

INDEX

Upper Darby Township Council Meeting

September 19th, 2018

Call of the meeting	331
Roll call	331
Approval of the Minutes for the Committee Meeting of August 1 st , 2018	331
Approval of the Minutes for the Council Meeting of August 15 th , 2018	331
Public Forum	331-332
Mayor Micozzie	333

Mayor Micozzie announced that the 2nd Annual International Festival will be held Saturday, September 22nd, 2018 on 69th Street from 1pm until 7pm. at 5:45pm there will be a parade of nations where individuals can walk down 69th Street proudly carrying a flag from their nation and have an opportunity to stand on stage to announce the nation that they represent.

The Mayor also announced that on October 6th, 2018 the Upper Darby Performing Arts Center will present "A Salute to the Veterans Oldies Night".

A newsletter of events and information is currently being mailed to the residents of Upper Darby Township.

Committee Reports

Finance and Appropriations Committee

Thomas P. Wagner, Chairman

Resolution No. 46-18 , the tax appeal of Samuel S. Wallace, 8915 West Chester Pike, Upper Darby Township. Tax Folio No: 16-08-02779-00	333 337-338
---	----------------

Adoption of Resolution No. 46-18	333
---	-----

Resolution No. 47-18 , the tax appeal of Philadelphia Meeting Room, Inc. 50 South Oak Lane, Upper Darby Township. Tax Folio No: 16-13-02572-00	333 339-340
---	----------------

Adoption of Resolution No. 47-18	333
Resolution No. 48-18 , the tax appeal of Amm Samer Ramadan, 21 S. Fairview Avenue, Upper Darby Township Tax Folio No: 16-07-00434-00	333 341-342
Adoption of Resolution No. 48-18	333
Resolution No. 49-18 , the tax appeal of AC & DC Properties, LLC, 5224 Fairhaven Road, Upper Darby Township Tax Folio No: 16-13-01843-00	334 343-344
Adoption of Resolution No. 49-18	334
Resolution No. 50-18 , the tax appeal of R & R Homes, LLC, 111 Ardsley Road, Upper Darby Township Tax Folio No: 16-06-00092-00	334 345-346
Adoption of Resolution No. 50-18	334
Introduction of Ordinance No. 3049 , an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, authorizing that part of certain unencumbered appropriations allocated by the annual Budget for Upper Darby Township for the year 2018 be transferred from various departments, offices and agencies to other departments, offices and agencies within the Township. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.	334
Introduction of Motion approved	334
Planning, Zoning & Building Code Committee Jacob A. Bierling Jr., Chairman	
Motion for Council to authorize the Director of Licenses and Inspection to issue a Festival permit to Saint Dorothy's Church to hold a Festival on October 9 th , 2018 through October 13 th , 2018, subject to certain conditions including receipt of insurance certificate	334
Approval of Motion	334
Resolution No 51-18 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of PROVCO Pineville Acquisition, LLC for land development to develop .418 acres with	335 347-352

additional parking for the existing Wawa on the northeast corner of
Burmout Road and Bonsall Avenue

Adoption of Resolution No. 51-18	335
Resolution No. 52-18 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of MB Investment Group, LLC for land development to develop .114 acres with a 1,500 square foot addition on the northwest corner of Baltimore Avenue and Third Street	335 353-358
Adoption of Resolution No. 52-18	335
Law and Government & Rules and Procedures Committee Lisa Faraglia, Chairwoman	
Motion to advertise a change in the date for the Council Meeting of November 21 st , 2018 to November 28 th , 2018	335
Approval of Motion	335
Public Safety Committee Jacob A. Bierling Jr., Chairman	
Motion to request the Administration to write to PENNDOT to install delineators at the east entrance of Westbrook Park Elementary School on Springfield Road	335
Approval of Motion	335
Solicitor	336
Motion to adjourn	336
Approval of Motion to adjourn	336

A regular meeting of Upper Darby Township Council was held on Wednesday evening, September 19th, 2018 at 7:00 p.m. in the Council Meeting Room #202 of the Municipal Building, 100 Garrett Road, Upper Darby, Pennsylvania.

The meeting was called to order by Council President Donald P. Bonnett with the Pledge of Allegiance to the flag of the United States of America.

