENTATION – LOWER MERION AFFORDABLE HOUSING – 13 ST. ASAPH'S

This is one of several houses that were constructed along St. Asaphs Road after the road was constructed through a large tract of land owned by George B. Roberts. Built for J. H. Rhoads between 1896 and 1900, this large brick house has typical features of the Georgian style architecture. The property has a circular drive in the front. The hipped roof house is completely symmetrical with two chimneys and several dormers. The central doorway is flanked by two pilasters and is topped with a stylized pediment. The windows have traditional shutters and ornamental lintels. A modern addition has been added to each side of the building, a small one bay shed-like extension to the left and a long, low flat-roof second entry on the right. The building is now used for multi-family housing; the circular drive has been expanded for parking (Reference: http://lmt-web.lowermerion.org/cgi-bin/hri3.plx?hrquery=BC071).

The developer is asking for an expansion of a non-conforming use. Zoning currently allows for two units in addition to the six in hand. The developer is asking for relief to add eight more units.

PRESENTATION – ZHB APPLICATION - 105 BENTLEY AVE

The property is irregularly shaped and narrows from the front to the rear and is non-conforming to a number of dimensional Code requirements including the minimum side yards and impervious coverage limits. The applicant proposes to construct a one-story addition, a terrace, other related improvements and to relocate the Residence's existing basement access. The applicant requires a variance because the addition is in violation of the minimum side setback as well as the maximum impervious coverage. The applicant argues that the addition does not extend any further into the side setback than the rest of the existing house, and that the project will actually decrease the property's impervious coverage, increase green space, and make a

reasonable improvement to the living space of the residence (See Attachment #2). The need for a variance for the relocation of the basement access hinges on the Zoning Hearing Board's interpretation of whether the basement access is a "structure." If the Zoning Hearing Board sees the access as a structure, then the applicant requests a variance to place the basement in the side yard setback. After discussion, Brian McGuire moved that the Board pose no objection to the request for a variance, should a request be necessary. Dan Russoniello seconded the motion. The Board voted to approve the project with one vote dissenting.

Standing Committee Report

Zoning Committee, Aaron Gross reported that

- the postponement of the Krain Outdoor Advertising appeal relating to an already existing 2 ft by 48 ft extension to the top of an existing billboard (Willkie Lexus) along the Schuylkill Expressway. The extension was added without the proper permits and the applicant is applying for a variance to legalize the extension.
- The Planning Commission will review the new zoning code in February. Following their review, the full Board of Commissioners will vote on the final passage of the new zoning code on February 26th. This is likely going to be the meeting at which the code will pass into law.

Federation of Civic Associations, Maxine Goldberg reported

- on the development of the new middle school and the historic building on the land where the playing fields are located. The School District is trying to raise funds for the restoration of the historic building.

Elected Officials Report

Commissioner Gilda Kramer is serving as Chair, Health Committee; Vice Chair, Administrative & Human Resources Committee; Vice Chair, Open Space Committee Member; and Ad Hoc Environmental Initiatives Committee. She reported that she and the new commissioners participated in an on-boarding process for new commissioners. The newly constituted Board of Commissioners approved a tentative sketch plan for Villanova playing fields. The Township is also seeking applications for the Planning Commission. She also asked for volunteers to serve on Commissions such as Shade Tree and Human Relations. Finally, Commissioner Kramer announced a vigil in response to hate crimes, sponsored by St. Luke's United Methodist Church from 7:00 – 8:00 p.m. on January 15, 2020.

Commissioner David McComb is serving as Chair, Legal Affairs Committee; Vice-Chair, Finance Committee; Co Vice-Chair, Police Committee; Member, Ad Hoc Township Services Assessment Committee. He recommended continuing to take the temperature of the community and to hold developers accountable.

Commissioner Mike McKeon is serving as Chair, Public Works Committee; Co-Vice Chair, Economic Revitalization Committee; Co-Vice Chair, Library Committee; Co-Vice Chair, Parks and Recreation Committee; Chair, Ad Hoc Pools Committee; Member, Ad Hoc Nominations for Township Boards Committee. He reported on a proposal for parking 12 additional busses at

Welsh Valley Middle School. He added that a senior living center will replace the old mill at 211 Belmont and that a 61 unit apartment complex is proposed for 21 Rock Hill Road (to be combined with 25 Rock Hill Road). He, and the other commissioners, reported that the Union Fire Association is struggling financially and needs volunteers.

