

**REPUBLIC BANK  
MARPLE TOWNSHIP ZONING HEARING BOARD  
JUNE 17, 2020  
LIST OF APPLICANT'S EXHIBITS**

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- A-1 Deed
- A-2 Agreement of Sale (redacted)
- A-3 Site Plan
- A-4 Prior Site Plan (for comparison)
- A-5 Landscape Plan
- A-6 Prior Landscape Plan (for comparison)
- A-7 Building Elevations
- A-8(a) Architectural Renderings
- A-8(b) Photos of Moorestown Republic Bank
- A-9 Survey Plan of Existing Conditions
- A-10 Photos of Existing Conditions
- A-11 Aerial Photos of Existing Conditions
- A-12 Photos of Nearby Buildings
- A-13 CV of Project Civil Engineer, Joseph Russella
- A-14 CV of Project Land Planner, Lisa Thomas
- A-15 January 21, 2020 Order and April 7, 2020 Opinion of Judge Angelos, at Del.Co. C.C.P. No. CV-2018-003694
- A-16 Record and Opinion from Prior Zoning Application at Marple Township Zoning Hearing Board Docket 2018-06

①

Prepared by and return to:  
Brian P. Kelly, Esq.  
Certified Abstract Company, Inc.  
7242 Hollywood Road  
Fort Washington, PA 19034  
File: 11783CERF

RD BK05830-1277  
2016032647 06/23/2016 01:20:28 PM:1  
RD FEE \$86.50 PCL SUB TAX \$10,500.00 ST TAX \$10,500.00  
25-MARPLE \$10,500.00 THOMAS J. JUDGE SR. ROD  
DELAWARE COUNTY

Property:  
Tax Parcel Folio Number- 25-00-04491-00  
1998 Sproul Road, Broomall, PA

**SPECIAL WARRANTY DEED**

This Special Warranty Deed is dated as of June 23, 2016 by John J. Kish, II, and Barbara E. Kish, husband and wife (the "Grantors") in favor of 1219 MacDade, LLC (the "Grantee").

WITNESSETH, that the said Grantors, for and in consideration of the sum of ONE MILLION FIFTY THOUSAND AND 0/100 DOLLARS (\$1,050,000.00) lawful money of the United States of America unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt of which is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantee:

ALL THAT CERTAIN real property and the improvements located thereon situate in the Township of Marple, County of Delaware, Commonwealth of Pennsylvania, being known as 1998 Sproul Road and folio number 25-00-04491-00 and being more particularly described on Exhibit A attached hereto and incorporated herein as though set forth at length.

TOGETHER WITH all and singular the buildings and improvements, ways, streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, as well as all existing, non-conforming uses thereon, whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantors in law, equity, or otherwise howsoever, of, in and to the same and every part thereof.

TO HAVE AND TO HOLD the said buildings, improvements, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and/or assigns, to and for the only proper use and behoof of the said Grantee, its successors and/or assigns, forever.

**EXHIBIT**  
tabular  
A-1

**Exhibit A**

**Legal Description**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected SITUATE in the Township of Marple, County of Delaware, and Commonwealth of Pennsylvania and described according to a survey and Plan of Property made by Thomas W. Burns, Registered Surveyor on March 27, 1979, as follows:

BEGINNING at a point in the center line of Sproul Road (Sixty feet wide) at the distance of Five hundred forty-two and seventy one-hundredths feet measured South Twenty-two degrees, Twenty-five minutes, Thirty seconds East along same from a point marking its intersection with the title line in the bed of Paxon Hollow Road; thence extending from said beginning point and along the center line of Sproul Road South Twenty-two degrees, Twenty-five minutes, Thirty seconds East, Two hundred thirty-two and seventy-four one hundredths feet to a point; a corner of land now or late of Jack and Frances Nercesian; thence extending along said land South Sixty-seven degrees, fifteen minutes, Twenty-eight seconds West One hundred eighty feet to a stone, a corner of land now or late of Gerald J. and Marie Coghlan; thence extending along said land and land now or late of Carl and Mable Huber, North Fifty-six degrees, Fifteen minutes West, Once hundred Twenty-eight and fifty-six one-hundredths feet to an iron pin; a corner of land now or late of Benjamin Friedman and Joel Friedman, Trustees; thence extending along said land on a line curving to the right having a radius of One thousand one hundred forty-five and ninety-two one-hundredths feet the arc distance of Two hundred eighty-two and fifty-one one hundredths feet to the first mentioned point and place of beginning.

BEING known as 1998 Sproul Road.

BEING Folio No. 25-00-04491-00.

BEING the same premises which Delaware County Industrial Development Authority, by Deed dated March 3, 1998 and recorded October 17, 2002 in Delaware County in Record Volume 2558 page 1112, granted and conveyed unto John J. Kish, II and Barbara E. Kish, his wife, in fee.

AND the said Grantors, for themselves and their heirs, successors and/or assigns, do covenant, promise, grant and agree, to and with the said Grantee, its successors and/or assigns, by these presents, that she, the said Grantors and their heirs, successors and/or assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and/or assigns, against it, the said Grantors, their heirs, successors and/or assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under Grantors, shall and will SPECIALLY WARRANT and forever DEFEND.

[Signature appears on the following page.]



## AGREEMENT FOR PURCHASE AND SALE

THIS Agreement ("Agreement") is entered into on November 27, 2017 ("Effective Date") by and between 1219 MACDADE, LLC, a Pennsylvania limited liability company whose address is 4 Cricket Avenue Ardmore PA 19003 ("Seller") and Republic First Bank d/b/a Republic Bank, a Pennsylvania banking corporation, whose address is Two Liberty Place, 50 S. 16<sup>th</sup> Street, Suite 2400, Philadelphia, PA 19102 ("Buyer").

### BACKGROUND:

Seller is the owner of certain land located at 1998 Sproul Road, Broomall, PA 19008, being designated as Block 52, Lot 128 on the tax map of the Township of Marple, County of Delaware, Pennsylvania ("Property"), which includes approximately 0.93 acres of improved land, as more particularly described on Exhibit "A" to this Agreement (the "Land"), including, without limitation, (i) any and all buildings, structures (surface and subsurface) and other improvements situated on or attached to all or any portion of the Land (the "Improvements"), (ii) all easements appurtenant to the Land and other easements, grants of right, licenses, leases to the extent assignable, privileges or other agreements for the benefit of, belonging to or appurtenant to the Land whether or not situate upon the Land, (iii) all mineral, oil and gas rights, riparian rights, water rights, sewer rights and other utility rights benefiting, appurtenant or allocated to the Land, (iv) all right, title and interest of the owner of the Land in and to any roads, streets and ways, public or private, open or proposed, in front of or adjoining all or any part of the Land and serving the Land, to the center line thereof, and (v) all rights to development of the Land granted by governmental entities having jurisdiction over the Land (the Land, Improvements and all of the foregoing interests in clauses (ii) through (v) preceding are sometimes hereinafter collectively referred to as the "Property").

In consideration of the mutual covenants and agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby covenant and agree as follows.

### AGREEMENT:

1. Purchase and Sale.

Subject to all of the terms and conditions of this Agreement, the Seller will sell to the Buyer and the Buyer will purchase from the Seller the Property, together with all appurtenances, rights, easements, rights of way, permits, licenses and approvals incident or appurtenant thereto.

2. Purchase Price and Payment.

(a) The purchase price to be paid by the Buyer to the Seller for the Property shall be \_\_\_\_\_ (the "Purchase Price"), subject to adjustments and prorations as set forth in this Agreement.



(b) Within one (1) business days from the Effective Date of this Agreement, Buyer shall deliver [REDACTED] (the "Deposit") to the title insurance company selected by Buyer ("Escrow Agent"). The Deposit will be held in escrow by Escrow Agent until Closing or sooner termination of this Agreement in an interest-bearing account in a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation. All interest earned thereon shall be deemed to constitute additional deposits hereunder and become part of the Deposit. The Deposit shall be credited against the Purchase Price, however, the Deposit shall not be refundable unless Buyer terminates this Agreement during the Due Diligence Period, Seller breaches this Agreement or is unable to convey title to the Property in accordance with the terms of this Agreement.

(c) At the time of Closing, the Buyer will pay to Escrow Agent or the title company chosen by the Buyer, by cashier's check or wire transfer, the Purchase Price, less the Deposit, as adjusted for prorations and adjustments as set forth in this Agreement, together with Buyer's closing costs as described herein and Escrow Agent shall deliver the Purchase Price to the Seller and shall pay the closing costs to the applicable payee thereof.

3. **Title and Title Insurance.**

Seller shall convey good and marketable title to the Property, insurable at regular rates by a title insurer selected by Buyer. Buyer shall procure a title commitment (the "Commitment") for an ALTA Owner's Title Policy, showing the state of the title to the Property which would appear in an ALTA Owner's Title Policy. Buyer shall provide Seller with notice of any unacceptable exceptions or survey matter ("Buyer's Title Notice") within twenty five days after the Effective Date including any objections to a land survey of the Property ("Survey"). Seller shall use reasonable efforts to attempt to eliminate or modify the unacceptable exceptions or survey matters objected to by Buyer. In the event Seller does not advise Buyer within the thirty day Due Diligence Period (defined below) that it shall satisfy all requests in said notice, or if Seller does not address and/or eliminate any such exception or survey matters to Buyer's reasonable satisfaction on or before expiration of the Due Diligence Period Buyer shall be entitled to either (a) terminate this Agreement, in which event Buyer shall receive a full refund of the Deposit, whereupon both parties shall be released from all further obligations under this Agreement, or (b) proceed under this Agreement and accept title to the Property subject to such unacceptable exceptions or survey matters without offset or deduction from the Purchase Price. All exceptions appearing in the Commitment and all matters shown on the Survey to which, in each case, Buyer does not object are hereinafter referred to as the "Permitted Exceptions". Notwithstanding the foregoing, Seller shall be obligated: (i) to eliminate at or prior to Closing, at Seller's sole cost and expense, all mortgage, tax, judgment and mechanics' liens encumbering the Property, regardless of amount, together with any title defects voluntarily suffered, consented or created by Seller following the date of this Agreement; and (ii) to terminate, at Seller's sole cost and expense, any leases or tenancies at the Property, so that vacant possession of the Property in as is condition shall be delivered to Buyer at Closing as required herein.

4. **Copies of Seller's Materials.**

engineering and environmental studies and inspections. Buyer may terminate this Agreement upon written notice to Seller for any or no reason prior to the expiration of the Due Diligence Period and in such event the Deposit shall be returned to the Buyer. In addition, this Agreement shall be deemed terminated unless, on or before 5:00 PM (EST) on the last day of the Due Diligence Period, Buyer serves written notice upon Seller stating that Buyer intends to waive its termination rights under this Section 6 in which case this Agreement shall remain in full force and effect subject to its remaining terms.

(b) **Approvals.** This Agreement is contingent upon Buyer, at its sole cost and expense, obtaining all necessary land use, construction and regulatory permits and approvals from all required government agencies to develop and operate the Property as a bank branch with a building of at least 3,500 square feet and three drive-thru lanes ("Buyer's Intended Use"), as applied for by Buyer and subject to conditions acceptable to Buyer (collectively, the "Approvals"). The Approvals must be (i) validly and irrevocably granted in form and substance satisfactory to Buyer in its sole reasonable discretion; (ii) on terms and conditions satisfactory to Buyer in its sole discretion; and, (iii) no longer subject to appeal or be the basis of an appeal. Seller agrees to cooperate with Buyer's efforts to obtain the Approvals. Buyer may terminate this Agreement if Buyer determines in its sole reasonable judgment that it will not be able to obtain all of the Approvals and in such event the Deposit shall be paid to Seller and both parties shall be released from all further obligations under this Agreement. If Buyer has not obtained all Approvals, or waived this contingency, within twelve (12) months from the expiration of the Due Diligence Period, either party may terminate this Agreement and in such event the Deposit shall be paid to the Seller and whereupon both parties shall be released from all further obligations under this Agreement. However, if Seller terminates this Agreement pursuant to this Section 6(b), Buyer may reinstate and keep this Agreement in full force and effect in accordance with its remaining terms by providing written notice to Seller within ten (10) days of Buyer's receipt of notice of termination from Seller, and in such event the Closing shall occur within thirty (30) days after Buyer's election to reinstate this Agreement as aforesaid. Buyer shall diligently apply for all Approvals and provide Seller with copies of all applications at no cost to Seller.

7. **Closing.** Subject to the provisions of this Agreement as set forth in 6(b), the purchase and sale contemplated by this Agreement ("Closing") shall be closed on or before thirty (30) days following the date Buyer obtains all Approvals. The date of Closing shall be referred to as the "Closing Date". The Closing shall take place at the Buyer's attorney's office on the Closing Date, commencing at 10:00 a.m. or shall be by mail in escrow through the Escrow Agent on the Closing Date.

8. **Seller's Deliveries.**

Seller shall deliver to the Buyer, at Closing, possession of the Property and the following documents dated as of the Closing Date, the delivery and accuracy of which shall be a condition to the Buyer's obligation to consummate the purchase and sale:

(a) **Deed.** A Special Warranty Deed, in recordable form, duly executed by the Seller, conveying to the Buyer good, marketable fee simple title to the Property, insurable at

attorneys' fees and litigation expenses incurred in connection with such litigation against the non-prevailing party.

27. **Weekends and Holidays.**

If the date for performance is on a Saturday, Sunday or federal holiday, the date for performance shall be extended until the next business day.

28. **Construction.**

Each party hereto hereby acknowledges that all parties hereto have equally participated in the drafting of this Agreement and, accordingly, no court construing this Agreement shall construe it favor of or against any one party.

29. **Counterparts.**

This Agreement may be executed in counterparts. All counterparts shall collectively constitute a single agreement. Facsimile or electronic copies of this executed Agreement shall be binding.

**SIGNATURES ON FOLLOWING PAGE**

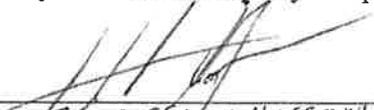
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year last below written.

Signed, sealed and delivered  
in the presence of:

  
Witness

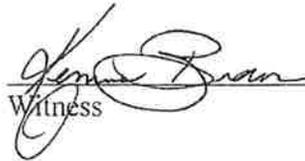
**SELLER:**

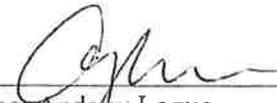
**1219 MACDADE, LLC**  
a Pennsylvania limited liability company

By:   
Name: JEFFREY HOFFMANN  
Title: MANAGING PARTNER

**BUYER:**

**REPUBLIC FIRST BANK D/B/A REPUBLIC  
BANK**  
a Pennsylvania banking corporation

  
Witness

By:   
Name: Andrew Logue  
Title: President







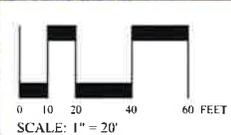
**GLACKIN  
THOMAS  
PANZAK**  
LAND PLANNING  
L A N D S C A P E  
ARCHITECTURE

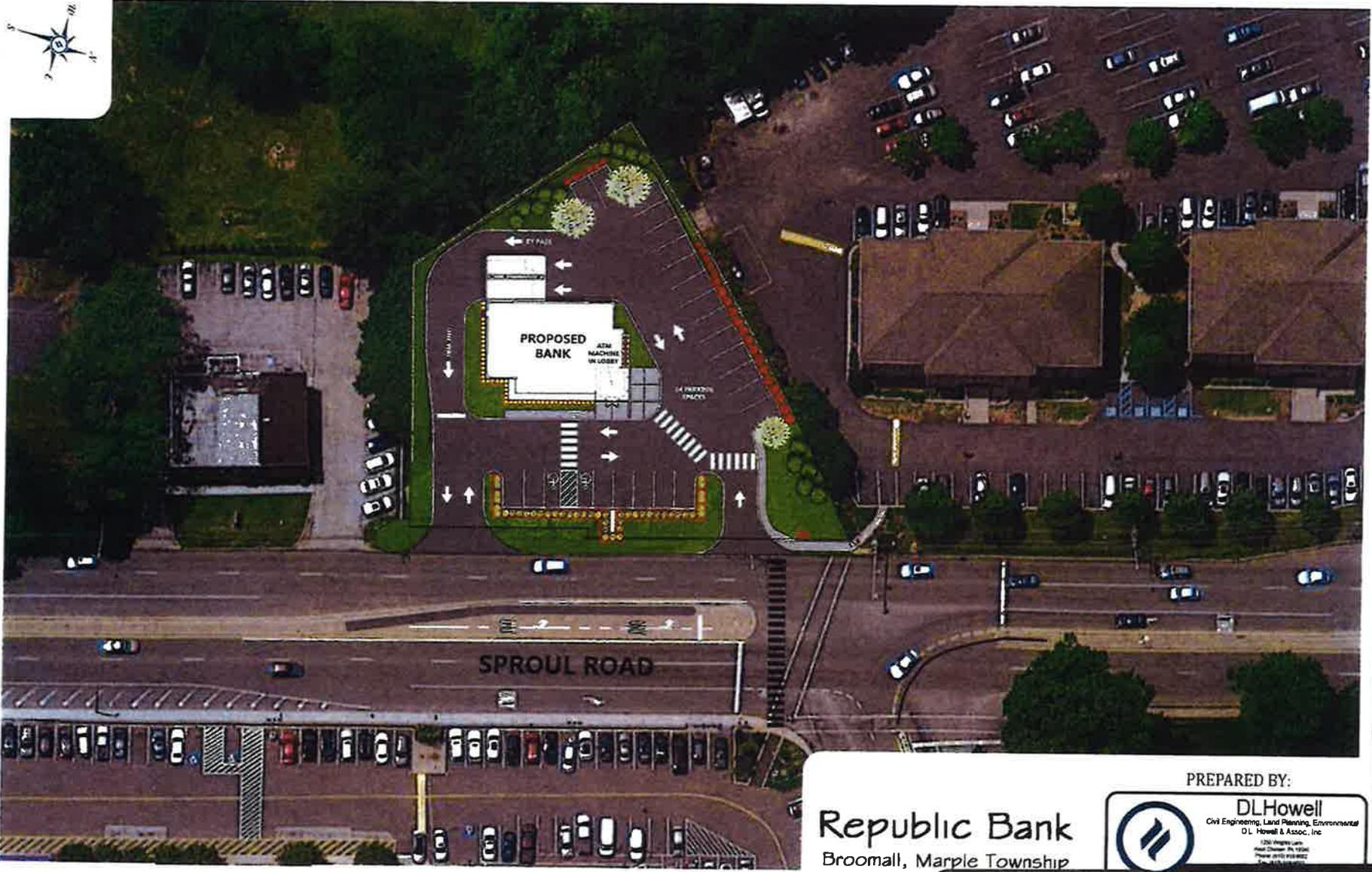
Charles Thomas Panzak, Inc.  
P.O. Box 1000  
11100  
P.O. Box 1000  
P.O. Box 1000  
P.O. Box 1000  
P.O. Box 1000  
P.O. Box 1000

CONCEPT LANDSCAPE PLAN  
**Republic Bank**  
MARPLE TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA

PROJECT #: 18-006  
DATE: 06/10/20 (mc)  
REV: 1

SHEET:  
**CP-1**





Republic Bank  
Broomall, Marple Township

PREPARED BY:



**DLHowell**  
Civil Engineering, Land Planning, Environmental  
D.L. Howell & Assoc., Inc.  
1226 Virginia Lane  
West Chester, PA 19380  
Phone: 610-733-8800

tabbies®  
**EXHIBIT**  
A-6

tabbies®  
**EXHIBIT**  
(2018)  
A-7









tabbier  
A-8(a)  
EXHIBIT





EXHIBIT  
A-8(b)







tabbles®  
EXHIBIT  
A-10



AVAILABLE  
FOR LEASE

610-572-1120







tabbles®  
EXHIBIT  
A-11



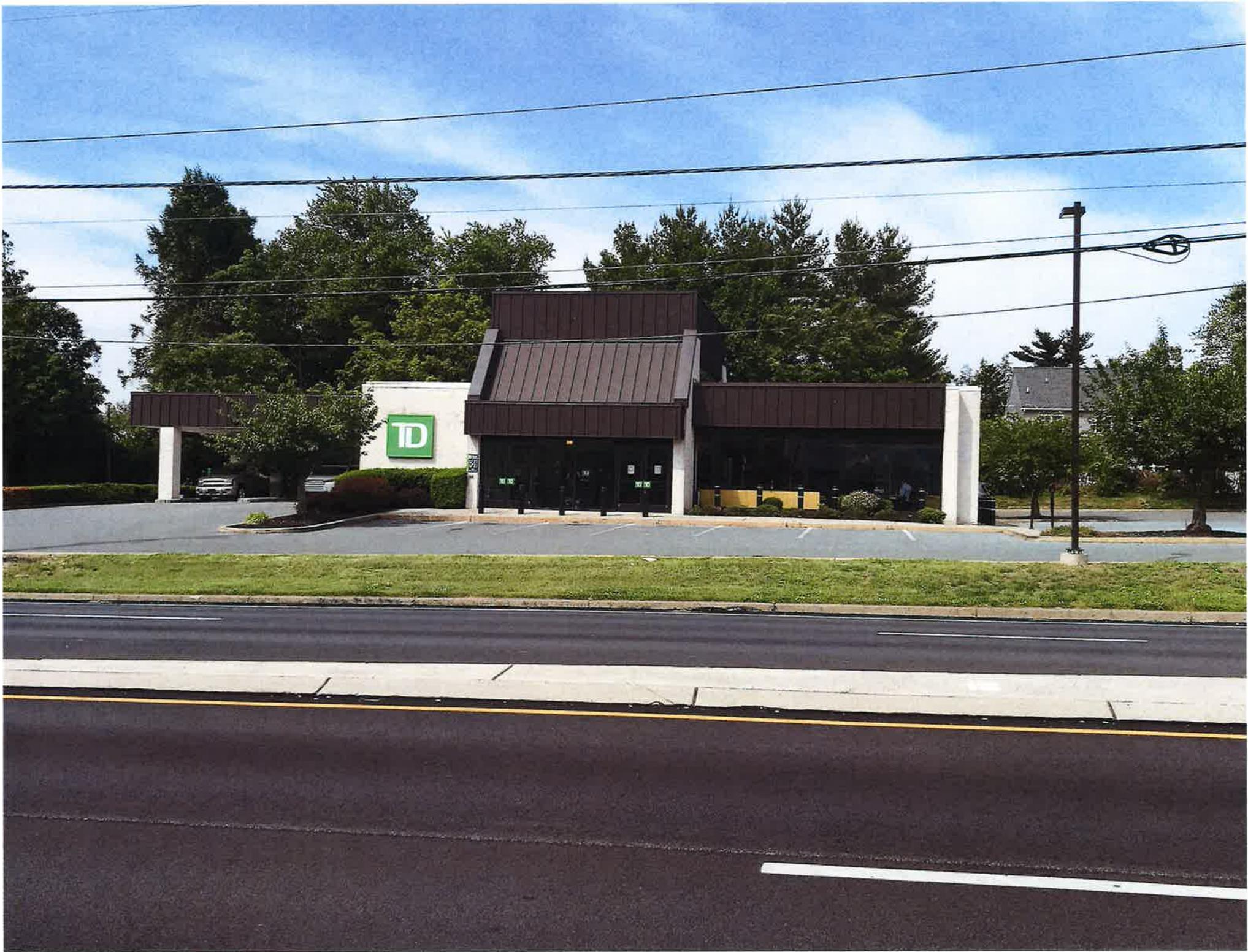






tabbles®  
A-12  
EXHIBIT





Bank of America



1980





Citizens Bank

Drive-up ATM ↓

Clearance 8' 9" ↓

Pass-Through Lane ↓





WSFS bank

CREDIT UNION

W

YIELD

STOP



1974

FEDERAL CREDIT UNION

indus.org 410-225-2100





Wawa

ITALIAN DELITE  
PIZZA

HONEYBAKED  
HAMBURGERS

freshdirect



PIZZA

HONEYBAKED  
HAM

BROOMALL BEER

PEPPERIDGE FARM

CLEANERS

Walking



**Liberty**

*Fritsch's*

**NAPA** **AUTOCARE**  
**CENTER**

SCHOOL  
PAINTING  
RESIDENTIAL





**CURRICULUM VITAE**

**NAME:** Joseph S. Russella, Jr.

**EDUCATION:** Pennsylvania Institute of Technology - Media, PA  
Degree in Architectural Engineering, 1986  
Spring Garden College - Philadelphia, Pennsylvania  
Degree in Civil Engineering, 1989

**EXPERIENCE & RESPONSIBILITIES**

**D. L. Howell & Associates, Inc.**

West Chester, PA – May 1999 to Present

Kennett Square, PA – May 2004 to February 2008

*Director of Operations.* Responsible for complete engineering design and preparation of subdivision and land development plans. Designs include: sanitary sewer, storm sewer, stormwater management, roadway, drainage reports, construction specifications and representation at public meetings and hearings. Responsible for managing the West Chester office including: Marketing and New Business Development, Proposals and Cost Estimates.

**Howell Kline Surveying, LLC.** – West Chester, PA – September 2003 to Present

*Managing Partner.* Responsible for acquiring new work and scheduling jobs.

**Robert E. Lamb, Inc.** – Valley Forge, PA – September 1996 to May 1999

*Civil Designer / Project Manager.* Responsible for complete engineering design and preparation of commercial and industrial land development plans. Designs include: sanitary sewer, storm sewer, water systems, roadway, stormwater management and erosion control plans, construction specifications, drainage studies, reports, quantity and cost estimates, client representation at public meetings and hearings, and liaison with federal, state and local agencies.

**Edward B. Walsh & Associates, Inc.** – Exton, PA – August 1994 to September 1996

*Civil Designer.* Responsible for engineering design and preparation of residential, commercial and industrial subdivision plans. Designs include: sanitary sewer, storm sewer, water systems, roadway, construction specifications, reports, quantity and cost estimates, construction inspections, client representation at public meetings and hearings, and liaison with federal, state and local agencies.

**Hough Loew Associates, Inc.** – Exton, PA – October 1987 to August 1994

*Civil Designer / Architectural Designer.* Responsible for preparation of commercial and industrial land development plans. Layouts include: sanitary sewer, storm sewer, construction specifications, client representation at public meetings and hearings, and liaison with local agencies. Also responsible for preparation of construction documents including: floor plans, wall sections, details and schedules.

1250 Wright's Lane  
West Chester, PA 19380  
Phone: (610) 918-9002  
Fax: (610) 918-9003



## Lisa L. Thomas, RLA, AICP, LEED AP



### Title:

President, Glackin Thomas Panzak, Inc.

### Education

Bachelor of Landscape Architecture,  
Pennsylvania State University

### Professional Registration

Certified Planner, American Institute of  
Certified Planners

Registered Landscape Architect,  
Commonwealth of Pennsylvania

State of New Jersey

State of Delaware

State of Maryland

LEED Accredited Professional

### Professional Affiliations

American Planning Association

Commercial Real Estate Women - Philadelphia

### Board Affiliations

Penn. State Landscape Architecture APG  
Board, President

Riverbend Environmental Educational Center, Past  
Chair, Board of Directors

Borough of Conshohocken, past Planning  
Commission member

Ms. Thomas has extensive land planning and landscape architectural experience as the president of Glackin Thomas Panzak, Inc. Her professional experience includes projects for both the private and public sectors. She is responsible for the overall management of projects, coordination of project consultants, and provides expert testimony before municipal boards and commissions at public hearings.

For the private sector, Ms. Thomas' project experience includes mixed-use developments, traditional neighborhood and open space developments, institutional projects including schools and hospitals, and commercial projects. She has broad experience in the development of site feasibility studies, zoning analysis, environmental analysis studies, site design, open space management plans, and detailed construction documentation plans. She has prepared zoning amendments to complement proposed projects including mixed-use districts, medical districts, and unified development districts.

Ms. Thomas also provides consulting services to municipalities. Her expertise includes site planning reviews, ordinance preparation, transportation oriented planning, testimony in public hearings, and the preparation of park, playground, and trail designs. Working closely with township engineers and Planning Commissions, she has prepared comprehensive amendments to township ordinances including mixed use and village districts, natural features preservation, and updates to landscape requirements.

Her experience with previous firms included land planning and site design. As a land planner with the Chester County Planning Commission, she has reviewed development plans, comprehensive plans, and proposed ordinances. She has authored several citizen information publications and provided design guidelines for community comprehensive plans.

### Relevant Experience

- **Franklin Mint, Wawa, PA -**  
Prepared zoning amendments and land development plans for commercial, retail, and residential uses on the Franklin Mint tract.
- **Easttown Township, Chester County, PA -**  
Township planner and landscape architect. Prepared Village of Berwyn District, signage, natural resource protection and landscape ordinance amendments. Provided design services for township library and parks. Providing ongoing plan review services.
- **East Marlborough Township, Chester County, PA -**  
Township planner and landscape architect. Prepared Unionville Village streetscape master plan, park master plan funded by state and county grants, zoning amendments and plan review services.
- **Bryn Mawr Rehabilitation Hospital, Malvern, PA -**  
As a master site plan component, prepared zoning amendments that included a Unified Development Overlay District. The district incorporated open space preservation and flexible development options allowing residential development, future expansion opportunities for the hospital, permanent protection of sensitive environmental features and township ownership of recreation facilities.



## Lisa L. Thomas, RLA, AICP, LEED AP

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### Relevant Experience (continued)

- **Haverford Reserve, Haverford, PA -**  
Prepared land development plans for the redevelopment of the 209 acre Haverford State Hospital site that includes 45 acres of 180 multifamily condominium units and 100 carriage homes with a community center, tennis courts, walking trails, and adjacent township community center and athletic fields.
- **Bryn Mawr Hospital, Bryn Mawr, PA -**  
Worked collaboratively on a team of consultants and prepared site analysis plans, master site development plans, and a new tiered medical zoning district to allow future development and hospital expansion opportunities.
- **Ellis Preserve Town Center, Newtown Square, PA -**  
Provided site planning, landscape planning, and landscape design guidelines for a mixed-use town center development on a former educational facility site.
- **The Courts at Spring Mill Station, Conshohocken, PA -**  
Provided expert testimony, secured entitlements, and prepared landscape and construction documents for streetscape, courtyards and amenities for this 385 unit multi-family TOD development.
- **The Reserve at Maybrook, Wynnewood, PA -**  
Provided land planning and landscape architectural services for this 250 unit multi-family development located on the historic Merriam Estate.
- **Jefferson Pointe at West Chester, West Chester, PA -**  
Secured entitlements and prepared site landscape plans and construction documents for amenity courtyards for this 230 unit apartment community.
- **West Chester Pike Transportation and Land Use Plan, Upper Darby, PA -**  
Provided streetscape planning, design guidelines, façade improvement alternatives, and public engagement.
- **Paoli Road Improvement Feasibility Study, Paoli, PA -**  
Provided streetscape planning and community engagement and stakeholder outreach.

