

PHILADELPHIA CROSSTOWN COALITION

Minutes of Meeting on SEPTEMBER 26, 2016

Location: 1600 Market Street, Suite 2500

Called to Order: 6:03 p.m.

Adjourned: 7:53 p.m.

Attending: 16 Associations, represented by:

Matt Skolnik, **Bella Vista Neighbors Assn**; Leah Strenger, **Callowhill N A**; Celeste Hardester, Lynda Payne, Jim Petkovits, **Central Roxborough CA**; Steve Huntington – PCC Chair, **Center City RA**; Meg Greenfield, **East Falls Community Council**; Miguel Garces, **East Point Breeze Neighbors**; Joseph Kaine, **Fishtown Neighbors Assn**; Maurice Jones, **Garden Court CA**; Gil Lettieri, Audrey Smalls, **Hawthorne Empowerment Coalition**; Barbara Capozzi, **Packer Park**; Lorna Katz, **Society Hill CA**; Peter Zutter, **S. Broad Street NA**; Barry Grossbach, Eric Santoro, **Spruce Hill CA**; Judy Applebaum, **Washington Square West**; J.G. McMillan, Patricia Forcina, **West Passyunk N**; Lucia Esther, **W. Powelton/Saunders Park**; **Also present:** Joe Schiavo, Zoning and Land Use Chair; Peter Gold, SLAPP; Rob Kettell

Not represented: 8 Associations, including

East Passyunk CA, East Kensington NA, Logan Square NA; Northern Liberties NA; Overbrook Farms; Passyunk Square; : Queen Village NA; Woodland Terrace Homeowners

I. **HOUSEKEEPING – PCC Chair Steve Huntington**

A. Quorum Count

Attendance sheet indicates 66% of members represented;

B. Approval of Minutes

After reviewing the minutes from the previous Board meeting, June 6, 2016, Barry Grossbach, Spruce Hill CA moved to approve the minutes and Meg Greenfield, East Falls CC seconded. The motion passed, minutes approved.

C. Finance Report

The Treasurer is absent. Chair S. Huntington briefly reported that Income to date of \$6224, Expenses of \$5863. No update on status of member dues was provided.

D. New Member

Miguel Garces welcomed as representative of newly formed East Point Breeze Neighbors, formerly PCC member Newbold Neighbors Assn.

E. Suggested Meeting Dates for upcoming Board meetings

Due to conflicts with tentative date of Nov. 14th, the next board meeting will be on Nov. 21st, 6:00pm. The December meeting will be cancelled. The January meeting will be the annual January Social. Date TBD – (Jan. 16 or Jan 23rd?)

II. SAT OCT 22 9AM – 1:30 PM BUILDING BETTER CIVICS WORKSHOP - Rob Kettell

A. General Format

Rob Kettell reported plans for using expertise that exists largely within the members of PCC to present a workshop with four topics; attendees can select two of the four.

B. Workshop topics as identified in agenda

C. 110 RCO's invited

Invitations have been sent via Evite to 110 RCO's that are civics/community-based organizations. We have 10 sign-ups to date. Our goal is to have at least 80 guests. Workshop will be at Bar Assn. office. A list of excluded civics was circulated; they were culled based on understanding that they are no longer functioning, or that they do not represent communities.

IT WAS SUGGESTED THAT TWO BE PUT BACK ON INVITATION LIST:

- **NEWBOLD CIVIC ASSN**

- **WISSAHICKON INTERESTED CIVIC ASSN**

- **PLEASE GET BACK TO STEVE HUNTINGTON WITH ANY OTHERS THAT WERE CULLED IN ERROR**

III. ZONING AND LAND USE COMMITTEE – Committee Chair Joe Schiavo

A. Visits to 13 City Council Members

Led by Joe Schiavo, various meetings also attended by Steve Huntingdon, Lucia Esther, Celeste Hardester, Lorna Katz, Tim Kerner. Agenda included Bill 160525 Street Platting; Revised Zoning Notice to include reasons for L & I turndown; RCO Regulations; Planning Commission Procedures; Council Procedures. The people we met with were, for the most part, receptive, and seemed to be a bit surprised that we were reasonable in our communications. We learned that there is reluctance on their part to go against any one council person's legislation (that this would risk the same coming back to them in their own legislation), and that if we want any legislation changed, one needs to go back to the member who drafted/sponsored it. The overall assessment from the meetings we had is that this council shows that it lacks leadership, lacks anyone willing to stand up for or against anything outside of their own district.