Roll Call

Council Members Present:

Donald P. Bonnett, Thomas P. Wagner, Jacob A. Bierling Jr., Sekela Coles, Robert Gwin, Barbarann Keffer, Marc Manfre, Lisa Faraglia, Sheikh Siddique, Patrick Spellman, Laura Wentz

Present at the Meeting

Thomas N. Micozzie, Mayor
Thomas J. Judge Jr., CAO
Kelly Sullivan, Esq., Solicitor
Scott C. Gottel, Esq., Solicitor
Richard G. Nolan, Chief Municipal Clerk

Approval of the Minutes

Mr. Bonnett: A motion would be in order for the approval of the Committee Meeting Minutes for August 1st, 2018.

Moved: Mr. Wagner

Second: Mr. Bierling.

Mr. Bonnett: A motion would be in order for the approval of the Council Meeting Minutes for August 15th, 2018.

Minutes were approved. 11 in favor, none opposed.

Public Forum

Fred Armen?, 331 Owen Ave
Speed bumps

Karl Ayanian, 400 Long Lane
Driveway apron

Gaius Jenkins, 77 Lamport Rd.
Play area for neighborhood

Olivia Taylor, 204 Kent Road

Gerald Harrison, 29 S. Kirklyn Avenue
Bus stops

Warren Oertel, 3 South Brighton Avenue
Bus stop

Dolores Lombardi, 29 S. Kirklyn Avenue
Street paving

Kyra Raphaelidis, 309 Windermere Avenue
Trash

Thomas Clay, 4000 Garrett Road
Speed bump

Rich Blye, 274 Kent Road
MS-13, Black Pride

Sharon DePrince, 52 S. Brighton Avenue
Bus stops

Judi McLaughlin, 341 Owen Avenue
Speed bumps

Lisa Beaty, 346 Owen Avenue
Speed bumps

Claudine Wharton, 306 Owen Avenue
Speed bumps

Richard Ley, 162 Glencoe Road

Nicholas Hoyt, 300 Edmonds Avenue
Clean up/Fire

Robert Williams, 342 Owen Avenue

Their comments are filed on audio tape.

Mayor Micozzie

Mayor Micozzie announced that the 2nd Annual International Festival will be held Saturday, September 22nd, 2018 on 69th Street from 1pm until 7pm. At 5:45pm there will be a parade of nations where individuals can walk down 69th Street proudly carrying a flag from their nation and have an opportunity to stand on stage to announce the nation that they represent.

The Mayor also announced that on October 6th, 2018 the Upper Darby Performing Arts Center will present "A Salute to the Veterans Oldies Night".

A newsletter of events and information is currently being mailed to the residents of Upper Darby Township.

Committee Reports**Finance and Appropriations Committee**

Thomas P. Wagner, Chairman

Resolution No. 46-18, the tax appeal of Samuel S. Wallace, 8915 West Chester Pike, Upper Darby Township. Tax Folio No: 16-08-02779-00

Moved: Councilman Wagner
Second: Councilman Bierling

Resolution No. 46-18 is adopted. 11 in favor, none opposed.

Resolution No. 47-18, the tax appeal of Philadelphia Meeting Room, Inc., 50 South Oak Lane, Upper Darby Township. Tax Folio No: 16-13-02572-00

Moved: Councilman Wagner
Second: Councilman Bierling

Resolution No. 47-18 is adopted. 11 in favor, none opposed.

Resolution No. 48-18, the tax appeal of Amm Samer Ramadan, 21 S. Fairview Avenue, Upper Darby Township. Tax Folio No: 116-07-00434-00

Moved: Councilman Wagner
Second: Councilman Bierling

Resolution No. 48-18 is adopted. 11 in favor, none opposed.

Resolution No. 49-18, the tax appeal of AC & DC Properties, LLC, 5224 Fairhaven Road, Upper Darby Township. Tax Folio No: 16-13-01843-00

Moved: Councilman Wagner
Second: Councilman Bierling

Resolution No. 49-18 is adopted. 11 in favor, none opposed.

Resolution No. 50-18, the tax appeal of R&R Homes, LLC, 111 Ardsley Road, Upper Darby Township. Tax Folio No: 16-06-00092-00

Moved: Councilman Wagner
Second: Councilman Bierling

Resolution No. 50-18 is adopted. 11 in favor, none opposed.