Old Business

In recognition and appreciation of the advocacy of the local, grass roots organization "Bala Walks," Brian McGuire reported that the Board of Commissioners approved $180,000 for sidewalk improvements along Levering Mill Road on route to the Cynwyd Trail.

New Business

A neighbor announced a meeting at Sutton Terrace at 4:30 p.m. on January 23rd to discuss development of 1,2,3 Bala Plaza.

Adjourn

David Rosenbaum moved to adjourn the meeting. Randy Myer seconded the motion. The Board unanimously approved the motion.

The next meeting is February 11, 2020, location to be confirmed.

Respectfully submitted,
Anne M. Greenhalgh, Secretary

attachment #1

Neighborhood Club of Bala Cynwyd

BUDGET OVERVIEW: FY-2020 - FY20 P&L

January - December 2020

	TOTAL
Revenue	
*Membership	20,000.00
*Sponsorship	20,750.00
*Unrestricted Donations	1,500.00
Total Revenue	**$42,250.00**
GROSS PROFIT	**$42,250.00**
Expenditures	
Advertising and Promotion	4,300.00
Commissioner's Dinner	2,250.00
Communications	
Email Communications	200.00
List Maintenance and Mailing	1,250.00
Total Communications	**1,450.00**
Dues and Subscriptions	485.00
Fourth of July Entertainment	22,500.00
Insurance	2,525.00
Newsletter and Printing	4,900.00
Postage and Delivery	150.00
Professional Fees	100.00
Website	3,000.00
Total Expenditures	**$41,660.00**
NET OPERATING REVENUE	**$590.00**
Other Revenue	
Interest Earned	12.00
Total Other Revenue	**$12.00**
NET OTHER REVENUE	**$12.00**
NET REVENUE	**$602.00**

Kaplin | Stewart
Attorneys at Law

Attachment # 2

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

November 15, 2019

VIA HAND DELIVERY

Michael Wylie
Zoning Officer
Lower Merion Township
75 E. Lancaster Avenue
Ardmore, PA 19003

RE: Eugene J. Mele & Hedwig J. Cerwinka - 105 Bentley Avenue
Our Reference No.: 16081.1

Dear Mr. Wylie:

I represent Eugene J. Mele and Hedwig J. Cerwinka, the owners of the property located at 105 Bentley Avenue in Bala Cynwyd ("**Property**"). Along with this letter, we are filing a Zoning Hearing Board application seeking, to the extent necessary, approvals to construct to a one-story addition, a terrace, and to relocate the existing basement access.

I. SUBMISSION

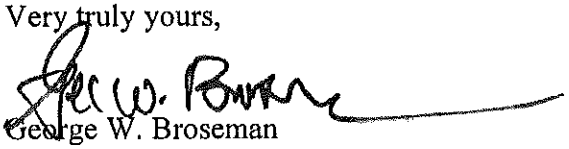
Along with this letter, I am filing the following:

1. Five (5) copies of the Zoning Hearing Board Application and related materials;
2. One (1) electronic copy of the application;
3. A $600.00 check payable to Lower Merion Township, the required Zoning Hearing Board application fee.

II. REVIEW

Please schedule a hearing before the Zoning Hearing Board. Please provide us with copies of all reviews, communications, notices and other documentation relating to this project as soon as they are generated and/or received. Please contact us immediately if you have any questions or require any further information to process these applications. Thank you for your attention to this matter.

Very truly yours,



George W. Broseman

GWB:DPR

cc: Eugene Mele
Hedwig Cerwinka
InHabit, LLC

George W. Broseman, Esquire
Daniel P. Rowley, Esquire
Identification No.'s: 62649, 322680
Attorneys for Applicant
Union Meeting Corporate Center
910 Harvest Drive
Blue Bell, PA 19422
(610) 941-2459
gbroseman@kaplaw.com
drowley@kaplaw.com
www.kaplaw.com

NOV 14 2019
RECEIVED
BUILDING & PLANNING DEPT

BEFORE THE ZONING HEARING BOARD OF THE TOWNSHIP OF LOWER MERION, MONTGOMERY COUNTY, PENNSYLVANIA

IN THE MATTER OF	:	PREMISES:
EUGENE J. MELE AND	:	105 BENTLEY AVENUE
HEDWIG J. CERWINKA,	:	BALA CYNWYD, PA 19004
APPLICANTS	:	

ZONING HEARING BOARD APPLICATION

Eugene J. Mele and Hedwig J. Cerwinka, by and through their attorneys, George W. Broseman, Esquire and Daniel P. Rowley, Esquire, hereby file this application for variances from Code §155-32.D to the Zoning Hearing Board of Lower Merion Township and in support thereof states:

1. **Name and Address of Applicants**.

