

# LAND USE, PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of November 1, 2018

## Members Present

<input checked="" type="checkbox"/> Brad Flamm, Chair	<input checked="" type="checkbox"/> Larry McEwen
<input type="checkbox"/> Cynthia Brey, Chair	<input checked="" type="checkbox"/> Ned Mitinger
<input checked="" type="checkbox"/> Steve Gendler	<input checked="" type="checkbox"/> Andrew Moroz
<input type="checkbox"/> Larry Goldfarb	<input checked="" type="checkbox"/> Bradley Wells
<input checked="" type="checkbox"/> John Landis	
<input checked="" type="checkbox"/> Joyce Lenhardt	<input type="checkbox"/> Laura Lucas, Pres, CHCA (ex-officio)
<input checked="" type="checkbox"/> Jean McCoubrey	<input checked="" type="checkbox"/> Joyce Lenhardt, VP Physical

## Others Attending:

Anne McNally, McNally's Tavern  
Joe Pie, McNally's Tavern  
Bill O'Brien, attorney for McNally's Tavern  
John Romano  
Brendan Sample, Chestnut Hill *Local*  
Celeste Hardester, CHCA  
Melissa Nash, recorder

The meeting opened at 8:02pm by Larry McEwen, chair. The agenda will include the review of 8632/34 Germantown Avenue and then committee business.

## **McNally's Tavern 8632/34 Germantown Avenue**

•Presentation: The ZBA date is December 12. The refusal is based on the property's CMX1 zoning which does not allow restaurants or multifamily uses. The existing McNally's is a legal, non-conforming use. The proposal to use 8632 as additional seating is a natural expansion. The tavern can use more seating. The proposal would open the party wall at the front and the rear. Patrons would use the front opening and staff would use the rear. New restrooms would be added including an ADA compliant one. There will also be an accessible entrance. The existing storefront for 8632 will be removed. It will be replaced with a large divided window and a single door. The pent roof will be extended across both facades. The phases for construction will be 1. Create the 8632 lower façade, 2. complete the interior work, and 3. complete the façade above the first level. It is anticipated that the complete project will take one year. It is not known if the stucco on the brick on the upper façade can be removed and the brick restored. The siding will be removed and the half-timbering will be revealed. It was asked which entrance would be used 8632 or 8634. 8632 will be the main entrance; 8634 will be an exit only. The square footage will double. John Landis asked about the use of shingles on the pent roof, noting the type of roofing found on the upper roof.

•Committee Comments: Steve Gendler asked about the distance from the entry to the bar. Andrew Moroz asked about the Conservancy support. They approved the first floor and will look at the upper level later. The façade grant group will not pay for stucco over brick, so the current plan was not approved. Joyce Lenhardt suggested coloring the stucco on the upper level to match the brick. Joe Pie noted that the expanded kitchen would improve the working space but there will be no cooking in the new side. It will have additional storage and cleaning spaces. The kitchen function will be improved. A Moroz noted that the attention to the dormers is a good contribution to the streetscape. Ned Mitinger noted that zoning has not been a topic of the discussion. He added that the window in the drawings

needs to be done as shown. It was noted that the window may be operational. L McEwen commented on dimensions. The ADA entry will require 5' and the hall by the restrooms will need to be a clear 4'. The door at the back is not for customers. These dimensions will need to be corrected for a building permit. Celeste Hardester asked about the entrance to the residence on the upper floor. At present the apartment is owner occupied. How would it be accessed if it is rented to a non-owner.

- Committee Action: The motion was seconded was moved that the committee recommend approval of the application for a variance as submitted. Discussion followed regarding adding a condition to the motion regarding exposing brick. Questions were also asked about estimated time for completion of the project. The condition to require returning to review the status of the brick vs stucco issue was not supported. The motion was voted on as originally presented with not conditions. It passed unanimously. The project will return to the next DRC.

### **Committee Business**

- Minutes: It was noted that Celeste Hardester was not at the meeting. With this change it was moved that the minutes be approved. The motion was seconded and approved.

- Committee Guidelines: Discussion about revising the committee guidelines followed. Issues included changing the number of member. There were 18 members, which was changed to 12. It was suggested that 14 members with a quorum of 6 would be better. Attendance to remain in good standing is now 6 meetings per year. Raising that number to 8 or 9 required meetings was suggested. This would help ensure continuity for projects that have repeat meetings. If there were no meeting in a month, members would be counted as present. It was also suggested that members be required to attend 75% of scheduled meetings. Extenuating circumstances would be considered. The idea of sabbatical leave was also presented as an idea. Chairmanship was also discussed. It was thought that having two chairpersons with overlapping 2-year terms was good. Suggestions included rotating chairs.

- Membership Prospects: Larry McEwen will contact Larry Goldfarb regarding his continued membership and John Landis will contact Cynthia Brey. There are a couple of planners in the pipeline. J Landis suggested the smaller committee (12) with a larger quorum for action. The use of proxies was also discussed. J McCoubrey, L McEwen, J Lenhardt and C Hardester will work on revisions.

- Overlay/Plan: Meeting with the City regarding the overlay included discussions of the effects of gentrification. Wealth must be an issue in planning.

### **Adjournment**

- The meeting was adjourned at 9:20PM.