Introduction of Ordinance No. 3049, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania authorizing that part of certain unencumbered appropriations allocated by the annual Budget for Upper Darby Township for the year 2018 be transferred from various departments, offices and agencies to other departments, offices and agencies within the Township. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Motion to introduce: Councilman Wagner
Second: Councilman Spellman

Motion approved. 11 in favor, none opposed.

Proposed Ordinance No. 3049 will be advertised and placed on the Agenda for the October 3rd, 2018 Council Meeting.

Planning, Zoning & Building Code Committee
Jacob A. Bierling Jr., Chairman

Motion for Council to authorize the Director of Licenses and Inspection to issue a Festival permit to Saint Dorothy's Church to hold a Festival on October 9th, 2018 through October 13th, 2018, subject to certain conditions including receipt of insurance certificate

Moved: Councilman Bierling
Second: Councilman Wagner

Motion approved. 11 in favor, none opposed.

Resolution No 51-18, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of PROVCO Pineville Acquisition, LLC for land development to develop .418 acres with additional parking for the existing Wawa on the northeast corner of Burmont Road and Bonsall Avenue

Moved: Councilman Bierling
Second: Councilman Spellman

Resolution No. 51-18 is adopted. 11 in favor, none opposed.

Resolution No. 52-18, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of MB Investment Group, LLC for land development to develop .114 acres with a 1,500 square foot addition on the northwest corner of Baltimore Avenue and Third Street

Moved: Councilman Bierling
Second: Councilman Spellman

Resolution No. 52-18 is adopted. 11 in favor, none opposed.

Law and Government & Rules and Procedures Committee
Lisa Faraglia, Chairwoman

Motion to advertise a change in the date for the Council Meeting of November 21st, 2018 to November 28th, 2018

Moved: Councilwoman Faraglia
Seconded: Councilwoman Keffer

Motion approved. 11 in favor, none opposed.

Public Safety Committee
Jacob A. Bierling Jr., Chairman

Motion to request the Administration to write to PENNDOT to install delineators at the east entrance of Westbrook Park Elementary School on Springfield Road

Moved: Councilman Bierling
Seconded: Councilwoman Faraglia

Motion approved. 11 in favor, none opposed.

Cont'd

September 19, 2018

336

Solicitor

Nothing to report

Adjournment

Motion to adjourn: Councilman Bierling; Second: Councilman Wagner.

Motion approved. 11 in favor, none opposed.

Council President Bonnett adjourned the meeting.

Respectfully submitted,

Richard G. Nolan

Richard G. Nolan
Chief Municipal Clerk

RGN/akc

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 46-18**

In Re: Appeal Of: Samuel S. Wallace

Owner: Samuel S. Wallace

**Property Address: 8915 West Chester Pike
Upper Darby Township, PA 19082
Tax Folio No.: 16-08-02779-00**

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No. 2017-10222;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2018	\$87,373
2019	\$83,083

WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

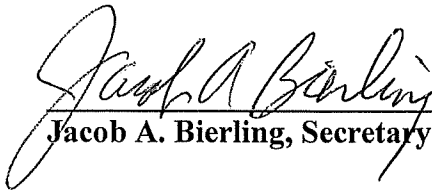
WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

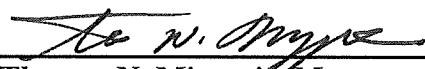
RESOLVED, this 19th day of September, 2018.

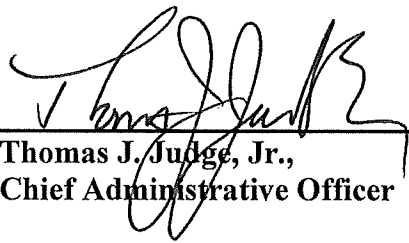
UPPER DARBY TOWNSHIP

BY: Donald P. Bonnett
Donald P. Bonnett, President of Council

ATTEST: 
Jacob A. Bierling, Secretary of Council

Resolution No. 46-18 above is hereby approved this 19th day of September, 2018.

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 47-18**

In Re: Appeal Of: Philadelphia Meeting Room, Inc.
Owner: Philadelphia Meeting Room, Inc.
Property Address: 50 South Oak Lane
 Upper Darby Township, PA 19082
 Tax Folio No.: 16-13-02572-00

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No. 2017-10077;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2018	\$70,265
2019	\$66,815

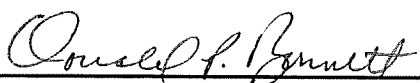
WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

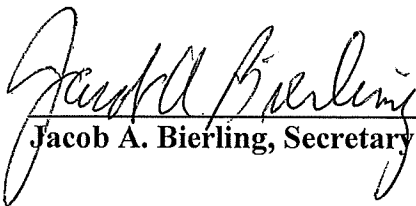
WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.