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW**

<b>REPUBLIC FIRST BANK d/b/a</b>	:	<b>NO. CV -2018-003694</b>
<b>REPUBLIC BANK</b>	:	
<b>v.</b>	:	
	:	
<b>MARPLE TOWNSHIP ZONING</b>	:	
<b>HEARING BOARD</b>	:	
	:	
<b>AND MARPLE TOWNSHIP INTERENOR</b>	:	

**ORDER**

AND NOW, this 21<sup>ST</sup> day of January, 2020, after argument on the Land Use Appeal filed by Republic First Bank, review of Republic First Bank’s brief in support of the appeal, the brief of Marple Township as Intervenor in opposition thereto, Republic First Bank’s supplemental brief, and after thorough review of the record developed before the Marple Township Zoning Hearing Board including examination of the transcripts and exhibits admitted into evidence and review of the findings of fact and conclusion of law authored by the Zoning Hearing Board, it is hereby **ORDERED** and **DECREED** that the Marple Township Zoning Hearing Board decision dated April 18, 2018 in case number 2018-06 is **AFFIRMED IN PART** and **REVERSED IN PART**.

1. The April 18, 2018 Order paragraph one (1) as to the application for special exception pursuant to Article XV, Chapter 300 Section 124 is **reversed** as to Sections (A) (B) and (C) (1) (2) and (3). Paragraph one (1) of the April 18, 2018 Order is **affirmed** as to Article XV Chapter 300 Section 124 (C) (4). The April 18, 2018 Order paragraph two (2) is affirmed.



2. The April 18, 2018 Order paragraph two (2) is **affirmed**.
3. The April 18, 2018 Order paragraphs three (3), four (4) and five (5) are **reversed**. This Court notes that Conclusion of Law number thirty-seven (37) provides that the Board considered the dimensional variance relief as moot because the special exception and use variance applications were denied.

Conclusion of Law number three (3) recites Article 15 Section (300-124) of the Marple Township Code which provides as follows:

***Once changed to a conforming use, no building, structure or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to another nonconforming use only if all of the following conditions are met:***

***A. Such change shall be permitted only as a special exception.***

***B. The applicant shall show that the nonconforming use cannot reasonably be changed to a permitted use.***

***C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use, with respect to:***

***(1) Traffic generation and congestion, including truck, passenger car and pedestrian traffic;***

***(2) Noise, smoke, dust, fumes, vapors, gases, heat, glare or vibration;***

***(3) Storage, including storage of solid waste for disposal; and***

***(4) Appearance.***

Conclusion of Law number four (4) provided that “The Applicant’s application falls within the provisions of the article that accords it the right to seek special exception.”

This Court has examined in detail the Findings of Fact and Conclusions of Law issued in support of the Zoning Hearing Board decision. Findings nine (9) and ten (10) detail that Republic First Bank was seeking a complete redevelopment of the property and proposed to demolish a two story building previously used in connection with a funeral home business.

Conclusion of Law number seven (7) provided that the applicant failed to produce sufficient evidence to demonstrate that the nonconforming use cannot reasonably be changed to a permitted use is not supported by the record. The record failed to contain any testimony that an exclusive residential use for the property would be appropriate. The record instead contained evidence to establish that the nonconforming use cannot be changed to a residential structure. Conclusion of Law numbers eleven (11) and twelve (12) that provided that the proposed use creates “traffic generation and congestion” that is more objectionable in external affects than the existing nonconforming use and failed to minimize adverse impact is not supported in the record. The testimony of the applicant’s witnesses and the necessity of a Pennsylvania Department of Transportation permit for access to the highway supplants the Board’s conclusion.

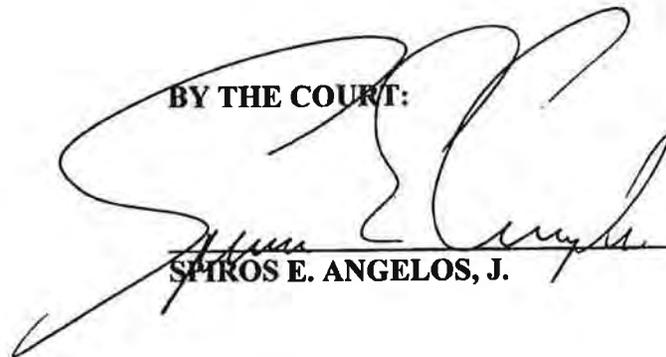
However, the Board’s conclusions of law numbers thirteen (13) and fourteen (14) which provide that the applicant failed to produce sufficient evidence to demonstrate that an all glass

modern structure would be less objectionable in external effects than the existing nonconforming use with respect to glare and to “appearance” is supported in the record. The testimony of the neighbors that reside behind the property could be properly accepted by the Zoning Hearing Board.

The Board’s Conclusion of Law number eighteen (18) that the proposed bank use and building is not consistent with the surrounding character of the neighborhood zoned R-C residential in Marple Township is not supported by the record. The applicant’s exhibits before the Zoning Hearing Board depicting future proposed commercial use for the site are probative and is enhanced by the other evidence of record detailing adjacent and surrounding commercial properties.

Finally, this Court rejects the Township’s request to apply Section 300-122 “Restoration” to this application. The Zoning Hearing Board failed to apply or consider that provision in its deliberation. The Township’s argument that the applicant failed to establish the nonconforming use of the property is not supported in the record.

BY THE COURT:



SPIROS E. ANGELOS, J.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

REPUBLIC FIRST BANK d/b/a  
REPUBLIC BANK

v.

MARPLE TOWNSHIP ZONING  
HEARING BOARD  
and  
AND MARPLE TOWNSHIP, Intervenor

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NO. CV -2018-003694

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ANGELOS, J.

April 7, 2020

OPINION

On January 21, 2020, this Court entered an Order on the Land Use Appeal filed by Republic First Bank which affirmed in part and reversed in part an April 18, 2018 Marple Township Zoning Hearing Board Decision (“Board”). Republic First Bank had sought special exception and/or variances from various zoning ordinances contained in the Code of the Township of Marple (“Code”). Republic First Bank has timely appealed this Court’s Order.

PROCEDURAL AND FACTUAL HISTORY

In its capacity as the equitable owner of 1998 Sproul Road, Marple Township, Delaware County, Pennsylvania, Republic First Bank on February 26, 2018 filed an application with the Board proposing to demolish an existing two-story building and to construct a one-story bank branch with a drive-thru lane and other improvements. The property had last been used as a funeral home and was located in the R-C District for Marple Township. The business use was non-conforming pursuant to the Code.

(24)

Article XV, Chapter 300, Section 124 of the Code provides for Use Changes as follows:

Once changed to a conforming use, no building, structure or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to another nonconforming use only if all the following conditions are met:

- A. Such change shall be permitted only as a special exception.
- B. The applicant shall show that the nonconforming use cannot reasonably be changed to a permitted use.
- C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use, with respect to:
  - (1) Traffic generation and congestion, including truck, passenger car and pedestrian traffic;
  - (2) Noise, smoke, dust, fumes, vapors, gases, heat, glare or vibration;
  - (3) Storage, including storage of solid waste for disposal; and
  - (4) Appearance.

Code Section 300-124.

The hearing before the Board was conducted on April 3, 2018. Republic First Bank presented the testimony of 1) Joseph Russella, as Project Engineer and an expert in Site Design and Land Development; 2) Lisa Thomas, as Land Planner and Landscape Architect; 3) Nicole Kline, a licensed Traffic Engineer, 4) Robin Liggins as Production Coordinator for Eastern Sign Tech, and 5) Sharon Hammel, Senior Vice President, Chief Retail Officer for Republic First Bank. As applicant, Republic First Bank introduced fourteen (14) exhibits into the record which included the Deed, Agreement of Sale, a 2016 Marple Township Hearing Board Decision for the

subject premises, curriculum vitae for their experts, a photograph of Republic First Bank branch in Sicklerville, NJ, a site plan for the premises, photographs of proposed signage, a traffic operations evaluation, relevant portions of the Marple Township Comprehensive Plan dated 2006 and 2015, an aerial photograph of the subject property, a list of conditions and an existing conditions plan. The Board introduced four (4) exhibits into the record, consisting of the Republic First Bank application, proof of publication, copies of notices sent to residents within five-hundred (500) feet of the subject property and a list of residents within five-hundred (500) feet of the subject property. Two adjacent neighbors testified in opposition to the application, Janice Cameron and George Kontaras. An additional resident who is a member of the Marple Township Tree Commission spoke in support of preserving a historic tree on the subject premises.

Republic First Bank requested a special exception pursuant to Section 300-124. In the alternative, Republic First Bank sought a use variance pursuant to Article IV, Chapter 300, Sections 19 & 23 (A), variances from Development Standards in Article IV, Chapter 300, Section 20 (A) to reduce its impervious coverage, variances from Article IV, Chapter 300, Sections 23 (B), 38 & 42 (C) for setback of parking areas from property boundary lines and streets, and variance from Article XII, Section 101 (A) for signage at given heights and square footages in a residential district. The Board on April 18, 2018 unanimously voted to deny the application for special exception and use and dimension variances. The Board also on that date issued a written order in affirmance thereof.

The Board subsequently issued eighty-one (81) detailed findings of fact and thirty-seven (37) conclusions of law in support of their decision. Republic First Bank timely filed its Land

Use Appeal to this Court. Marple Township promptly filed a Notice of Intervention. After assignment of this proceeding to the author of this Opinion, Republic First Bank filed a brief in support of their Land Use appeal, Marple Township filed a Response in Opposition, and Republic First Bank submitted a Supplemental Brief. This Court conducted oral argument on September 12, 2019.

After review of the parties' memorandum and the record created before the Board, this Court entered its January 21, 2020 Order which affirmed in part and reversed in part the April 18, 2018 Board decision. In regard to the request for special exception, this Court reversed the Board and found that record supported the Republic First Bank application under Section 300-124 (A) (B) and (C) (1) (2) and (3). This Court however affirmed the Board that the evidence failed to support a Special Exception pursuant to Section 300-124 (C) (4). This Court further affirmed the denial of the use variance pursuant to Section 300-19 and 23 (A). Finally, this Court reversed the Board's decision denying dimensional variances for impervious coverage, accessory parking setback and for signage pursuant to Section 300-20 (A), 300-23 (B), 300-38 and 42 (C), and 300-101 (A).

In affirming the Board regarding section 300-124 (C) (4), this Court determined that the record supported its conclusion that "... the Applicant failed to show that the proposed change would be less objectionable in external effects than the existing nonconforming use with respect to "appearance." Board Conclusion No. 14.

### **DISCUSSION**

Pursuant to Pa.R.A.P. 1925 (b), Republic First Bank complains as follows:

1. The Lower Court committed an error of law and/or abused its discretion in

determining that the record supported the Zoning Hearing Board's conclusion that Republic "failed to produce sufficient evidence to demonstrate that an all glass modern structure would be less objectionable in external effects than the existing nonconforming use with respect to glare and to "appearance".

2. The Lower Court committed an error of law and/or abused its discretion in determining that undefined, subjective and aesthetic standards could justify the Zoning Hearing Board's denial of the special exception, and in failing to apply the appropriate standards for a special exception under Pennsylvania law.

3. The Lower Court committed an error of law and/or abused its discretion in finding that the unsworn statements of neighbors who reside behind the property could be properly accepted by the Zoning Hearing Board.

In support of the special exception, Republic First Bank presented the testimony of architect Joseph Russella who stated "The bank is more attractive. It's a more modern look. It has unique character." (N.T. 12,13, and 26). Lisa Thomas stated that the site's appearance would be improved because the existing two in a half story building would be replaced by a smaller almost one-story building set at a lower grade (N.T. 40, 41). Janice Cameron, an adjacent neighbor, testified that the proposed structure is "An extremely modern design. It is well suited to Manhattan. It is not suited to this street and community." (N.T. 109). George Kontaras, also an adjacent neighbor, complained that the physical location of the new proposed building would be moved towards the rear of the subject lot. The current structure cannot be seen from the rear of the Kontaras property (N.T. 111). Moreover, Mr. Kontaras testified that the proposed glass structure "is basically plate glass. A glass tower. Stainless steel trim." (N.T. 116). Both Cameron

and Kontaras expressed approval for the brick façade at the Republic First Bank branch in Media, PA and voiced their endorsement for that design.

Where a Court takes no additional evidence, its scope of review is limited to determining whether the board committed an error of law, a manifest abuse of its discretion or made findings not supported by substantial evidence. *Sweeney v. The Zoning Hearing Board of Lower Merion Township* 626 A. 2d 1147 (PA. 1993).

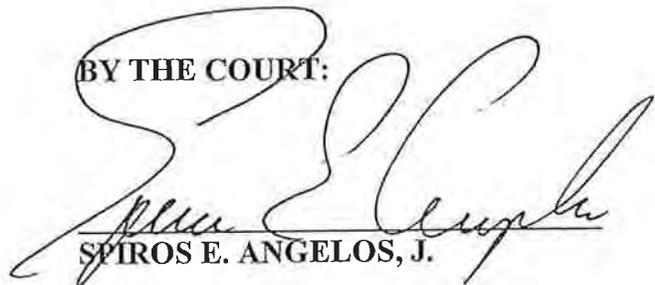
In this proceeding, this Court found that the record failed to support all Board findings and conclusions except that the record supported the Board's finding and conclusion that the proposed design of the branch, akin to the Sicklerville, NJ branch (Board exhibit A-8), was more objectionable in external effects than the existing nonconforming use with respect to appearance.

Republic First Bank submits that the term special exception is a misnomer because it "is not an exception to a zoning ordinance, but rather a use which is expressly permitted, absent of showing of a detrimental effect on the community." *Manor Healthcare Corp v. Lower Mooreland Twp. Zoning Hearing Bd.*, 590 A.2d 65, 70 (Pa. Cmwlt. 1991). The burden of proof rests with the applicant as to these specific, objective requirements, while the protestants bear the burden as to general requirements involving the public health, safety, and welfare. *Greaton Properties v. Lower Merion Twp.*, 796 A.2d 1038, 1046 (Pa. Cmwlt. 2002).

This Court concluded that pursuant to Section 300-124 (C) (4), Republic First Bank failed to establish that the proposed appearance of the new branch was less objectionable in external effect and appearance than the existing structure on the premises. The testimony of the neighbors who are familiar with their homes and the abutting commercial properties noted the lack of any comparable design in the neighborhood. Both neighbors also visited the Republic

First Bank branch in nearby Media, PA and after observing its brick façade, supported that design for the Marple Township location. Moreover, the proposed location of the building further to the rear of the lot impacted Mr. Kontaras. Republic First Bank did not identify any other buildings in the surrounding Marple community that matched or complimented the proposed design. The Board as the factfinder could determine that the appearance of the glass structure was inappropriate. This record supports the Board's conclusions numbered fourteen (14) thru seventeen (17) that Republic First Bank failed to meet its burden for Section 300-124 (C).

This Court closely examined the complete record in this application. The Board's conclusions regarding the appropriateness of the subject site to revert to a residential use, any heightened impact on traffic generation and congestion, noise, smoke, dust, fumes, and storage were found by the Court not to be supported by the record. This Court was constrained to discern that the Board's finding in regarding appearance was established by the evidence. For these reasons set forth herein, it is submitted that the record in this proceeding should uphold this Court's Order.

BY THE COURT:  
  
SPIROS E. ANGELOS, J.

**BEFORE THE MARPLE TOWNSHIP  
ZONING HEARING BOARD**

**IN RE: APPLICATION OF  
REPUBLIC FIRST BANK d/b/a  
REPUBLIC BANK**

**SPECIAL EXCEPTION:  
Article XV, Section 300-124-A-B-C**

**VARIANCE:  
Article IV, Section 300-19  
Article IV, Section 300-20-A  
Article IV, Section 300-23-A  
Article IV, Section 300-23-B  
Article V, Section 38  
Article V, Section 42-C  
Article XII, Section 300-101-A**

**CASE NO. 2018-06**

**PREMISES:  
1998 Sproul Road  
Broomall, Marple Township, PA**

**ORDER**

AND NOW, this 18<sup>th</sup> day of April, 2018, following a hearing held in this matter on April 3, 2018, it is **ORDERED** as follows:

1. The above Application for a special exception to Article XV, Chapter 300, Section 124 (A; B; C) of Ordinance No. 2000-10 of the Marple Township Zoning Ordinance, as amended, to permit the use of a bank, along with the construction of a drive-thru window and traffic lane, located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania is **DENIED**.

2. In the alternative, the above Application for variance relief from Article IV, Chapter 300, Section(s) 19 & 23 (A) of Ordinance No. 2000-10 of the Marple Township Zoning Ordinance, as amended, to permit the use of a bank, along with the construction of



a drive-thru window and traffic lane, located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania is DENIED.

3. The above Application for variance relief from Article IV, Chapter 300, Section 20 (A) of Ordinance No. 2000-10 of the Marple Township Zoning Ordinance, as amended, to permit the applicant to reduce its impervious coverage at the proposed bank located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania is DENIED.

4. The above Application for variance relief from Article IV, Chapter 300, Section 23 (B) and Article V, Chapter 300, Section(s) 38 & Section 42 (C) of Ordinance No. 2000-10 of the Marple Township Zoning Ordinance, as amended, to permit the accessory parking area to be set back 6' from the side and rear boundary lines and 10' from the legal right-of-way at the proposed bank located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania is DENIED.

5. The above Application for variance relief from Article XII, Chapter 300, Section 101 (A) of Ordinance No. 2000-10 of the Marple Township Zoning Ordinance, as amended, to permit the following signage:

- a) One illuminated monument sign setback 2' from the ultimate right-of-way, which is 8' in height and a total of 45 s.f.;
- b) Two illuminated directional signs setback 2' from the ultimate right-of-way, 2'11" in height and each 2.92 s.f.;
- c) Three non-illuminated directional signs within the parking lot, 2'11" in height and each 2.92 s.f.;
- d) Two wall mounted illuminated cube signs over glass entry, mounted at 13'9", approximately 3'3" x 9', each a total of 21.6 s.f.;
- e) Two wall mounted illuminated poster signs 3' x 4', mounted at left and rear of building, each a total of 12 s.f.;
- f) One wall mounted drive thru sign mounted over rear drive thru tell window 1' x 9'8" for a total of 9.67 s.f.; and

g) One entry mounted vinyl hours of operation decal 1'8" x 1'2", for a total of 1.94 s.f.

located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania is DENIED.

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.

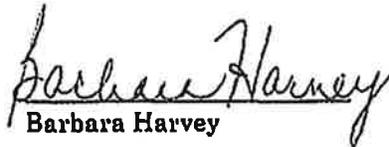
**MARPLE TOWNSHIP  
ZONING HEARING BOARD**

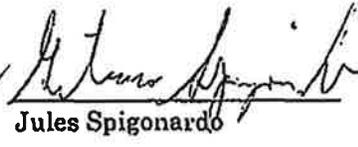
  
Joseph Patti, Chairperson

\_\_\_\_\_  
Anthony Vechercofski,  
Vice Chairperson

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

\_\_\_\_\_  
A.J. Baker

  
Barbara Harvey

  
Jules Spigonardo

**BEFORE THE MARPLE TOWNSHIP  
ZONING HEARING BOARD**

**IN RE: APPLICATION OF** :  
**REPUBLIC FIRST BANK d/b/a** :  
**REPUBLIC BANK** :  
: :  
**SPECIAL EXCEPTION:** :  
**Article XV, Section 300-124-A-B-C** :  
: :  
**VARIANCE:** : **CASE NO. 2018-06**  
**Article IV, Section 300-19** :  
**Article IV, Section 300-20-A** :  
**Article IV, Section 300-23-A** :  
**Article IV, Section 300-23-B** :  
**Article V, Section 38** :  
**Article V, Section 42-C** :  
**Article XII, Section 300-101-A** :  
: :  
**PREMISES:** :  
**1998 Sproul Road** :  
**Broomall, Marple Township, PA** :

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Applicant, Republic First Bank d/b/a Republic Bank (the "Applicant"), filed a zoning application seeking the following relief:

A. Special exception from Article XV, Section 124, Paragraphs A, B, and C to permit the proposed use, or in the alternative, a variance from Article IV, Section 23, Paragraph A (see also Article IV, Section 19);

B. Variance from the requirements of Development Standards of the RC-Residential Districts of Article IV, Section 23, Paragraph B (see also Article IV, Section 20, Paragraph A) with regard to the maximum impervious coverage;

C. Variance from the requirements of Development Standards of the RC-Residential Districts of Article IV, Section 23, Paragraph B (see also Article IV, Section 20, Paragraph A) to exceed the minimum accessory structure setback for the proposed parking area;

D. If applicable, a variance from Article V, Section 38 (see also Article V, Section 42, Paragraph C) with regard to the setback of parking areas from property boundary lines and streets;

E. Variances from Article XII, Section 101, Paragraph A to permit the following signs at the given heights and square footages, in a residential district:

- (1) One illuminated monument sign setback 2' from the ultimate right-of-way, which is 8' in height and a total of 45 s.f.;
- (2) Two illuminated directional signs setback 2' from the ultimate right-of-way, 2'11" in height and each 2.92 s.f.;
- (3) Three non-illuminated directional signs within the parking lot, 2'11" in height and each 2.92 s.f.;
- (4) Two wall mounted illuminated cube signs over glass entry, mounted at 13'9", approximately 3'3" x 9', each a total of 21.6 s.f.;
- (5) Two wall mounted illuminated poster signs 3' x 4', mounted at left and rear of building, each a total of 12 s.f.;
- (6) One wall mounted drive-thru sign mounted over rear drive-thru tell window 1' x 9'8" for a total of 9.67 s.f.;
- (7) One entry mounted vinyl hours of operation decal 1'8" x 1'2", for a total of 1.94 s.f.;
- (8) One drive-thru column mounted vinyl hours of operation decal 1' x 1' for a total of 1.s.f.;
- (9) Two "9'6"" clearance plaques mounted over the drive-thru canopy, a total of .25 s.f. each.

The property in question is located at 1998 Sproul Road (identified by Delaware County Folio No. 25-00-04491-00), Broomall, Marple Township, Delaware County, Pennsylvania (the "Subject Property").

The matter was duly advertised. Mark D. Damico, Esquire represented the Applicant. No one requested party status; however, three (3) residents offered comment.

On April 3, 2018, the Applicant presented witnesses, testimony, and exhibits to the Marple Township Zoning Hearing Board (the "Board") at its regularly scheduled public hearing (the "Hearing") (a true and correct copy of the transcript is attached hereto and incorporated

herein as Exhibit Board-1). The Applicant introduced the following exhibits that the Board accepted into evidence:

Exhibit A-1	Deed
Exhibit A-2	Agreement of Sale – Redacted <sup>1</sup>
Exhibit A-3	2016 Marple Twp. Zoning Hearing Board Decision
Exhibit A-4	Curriculum Vitae – Joseph Russella
Exhibit A-5	Curriculum Vitae – Lisa Thomas
Exhibit A-6	Curriculum Vitae – Nicole Kline
Exhibit A-7	Zoning Plan
Exhibit A-8	Photograph of a Bank in Sicklerville, NJ
Exhibit A-9	Not Admitted
Exhibit A-10	Photographs of Proposed Signage
Exhibit A-11	Traffic Operations Evaluation
Exhibit A-12	Relevant Portions of Comprehensive Plan
Exhibit A-13	Aerial Photograph of Subject Property
Exhibit A-14	List of Conditions
Exhibit A-15	Existing Conditions Plan

The Board entered the following exhibits:

Exhibit B-1	Applicant's Application
Exhibit B-2	Proof of Publication
Exhibit B-3	Notice Sent To Residents Within 500 ft. of the Subject Property
Exhibit B-4	List of Residents Within 500 ft. of the Subject Property

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<sup>1</sup> Exhibits A-1 and A-2 were not moved into evidence; however, it was included with the Applicant's application and accepted by the Board.

On April 18, 2018, based upon the testimony presented and the exhibits entered into evidence at the Hearing, the Board unanimously denied the Applicant's relief and signed an Order to that effect. On April 19, 2018, the Order was forwarded to the Applicant. (A true and correct copy of the Order is attached hereto and incorporated herein as Exhibit Board-2).

The Applicant filed a timely appeal. Accordingly, the Board issued the instant Findings of Fact and Conclusions of Law supporting its decision.

### **FINDINGS OF FACT**

1. The Applicant is Republic First Bank d/b/a Republic Bank (the "Applicant").
2. The Applicant is a Pennsylvania banking corporation, whose address is Two Liberty Place, 50 S. 16<sup>th</sup> St., Suite 2400, Philadelphia, PA 19102.
3. The property in question is located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania (the "Subject Property").
4. Delaware County Folio No. 25-00-04491-00 identifies the Subject Property.
5. The Subject Property is owned by 1219 MACDADE, LLC, a Pennsylvania limited liability company, whose address is 4 Cricket Ave., Fourth Floor, Ardmore, PA 19003.
6. The Applicant is the equitable owner of the Subject Property.
7. The Subject Property is vacant.
8. The Subject Property is located in the R-C Residential District of Marple Township.
9. The Applicant is seeking a complete redevelopment of the Subject Property.
10. The Applicant proposes to demolish the existing 2-story building located on the Subject Property, previously used in connection with funeral home business, and construct a 1-story, 2,971 square foot bank with drive-thru lane, twenty-four (24) parking spaces, fencing,

landscaping and other related site improvements in connection therewith, together with signage related to its proposed banking use on the Subject Property.

11. The Applicant filed its zoning application on February 26, 2018.

12. The Applicant sought the following relief:

A. Special exception from Article XV, Section 124, Paragraphs A, B, and C, to permit the proposed use, or in the alternative, a variance from Article IV, Section 23, Paragraph A (see also Article IV, Section 19);

B. Variance from the requirements of Development Standards of the RC-Residential Districts of Article IV, Section 23, Paragraph B (see also Article IV, Section 20, Paragraph A) with regard to the maximum impervious coverage;

C. Variance from the requirements of Development Standards of the RC-Residential Districts of Article IV, Section 23, Paragraph B (see also Article IV, Section 20, Paragraph A) to exceed the minimum accessory structure setback for the proposed parking area;

D. If applicable, a variance from Article V, Section 38 (see also Article V, Section 42, Paragraph C) with regard to the setback of parking areas from property boundary lines and streets;

E. Variances from Article XII, Section 101, Paragraph A to permit the following signs at the given heights and square footages, in a residential district:

- (1) One illuminated monument sign setback 2' from the ultimate right-of-way, which is 8' in height and a total of 45 s.f.;
- (2) Two illuminated directional signs setback 2' from the ultimate right-of-way, 2'11" in height and each 2.92 s.f.;
- (3) Three non-illuminated directional signs within the parking lot, 2'11" in height and each 2.92 s.f.;
- (4) Two wall mounted illuminated cube signs over glass entry, mounted at 13'9", approximately 3'3" x 9", each a total of 21.6 s.f.;
- (5) Two wall mounted illuminated poster signs 3' x 4', mounted at left and rear of building, each a total of 12 s.f.;
- (6) One wall mounted drive-thru sign mounted over rear drive-thru tell window 1' x 9'8" for a total of 9.67 s.f.;
- (7) One entry mounted vinyl hours of operation decal 1'8" x 1'2", for a total of 1.94 s.f.;
- (8) One drive-thru column mounted vinyl hours of operation decal 1' x 1' for a total of 1 s.f.;
- (9) Two 9'6" clearance plaques mounted over the drive-thru canopy, a total of .25 s.f. each.

13. On April 3, 2018, at its regularly scheduled public hearing (the "Hearing"), the Applicant presented witnesses, testimony, and exhibits to the Marple Township Zoning Hearing Board (the "Board").

14. The following Board Members were present:

- a. Mr. Joseph Patti, Chairperson;
- b. Mr. Anthony Vechercofski, Vice-Chairperson;
- c. Mr. Jules Spigonardo;
- d. Mr. A.J. Baker; and
- e. Mrs. Babrara Harvey.

15. Mr. John Lucas, 4th Ward Commissioner, was present, along with Mr. Joseph C. Romano, Director of Code Enforcement, and Ms. Edna Cook, Code Secretary.

16. The Hearing was duly advertised.

17. The Applicant called Mr. Joseph S. Russella as its first witness.

18. The Board accepted Mr. Russella as an expert in the field of Site Design and Land Development.

19. Mr. Russella described and identified the Subject Property on Exhibit A-7.

20. Mr. Russella described the existing structure located on the Subject Property as being situated along the road frontage of Sproul Road.

21. Mr. Russella described and identified the surrounding area to the Subject Property – north: commercial use (professional office building); south: commercial use – (dental office); west: residential properties; east: shopping center.

22. Mr. Russella testified that there is one driveway located on the Subject Property.

23. Mr. Russella described the proposed site plan in Exhibit A-7.

24. Mr. Russella testified that the Applicant's proposed bank would be situated differently than the existing structure. The proposed bank would be situated in the middle of the site in order to allow for a row of parking parallel to Sproul Road.

25. Mr. Russella testified that the proposed site would include twenty-four (24) parking spaces.

26. Mr. Russella testified that there is no storm water management system on the Subject Property.

27. Mr. Russella testified that the Applicant would construct an underground storm water management facility at the east end of the site below the proposed row of parking along Sproul Road.

28. The proposed bank would be situated closer in proximity to the western residential properties than the existing structure located at the Subject Property.

29. Mr. Russella testified that the proposed site would include a one-way access coming into the site and a right turn entrance and exit on the south end of the site.

30. Mr. Russella testified that the proposed bank would include a drive-thru lane along the rear (west) of the Subject Property and that it would include a bypass lane.

31. Mr. Russella testified that the drive-thru lane would not include an ATM machine; the ATM machine would be located in the front vestibule of the proposed bank.

32. Mr. Russella testified that road improvements on Sproul Road must include a new left turn lane for traffic traveling northbound.

33. Mr. Russella testified that the proposed site would include a low retaining wall "and some improvements," including a striped crosswalk across Sproul Road, as well as additional sidewalk and striping within the proposed site.

34. Mr. Russella testified that the proposed site would include landscaping and buffering along the residential properties in the rear of the Subject Property to minimize residents' privacy concerns and pedestrian traffic.

35. Mr. Russella testified that the proposed site would include lighting that is minimally invasive and compliant with the Marple Township Code.

36. Mr. Russella rendered an opinion with regard to noise, dust, smoke, fumes, glare, vibration, storage of solid waste, and appearance that the proposed bank would be less objectionable than the current use of the Subject Property.

37. Mr. Russella rendered an opinion that the proposed bank's "unique aesthetic character" and "modern look" would be more attractive than the Subject Property.

38. Mr. Russella rendered an opinion that the proposed bank fits in with the commercial surroundings along Sproul Road.

39. Mr. Russella testified that the proposed bank would reduce the impervious coverage from "about 72%" to 69.36%, albeit over the 25% limit allowed by the Marple Township Code for R-C Residential District.

40. Mr. Russella testified that the proposed site cannot comply with the setback distance for parking in the Marple Township Code, but the proposed site would not be less than the current 6' distance located at the Subject Property.

