

## INDEX

### Upper Darby Township Council Meeting

December 5<sup>th</sup>, 2018

Call of the meeting	501
Roll call	501
Public Forum	502
<b>Committee Reports</b>	
<b>Planning, Zoning &amp; Building Code Committee</b>	
Jacob A. Bierling Jr., Chairman	
<b>Resolution No. 60-18</b> , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of the Guru Nanak Construction Company for land development to incorporate two lots into one lot totaling .11 acres and construct a second story addition; Located on the west side of 69 <sup>th</sup> Street approximately 150 feet south of the intersection with Locust Street and being subject to certain conditions of approval	515 517-524
<b>Approval of Resolution No. 60-18</b>	515
<b>Finance and Appropriations Committee</b>	
Thomas P. Wagner, Chairman	
<b>Resolution No. 61-18</b> , a Resolution to adopt the 2019 Budget	515 525
<b>Approval of Resolution No. 61-18</b>	515
<b>Introduction of Ordinance No. 3052</b> , an Ordinance of Upper Darby Township, County of Delaware, and the Commonwealth of Pennsylvania, fixing the tax rate for the year 2019 and appropriating specific sums estimated to be required for the specific purpose of the Municipal Government.	515
<b>Introduction of Motion approved</b>	515
Solicitor	515
Motion to adjourn	516
<b>Approval of Motion to adjourn</b>	516

A regular meeting of Upper Darby Township Council was held on Wednesday evening, December 5<sup>th</sup>, 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**

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

### **Present at the Meeting**

Thomas N. Micozzie, Mayor  
Thomas J. Judge Jr., CAO  
Adam Matlawski, Esquire  
Richard G. Nolan, Chief Municipal Clerk

### **Public Forum**

Mr. Bonnett: This is the time set aside for the public to speak. When you hear your name, come forward to the podium and state your name and address for the records. Comments are limited to five minutes.

Peg Wilson, 824 Drexel Avenue  
Budget

Rob Sweeney, 100 N. Pennock Avenue  
Budget

Bonnie Hallam, 4719 Woodland Avenue  
Budget

Jennifer Hallam, 4719 Woodland Avenue  
Budget/RTK

Mike Cavanaugh, 143 Maplewood Avenue

Their comments are filed on tape.

**Committee Reports**

**Planning, Zoning & Building Code Committee**

Jacob A. Bierling Jr., Chairman

**Resolution No. 60-18, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of the Guru Nanak Construction Company for land development to incorporate two lots into one lot totaling .11 acres and construct a second story addition; Located on the west side of 69<sup>th</sup> Street approximately 150 feet south of the intersection with Locust Street and being subject to certain conditions of approval**

Moved: Councilman Bierling

Second: Councilman Wagner

**Resolution No. 60-18 is adopted. 11 in favor, none opposed.**

**Finance & Appropriations Committee**

Thomas P. Wagner, Chairman

**Resolution No. 61-18, a Resolution to adopt the 2019 Budget**

Moved: Councilman Wagner

Second: Councilman Bierling

**A Roll Call vote was taken,**

**Resolution No. 61-18 is adopted. 6 in favor, 5 opposed.**

**Introduction of Ordinance No. 3052, an Ordinance of Upper Darby Township, County of Delaware, and the Commonwealth of Pennsylvania, fixing the tax rate for the year 2019 and appropriating specific sums estimated to be required for the specific purpose of the Municipal Government.**

Motion to introduce: Councilman Wagner

Second: Councilman Spellman

**Motion approved. 11 in favor, none opposed.**

**Proposed Ordinance No. 3052 will be advertised and placed on the Agenda for the December 19<sup>th</sup>, 2018 Council Meeting.**

**Solicitor**

Nothing to report

**Adjournment**

Motion to adjourn: Councilman Wagner; Second: Councilwoman Coles

**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. 60-18**

**A RESOLUTION OF UPPER DARBY TOWNSHIP,  
DELAWARE COUNTY, PENNSYLVANIA  
APPROVING THE APPLICATION OF THE GURU  
NANAK CONSTRUCTION COMPANY FOR LAND  
DEVELOPMENT TO INCORPORATE TWO LOTS  
INTO ONE LOT TOTALING .11 ACRES AND  
CONSTRUCT A SECOND STORY ADDITION.  
LOCATED ON THE WEST SIDE OF 69<sup>TH</sup> STREET  
APPROXIMATELY 150 FEET SOUTH OF THE  
INTERSECTION WITH LOCUST STREET AND  
BEING SUBJECT TO CERTAIN CONDITIONS OF  
APPROVAL.**