RESOLVED, this 19th day of September, 2018.

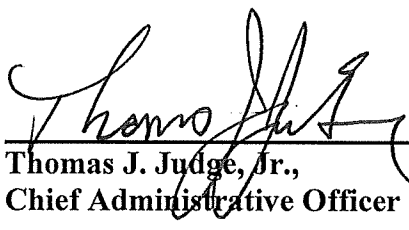
UPPER DARBY TOWNSHIP

BY: 
 Donald P. Bonnett, President of Council

ATTEST: 
Jacob A. Bierling, Secretary of Council

Resolution No. 47-18 above is hereby approved this 19th day of September, 2018.

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 48-18**

In Re: Appeal Of: 21 S. Fairview Avenue

Owner: Amm Samer Ramadan

**Property Address: 21 S. Fairview Avenue
Upper Darby Township, PA
Tax Folio No.: 16-07-00434-00**

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No. 2017-10520;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2018	\$40,937

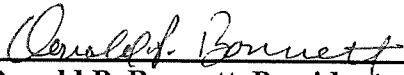
WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

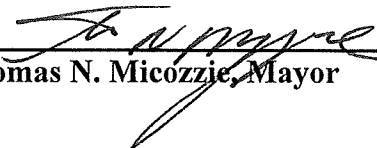
RESOLVED, this 19th day of September, 2018.

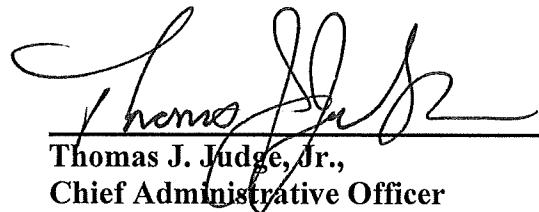
UPPER DARBY TOWNSHIP

BY: 
Donald P. Bonnett, President of Council

ATTEST: 
Jacob A. Bierling, Secretary of Council

Resolution No. _48-18_ above is hereby approved this 19th day of _September, 2018.

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 49-18**

In Re: Appeal Of: 5224 Fairhaven Road

Owner: AC & DC Properties, LLC

Property Address: 5224 Fairhaven Road
Upper Darby Township, PA
Tax Folio No.: 16-13-01843-00

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No. 2017-10534;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2018	\$61,100

WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

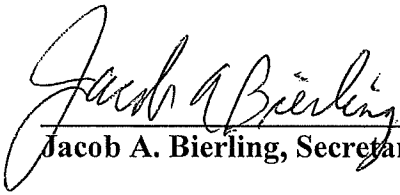
WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

RESOLVED, this 19th day of September, 2018.

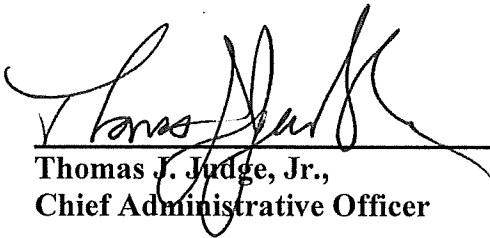
UPPER DARBY TOWNSHIP

BY: 
Donald P. Bonnett, President of Council

ATTEST: 
Jacob A. Bierling, Secretary of Council

Resolution No. 49-18 above is hereby approved this 19th day of September, 2018.

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 50-18**

In Re: Appeal Of: 111 Ardsley Road

Owner: R & R homes, LLC

**Property Address: 111 Ardsley Road
Upper Darby Township, PA
Tax Folio No.: 16-06-00092-00**

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No. 2017-10535;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2018	\$45,825


WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

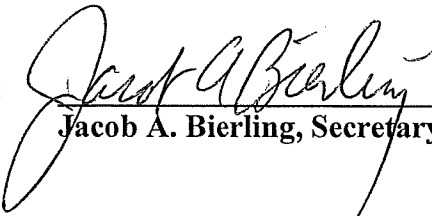
WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

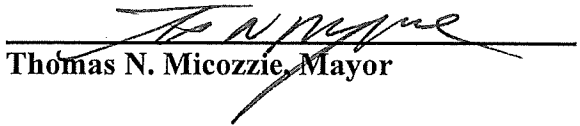
RESOLVED, this 19th day of September, 2018.

