

# UPPER DARBY TOWNSHIP

## DEPARTMENT OF LICENSES & INSPECTIONS

100 Garrett Road. Upper Darby, PA 19082 Phone: (610)734-7613

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January 8, 2024

### UPPER DARBY TOWNSHIP PLANNING COMMISSION MINUTES

#### Attendance

Planning Commission Members Present:

- Debbie Nifong
- James Mullen
- Steve Bertil
- Jeffrey Roken
- Cassandra Hayes (Virtual)

Planning Commission Members Absent:

Township Staff Present:

- Joshua Chast, Asst. Director of L&I for Planning & Zoning
- Mike Galante, Township Engineer
- Courtney Mullan, Asst. Planner

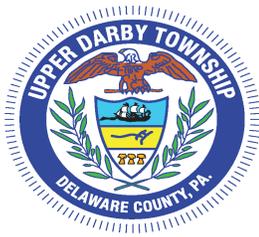
#### Minutes

- A motion was made by Jeffrey Roken to approve the December's Planning Commission Minutes. James Mullen seconded the motion. All members voted in favor. A second motion was made by Jeffrey Roken to keep the planning commission positions the same going into the year 2024. Steve Bertile seconded the motion.

#### SALDO

##### 1) Land Development- A&W Warehouse- 160 Garrett Road, Upper Darby

- a) Mike Robinson from Fox Rothschild represented the applicant A&W, he started off by giving a description of what will be built onsite along with the history of the property including two zoning board applications that went to appeal. The first being (2-7 of 23) variance to approve a warehouse within the zoning district and the second variance was related to the refuse which was also granted.
- A) A civil engineered site plan was brought to the Planning Commission and Presented by CJ Bock, Senior Project Manager at Landcore Engineering Consultants. The presentation started off by focusing on the background of the site and their proposal of the plan view on what the intended uses of the property will be.
  - i) CJ went onto explain how the trash enclosures will not be above 30". He also stated that there is more opportunity on the landscape plan for additional plantings and trees around the right of way for a more robust buffer. James Mullen questioned CJ the type of trees that would be planted near the storm drain in that



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location, CJ replied that there would need to be a certain type of tree planted so that the roots will not interfere with the pipes and storm water system in that area. All of those details will be relayed on the next plan.

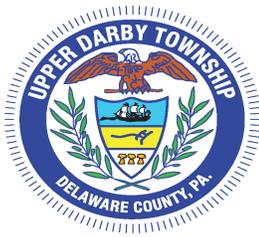
Jeffrey Roken asked if the existing building would be a part of the proposed A&W building. To which Bill Santora, the applicant owner replied that is planned to be separate.

Steve Bertile questioned Bill on whether the warehouse will be open for public use in terms of vehicle traffic or just for their business. Bill replied that it will strictly be used as a single source for A&E Construction.

James inquired how nine parking spaces will be adequate, to which CJ replied that the nine spaces are required one per thousand square feet. Therefore, the proposed 8,800 total square foot building requires nine car parking spaces. CJ also noted for STWM plan that the site is currently 100% impervious surface. The proposed plan aims to have green space behind the building and along the side of Walnut Street decreasing the impervious percentage down to the 80's meeting the requirements.

### 2) **Joshua Chast's letter of recommendation**

- i) Josh started by explaining the site location and its local surroundings, also mentioning that the site is not within a floodplain, or any notable hazards or historical structures on site.
- ii) Joshua's first zoning comment was based on the principle construction entrance as there is no sidewalk connections off Garrett road as well as having no internal walkway on the site. Josh recommended the possibly of having concrete in front of the building connecting the site. Bill commented that there would be no foot traffic from the public as it is a warehouse for their employees. Bill mentioned they are willing to paint stripes along the side of the building but disagreed with putting down a concrete walkway due to the possibility of it being weather-beaten in the future and heavy trucks driving onsite that could lead to concrete cracking. Josh made another recommendation on the refuse area that it should be shielded from direct view as it was not clear on the plan that the fence is 6'. CJ commented that they would add additional evergreen screens and the minimum planting on the revised landscaping plan to that area of the site for shielding. Another comment made by Josh was on the lighting plan to reduce the foot-candles to not stretch over the property line, especially behind the areas that are residential on the site, ensuring that the glare is 0.0. foot candles CJ assured that they are willing to revise the photometric and the lighting to meet the criteria. The next zoning comment from Josh was on the access onto Walnut St and there onto Garrett Road and how difficult it would be for trucks to pull out and maneuver onto Walnut St. He spoke about the possibility of making the driveway one way and attaining an easement to exit through the adjacent property. Mike Galante commented on the possibility of getting a HOP as they are updating the signal permit plan and handicap ramps. Bill stated they would not be replacing handicap ramps on the corner as they have already their curb



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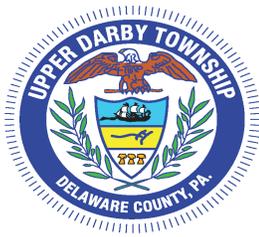
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cut so they would not be going in front of HOP. The final comment for zoning was parking spaces for individuals with physical disabilities should be open to allow room; in this case, the open side of the handicap space is shared with the truck backing up space. Bill made a comment that the user of the handicap spot would wait to the truck turned around and exited the property to get out of their vehicle as well as it not being a non-public site and not a lot of people will use the spot. Josh and Mike agreed that the handicap spot should be moved to the other side of the plan to the closest main entrance to the building and delineate and show it as a different stripe for example blue stripes not white. Mike commented on the fence off Garrett road to be off set and brought back one foot. Bill commented that the fence is already existing and when replaced with a newer fence it should ultimately be grandfathered in, both Josh and Mike agreed to that statement as an existing non-conformity.