41. Mr. Russella rendered an opinion that the proposed site design considered all measures to minimize the relief requested by the Applicant.

42. Mr. Russella rendered an opinion that the proposed site would not have an adverse affect on the health, safety, or general welfare of the community.

43. The Applicant called Ms. Lisa Thomas as its second witness.

44. The Board accepted Ms. Thomas as an expert in the field of Land Planning and Landscaping Design.

45. Ms. Thomas referred the Board to Exhibit A-13, an aerial photograph of the Subject Property.

46. Ms. Thomas described the Subject Property as an old home that was previously used as a funeral home.

47. Ms. Thomas rendered an opinion that the Subject Property cannot be converted back to a residential use.

48. Ms. Thomas rendered an opinion with regard to noise, dust, smoke, fumes, glare, vibration, storage of solid waste, and appearance that the proposed bank would be less objectionable than the current use of the Subject Property.

49. Ms. Thomas rendered an opinion that the proposed site would not have an adverse affect on the health, safety, or general welfare of the community.

50. The Applicant called Ms. Nicole R. Kline as its third witness.

51. The Board accepted Ms. Kline as an expert in the field of Traffic Engineering.

52. Ms. Kline testified to the left turn lane construction and traffic signal modifications for traffic heading northbound on Sproul Road.

53. Ms. Kline testified that the left turn lane and signal would operate simultaneously with the southbound left turning traffic onto Lawrence Road.

54. Ms. Kline rendered an opinion that the traffic on Sproul Road would be less objectionable than current traffic generation and/or congestion.

55. Ms. Kline rendered an opinion that the proposed site would not have an adverse affect on the health, safety, or general welfare of the community.

56. The Applicant called Ms. Robin Liggins as its fourth witness.
57. Ms. Liggins was not qualified or offered as an expert witness at the Hearing.
58. Signage is not permitted in an R-C Residential District in Marple Township.
59. Ms. Liggins described similar signage in the area.
60. Ms. Liggins opined that the signage used at the proposed bank is the minimum signage that the Applicant would seek at a similar location.
61. The Applicant called Ms. Sharon Hammel as its fifth witness.
62. Ms. Hammel testified in her capacity as Senior Vice-President and Chief Retail Office with the Applicant, Republic Bank.
63. Ms. Hammel described the Applicant's growth model business plan.
64. Ms. Hammel described how extended hours of operation offer convenience to its customers.
65. Ms. Hammel described its necessity for signage.
66. Mr. Damico identified Exhibit A-14 as a list of all conditions the Applicant would accept as conditions of approval.
67. The Applicant's fifteen (15) exhibits were moved into evidence without objection, as well as the Board's four (4) exhibits.
68. The Board was given an opportunity to ask the Applicant questions.
69. The Applicant testified that it would be able to control the lighting at the proposed bank by using LED light.
70. The Applicant testified that the light in the front vestibule of the proposed bank must remain lit for security reasons.

71. The Applicant testified that the landscaping plan would be submitted to Land Development for review.

72. The Applicant testified that it submitted its Traffic Operations to PennDOT and it would have to be fully vetted in a Highway Occupancy Permit review and approval process.

73. The Applicant answered the Board's remaining questions.

74. The Board offered the audience an opportunity to request party status.

75. A sign-in sheet was made available for anyone requesting party status.

76. No one in the audience requested party status.

77. The Board allowed the audience an opportunity to comment in favor or against the application.

78. Ms. Janice Cameron (604 Williamsburg Drive) offered comment against the application and cited traffic concerns and the overall appearance of the proposed bank.

79. Mr. George Kontaras (602 Williamsburg Drive) offered comment against the application and cited proximity to his residence and the overall appearance of the proposed bank.

80. Mr. Rick Ray (1889 Spring Valley Drive) offered comment as a neutral party.

81. On April 18, 2018, the Board unanimously denied the Applicant's application.

## CONCLUSIONS OF LAW

### A. Special Exception Relief

1. The Board has jurisdiction in this matter.<sup>2</sup>
2. The Applicant has standing.

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<sup>2</sup> Section 910.2 of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, art. IX, as added, 53 P.S. §10910.1 provides:

Where the governing body, in the zoning ordinance, has stated special exceptions to be granted or denied by the board pursuant to express standards and criteria, the board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of this act and the zoning ordinance.

3. Article XV § 300-124 of the Marple Township Code, as amended, provides:

**Use changes.**

Once changed to a conforming use, no building, structure or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to another nonconforming use only if all of the following conditions are met:

- A. Such change shall be permitted only as a special exception.
- B. The applicant shall show that the nonconforming use cannot reasonably be changed to a permitted use.
- C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use, with respect to:
  - (1) Traffic generation and congestion, including truck, passenger car and pedestrian traffic;
  - (2) Noise, smoke, dust, fumes, vapors, gases, heat, glare or vibration;
  - (3) Storage, including storage of solid waste for disposal; and
  - (4) Appearance.

4. The Applicant's application falls within the provisions of the article that accords it the right to seek a special exception.

5. The special exception relief requested is one permitted by the zoning ordinance.

6. The Applicant has not satisfied all objective requirements of the ordinance to allow the Board to grant the special exception relief requested.

7. Specifically, with regard to § 300-124 (B), the Applicant failed to produce sufficient evidence to demonstrate that the nonconforming use cannot reasonably be changed to a permitted use.

8. Specifically, with regard to § 300-124 (B), the Applicant failed to produce sufficient evidence to demonstrate that the nonconforming use cannot reasonably be changed to a permitted use with the existing structure.

9. The Board's prior approval (*See Exhibit A-3*) for medical office use located at the Subject Property would have used the existing structure and footprint.

10. The Applicant's proposed bank use at the Subject Property requires a new footprint that places the proposed bank structure closer in proximity to the single-family dwellings in the rear of the Subject Property.

11. Specifically, with regard to § 300-124 (C) (1), the Applicant's proposed use creates "traffic generation and congestion" that is more objectionable in external effects than the existing nonconforming use.

12. The Applicant failed to produce sufficient evidence to demonstrate that its proposal to reconfigure Sproul Road would minimize its adverse impact on "traffic generation and congestion, including truck, passenger car and pedestrian traffic."

13. Specifically, with regard to § 300-124 (C) (2), the Applicant failed to produce sufficient evidence to demonstrate that the proposed all glass modern structure would be less objectionable in external effects than the existing nonconforming use with respect to "glare."

14. Specifically, with regard to § 300-124 (C) (4), the Applicant failed to show that the proposed change would be less objectionable in external effects than the existing nonconforming use with respect to "appearance."

15. The Applicant failed to produce sufficient evidence to demonstrate that the proposed use would be less objectionable in external effects than the existing nonconforming use with respect to "appearance."

16. The current structure on the Subject Property resembles a single-family dwelling.
17. The Applicant's proposed bank is an all glass modern building, with a "unique aesthetic character," that is dramatically different in appearance than the existing nonconforming use – a funeral home.
18. The Applicant's proposed bank use and building is not consistent with the surrounding character of a neighborhood zoned R-C Residential in Marple Township.
19. The Board does not accept Mr. Russella's opinion with regard to noise, dust, smoke, fumes, glare, vibration, storage of solid waste, and appearance that the proposed bank would be less objectionable than the current use of the Subject Property.
20. The Board does not accept Mr. Russella's opinion that the proposed bank's "unique aesthetic character" and "modern look" would be more attractive than the Subject Property.
21. The Board does not accept Mr. Russella's opinion that the proposed bank fits in with the commercial surroundings along Sproul Road.
22. The Board does not accept Ms. Thomas' opinion that the Subject Property cannot be converted back to a permitted use—residential.
23. The Board does not accept Ms. Thomas' opinion that the proposed bank would be less objectionable than the previous use located at the Subject Property.
24. The Board does not accept Ms. Kline's opinion that the traffic modifications on Sproul Road would be less objectionable than current traffic generation and/or congestion.
25. Authorization of the special exception relief in this matter is contrary to the public interest.

26. Authorization of a special exception is not necessary to allow the Applicant reasonable use of the Subject Property.

27. Authorization of the special exception would have an adverse affect on the health, safety, or general welfare of the community.

**B. Use Variance Relief**

28. The Board has jurisdiction in this matter.<sup>3</sup>

29. The Applicant has standing.

30. The Applicant's alternative request failed to establish that literal enforcement of § 300-19 and § 300-23 (A) of the Marple Township Code, as amended, will result in unnecessary hardship, as the term is defined by law, including court decisions.

31. The Applicant failed to produce sufficient evidence to demonstrate that the proposed commercial bank use is a condition that warrants the variance relief the Applicant requests. Instead, the unnecessary hardship the Applicant claims is solely pecuniary in nature and self-created, affecting only the Applicant's financial interests and its response to "market demand," as Ms. Hammel described the Applicant's aggressive "growth business model plan."<sup>4</sup>

32. The variance relief requested does not represent the minimum variance that will afford relief and least modification possible.

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<sup>3</sup> Section 910.2 of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, art. IX, as added, 53 P.S. §10910.2 provides as follows:

(a) The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The board may by rule prescribe the form of application and may require preliminary application to the zoning officer.

<sup>4</sup> An owner of land is entitled to a variance only where the property is subjected to an unnecessary hardship, unique or peculiar to itself, and where the grant thereof will not be contrary to the public interest. H.A. Steen Industries v. Zoning Hearing Board of Bensalem Township, 39 Pa. Commonwealth Ct. 451, 396 A.2d 66 (1978). A party seeking a variance bears the burden of proving that an unnecessary hardship will result if the variance is not granted and also that the variance will not be contrary to the public interest. Valley View Civic Association v. Zoning Board of Adjustment, 501 Pa. 550, 462 A.2d 637 (1983).

33. Authorization of a variance is not necessary to allow the Applicant reasonable use of the Subject Property.

34. Authorization of the variance relief is contrary to the public interest.

35. Authorization of the variance relief requested is not adequately safeguarded.

36. Authorization of the variance relief requested is detrimental to the health, safety, or general welfare of the community and adjacent residential properties.

**C. Dimensional Variance Relief**

37. Because the Board denied the Applicant's special exception relief under Article XV § 300-124 and use variance relief under Article IV § 300-19 and § 300-23 (A) of Marple Township Code, as amended, the Applicant's remaining dimensional variance relief in reference to signage, parking, setback, and impervious coverage being specifically limited to the Applicant's proposed commercial bank use, structure, and footprint at the Subject Property is – effectively – deemed moot.

**MARPLE TOWNSHIP ZONING HEARING BOARD**

  
JOSEPH PATTI, Chairperson

**Exhibit Board-1**

**Exhibit Board-2**

# Matthew A. Catania

ATTORNEY AT LAW  
8 WEST FRONT STREET  
MEDIA, PENNSYLVANIA 19063

610-565-6321  
610-549-2374 (FAX)

April 19, 2018

Republic First Bank d/b/a  
Republic Bank  
Attn: Mark D. Damico, Esquire  
109 Chesley Dr.,  
Media, PA 19063

Re: Marple Township Zoning Hearing Board  
Application of Republic First Bank d/b/a Republic Bank  
Premises: 1998 Sproul Road, Broomall, PA 19008  
Case No.: 2018-06

Dear Mr. Damico:

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

At the regular meeting of the Board held on April 3, 2018, the Board denied your client's application for a special exception and variance relief with regard to the subject property, located at 1998 Sproul Road, Broomall, Marple Township, Delaware County, Pennsylvania.

Enclosed is the Order executed by the Board.

You have the right to file an appeal in the Court of Common Pleas of Delaware County. The appeal must be filed within 30 days.

Very truly yours,

By:   
Matthew A. Catania, Esquire

MAC/kk  
Enclosure

cc: Joseph Romano, Code Enforcement Officer  
Lee Gershenfeld, Zoning Officer  
Anthony Hamaday, Township Manager  
Barbara Harvey, Chairperson  
Adam Matlawski, Esquire -Marple Township Solicitor

**REPUBLIC BANK  
MARPLE TOWNSHIP ZONING HEARING BOARD**

**April 2, 2018**

**LIST OF EXHIBITS**

- |  |                      |
|--|----------------------|
| 1. Deed  | omitted from handout |
| 2. Agreement of Sale (redacted)  | omitted from handout |
| 3. 2016 ZHB Order – Medical Use  | included             |
| 4. Joseph Russella CV – Project Civil Engineer                                   | included             |
| 5. Lisa Thomas CV – Project Land Planner   | included             |
| 6. Nicole Kline CV – Project Traffic Engineer                                    | included             |
| 7. Zoning Plan – color   | included             |
| 8. Building Photos (left and right side)   | included             |
| 9. Sign Details  | omitted from handout |
| 10. Photos of nearby signs   | included             |
| 11. Traffic Operations Evaluation prepared by<br>McMahon, dated January 12, 2018 | included             |
| 12. Comprehensive Plan – relevant provisions of                                  | included             |
| 13. Plan of Existing Commercial Uses   | included             |
| 14. Neighbor List of Acceptable Conditions                                       | included             |
| 15. Existing Conditions – Survey   | omitted from handout |

BEFORE THE MARPLE TOWNSHIP  
ZONING HEARING BOARD

IN RE: APPLICATION OF : CASE NO. 2016-05  
1219 MACDADE, LLC :  
: :  
SPECIAL EXCEPTION: :  
Article IV, Section 300-124 A, B, C :  
: :  
PREMISES: :  
1998 Sproul Rd. :  
Broomall, Marple Township, PA :

ORDER

AND NOW, this 23 day of March, 2016, following a hearing held in this matter on March 16, 2016, it is **ORDERED** that the above Application for a special exception from Section 300-124A, B, and C of the Marple Township Zoning Ordinance, to permit the petitioner to change the use of subject property located at 1998 Sproul Rd., Broomall, Marple Township, Delaware County, Pennsylvania to a medical office 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.

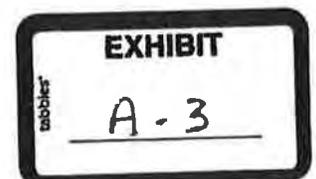
MARPLE TOWNSHIP  
ZONING HEARING BOARD

Barbara Harvey  
Barbara Harvey, Chairperson / Joseph Patti, Vice Chairperson / Steve Reynolds

\_\_\_\_\_  
A.J. Baker

\_\_\_\_\_  
Anthony Vehercofski

\_\_\_\_\_  
Jules Spigonardo



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

**Applicant:** 1219 MacDade, LLC  
**Address:** 1998 Sproul Rd., Broomall, PA 19008 ("Property")  
**Date of Hearing:** March 16, 2016  
**Date of Decision:** March 16, 2016  
**Date of Notice to Applicant:** March 16, 2016

**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**

## **Matthew A. Catania**

ATTORNEY AT LAW  
8 WEST FRONT STREET  
MEDIA, PENNSYLVANIA 19063

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610-565-6321  
610-549-2374 (FAX)

March 21, 2016

1219 MacDade, LLC  
Cc: JPH Realty Advisors, LLC  
940 Haverford Rd.  
Bryn Mawr, PA 19010

**Re: Marple Township Zoning Hearing Board**  
**Application of 1219 MacDade, LLC**  
**Premises: 1998 Sproul Rd., Broomall, PA 19008**  
**Case No.: 2016-05**

Dear 1219 MacDade, LLC:

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

At the regular meeting of the Board held on March 16, 2016, the Board approved your Application for a special exception to Article IV of Chapter 300, Section 124-A, B, and C of the Marple Township Code as amended with regard to subject property 1998 Sproul Rd., 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
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 these conditions, 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,

By:   
Matthew A. Catania, Esquire

MAC/kk

Enclosure

cc: Joseph Romano, Code Enforcement Officer  
Lee Gershenfeld, Zoning Officer  
Anthony Hamaday, Township Manager  
Barbara Harvey, Chairperson  
Adam Matlawski, Esquire –Marple Township Solicitor

**CURRICULUM VITAE**

**NAME:** Joseph S. Russella, Jr.

**EDUCATION:** Pennsylvania Institute of Technology - Media, PA  
Degree in Architectural Engineering, 1986  
Spring Garden College - Philadelphia, Pennsylvania  
Degree in Civil Engineering, 1989

**EXPERIENCE & RESPONSIBILITIES**

**D. L. Howell & Associates, Inc.**  
West Chester, PA – May 1999 to Present  
Kennett Square, PA – May 2004 to February 2008

*Director of Operations.* Responsible for complete engineering design and preparation of subdivision and land development plans. Designs include: sanitary sewer, storm sewer, stormwater management, roadway, drainage reports, construction specifications and representation at public meetings and hearings. Responsible for managing the West Chester office including: Marketing and New Business Development, Proposals and Cost Estimates.

**Howell Kline Surveying, LLC.** – West Chester, PA – September 2003 to Present  
*Managing Partner.* Responsible for acquiring new work and scheduling jobs.

**Robert E. Lamb, Inc.** – Valley Forge, PA – September 1996 to May 1999  
*Civil Designer / Project Manager.* Responsible for complete engineering design and preparation of commercial and industrial land development plans. Designs include: sanitary sewer, storm sewer, water systems, roadway, stormwater management and erosion control plans, construction specifications, drainage studies, reports, quantity and cost estimates, client representation at public meetings and hearings, and liaison with federal, state and local agencies.

**Edward B. Walsh & Associates, Inc.** – Exton, PA – August 1994 to September 1996  
*Civil Designer.* Responsible for engineering design and preparation of residential, commercial and industrial subdivision plans. Designs include: sanitary sewer, storm sewer, water systems, roadway, construction specifications, reports, quantity and cost estimates, construction inspections, client representation at public meetings and hearings, and liaison with federal, state and local agencies.

**Hough Loew Associates, Inc.** – Exton, PA – October 1987 to August 1994  
*Civil Designer / Architectural Designer.* Responsible for preparation of commercial and industrial land development plans. Layouts include: sanitary sewer, storm sewer, construction specifications, client representation at public meetings and hearings, and liaison with local agencies. Also responsible for preparation of construction documents including: floor plans, wall sections, details and schedules.

## Lisa L. Thomas, RLA, AICP, LEED AP



### Title:

President, Glackin Thomas Panzak, Inc.

### Education

Bachelor of Landscape Architecture  
Pennsylvania State University

### Professional Registration

Certified Planner, American Institute of  
Certified Planners

Registered Landscape Architect,  
Commonwealth of Pennsylvania

State of New Jersey

State of Delaware

State of Maryland

LEED Accredited Professional

### Professional Affiliations

American Planning Association  
Commercial Real Estate Women - Philadelphia

### Board Affiliations

Penn State Landscape Architecture APG  
Board, President  
Riverbend Environmental Educational Center, Past  
Chair, Board of Directors  
Borough of Conshohocken, past Planning  
Commission member

Ms. Thomas has extensive land planning and landscape architectural experience as the president of Glackin Thomas Panzak, Inc. Her professional experience includes projects for both the private and public sectors. She is responsible for the overall management of projects, coordination of project consultants, and provides expert testimony before municipal boards and commissions at public hearings.

For the private sector, Ms. Thomas' project experience includes mixed-use developments, traditional neighborhood and open space developments, institutional projects including schools and hospitals, and commercial projects. She has broad experience in the development of site feasibility studies, zoning analysis, environmental analysis studies, site design, open space management plans, and detailed construction documentation plans. She has prepared zoning amendments to complement proposed projects including mixed-use districts, medical districts, and unified development districts.

Ms. Thomas also provides consulting services to municipalities. Her expertise includes site planning reviews, ordinance preparation, transportation oriented planning, testimony in public hearings, and the preparation of park, playground, and trail designs. Working closely with township engineers and Planning Commissions, she has prepared comprehensive amendments to township ordinances including mixed use and village districts, natural features preservation, and updates to landscape requirements.

Her experience with previous firms included land planning and site design. As a land planner with the Chester County Planning Commission, she has reviewed development plans, comprehensive plans, and proposed ordinances. She has authored several citizen information publications and provided design guidelines for community comprehensive plans.

### Relevant Experience

- **Franklin Mint, Wawa, PA -**  
Prepared zoning amendments and land development plans for commercial, retail, and residential uses on the Franklin Mint tract.
- **Easttown Township, Chester County, PA -**  
Township planner and landscape architect. Prepared Village of Berwyn District, signage, natural resource protection and landscape ordinance amendments. Provided design services for township library and parks. Providing ongoing plan review services.
- **East Marlborough Township, Chester County, PA -**  
Township planner and landscape architect. Prepared Unionville Village streetscape master plan, park master plan funded by state and county grants, zoning amendments and plan review services.
- **Bryn Mawr Rehabilitation Hospital, Malvern, PA -**  
As a master site plan component, prepared zoning amendments that included a Unified Development Overlay District. The district incorporated open space preservation and flexible development options allowing residential development, future expansion opportunities for the hospital, permanent protection of sensitive environmental features and township ownership of recreation facilities.



## Lisa L. Thomas, RLA, AICP, LEED AP

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### Relevant Experience (continued)

- **Haverford Reserve, Haverford, PA -**  
Prepared land development plans for the redevelopment of the 209 acre Haverford State Hospital site that includes 45 acres of 180 multifamily condominium units and 100 carriage homes with a community center, tennis courts, walking trails, and adjacent township community center and athletic fields.
- **Bryn Mawr Hospital, Bryn Mawr, PA -**  
Worked collaboratively on a team of consultants and prepared site analysis plans, master site development plans, and a new tiered medical zoning district to allow future development and hospital expansion opportunities.
- **Ellis Preserve Town Center, Newtown Square, PA -**  
Provided site planning, landscape planning, and landscape design guidelines for a mixed-use town center development on a former educational facility site.
- **The Courts at Spring Mill Station, Conshohocken, PA -**  
Provided expert testimony, secured entitlements, and prepared landscape and construction documents for streetscape, courtyards and amenities for this 385 unit multi-family TOD development.
- **The Reserve at Maybrook, Wynnewood, PA -**  
Provided land planning and landscape architectural services for this 250 unit multi-family development located on the historic Merriam Estate.
- **Jefferson Pointe at West Chester, West Chester, PA -**  
Secured entitlements and prepared site landscape plans and construction documents for amenity courtyards for this 230 unit apartment community.
- **West Chester Pike Transportation and Land Use Plan, Upper Darby, PA -**  
Provided streetscape planning, design guidelines, façade improvement alternatives, and public engagement.
- **Paoli Road Improvement Feasibility Study, Paoli, PA -**  
Provided streetscape planning and community engagement and stakeholder outreach.

# QUALIFICATIONS

## **Nicole R. Kline, P.E., PTOE**

Senior Project Manager

### **Education:**

Bachelor of Science, Civil Engineering, The Pennsylvania State University, 2002

### **Professional Registrations:**

Professional Engineer in Pennsylvania, Delaware and Maryland  
Registered as a Professional Traffic Operations Engineer

### **Professional Affiliations:**

Institute of Transportation Engineers (ITE), Mid-Colonial District and Mid-Atlantic Section (Secretary 2011-2012, Second Vice President 2013, First Vice President 2014, President 2015, Past President 2016)



## EXPERIENCE

**Nicole R. Kline, P.E., PTOE currently serves as a Senior Project Manager in the Traffic Department at the Exton, PA office.** During her years at McMahon, Project Manager of McMahon Associates, Inc. where Ms. Kline has been involved in Transportation Engineering since her graduation from Penn State University in 2002. Ms. Kline is experienced in transportation engineering and planning, including preparation of the transportation elements of municipal, multi-municipal and County comprehensive plans, regional transportation studies, corridor studies, Pennsylvania Act 209 studies, PennDOT project needs analysis studies, PennDOT alternatives evaluations, municipal traffic engineering and development reviews, and traffic impact studies for private land development in Pennsylvania, Delaware, and Maryland. Ms. Kline is also very experienced with traffic operations/modeling analysis using a wide variety of software, including Synchro, SimTraffic, Highway Capacity Software, and VISSIM. She is also very knowledgeable of the requirements of PennDOT, DelDOT, and the Maryland State Highway Administration, and she is experienced with many types of traffic engineering studies used for both public and private sector projects, including but not limited to, traffic forecasting, gap studies, parking studies, speed and delay studies, travel time studies, signal and multi-way stop warrant studies, auxiliary lane warrant analysis, traffic simulation, roundabout analysis and simulation, and safety studies. Ms. Kline has experience working with a variety of stakeholder groups, conducting workshop meetings and presenting to the public. Ms. Kline also has experience in providing expert witness testimony in conditional use and land development hearings at the municipal and county levels, and at informal meetings.

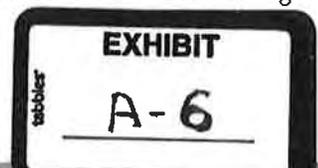
### Representative Municipal Land Development Projects:

Arbour Square at Plymouth Meeting Assisted Living Facility, Plymouth Township, Montgomery County, PA

Oversaw the completion of a traffic impact study for the proposed 212-unit assisted living facility. Completed Zoning Hearing and Conditional Use Hearing testimony for the project.

Royal Farms Convenience Market with Fuel, Concord Township, Delaware County, PA

Oversaw the completion of a traffic impact study for the proposed Royal Farms convenience market with fuel. Participated in various municipal meetings and hearings, including presentations to the Planning Commission and Council, and completed Conditional Use Hearing testimony for the project.



**Nicole R. Kline, P.E., PTOE**  
Senior Project Manager

Royal Farms Convenience Market with Fuel, Upper Chichester Township, Delaware County, PA  
Oversaw the completion of a traffic impact study for the proposed Royal Farms convenience market with fuel. Participated in various municipal meetings and hearings, including presentations to the Planning Commission and Council, and completed Conditional Use Hearing testimony for the project.

Applied Bank Boulevard Home2Suites Hotel, Concord Township, Delaware County, PA  
Oversaw the completion of a traffic impact study for the proposed 109-room hotel, and completed testimony at a municipal Zoning Board Hearing for the project.

Ashbridge Commons Hotel, East Caln Township, Chester County, PA  
Oversaw the completion of site access evaluation for the proposed expansion to the existing Ashbridge Commons site, to include a 124-room hotel. Completed Conditional Use Hearing testimony for the project.

909 East Baltimore Pike Commercial Development, East Marlborough Township, Chester County, PA  
Oversaw the completion of a traffic impact study for the proposed 16,000 square foot commercial development. Completed Conditional Use Hearing testimony for the project.

Crebilly Farm Residential Development, Westtown Township, Chester County, PA  
Oversaw the completion of a traffic impact study for the proposed 320-unit residential development. Participated in various municipal meetings, including presentations to the Planning Commission and Conditional Use Hearing testimony.

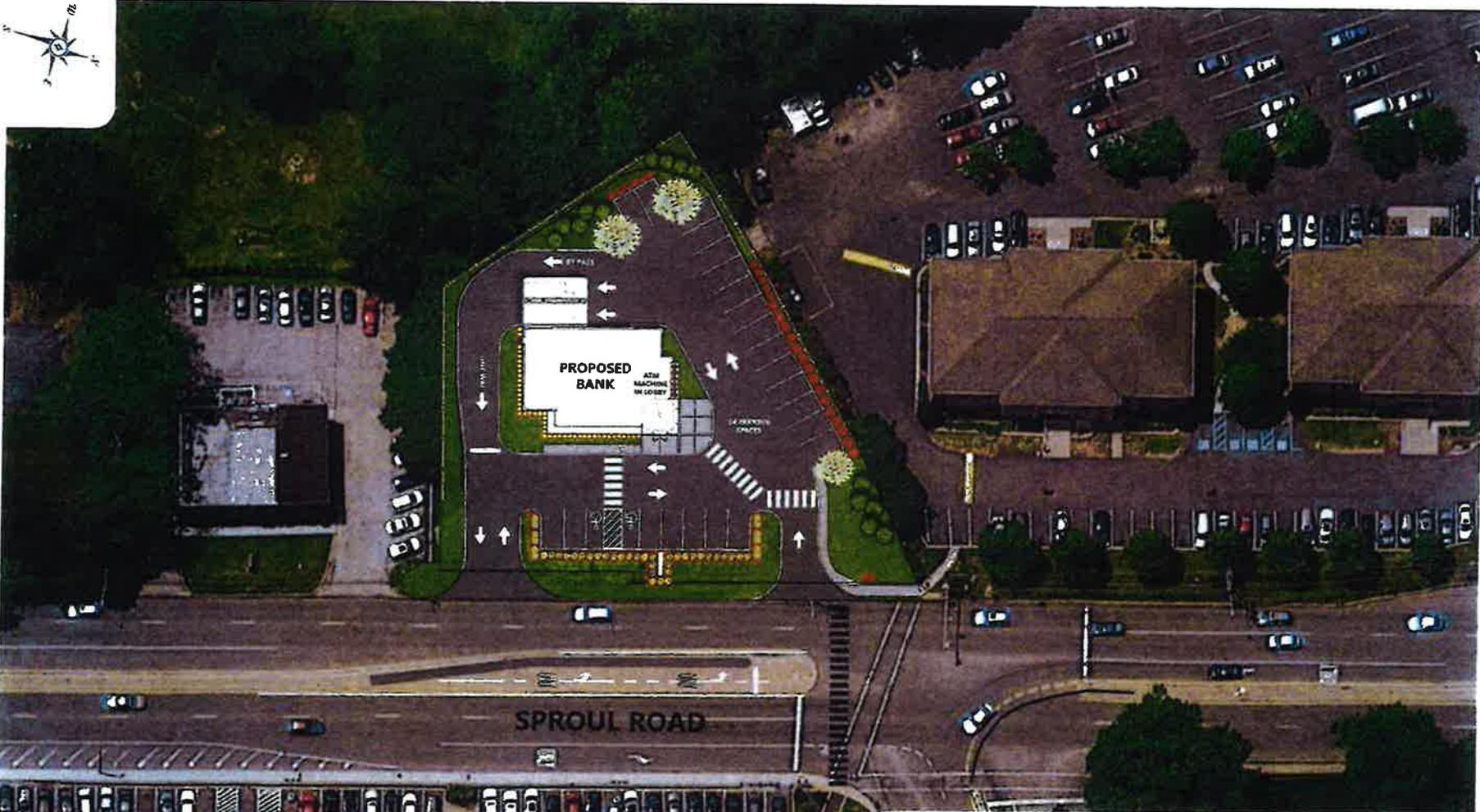
Patient First Neighborhood Medical Center Development, East Caln Township, Chester County, PA  
Oversaw the completion of traffic and parking evaluations for the development of a neighborhood medical center within the Ashbridge Square Shopping Center. Completed expert witness testimony at a municipal Zoning Board Hearing for the project.

Patient First Neighborhood Medical Center Development, Springfield Township, Delaware County, PA  
Oversaw the completion of a traffic impact study for the development of the proposed neighborhood medical center. Completed expert witness testimony at a municipal Zoning Board Hearing.

1308 South Gulph Road Sunoco Redevelopment, Sunoco, Inc., Upper Merion Township, Montgomery County, PA  
Oversaw the completion of an evaluation of the traffic impacts associated with the redevelopment of an existing Sunoco gas station with vehicle service bays to a Sunoco APlus gas station with a convenience market. Provided traffic testimony before the Township Zoning Board during land development approval.

