

The Planning Commission ("PC") meeting was held tonight at the Township Administration Building Boardroom. The following Planning Commission members were present: Messrs. Cross, Gordon, Brockington, Leighton, and Goldfarb. Also present was Carmen G. Reitano, Assistant to the Director of Engineering, Zoning & Inspections.

1. Acceptance of the minutes of the July 23, 2012 Meeting.

Mr. Cross made a Motion to approve the minutes, Mr. Goldfarb seconded the Motion; the Motion passed.

2. Review of Zoning Hearing Board Agenda for September 10, 2012.

APPEAL NO. 3446 – Appeal of George Speaks, owner of premises known as 1810 Chelsea Rd., Elkins Park, PA, 19027, zoned R-5, where the existing lot is nonconforming as to area and width regulations, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 12' x 20' deck to the rear of the residence:

The following Zoning Relief is required for the existing single family semi-detached dwelling:

- a. A Variance from the rules and regulations of CSS 295-46.B.(2) to allow the construction of a 12' x 20' deck with a side yard setback of 3'+/- which is less than the required 20' side yard setback width.
- b. A Variance from the rules and regulations of CSS 295-46.C to allow the construction of a 12' x 20' deck with a rear yard setback of 12'+/- which is less than the required 15' rear yard setback depth.

Mr. Speaks was present for the application. Mr. Reitano stated that this property has a common driveway in the rear of a twin. The applicant came to apply for a building permit to construct a wooden deck at the rear of the property. Mr. Speakes has applied for both the BHAR review and Zoning approval process. Mr. Reitano stated that the property has a 3' wide common walkway between the properties which initiates the side yard and rear yard zoning relief request.

Mr. Reitano stated that this is not the first application requesting relief for construction of a deck in the La Mott district similar to this application.

Mr. Cross asked if the other decks also obtained the same zoning variance; Mr. Reitano confirmed that they had. Mr. Reitano passed out photos of other decks in the area and Mr. Cross agreed that the proposed deck will look very similar.

Mr. Speakes stated there have been no neighbor complaints received to date.

Mr. Brockington made a motion of No Action; seconded by Mr. Goldfarb, the motion passed.

APPEAL NO. 3447- Appeal of Victoria Palm, Owner of Premises known as 212 Ryers Avenue, Cheltenham, PA 19012, zoned C-3, from the decision of the Zoning Officer for the following Zoning Relief in order to add a 19' x 19' deck and a 5' x 16' wheel chair ramp to the rear of the premises:

The following Zoning Relief is required for the existing single family semi-detached dwelling:

- a. A Variance from the rules and regulations of CSS 295-121.C to allow the construction of a 19' x 19' deck and a connecting 5' x 16' wheel chair ramp with a side yard setback of 6'+/- which is less than the required 8' side yard setback width.

Ms. Palm was present for the application.

Mr. Reitano stated that this is a handicap ramp that Mr. Duffy has already reviewed and has no issues associated with it. Mr. Reitano stated that the applicant is asking for a 6' setback instead of the required 8' setback, and that this property is a twin house with the ramp adjacent to the house. Mr. Reitano stated that Mr. Duffy also reviewed impervious surface and found that it was under the 250 SF limit.

Mr. Gordon asked if the setbacks for the proposed patio were ok as well. Mr. Reitano confirmed they were. Ms. Palm confirmed that she has one letter of support from her neighbor in the other side of the twin. Mr. Cross recommended getting photos of the property and other letters of support for the project.

Mr. Brockington made a motion of No Action; seconded by Mr. Goldfarb, the motion passed.

APPEAL NO. 3448: Appeal of Steve Witt, owner of premises known as 8320 Forrest Ave. Elkins Park, PA 19027, zoned R-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 12' Diameter, octagon shaped Gazebo in the northeast corner of the premises.

The following Zoning Relief is required for the existing single family dwelling:

- a. A Variance from the rules and regulations of CSS 295-39.B.(2) to allow the construction of a 12' diameter gazebo with a side yard setback of 4'+/- which is less than the required 20' side yard setback width.
- b. A Variance from the rules and regulations of CSS 295-39.C to allow the construction of a 12' diameter gazebo with a rear yard setback of 4'+/- which is less than the required 25' rear yard setback depth.

Mr. Reitano stated that there was a dimension of 12' on the legal and instead of a 12' diameter gazebo it should read 10' diameter. Mr. Cross stated that changes the dimensions from 4' ½" from the edge to 5' ½" feet from the setback line. Mr. Cross recommended that Mr. Witt get photographs of the rear of his property and the location of the proposed gazebo.