### **b) SALDO Comments**

- i) Josh specified that the applicant should request a waiver to approve the plan as a Preliminary/Final. This should be added to the first page of the plan. Missing on the plan was the municipal comprehensive plan that pertains to the tract. The 2018 Comprehensive plan lists the existing use as parking and the future land use as parking. This should be added to the plan. The third comment was a request copy of the deed for the subject tract along with any covenants and/or restrictions. Deed has not been received by staff. However, CJ came forward and gave Josh a copy of their deed. The site plan does not show found pins or markers the location of permanent reference monuments and corner markers should be included on the plan. Josh also requested a floor plan elevation for the submission as height of all structures should be shown on the plan. Josh recommended two more waivers first one being land development fronts on an existing street having a right-of-way less than the minimum width required a right-of-way line shall be established and dedicated. Walnut St and Shelbourne Rd are considered local roads and are required to have a 50' right-of-way. No right-of-way is shown for Walnut. Existing 60' right-of-way should be shown on the plan. Josh advised that the second waiver should be requested for Garrett Road and Shelbourne Rd. Access and Maintenance easements and/or agreements must be provided for the shared portion of any driveway and recorded with the plan. There appears to be a gate on the eastern boundary connecting A&W to the neighboring A&E property. If this gate is to remain, Josh recommended an access easement to exit through A&E's property. Another SALDO comment was the curb dimensions along collector, local and access roads, unless specified otherwise by the municipality, shall be as follows. Josh advised that the existing curb cut along Walnut St should be replaced in all areas not occupied by the new driveway. A minimum horizontal distance of ten (10) feet should be maintained between parallel water and sewer lines unless shelving is used per PA DEP's Standards. Current



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distance is 6' should be 10'. No color plan had been submitted at this time. One color rendering of the preliminary landscape plan should be submitted for review by the municipality. Josh pointed out that Applicant has requested a waiver but mislabeled the code section on the plan. It should be changed from 817.E(2) to 817.E(1). Another comment was made on landscaping, that 3 evergreen and/or deciduous shrubs shall be planted for every twenty (20) feet of building perimeter. There appears to be less shrubs than required. Finally, the last SALDO comment was made about the electric utility line shall be placed underground. A waiver was suggested, as it made no sense to get a telephone pole then going underground when it is so close to the property line.

### c) Waivers

Debbie opened the floor for public comment, no one came forward. Jeff makes the motion for all the waivers as discussed, there was no second. Motion failed. Waivers were made individually as follows;

1. 465-20.B: Requiring Minimum 3-Inch Diameter Orifice Size BMP Outlet- Approval

A motion to approve the waiver was made by Steve Bertil and seconded by Jeff Roken. Unanimous approval.

2. SALDO Section 804.D: Requiring vertical curbing in all parking areas

A motion to approve the Partial Waiver was made by Steve Bertil and seconded by Jeff Roken. The applicant will provide curbing at the drive entrance and in the back of the site with the exception of the landscaped island due to the impact of trucks. Unanimous approval.

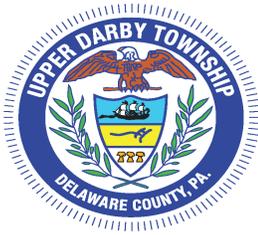
3. SALDO Section 817.C: Requiring Street Trees- A motion to approve the Partial waiver was made by Jeff Roken and seconded by Steve Bertil. The applicant will provide the required number of street trees, but not in the required location or will provide a fee in lieu of actual planting. A motion was made by Jeff Roken and Seconded by Steve Bertil. Voting in favor was Debbie Nifong, Jeff Roken, Steve Bertil and Cassandra Hayes. Voting against the waiver was James Mullen. The partial waiver was approved 4 to 1.

4. SALDO Section 300.I Table 3-1: To submit as a Preliminary/Final Plan.

A motion to approve was made by Steve Bertil and seconded by Jeff Roken. Unanimous approval.

5. SALDO Section 803.B-To omit the required right-of-way designation

A motion to approve the waiver was made by Steve Bertil and Seconded by Jeff Roken. Unanimous approval.



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6. SALDO Section 806.C(7): To permit a radius of curvature less than 5' in parking areas when a minimum 5' radius of curvature is required

A motion to approve the waiver was made by Jeff Roken and seconded by Steve Bertil. Unanimous approval.

7. 821.A-To allow overhead electric connection

A motion to approve the waiver was made by Jeff Roken and seconded by Stever Bertil. Unanimous approval.

8. SALDO Section 807-Sidewalk, pathways and crosswalks. Applicant is proposing to upgrade all the sidewalks on Walnut St and eliminate the depressed curb. Requesting a deferral for upgrades to any sidewalk on Garrett Rd. Applicants did agree to eliminate any tripping hazards and liabilities on the Garrett Rd sidewalk. Deferral would include a note on the plan stating that the applicant is ultimately responsible for improving the sidewalk.-A motion to partially approve the waiver was made by Jeff Roken and seconded by James Mullen. Voting in favor was Debbie Nifong, Jeff Roken, Cassandra Hayes, James Mullen. Voting against was Steve Bertil. The partial waiver was approved 4 to 1.

### **d) Land Development Recommendation**

Jeff Roken made a motion to approve with the comments on the recommendation, James Mullen seconded the motion. Unanimous approval.

### **Old Business**

No update on the smoke shop ordinance this month, or old business to discuss

### **New Business**

No new business to discuss.

### **Adjournment**

A motion to adjourn was made by Jeff. The motion was seconded by James Mullen. Unanimous approval.