Applicants are Eugene J. Mele and Hedwig J. Cerwinka ("**Applicants**"), located at 105 Bentley Avenue, Bala Cynwyd, PA 19004 ("**Property**"). The Applicants reside at the Property.

2. **Name and Address of Property Owner**.

The Applicants are the owners of the Property.

3. **Improvements, Use, and Zoning**.

The Property is located in the R 4 Residence District ("**R 4 District**") pursuant to Township Code. The existing conditions on the Property are shown on a plan entitled "Boundary Survey & Site Plan of 105 Bentley Avenue," sheet 1 of 1, prepared by Bercek and Smith Engineering, Inc., dated July 1, 2019 ("**Existing Conditions Plan**"). A copy of the Existing Conditions Plan is attached hereto as **Exhibit "A"** and is incorporated herein by reference.

The Property contains a 2.5 story single-family detached dwelling ("**Residence**") and is accessed by a private driveway. The Property is irregularly shaped and narrows from the front to the rear and is nonconforming to a number of dimensional Code requirements including the minimum side yards and impervious coverage limits.

The proposed plan for the Property is shown on the plan entitled "Cerwinka – Mele 105 Bentley Avenue, Bala Cynwyd," Sheet Z2, prepared for Applicants by InHabit, LLC, dated November 14, 2019 ("**Proposed Plan**"). A copy of the Proposed Plan is attached hereto as **Exhibit "B"** and is incorporated herein by reference.

The Applicants propose to construct a one-story addition, a terrace, other related improvements and to relocate the Residence's existing basement access ("**Project**"). The Project will decrease the Property's impervious coverage, increase green space, and make a reasonable improvement to the living space of the Residence.

4. **Sections of Code Under Which Relief is Requested/Reasons for Granting Approval.**

Code §155-110 authorizes the Zoning Hearing Board to hear and decide applications for variances. The Applicants request a variance under Code §155-32.D to construct portions of a proposed one-story addition and a terrace in the side yard[1]. The Property is currently

[1] Most of the addition and terrace are within the permitted building envelope.

nonconforming to the side yard requirements of Code §155-32.D, with portions of the Residence extending into the side yard. The irregular lot shape and the fact that it narrows from front to rear contributes to the side yard nonconformity. The proposed addition and terrace will not encroach into the side yard further than the existing Residence and the side yard setback on the southwestern property line will remain at 7.8 feet (+/-), with an aggregate side yard setback of 15.8 feet (+/-). As a result of the Project, the basement access is proposed to be relocated. The proposed basement access will be constructed to not extend above ground and therefore should not constitute a structure in the side yard as defined by Code §155-4[2]. However, in the event that the Zoning Hearing Board determines the basement access to be a structure in the side yard, the Applicants request a variance from §155-32.D to permit the basement doors to be within the side yard and to provide an aggregate side yard setback of 11 feet 10.5 inches (+/-).

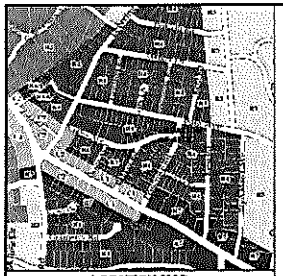
5. **Witnesses**

Applicant expects to offer testimony from approximately one to two witnesses whose direct testimony is expected to last approximately 30 minutes.