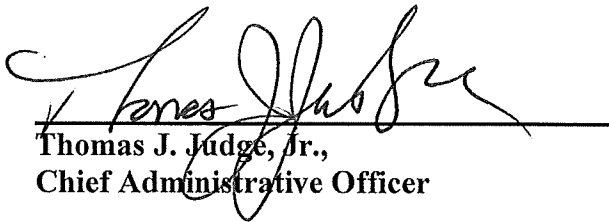
UPPER DARBY TOWNSHIP

BY: 
Donald P. Bonnett, President of Council

ATTEST: 
Jacob A. Bierling, Secretary of Council

Resolution No. 50-18 above is hereby approved this 19th day of September, 2018.

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

UPPER DARBY TOWNSHIP**Resolution No. 51-18****A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF PROVCO
PINEVILLE ACQUISITION, LLC FOR LAND
DEVELOPMENT TO DEVELOP .418 ACRES WITH
ADDITIONAL PARKING FOR THE EXISTING
WAWA ON THE NORTHEAST CORNER OF
BURMONT ROAD AND BONSALL AVENUE.**

WHEREAS, PROVCO PINEVILLE ACQUISITION, LLC (“Applicant”) has submitted for approval its Final Land Development plan to develop .418 acres with additional parking for the existing Wawa, prepared by Bohler Engineering, said plans submitted to the Township dated July 3, 2018 (collectively “Final Plans”); and

NOW THEREFORE, BE IT RESOLVED, that the above-cited Final Plans are hereby approved subject to certain Conditions of Approval including the following:

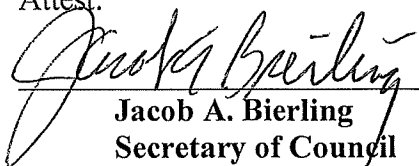
1. Applicant has obtained approval by the Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.
2. Approval by the Township Solicitor and execution by PROVCO PINEVILLE ACQUISITION, LLC and where applicable, Applicant’s lender, of all necessary and appropriate documentation where applicable including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;
3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals where applicable;

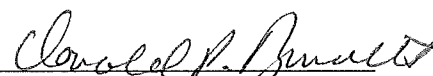
4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

5. Applicant shall comply with all applicable federal, state and local codes or ordinances and shall obtain all required permits.

TOWNSHIP OF UPPER DARBY


Attest:


Jacob A. Bierling
Secretary of Council


By: 
Donald P. Bonnett
President of Council

Resolution No. 51-18 above is hereby approved this 19th day of September, A.D., 2018.

Attest:


Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:


Thomas N. Micozzie
Mayor



DELAWARE COUNTY PLANNING COMMISSION

COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063

COUNCIL

JOHN P. McBLAIN
CHAIRMAN

COLLEEN P. MORRONE
VICE CHAIRMAN

MICHAEL F. CULP
KEVIN M. MADDEN
BRIAN P. ZIDEK

Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

LINDA F. HILL
DIRECTOR

August 16, 2018

Mr. Jeffrey N. Gentile
Upper Darby Township
100 Garrett Road, Room 206
Upper Darby, PA 19082-3135

RE: Name of Dev't: Proposed Wawa Parking Lot
DCPD File No.: 47-7345-18
Developer: Provco Pineville Acquisition LLC
Location: Northeast corner of Burmont Road and
Bonsall Avenue
Recv'd in DCPD: July 11, 2018

Dear Mr. Gentile:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on August 16, 2018, the Commission took action as shown in the recommendation of the attached review.

Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,

Linda F. Hill
Director

cc: Provco Pineville Acquisition LLC
Bohler Engineering



DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

Court House/ Government Center , 201 W. Front St., Media, PA 19063
 Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
 Phone: (610) 891-5200 FAX: (610) 891-5203
 E-mail: planning_department@co.delaware.pa.us

Date: August 16, 2018
 File No.: 47-7345-18

PLAN TITLE: Proposed Wawa Parking Lot

DATE OF PLAN: July 3, 2018

OWNER OR AGENT: Provco Pineville Acquisition LLC

LOCATION: Northeast corner of Burmont Road and
 Bonsall Avenue

MUNICIPALITY: Upper Darby Township

TYPE OF REVIEW: Land development

ZONING DISTRICT: TNCD

SUBDIVISION ORDINANCE: County

PROPOSAL: Further develop 0.418 acre with
 additional parking

UTILITIES: Public

RECOMMENDATIONS: Approval, with consideration given
 to staff comments

STAFF REVIEW BY: Michael A. Leventry

REMARKS:

CURRENT PROPOSAL

The applicant proposes to further develop a 0.418 acre parcel with additional parking that will serve a neighboring Wawa convenience store.

