

Main Line Times > News

Religion touchy topic of St. Joe's hearing

Thursday, December 3, 2009

By Cheryl Allsion

In the long-running zoning hearings on Saint Joseph's University's proposed ballfield upgrades on its new Maguire Campus (formerly the Episcopal Academy) in Merion, neighbors who have raised concerns about the plans have cited a number of potential negative impacts.

Most have been impacts of a more physical nature: the louder noise from new public-address systems and possibly bigger crowds, for example, or the added traffic to an increased number of games and practices.

In another five-hour session before the Lower Merion Zoning Hearing Board Monday night, testimony focused on two perhaps less easily measured but highly charged considerations.

One was the always touchy issue of potentially lowered property values.

The other raised the even more delicate topic of religion.

Taking the latter first, attorney Carl Wiener, representing the Merion Community Coalition, called as a witness Rabbi Howard Alpert, executive director of Hillel of Philadelphia and a teacher and writer on Jewish life, who is also a Merion neighbor of the Maguire Campus.

Wiener presented Alpert as an expert on Orthodox Jewish lifestyle and practices.

In his testimony, Alpert outlined how the neighborhood extending into Merion from the campus has grown over recent decades to become a unique community in Pennsylvania — the largest between New York and Baltimore, he said — of Orthodox families. In addition to his own synagogue, the Lower Merion Synagogue, two other Orthodox congregations are close by, including nearly 500 families.

"Once the synagogue was created, a number of families started moving in, and that attracted more families and institutions," Alpert explained.

"One of the unique characteristics of [the] Orthodox [tradition] is that adherents do not drive on the Sabbath. They need to live within walking distance of their synagogue," he said. Social life on that day revolves around the ability to walk to visit family and friends.

And with the plans for the Maguire campus, Alpert said, that unique community is "threatened."

It is threatened, first, because added traffic to the campus may rob residents of "a sense of safety" for adults and children to walk that is "key to the thriving of the community," he said.

Also, Alpert said, the Orthodox lifestyle "requires a sense of tranquility." Because adherents don't turn on radio or TV during the Sabbath, "there's no escape from the noise," he said, if Saint Joseph's adds the loudspeaker systems it has proposed. Unlike

others, if there's a lot of "hubbub" from new activities on the campus, residents can't simply get in their cars and drive away for a few hours.

The changes SJU has proposed "directly threaten the lifestyle the community has been used to," Alpert said. Increasingly, Orthodox families "will choose not to live here." And, he said, as naturally as Merion's Orthodox community grew, it "can unravel as people begin to find their experience unpleasant."

Questioning the relevance of Alpert's testimony, university attorney Michael Sklaroff also suggested its introduction in a zoning hearing treads a "very fine line" in First Amendment issues of freedom of religion and establishment of religion.

In cross-examination, he asked Alpert why activities on the Maguire Campus should be seen as different from games and other activities at Episcopal Academy, which also took place on Saturdays.

Alpert said Episcopal's activities were relatively rare while Saint Joseph's has proposed to hold intramural play and practice in addition to intercollegiate matches on its fields. Alpert said it appears the activities will be more frequent and take place over more extended periods.

The other significant difference, he said, is the addition of permanent loudspeaker systems. The loud "spurts" of noise will be "an intrusion" in residents' homes on those days.

While in earlier testimony the university's traffic expert had predicted little additional traffic impact, Alpert said he based his opinion on testimony by the community group's expert, who said there would be a notable increase on neighborhood streets like Latch's Lane on weekends. Both sides agreed no one has suggested the changes will lead to new traffic congestion.

"It's not an issue of congestion but of increased volume, of increased danger to pedestrians, especially young children," Alpert said. And it's also not so much the reality — the actual number of vehicles — as "the impact of a perception of safety" that's threatening to the community, he said.

While Alpert's testimony reflected the specific concerns of the Orthodox community, another witness, Latch's Lane neighbor Dr. Lauren Wylonis, made similar points about the differences between what the university has proposed and activities that took place, for many years, under Episcopal Academy's use.

Wylonis, whose two children attended Episcopal, said she had additional familiarity with those activities. "Maybe 10 out of 52 Saturdays there was activity on campus," she said, and almost never more than one game at a time.

Haverford/EA Day was "pretty wild," she allowed, with many activities, cars parked to capacity on neighborhood streets and noise that could clearly be heard in her back yard.

"If I had that every day, if I had that every weekend," she told Sklaroff, "I would move away."

Wylonis said her "number-one concern is the loudspeakers... The quality of life [in the neighborhood] will be impacted. It won't be the same if I can hear every word from a baseball team, or, if there are 18 loudspeakers, a mishmash [of noise]. It will be a different setting."

The evening's final witness, real-estate appraiser Maureen Mastroieni, had considered some of those changes in conditions and tried to put a monetary value on them. Her conclusions sparked lengthy cross-examination by Sklaroff, questions that had not ended when the hearing was again continued to another night.

In a report, Mastroieni said she had used several approaches to consider the impact of the Maguire Campus plans on its neighborhood, including comparisons of sales of properties near local athletic complexes, interviews with local Realtors and national studies of the impacts of what she referred to in general as "undesirable influences."

Although she considered a number of local college and high-school campuses, Mastroieni said she found comparable sales, in

which proximity to athletic complexes was the only difference, in only two cases. In both — Villanova University's stadium and Lower Merion High School's football stadium — property values went down.

Factors such as obstructed views, extra traffic and noise from the Maguire Campus complex, as planned, would have "a negative impact on [the values] of houses immediately surrounding" the campus, she concluded. She said the values would go down 5 to 20 percent.

When asked by Sklaroff, Mastroieni acknowledged that she had not found comparable sales by which to determine the impact on values of homes costing \$1 million to \$3 million, like some of the homes near the Maguire Campus.

But she said that, as a rule, such homes would not be built near "undesirable influences," including athletic complexes.

Sklaroff pointed out that she had included in her report the comment by one real-estate professional that the impact of Saint Joseph's fields could be as much as a 40-percent drop in value, a figure Mastroieni acknowledged was "an extreme."

But she had not included, Sklaroff also pointed out, the comment from another professional who told her it might not have any impact, information that might have given the report "more balance."

"Did it occur to you that the elimination of daily traffic volumes, daily bus traffic and an end to Haverford/EA Day... might add to property values?" Sklaroff asked.

Mastroieni said she had not considered information from Episcopal Academy's occupation of the campus in her report.

The next hearing date on Saint Joseph's University's zoning application is scheduled for Jan. 7 at 5 p.m. at the Lower Merion Township Building, 75 E. Lancaster Ave., Ardmore.

In another recent development in the case, the university has filed an appeal to Pennsylvania Commonwealth Court of an October ruling by Montgomery County Court of Common Pleas Judge Arthur Tilson.

In the university's appeal of an earlier zoning-hearing-board ruling requiring Saint Joseph's to seek new zoning approvals for the field improvements, Tilson had found in favor of the board.

URL: http://www.mainlinemedianews.com/articles/2009/12/03/main_line_times/news/doc4b175084df9a3929597042.prt

© 2009 mainlinemedianews.com, a **Journal Register** Property