



Eckell, Sparks, Levy, Auerbach, Monte,  
Sloane, Matthews & Auslander, P.C.

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File No. 23974-

September 22, 2022

ATTORNEYS AT LAW

Federal Realty  
50 E. Wynnewood Road  
Wynnewood, PA 19096

**Re: Marple Township Zoning Hearing Board  
Application of Federal Realty  
Premises: 1991 Sproul Road  
Broomall, PA 19008  
Case No.: 2022-18**

MURRAY S. ECKELL+  
W. DONALD SPARKS\*  
DAVID E. AUERBACH  
JOSEPH L. MONTE, JR.\*<sup>1</sup>  
JOSEPH E. LASTOWKA, JR.\*  
LEONARD A. SLOANE<sup>2</sup>  
GUY F. MATTHEWS<sup>1,3</sup>  
SAM S. AUSLANDER\*  
STEPHEN J. POLAHA  
DAVID R. BLACK\*  
CRAIG B. HUFFMAN<sup>2</sup>  
PATRICK T. HENIGAN<sup>2</sup>  
JAY M. LEVIN<sup>2</sup>  
CATHERINE T. DUFFY  
KATHLEEN A. PIPERNO  
MICHAEL J. DAVEY<sup>2</sup>  
MATTHEW J. BILKER<sup>2</sup>  
DANIEL R. COLEMAN  
CHRISTOPHER M. BROWN  
JONATHAN E. BECKER <sup>1,4,5,6,7</sup>  
MELANIE E. TUNAITIS  
VASILIKI GOULIABERIS

Dear applicant:

As you know, I am Solicitor to the Marple Township Zoning Hearing Board.

At the regular meeting of the Board held on September 21, 2022, the Board approved your Application for a variance from Article II, Section 300-14 to permit outdoor seating associated with P.J. Whelihan's Restaurant located at the Lawrence Park Shopping Center, 1991 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania.

\*Emeritus (Ret.)

\*Of Counsel

NICHOLAS D. VADINO, JR. 1961-1977

<sup>1</sup>LL.M. Taxation

<sup>2</sup>Admitted to New Jersey

<sup>3</sup>Admitted to New York

<sup>4</sup>Admitted to Maryland

<sup>5</sup>Admitted to Ohio

<sup>6</sup>Admitted to Virginia

<sup>7</sup>Admitted to District of Columbia

The Board's approval was subject to the following conditions:

1. That the Premises be developed in accordance with the Application submitted and the testimony and exhibits presented at the hearing;
2. That the Applicant apply for and obtain all State and local permits and approvals and pay all required fees;

*Please Reply to Media Office Address*

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September 22, 2022  
Page 2

3. That the use of the Premises otherwise conform to all relevant Township ordinances, rules, regulations and all proper building codes and engineering requirements; and

4. The Application and plans must be reviewed and approved by the Township Engineer as it relates to stormwater runoff to ensure that stormwater runoff does not encroach upon neighboring properties.

Enclosed is the Order executed by the Board.

If you are not satisfied with the conditions which have been imposed as part of the Board's approval, you have a right file an appeal in the Court of Common Pleas of Delaware County. The appeal must be filed within 30 days.

Very truly yours,

**Eckell, Sparks, Levy, Auerbach, Monte,  
Sloane, Matthews & Auslander, P.C.,**

By: 

**Matthew J. Bilker**

MJB/cah  
Enclosure

cc: Joseph Romano, Code Enforcement Officer  
Larry Gentile, Township Manager  
Joseph Patti, Chairperson  
Adam Matlawski, Esquire -Marple Township Solicitor

**BEFORE THE MARPLE TOWNSHIP  
ZONING HEARING BOARD**

**IN RE: APPLICATION OF  
FEDERAL REALTY**

**CASE NO. 2022-18**

**VARIANCE:  
Article II Section 300-14**

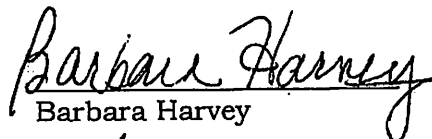
**PREMISES: 1991 Sproul Road  
Broomall, PA 19008**