B. Bill 160525 Street Platting Bill

This is Councilman O'Neill's Bill. In meeting with O'Neill, we did achieve their agreement that an amendment was needed so that the Planning Commission was not prevented from seeing a Plat Plan before it was voted on in Council. In the discussions with Council members, there was variation as to whether they felt they would welcome the power that this bill would provide (regardless of the issue of how they would vote on it). Subsequent to our meetings, the Bill did pass. We still feel, however, that the process is backwards from what it needs to be, putting the PCPC after the Council vote.

C. Proposed Crosstown Bill to Revise Zoning Notice to include Refusal language

In our visits with 13 Council offices, this item received support and actually a few offers to sponsor it. Subsequent to our meetings, Councilman Henon's office went L&I and the Law Dept. who both said that this cannot be accomplished due to the Eclipse system not yet being ready. They did accept our alternate recommendation that the Refusal be posted alongside the Zoning Notice. Henon's office plans to make this a Bill to force it into being

MOTION: Moved that Crosstown Coalition write the administration and Council urging passage of a bill calling for posting of the L&I Refusal adjacent to the orange zoning notice, and that this be included in Eclipse system when it is operating. Motion was proposed by Judy Applebaum, seconded by Lucia Esther, and passed by Board.

D. Center City Overlay Society Hill Green Roof Bonus Carve Out Bill 160718

Lorna Katz said that Society Hill is opposed to this because they feel it should be part of the Zoning Code. She stated they feel it unlikely that developers will want to use it because while the bonus allows for reducing the required square footage of a development, people want larger homes, not smaller.

E. Amending Ground Floor Uses in CMX 2 and 2.5 Districts Bill 160716 for new residential units in various zoning classifications. Each member should consider the ramifications of the bill for your community. (NOTE: Meeting agenda listed incorrect Bill #)

Steve Huntington said we haven't taken a position on this, but we feel it is simply a clarifying bill (eliminating loophole of allowing ground floor for parking and requiring commercial usage in front). We think this is a good amendment.

MOTION: Moved that the PCC write a letter supporting Bill 160716 because we believe it remedies a loophole where first floor parking in zoning classified CMX2 and CMX2.5, and because we want to encourage mixed-use development where zoning calls for it. Motion was proposed by Barry Grossbach, seconded by Meg Greenfield, and passed by Board.

F. Dumpster in Public Way Bill 160719

Steve Huntington said his bill is sponsored by Councilman Squilla, to disallow dumpsters in public way of sidewalks, alleys, streets in 3 areas of Center City District. While this problem exists in the rest of the City, it is a start on addressing the problem. Unlicensed dumpsters, and dumpsters that have been grandfathered in also present problems.

MOTION: Moved that the Crosstown Coalition write the administration and Council supporting this bill and requesting unlicensed dumpster enforcement. Motion was proposed by Barry Grossbach, seconded by Meg Greenfield, and passed by Board.

G. Planning Commission Year End Technical Changes Bill

Steve Huntington reported that to our surprise, we received a call from PCPC saying they would like to meet with us about the Bill. Joe S. and Steve H. will meet with them on 9/30. This bill clarifies and closes loopholes, e.g. putting bonus agreements into deed restrictions. When appropriate, Joe will send this bill to PCC members.

(Note: later in the meeting, the variance notification process was discussed. Some noted that they feel that the list that PCPC sends for developers to send to neighboring addresses is too often inadequate.)