Promenade at Granite Run (Granite Run Mall), Middletown Township, Delaware County, PA  
Oversaw the completion of a traffic impact study for the redevelopment of the Granite Run Mall property. Participated in various municipal meetings, including coordination meetings with Township staff and consultants, and presentations to the Planning Commission and Council.

Franklin Mint Tract, Middletown Township, Delaware County, PA  
Oversaw the completion of a traffic impact study for the Franklin Mint Tract, including several parcels. Participated in various municipal meetings, including coordination meetings with Township staff and consultants, and presentations to the Planning Commission and Council.



Republic Bank  
Broomall, Marple Township

PREPARED BY:



**DLHowell**  
Civil Engineering, Land Planning, Environmental  
DL Howell & Assoc., Inc.  
1200 Independence  
West Chester, PA 19380  
Phone: 610-693-8822  
Fax: 610-693-8823

**EXHIBIT**  
A-7

tabbles®



EXHIBIT  
tabbies®  
A-8 p.1



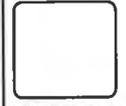
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A-8 p.2





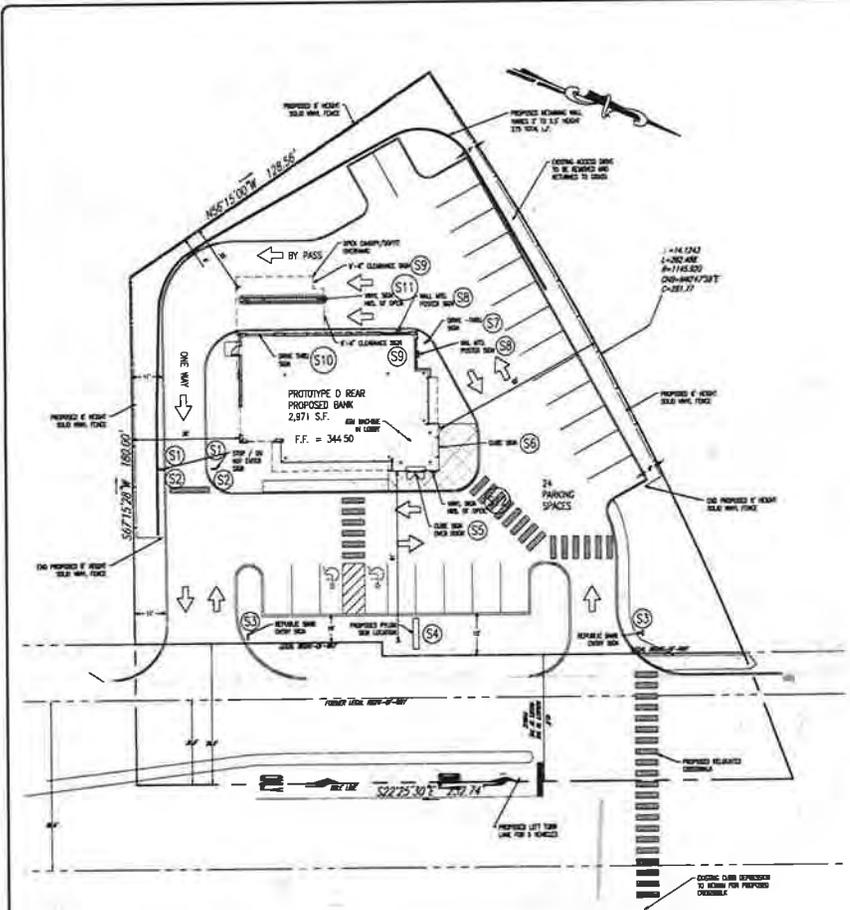
**DLHowell**  
Civil Engineering  
Land Planning  
Environmental  
www.DLHowell.com

1280 Wrights Lane  
West Chester, PA 19380  
Phone: (610) 918-8002  
Fax: (610) 918-9005



ZONING HEARING BOARD EXHIBIT  
**SIGN PLAN & DETAILS**  
PROJECT: REPUBLIC BANK SITE SKETCH  
LOCATION: 1918 SPROUL ROAD  
MANTLE TOWNSHIP, DELAWARE COUNTY, PA

DATE:	01/21/18
SCALE:	1"=20'
DRAWN BY:	JMP
CHECKED BY:	JMP
PROJECT NO.:	3289
SHEET NO.:	02/25/18
TITLE:	SK-1B
DATE:	02/25/18
SCALE:	1"=20'

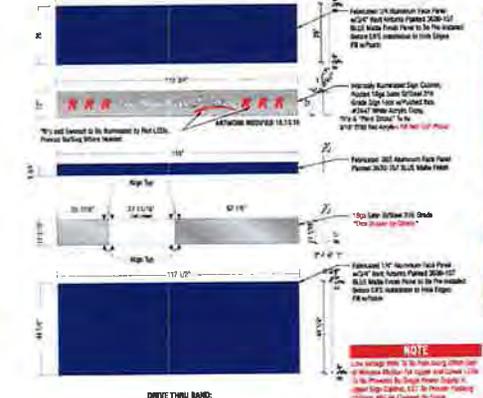
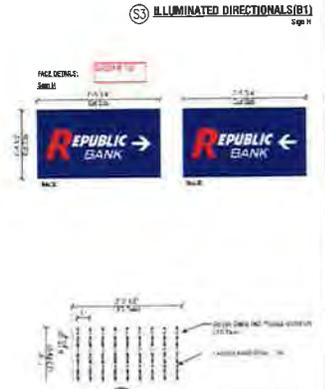
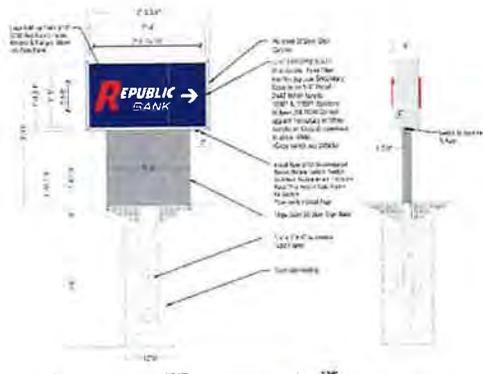
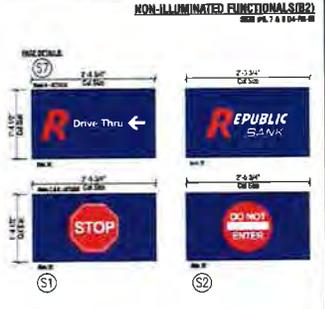
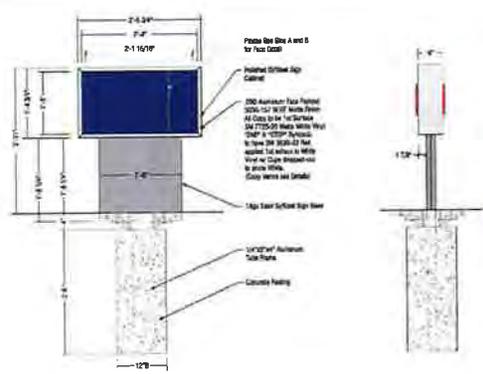


**SPROUL ROAD**  
(S.R. 0320)  
VARIABLE WIDTH R.O.W. - PUBLIC ASPHALT ROAD

**SIGN PLAN**  
SCALE: 1"=20'  
GRAPHIC SCALE  
0 10 20 40

**ARTICLE 101 SIGNS**  
**SECTION 300-101 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS**  
**SECTION 301-101(A) & (C)**  
A. ONE NON-ILLUMINATED ATTACHED WALL SUPPORTED OR FREE STANDING SIGN IDENTIFYING A PROFESSIONAL SERVICE MAY BE PLACED ON THE PREMISES SUBJECT TO THE FOLLOWING CONDITIONS:  
(1) SUCH SIGN SHALL NOT EXCEED TWO SQUARE FEET IN TOTAL AREA AND  
(2) IF PRESTANDING SUCH SIGN SHALL NOT EXCEED FOUR FEET IN HEIGHT.  
**VIOLANCE FOR THE FOLLOWING:**  
(1) ILLUMINATED PYLON SIGN SETBACK FROM THE U.L.T. ROW 3 FEET, 17 FEET IN HEIGHT AND A TOTAL OF 26.17 S.F. COMPRISED OF 2 COMPONENTS - MAIN SIGN 22.5 S.F. AND SMALLER SIGN 3.67 S.F.  
(2) EACH ILLUMINATED DIRECTIONAL SIGN SETBACK 2 FEET FROM THE U.L.T. ROW 2'-11 FEET IN HEIGHT AND EACH 2.92 S.F.  
(3) EACH NON-ILLUMINATED DIRECTIONAL SIGN WITHIN THE PARKING LOT 2'-11 IN HEIGHT AND EACH 2.92 S.F.

- (4) WALL MOUNTED ILLUMINATED CUBE SIGN OVER GLASS ENTRY MOUNTED AT 13'-6" APPROX. 3'-3" x 6" EACH A TOTAL OF 21.8 S.F.
- (5) WALL MOUNTED ILLUMINATED POSTER SIGN 3' x 4' MOUNTED AT LEFT AND REAR EACH A TOTAL OF 12 S.F.
- (6) WALL MOUNTED DRIVE THRU SIGN MOUNTED OVER REAR DRIVE THRU TELLER WINDOW 1' x 28' FOR A TOTAL OF 9.57 S.F.
- (7) (1) ENTRY MOUNTED HOURS OF OPERATION SIGN 1'-6" x 1'-2" FOR A TOTAL OF 1.24 S.F.
- (8) (1) DRIVE THRU COLUMN MOUNTED HOURS OF OPERATION DECAL 1' x 1' FOR A TOTAL OF 1 S.F.
- (9) (2) 6'-4" CLEARANCE PLUGS MOUNTED OVER DRIVE THRU CANOPY 2.5 S.F. EACH

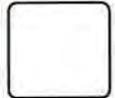
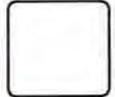


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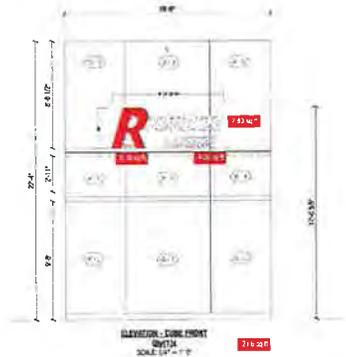
1250 Anglin Lane  
Wheat Creek, PA 15360  
Phone: (412) 918-8652  
Fax: (412) 918-8602



ZONING HEARING BOARD EXHIBIT  
**SIGN DETAILS**  
Name: REPUBLIC BANK  
Address: REPUBLIC BANK SITE SKETCH  
Location: 1598 SPRUILL ROAD  
MARPLE TOWNSHIP, DELAWARE COUNTY, PA

DATE:	05/11/18
SCALE:	AS SHOWN
DRAWN BY:	JMP
CHECKED BY:	JMP
PROJECT NO.:	3289
SHEET NO.:	03 of 03
DATE:	05/02/18
SCALE:	AS SHOWN
DRAWN BY:	JMP
CHECKED BY:	JMP
PROJECT NO.:	3289
SHEET NO.:	03 of 03

**S8 ILLUMINATED CHANNEL LETTERS(S)**  
Sigs #17 - 18-24



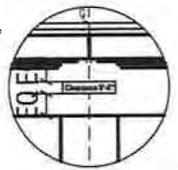
**NOTE**  
All Glass Panel Details To Be Verified w/Contractor From Glass Fabricator. Final Glass Panel Details Required.

**S9 ILLUMINATED CHANNEL LETTERS(S)**  
Sigs #1 - 16



**NOTE**  
All Glass Panel Details To Be Verified w/Contractor From Glass Fabricator. Final Glass Panel Details Required.

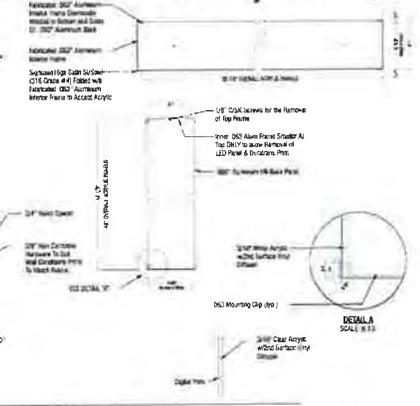
**S10 CLEARANCE PLAQUE**  
Sigs #17 & 18 - CLEARANCE



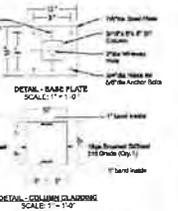
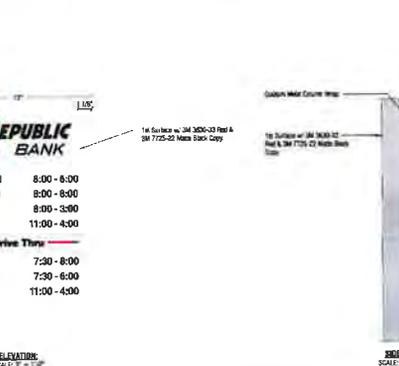
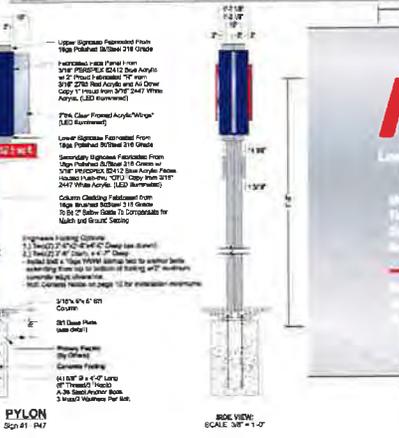
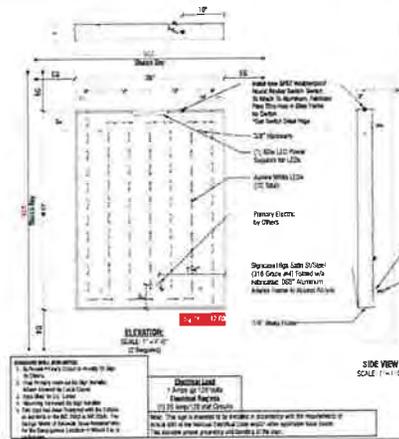
**S12 HOURS VINYL(MM)**  
Sigs #12 - 16-24



**S13 EXTERIOR ILLUMINATED WALL POSTER(S)**  
Sigs #1 & 13



**S11 COLUMN HOURS VINYL(L)**  
Sigs #12, 16, & 18 - 24



tabbles  
**EXHIBIT**  
A-9  
ps

**REPUBLIC BANK**

Mon - Wed	8:00 - 6:00
Thurs - Fri	8:00 - 6:00
Saturday	8:00 - 3:00
Sunday	11:00 - 4:00
— Drive Thru —	
Mon - Fri	7:30 - 8:00
Saturday	7:30 - 6:00
Sunday	11:00 - 4:00

**ELEVATION**  
SCALE 1/4" = 1'-0"  
(8 Hours)

**SIDE VIEW**  
SCALE 1/4" = 1'-0"

**PLAQUE ELEVATION**  
SCALE 1/2" = 1'-0"

**RIGHT ELEVATION**  
SCALE 1/4" = 1'-0"



EXHIBIT  
A-10 p.1



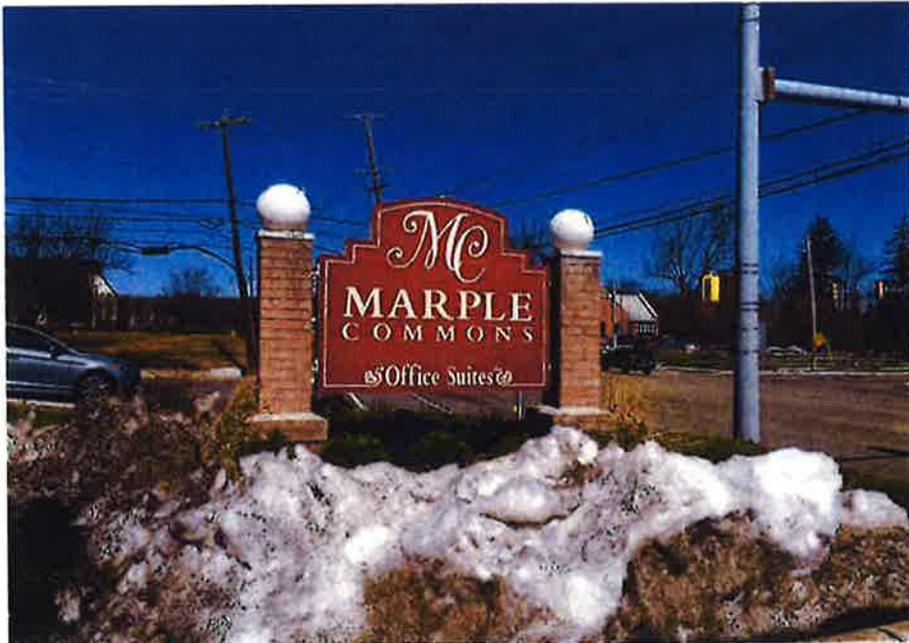
EXHIBIT  
A-10 p.2



EXHIBIT  
A-10 p.3  
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EXHIBIT  
tabbler  
A-10 p.4



**EXHIBIT**  
A-10 p.5  
Lobbier



McMAHON ASSOCIATES, INC.  
840 Springdale Drive  
Exton, PA 19341  
p 610-594-9995 | f 610-594-9565

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John S. DePalma  
William T. Steffens  
Casey A. Moore, P.E.  
Gary R. McNaughton, P.E., PTOE

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Christopher J. Williams, P.E.  
R. Trent Ebersole, P.E.  
Matthew M. Kozsuch, P.E.  
Maureen Chlebek, P.E., PTOE  
Dean A. Carr, P.E.

January 12, 2018

Anthony Hamaday  
Township Manager  
Marple Township  
227 S. Sproul Road  
Broomall, PA 19008-2397

RE: Traffic Operations Evaluation  
1998 Sproul Road Republic Bank  
Marple Township, Delaware County, PA  
McMahon Project No. 817911.11

Dear Mr. Hamaday,

McMahon Associates, Inc. has prepared this traffic operations evaluation for the proposed redevelopment of 1998 Sproul Road (S.R. 0320) in Marple Township, Delaware County, Pennsylvania to include a bank with drive-through, based on the sketch plan completed by DL Howell and Associates, Inc. The proposed redevelopment will consist of approximately 2,971 square feet of bank with drive-through. Access to the site is proposed to be provided via a right-in/left-in driveway at the existing signalized intersection of Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020), and a right-in/right-out driveway along Sproul Road (S.R. 0320), south of Lawrence Road (S.R. 1020).

Since access to a State roadway is proposed, a Highway Occupancy Permit (HOP) will be required and therefore, this traffic operations evaluation has been completed in accordance with PennDOT guidelines, as contained in the Department's publication *Policies and Procedures for Transportation Impact Studies Related to Highway Occupancy Permits*, dated January 28, 2009.

**Study Area Intersections & Peak Periods**

The following study intersections have been included in this traffic operations evaluation for the proposed redevelopment:

- Sproul Road (S.R. 0320) and Lawrence Road / Proposed Left-in/Right-in Site Access
- Sproul Road (S.R. 0320) and Proposed Right-in/Right-out Site Access

Recent traffic counts, completed in 2014, were utilized for this evaluation for the weekday morning (7:00 AM to 9:00 AM) weekday afternoon (4:00 PM to 6:00 PM) and Saturday midday (11:00 AM to 2:00 PM) peak



periods. **Figure 1** summarizes the existing traffic volumes at the study intersections, and the existing traffic counts are provided in **Attachment 1**.

**Future Traffic Volumes**

The estimated build-out year for the proposed redevelopment is 2018. A traffic growth rate of zero percent was utilized for this traffic operations evaluation, which is consistent with the PennDOT Bureau of Planning and Research *Growth Factors for August 2017 to July 2018* for similar, non-interstate, urban roadways in Delaware County. Therefore, the traffic to be generated by the proposed redevelopment, provided later in this report, was added to the existing traffic volumes to estimate the future with-development traffic volumes. **Figure 1** summarizes the future 2018 with-development traffic volumes.

**Site Trip Generation & Distributions**

Traffic volumes to be generated by the proposed bank were prepared based on trip generation data compiled from numerous studies contained in the Institute of Transportation Engineers (ITE) publication, *Trip Generation, 10<sup>th</sup> Edition*. **Table 1** below presents the anticipated vehicular trip generation for the proposed site.

**Table 1 – Proposed Redevelopment Trip Generation per ITE**

Trip Type	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Bank with Drive-Through <sup>(1)</sup>	363	16	12	28	31	30	61	40	38	78
- Pass-by Trips <sup>(2)</sup>	-91	-5	-3	-8	-11	-11	-22	-15	-14	-29
"New" Trips	272	11	9	20	20	19	39	25	24	49

(1) ITE Land Use Code 912 for Drive-In Bank.

(2) Pass-by trips are 29 percent during the weekday morning peak hour, 35 percent during the weekday afternoon peak hour, and 38 percent during the Saturday midday peak hour based on the ITE publication *Trip Generation Handbook, Third Edition*. The pass-by is assumed to be 25 percent (or 10 percent less than the weekday afternoon peak hour) on a daily basis.

Based on information from Republic Bank personnel, it is our understanding that their branch locations generate less traffic than estimated by ITE; however, based on PennDOT requirements, the conservative ITE trip generation data has been used in this traffic operations evaluation.

Additionally, it is our understanding that the existing building (approximately 5,500 square feet) on the site permits medical office use. **Table 2** below provides a trip generation comparison between the new trips to be generated by the proposed bank and the trips that would be generated by medical office space.

**Table 2. Trip Generation Comparison**

Land Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour			Saturday Midday Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out	Total
Bank with Drive Through <sup>(1)</sup> (Table 1 "new" trips)	2,971 sq ft	272	11	9	20	20	19	39	25	24	49
Medical Office <sup>(2)</sup> (Re-tenant of existing space)	5,500 sq ft	124	13	4	17	6	15	21	10	7	17
<i>Difference in Trips</i>		+148			+3			+18			+32

(1) ITE Land Use Code 912 for Drive-In Bank.

(2) ITE Land Use Code 720 for Medical-Dental Office Building.

As shown in Table 2, the bank generates only slightly more traffic during the weekday morning and weekday afternoon peak hours. During the Saturday midday peak hour, the bank generates approximately 32 additional trips, which equates to only one (1) additional vehicle every (2) minutes, which is a minimal increase in traffic.

***Site Access Configuration and Traffic Control***

The site currently provides a 60-foot wide driveway offset from Lawrence Road (S.R. 1020), which permits ingress and right-out only egress, but the driveway is not controlled by the existing traffic signal. As part of the redevelopment, it is proposed to significantly narrow the driveway and provide a northbound left-turn lane into the site along Sproul Road (S.R. 0320) to be controlled by the traffic signal, while restricting all egress movements at this driveway.

The identified access improvements, including auxiliary turn lanes, traffic control, and geometric design, are based on PennDOT criteria and guidelines. Based on the results of this traffic operations evaluation, the following access configurations and traffic controls are recommended, subject to detailed engineering:

**Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020)/Proposed Left-in/Right-in Site Access**

- Provide one ingress lane for the driveway.
- Restrict egress movements.
- Modify the existing median to provide a northbound Sproul Road (S.R. 0320) left-turn lane. Due to the existing southbound Sproul Road (S.R. 0320) left-turn lane at the adjacent intersection at Williamsburg Road / Lawrence Park Shopping Center, the maximum left-turn lane storage (approximately 95 feet) will be provided without modifying the adjacent left-turn lane.
- Provide a northbound concrete median along the new left-turn lane.

- Complete traffic signal modifications necessary to accommodate the above improvements, and optimize the traffic signal timings, as needed with input from the Township Engineer.

**Sproul Road (S.R. 0320) and Proposed Right-In/Right-Out Site Access**

- Provide one ingress and one egress lane for the driveway.
- Physically restrict the left-turn exiting movement.
- Provide stop control on the egress approach.

***Traffic Operations***

The peak hour traffic volumes were analyzed to determine the existing and future traffic operations, both without and with the proposed redevelopment. It is noted that the existing and future without-development traffic operations are the same as there is no projected traffic growth. **Figure 1** summarizes the existing/ future 2018 without-development and future 2018 with-development peak hour levels-of-service.

**Table 3** summarizes the existing/future 2018 without-development and future with-development levels-of-service for the intersection of Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020) / Proposed Left-in/Right-in Site Access. As shown in Table 3, between existing/future without development to future with-development conditions, the levels-of-service at the intersection remain unchanged or are slightly improved through signal retiming. The intersection operates at overall LOS C during all three peak hours under existing and future conditions. The proposed right-in/right-out site access along Sproul Road (S.R. 0320) will operate at LOS B or better overall and by movement under future 2018 with-development conditions as shown in **Figure 1**. Detailed capacity/level-of-service analysis worksheets are provided in **Attachment 2** for existing and future conditions.

**Table 3. Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020) / Proposed Left-in/Right-in Site Access Levels-of-Service and Delay (in seconds)**

Approach	Lane	Weekday Morning Peak Hour		Weekday Afternoon Peak Hour		Saturday Midday Peak Hour	
		Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts	Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts <sup>1</sup>	Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts <sup>1</sup>
Northbound Sproul Road (S.R. 0320)	Left	-	B (18.3)	-	C (27.2)	-	B (14.0)
	Through (2)	D (35.0)	C (34.8)	D (40.1)	D (48.1)	C (22.4)	C (22.5)
	Right	C (25.7)	C (25.6)	C (32.1)	D (35.9)	B (16.7)	B (16.9)
Southbound Sproul Road (S.R. 0320)	Left	D (46.4)	D (46.1)	D (50.6)	D (53.1)	C (32.6)	C (32.4)
	Through	A (8.8)	A (9.1)	B (12.5)	B (15.3)	A (8.6)	A (9.2)
	Through/Right	-	A (9.1)	-	B (15.2)	-	A (9.2)
Lawrence Road (S.R. 1020)	Left / Through	D (38.2)	D (38.4)	E (62.8)	D (52.1)	D (51.6)	D (51.9)
	Right	D (46.5)	D (46.6)	C (25.2)	C (21.5)	D (35.4)	C (35.0)
<b>Overall Intersection Delay</b>		<b>C (32.0)</b>	<b>C (31.9)</b>	<b>C (31.5)</b>	<b>C (33.6)</b>	<b>C (22.7)</b>	<b>C (22.8)</b>
<b>Increase in Overall Delay</b>		<b>No LOS Drop</b>		<b>No LOS Drop</b>		<b>No LOS Drop</b>	
<b>Requires Mitigation</b>		<b>NO</b>		<b>NO</b>		<b>NO</b>	

1 - Traffic signal timings were optimized.

**Table 4** summarizes the existing/future without-development and future with-development maximum (95<sup>th</sup> percentile) queues for the intersection of Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020) / Proposed Left-in/Right-in Site Access.

**Table 4. Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020) / Proposed Left-in/Right-in Site Access  
 Maximum (95<sup>th</sup> Percentile) Vehicular Queues by Movement (in feet)**

Approach	Lane	Lane Storage/ Intersection Spacing (feet)	Weekday Morning Peak Hour		Weekday Afternoon Peak Hour		Saturday Midday Peak Hour	
			Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts	Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts <sup>1</sup>	Existing / 2018 Future Without Development	2018 Future With Development w/ Imprvts <sup>1</sup>
Northbound Sproul Road (S.R. 0320)	Left	95'	-	25'	-	25'	-	25'
	Through (2)	475'	615'	613'	590'	630'	533'	530'
	Right	175'	313'	310'	325'	340'	220'	220'
Southbound Sproul Road (S.R. 0320)	Left	180'	465'	465'	638'	643'	415'	413'
	Through	410'	223'	223'	498'	523'	310'	313'
	Through /Right	410'	-	230'	-	543'	-	325'
Lawrence Road (S.R. 1020)	Left/Through	950'	300'	305'	533'	500'	398'	408'
	Right	950'	705'	705'	500'	470'	390'	383'

1 - Traffic signal timings were optimized.

As shown in Table 4, the maximum (95<sup>th</sup> percentile) vehicular queues with the proposed redevelopment and improvements are similar to the existing queues.

**Conclusions and Recommendations**

Based on information from Republic Bank personnel, it is our understanding that their branch locations generate less traffic than estimated by ITE; however, based on PennDOT requirements, the conservative ITE trip generation data has been used in this traffic operations evaluation. This study demonstrates that efficient access to and from the redevelopment can be provided as proposed, and the redevelopment has no impact on traffic operations in the study area. Based on the results of this traffic operations evaluation, the following access configurations and traffic controls are recommended, subject to detailed engineering:

**Sproul Road (S.R. 0320) and Lawrence Road (S.R. 1020)/Proposed Left-in/Right-in Site Access**

- Provide one ingress lane for the driveway.
- Restrict egress movements.

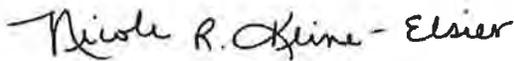
- Modify the existing median to provide a northbound Sproul Road (S.R. 0320) left-turn lane. Due to the existing southbound Sproul Road (S.R. 0320) left-turn lane at the adjacent intersection at Williamsburg Road / Lawrence Park Shopping Center, the maximum left-turn lane storage (approximately 95 feet) will be provided without modifying the adjacent left-turn lane.
- Provide a northbound concrete median along the new left-turn lane.
- Complete traffic signal modifications necessary to accommodate the above improvements, and optimize the traffic signal timings, as needed with input from the Township Engineer.

**Sproul Road (S.R. 0320) and Proposed Right-In/Right-Out Site Access**

- Provide one ingress and one egress lane for the driveway.
- Physically restrict the left-turn exiting movement.
- Provide stop control on the egress approach.

If you should have any questions, or require further information, please feel free to contact me at 610-594-9995 or [nkline@mcmahonassociates.com](mailto:nkline@mcmahonassociates.com).