**ORDER**

AND NOW, this 21<sup>st</sup> day of September, 2022, following a hearing held in this matter on September 21, 2022, it is **ORDERED** that the above Application for a variance from Article II, Section 300-14 to permit outdoor seating associated with P.J. Whelihan's Restaurant located at the Lawrence Park Shopping Center, 1991 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania, is **GRANTED**. If granted, the approval is subject to the conditions and safeguards set forth in the attached Exhibit "A," incorporated herein by reference hereto.

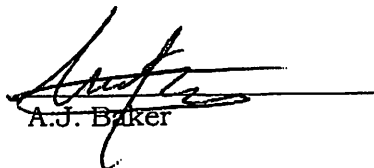
Applicant and other parties will receive formal Findings of Fact and Conclusions of Law (if required) upon completion of same by the Zoning Hearing Board. Appeal must be taken within thirty (30) days of the indicated Date of Notice to the Applicant, that being September 22, 2022.

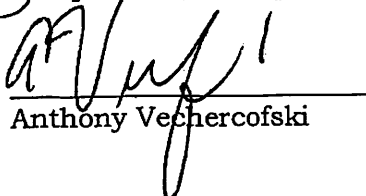
**MARPLE TOWNSHIP  
ZONING HEARING BOARD**

  
Barbara Harvey

  
Joseph Patti, Chairperson

  
Jules Spigonardo

  
A.J. Baker

  
Anthony Vechercofski

\_\_\_\_\_  
Steve Reynolds

EXHIBIT "A"  
TO  
WRITTEN DECISION OF THE  
MARPLE TOWNSHIP ZONING HEARING BOARD

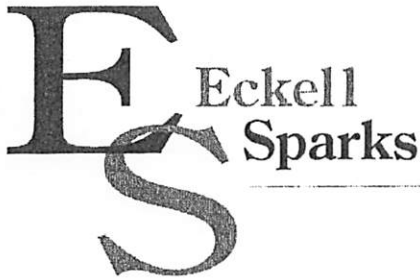
**Applicant:** Federal Realty  
**Address:** 1991 Sproul Road, Broomall, Pennsylvania 19008 ("Property")  
**Date of Hearing:** September 21, 2022  
**Date of Decision:** September 21, 2022  
**Date of Notice to Applicant:** September 22, 2022

CONDITIONS OF APPROVAL

The approval of Applicant's request is subject to the following conditions and safeguards:

1. That the Premises be developed in accordance with the Application submitted and the testimony and exhibits presented at the hearing;
2. That the Applicant apply for and obtain all State and local permits and approvals and pay all required fees; and
3. That the use of the Premises otherwise conform to all relevant Township ordinances, rules, regulations and all proper building codes and engineering requirements.

END OF CONDITIONS



Eckell, Sparks, Levy, Auerbach, Monte,  
Sloane, Matthews & Auslander, P.C.

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<sup>6</sup>Admitted to Virginia  
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Jill Whitcomb, CEO  
Surrey Services for Seniors  
60 Surrey Way  
Devon, PA 19333

**Re: Marple Township Zoning Hearing Board  
Application of Surrey Services for Seniors  
Premises: 505 Parkway Boulevard  
Broomall, PA 19008  
Case No.: 2022-17**

Dear Ms. Whitcomb:

As you know, I am Solicitor to the Marple Township Zoning Hearing Board.

At the regular meeting of the Board held on September 21, 2022, the Board approved your client's Application for a variance from Section 300-45 to lease the facility to Surrey Services for Seniors, which is a community center for aging seniors at the premises located at 505 Parkway Boulevard, Broomall, Marple Township, Delaware County, Pennsylvania.