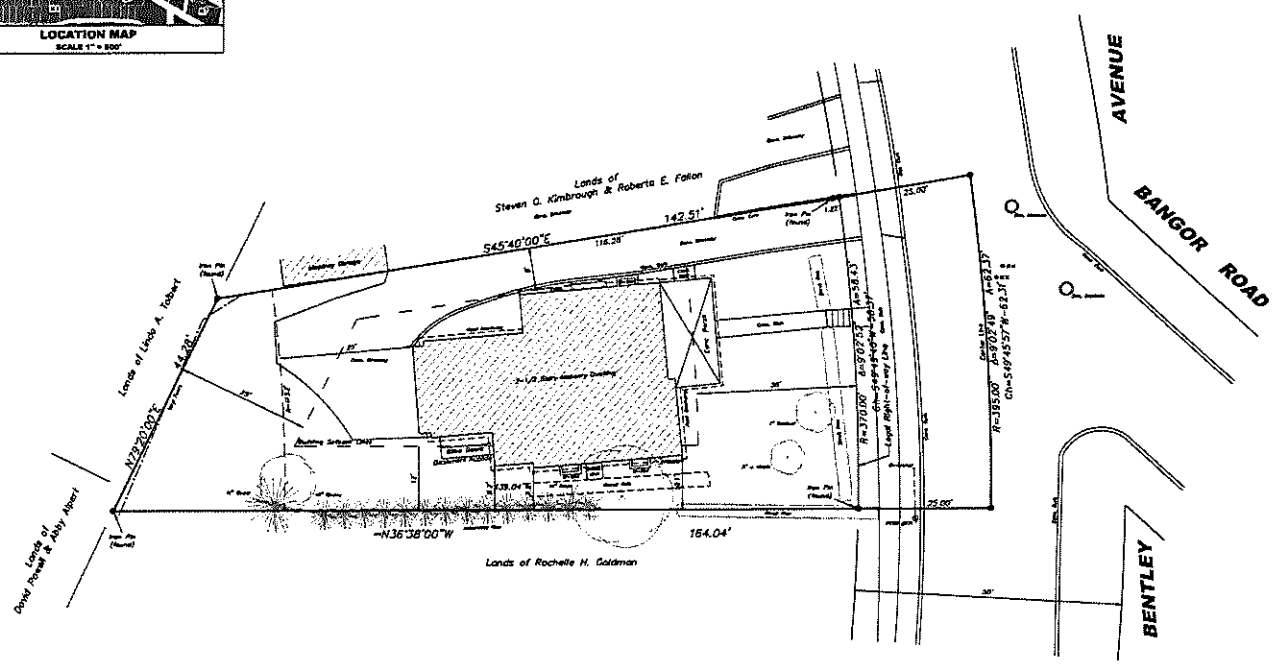
6. **Conclusion**

The requested dimensional relief is warranted for all of the reasons set forth above. The Property is nonconforming to the side yard requirements and the relatively small portions of the proposed addition and terrace proposed within the side yard will not extend further into the required side yard area from the existing Residence. The permissible building envelope is limited by the narrowness of the Property towards the rear of the Residence. The relocated basement access has been designed not to extend above the ground and therefore does not constitute an

[2] Code §155-4 defines "yard," in pertinent part, as follows "[t]he required open, unoccupied space on the same lot with a building, open and unobstructed from the ground to the sky." The proposed basement access, located at grade, will not be located between the ground and the sky, and therefore does not violate the side yard requirements.



LOCATION MAP
SCALE 1" = 500'



ZONING REGULATIONS - R 4

	(REQUIRED)	(EXISTING)
MIN. LOT AREA	6,000 S.F.	8,225 S.F.
MIN. LOT WIDTH	65'	41.52'
MIN. FRONT YARD	30'	30'
MIN. SIDE YARDS	8' MIN., 30' AGG.	7.9' MIN., 15.8' AGG.*
MIN. REAR YARD	25'	25'
MAX. BLDG. AREA	30%	20.8%
MAX. IMPERV. SURFACE	36%	49.4%*
MAX. BLDG. HEIGHT	3 STORIES OR 35'	2-1/2 STORIES, < 35'

*EX. NON-CONFORMING

NOTES:

1. This property is currently zoned R 4.
2. Existing features shown hereon are by field survey by Bercek and Smith Engineering, Inc. on June 21, 2019.
3. The boundary survey as shown hereon was based on current deeds of record as noted. This survey was done without the benefit of a title search and the properties shown hereon may be subject to easements, right of ways and restrictions not shown hereon.
4. Source of Title:
   BEING the same premises which J. Brent & Alexis G. Katz by deed dated November 25, 2004 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5536, page 1534, granted and conveyed unto Eugene J. Mele & Hedwig J. Cerwinka, in fee. BEING Tax Map Id. #40-00R-140.
5. Ex. Lot Area:
   7,725 s.f.± Gross to Center Line
   6,555 s.f.± Net to Legal Right-of-way Line
6. Ex. Lot Coverage:
   Building area = 1,599 s.f.± (20.8%)
   Impervious surface = 3,801 s.f.± (49.4%)

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Bercek and Smith Engineering, Inc.
Civil Engineering | Land Surveying
358 Main Street, Suite 1 - Royersford, PA 19468 - Phone : 610-948-8947 - Fax : 610-948-3261