Sincerely,

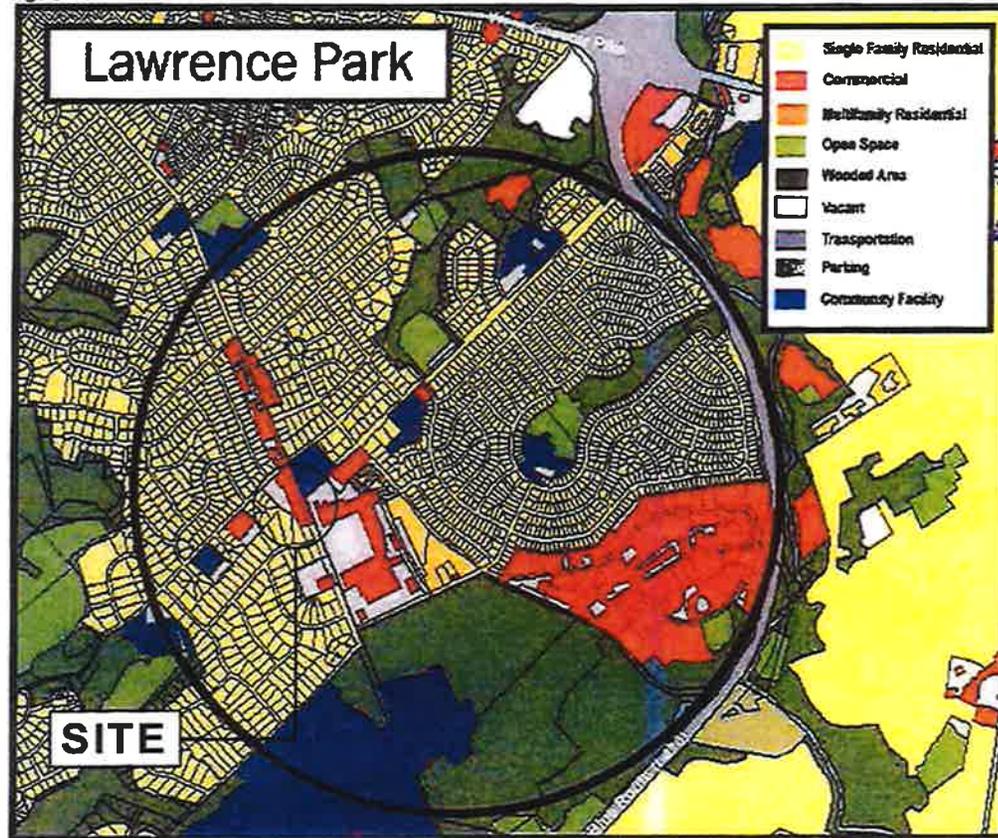


Nicole R. Kline-Elsier, P.E., PTOE  
Senior Project Manager

NRK/bgg  
Attachment

cc: Andrew Logue, Republic Bank  
Kenneth Lowther, InterState Commercial  
Mark Damico, Esq., Petrikin, Wellman, Damico, Brown and Petrosa, P.C.  
Joseph Russella, D.L. Howell and Associates, Inc.  
Joseph Mastronardo, P.E., Pennoni

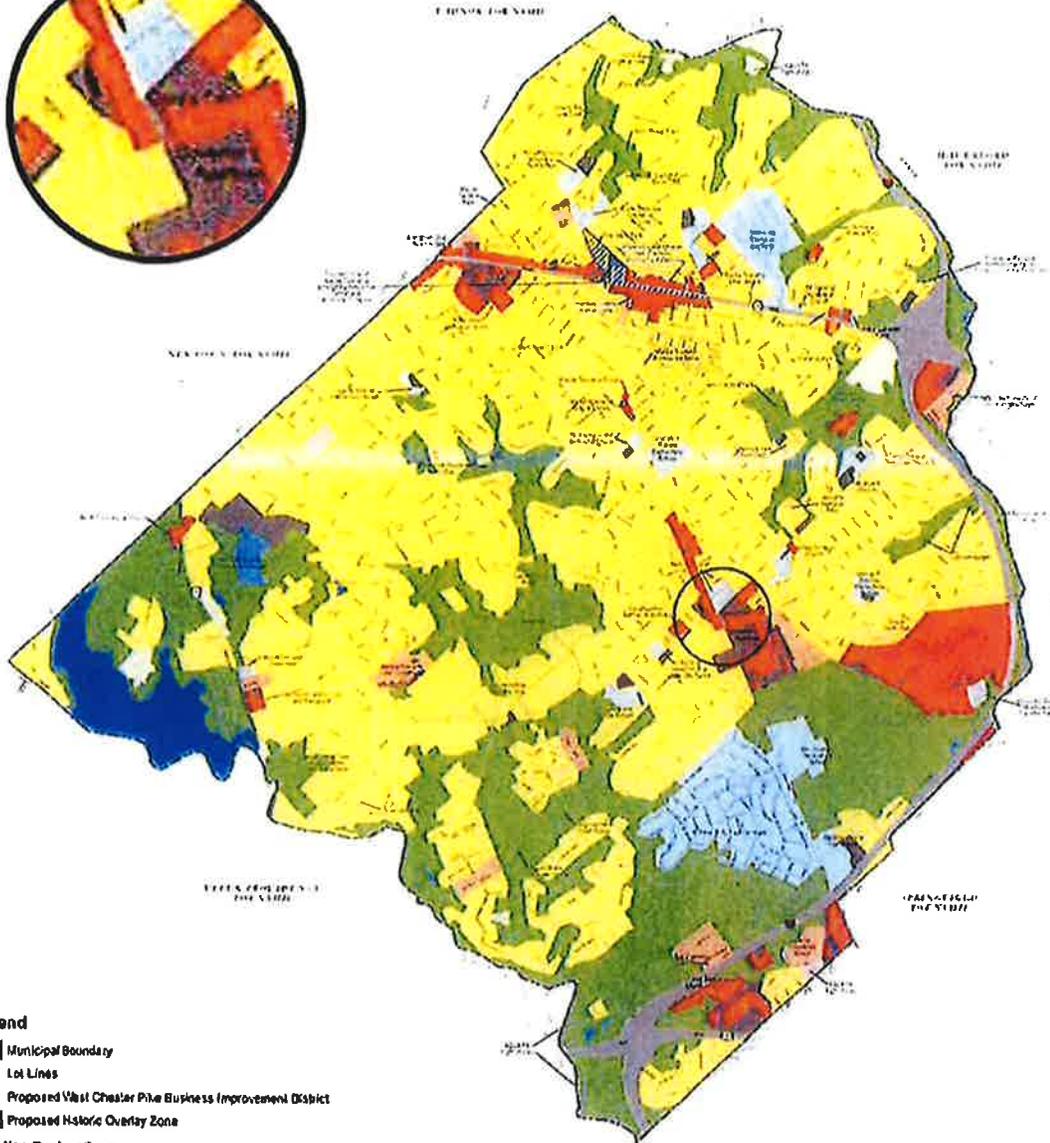
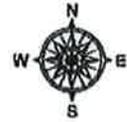
Figure L-4



# Proposed Land Use Map

## Township of Marple

### Delaware County, Pennsylvania



#### Legend

- Municipal Boundary
- Lot Lines
- Proposed West Chester Pike Business Improvement District
- Proposed Historic Overlay Zone
- Land Use Designations**
- Residential Single-Family Detached
- Residential Multi-Family
- Parking
- Transportation
- Utility
- Commercial
- Community Services
- Recreation
- Agriculture
- Mining
- Wooded
- Vacant
- Water

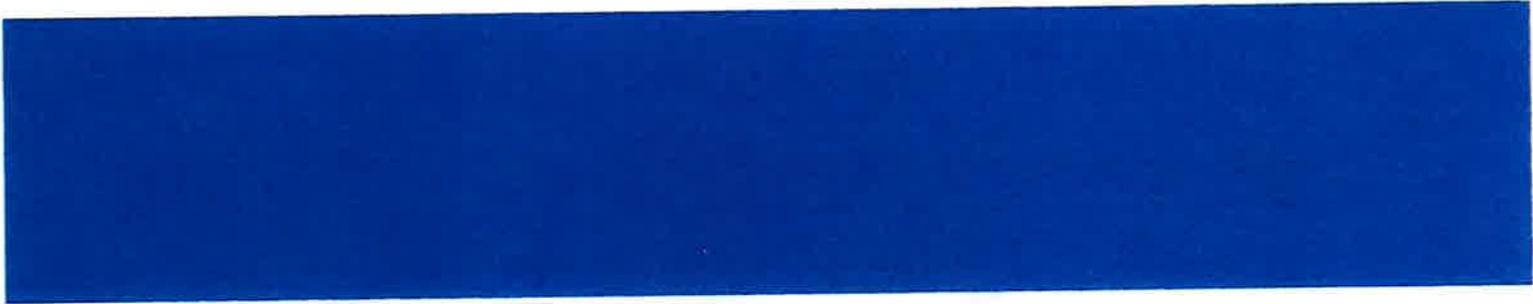
#### Location Map



This map was prepared by R.V. & B. Engineering, Inc. for the Township of Marple, Delaware County, Pennsylvania. The map is based on the Township of Marple, Delaware County, Pennsylvania, and is not to be used for any other purpose without the written consent of R.V. & B. Engineering, Inc. The map is not to be used for any other purpose without the written consent of R.V. & B. Engineering, Inc. The map is not to be used for any other purpose without the written consent of R.V. & B. Engineering, Inc.



Russington Vranick & Frank Engineers  
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 Conshohocken, PA 19380  
 (610) 910-1050, Fax: (610) 910-1161  
 Web Site Address: www.rvb.com



# Comprehensive Plan Addendum

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*Marple Township – Delaware County, PA*

6/1/2015

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## Chapter Four: Mixed-Use Growth Areas

For nearly twenty-five years, the Township has advocated a pattern of residential and commercial development that reinforces the way residents see their Township: a series of well-established neighborhoods, such as Lawrence Park, the historic West Chester Pike commercial corridor, the Lawrence Park Shopping Center and Industrial Park, strong institutions, and an array of public and private open spaces in the form of parks, nature preserves, and community services.

This land use pattern has been reinforced through current Township land use policy which focuses intensive, nonresidential development and redevelopment into five (5) core areas: three (3) Commercial Cores and two (2) Interchange Cores.

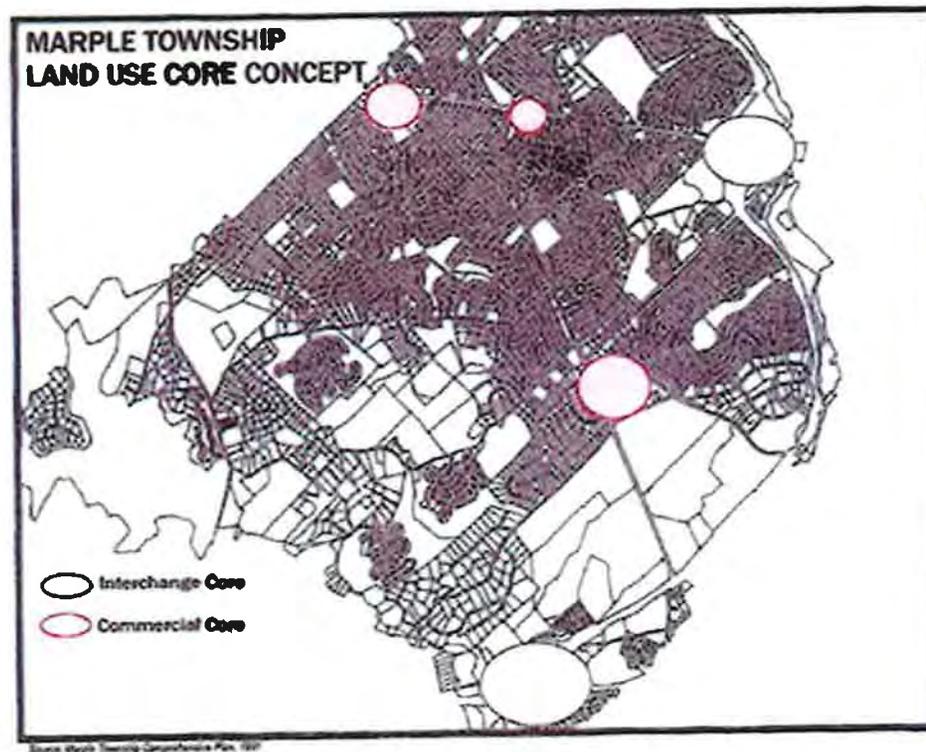
These areas include:

- the historic center of Broomall along Route 3 at Sproul Road;
- the intersection of Route 3 and Springfield Road;
- the Lawrence Park Shopping Center area (Lawrence Park Core);

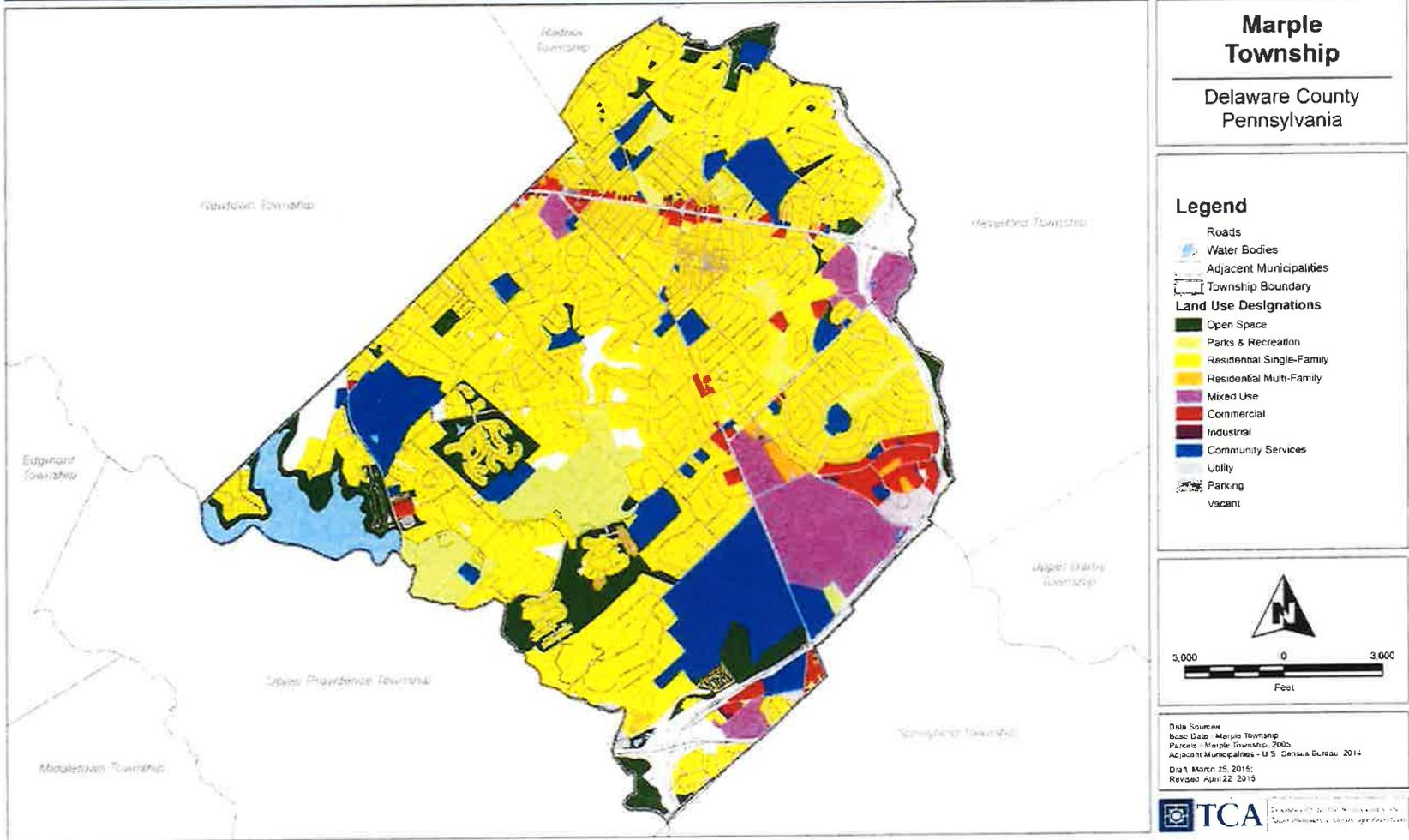
- the Interchange between I-476 and Route 1 at Marple Crossroads area (Marple Crossroads Core); and

the land surrounding the interchange of Route 3 and I-476 (Langford Run Road Core).

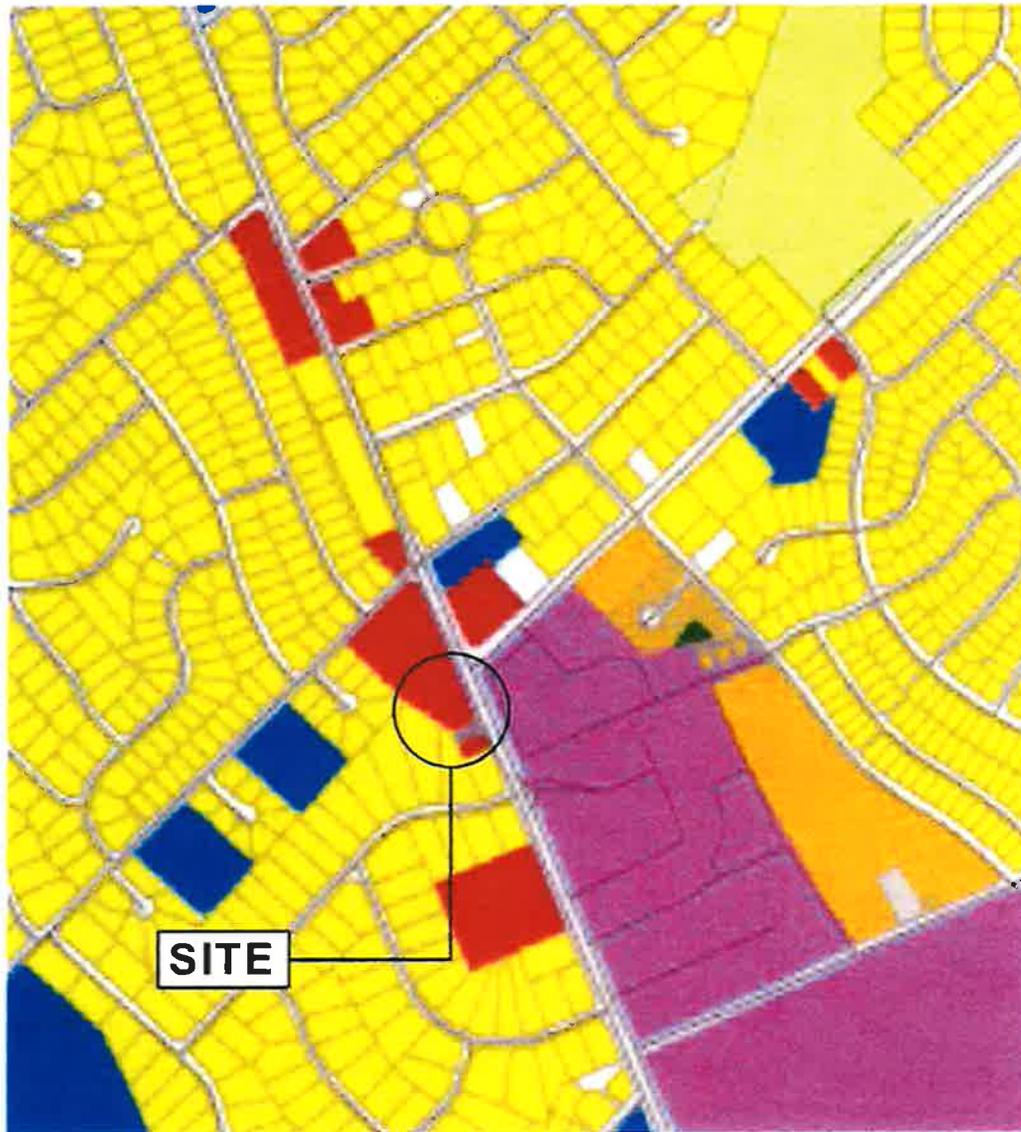
*Land Use Core Concept Map from 1991 Comprehensive Plan*



# PROPOSED FUTURE LAND USE MAP



p.5



**Legend**

- Roads
- Water Bodies
- Adjacent Municipalities
- Township Boundary
- Land Use Designations**
- Open Space
- Parks & Recreation
- Residential Single-Family
- Residential Multi-Family
- Mixed Use
- Commercial
- Industrial
- Community Services
- Utility
- Parking
- Vacant



April 22, 2015

**PROPOSED FUTURE LAND USE MAP ENLARGEMENT**

P.6



**REPUBLIC BANK**  
**1998 SPROUL ROAD, MARPLE TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA**

**LIST OF ZONING HEARING BOARD CONDITIONS**

**April 2, 2018**



**FENCE**

1. The Bank will erect a fence that is a solid, 6' high vinyl product around the entire back and down the side property lines, to prevent the "cut through" of pedestrians through your rear yards.
2. The location of the fence shall be as shown on the zoning plan that Joe was using at our meeting. Specially, the fence will be located along the adjacent property lines. I have attached the Zoning Plan and highlighted the fence in orange. See attached Zoning Plan.
3. The Bank will coordinate a mutually agreeable fence color, including white, green, beige, or light brown.
4. The fence will be erected at the beginning of construction as soon as the clearing at the rear of the adjacent Cameron and Kontaras properties is completed.
5. If it is ever damaged, the Bank will repair it no later than 10 business days thereafter.

**ELIMINATION OF DRIVEWAY TO MARPLE COMMONS OFFICE BUILDINGS**

6. The Bank will eliminate the vehicular connection between the Property and the adjacent, Marple Commons office buildings. Specifically, the Bank will construct curbing and a retaining wall as shown on the Zoning Plan to block the connection. All masonry pavers on the Bank property will be pulled up and replaced with grass and landscaping.

**LIGHTING AND GRADING AT REAR OF PROPERTY**

7. The Bank will grade the rear of the Property, so as to create an additional buffer by lowering the rear of the Bank site. This will result in a wall near and along the rear property line. The approximate location of the wall is identified as "PROPOSED RETAINING WALL VARIES 2' TO 5.5' HEIGHT 273 TOTAL L.F." on the Zoning Plan. This will serve to further buffer the neighbors from the Bank property, including cars circulating around the site.
8. All existing flood type of lights will be replaced with lower, full cut-off lights.
9. The new lighting will be LED, which will allow for dimming of the lighting to a "safety, security level" at such times that the Bank is closed for business.
10. The height of the proposed light poles would be much lower than the Bank of America lights. Specifically, between 12' to 14'.

**LANDSCAPING AT REAR OF PROPERTY**

11. The Bank will clear all trees and vegetation to a point approximately 6 feet into the Cameron and Kontaras properties, including grinding of tree stumps.
12. The Bank will plant new landscaping in the area of the Bank Property between the fence and the retaining wall, which landscaping plan will be presented as part of the land development process and subject to Township approval. Since the landscape buffer will be planted on the Bank Property, the Bank will not plant any trees on the Cameron or Kontaras properties.

**LOCATION OF ATM MACHINE**

13. The Bank shall place the ATM at the front of the building in the lobby. Therefore, no car traffic will need to circulate behind the site when the Bank is closed.



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TOWNSHIP OF MARPLE  
ZONING HEARING BOARD

- - -

APPLICATION 2018-06 OF REPUBLIC FIRST BANK d/b/a REPUBLIC  
BANK FOR PROPERTY LOCATED AT 1998 SPROUL ROAD, BROOMALL,  
PENNSYLVANIA

- - -

APRIL 3, 2018

- - -

Zoning Hearing held before the Marple Township Zoning  
Hearing Board in the above-referenced matter at the Marple  
Township Municipal Building, 227 South Sproul Road,  
Broomall, PA, 19008, at 7:32 P.M. before Lori A. DiFabio,  
Professional Court Reporter-Notary Public.

- - -

LORI A. DiFABIO  
COURT REPORTER-NOTARY PUBLIC  
P.O. BOX 292  
MEDIA, PA 19063  
610-544-5454

- - -

1 MEMBERS OF THE ZONING BOARD

2

3 JOSEPH PATTI, CHAIRMAN

4 BARBARA HARVEY, VICE-CHAIRPERSON

5 JULES SPIGONARDO, MEMBER

6 TONY VECHERCOFSKI, MEMBER

7 A.J. BAKER, MEMBER

8 MATTHEW CATANIA, ESQUIRE, SOLICITOR

9

10

11 ALSO PRESENT:

12

13 JOSEPH C. ROMANO, DIRECTOR OF CODE ENFORCEMENT

14 EDNA COOK, ASSISTANT TO CODE ENFORCEMENT DIRECTOR

15 JOHN J. LUCAS, 4TH WARD COMMISSIONER

16

17

18 ALSO PRESENT:

19

20 MARK D. DAMICO, ESQUIRE

21 COUNSEL FOR APPLICANT

22

23

24

1 E X H I B I T I N D E X

2

3 B-1 Applicant's Application 8

4

5 B-2 Proof of Publication 8

6

7 B-3 Notice Sent To Residents Within 500 Feet 8

8

9 B-4 List of Residents Within 500 Feet 8

10

11 A-3 2016 Marple Twp. Zoning Hearing Board Decision 8

12

13 A-4 Curriculum Vitae of Joseph Russella

14 11

15

16 A-5 Curriculum Vitae Of Lisa Thomas 32

17

18 A-6 Curriculum Vitae of Nicole Kline 43

19

20 A-7 Zoning Plan 47

21

22 A-8 Photograph of Bank in Sicklerville, NJ, with  
23 Similar Architecture To Proposed 57

24

1	A-10	Photographs Of Other Signs	
2	54		
3			
4	A-11	Traffic Operations Evaluation	44
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6	A-12	Relevant Portions of Comprehensive Plan	
7			
8	A-13	Aerial Photograph of Subject Property	
9			
10	A-14	List of All Conditions For Property Testified	
11		To By Joseph Russella	22
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13	A-15	Existing Conditions Plan	122
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1 W I T N E S S I N D E X

2

3 JOSEPH RUSSELLA

4 Voir Dire Examination By Mr. Damico 11

5 Direct Examination By Mr. Damico 13

6

7 LISA THOMAS

8 Voir Dire Examination By Mr. Damico 32

9 Direct Examination By Mr. Damico 33

10

11 NICOLE KLINE

12 Voir Dire Examination By Mr. Damico 43

13 Direct Examination By Mr. Damico 44

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15 ROBIN LIGGINS

16 Direct Examination By Mr. Damico 50

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18 SHARON HAMMEL

19 Direct Examination By Mr. Damico 63

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MR. PATTI: Well, we have one final application.

It's 2018-06, Republic First Bank d/b/a Republic Bank, located at 1998 Sproul Road and is currently zoned RC Residential.

The petitioner is requesting a Special Exception from Chapter 300, Article XV, Section 300-124.A, B & C to permit a proposed use of a bank with a drive-through window.

Also requesting a variance to Chapter 300, Article IV, Section 300-20.A and 300-23.B (impervious coverage and accessory structure setbacks.); Article V, Section 38 and Section 42.C (setback of parking areas).

Petitioner also requesting variances to Article XII, Section 101.A to permit signs which will exceed the allowable number of signs, sign area, height of signs, location of signage and signs in a residential district.

I see that we do have some people here representing the applicant.

So, if you would, feel free to come up

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and be sworn in, and then, we can hear your testimony.

MR. DAMICO: May it please the Board, we have several witnesses.

Would you like to have them all sworn at one time?

MR. PATTI: Yes.

MR. SPIGONARDO: That works. Yes.

- - -

JOE RUSSELLA, LISA THOMAS, NICOLE KLINE, ROBIN LIGGINS, SHARON HAMMEL, after having all been first duly sworn to tell the truth, was examined and testified as follows:

- - -

MR. SPIGONARDO: Please state your name one at a time for the court reporter.

JOSEPH RUSSELLA: Joe Russella.

NICOLE KLINE: Nicole Kline.

SHARON HAMMEL: Sharon Hammel.

ROBIN LIGGINS: Robin Liggins.

LISA THOMAS: Lisa Thomas.

MR. PATTI: Thank you.

MR. CATANIA: Mr. Chairman, the

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applicant's application is in order.

Board Exhibits B-1 through B-4 are a copy of the application, proof of publication, letters sent to the residents within five hundred feet as well as a copy of the list of those residents.

I ask that they be made part of the record.

MR. PATTI: So moved.

MR. CATANIA: Thank you.

- - -

(Whereupon, Board Exhibits B-1, B-2, B-3 and B-4 were marked for identification as of this date.)

- - -

MR. PATTI: Mr. Damico?

MR. DAMICO: Thank you, Mr. Chairman.

Good evening. May it please the Board, my name is Mark Damico.

I am an attorney with an office at 109 Chesley Drive, Media, Pennsylvania, 19063.

I am here tonight representing Republic Bank which is the equitable owner of the property subject to this application.

1 I will hand up momentarily to your  
2 Solicitor a copy of the Deed and the  
3 Agreement of Sale to establish standing.

4 Those were also made part of the  
5 application to the township.

6 The property is located in the  
7 township's R-C District.

8 As you probably know for many years,  
9 the property was operated as a funeral  
10 home.

11 In 2016, about two years ago, I  
12 actually represented the current fee owner  
13 of the property seeking a Special Exception  
14 in front of this Board to change from one  
15 non-conforming use, a funeral home to a  
16 medical office use, and the Board, as some  
17 of you may recall, graciously granted that  
18 relief, and I have marked as Exhibit A-3 a  
19 copy of that decision.

20 The applicant is now seeking a complete  
21 redevelopment, and you probably noticed that  
22 if you have taken a look at the Zoning Plan.

23 We have been, the Zoning Plan that  
24 you're seeing in front of you is actually

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not the first version of this plan but a version that accounts for discussions both with the township staff, including the Township Engineer and Township Zoning Officer, Mr. Romano, as well as discussions with the adjacent neighbors.

Just one more note.

We did present an earlier version of this plan to the Township Planning Commission in January of this year.

So, without further ado, I have got several witnesses, and the first witness would be Joe Russella. He is the Project Engineer.

Does it please the Board, can I sit here to ask questions? I am probably loud enough.

I will have the witness go to the microphone.

We have a bunch of exhibits. Most of them are here.

So, that will make it easier and save some time.

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JOSEPH S. RUSSELLA, after having been  
first duly sworn, was examined and testified  
as follows:

- - -  
VOIR DIRE  
- - -

BY MR. DAMICO:

Q. Mr. Russella, what is your occupation or  
profession?

A. I'm a Designer and Civil Project Manager at  
DL Howell & Associates.

Q. And you have a degree in Engineering.  
Is that correct?

A. Yes, I do, and Architecture.

Q. I am showing you what has been marked as  
Exhibit A-4.

Is that a copy of your Curriculum  
Vitae?

A. Yes, it is.

MR. DAMICO: For the Board's reference,  
there is a copy in your packet of Mr.  
Russella's Curriculum Vitae.

MR. PATTI: Thank you.

BY MR. DAMICO:

1 Q. Do you want to give the Board just a brief  
2 background of your experience in Land Development?

3 A. Yes.

4 I have been a partner in DL Howell &  
5 Associates. I am a Project Manager.

6 We have been in business for nineteen  
7 years.

8 Prior to that, I've worked since I  
9 graduated in 1996 in the area Land Development, Civil  
10 Engineering.

11 I have been in front of numerous boards  
12 in Delaware County, Montgomery County, Chester County,  
13 Bucks County, and I have also testified in numerous  
14 counties.

15 MR. DAMICO: At this time, I'm going to  
16 ask that Mr. Russella be accepted as an  
17 expert in the field of Site Design and Land  
18 Development.

19 MR. PATTI: So accepted.

20 MR. DAMICO: Thank you.

21

22

DIRECT EXAMINATION

23

24 BY MR. DAMICO:

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Q. All right.

