

# Swarthmore Accommodation Request Review Board

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Meeting Minutes:

September 13, 2016

Meeting called to order at: 7:35 pm

Members attending: Chris DeBruyn Acting Chair and Secretary, Rex Brien, Denise Disney, George Wilson, Steve Minton, Laura Poltronieri, Vukan Vuchic, David Virgil

Also attending: Carl Ewald-Attorney for Borough

Meeting Convened at 7:32

## **Old Business:**

Continuation of August 23<sup>rd</sup> meeting regarding an application for an accommodation under the Fair Housing section (1298) of the Swarthmore ordinance book.

Attorney James Burns discussed his presentation regarding the proposed accommodation. Several home owners made presentations regarding the potential negative impacts created by the accommodation. He handed out a documented response to the requirements listed in section 1298.07 of the Swarthmore ordinances.

Joe Kujawski – 223 South Chester Road – Lived as a tenant in the subject property, noted that in several ways this home may not be adequate for the proposed use. Voiced concerns about traffic in the neighborhood, and parking.

Grady Harrington – 212 South Chester Road – voiced concerns about potential to expose neighborhood children to items such as drug and alcohol use, smoking, or other dangers. Concerned about increased traffic on the “shared drive” at the rear of the property.

Deb Curruncio – 207 South Chester Road – Noted the property would become listed as a non-profit, and the resulting property tax loss to the borough and the school district would be substantial. Discussed it’s non-suitability as a historical property, although evidence of that fact was not presented.

Lisa Obrien – 730 Harvard Ave – concerns about parking, traffic, large number of accidents on Harvard Avenue, noted that the road is 1 lane when cars are parked on the north side as is allowable.

Jessica Harrington – 212 South Chester Road voiced concerns about tax burdens increasing, concerns that inadequate regulatory oversight of the home would be a danger to the residents of the home, and noted that there were no other similar uses in the zoning district occupied by the home.

Mr. Burns concluded his presentation with a discussion about the applicability of the Fair Housing accommodation act.

### **Comment from Interested Parties**

Christine Reuther, attorney for the applicant, introduced Dr. Steven Schuster, director of the Lymphoma program at U Penn Hospital. He discussed the general condition of patients in his program, and how they would be assigned to housing programs similar to the applicant. He noted that medical waste would be generated at a low level, comparable to other residences housing individuals with disease.

Ms Reuther also presented a document summarizing the applicants response to the direct requirements listed in the ordinances section 1298.07.

### **Public Comment**

David Calarisi – a board member of Headstrong

Kathleen Darrell – 315 Chester Road

Chris Darrell – 315 Chester Road

Robert Smythe – 207 Cornell Road

David Augustine – Ridley Township resident

Francie Halderman 31 Oberlin Ave

Susan Smythe – 207 Cornell Ave.

Marty Spiegel – 19 Benjamin West

### **Board Discussion**

There was limited general discussion.

Vukon noted that there would be limited change to the current parking and traffic in the vicinity of the home, due to the staggered usage pattern of the residents of the home. He expressed surprise that in our progressive town of Swarthmore there is such an intensive opposition to any improvements and innovations. The Blue Route controversy lasted several decades. Vuchic headed Congressman Edgar's Committee which recommended that the Blue Route be built, but with improved design, and that was adopted. Can you imagine traffic on Chester Road now if the Blue Route was not built? - As a transportation engineer Vuchic also endorsed building the traffic circle in downtown Swarthmore - any criticism now? The proposal for the use of Chester Road 200 for temporary stay on cancer patients, an extremely useful and noble idea, is attacked with totally invalid arguments. The impact of a couple of dozen car trips per day will be negligible. Land values should not be expected to decrease more than if this building continues to be vacant for more than two years!

Vuchic pointed out that nobody who has ever bought a house in Swarthmore had to submit background check and distribute it to all neighbors. Accusations by some neighbors that "sexual predators" might live in the building is illogical and insulting: cancer patients - sexual predators?! Most of all, imposing requirements for this building never imposed on any other is clearly discriminatory against cancer patients. Such discrimination is illegal in our country.

Laura questioned whether the number of bathrooms and other items that might typically be controlled by statute if this were a medical use, would be adequate for the quantity of sick residents.

George suggested a condition to the approval, that an accessible pathway be provided, the applicant agreed.

Rex asked about the quantity of cars, and there was general discussion. Chris suggested a condition to the approval that the applicant submit a professional parking plan to the borough council for their approval prior to the approval of any construction permits, and prior to any occupancy of the home. The applicant agreed.

Vukon requested that condition 4, previously agreed to be changed from "extend to more than" to "exceed" The applicant agreed.

Denise made a motion to approve the accommodation request with the following conditions:

- 1) Applicant acknowledges and agrees that the accommodation does not run with the land and shall expire immediately upon transfer of the property.
- 2) Applicant acknowledges and agrees that the accommodation is strictly limited to the facts as proposed in the application and shall immediately terminate if the use changes from that specific use. (Temporary housing for cancer patients while receiving treatment in a local hospital).
- 3) Applicant acknowledges and agrees that the accommodation shall never exceed 14 persons. (no more than seven patients and seven caregivers).
- 4) Applicant agrees that it shall implement all safety measures required by the fire marshal.
- 5) Applicant agrees to provide an accessible route from a handicap accessible parking spot, to a handicapped accessible bathroom in the home.
- 6) Applicant agrees to provide to borough council for their review and approval, a professional parking plan to accommodate the use and needs created by the accommodation.

The motion was seconded, and passed – with a vote of 7 for and 1 against

A motion was entertained to adjourn at 10:15, which was seconded and passed with unanimous consent.