**WHEREAS**, Guru Nanak Construction Company (“Applicant”) has submitted for approval its Final Land Development Plan to incorporate two lots into one lot totaling .11 acres and construct a second story addition, prepared by Engineering Concepts, Inc, said plans consisting of one (1) sheet dated October 6, 2018 (collectively “Final Plans”); and

**WHEREAS**, Applicant has requested certain waivers/modifications from the provisions of the Delaware County Subdivision and Land Development Ordinance, which has been adopted by Upper Darby Township and Upper Darby Township Council has found that the applicant has met the requisite standards under the Delaware County Subdivision and Land Development Ordinance for granting relief from the enumerated requirements; and

**WHEREAS**, based upon the granting of the requested waivers/modifications and adherence to the various Conditions of Approval as listed herein, the Final Plans are found to be in conformity with the Delaware County Subdivision and Land Development Ordinance and the Upper Darby Township Zoning Code; and

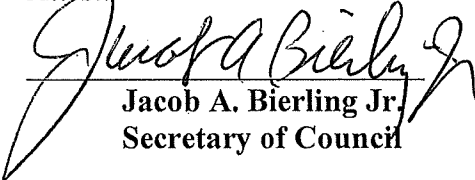
**NOW THEREFORE, BE IT RESOLVED**, that the above-cited Final Plans are hereby approved, including granting of waivers/modifications from the following section of the

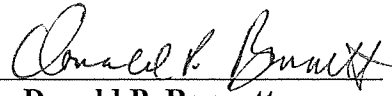
Delaware County Subdivision and Land Development Ordinance ("SALDO"): SALDO Section 817.C, (to not place street trees of at least a 3" caliper at 30' intervals); subject to certain Conditions of Approval including the following:

1. Applicant has obtained approval by 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 Applicant, 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;
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**

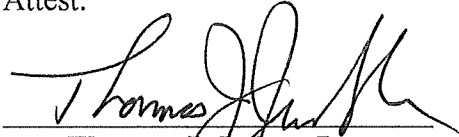
Attest:


  
\_\_\_\_\_  
**Jacob A. Bierling Jr.**  
**Secretary of Council**

By:   
\_\_\_\_\_  
**Donald P. Bonnett**  
**President of Council**

**Resolution No. 60-18 above is hereby approved this 5<sup>th</sup> day of December, A.D., 2018.**

Attest:

  
\_\_\_\_\_  
**Thomas J. Judge, Jr.**  
**Chief Administrative Officer**

Approved:   
\_\_\_\_\_  
**Thomas N. Micozzie**  
**Mayor**



DELAWARE COUNTY PLANNING DEPARTMENT

1055 E. Baltimore Pike  
Media, PA 19063  
Phone: (610) 891-5200

Email: [planning\\_department@co.delaware.pa.us](mailto:planning_department@co.delaware.pa.us)

COUNCIL

JOHN P. McBLAIN  
CHAIRMAN

COLLEEN P. MORRONE  
VICE CHAIRMAN

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

LINDA F. HILL  
DIRECTOR

October 30, 2018

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

RE: Name of Dev't: Renovation to Gurdwara  
DCPD File No.: 47-7382-18  
Developer: Guru Nanak Construction Company  
Location: West side of South 69th Street,  
approximately 150' south of the  
intersection with Locust Street  
Recv'd in DCPD: October 11, 2018

Dear Mr. Gentile:

In accordance with the provisions of Section 609 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. The attached review represents staff comments and should not be construed as an official review. The Delaware County Planning Commission will review this proposal at a meeting to be held on November 15, 2018.

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: Guru Nanak Construction Company  
Engineering Concepts, Inc.





DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

1055 E. Baltimore Pike  
Media, PA 19063  
Phone: (610) 891-5200  
Email: planning\_department@co.delaware.pa.us

Date: October 30, 2018  
File No.: 47-7382-18

PLAN TITLE: Renovation to Gurdwara

DATE OF PLAN: October 4, 2018

OWNER OR AGENT: Guru Nanak Construction Company

LOCATION: West side of South 69th Street,  
approximately 150' south of the  
intersection with Locust Street

MUNICIPALITY: Upper Darby Township

TYPE OF REVIEW: Land development

ZONING DISTRICT: C-3

SUBDIVISION ORDINANCE: County

PROPOSAL: Subdivision: Incorporate two lots  
into one totaling 0.110 acre

Land development: Further develop  
0.110 acre with a second story  
addition

UTILITIES: Public

RECOMMENDATIONS: Approval, contingent on obtaining a  
special exception to expand an  
existing religious use and  
contingent on addressing staff  
comments

STAFF REVIEW BY: Michael A. Leventry



Date: October 30, 2018  
File No.: 47-7382-18

REMARKS:

**CURRENT PROPOSAL**

The applicant proposes to consolidate two parcels into one and expand the existing religious use.