H. Letter to Planning Commission Chair Complimenting Revised Agenda Format – including name of staffer responsible for a topic and providing e links to relevant documents.
MOTION: Moved that the Crosstown Coalition write a letter to PCPC complimenting them for these changes. Motion was proposed by Rob Kettell, seconded by Meg Greenfield, and passed by Board

I. Letter to PennDOT re Billboard on Parks/Open Space Land
Council introduced a bill changing zoning of a parcel by 95 from recreation to Industrial to allow for a billboard. This conflicts with the Beautification Act. We want to ask Leslie Richards (Secretary of Pa Dept of Transportation) if they will reject it. Crosstown wants to give PennDOT a heads up that we have a position on this.

IV. GOVERNMENT RELATIONS COMMITTEE Steve Huntington

A. Anti-SLAPP Initiative

Peter Gold reported on efforts to get this legislation voted on. (His experience as a member of the no-longer extant Old City Civic Assn. showed him how easy it is to silence communities; lawsuits may be found to have no merit but meantime cost time, create stress, and in the end incur insurance carriers to impose prohibitive premiums and deductibles.) This led to approaching Sen. Farnese to sponsor Anti-Slapp legislation, which we helped to write. Last year it was put before the Senate for vote and received an almost unprecedented 48-1 support. Since then it has been stranded in the Judiciary Committee. The PA Bar said it would like three changes, but that overall it was not unreasonable legislation. The PA Chamber of Commerce objected philosophically, but put nothing in writing. It seems the likelihood of passage in this term is slim. (Some speculation was inserted that Sen. O'Brien said Sen. Farnese would have benefited from having a co-sponsor.) The hope at this point is to get it on a schedule where it would be voted on next September, 2017.

Discussion then turned to City support for Anti_SLAPP, and that Councilman Squilla is supportive. Sean McGonagle (Squilla's legislative aide) said they are working on drafting an ordinance that would provide protection for residents to be able to do what the Zoning Code encourages them to do. It was suggested that the ordinance include an introductory paragraph wherein it is stated that the City safeguards citizens who are simply exerting their right to participate in the public process. Concern was expressed about whether a city administrator would be able to determine what constitutes a SLAPP suit, and that a judge would need to do this. It was pointed out that most SLAPP suits never make it to the courtroom, that the damage is done without going that far.

Steve said that Peter has come up with a new approach that we will explore. 26 States have Anti-SLAPP special protection for public speech. We are trying to become the 27th!

B. ZBA Chair Replacement – this topic was discussed at end of meeting. (see below)

C. Letter to Gov. Wolf re Stance on Education Suit (William Penn School District v. Pennsylvania Department of Education)

While PCC members generally expressed support for fair funding of schools, there is reluctance to attach our concern to this suit. Matt Skolnik, Eric Santoro and Barry Grossbach will revise the letter provided with meeting agenda packet (p.31). No motion was made regarding this letter.

V. EDUCATION/SCHOOLS COMMITTEE (Chair Jeff Hornstein absent)

FONE – Friends of Neighborhood Education - Steve Huntington reported he attended a meeting which was held last week with 14 Friends; they are continuing to work on fundraising planning.

IV. B. (from above) ZBA Chair Replacement – this topic was discussed at end of meeting.

Steve Huntington updated the Board that Dr. Moylan has stepped down from the ZBA Chair, and asked if we want to propose to Mayor Kenney that he consider Joe Schiavo, PCC Zoning and Land Use Chair. Many spoke to Joe being an excellent candidate, and others voiced that it has been tradition for someone from a civic to hold a seat on the ZBA. Some expressed concern that they would not be able to vote without going back to their board first. A motion to vote whether to recommend Joe Schiavo to Mayor Kenney for the position of Chair of the ZBA was proposed by Barry Grossbach, and seconded by Peter Zutter. The count was 12 in support, 4 abstentions, and one against. While this was a majority of those present at the meeting, the PCC Chair felt there was not strong enough support to move ahead on the motion. Six civics agreed to go back to their boards, including: Washington Square West, Bella Vista NA, East Point Breeze, Callowhill, Packer Park, and Fishtown.

As recorded by Celeste Hardester, Secretary.