Date: August 16, 2018
File No.: 47-7345-18

REMARKS (continued):

SITE CHARACTERISTICS

The site is located on a commercial corridor and currently has an auto service station that is to be removed.

APPLICABLE ZONING

The proposal is located within the Traditional Neighborhood Commercial district and is subject to applicable regulations set forth in the Township zoning code.

NONCONFORMITIES

The neighboring convenience store's existing parking does not appear to comply with the regulations as established within the Township zoning code. This proposal more than corrects this nonconformity.

COMPLIANCE

The proposal appears to comply with the Traditional Neighborhood Commercial district provisions.

SITE DESIGN

It is recommended that the two southernmost parking spaces for the existing Wawa be eliminated due to their constrained nature that necessitates vehicles backing onto a public sidewalk. In place of the two spaces, a reduced depth "hammerhead" style turnaround should be installed to serve the remaining spaces along with more landscaping.

Date: August 16, 2018
File No.: 47-7345-18

REMARKS (continued):

SEWAGE FACILITIES

The developer should contact the Pennsylvania Department of Environmental Protection regarding the need for sewage facilities planning approval.

The Township should confirm receipt of any necessary Pennsylvania Department of Environmental Protection planning approval prior to final approval.

STORMWATER MANAGEMENT

Stormwater management is required and has not been addressed by this proposal. The Municipal Engineer must verify the adequacy of all proposed stormwater management facilities.

RECORDING

In accordance with Section 513(a) of the Pennsylvania Municipalities Planning Code (MPC), final plans must be recorded within ninety (90) days of municipal approval.

UPPER DARBY TOWNSHIP**Resolution No. 52-18****A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF MB
INVESTMENT GROUP, LLC FOR LAND
DEVELOPMENT TO DEVELOP .114 ACRES WITH A
1,500 SQUARE FOOT ADDITION ON THE
NORTHWEST CORNER OF BALTIMORE AVENUE
AND THIRD STREET.**

WHEREAS, MB INVESTMENT GROUP, LLC (“Applicant”) has submitted for approval its Final Land Development plan to develop .114 acres with a 1,500 square foot addition, prepared by Pak International Engineering and Construction, said plans submitted to the Township dated July 3, 2018 (collectively “Final Plans”); and

NOW THEREFORE, BE IT RESOLVED, that the above-cited Final Plans are hereby approved subject to certain Conditions of Approval including the following:

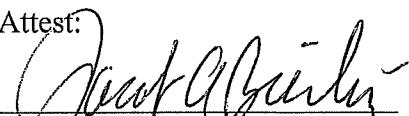
1. Applicant has obtained approval by the Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.
2. Approval by the Township Solicitor and execution by MB INVESTMENT GROUP, LLC and where applicable, Applicant’s lender, of all necessary and appropriate documentation where applicable including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;
3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals where applicable;

4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

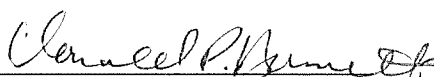
5. Applicant shall comply with all applicable federal, state and local codes or ordinances and shall obtain all required permits.

TOWNSHIP OF UPPER DARBY

Attest:



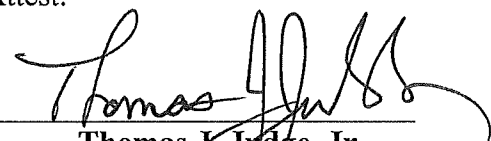
Jacob A. Bierling
Secretary of Council

By: 

Donald P. Bonnett
President of Council

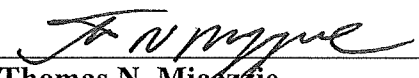
Resolution No. 52-18 above is hereby approved this 19th day of September, A.D., 2018.

