

**January 25, 2010
Township Building**

The Planning Commission (“PC”) meeting was held tonight in the Township Administration Building.

The following Planning Commission members were present: Messrs. Cross, Gordon, Goldfarb, and Leighton; also present were Carmen G. Reitano, Assistant Director of Engineering, Zoning & Inspections, Ms. Hannah Mazzaccaro, Montgomery County Planning and David Harrower, Observer.

This was an informal meeting of the Planning Commission as a quorum was not present.

1. Acceptance of the minutes for the December 28, 2009 meeting

Mr. Cross made a Motion to postpone acceptance of the December 28, 2009 meeting minutes until the February Planning Commission..

2. Review of Zoning Hearing Board Agenda for February 8, 2010.

Appeal No. 3359: Appeal of Young and Yong Chong, Owners of Premises known as 335 W. Cheltenham Avenue, Melrose Park, PA from the decision of the Zoning Officer for a variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43.F.(2) so as to permit the continuation of the operation of a Dental Office without the residency requirement for the medical practitioner.

Harold Lichtman, A.I.A. was present to discuss this Application.

Mr. Lichtman explained the owner of 335 W. Cheltenham Avenue currently runs a dental practice and is bound by Township Ordinance to live on the property. The owner would like to move out of residence but maintain her dental practice at premises. Mr. Lichtman stated that there are no plans whatsoever to rent out or change the property use.

Mr. Goldfarb made the Motion of No Action; the Motion was seconded by Paul Gordon; the Motion was approved.

Appeal No. 3360: Appeal of DHH Construction, Inc., owner of premises known as 150 Old Soldiers Road, Cheltenham, PA 19012, from the Decision of the Zoning Officer for the following Zoning Relief in order to use the Premises for a warehouse and offices in conjunction with a contracting business:

- a. A determination that all non-conformities may continue and that the premises may be used for a warehouse and offices; or, in the alternative, relief under CCS 295-227.D. and F. so as to permit a change of non-conforming use.
- b. In the alternative, Zoning Relief from the following:

i. From the Rules and Regulations of the Class R-3 Residence District, as follows:

1. A variance from CCS 295-21. for the proposed use as a warehouse and offices for a contracting business instead of one of the permitted enumerated uses.
2. A variance from CCS 295-22., for a lesser lot area of approximately 2325 SF instead of the minimum required 20, 000 SF.
3. A variance from CCS 295-22. for a lesser lot width of 68.10' instead of the minimum required 100'.
4. In the alternative to b.i.2 and b.i.3. ,above, a Special Exception in accordance with CCS 295-26. for the nonconforming lot area and width.
5. A variance from CCS 295-23. for greater building area of 100% instead of the maximum permitted 15%.
6. A variance from CCS 295-24. A. (2) for a zero width front yard setback along the Ashbourne Road frontage of the premises instead of the minimum required 50'.
7. A Special Exception in accordance from CCS 295-24. A (2) for a zero width front yard setback along the Old Soldiers Road frontage of the premises instead of the minimum required 50'.
8. A variance from CCS 295-24.B.(2.) for a zero width side yard setback along the Southeast property line instead of the minimum required 25'.
9. A Special Exception in accordance with CCS 295-224.C. for a zero width rear yard setback instead of the minimum required 25'.
 - ii. A variance from CCS 295-197.A. for the existing signage.
 - iii. A variance from CCS 295.221.D. for no onsite parking instead of the minimum required four (4) parking spaces.

Hal Lichtman, A.I.A., was present to discuss this Application.

Mr. Lichtman stated that the building was previously used for auto repair. The Township previously leased parking to the building but this space will no longer be needed and will be returned to the Township. Mr. Lichtman stated that the building will only be used for storage of equipment and vehicles and a small office.

Mr. Harrower questioned what kind of vehicles would be stored and whether or not they'd be idling. Mr. Lichtman confirmed that the only vehicles would be a dump truck and possibly a few pick up trucks and stated there would be no idling. Mr. Lichtman stated that the Applicant would like to reface the signs to say DHH Construction and a variance is needed due to the business being in a residential zone.

Mr. Gordon made a Motion of No Action; the Motion was seconded by Mr. Goldfarb; the Motion passed.

**3. Review of Cheltenham Township Development Application No. 09-07:
Record Plan for HVAC Units for One Washington Square.**

Mr. Reitano stated that this plan documents upgraded HVAC units at One Washington Square.

Mr. Reitano stated that the Township tests to make sure the units are not a noise ordinance violation and requires noise baffling if above certain level. Mr. Cross questioned the decibel criteria and what's required.

Mr. Reitano stated that the Township uses the OSHA CFR 29 rule since there is no definite decibel criterion in the noise ordinance. OSHA CFR 29 refers to the noise decibel level, temperature and location per min, per hour limits tolerable for employees. If the levels exceed OSHA handbook the Applicant must bring it down.

Mr. Cross questioned how it's known if the equipment meets the criteria. Mr. Reitano stated that the test is run with all units new and old running at once. If the noise exceeds 100 dB the level needs to go down.

Mr. Cross questions if Mr. Lynch has seen and reviewed the plan. Mr. Reitano stated that he has and Mr. Lynch has no comments. Mr. Retiano stated that even if one resident complains the Applicant can be required to install noise baffling.

Mr. Goldfarb made a Motion to Approve; the Motion was seconded by Mr. Gordon; the Motion passed.

Mr. Harrower makes a recommendation that criteria be developed for HVAC noise level testing.

Ms. Mazzaccaro noted that Cheltenham Township is the only municipality that requires Land Development plans for exterior HVAC units.

4. Old Business
None

5. New Business
None

6. Adjournment

The meeting adjourned at 8:10 P.M.

David G. Kraynik
Township Manager

Per: Holly Nagy