Mr. Brockington made a motion of No Action; seconded by Mr. Goldfarb, the motion passed.

APPEAL NO. 3449: Appeal of 1347 Cheltenham Ave. Associates, L.P., c/o David Ahn, 89 Bruce Drive, Holland, PA 18966, equitable owner of property known as 1347 Cheltenham Ave., Elkins Park, PA 19027, zoned C-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 24,240 SF restaurant with shared parking with 1330 Willow Ave., 1355 Cheltenham Ave. and 1349 Cheltenham Ave.:

The following Zoning Relief is required for the existing building, formerly used as an office building:

- a. A Variance from the rules and regulations of CSS 295-221.I to allow for a total of 57 shared parking spaces during the mid-day hours for the restaurant and banquet uses, which is less than the required 154 shared parking spaces that are being provided during the evening hours.

David Ahn, Michael Yanoff, Esq. and Harold Lichtman were present for this application.

Mr. Yanoff stated that the property needs a shared parking agreement which is currently prepared and being circulated for signature by the other property owners. Mr. Yanoff explained the uses would consist of office by day and restaurant by night. Mr. Reitano stated that it's mostly interior changes with the exception to a sign outside that will be submitted to the BHAR for review at a future date. Mr. Lichtman stated that it will be four (4) properties sharing joint parking and the lot will need to be restriped that is all Mr. Lichtman stated that this use is by right and everything else is fully compliant. Mr. Reitano stated that the Township wants to make sure that for security reasons the lighting on the parking lot be fully maintained and remain operational.

Mr. Leighton asked about who will be responsible for snow removal on property, Mr. Yanoff stated that this issue is addressed in the agreements.

Mr. Brockington made a motion of No Action; seconded by Mr. Goldfarb, the motion passed.

3. Consideration of Waiver Request for Land Development CTDA 12-0580: Genesis Healthcare Hopkins Center- Emergency Generator. 8100 Washington Lane, Wyncote, PA, 19095.

Mr. Reitano stated that the Township is receiving waivers from a full blown land development plan for projects such as these. Mr. Reitano stated that in application the applicant is requesting a waiver from full Land Development but are still required to meet all conditions of the Township Noise Ordinance and do the required sound baffling, if required.

Mr. Reitano further stated that under the Building Permit review process the applicant is required to have a sound test performed by a third party sound engineer. The permit would include provisions that if anytime in the future the generator is changed out the applicant must follow the same testing procedures again. Mr. Reitano further stated that a representative from the Township must be present for the sound test.

Mr. Cross asked where the 80 decibel limit is measured from. Mr. Reitano stated from the property line and all occupants of the building would be made aware of the test being performed. Mr. Reitano also stated that the time of the test would also play a factor in the sound readings and the test would be done at a specific time in the afternoon.

Mr. Cross asked if there was a generator there now. Bryan H. from Genesis stated that the current unit is only 30 kw and due to the medical equipment a 250 kw unit is needed to be installed in an outside enclosure.

Discussion ensued regarding details on the plan provided such as retaining wall and pad placement location.

Mr. Gordon made a motion of No Action; seconded by Mr. Goldfarb, the motion passed.

4. Old Business

None

5. New Business

Ms. Nagy stated that Appeal No. 3437- 1050 Ashbourne Road AKA Kerlin Farms is scheduled to be heard by the Zoning Hearing Board on October 15, 2012 at 7:30 PM. Ms. Nagy stated information regarding Kerlin Farms may be found on the Township Website.

Ms. Nagy stated that the Ad-Hoc Zoning Committee will begin having meetings again sometime in September. Ms. Nagy stated that the Township is waiting for direction from Ms. Jean Holland at Montgomery Planning Commission and asks the members of Ad-Hoc to provide suggestions for meeting times. Ms. Nagy handed out the most recent and revised version of the Cheltenham Zoning Code drafted by Ms. Mazzaccaro prior to her departure from Montgomery County Planning Commission. Ms. Nagy asked the members on the PC that also sits on the Ad-Hoc Committee to review the draft code and make notes on any issues they may have.

6. Adjournment

Mr. Cross made a motion for adjournment; Mr. Brockington seconded the motion, the motion passed. The meeting adjourned at 8:10 P.M.



Bryan T. Havir
Acting Township Manager

Per Holly A. Nagy