

Dear Commissioner Gelber,

I am writing regarding the subdivision application for 205 Llanfair Road. The original application, brought forth in the Building and Planning Committee Meeting on December 13, 2017, was tabled because it did not address the community's or the Commissioners' concerns. That subdivision application, with revised proposed conditions, will be brought forth again at the Building and Planning Committee meeting on April 25th, 2018.

After the Committee meeting on December 13, 2017, approximately 10 neighbors represented by Jim Greenfield and I have had ongoing discussions to prioritize and address these concerns. All of us, with the guidance of Jim and Fred Wentz, have worked diligently over the past several months to reach an agreement, and we have a path forward.

Early on in our discussions, these neighbors identified three main concerns. The order of importance was identified as: 1) preservation of the woods on the lower lot 2) stormwater management and 3) preservation of the existing house.

These concerns have resulted in the following proposed solutions.

- 1) **Preservation of the woods on the lower lot:** The neighbors and I have a final draft of, and will execute prior to the 25th, a ten-year ground lease in which the lower lot cannot be modified in any way and cannot be sold to a third party without agreement by both Tenant and Landlord. I will clean up and maintain the lot as wooded space for neighborhood use. Additional (and more attractive) shade trees will be planted on the edges of the property along both St. Georges and Llanfair Roads. In addition to the ten-year lease, the agreement provides an opportunity for the neighbors to raise money to permanently preserve this space. There is an 18-month period for the Tenant to purchase the lot at a fixed price, exclusive right of purchase throughout the ten-year period, and the right of first refusal for three years at the end of the ten-year lease.
- 2) **Stormwater management:** it is my understanding that the Township previously attempted to ameliorate the stormwater issues by installing erosion and flow control measures along the streambank, but these plans were not advanced because the prior owner of 205 Llanfair would allow the Township to work on the property. One of the proposed conditions of subdivision is the granting of this easement to the Township along the stream to improve stormwater management. Given the fact that stormwater is an immediate issue affecting many neighbors on Anton Road, the easement will be granted to the Township regardless of subdivision. While I recognize that 1) the stormwater issues affecting the neighborhood cannot be entirely solved by erosion stabilization and flow control of the streambank crossing 205 Llanfair and 2) no one involved in the discussions has the expertise to define exactly what should be done, this easement allows the Township's engineers flexibility to develop the best solution to improve stormwater management.

- 3) **Preservation of the existing house on Lot 1:** This was the lowest priority of the three, however I realize that it is an important issue potentially for neighbors and certainly important to the Lower Merion Conservancy. I have worked transparently and good faith with the neighbors to find solution to preserve the woods on the lower lot and will similarly work with the Lower Merion Conservancy to find a preservation-minded buyer for this property. It is important to note I will be listing the house immediately after subdivision and I have a strong financial incentive to find a buyer that will restore or renovate the existing structure: every real estate broker I have spoken to agrees that Lot 1 is substantially (~50%) more valuable with the existing house than if it were sold as a building lot. Moreover, given the cost of modifying the façade, there is a strong financial disincentive for a renovator to modify the exterior significantly, even if preservation is not their primary objective.

However, we ask that no conditions of subdivision be imposed (façade easement, restrictions on demolition, etc.) that reduce the flexibility in the use of Lot 1. With the restrictions on the sale of the lower lot as defined in the ground lease, it is fair and appropriate that one lot be unencumbered.

It is my opinion that through this process over the past several months, significant trust has been built between me and the neighbors. While I think all can agree that there is no perfect solution to meet everyone's interests, I believe that what we have built is a fair compromise and, under the circumstances, the best solution possible.

Thank you and Township staff for your consideration and guidance to all parties during this process.

Best regards,

Ben Gross