**SITE CHARACTERISTICS**

The site is currently made up of two parcels, one of which is a religious use and the second is commercial. The proposal is located on a commercial corridor and within a business district.

**APPLICABLE ZONING**

The proposal is located within the C-3 district and is subject to applicable regulations set forth in the Township zoning code.

**NONCONFORMITIES**

Expanding the site's existing religious use does not appear to comply with the Article III, Section 301, as established within the Municipality's zoning code. Regulations require that a special exception be obtained to establish or expand said use.

**COMPLIANCE**

Upon the applicant obtaining the required zoning relief, the proposal appears to comply with the C-3 district provisions.

**DOWNTOWN UPPER DARBY VISION PLAN**

The Downtown Upper Darby Vision Plan was developed as a subset of Delaware County's 2035 Comprehensive Plan. The Vision Plan has specific design recommendations that consider Upper Darby's unique growth patterns and architecture. While this property is not

Date: October 30, 2018  
File No.: 47-7382-18

REMARKS (continued):

located within the study area, it is close enough to warrant consideration of some, if not all, of the study's recommendations. Specifically, a ground floor transparency minimum of 60% and a second floor minimum of 35% is highly recommended to maintain a commercial feel for this part of the corridor.

**STREET TREES**

Per Section 817C of the Delaware County Subdivision and Land Development Ordinance, one street tree is required. If relief from this requirement is sought, then it is highly recommended that the Township require a streetscape improvement in lieu of the tree (examples include installation of a street bench, trash can, or bike rack). Any street furniture that is installed should first be approved by the Township to ensure consistency with the design recommendations listed in the Upper Darby Vision Plan.

**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**

The Township Engineer must verify the adequacy of all proposed stormwater management facilities.

524

Date: October 30, 2018  
File No.: 47-7382-18

REMARKS (continued):

**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.

**THIS REVIEW REPRESENTS STAFF COMMENTS ONLY AND SHOULD NOT BE  
CONSTRUED AS AN OFFICIAL REVIEW.**

RESOLUTION NO. 61-18

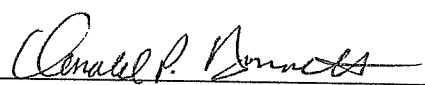
WHEREAS, A GENERAL SUMMARY OF THE BUDGET FOR THE FISCAL YEAR OF 2019 WAS PUBLISHED IN ACCORDANCE WITH THE HOME RULE CHARTER ON OCTOBER 24<sup>th</sup>, 2018 IN THE DELAWARE COUNTY DAILY TIMES; AND

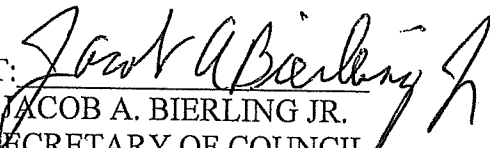
WHEREAS, ON OCTOBER 24<sup>th</sup>, 2018 IN THE SAME NEWSPAPER NOTICE WAS GIVEN THAT PUBLIC HEARINGS WOULD BE HELD TO REVIEW THE BUDGET ON WEDNESDAY EVENING, NOVEMBER 7<sup>TH</sup>, 2018 APPROXIMATELY FIVE MINUTES AFTER THE REGULARLY SCHEDULED 7:00 P.M. MEETING, AND ON WEDNESDAY EVENING, NOVEMBER 14<sup>TH</sup>, 2018 APPROXIMATELY FIVE MINUTES AFTER THE REGULARLY SCHEDULED 7:00 P.M. MEETING, IN THE COUNCIL MEETING ROOM #202 OF THE MUNICIPAL BUILDING, 100 GARRETT ROAD, UPPER DARBY, PENNSYLVANIA;

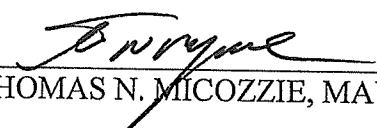
NOW, THEREFORE, BE IT RESOLVED, THAT THE BUDGET FOR THE FISCAL YEAR OF 2019 BE APPROVED.

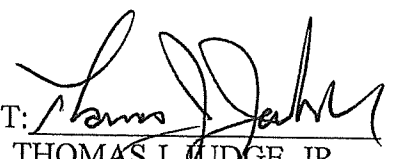
RESOLVED, THIS 5<sup>TH</sup> DAY OF DECEMBER, A.D., 2018

UPPER DARBY TOWNSHIP

  
DONALD P. BONNETT  
PRESIDENT OF COUNCIL

ATTEST:   
JACOB A. BIERLING JR.  
SECRETARY OF COUNCIL

  
THOMAS N. MICOZZIE, MAYOR

ATTEST:   
THOMAS J. JUDGE, JR.,  
CHIEF ADMINISTRATIVE OFFICER