The Board's approval was subject to the following conditions:

1. That the Premises be developed in accordance with the Application submitted and the testimony and exhibits presented at the hearing;
2. That the Applicant apply for and obtain all State and local permits and approvals and pay all required fees; and

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September 22, 2022  
Page 2

3. That the use of the Premises otherwise conform to all relevant Township ordinances, rules, regulations and all proper building codes and engineering requirements.

Enclosed is the Order executed by the Board.

If you are not satisfied with the conditions which have been imposed as part of the Board's approval, you have a right file an appeal in the Court of Common Pleas of Delaware County. The appeal must be filed within 30 days.

Very truly yours,

**Eckell, Sparks, Levy, Auerbach, Monte,  
Sloane, Matthews & Auslander, P.C.,**

By:   
\_\_\_\_\_  
**Matthew J. Bilker**

MJB/cah  
Enclosure

cc: Joseph Romano, Code Enforcement Officer  
Larry Gentile, Township Manager  
Joseph Patti, Chairperson  
Adam Matlawski, Esquire -Marple Township Solicitor

**BEFORE THE MARPLE TOWNSHIP  
ZONING HEARING BOARD**

**IN RE: APPLICATION OF SURREY  
SERVICES FOR SENIORS / JILL  
WHITCOMB, CEO**

**CASE NO. 2022-17**

**VARIANCE:  
Section 300-45**


**PREMISES: 505 Parkway Boulevard  
Broomall, PA 19008**


**ORDER**

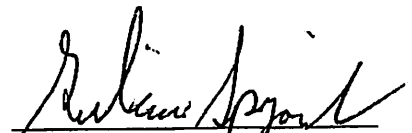
AND NOW, this 21st day of September, 2022, following a hearing held in this matter on September 21, 2022, it is **ORDERED** that the above Application for a variance from Section 300-45 to permit use of the facility as a Community Center for aging adults at the premises located at 505 Parkway Boulevard, Broomall, Marple Township, Delaware County, Pennsylvania, is **GRANTED**. If granted, the approval is subject to the conditions and safeguards set forth in the attached Exhibit "A," incorporated herein by reference hereto.

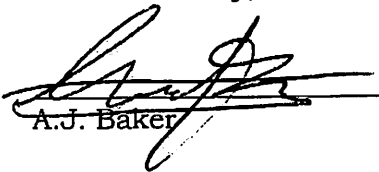
Applicant and other parties will receive formal Findings of Fact and Conclusions of Law (if required) upon completion of same by the Zoning Hearing Board. Appeal must be taken within thirty (30) days of the indicated Date of Notice to the Applicant, that being September 22, 2022.

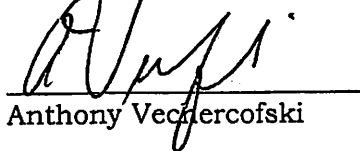
**MARPLE TOWNSHIP  
ZONING HEARING BOARD**

  
Barbara Harvey, Vice Chairperson

  
Joseph Patti, Chairperson

  
Jules Spigonardo

  
A.J. Baker

  
Anthony Vecnercofski

\_\_\_\_\_  
Steve Reynolds

EXHIBIT "A"  
TO  
WRITTEN DECISION OF THE  
MARPLE TOWNSHIP ZONING HEARING BOARD

**Applicant:** Surrey Services for Seniors / Jill Whitcomb, CEO  
**Address:** 505 Parkway Boulevard, Broomall, Pennsylvania 19008 ("Property")  
**Date of Hearing:** September 21, 2022  
**Date of Decision:** September 21, 2022  
**Date of Notice to Applicant:** September 22, 2022

CONDITIONS OF APPROVAL

The approval of Applicant's request is subject to the following conditions and safeguards:

1. That the Premises be developed in accordance with the Application submitted and the testimony and exhibits presented at the hearing;
2. That the Applicant apply for and obtain all State and local permits and approvals and pay all required fees; and
3. That the use of the Premises otherwise conform to all relevant Township ordinances, rules, regulations and all proper building codes and engineering requirements.

END OF CONDITIONS