Mr. Russella, did your firm prepare the Zoning Plan that was submitted with the application?

A. Yes.

Q. So, I think you have got the black and white plan.

That's the same as a colored version of the plan.

Is that correct?

A. Yes, it is, except this has just a little more detail on it.

Q. All right.

So, we will call that Exhibit A-7.

Do you have a pen with you?

Do you just want to mark that as Exhibit A-7?

A. (Witness complies.)

Q. Thank you.

So, that is the plan that was submitted with the application

Is that right?

A. Yes, that's correct. Yes.

Q. All right.

Do you want to briefly describe the

1 existing conditions?

2 A. Yes.

3 On the Existing Conditions Plan, the  
4 site is comprised of approximately thirty thousand square  
5 feet.

6 It's on the northside of Sproul Road  
7 across from Lawrence Road.

8 The site currently has an existing  
9 structure which was used as a funeral home.

10 It's approximately a thirty-five  
11 hundred and sixty-three foot footprint, and it's situated  
12 close to the road frontage of Sproul Road.

13 In the rear or west side of the  
14 property is a paved parking lot that adjoins the  
15 residential properties that are to the west, two  
16 residential properties, and on the south and northside.

17 On the southside, there is an existing  
18 dental building; and on the north side, there are three  
19 professional common buildings called Marple Commons.

20 There is one exiting driveway that has  
21 a one-way in and a one-way out.

22 In the middle of the driveway, there is  
23 an existing utility pole and the driveway slopes from the  
24 west to the east or towards Sproul Road.

1                   There is not any stormwater  
2 management.

3                   All the runoff from the parking lot  
4 drains out onto Sproul Road as do the roof drains for the  
5 existing building.

6           Q.       So, you said there is no stormwater  
7 management?

8                   Is that correct?

9           A.       There is not any stormwater management.  
10 Correct.

11          Q.       All right. Thank you.

12                   Would you describe the uses and zoning  
13 of the surrounding properties?

14          A.       The current area is zoned R-C.

15                   However, the two, we are surrounded on  
16 the west by two residential properties that intersect the  
17 rear property line.

18                   And then, on the south and the north  
19 property, there are two existing commercial uses.

20                   On the southside is the dental office,  
21 and on the northside are professional office buildings.

22          Q.       Okay.

23          A.       Across the street, immediately across the  
24 street on Sproul Road on the east side is the Lawrence Park

1 Shopping Center.

2 The two uses that are facing the  
3 property are a Popeye's Chicken and Salad Works.

4 Q. Okay. Thank you.

5 All right. Now, let's get back to  
6 Exhibit A-7.

7 Would you please review the Zoning Plan  
8 generally?

9 A. It's the same site, except that we have  
10 located a bank with a footprint of approximately  
11 twenty-nine hundred and seventy-one square feet.

12 The bank is situated more towards the  
13 middle of the site such that there is a row of parking  
14 parallel to Sproul Road.

15 There is a one-way access coming into  
16 the site and then a right in and a right out access on the  
17 south end of the site.

18 There are twenty-four parking spaces  
19 there. The parking spaces are curved.

20 In the rear of the property behind the  
21 bank or on the west side, there is a two lane drive-through  
22 with a bypass lane that wraps around the southside of the  
23 building to a one-way drive that exits to the site.

24 Improvements on Sproul Road

1 contemplated with the design of the project is a new left  
2 turn lane that would allow traffic to come in going  
3 northbound on Sproul Road.

4                   There is also, it's not depicted on the  
5 plan, but this will, on the east site between the bank and  
6 the front row of parking will be an underground stormwater  
7 management facility.

8                   There will also be fencing shown around  
9 the property, a six foot privacy fence to benefit the  
10 neighbors behind the property that will wrap around three  
11 sides of the north and south property line.

12                   There is also a low retaining wall and  
13 some improvements, a stripped crosswalk across Sproul Road  
14 in addition to some sidewalk and stripping within the site.

15           Q.       All right.

16                   Just turn your attention again back to  
17 the fence in the rear of the property for a minute.

18           A.       Okay.

19           Q.       So, you participated in discussions with the  
20 neighbors.

21                   Is that correct?

22           A.       Yes, I did.

23           Q.       As a result of those discussions, do you  
24 want to just go into a little bit about the specifics of

1 the fence and the landscaping that we are proposing?

2 A. Yes.

3 On the west side of the property or the  
4 rear of the property where the two residential adjoining  
5 property owners are, we had met with them in the field and  
6 talked about a six foot high solid vinyl fence that would  
7 act as screening for the neighbors.

8 It would also help a concern that they  
9 had with foot traffic from Marple Commons coming into the  
10 property.

11 That fence then turns and goes slightly  
12 down the northern property that's adjacent to the Marple  
13 Commons and on the south property where the dental office  
14 is.

15 There is also another feature that I  
16 didn't mention that currently exists now.

17 There is a little paved accessway that  
18 may have been an agreement that the funeral home had with  
19 the Commons that allowed traffic to go through the site  
20 maybe for overflow parking.

21 As part of our discussion, we are  
22 eliminating that condition to not allow traffic to come  
23 through the site from the other parking lot.

24 Q. How are you eliminating that?

1           A.       We are going to remove the pavers, and we  
2 are going to install landscaping there.

3                       We are going to convert that to grass  
4 landscaping, and there will probably be a section of fence  
5 extended across that.

6           Q.       And you are proposing a retaining wall and  
7 curbing in that area as well.

8                       Is that correct?

9           A.       Yes.

10          Q.       So, there is no doubt that that is going to  
11 be completely cut off?

12                       Is that right?

13          A.       That's correct. Yes. It is going to be  
14 completely cut off.

15                       The intent is to have no traffic cut-  
16 through.

17          Q.       Can you locate on Exhibit A-7 the ATM  
18 machine?

19          A.       Yes.

20                       The ATM machine is going to be located  
21 in the front, in the vestibule area. It's an inside  
22 machine.

23                       So, you will have to park and then get  
24 out of the vehicle, exit the vehicle to be able to use the

1 machine.

2                               There is not an ATM in the  
3 drive-through.

4                               It is not a component of this bank.

5               Q.       So, if somebody wants to use the  
6 drive-through at off-hours, they would not need to  
7 circulate the site.

8                               They could just park in the front, go  
9 in, access the ATM machine and leave.

10                              Is that correct?

11               A.       That is correct.   Yes.

12               Q.       And again, that's important because of the  
13 concern of the neighbors?

14                              Is that right?

15               A.       That's correct.   Yes.

16               Q.       Now, how about the lighting in the rear of  
17 the property?

18               A.       Well, yes.

19                              The current lighting that's there is  
20 non-compliant.

21                              It's a floodlight.   The lights are  
22 turned up.   It's very offensive.

23                              The proposal is to have more controlled  
24 lighting, compliant lighting, LED lighting that will have

1 the ability in the rear to not have any spillover but also  
2 be controlled.

3                   The glare, the site fixtures will be  
4 reduced in height from what they are to approximately  
5 fourteen, maybe sixteen feet in height.

6                   It will be a concealed source light.  
7 So, again, we will reduce glare.

8                   We will reduce spillover.

9                   We will also be able to control the  
10 light levels in the rear again to when there is non-  
11 activity and also to prevent any spillover for the  
12 neighbors.

13           Q.       Can you just also and finally and briefly  
14 describe what clearing the bank has agreed to do with the  
15 neighbors for the health of the landscaping as well as just  
16 the desirability of the aesthetics back there?

17           A.       Yes.

18                   One of the discussions we had with the  
19 neighbor was they have some overgrown landscaping again in  
20 the rear property on the western side.

21                   They had pointed out some of the  
22 undergrowth and some of the trees that are in poor health  
23 that they would like to have removed, and the bank agreed  
24 to take that into consideration in the development of the

1 parcel.

2 MR. DAMICO: Thank you, Mr. Russella.

3 Just to point out to the Board, the  
4 last exhibit in your packages is what I have  
5 marked as Exhibit A-14.

6 It is a list of all of the conditions  
7 essentially relating to the testimony that  
8 Mr. Russella gave regarding the fence, the  
9 elimination of the cut-through driveway, the  
10 lighting and the grading at the rear of the  
11 property, the landscaping at the rear of the  
12 property and the location of the ATM  
13 machine.

14 All of those have been approved by the  
15 bank, and they would be acceptable  
16 conditions if this Board was inclined to  
17 grant the relief that we are talking  
18 about tonight.

19 MR. PATTI: Thank you.

20 BY MR. DAMICO:

21 Q. Thank you, Mr. Russella.

22 So, now that we have reviewed the site  
23 generally, let's just touch briefly on the need for relief  
24 from the Zoning Ordinance.

1           A.       Okay.

2           Q.       First we are looking for a Special  
3 Exception, as you heard me say, to change one  
4 non-conforming use, a funeral home or medical office, to  
5 another non-conforming use which in this case would be a  
6 retail bank branch.

7                         So, one of the things we have got to do  
8 there is to satisfy Paragraphs A, B and C, Section 124 of  
9 the Zoning Ordinance, and in particular, I'm just going to  
10 ask you not to go through every one but to comment on a  
11 couple.

12          A.       Okay.

13          Q.       First we have to show that it is less, our  
14 use is less objectionable to external affects with respect  
15 to, and one of those conditions is noise, dust, smoke,  
16 fumes, glare vibration.

17                         Would you comment on that, please, Mr.  
18 Russella?

19          A.       Yes.

20                         So, to address at least the dust and  
21 the noise, the existing parking lot, it's an older parking  
22 lot. It's broken up.

23                         There is a lot of opportunities that in  
24 drive-time it will create dust.

1                   We are going to be proposing a new  
2 asphalt parking lot. It will reduce dust.

3                   As far as the glare, speaking on behalf  
4 of the lights, the existing lighting that is there is  
5 non-compliant flood lighting.

6                   It produces a lot of glare. It's a  
7 high pressured sodium fixture. It's a very offensive  
8 light.

9                   The proposed lighting will be an LED  
10 concealed source, full cut-off fixture.

11                   It will be a tremendous improvement  
12 over the lighting.

13                   It will provide more balanced uniform  
14 lighting and the ability to control light levels for  
15 security reasons and also just during off-peak hours. It  
16 will certainly help with that.

17                   There isn't really anything as far as  
18 gases or vibration with respect to the bank as opposed to  
19 the funeral home.

20                   It's a low impact use with the types of  
21 traffic that will be coming through here to use the bank.

22                   I think it will certainly be somewhat  
23 better conditions than what the funeral home was in terms  
24 of the appearance and the use of the property.

1 Q. Okay. Thanks.

2 So, C-3, this use has to be less  
3 objectionable in terms of storage including storage of  
4 solid waste.

5 Would you care to comment on that  
6 issue?

7 A. Yes.

8 Currently the funeral home has trash  
9 cans outside.

10 The bank does not have any exterior  
11 trash.

12 All of their trash is kept inside.

13 And then, during the times of removal,  
14 it is picked by an independent carrier, but it's all stored  
15 internally.

16 The previous, if this would be used as  
17 a medical facility, there may be medical waste or other,  
18 you know, other waste along those lines which, of course,  
19 the bank does not have.

20 It's really just paper and really  
21 domestic trash.

22 Q. Okay. Thank you.

23 And then, finally C-4 requires that  
24 this use be less objectionable in terms of appearance.

1                   Would you comment on that issue,  
2 please?

3           A.       Well, the existing facility was a home that  
4 was turned into a commercial use as a funeral home.

5                   The bank is more attractive. It's a  
6 more modern look. It has a unique aesthetic character.

7                   It does not have as high of a peak of a  
8 roof as the previous building did, but in general it's just  
9 a more modern look to the property and more commercial, and  
10 it fits in with the commercial surrounding characters along  
11 Sproul Road.

12           Q.       Thanks.

13                   So, the second request for relief is a  
14 variance from the development standards for R-C Residential  
15 regarding maximum impervious coverage.

16                   Can you explain the need for that  
17 relief?

18           A.       Yes.

19                   Currently in the R-C District, there is  
20 a maximum impervious coverage allowed of twenty-five  
21 percent.

22                   The existing facility, the existing  
23 development has approximately twenty-three thousand one  
24 hundred and eighty-six square feet of impervious coverage

1 which is over the twenty-five percent.

2 We are reducing that in our proposal by  
3 about twenty-four hundred square feet.

4 So, although we are still over the  
5 impervious coverage that is allowable, we are reducing the  
6 impervious coverage that is there.

7 So, our percentage of coverage is about  
8 sixty-nine point thirty-six percent.

9 MR. PATTI: And what is it now?

10 THE WITNESS: It's closer to about  
11 seventy-two percent.

12 MR. PATTI: Seventy-two percent. All  
13 right.

14 BY MR. DAMICO:

15 Q. So, we are not only reducing the existing  
16 impervious coverage in connection with this plan, but we  
17 are also doing stormwater on top of that?

18 Is that correct?

19 A. That's correct.

20 The existing site is absent of any  
21 stormwater management.

22 So, we are reducing the coverage and  
23 also providing stormwater management that will comply with  
24 the Ordinance requirements.

1           Q.       So, keeping in mind that this is R-C and  
2 comparing it to B or B-1, what are those impervious  
3 coverage limits and would we comply if we were zoned that  
4 way?

5           A.       Yes, we would comply.

6                        In the B, for instance, in the B  
7 District, it is ninety percent, and in the B-1 District it  
8 is eighty percent.

9                        So, we are, you know, in a comparable  
10 zoning analysis, we are under what their maximum allowable  
11 is.

12          Q.       All right.

13                        Next we are looking for relief from the  
14 development standards of R-C Residential to exceed the  
15 minimum accessory setback.

16                        Could you explain that to the Board,  
17 please?

18          A.       Yes.

19                        There is some, what we feel, ambiguity  
20 in that, and that is that they consider parking to be an  
21 accessory structure.

22                        The existing parking that is in place  
23 now is about six feet from some of the property lines which  
24 we are looking for that same setback.

1                   There is a section in the Ordinance  
2 that has parking as little as one foot from the set, the  
3 perimeter, and that's in the Off-Street Parking Ordinance.

4                   But as an accessory setback, there is a  
5 minimum of ten feet from other zoned tracts, from the  
6 boundary line and from other district boundary lines.

7                   So, we are maintaining six feet; and  
8 if there is a discrepancy there, then, we would not need  
9 that relief, but we are following through with that just to  
10 be consistent.

11                  Q.       Do you want to just show the Board, making  
12 reference to Exhibit A-7, do you want to just show the  
13 Board where we are not able to comply?

14                  A.       Yes.

15                         We have six feet on this (indicating),  
16 on the northern property line, and there is just a small  
17 area on the southwest corner where we are at six feet.

18                         On the southern property line, we have  
19 eleven feet, and along the northern property line, you  
20 know, it fluctuates, but at any given point, it is no less  
21 than six feet.

22                  Q.       All right.

23                         And you made every effort in designing  
24 the plan to provide for the maximum parking back from the

1 property line?

2 Is that correct?

3 A. Yes, we did.

4 Q. All right.

5 Just a couple final questions.

6 Mr. Russella, are you familiar with the  
7 standards for variance as set forth in the Township Zoning  
8 Ordinance of Section 300-136.D and for Special Exceptions  
9 at 300-136.E and also Article IV, Section 124 Paragraphs A,  
10 B and C?

11 A. Yes.

12 Q. Okay.

13 As a Site Design and Land Development  
14 professional having studied the property, the existing  
15 conditions, the proposed use, do you have an opinion as to  
16 whether or not the standards for Variance and the standards  
17 for Special Exception per Marple Township codes have been  
18 met where applicable?

19 A. Yes.

20 Q. What is your opinion?

21 A. I believe we have taken all measures to  
22 minimize the relief that we need with the lay-out that we  
23 have done.

24 Q. Having studied the property, do you have any

1 opinion as to whether or not the development would have any  
2 adverse affect on the health, safety or general welfare of  
3 the residents of Marple Township?

4 A. No, I don't, especially since we are able to  
5 provide stormwater management now and additional  
6 landscaping where the site is absent of that.

7 MR. DAMICO: Okay. Thank you.

8 Mr. Chairman, that's all the questions  
9 I have of this witness.

10 MR. PATTI: Would you like us to hold  
11 our questions until the end?

12 MR. DAMICO: That might be a good idea  
13 in that we have got a Traffic Engineer, a  
14 Land Planner and somebody from the bank to  
15 testify and even a sign person.

16 MR. PATTI: Why don't we do that and  
17 whoever we refer it to, they can answer  
18 those questions?

19 MR. DAMICO: Sure.

20

21 (Whereupon, the witness was excused at  
22 this time.)

23

24 MR. DAMICO: Great. We promise we will

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all stay here.

Next witness is Lisa Thomas.

- - -

LISA THOMAS, previously sworn.

- - -

VOIR DIRE

- - -

BY MR. DAMICO:

Q. Okay.

Miss Thomas, can you give your  
occupation or profession?

A. I am a Land Planner and a Landscape  
Architect.

Q. By whom are you employed?

A. I am employed by Glackin Thomas Panzak, and  
I am President of the company.

- - -

(Whereupon, Exhibit A-5 was identified  
for the record at this time.)

- - -

BY MR. DAMICO:

Q. I am showing you what has been marked as  
Exhibit A-5.

Is that a copy of your Curriculum

1 Vitae?

2 A. Yes, it is.

3 Q. And how long have you been at Land Planning  
4 and Landscape Architecture?

5 A. If I have to say, thirty-five years.

6 MR. LUCAS: No way.

7 THE WITNESS: Yes.

8 BY MR. DAMICO:

9 Q. Have you been recognized as an expert in  
10 those fields before other zoning hearing boards in the  
11 geographical vicinity?

12 A. Yes, I have.

13 MR. DAMICO: All right.

14 At this time, I am going to ask that  
15 Miss Thomas be recognized as an expert in  
16 the field of Land Planning and Landscaping  
17 Design.

18 MR. PATTI: So accepted.

19 MR. DAMICO: Thanks.

20 - - -

21 DIRECT EXAMINATION

22 - - -

23 BY MR. DAMICO:

24 Q. Now, can you please give the Board just a

1 brief description of the kinds of things a Land Planner  
2 does?

3 A. Sure.

4 As a Land Planner, our firm works for  
5 developers, for institutions and for municipalities.

6 We provide site planning.

7 We provide zoning work, zoning  
8 amendments.

9 We also testify before boards, and we  
10 write reports supporting the zoning.

11 Q. Are you familiar with this site and the  
12 immediate vicinity?

13 A. Yes, I am.

14 Q. How would you characterize the area?

15 A. The area I would like to show you right here  
16 on --

17 What exhibit is this?

18 Q. So, this (indicating) is Exhibit A-13, and a  
19 small version of this is included towards the end of the  
20 exhibit packet.

21 A. So, this plan shows you, it's a aerial  
22 photograph of the immediate area of the site with the site  
23 being pretty much in the middle of the drawing.

24 What I would like to point out is that

1 the area immediately adjacent and up and down the area of  
2 Sproul Road is surrounded by commercial uses.

3                                 There is existing office buildings.  
4 There is a funeral home. Church. Several banks. A  
5 shopping center with all different types of uses in the  
6 shopping center, and then, there is Sproul Road being an  
7 arterial road which is a rather busy road.

8                                 There is, I would like to say, one home  
9 that is present, and it is on the corner of Williamsburg  
10 Drive and Sproul Road, although it does not take access off  
11 of Sproul Road.

12                                 So, there is one residence with the  
13 side of the house along Sproul Road, and the immediate  
14 adjacent area along Sproul Road is all commercial uses  
15 there.

16                     Q.         Thank you.

17                                 Would you explain the current  
18 improvements and condition of the property?

19                     A.         Sure.

20                                 The improvements include an old home  
21 that was previously used as a funeral home. Parking areas.  
22 Landscaping that is not in great shape. Signage that is  
23 not in great shape.

24                                 So, it's very much a neglected site at

1 the moment.

2 Q. Have you reviewed the Marple Township  
3 Comprehensive Plan and the Zoning Ordinance and Map of  
4 Marple Township?

5 A. Yes, I have.

6 Q. Will you please comment on the Comprehensive  
7 Plan and Zoning Ordinance?

8 A. Sure.

9 I believe there is some exhibits in the  
10 packet.

11 Q. Right.

12 So, Exhibit A-12 is something that you  
13 sent me earlier today.

14 Is that correct?

15 A. Yes.

16 Q. And those are some relevant portions of the  
17 Comprehensive Plan?

18 Is that right?

19 A. Yes.

20 Q. So, do you want to make reference to Exhibit  
21 A-12 and describe that to the Board, please?

22 A. Yes.

23 The first image that you will see is  
24 from the 2007 Comprehensive Plan, and it shows the Lawrence

1 Park area and the circle that is being shown is a land use  
2 core area.

3                   In it you'll see towards the left-hand  
4 side sort of in the middle a circle which indicates where  
5 our site is, and the area is red where the site is, and  
6 that's for commercial uses.

7                   So, this was done in 2006, and there  
8 were commercial uses in the area at that time, and again,  
9 this is the existing uses.

10                   The next page, if you will turn, is the  
11 proposed Land Use Map for Marple Township from the 2007  
12 Comprehensive Plan, and again, there is a circle in the  
13 overall township portion of the plan.

14                   If you go up to the upper left-hand  
15 corner, that circle is enlarged, although it is a little  
16 fuzzy.

17                   If you look at the center of the clock  
18 and up towards eleven o'clock, if you picture the circle as  
19 a clock, at the center there is a red area at the center  
20 which is our site, and it is shown for future land use as  
21 commercial use.

22                   Moving on to the next page, this is  
23 from the Addendum of the Comprehensive Plan. The date of  
24 it is 6-1 2015.

1 I want to note that this was printed  
2 off the township website, and it has the word "draft"  
3 printed across it.

4 The next page shows the core planning  
5 areas that we had talked about on the very first sheet that  
6 I showed you, and this map plan is from the 1991  
7 Comprehensive Plan, and again, it shows the Lawrence Park  
8 Shopping Center area as a commercial core area.

9 Turning the page, you'll see the  
10 Proposed Future Land Use Map from the Addendum of 2014, and  
11 there outlined in purple is some mixed use growth areas.

12 One in particular is the Lawrence Park  
13 Shopping Center, but if you turn the page again, you will  
14 see an enlargement of this area.

15 Again, this is the Future Land Use Map,  
16 and our site is circled.

17 As part of the Addendum of the  
18 Comprehensive Plan, commercial property is planned for the  
19 site that we hold.

20 Q. So, let's just turn, and I'll ask you to  
21 comment on just a couple of the variances or Special  
22 Exceptions that we are seeking.

23 A. Okay.

24 Q. Again, we are seeking a Special Exception

1 from Article IV, Section 124 to change one non-conforming  
2 use to another.

3 A. Correct.

4 Q. So, one of the things that we have to show  
5 is that the applicants shall show that the non-conforming  
6 use of the property cannot be reasonably changed to a  
7 permitted use.

8 So, what is your opinion about whether  
9 this particular property could be changed to a residential  
10 use?

11 A. I don't think that from a planning aspect it

1 I want to note that this was printed  
2 off the township website, and it has the word "draft"  
3 printed across it.

4 The next page shows the core planning  
5 areas that we had talked about on the very first sheet that  
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16 and our site is circled.

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18 Comprehensive Plan, commercial property is planned for the  
19 site that we hold.

20 Q. So, let's just turn, and I'll ask you to  
21 comment on just a couple of the variances or Special  
22 Exceptions that we are seeking.

23 A. Okay.

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1 from Article IV, Section 124 to change one non-conforming  
2 use to another.

3 A. Correct.

4 Q. So, one of the things that we have to show  
5 is that the applicants shall show that the non-conforming  
6 use of the property cannot be reasonably changed to a  
7 permitted use.

8 So, what is your opinion about whether  
9 this particular property could be changed to a residential  
10 use?

11 A. I don't think that from a planning aspect it  
12 would make sense to make this a residential, single family  
13 property.

14 It's surrounded completely along the  
15 frontage of Sproul Road by commercial uses.

16 It would not have good access.

17 It would have to take direct access to  
18 the arterial road; whereas, the other house on Williamsburg  
19 Drive has access right on that street, on the residential  
20 street and not on the arterial road.

21 The access would be difficult with the  
22 speed of the traffic and the amount of traffic, and also,  
23 the past and present Comprehensive Plans do not suggest or  
24 recommend residential use for this parcel.

1 Q. All right.

2 Regarding Subsection C and the  
3 applicant's need to show that the proposed change would be  
4 less objectionable in certain affects, do you care to  
5 comment regarding noise, smoke, dust, fumes, vapor, glare  
6 or vibration?

7 A. In terms of glare, I would concur with Joe  
8 Russella.

9 That the proposed lighting will be much  
10 better than what is existing out there.

11 The lighting out there is uncontrolled  
12 and angled up toward the sky.

13 The proposal will most likely be  
14 shorter than what is there also.

15 Q. Thanks.

16 How about appearance?

17 A. The site will be cohesively designed with  
18 more cohesive aesthetics.

19 The plan is carefully thought out.

20 The architecture is carefully  
21 considered.

22 We are going from a two-and-a-half  
23 story building to a height of twenty-two feet which is  
24 significantly less than two-and-a-half stories.

1                   In a small area, the building is  
2 twenty-two feet, and the balance of the building is about  
3 eighteen feet high.

4                   So, the height is less.

5                   Now, the other thing that is happening  
6 is that the grading of the actual building is being pushed  
7 back from the street, and the grading is lowering the  
8 building.

9                   So, the perceived height of the  
10 building will be less also.

11                   There will be new landscaping again  
12 designed in conjunction with the parking and the  
13 buildings.

14                   There will be buffering along the edges  
15 of the property, and there will be less impervious  
16 coverage.

17                   Along the rear property line, there  
18 will be landscaping and fences that will screen, mitigate  
19 the impact of the development from the neighbors.

20                   Q.       Thank you.

21                   So, Miss Thomas, are you familiar with  
22 the standards for Variances and Special Exceptions set  
23 forth in the Township Zoning Ordinances that I just cited  
24 when asking Mr. Russella that question?

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A. Yes, I am.

Q. Do you have an opinion as to whether or not those standards have been met where relevant?

A. I believe that those standards have been met.

Q. Do you have an opinion as to whether or not the proposed development would have any adverse affect on the health, safety or general welfare of the residents of Marple Township?

A. I do.

Q. And what is your opinion?

A. I believe it would not have an adverse affect.

Q. All right. Thank you.

MR. DAMICO: Mr. Chairman, that's all the questions I have for this witness.

MR. PATTI: Okay.

- - -

(Whereupon, the witness was excused at this time.)

- - -

MR. DAMICO: Thank you, Lisa.

Nicole.

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NICOLE R. KLINE, previously sworn.

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VOIR DIRE

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BY MR. DAMICO:

Q. Nicole, do you want to give your full name and business address for the record?

A. Sure.

Nicole Kline. 840 Springdale Drive, Exton, Pennsylvania.

Q. Now, what is your occupation or professional?

A. I am a Traffic Engineer.

Q. By whom are you employed?

A. I am employed by McMahon Associates where I have been a Traffic Engineer for sixteen years.

Q. Are you a Licensed Engineer in the Commonwealth of Pennsylvania?

A. I am. Yes.

- - -

(Whereupon, Exhibit A-6 was identified for the record at this time.)

- - -

BY MR. DAMICO:

1 Q. I am showing you what is marked as Exhibit  
2 A-6.

3 Do you recognize that?

4 A. Yes.

5 Q. What is that document?

6 A. That is my Curriculum Vitae.

7 Q. Can you give the Board a little bit of  
8 background regarding your experience?

9 Have you been, for example, recognized  
10 as an expert before any municipalities around here?

11 A. I have.

12 In my involvement in many Land  
13 Development proposals, many involving the PennDOT Occupancy  
14 Highway Permit process and the municipal approval process,  
15 I have testified before a number of boards in the five  
16 county area including Zoning and Planning Commissions as  
17 well as Councils and Supervisors.

18 Q. Okay. Thank you.

19 MR. DAMICO: At this time, I am going to  
20 ask that Miss Kline be recognized as an  
21 expert in the field of Traffic Engineering.

22 MR. PATTI: So accepted.

23 MR. DAMICO: Thank you.

24 - - -

1 DIRECT EXAMINATION

2 - - -

3 BY MR. DAMICO:

4 Q. So, Nicole, did you prepare a Traffic  
5 Operations Evaluation?

6 A. Yes.

7 MR. DAMICO: That is marked as Exhibit  
8 A-11 for the Board's reference.

9 A copy of that document is in your  
10 package.

11 It's not the entire report, just the  
12 front portion.

13 BY MR. DAMICO:

14 Q. I am assuming you have a copy of the entire  
15 report in front of you.

16 A. Yes.

17 Q. Is that correct?

18 A. I do, and the appendix materials are simply  
19 some traffic counts and traffic analysis worksheets, ,  
20 detailed technical information that was provided to the  
21 township's engineer for review with the Sketch Plan  
22 submission.

23 Q. Okay. Great.

24 So, would you just summarize for the

1 Board what is in this report and what your firm has done in  
2 terms of evaluating traffic and what your recommendations  
3 are?

4 A. Sure.

5 So, this Traffic Operations Evaluation  
6 was completed based on the township's and PennDOT's  
7 requirements for a Traffic Study.

8 You know, a preliminary study to  
9 evaluate the associated issues with the site.

10 So, what we did is completed traffic  
11 counts of the existing conditions at Sproul Road and  
12 Lawrence Road immediately adjacent to the site, and we  
13 analyzed both existing conditions as well as the existing  
14 anticipated traffic operations with the proposed  
15 development of the bank and the modifications of the site  
16 access that were mentioned by Joe Russella in his  
17 testimony.

18 So, as Joe mentioned, the existing site  
19 access that serves the property is at the intersection of  
20 Sproul and Lawrence, but it is a bit uncontrolled in that  
21 traffic can enter and exit the site from any direction.

22 With the proposed development of the  
23 bank, the access will be more formalized; whereas, and I'm  
24 going to shift back to A-7, access to the site will be

1 formalized in that at the signal at Sproul and Lawrence, it  
2 will be entrance only.

3 - - -

4 (Whereupon, Exhibit A-7 was identified  
5 for the record at this time.)

6 - - -

7 BY MR. DAMICO:

8 Q. Please continue.

9 A. A separate left turn lane will be provided  
10 along Sproul within the median area, and that will allow  
11 that left turning traffic to occur at the same time that  
12 the southbound left turning traffic is turning onto  
13 Lawrence.

14 So, that will operate as part of the  
15 traffic signal.

16 Then further to the south, there would  
17 be a right-in and right-out only access to Sproul.

18 There would be a median in front of  
19 that area so that traffic would not be able to turn left in  
20 or out of the access.

21 So, better controlling traffic, better  
22 defining those access locations as compared to the existing  
23 site.

24 So, within our traffic analysis, we

1 took a look at that configuration, and we showed with the  
2 modifications that would occur at the intersection to  
3 provide the access that the intersection would function the  
4 same or better than existing conditions were the site to  
5 re-occupy.

