

MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF THE MERION CIVIC ASSOCIATION  
September 23, 2014

The regular meeting of the Board of Directors of the Merion Civic Association was held on Tuesday, September 23, 2014, beginning at 7:30 p.m. at the Merion Tribute House with President Scott Kalner presiding.

Directors present were Anderson, Browne, Eisenberg, Feuer, Gordon, Greenberg, Hill, Kalner, Lam, Lavoritano, Marmon, Murphy, Ross, Rutzel, Seiden and Sinai.

Directors absent and excused were Ettelson, Flaks, Potok and Quinn.

Other Merion residents present included Karla Moras, Norman and Helen Felsenthal, Bill Katz, Jules Yavil, Barbara Sylk, Larry Ellis and Barbara Schick.

The meeting was called to order at 7:30 p.m. by President Kalner. A motion was made and seconded and the June 24, 2014 minutes were approved unanimously.

**Treasurer's Report** – Bob Marmon presented the Treasurer's report for August 2014. A motion was made and seconded and the Treasurer's Report was approved unanimously.

President Kalner introduced the speakers for the evening, representing Wendy's. Michael Yanoff, attorney for the redevelopment of the existing Wendy's restaurant on City Avenue at Orchard Road, and Chad Adams, architect, presented plans as follows. The existing restaurant is to be demolished and replaced with the new design, with no significant change in the building area, and a slight decrease in the parking spaces. The new restaurant will feature a more contemporary look; include WIFI; fireplace; enhanced landscaping; a small decrease in impervious surface. The same services will be offered: in-house and drive-through dining. The cost will be about \$1.5 – 2.5 million. The project will be a topic at the next Zoning Hearing Board at the Township Building on October 2, 2014 at 7:15 p.m. Representatives of Wendy's will be requesting that the drive-through be granted as a matter of right for the continuation of an existing condition while at the same time seeking a variance to permit the new building to have a drive-through window, pending the ruling by the Zoning Hearing Board.

Extensive discussion followed, prompted by questions and comments from the audience, including the following issues:

1. Wendy's believes it has the right to keep the drive-through despite the fact that it appears that it may never have been specifically authorized for the existing restaurant. Opponents in the audience believe that because the building is going to be demolished, the ability to maintain the drive-through as a grandfathered right is negated.
2. Noise and odor from the restaurant has a negative impact on the houses with backyards that abut the drive-through at the rear of the restaurant property. There is no room in the buffer area for placing any kind of a wall or landscaping to adequately screen the residential properties.

President Kalner asked for a motion for a resolution from the Merion Civic Association to oppose the request for the variance allowing the drive-through in the buffer zone. The motion was seconded and unanimously approved. The resolution will be read by a representative of the Merion Civic at the October 2 meeting of the Zoning Hearing Board.

**President's Report –** President Kalner opened his report with an update on the purchase of banners to be displayed in the Merion/Cynwyd business district by the end of October. Other projects will be planned to continue the momentum of investment and redevelopment.

The traffic study for the business district lanes is moving slowly and is proposed for the 2015 Township capital improvement budget. If approved, the study will be completed in 2016.

St. Charles Seminary was granted all of its requests for Special Exceptions by the Zoning Hearing Board at its September 11 meeting. A new driveway and guardhouse aligned with Highland Avenue are the major changes that will affect the neighborhood. The community representatives were unable to demonstrate that traffic conditions on Wynnewood Road would worsen if the Seminary's requests were granted. What will follow is the land development submissions for the new driveway and parking areas. The next major issue to be considered is the potential division of land for redevelopment.

On the subject of the Comprehensive Plan, President Kalner explained that the process is winding down, is behind schedule and the goal is to complete the plan by the end of 2014. The City Avenue rezoning is not being considered by the Land Use Committee.

### **Commissioner's Report:**

Commissioner Brian Gordon began his report by discussing the creation of the new Bala Village zoning district, which extends from Conshohocken State Road south to Orchard Lane in Merion. Mr. Gordon distributed copies of a letter he addressed to Merion neighbors on and near Stoneway Lane. The letter states that on 'September 17, the Board of Commissioners amended the zoning ordinance to permit structures on City Avenue from Conshohocken State Road to Orchard Road, and including properties abutting homes on Stoneway Lane, to allow a height of 65 feet, 25 feet from the rear property line. If you live on the east side of Stoneway Lane, this means that 25 feet from your neighbors' property line, a building along City Avenue can rise to a height of 65 feet, or 5-6 stories.' Commissioner Gordon is concerned about what would be a quality of life change, with sunlight being blocked, access to natural light and the character of the neighborhood. There are alternatives to the 65 foot plan. Concerned neighbors are encouraged to contact their civic association (either the Merion Civic Association or the Neighborhood Club of Bala Cynwyd) to report their issues; email the Township Secretary at [JKelley@lowermerion.org](mailto:JKelley@lowermerion.org); send a letter to the editor of the Main Line Times at [greenspon@mail.mainlinetimes.com](mailto:greenspon@mail.mainlinetimes.com).

Commissioner Gordon stated that it is not too late to lower the zoning height back down to where it was. If a land owner submits an application to develop under the new zoning, it will be too late, as the landowner will have a vested right.

### **Committee/Representative Reports:**

**Federation of Civic Associations --** Kevin Murphy reported that the new Township Manager, Ernie McNeely, spoke at the September meeting.

**Nominating Committee --** Chairman Kevin Murphy reported that he had contacted possible candidates to be nominated as new directors of the Civic Association.

Kevin Murphy reported the National Night Out was held over the summer.

**Old Business** – None

**New Business** – The Annual Meeting of the Merion Civic Association is scheduled for Sunday, October 26<sup>th</sup>, 4:00-7:00 p.m. There being no additional new business, a motion was made and seconded and the meeting was adjourned at 9:35 p.m. The next meeting of the Board of Directors is the Annual Meeting and will be held at the Merion Tribute House on Sunday, October 26<sup>th</sup>.

Respectfully submitted,  
Helen Guy, Secretary