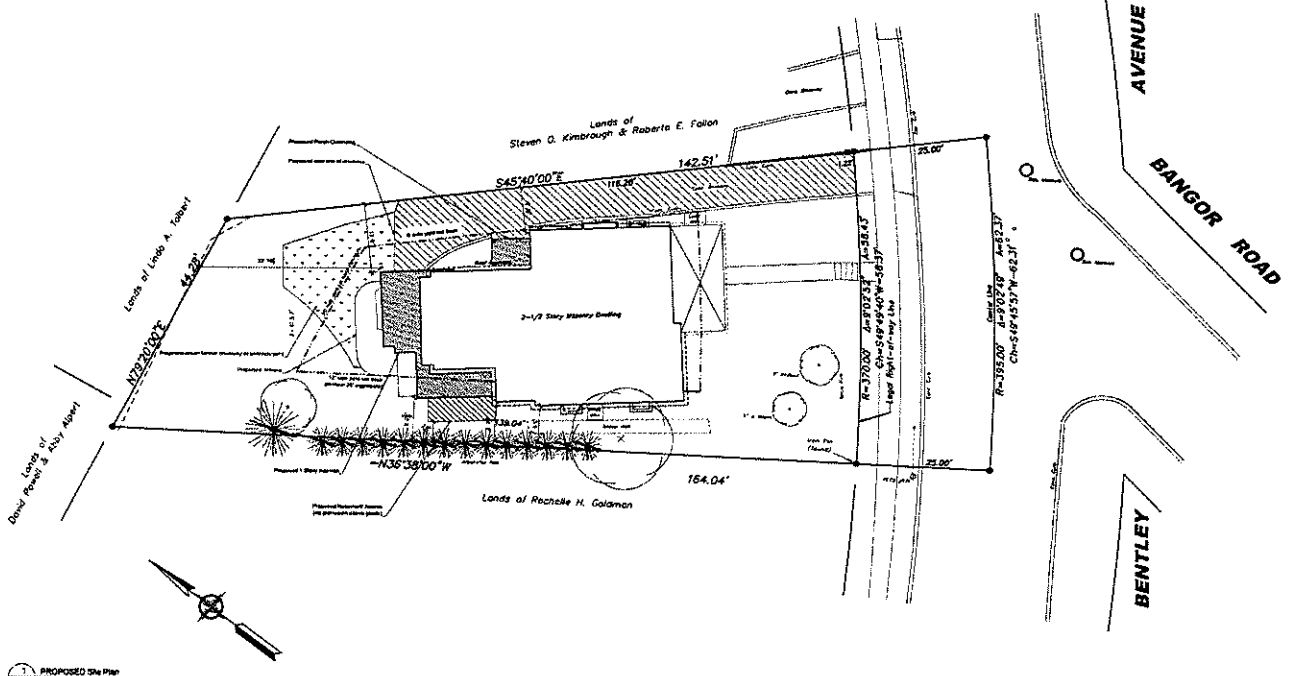
Boundary Survey & Site Plan of 105 Bentley Avenue for
EUGENE J. MELE & HEDWIG J. CERWINKA
Lower Merion Township - Montgomery County, PA
July 1, 2019 *Plan No. C-19-078*

Built Zoning: Single Family Detached Dwelling
District R4 Residential

	REQUIRED	EXISTING	PROPOSED AT ADDITION
Min. Lot Area	6,000 square feet	6,225 square feet	no change
Min. Lot Width	65'	41.52'	no change
Min. Front Yard	30'	30'	no change
Min. Side Yard (structure)	8' & 20' Agg.	7.8' Min. 15.8' Agg.	no change
Min. Side Yard (basement access)		7.8' Min. 15.8' Agg.	3'-10.5" Min. 11'-10.5" Agg.
Min. Rear Yard	25'	43'-2"	33'-10.5"
Max. Building Coverage	39% (2,340 sf)	20.8%	23.9%
Max. Impervious Coverage	30% (1,800 sf)	46.4%	47.7%
Max Building Height	3 Stories or 35 Feet	2 ½ Stories, <35'	no change

Proposed Impervious Coverage Calculations:

	existing	proposed
lot gross	7711.5	
lot net	6225	
structure	1375.3 (22.1%)	1488 (23.9%)
roof overhang	70.6	95.6
porch	191.0	226
driveway	1229.5	803
bilco	38.6	
basement access		53.2
window wells	12	12
walkways / patio	84	202
gravel path	86	86



1 PROPOSED Site Plan
Z2 1" = 10'-0"

Cerwinka - Mele
105 Bentley Avenue, Bala Cynwd, PA

STRUCTURAL

ARCHITECT
inHabit

DRAWING TITLE

Z2