

**MECHANICAL EQUIPMENT ARBITRATION COMMITTEE MEETING HELD IN THE COMMUNITY
DEVELOPMENT CONFERENCE ROOM, ON MONDAY,
JULY 19, 2021 AT 8:30 A.M.**

PRESENT:

Mike Liess
Kelly Smith
Chris Rayes
Shantelle Hubbard, Recording Secretary

ALSO, PRESENT

Carol Trinity, 24717 Culver, petitioner
Kim Gray-Cichy, 24721 Culver, neighbor
David & Jessica Nelson, 21770 Chalon, petitioners
Diane Hoscila, 21780 Chalon, neighbor
Sharon Lafata, 23029 Ardmore, petitioner
Vincent Lopiccicolo, 29344 Manhattan, petitioner

Liess called the meeting to order at 8: 32 am.

**CASE NO. PMBA2117: REQUEST A VARIANCE TO REPLACE THE AIR CONDITIONER ON THE
SIDE OF THE HOUSE OTHER THAN THE REAR AS REQUIRED BY ORDINANCE AT 24717 CULVER.
(Reconsideration of the case)**

Carol Trinity, 24717 Culver. Liess mentioned to the petitioner that this case had to be reopened due to the fact that a resident was waiting in the hallway to be heard.

Liess asked why not place it in the backyard. Petitioner stated that the air conditioner has been on the side of the house for 24 years. The deck was built at the same time that is why the air conditioner was moved.

Audience Participation: Kim Gray-Cichy, 24721 Culver, stated that it is a noise nuisance and it infringes on her rights as a tax payer. It is only two feet from the fence at best. It is not behind the house. Her air conditioner is six feet in from the corner of the house. She was told that she would have to move it back when she goes to replace it. She said if it was done right the first time we would not be here.

Correspondence: None

Rayes asked about the area from the back of the house to the side of the house. She said that there is about 4'. Rayes asked about the noise rating. Petitioner has not purchased the air conditioner yet. She said that she has had several contractors out and they stated that the new ones are very quiet.

Rayes stated that back then only a letter was required by the neighbor to place the air conditioner on the side of the house.

Smith stated that the difference between what the air conditioners were like before and now. The new air conditioners do not have freon so they cannot be recharged. With the new type of gas, they need a new type of compressor which makes them quiet until they die. The higher the seer the quieter the air conditioner is.

Rayes stated as long as the unit is a seer 18 if not it should be put back behind the house five feet in from the edge of the house.

Rayes made a motion, supported by Smith, to approve the request for a variance to place an air conditioner unit on the side of the house at 24717 Culver with the stipulation that the air conditioning unit is a seer 18.

**AYES: RAYES, SMITH, LISS
NAYES: NONE
ABSENT: NONE
MOTION CARRIED**

CASE NO. PMBA2118: REQUEST A VARIANCE TO MOVE THE AIR CONDITIONER SLIGHTLY TOWARDS THE NEIGHBORS AT 21770 CHALON.

David & Jessica Nelson, she stated that she has already moved the air conditioner. She thought to move the air conditioner to the side of the house that they would need permission from the neighbor.

Rayes asked about the permit. Petitioner stated that the contractor only moved the air conditioner. They were having a patio installed to stop the water from going into the basement. They did pull the permits for the patio.

Audience Participation: Diane Hoscila, 21780 Chalon, she stated that she can hear the air conditioner in her dining room and the air conditioner is right next to the fence.

Correspondence: None

Jessica Nelson stated that her intentions was to put a barrier around it. The neighbor stated that the sound is blocked on the side but the noise travels around the barrier.

Jessica Nelson stated that there is more than 26 inches. They are 26 inches from the corner. She understands that there was a mistake made when they moved the air conditioner.

The neighbor stated that she does not have a patio so she has to sit by her fence to get away from the noise.

Rayes asked the neighbor if two panels of fencing would be ok. Jessica Nelson stated that she would encapsulate it.

Smith made a motion, supported by Rayes, to approve the request for a variance to place an air conditioner on the side of the house at 21770 Chalon with the stipulation that they place two six-foot privacy fence panels one on the front and the other on the side with the good side facing out.

**AYES: SMITH, RAYES, LIESS
NAYES: NONE
ABSENT: NONE
MOTION: CARRIED**

CASE NO. PMBA2119: REQUEST A VARIANCE TO REPLACE THE AIR CONDITIONER ON THE SIDE OF THE HOUSE at 23029 ARDMORE.

Sharon Lafata, 23029 Ardmere, she stated that she has a letter from the neighbor approving the placement of the air conditioner. Her air conditioner will be right along side of the neighbors. He has no windows on his side of the house.

Audience Participation: None

Correspondence: Letter from the neighbor.

Rayes made a motion, supported by Liess, to approve the request for a variance to replace the air conditioner on the side of the house at 23029 Ardmere.

**AYES: RAYES, LIESS, SMITH
NAYES: NONE
ABSENT: NONE
MOTION: CARRIED**

CASE NO. PMBA2120: REQUEST A VARIANCE TO REPLACE THE AIR CONDITIONER ON THE SIDE OF THE HOUSE AT 29344 MANHATTAN.

Vincent Lopiccolo, 29344 Manhattan, he wants to replace the air conditioner that is on the side of the house.

Rayes asked about the distance. Petitioner stated that it is 20' from the garage and more than that from the house. The air conditioner is there now.

Audience Participation: None

Correspondence: None

Rayes made a motion, supported by Smith, to approve the request for a variance to replace the air conditioner on the side of the house at 29344 Manhattan due to the fact that it is a large size lot that will keep the noise from the neighbor.

AYES: RAYES, SMITH, LIESS

NAYES: NONE

ABSENT: NONE

MOTION: CARRIED

APPROVAL OF MECHANICAL EQUIPMENT ARBITRATION MEETING MINUTES OF JUNE 28, 2021

Smith made a motion, supported by Liess, to approve the Mechanical Equipment Arbitration meeting minutes of June 28, 2021.

AYES: SMITH, LIESS

NAYES: NONE

ABSENT: NONE

MOTION CARRIED

ADJOURNMENT

Smith made a motion, supported by Liess, to adjourn the meeting at 9:15 a.m.

AYES: RAYES, SMITH, LIESS

NAYES: NONE

ABSENT: NONE

MOTION CARRIED

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A MECHANICAL EQUIPMENT ARBITRATION MEETING AND DO NOT REPRESENT A VERBATIM RECORD]