6 Q. Okay. Thanks.

7 So, on the specific relief that we are  
8 needing to move forward here, under Paragraphs A, B and C,  
9 Section 124 to change from one non-conforming use to the  
10 other, one of the things that we have to show were less  
11 objectionable is with regard to traffic generation and  
12 congestion including truck, passenger car and pedestrian  
13 traffic.

14 So, could you comment on that issue,  
15 please?

16 A. Sure.

17 In addition to the improvements that I  
18 had mentioned in terms of better defining the accesses and  
19 having them operate more in conjunction with the traffic  
20 signal than what exists today, we can think about the uses  
21 on the site.

22 So, what is proposed is a bank.

23 A lot of the traffic that is generated  
24 by a bank is what we call passby traffic.

1                   It's traffic that's already on the  
2 roadway.

3                   As part of their trip to work, trip to  
4 pick up the kids from school, they use the bank.

5                   It's not new traffic that is being  
6 drawn to the roadway to access the bank.

7                   That's why a bank wants to be located  
8 along a busy roadway like Sproul Road.

9                   It takes advantage of the traffic  
10 that's already on the roadway. People want the bank to be  
11 convenient.

12                   So, let's think about the funeral home  
13 use.

14                   When we think about the traffic for a  
15 funeral home, it's very concentrated.

16                   People are coming in for a service or a  
17 viewing, and then, there is a mass exodus of that specific  
18 traffic.

19                   So, that can cause a level of  
20 congestion because of that very defined period when the  
21 traffic is coming in and the traffic is going out; whereas,  
22 with the bank use, vehicles will be coming in and out  
23 throughout the day, and like I said, a lot of it is not new  
24 traffic.

1                   It is the existing traffic that is  
2 already passing by on the roadway today.

3           Q.       So, it's your opinion that this use would be  
4 less objectionable in terms of traffic generation or  
5 congestion?

6                   Is that correct?

7           A.       Yes, it is.

8           Q.       As a Licensed Professional Engineer and  
9 based on the Traffic Study that you described and the  
10 development as explained by our prior witnesses, do you  
11 have an opinion as to whether or not the proposed  
12 development would have any adverse affect on the health,  
13 safety or general welfare of the residents of Marple  
14 Township?

15          A.       Yes, I do.

16          Q.       And what is your opinion?

17          A.       It would not.

18                   MR. DAMICO: That's all the questions I  
19 have of this witness, Mr. Chairman.

20                   MR. PATTI: Thank you.

21

22                   (Whereupon, the witness was excused at  
23 this time.)

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MR. DAMICO: Moving right along, Robin.

Robin Liggins.

- - -

ROBIN LIGGINS, previously sworn.

- - -

DIRECT EXAMINATION

- - -

BY MR. DAMICO:

Q. Robin, do you want to give your full name and address for the record, please?

A. Sure.

Robin Liggins. 112 Connecticut Drive, Burlington, New Jersey.

Q. What is your occupation or profession, Robin?

A. I am a Production Coordinator in the sign industry for Eastern Sign Tech.

Q. So, you were involved in the preparation of these signs for this site?

A. Yes.

Q. Is that correct?

A. Yes.

Q. All right.

So, what I would like you to do is just

1 go through each of the signs; and because we are zoned R-C  
2 Residential, really none of these signs are permitted  
3 there.

4                   So, what we are going to do is just run  
5 through the signs and make some comparisons to what we  
6 would be entitled to if we were a non-residential, sorry,  
7 if we were zoned in a non-residential fashion and, of  
8 course, we are not.

9                   We are zoned R-C.

10                   MR. DAMICO: So first, the first one,  
11                   and I would just like to bring this to the  
12                   Board's attention, when we made this  
13                   application, Republic Bank was requesting a  
14                   pylon sign that would have a total height of  
15                   seventeen feet and a total sign area that  
16                   would have exceeded fifty feet.

17                   Based on discussions with the bank and  
18                   surveying other signs that were in the area  
19                   and concerns that were expressed by the  
20                   township as well as the neighbors, Republic  
21                   Bank has and is withdrawing that specific  
22                   request.

23                   So, we would like to amend the  
24                   application.

1                   We are going to propose a monument  
2                   sign.

3                   The monument sign would have a top  
4                   height of eight feet.

5                   So, it would be compliant.

6                   The sign panel is reduced to forty-five  
7                   feet.

8                   So, that is our request to amend the  
9                   application regarding the sign.

10                  MR. CATANIA: Is the forty-five feet  
11                  compliant, Mr. Damico, or do you still need  
12                  relief?

13                  MR. DAMICO: Yes.

14                  We need relief for both the height of  
15                  the sign and its location.

16                  MR. CATANIA: Okay.

17                  MR. DAMICO: Thank you.

18 BY MR. DAMICO:

19                  Q.        So, Robin, if you would just show the  
20                  location?

21                  MR. DAMICO: Joe, can you help out?

22 BY MR. DAMICO:

23                  Q.        If you can, point to the location of where  
24                  we are proposing the monument sign.

1 A. Sign Number S-4 (indicating).

2 Q. So, where you are pointing to is essentially  
3 between the parking lot and Sproul Road.

4 Is that right?

5 A. Correct.

6 Q. So, that's in the landscaped area between  
7 there?

8 A. Correct.

9 Q. Is it true that that is in essentially the  
10 same location as the existing monument sign for the  
11 property?

12 A. Correct.

13 Q. So, it's essentially in the same location  
14 and it can't be set further back because then it would be  
15 in the parking lot.

16 A. Yes.

17 Q. Is that correct?

18 A. Right.

19 Q. Now, in terms of the size, we are requesting  
20 a total sign area of forty-five square feet.

21 Is that correct?

22 A. Correct.

23 MR. DAMICO: I just point out to the  
24 Board the maximum sign that would be allowed

1 in a non-residential district is fifty feet,  
2 but again, we have no right to any signage  
3 because we are zoned residential use.

4 BY MR. DAMICO:

5 Q. Just to give the Board a comparison, Miss  
6 Liggins, I am now going to ask you to just take a quick  
7 look at photographs of other signs.

8

9 (Whereupon, Exhibit A-10 was marked for  
10 identification as of this date.)

11

12 MR. DAMICO: That has now been marked as  
13 Exhibit A-10.

14 Everybody has a copy of some sign  
15 pictures?

16 Is that right?

17 MR. PATTI: Yes.

18 MR. DAMICO: Thank you.

19 BY MR. DAMICO:

20 Q. Do you have a copy of that?

21 A. Yes, I do.

22 Q. So, could you just, using this Exhibit A-10,  
23 walk through and compare the size of this sign to some of  
24 the other signs in the immediate area?

1           A.       Yes.

2                               I would say it compares to page two,  
3 the middle picture, the Beneficial ATM monument.

4           Q.       Okay.

5           A.       And also on page three, the second picture,  
6 the TD Bank ground sign monument I would say it compares to  
7 as well.

8           Q.       So, you are saying they would be similar  
9 sized?

10          A.       Yes.

11          Q.       Is that correct?

12          A.       Yes.

13          Q.       And how about the Bank of America pylon sign  
14 on page one, is it also similar to that?

15          A.       Yes, it is.

16          Q.       Okay. All right.

17                               Now, would you describe the location of  
18 the two illuminated directional signs and their purpose,  
19 please?

20          A.       Sure.

21                               The two illuminated directional signs  
22 are located at the entrance and exit of the bank right here  
23 (indicating) which marks sign number three which is right  
24 across the driveway from the ground monument sign, and this

1 is to, you know, point the customers in the right direction  
2 and avoid accidents as a safety precaution when maneuvering  
3 throughout the property.

4 Q. So, they are way-finding signs basically.

5 A. Yes.

6 Q. Is that right?

7 A. Yes.

8 Q. And they are basically a courtesy for your  
9 customers?

10 A. Yes.

11 Q. All right.

12 Next. Three non-illuminated  
13 directional signs within the parking lot that are two feet  
14 eleven inches in height and approximately three square feet  
15 each.

16 Would you point those out for the Board  
17 and describe what they are?

18 A. Sure.

19 These are at the beginning, the exit  
20 and the entrance of the drive-through to point the customer  
21 in the right direction so they don't go the wrong way while  
22 on the property.

23 Again, it is a safety precaution to  
24 avoid an accident.

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Q. All right. Okay.

Next. Republic Bank is seeking two wall-mounted cube signs over the glass entryway.

MR. DAMICO: Excuse me.

So, now I am just going to ask the Board to take a look at Exhibit A-8.

That will be a good representation of those signs.

Exhibit A-8, and I apologize for not bringing this to the Board's attention earlier, but this is a picture of a bank, I believe in Sicklerville, New Jersey, and the architecture that is being proposed here is substantially similar.

So, page one is the left-hand or long side of the bank, and page two is the right-hand or shorter sign. Yes. Shorter side. Excuse me.

At the top of page one, you can see the two wall signs that we are now discussing with our sign expert.

MR. PATTI: Thank you.

BY MR. DAMICO:

Q. So, Robin, if you could then, oh, I'm sorry.

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MR. DAMICO: And again, just for the Board's edification here, if this was non-residential, under Section 300-96, we would be entitled to two wall signs.

And then, there is a formula under 300-97.B about how big those signs could be.

Essentially you start at thirty feet, and then, you are given credit or an ability to increase the size of the sign based on how far back the building is beyond thirty feet.

Our building is approximately sixty feet from the line.

So, we would be entitled to thirty plus ten or approximately forty square feet for each sign.

BY MR. DAMICO:

Q. How large are each of these signs?

A. They are approximately twenty-one point six square feet.

Q. So, they are only about half of what we would be entitled to if we were zoned non-residential, correct?

1           A.       Correct.

2           Q.       And again, one of the criteria is that the  
3 total size of those wall signs can't exceed seven point  
4 five percent of basically the surface area of the sign or  
5 the facade of the wall. Excuse me.

6                       We had the architect run those  
7 calculations.

8                       MR. DAMICO: Just for the Board's  
9 knowledge, we are well below that.

10                      We are approximately between two and  
11 three percent of surface area for each of  
12 the walls.

13                      MR. PATTI: Thank you.

14 BY MR. DAMICO:

15           Q.       So, any other comment in particular?

16                      How would the size of those wall signs  
17 compare to any of the pictures on A-10, Robin?

18           A.       If you look at page one, the first sign, the  
19 wall sign, Bank of America, I would say I did not measure  
20 it, but ours would be approximately at least ten square  
21 feet less than Bank of America.

22           Q.       So, the Bank of America sign they are  
23 looking at the top of page one on Exhibit A-10 is a larger  
24 sign?

1 A. Yes.

2 Q. Is that correct?

3 A. Correct.

4 Q. Anything else you want to point to or are we  
5 ready to go on?

6 A. No.

7 Q. Good.

8 How about just quickly the rest of  
9 these signs?

10 We have got two wall mounted poster  
11 signs.

12 Would you describe where they are and  
13 what they are?

14 A. They are on the corner of the entrance of  
15 the drive-through.

16 I'm not sure if it's the, on the  
17 southside corner and then over here (indicating).

18 So, you can only see them if you are in  
19 the drive-through, and the purpose of that is just for  
20 marketing for the customers.

21 Q. So, they cannot be seen by the public that  
22 is --

23 A. No.

24 Q. -- driving by --

1 A. No.

2 Q. -- and they cannot be seen by the residents  
3 because of the height of the fence?

4 A. Correct.

5 Q. Is that right?

6 A. Yes.

7 Q. Let's see.

8 One wall mounted drive-through sign,  
9 where is that?

10 A. Okay.

11 That is surrounding the teller wall  
12 here (indicating).

13 Q. Okay.

14 A. Sign Number S-10, and that is illuminated  
15 with LEDs right underneath the band sign right above the  
16 window and below the window.

17 Q. So again, they would just be visible for the  
18 drive-through customers only?

19 A. Yes.

20 Q. Is that correct?

21 A. Correct.

22 Q. Next. One entry mounted vinyl hours of  
23 operation decal.

24 Where are they?

1           A.       There is one on the entrance glass doors of  
2 the bank.

3           Q.       All right.

4           A.       It is just clear vinyl that shows what the  
5 hours are.

6           Q.       Okay.

7           A.       And then, there is another one at the  
8 entrance of the drive-through on the column.

9           Q.       And then, next we have two nine foot six  
10 clearance plaques.

11                               What's the purpose of those and where  
12 are they?

13           A.       The clearance plaques are above on the band  
14 of the top of the drive-through to let the customers know  
15 how high, what the height is and what can fit underneath to  
16 avoid any damage.

17           Q.       Are these the typical signs for Republic  
18 Bank and therefore the minimum signs that Republic Bank is  
19 looking for a location such as this?

20           A.       Correct.

21                               MR. DAMICO: All right.

22                               Those are all the questions I have for  
23 this witness.

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(Whereupon, the witness was excused at  
this time.)

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MR. DAMICO: Last, but certainly not  
least, we have Sharon Hammel of Republic  
Bank.

- - -

SHARON HAMMEL, previously sworn.

- - -

DIRECT EXAMINATION

- - -

BY MR. DAMICO:

Q. Sharon, do you want to give your full name  
and address for the record?

A. I'm Sharon Hammel.

My address is 100 Sara Drive,  
Mickelton, New Jersey.

Q. Sharon, by whom are you employed?

A. Republic Bank.

Q. And what is your position with Republic  
Bank?

A. Senior Vice-President. Chief Retail  
Officer.

Q. Great.

1                   Do you want to just give the Board just  
2 a little background about who Republic bank is?

3           A.       Absolutely.

4                   The bank was started in 1988, and we  
5 have continued a growth model.

6                   As we continue to build our new store  
7 locations, we are targeting, we have twenty-three locations  
8 today.

9                   We are targeting fifty locations within  
10 the next five years.

11                   We want to be concentrated right here  
12 in Pennsylvania and New Jersey, and we really feel there is  
13 an opportunity to serve this population with a local  
14 community bank looking forward to being a community partner  
15 in the areas that we go into.

16                   Some of the ways that we serve that is  
17 we actually have some absolutely free personal and business  
18 checking accounts.

19                   So, we want our products and services  
20 to be very convenient for our customers.

21                   Our extended banking hours we think is  
22 a real asset.

23                   So, we try to encourage people to bank  
24 anywhere.

1                   Of course, mobile and on-line are  
2 becoming more popular, but we think our offers are  
3 exceptional because we make them attractive, and we also  
4 encourage people to come into our store.

5                   Our store experience is very important  
6 to us.

7                   So, our hours are Monday through Friday  
8 from 7:30 till 8 P.M., Saturday, 7:30 till 6, and Sunday,  
9 11 till 4.

10                  So, that seven day banking really  
11 permits everybody to get to a bank whenever it's convenient  
12 for them.

13                  Those hours are our drive-in hours, and  
14 Monday through Friday they are shortened down a little bit  
15 in our lobbies.

16                  But again, we want the extended hours.

17                  We also consider things like ATMs which  
18 we know customers want absolutely free.

19                  We belong to an all-points network so  
20 that we have the ability to offer those worldwide with no  
21 cost to our customers.

22                  So, those are the things that we look  
23 to do in addition to creating a partnership with the  
24 communities we go into.

1                   So, our residential customers, our  
2 commercial customers and, of course, our non-profits, we  
3 know they are an important part of your community, and we  
4 look to do things that make sense for our community  
5 partners.

6                   Q.        Okay. Thank you.

7                                Regarding the sign testimony that you  
8 just heard, is it also your opinion that signs are  
9 important for Republic Bank?

10                  A.        Absolutely.

11                               The visibility on the street to see  
12 what you are about to approach has always been one of our  
13 concerns, you know, for us as well as our customers express  
14 to us the ability to see before you approach the building  
15 as well as to be able to see as you are going around the  
16 building directional signage so that you know which way you  
17 can go into the drive-through and so forth.

18                               MR. DAMICO: Thank you.

19                               Mr. Chairman, those are all the  
20 questions I have for Miss Hammel.

21                               - - -

22                               MR. PATTI: Okay.

23                               - - -

24                               (Whereupon, the witness was excused at

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this time.)

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MR. DAMICO: That's all my witnesses,  
Mr. Chairman.

MR. PATTI: Okay. I'm sure we have a  
few questions.

So, with that, since you have all of  
your witnesses there, and it's your  
expertise, you have already been sworn in.

So, feel free to jump in obviously at  
your attorney's direction.

Barbara.

MS. HARVEY: Okay. The interior lights,  
will they be on all night long?

MR. DAMICO: Who wants to take that  
question?

SHARON HAMMEL: No. We have a lighting  
schematic for different hours but not all  
the interior lights.

Only the, we have the emergency lights,  
and then, there is one that kind of has some  
illumination in the building, but it's right  
over the mural.

We have an historic view of the

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community that we place on the mural. We just have a small light over that.

MS. HARVEY: But the ATM?

SHARON HAMMEL: The ATM always has to be lit for the customers.

My apologies. I was thinking about the inside.

The ATM has be lit for security purposes, and we want it in front of the building so people have nice, bright access to it.

MS. HARVEY: Other than fencing, is there any other buffering that you are going to be doing?

LISA THOMAS: There will be landscaping around the edges of the property for buffering.

MS. HARVEY: Around where the fences are or --

LISA THOMAS: Yes. There will be a combination here (indicating).

MR. DAMICO: So, there is an area that Lisa is pointing to.

In the rear, the fence is right on the

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property line, but there is a landscaped area between the fence and the parking.

She is pointing to it now.

There will be a landscaped plan submitted during Land Development, but that's expected to be a combination of low plantings as well as buffer plantings.

So, arborvitae and trees that would get higher and provide a buffer, but it's expected that the fence would do most of the work.

As you heard, the neighbors are actually interested in doing some clearing in the backyards.

MS. HARVEY: Now, since the drive-through is not open at night, will there be less lighting at night or the same as, you know, semi-light or whatever?

MR. DAMICO: Joe, do you want to take that?

JOSEPH RUSSELLA: Yes.

There is a reduction of lighting in the rear, although there is lighting that is still on.

1                   There is a nighttime deposit box, but  
2                   generally we have the ability to control the  
3                   lights since it's LED light to where it's  
4                   not needed in the immediate rear where the  
5                   parking spaces are, and they can be tuned  
6                   down a little bit.

7                   MR. HARVEY: And they will be at night?

8                   JOSEPH RUSSELLA: Yes.

9                   MR. DAMICO: And that's actually  
10                  specified in Exhibit A-14, that there would  
11                  be a lower level of lighting at off-hours to  
12                  make sure.

13                  In particular, some of the neighbors  
14                  have had an unpleasant experience with the  
15                  back of Bank of America.

16                  Their pole lights are quite high and  
17                  their drive-through is quite bright.

18                  And you know, Joe, I'll let you speak  
19                  to that, but we are going to do a whole lot  
20                  better than that, aren't we?

21                  JOSEPH RUSSELLA: Yes, we are.

22                  MS. HARVEY: Thank you.

23                  MR. DAMICO: Thank you.

24                  MR. PATTI: A.J.?

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MR. BAKER: The sign, the new monument sign that is going to be erected, how is that lighting, you'll forgive me if I was not paying attention if you said it, how is that going to be lit again or is it going to be lit at all?

ROBIN LIGGINS: I believe it is internally illuminated with LEDs.

MR. BAKER: Okay.

ROBIN LIGGINS: So, the entire sign is not lit.

You will see a glow on the outside perimeters, and then, the "R", the red "R" will be lit with white letters in "Republic".

MR. BAKER: Okay. Thank you. You'll forgive me if I'm not getting a picture of it.

So, it's a sign illuminated from behind and part of it will be illuminated, and you'll forgive me because I can't even see any of that, but there won't be any direct lighting?

It will all be diffused coming out? Is

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that what I'm getting?

MS. LIGGINS: Correct. Yes.

MR. BAKER: The turn into the bank itself that you're looking to create that turn only lane in the median, I guess, has any of that already been approved by PennDOT at this time?

NICOLE KLINE: We did submit our Traffic Operations Evaluation to PennDOT at the same time as the township.

MR. BAKER: Oh, good.

NICOLE KLINE:: Their comments, their only comments were related to specific signal design elements that will need to be accounted for as we move forward.

So, we do have a preliminary review from PennDOT on the Traffic Operations, but we will have to go through a full Highway Occupancy Permit review and approval process by PennDOT which we will have to submit a full design for that lane as the next step.

So, we have taken the first step, but we do not have full approval from PennDOT at this point, but we have their agreement on

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the results of our Traffic Operations  
Evaluation.

MR. BAKER: Okay. Thank you.

NICOLE KLINE: You're welcome.

MR. PATTI: So, based on your  
experience, you would fully expect if this  
is approved as an application, that they  
should approve the left-hand turning lane,  
correct?

NICOLE KLINE: Yes.

Essentially it's conceptually approved.  
It's just, you know, the design details need  
to be fleshed out.

The engineering needs to be completed,  
but we have basically, you can think of it  
as conceptual approval from PennDOT with the  
Traffic Operations Evaluation.

MR. PATTI: Thank you.

Go ahead, A.J. Sorry.

MR. BAKER: No. No.

That's all the questions I have for the  
moment.

MR. PATTI: Okay.

Tony?

1 MR. VECHEROFSKI: The monument sign, was  
2 it stated that it was eight feet high and  
3 forty-five foot long?

4 MR. DAMICO: The height would be eight  
5 feet.

6 MR. VECHERCOFSKI: Okay.

7 MR. DAMICO: The total sign area square  
8 footage is forty-five square feet.

9 And then, I was asking our sign witness  
10 just to compare it, to give you all an idea  
11 of what forty-five square feet is, to  
12 compare it to some of the other signs in the  
13 area, but the actual dimensions of the  
14 sign --

15 ROBIN LIGGINS: It's about twelve feet  
16 long.

17 I'm sorry. Ten feet long.

18 MR. DAMICO: Please check that.

19 ROBIN LIGGINS: Eight by ten. I'm  
20 sorry.

21 JOSEPH RUSSELLA: It's ten feet by four  
22 point five feet which is the blue area, and  
23 then, the height from the ground is indicated  
24 as eight feet to the top of the monument.

1 MR. PATTI: But the sign face itself is  
2 what?

3 JOSEPH RUSSELLA: The sign face itself  
4 which you see is the blue, that's four point  
5 five by ten feet.

6 MR. PATTI: So, that's where you got the  
7 forty --

8 JOSEPH RUSSELLA: That's where you get  
9 the forty-five square feet.

10 MR. DAMICO: Yes. Sorry for the  
11 confusion.

12 MR. PATTI: And that was not submitted  
13 with the original application? This is a  
14 change?

15 Is that correct?

16 MR. DAMICO: That's correct.

17 What we submitted with the application,  
18 Joe, do you have that?

19 The pylon sign, what makes it a little  
20 bit bigger is that there is an "Open Seven  
21 Days" sign below it.

22 MR. PATTI: Right.

23 MR. DAMICO: So, by lowering this and  
24 making it a monument sign, basically we

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eliminated that to make it work.

So, we are not only basically taking a sign off and reducing the sign, but we are also lowering it from seventeen feet to eight feet.

And again, the location is approximately, you know, very close with what is there now.

So, you have got a little bit of a steep bank.

The existing sign is there, and this sign will be in almost that exact same location.

MR. PATTI: Sorry for interrupting.  
Jules?

MR. SPIGONARDO: If I could just add to that, the blue outline, that's forty-five square feet.

Below that is the base and that's above ground?

Is that correct?

MR. DAMICO: That's correct.

MR. SPIGONARDO: Okay.

And from the base of where it touches

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the ground level to the top of the blue,  
you're saying that is eight feet?

JOSEPH RUSSELLA; Yes.

MR. SPIGONARDO: Is that considered the  
whole sign?

MR. PATTI: We can talk about it with  
Joe.

MR. DAMICO: So, the base, Robin, what's  
the base material?

ROBIN LIGGINS: That's made of stainless  
steel.

MR. VECHEROFSKI: So, I guess we will  
stay with the signs. It sounded like there  
was numerous signs.

Do you know how many signs in total you  
guys are requesting?

MR. DAMICO: I mean we broke them down  
into nine categories, but there is more than  
nine.

MR. VECHEROFSKI: Somebody just give me  
a ballpark.

ROBIN LIGGINS: Sixteen.

MR. VECHEROFSKI: Sixteen?

Would you say a percentage or how many

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of those signs are for safety purposes and not advertising?

ROBIN LIGGINS: Six. Six of them.

MR. VECHERCOFSKI: So, we will say about half of them.

ROBIN LIGGINS: I'm sure. The clearance plaques would be counted.

So, that would be eight for safety purposes.

MR. VECHERCOFSKI: So, about half for safety. Half for advertising.

Is that right?

ROBIN LIGGINS: Yes.

MR. VECHERCOFSKI: So, your advertising signs, they are strictly going to be advertising your Republic Bank.

Is that correct?

You are not going to be advertising anybody else's kind of anything.

Is that correct?

It's just for your Republic Bank and offers that you deal with? Giveaways.

I saw the one that said free safety deposit box.

1                   So, I guess you will have different, I  
2                   guess, APRs for savings and loans and  
3                   stuff.

4                   Is that right? That's what those signs  
5                   will be for?

6                   SHARON HAMMEL: Right.

7                   So, we actually don't even put rates on  
8                   those types of signs or anything, but they  
9                   would be product-oriented.

10                  There would be one in the drive-through  
11                  that would be product-oriented.

12                  But then, we also have for anything in  
13                  the community, we actually have a plasma  
14                  sign in the store which we use to promote  
15                  community activities and things of that  
16                  nature.

17                  So, we actually have that board to  
18                  promote those types of things.

19                  That other signage would be used more  
20                  for like our seven day banking, things of  
21                  that nature.

22                  MR. VECHERCOFSKI: So, when you say  
23                  community, do you refer to little league  
24                  and schools?

1 SHARON HAMMEL: We actually welcome the  
2 community to tell us things that you want us  
3 to help, you know, the community know about,  
4 different events and activities, and we put  
5 them up on electronic board.

6 It's a plasma screen is really what it  
7 is, and it's right behind the teller line.

8 MR. VECHERCOFSKI: Do you know how many  
9 people, you are putting a bank here for a  
10 reason.

11 Do you have a lot of people that use  
12 Republic Bank in this area or do you plan on  
13 putting, you know, putting a brick and  
14 mortar store to gain those people?

15 We were talking about traffic, and you  
16 said it was not like funeral home traffic,  
17 but is there existing customers in the area  
18 or you guys have not done that type of  
19 study?

20 SHARON HAMMEL: No. I mean we know it  
21 from other financial institutions.

22 We can look at FDIC statistics to see  
23 what the other financial institutions have  
24 in terms of deposit share and market share.

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We know we will do well.

So, in Delaware County, we have the one location in Media today.

We do know that store has done very well for us and continues to grow from what we hear from the public in terms of having another one of our locations nearby to serve customers that have expressed interest, but I don't have any further data other than that at this point.

MR. VECHERCOFSKI: All right. Thank you.

So, we are talking about the buffering in the back.

So, you kept on referencing neighbors were requesting that you take trees down.

Is that correct?

MR. DAMICO: Yes. That is correct.

MR. VECHEROFSKI: Do we have any letters from the neighbors or anything like that stating that?

MR. DAMICO: We have the neighbors right here.

MR. VECHERCOFSKI: Okay. All right.

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So, I guess the neighbors will speak,  
right?

MR. DAMICO: Yes.

MR. VECHERCOFSKI: And then, if you  
would, work with our neighbors; and if they  
kind of requested something specific that is  
not too off-the-wall, you would grant that  
wish in your buffering?

MR. DAMICO: Well again, very  
specifically we met with the neighbors  
twice, and I'll let the neighbors speak  
themselves, but Exhibit A-14 is, the  
designed purpose of that is to make sure  
that the neighbors had in writing what the  
bank had committed to do.

It was important to them that this be  
in writing in advance.

MR. VECHERCOFSKI: Okay.

MR. DAMICO: So, we met with them; and  
in particular at the last meeting, they  
specifically called out, and we looked at  
the trees that are approximately six feet.

There is nine, ten mature trees, and  
they want those to be removed at the bank's

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cost and the stumps ground.

The bank got a quote to do that work, and it's expensive, but they have agreed to do that.

In addition to that, we are going to put up a fence, and they wanted a six foot to prevent, not only to see it but to prevent people from cutting through their yards.

So, we have agreed to do that.

They have asked that the supplemental landscaping be on the bank's property which we have to do anyway.

So, we are happy to do that.

We specifically asked them if they wanted the landscaping on their property.

They did not. They wanted the landscaping removed.

So, we have been very specific in our discussions with them, but if they had a request later on, we would be happy to talk to them.

MR. VECHEROFSKI: All right.

I guess again, if we are going to

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create a left-hand turn lane, then, the bank would fully fund that project and not expect the township to pay anything.

Is that correct?

NICOLE KLINE: Yes, that's correct.

That would be an application to PennDOT, and they would be required to fund that.

MR. VECHERCOFSKI: The ATM is going to be 24/7?

SHARON HAMMEL: That's correct.

MR. VECHEROFSKI: Now, have in the past any crime rates increased due to the fact that you have an ATM working 24/7 in a high visibility like that, say like an attacker or somebody hanging out, hitting the ATM and kind of rob them?

SHARON HAMMEL: We have had, and that location is standard for us to have it in the front of the store that way.

We have had absolutely no issue historically, nothing that I have ever known of and partly because, you know, people don't want to, they can walk into the ATM.

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The door closes behind them.

So, they are very visible, and they are very visible in the front of the building.

So, people, you know, doing that kind of activity are not typically going to approach somebody when it's so incredibly visible to the street, to the community, to other people.

So, that's kind of why we have it there. It's much more secure. We have never had an issue.

MR. VECHEROFSKI: Now, I promise it's my last question. It's a rogue question.

So, if you are going up Lawrence Road, do we know, is that two left turning lanes there going onto Sproul?

NICOLE KLINE: It's a single.

MR. VECHERCOFSKI: It's just one lane there?

NICOLE KLINE: A left turn lane and a right turn lane.

MR. VECHERCOFSKI: Right turn lane?

NICOLE KLINE: Correct.

MR. VECHERCOFSKI: So then, we would say

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the right turn would be like right turn only  
and the left would either be a left turn or  
go straight?

NICOLE KLINE: Correct.

MR. VECHERCOFSKI: And then, we would  
potentially put a sign up to notify  
passengers, hey, look, you can't enter this  
facility from like the right lane because I  
would hate to see somebody from the left  
lane go in and somebody from the right think  
they are going to get in the same way?

NICOLE KLINE: That lane says right turn  
only today, but any additional signage that  
would be required, that would be the  
jurisdiction of PennDOT.

So, they will review that when they  
review the final design.

MR. VECHERCOFSKI: Okay.

And with the potential left-hand turn,  
Mr. Baker here is scribbling down U turns  
with question marks.

So, there will be no U turns allowed,  
correct?