Attest:



Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:



Thomas N. Micozzie
Mayor



DELAWARE COUNTY PLANNING COMMISSION

COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063

COUNCIL

JOHN P. McBLAIN
CHAIRMAN

COLLEEN P. MORRONE
VICE CHAIRMAN

MICHAEL F. CULP
KEVIN M. MADDEN
BRIAN P. ZIDEK

Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

LINDA F. HILL
DIRECTOR

August 16, 2018

Mr. Jeffrey N. Gentile
Upper Darby Township
100 Garrett Road, Room 206
Upper Darby, PA 19082-3135

RE: Name of Dev't: 806 Baltimore Avenue
DCPD File No.: 47-7336-18
Developer: Gosi Takahashi and Richard Nevius
Location: Northwest corner of Baltimore Avenue and
3rd Street
Recv'd in DCPD: July 19, 2018

Dear Mr. Gentile:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on August 16, 2018, the Commission took action as shown in the recommendation of the attached review.

Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,

Linda F. Hill
Director

cc: Gosi Takahashi and Richard Nevius
Park International Engineering and Construction



DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

Court House/ Government Center, 201 W. Front St., Media, PA 19063
 Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
 Phone: (610) 891-5200 FAX: (610) 891-5203
 E-mail: planning_department@co.delaware.pa.us

Date: August 16, 2018
 File No.: 47-7336-18

PLAN TITLE: 806 Baltimore Avenue

DATE OF PLAN: January 21, 2018

OWNER OR AGENT: Gosi Takahashi and Richard Nevius

LOCATION: Northwest corner of Baltimore Avenue and 3rd Street

TOWNSHIP: Upper Darby Township

TYPE OF REVIEW: Land development

ZONING DISTRICT: C-4

SUBDIVISION ORDINANCE: County

PROPOSAL: Develop 0.114 acre with a 1,500 sq. ft. addition

UTILITIES: Public

RECOMMENDATIONS: Approval, with consideration given to staff comments

STAFF REVIEW BY: Michael A. Leventry

CURRENT PROPOSAL

The applicant proposes to expand an existing building by adding a 1,500 sq. ft. addition.

SITE CHARACTERISTICS

The site is located on an existing commercial corridor and bounded by businesses.



Date: August 16, 2018
File No.: 47-7336-18

REMARKS (continued):

APPLICABLE ZONING

The proposal is located within the C-4 district and is subject to applicable regulations set forth in the Township zoning code.

NONCONFORMITIES

The site's proposed impervious coverage rate does not appear to comply with the regulations established in the Township zoning code.

Where Section 501 requires that not more than 70% of the parcel be impervious, the applicant is proposing that the site be 97% impervious. It should be noted that the parcel is currently 92% impervious.

COMPLIANCE

Upon the applicant obtaining the required zoning variance approvals for the imperviousness, the proposal appears to comply with the C-4 district provisions.

SEWAGE FACILITIES

The developer should contact the Pennsylvania Department of Environmental Protection regarding the need for sewage facilities planning approval.

The Township should confirm receipt of any necessary Pennsylvania Department of Environmental Protection planning approval prior to final approval.

Date: August 16, 2018
File No.: 47-7336-18

REMARKS (continued):

STORMWATER MANAGEMENT

The Municipal Engineer must verify the adequacy of all proposed stormwater management facilities. In the event that the current plan iteration is noncompliant with regard to impervious cover, additional stormwater management measures, including a possible a green roof, should be considered.

HISTORICAL AND ARCHEOLOGICAL SIGNIFICANCE

The existing building on the property is an automotive garage with a parking lot at the front of the building. There is no construction date for the building in the tax assessor's database. The 1909 map does not show a building on this property, although there is a building in this location in 1929, it is unlikely to be the current building. It appears to be of modern construction. Many properties along Baltimore Avenue are from the mid-late 20th century. However, the property is within an area of high potential for underground resources, as it was a planned suburban community from 1872. Many of the houses along these numbered streets have been replaced by commercial and industrial buildings, and it is only along 1st and 2nd Streets that some houses remain in their original forms. Therefore, although the area is an area of high archeological potential, it is unlikely that there are any underground resources at this location due to subsequent development and the construction of the existing building and parking lot.

RECORDING

In accordance with Section 513(a) of the Pennsylvania Municipalities Planning Code (MPC), final plans must be recorded within ninety (90) days of municipal approval.