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RILEY RIPÉR HOLLIN & COLAGRECO
ATTORNEYS AT LAW

October 17, 2016

VIA HAND DELIVERY

Anthony T. Hamaday, Township Manager
Marple Township
227 South Sproul Road
Broomall, PA 19008

RE: Two Farms, Inc. d/b/a Royal Farms, Inc. – Marple Township
Zoning Hearing Board Application and Conditional Use Application

Dear Tony:

As you know, this firm represents Two Farms, Inc. d/b/a Royal Farms, Inc. (“Applicant”) in connection with its proposed development of a portion of the tract located along West Chester Pike and adjacent and to the west of Route 476 in Marple Township, which is identified as Delaware County Folio No. 25-00-05303-00 (“Property”). The Property is owned by Marple Associates and is located in the Highway Interchange District of Marple Township. Applicant proposes developing a portion of the Property with a Royal Farms convenience store, associated fueling station and bank with drive-through facility.

In connection with the proposed development, Applicant is requesting special exception approval from the Zoning Hearing Board pursuant to Section 300-10.B of the Marple Township Zoning Ordinance (“Zoning Ordinance”) to permit the proposed Royal Farms convenience store and fueling station to operate 24 hours per day. In addition, Applicant is requesting variance relief from Section 300-41.1.B.(1)(b) of the Zoning Ordinance to permit each fuel dispensing facility to include diesel fuel. Applicant is also requesting certain variance relief from the Zoning Hearing Board for the proposed signage for the Royal Farms convenience store. Finally, Applicant is requesting conditional use approval from the Board of Commissioners for the proposed bank with drive-through facility pursuant to Section 300-43.1.B.(2)(b) of the Zoning Ordinance.

Enclosed in connection with Applicant’s requested special exception and variance relief from the Zoning Hearing Board are the following items:

1. One (1) original and seven (7) copies of the Marple Township Zoning Hearing Board Application form;
2. Ten (10) copies of the Zoning Plan prepared by Robert E. Blue Consulting Engineers, P.C. dated October 12, 2016; and
3. Check in the amount of \$750.00 made payable to Marple Township for the filing fee.

Anthony T. Hamaday, Township Manager
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Enclosed in connection with Applicant's requested conditional use approval from the Board of Commissioners are the following items:

1. One (1) original and nine (9) copies of the Marple Township Zoning Hearing Board Application form (it is my understanding that this form is also used for conditional use requests);
2. Ten (10) copies of the Conditional Use Plan prepared by Robert E. Blue Consulting Engineers, P.C. dated October 12, 2016; and
3. Check in the amount of \$1,000.00 made payable to Marple Township for the filing fee.

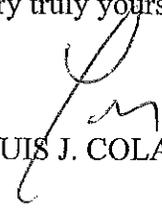
The enclosed Zoning Plan and Conditional Use Plan serve as the required Sketch Plan. Also enclosed are one (1) original and eleven (11) copies of the Marple Township Subdivision/Land Development Application for Sketch Plan review and a check in the amount of \$100.00 made payable to Marple Township for the Sketch Plan review fee.

A letter of authorization from Marple Associates, the legal owner of the Property, is enclosed.

It is my understanding that the Township Planning Commission will review the foregoing items at its October 27th meeting. Further, it is my understanding that the conditional use request will be placed on the Board of Commissioners' November 14th agenda for a hearing, and the zoning relief will be placed on the Zoning Hearing Board's November 16th agenda for a hearing. It is also my understanding that the Township handles notice to the surrounding residents as well as public advertisement and posting of the Property for both hearings at the appropriate time. Please let me know if my understanding is incorrect.

Thank you for your attention to this matter. If you have any questions, please feel free to give me a call.

Very truly yours,



LOUIS J. COLAGRECO, JR.

LJC, JR./krm
Enclosures

cc: Jack Whisted (via email only, w/encl.)
William Owen, ASLA (via email only, w/encl.)
Kaitlin R. Miceli, Esquire (via email only, w/encl.)

MARPLE TOWNSHIP ZONING HEARING BOARD APPLICATION
APPLICATION OF:
TWO FARMS, INC. D/B/A ROYAL FARMS, INC.

(Continued from Application form)

Applicant is requesting the following relief from the Marple Township Zoning Ordinance ("Zoning Ordinance"):

1. A special exception pursuant to § 300-10.B to permit the proposed Royal Farms convenience store and fueling station to operate 24 hours per day. Applicant will provide testimony at the hearing that the proposed 24 hours per day operation will not generate high levels of vehicular traffic or noise, noxious odors, air pollution or glare. There are no residential uses adjacent to the portion of the tract which Applicant proposes developing, so the manner, location and hours of operations and deliveries will not have any impact on adjacent residential uses.
2. A variance pursuant to § 300-43.1.B.(1)(b) to permit all of the proposed fuel dispensing facilities to include diesel fuel in lieu of the one (1) permitted diesel fuel dispensing facility. Because diesel fuel is incorporated into each of the fuel dispensing facilities and is not proposed to be a stand-alone facility, the Applicant cannot comply with this limitation of the Zoning Ordinance. The diesel fuel hoses will not pump more than 10 gallons per minute as required by this section of the Zoning Ordinance.
3. A variance pursuant to § 300-43.1.D.(1)(b) to permit a freestanding pylon sign that is 144.2 square feet in area and 25' in height to be installed in lieu of the permitted monument sign. Applicant proposes the installation of a freestanding pylon sign at the intersection of Langford Run Road and West Chester Pike. Due to the tract's location at the intersection of a heavily-traveled road in the vicinity of a major highway interchange and in order to provide adequate visibility to motorists traveling on West Chester Pike and Langford Run Road (where the majority of the access points are located), a freestanding pylon sign of the size and height proposed is needed in lieu of the permitted monument sign.
4. A variance pursuant to § 300-97 to permit the proposed canopy signs to be 35.6 square feet in area where 9 square feet is permitted for each canopy sign (calculated based on a maximum of 7.5% of the canopy area on which the sign is located). The Applicant proposes installing a sign on two (2) facades of the fuel canopy, as depicted on the Zoning Plan. Due to the small size of the canopy façade, Applicant's canopy signs cannot comply with the 7.5% area limitation and be legible to vehicular traffic.

Applicant will offer testimony and evidence at the hearing to demonstrate compliance with all applicable Zoning Ordinance criteria. However, due to the location of the tract in the Highway Interchange District, the foregoing zoning relief will not be detrimental to the public interest.