NICOLE KLINE: There will be no U turns

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allowed. No.

MR. VECHERCOFSKI: All right. Thank you.

MR. PATTI: Thank you.

Yes. Just on top of that, so, your application is not going to request that the right-hand turn lane now on Lawrence Road be made a street.

It's going to be with the left-hand turning lane because we have a green arrow right now that allows people to go right and obviously right on red which could hold up more traffic if you did that.

NICOLE KLINE: Right.

It really is not a straight-through.

You would have to make the left to get in.

So, it will have to be done from that left turn lane.

MR. PATTI: Okay. Thanks.

MEMBER OF THE AUDIENCE: There is no arrow.

MR. CATANIA: Ma'am, you will have an opportunity.

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MR. PATTI: Anyone else from the Board before we move on?

Jules?

MR. SPIGONARDO: You said that you are going to be dropping the ground somewhat, and it will be more closer level to the street level.

How far down are you dropping that, the ground?

You said also there will be retaining walls around some parts of the property.

MR. DAMICO: Joe, why don't you use that one there (indicating)?

JOSEPH RUSSELLA: If you are familiar with the ground now, it is waist to shoulder height especially close to me.

That will be cut down significantly, almost to street level, such that the retaining wall just in the back around the drive-through will be about five-and-a-half feet.

So, we are cutting the ground down five-and-a-half feet, and then, we will have a six foot fence on top of that.

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MR. SPIGONARDO: Okay. That's why I was asking that.

JOSEPH RUSSELLA: So, the change in grade from the neighbor's prospective is that the ground will be almost ten-and-a-half feet lower than what it is today.

So, the wall then, it kind of creates a horseshoe around the property. Starts at zero, the highest in the back.

So, that embankment that you see along the street now will almost be eradicated with our design.

From a site design standpoint, it's almost an export condition with our soil, but that's what necessitates that to make the site work.

MR. SPIGONARDO: That's the reason I asked that since you have that fence and how much is ground cover.

So, you said about five-and-a-half feet in the back and it will curtail down, drop down as it comes around the front, wraps around?

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Is that right?

JOSEPH RUSSELLA: Yes.

MR. SPIGONARDO: Two other questions.

One, I'm sure you'll have security cameras internally.

Any of them externally, I don't know, along those lines there (indicating)?

I'm sure you'll have them next to your ATM and all.

SHARON HAMMEL: Yes. We have security cameras in an ATM, in the store.

They are discreetly in the store and, of course, they are in our drive-through.

MR. SPIGONARDO: The other thing is, I want to swing it back to the signage.

The monument sign, the change in the one that you are adding.

So, you drop that.

How far do you drop that in the front, the ground level?

MR. DAMICO: Well, we were initially proposing a pylon sign with a height of seventeen feet.

MR. SPIGONARDO: Correct.

1                   But you are dropping the ground level  
2                   to basically the street level?

3                   Is that right?

4                   MR. DAMICO: Yes.

5                   JOSEPH RUSSELLA: Yes.

6                   MR. DAMICO: Correct. Per Mr.  
7                   Russella's testimony.

8                   MR. SPIGONARDO: And then, the new  
9                   signage, the monument sign proposed,  
10                  basically it's about eight foot off the  
11                  ground?

12                  JOSEPH RUSSELLA: Correct.

13                  MR. DAMICO: Right.

14                  So, I think to answer your question,  
15                  you know, if we put did it there today, it  
16                  would gain a couple feet because of the  
17                  grade; whereas, we are dropping that.

18                  So, that would lower the absolute  
19                  height of the sign even further.

20                  MR. SPIGONARDO: That is going to be set  
21                  far back enough or within proximity so it  
22                  does not have any --

23                  I know the only exit is on the right  
24                  side that is coming in off of Lawrence Road

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there.

That's the only entrance, and it's on the other side.

So, we won't be blocking any vision for exiting customers?

JOSEPH RUSSELLA: That's correct.

The site distances will have to comply with the requirements, and it does.

It will be set back enough where you could see on-coming traffic looking to the left.

MR. SPIGONARDO: Okay. No further questions at this time.

Thank you.

MR. PATTI: I just have one question, a general question on construction and demolition.

How long of a period of time, and I assume you will do it in compliance with Township Ordinances, but from demolition start to finish, what's the estimated time frame?

MR. DAMICO: I don't know if we have got the answer to that question.

1 Joe, I am going to leave it to you.

2 JOSEPH RUSSELLA: Yes. I believe --

3 MR. PATTI: We know there is weather  
4 conditions.

5 JOSEPH RUSSELLA: Yes. There's weather  
6 conditions.

7 MR. PATTI: I'm just trying to think  
8 about disturbance. Noise. Things like  
9 that.

10 JOSEPH RUSSELLA: From what I've heard,  
11 it's about a six month turnaround once we  
12 get Land Development approval and break  
13 ground to be able to open the bank.

14 MR. PATTI: Okay. Fair enough. Thank  
15 you.

16 John?

17 MR. LUCAS: Thank you. I have a number  
18 of questions.

19 There is absolutely no order to my  
20 questions. So, I want to apologize in  
21 advance.

22 Are we adding any additional impervious  
23 coverage to the property that's there right  
24 now?

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JOSEPH RUSSELLA: We are removing  
impervious to the tune of twenty-four  
hundred square feet.

MR. LUCAS: That was a great answer.  
All right.

So, you according to this picture,  
there is a proposed walkway across Sproul  
Road, and that's the hashed marked walkway.

Do you propose getting rid of the  
existing walkway, the other one that is  
there?

NICOLE KLINE: Yes.

So, that will also be permitted through  
PennDOT and through their review and  
approval, but the idea with the new  
configuration of the access is to shift that  
existing crosswalk so we get them the curb  
ramp on the Lawrence Shopping Center side to  
a new curb ramp at the bank.

So, yes. The existing would be  
removed, and it would be relocated to a  
line, the new pedestrian facilities.

MR. LUCAS: Good.

I'm assuming or thinking that we will

1           just paint over the existing lines that are  
2           there so that people don't use both walkways  
3           at the same time?

4                     Is that right?

5                     NICOLE KLINE: It will have to fully  
6                     be eradicated. Yes.

7                     MR. DAMICO: When you say that, Nicole,  
8                     it's more than just painted over?

9                     You actually have to grind the  
10                    pavement.

11                    Is that right?

12                    NICOLE KLINE: Yes. We will have to  
13                    remove the paint.

14                    MR. DAMICO: And the proposed relocated  
15                    crosswalk, in your opinion, that's an  
16                    improvement to pedestrians?

17                    NICOLE KLINE: Yes.

18                    MR. LUCAS: I'm guessing that any turn,  
19                    any left-hand turn lane into the facility  
20                    from travelling northbound on Sproul Road  
21                    would be timed with the opposing turn lane  
22                    turning up Lawrence Road.

23                    Is that correct?

24                    NICOLE KLINE: Correct.

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MR. LUCAS: Coming southbound. Am I correct?

NICOLE KLINE: Correct.

MR. LUCAS: So, there is no proposal to move any traffic signals?

The traffic signal will stay where it is now?

Is that right?

NICOLE KLINE: It will, yes.

MR. LUCAS: You are aware of our lighting ordinance in Marple Township.

Is that correct?

JOSEPH RUSSELLA: Very.

MR. LUCAS: Good.

Simply because it's going to be very important because there will be new lights, and we will get phone calls if those lights are not off when the Ordinance states them to be off.

So, we would appreciate it very much.

Thank you.

And the exit is, so coming out of the facility, I can only go south on 320 or I'm sorry. On Sproul Road.

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Is that correct?

NICOLE KLINE: Correct.

MR. LUCAS: So, I'm not going to be able to cross over to be able to go in the opposite direction of Sproul Road?

Is that correct?

NICOLE KLINE: Correct.

I have to come out and go southbound, correct?

NICOLE KLINE: Correct.

MR. LUCAS: Twenty-four hour cameras? Interior? Exterior?

SHARON HAMMEL: You mean our security cameras?

MR. LUCAS: Yes.

SHARON HAMMEL: We don't turn them off, our security cameras.

MR. LUCAS: I look at that as a good thing honestly because it just kind of adds protection to the entire area there.

SHARON HAMMEL: Well, the way they are programmed, you will not necessarily get an external viewpoint.

MR. LUCAS: Okay.

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SHARON HAMMEL: Obviously, we work with the police departments and local FBI in the event there is any need to.

So, they are very specific in nature to that transactional point.

MR. LUCAS: Okay.

SHARON HAMMEL: So, it would be the ATM transaction, the drive-through transaction, the lobby, the teller transaction or a desk.

So, you wouldn't necessarily get exterior viewpoints.

MR. LUCAS: All right.

And how about deliveries? Are we expecting deliveries in the mornings?

It's not like you are getting fruit delivered or anything I understand but...

SHARON HAMMEL: Well, we, of course, have an armored truck which comes maximum twice a week.

They are there no more than five, ten minutes because the one person is required to remain in the vehicle if you will.

The vehicle needs to remain running. Somebody needs to go into the store, and

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they are timed.

We have to be efficient with those.

Outside of that, you have UPS. When our supplies come in, they come through UPS as well.

MR. LUCAS: Okay. I believe I'm done. Thank you very much.

MR. DAMICO: Thank you.

MR. PATTI: Joe?

MR. ROMANO: No questions.

MR. PATTI: Okay. We will bring it out to the audience.

Is there someone who would like to speak towards this application?

MR. LUCAS: I'm sorry. I'm sorry. I apologize.

Stormwater management. I think we touched on that briefly.

Will there be an underground stormwater retention area, a basin of some sort?

JOSEPH RUSSELLA: Yes.

MR. LUCAS: Now, will that perc into the ground or is that going to hold water and then transfer it somewhere else?

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JOSEPH RUSSELLA: The preliminary test that we did, it will be a hundred percent infiltration.

MR. LUCAS: Okay.

JOSEPH RUSSELLA: And then, if there is a need for emergency overflow, it will tie into the municipal system in the street.

MR. LUCAS: Very good.

MR. DAMICO: So again, Mr. Russella, the impact of that would be that in addition to adding green space which reduces stormwater problems, you are also going to be able to infiltrate underground.

Is that correct?

JOSEPH RUSSELLA: Correct.

MR. LUCAS: Is there a basement proposed for this or is this built on a slab?

JOSEPH RUSSELLA: Slab on grade. Yes. Slab on grade.

The only subsurface feature will be utilities and the underground stormwater management.

MR. LUCAS: And we will not have any access from any of the surrounding areas by

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vehicle especially, you know, other than on foot?

JOSEPH RUSSELLA: That's correct. Yes.

We have a driveway access.

MR. LUCAS: All right. Thank you.

MR. CATANIA: Mr. Damico, just for the record, the cut-through you mentioned, that's not the subject of any recorded easement of any kind.

Is that correct?

MR. DAMICO: It is not based on what I have been advised.

I have not personally reviewed it, but I talked to the applicant's transaction attorney.

That appears to have been an informal agreement that actually benefitted the funeral home property allowing funeral home patrons in the evening to use, you know, the vast parking of the Marple Commons when it's not being used by Marple Commons.

MR. CATANIA: Understood. Thank you.

If anybody does wish to speak, I don't mean to over-step, Mr. Chairman, I just want

1 to say please indicate before you speak  
2 whether or not you are merely making a  
3 comment, in favor or against the project or  
4 you are requesting party status.

5 If you request party status, that gives  
6 you certain appeal rights.

7 If you are a party to this proceeding,  
8 you can present your own evidence in the  
9 form of witnesses, testimony.

10 You can present your own experts.

11 You can cross-examine the experts that  
12 the applicant presented or any of the  
13 exhibits or testimony that they presented.

14 Understood? Okay. Thank you.

15 MR. PATTI: With that, I will go to the  
16 audience.

17 Please state your name and address for  
18 the court reporter, and then, feel free to  
19 ask questions or make comments.

20 MS. COOK: And could you also, please,  
21 sign in?

22 Thank you.

23 JANICE CAMERON: Janice Cameron. 604  
24 Williamsburg Drive.

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Mr. Catania, am I allowed to ask questions at this time without asking for party status?

MR. CATANIA: Sure.

JANICE CAMERON: Okay. I do have a question.

Thank you.

Can you tell me when the bank in Media was built?

SHARON HAMMEL: Well actually, I happen to have the Store Manager here.

STORE MANAGER: I think it was 2005. It was not built by us.

SHARON HAMMEL: It was originally a Nova Bank.

Do you want to know when we acquired it?

JANICE CAMERON: Yes.

SHARON HAMMEL: 2013.

JANICE CAMERON: 2013. Thank you.

I am speaking out in opposition to this project.

Much of the testimony you have heard compared the use of the property as a bank

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versus a funeral home.

There has not been a funeral home there for a while.

The building exists.

I would submit to you that that is erroneous because of the funeral home being closed for a long time, and it should be compared to a medical office building because that is what zoning gave status for at this point.

The applicant's proposed building as you know is located at the intersection of Sproul Road and Lawrence Road.

There are approximately thirty-four thousand cars a day on Sproul.

Another fifteen thousand seven hundred and sixty-three cars per day on Lawrence Road, and one would expect that number to increase significantly with the addition of the hotel and the shopping center.

There was a Traffic Study done for the Woodland Preserve.

It spoke to the intersection of 320 and Paxon in that study, and it's an under-

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estimate because the study says there is backups there.

Because of the fact that there are backups there, people cut through Marple Commons, and then, they cut through that non-easement but easement to exit onto Sproul.

I understand that that will be closed, but my point is that it is an extremely frustrating area for people.

I don't believe that the plan will offer any relief with the lighting.

The Lawrence Park Shopping Center, Williamsburg, that's another area of backup. Its been noted in a lot of studies.

If you try and make a left-hand turn from Williamsburg to Sproul, you have to sit there through multiple lights if you are talking about morning rush hour or afternoon rush hour.

You mentioned you expected similar to Media for the bank to do well. Okay.

The bank times for Media that show up

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as the busiest are 2 P.M. to 6 P.M.

That is the same time that we have the rush hour on Sproul Road.

That also is the time when you have Paxon Hollow Middle School letting out adding to traffic.

It is not uncommon to wait.

The Marple Police Station is located now in the Lawrence Industrial Park.

It's beautiful there, but when we have traffic backups, and we will have additional traffic backups but when we do, you will now have a left-hand turn lane that will prevent the police from riding over the median strip in an area where traffic backs up on all sides.

That is a danger.

The applicant is proposing a two lane drive-through with an additional one lane around.

There is a 2012 study which addresses how many vehicles needs to be allowed to be stored in a drive-through lane, and they studied, they looked very specifically at

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banks.

That study says that it makes no difference how many drive-through lanes you have.

You need to allow for a total of eight cars to prevent a backup onto a roadway.

That's approximately a hundred and sixty feet, and I think that's actually a low number because if you drive around Marple Township, you will see that there are an awful lot of people that have trucks, flatbed trucks and large SUVs. We like our large SUVs.

So, once that backs up, as surely it will, onto Sproul, that is another clear and present danger. There will be a lot of vehicular congestion.

Also, within a five minute walk of the proposed bank, you can reach five banks.

That's a five minute walk.

If you want a little bit more exercise, you can tack on an additional two minutes, and you will be able to walk to six banks.

This will be, if you allow it, bank

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number seven.

Another bank adds nothing to the community.

Additionally, this would be the only bank in the township with an entrance and an exit solely on busy Sproul Road.

I ask that the Board take a look at the picture of the bank that is proposed, that (indicating) colored picture.

It is an extremely modern design.

I love modern. I love contemporary.

It is well-suited to Manhattan.

It might even be suited to Philadelphia.

It is not suited to this street and the community.

It does not look anything like the bank in Media which actually kind of fits in.

In summary, according to Pennsylvania Commonwealth Court decision Vanett versus ZHB Marple Township, "A party seeking a variance must prove that it will not alter the character of the neighbor or adversely affect the health, safety or welfare and

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that the hardship that the applicant is claiming is not self-inflicted".

All of the petitioner's requests for variances are self-inflicted.

It is due to the design.

Therefore, any hardship that they are claiming is self-imposed.

I ask that the Board reject any and all variances as they are contrary to the public interest.

I am presenting you a petition.

Understand quite clearly I met with them in good faith, but this is not a decision that I would make solely by myself.

I have an obligation to my neighbors.

I have an obligation to this community.

I am presenting the Board with a petition signed by the residents of Marple Summit. Sixty-nine people.

Thank you.

MR. CATANIA: Thank you. Thank you for your comments.

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MR. PATTI: Thank you.

Is there anyone else that would like to speak?

GEORGE KONTARAS: My name is George Kontaras. I live at 602 Williamsburg Drive.

I just want to say Janice has surprised my expectations and everything I wanted to say, but as a resident, I have a family; and when I bought my home, I stepped into my backyard and what I could see was not the Kish Funeral Home.

The Kish Funeral Home starts here (indicating) and ends approximately here (indicating). I just looked across an empty space.

Now, they are proposing to bring this building all the way to the back rear of the property to the left which is right up against my backyard.

He told me the buffer would be about two, two-and-a-half feet off the roadway.

My children play in this yard.

There's going to be people driving through here.

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We have all been through drive-throughs. We know people get a little aggressive. They get nasty. They might start cursing.

My children would be in the yard with their friends.

Again, we don't know what's going to be said, but my children will be out in the yard.

This is not, I bought my home on a residential street. I am the second house up.

Kish Funeral Home lined up with 320.

Now, they are moving this in, into the residential section.

They are moving it as far back into the property by making their front parking lot.

This no longer lines up with the Branson Building which is on 320 which again now as you come through, I could vaguely see the back side of the Kish Funeral Home.

Now, I will be looking at the drive-through.

I know they proposed, which was nice of

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them, a six foot fence.

That won't hide that. You know what I mean?

Banks, when they say they are going to reduce lighting, they mean from very bright lights to lights.

We know the lights are never really dim.

You know what I mean. For safety?

They just told us right now, we didn't even know about it, that they are going to put a safety deposit box in the back of the bank so people can drop off things which is twenty-four hours.

Again, that's right in the backyard of my house.

I didn't buy my home, I wouldn't have bought a house on 320.

I don't expect businesses to come all the way into my backyard.

Had it stayed where it was, lined up where the Kish Funeral Home was, it would not be in my backyard.

They chose to move it as far back as

1 possible to allow for frontal parking, but  
2 again creating me a hardship now because  
3 when my children go in the backyard or my  
4 children go in the back yard, I'm going to  
5 be looking at the back of a bank and a  
6 drive-through.

7 I don't know the specifics.

8 I can tell you we all live around  
9 here.

10 We see the traffic especially during  
11 the holidays.

12 You know, these experts, I don't have  
13 expert opinions, but I have been here over  
14 seventeen years living in Broomall.

15 Especially near Christmastime, traffic  
16 really backs up.

17 To say that, you know, experts know  
18 better?

19 I don't know how they would know if  
20 they don't live around here.

21 They don't see it like we see it. The  
22 traffic is already bad enough.

23 A seventh bank would not help traffic  
24 at all.

1 Adding another lane to a seventh bank,  
2 not to mention once you do tear down this  
3 beautiful home, which is actually one of the  
4 nicest looking buildings on 320 and you  
5 build this glass structure, because it's all  
6 glass, not to mention the glare from the sun  
7 and all that, if it was, I mean I hope it  
8 does well, but what if it closed?

9 What did you open us up to now?

10 It's a commercial building with a  
11 commercial parking lot?

12 It's not suited no longer for a  
13 doctor's office or offices.

14 No doctor would be interested in it  
15 like they would now because it's a pretty  
16 attractive building as a home or a home  
17 office or a doctor's office.

18 Once you make this glass structure,  
19 what would it be suited to be?

20 You can't say it could be another bank  
21 because there is seven other banks.

22 What if nobody approaches or wants to  
23 put another bank near seven other banks  
24 later?

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Now what?

You see what I'm saying? You see what you open us up to later on if they don't make it?

It could be a problem. A tattoo parlor. Who knows. You know what I mean.

We went to their Media site. It's pretty. It's an all-brick building with columns.

It looks like the Beneficial that they just built near us a little further up.

They said no, they are not willing to put that there.

This building is basically plate glass. A glass tower. Stainless steel trim.

How does that resemble The Commons? The Commons is brick. It's all brick with colonial windows.

Instead of trying to stay in that field if anything was to happen in the future, doctors would rent it out. It could be this or that.

This could only be a bank or trouble down the road, and that's why we ask you not

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to change it because we don't know what is going to come along at the end.

Like again, if you look, this (indicating) is where the Kish Funeral Home started.

It ended where the front of their building was.

They didn't tell us this.

You know, we met with them three separate times.

Nobody told me this until the last time.

I said, where does this new building sit from the footprint of the Kish Funeral Home?

Oh, it's going to be back further. Much further.

I'm like, how far?

This (indicating) is literally my yard.

How far are you from the buffer from the fence?

Two feet. Two feet they said.

And then, the cars are going through

1                   here all night dropping stuff off at the  
2                   safety deposit box all night.

3                   I'm nowhere near 320. I'm the second  
4                   house in, and these are almost an acre of  
5                   properties.

6                   But now with this bank in my backyard,  
7                   I'm literally going to be living on 320.

8                   Do you understand what I'm saying?

9                   Now, that's the only reason I request  
10                  that, if you can, to deny this application.

11                  Thank you.

12                  MR. PATTI: Thank you.

13                  Yes, Sir.

14                  RICK RAY: Rick Ray. 1889 Spring  
15                  Valley Drive. I'm with the Tree  
16                  Commission.

17                  My question, I'm neutral on this. I  
18                  believe there is some trees right along  
19                  here (indicating).

20                  They don't show it in this scene, the  
21                  circles that we expect to see as a landscape  
22                  architect, but there is the canopy right  
23                  there (indicating).

24                  Now, as I remember, these trees are

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close to this size. (indicating).

I don't know where the underground water storage is, but when you take a tree that's this big and you remove the root system, what happens next?

Do you remember about three weeks ago? It's called snow and falling over?

So, I would be a little concerned about that.

The arborvitaes are a little bit of a concern to me because the deer like them, but with all the traffic along there, there could be fewer deer.

Now, right at this (indicating) point, there is a very valuable tree. It's a dogwood.

There is three colors on the leaf, and it's probably worth at least five thousand dollars.

No, I'm sorry. Five hundred thousand dollars.

No. Five thousand dollars.

So, if that were to be moved to a good location or some other way of configuring

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this, it would be a valuable tree.

There is only one other in Marple. So, it's not real common.

It's got a trunk on it about this big (indicating).

It's definitely a worthwhile plant to move.

The only other thing I would have to say is I think, John, if you would correct me, wasn't the road here coming out of Lawrence, wasn't that two lanes going to the left at one time?

MR. ROMANO: No.

MR. LUCAS: No.

The right lane, as far as I remember, the right lane was always a turn right. The left lane was a turn left.

RICK RAY: Okay.

MR. LUCAS: That's a state highway. We have no control over that whatsoever.

RICK RAY: Because I think Mike Molinaro was suggesting both of these go to the left at one of the meetings.

MR. ROMANO: No.

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MR. LUCAS: I don't believe so.

RICK RAY: I was thinking, I know when I come around here (indicating) because I live back over here (indicating), I normally swing over into this lane here (indicating).

MR. LUCAS: Right.

RICK RAY: So everybody just sort of splits over there.

MR. LUCAS: Actually the way it is up there you can do that because the left turn lane is a dedicated left turn left lane.

Whether you choose the inside or outside lane, it's up to you, and there is no other vehicles there.

RICK RAY: Okay. I stand corrected.  
Thank you.

MR. PATTI: Thank you.

Is there anyone else that would like to speak for there application.

Any further comments from the applicant?

Any other questions from the Board?

As you know from prior cases, we have forty-five days to render a decision.

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We are going to go in the back right  
now.

We may have a decision this evening or  
we may make it in forty-five days.

MR. DAMICO: Thank you.

I would just like to move for admission  
of my exhibits.

It was A-1 through A-14, plus we  
referenced the Existing Conditions Plan.

So, we will give you a copy of that.  
I would like to mark that as A-15.

MR. CATANIA: No objection.

- - -

(Whereupon, all aforesaid mentioned  
applicant exhibits were admitted into  
evidence at this time.)

- - -

MR. PATTI: Very good.

So, those are the four cases for this  
evening.

We are going back now, and we may or  
may not have a decision this evening.

MR. DAMICO: Thank you.

MR. PATTI: Thank you.

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(Whereupon, Exhibit A-15 was identified for the record at this time.)

- - -

(Whereupon, the time is 9:22 P.M. and the Board went into Executive Session at this time.)

- - -

(Whereupon, the following occurred back on the record at 9:43 P.M. after the Board returned from Executive Session.)

- - -

MR. PATTI: We are back in session now. This is the first case.

MR. BAKER: Case Number 2018-05 of Robert Valenti for a variance to Chapter 300, Article XII, Section 300-111.A of the Marple Township Code as amended.

The location is 4 Schoolhouse and is currently zoned R-3 Residential.

This is a corner property and the petitioner is requesting to place a six foot high privacy fence along the right-of-way line on West Chester Pike.

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I would like to recommend that we allow this variance to go through.

MR. PATTI: Do I have a second?

MR. HARVEY: Second.

MR. PATTI: Any questions?

MR. SPIGONARDO: None.

MR. PATTI: All those in favor signify by saying aye.

MR. BAKER: Aye.

MR. VECHERCOFSKI: Aye.

MR. SPIGONARDO: Aye.

MS. HARVEY: Aye.

MR. PATTI: Aye.

Any opposed? Motion carries five-zero.

The next case, do I have a motion for the James Justice case?

MR. VECHERCOFSKI: Yes, Mr. Chairman.

Application 2018-04 of James Justice for a variance to Chapter 300, Article IV, Section 300-19.

The location is 2107 South Sproul Road, Broomall, PA, and is in the R-1 Residential Zoning District.

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The current building is the vacant Spiller's Tire and Propane Center.

The petitioner wishes relief from zoning to sell propane, ice, firewood and antiques.

I would like to make a motion to approve this.

MR. PATTI: Is there a second?

MR. HARVEY: Second.

MR. PATTI: Any discussion on the motion?

MR. SPIGONARDO: No.

MR. PATTI: All those in favor signify by saying aye.

MR. BAKER: Aye.

MR. VECHERCOFSKI: Aye.

MR. SPIGONARDO: Aye.

MS. HARVEY: Aye.

MR. PATTI: Aye.

Any opposed? Motion carries five-zero.

Do I have a motion on the Fairfield Inn, Potterville, Limited Partnership, application?

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MR. SPIGONARDO: Yes, Mr. Chairman.

In case number 2018-07, Potterville,  
L.P. (Fairfield Inn) for a variance to  
Chapter 300, Article XII, Section 97 A & B  
and 99 A, B & C and 92 A & B.

The location is at the corner of  
Langford Road and Lawrence Roads, Broomall,  
Pennsylvania, and is currently zoned B-1  
Business.

The petitioner is requesting relief  
with reference to number of allowable signs  
and sign area and height of the sign or  
signs.

Mr. Chairman and Board, I move to  
approve these requests.

MR. PATTI: Do I have a second?

MS. HARVEY: Second.

MR. PATTI: Any discussion on the  
motion?

Seeing none, all those in favor signify  
by saying aye.

MR. BAKER: Aye.

MR. VECHERCOFSKI: Aye.

MR. SPIGONARDO: Aye.

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MS. HARVEY: Aye.

MR. PATTI: Aye.

Any opposed? Motion carries again  
five-zero.

There will be not be a decision  
regarding the Republic First Bank, but we  
will have a decision within our forty-five  
day period.

MR. DAMICO: Thank you.

MR. CATANIA: Thank you.

MR. PATTI: All right.

Any other discussion before we close  
out?

Okay. One thing. We will be meeting  
in two weeks. So, please make that be  
known.

So, that will be the 18th of April,  
2018.

So, see everybody in two weeks.

MS. HARVEY: Good evening.

MR. PATTI: Good night.

- - -

(Whereupon, all zoning hearings were  
concluded at 9:45 P.M.)

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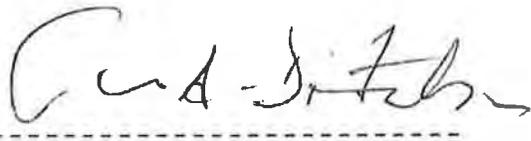
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C E R T I F I C A T E

I hereby certify that the proceedings and  
evidence noted are contained fully and accurately in the

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notes taken by me of the foregoing matter, and that this is  
a correct transcript of the same.



-----  
LORI A. DIFABIO  
Professional Court Reporter - Notary  
Public

(The foregoing certification of this  
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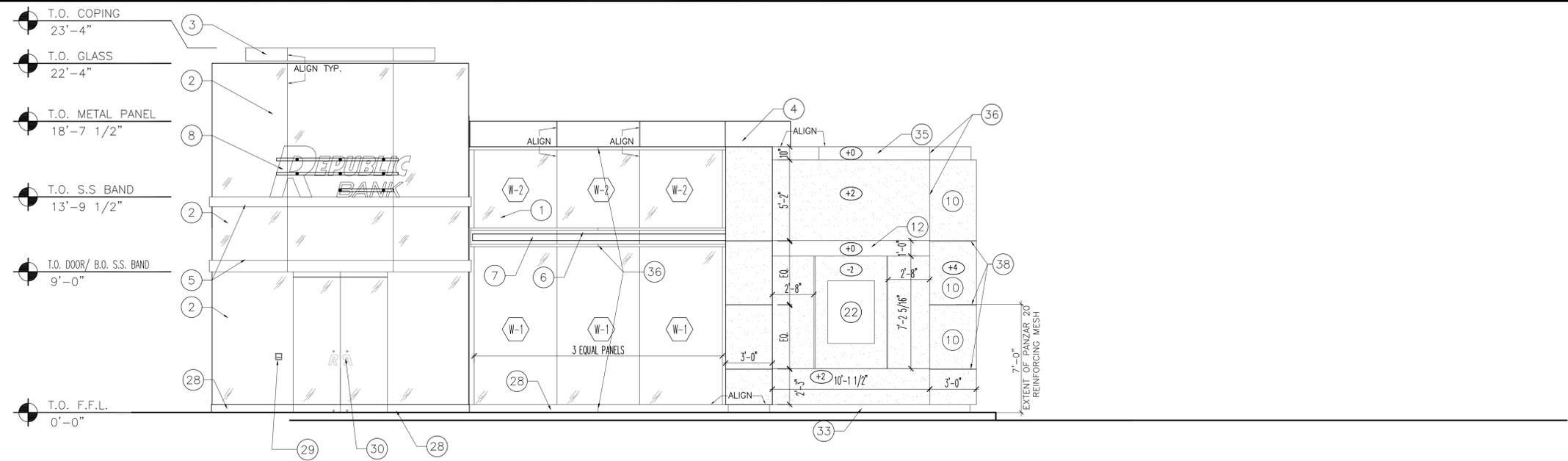


KEY NOTES

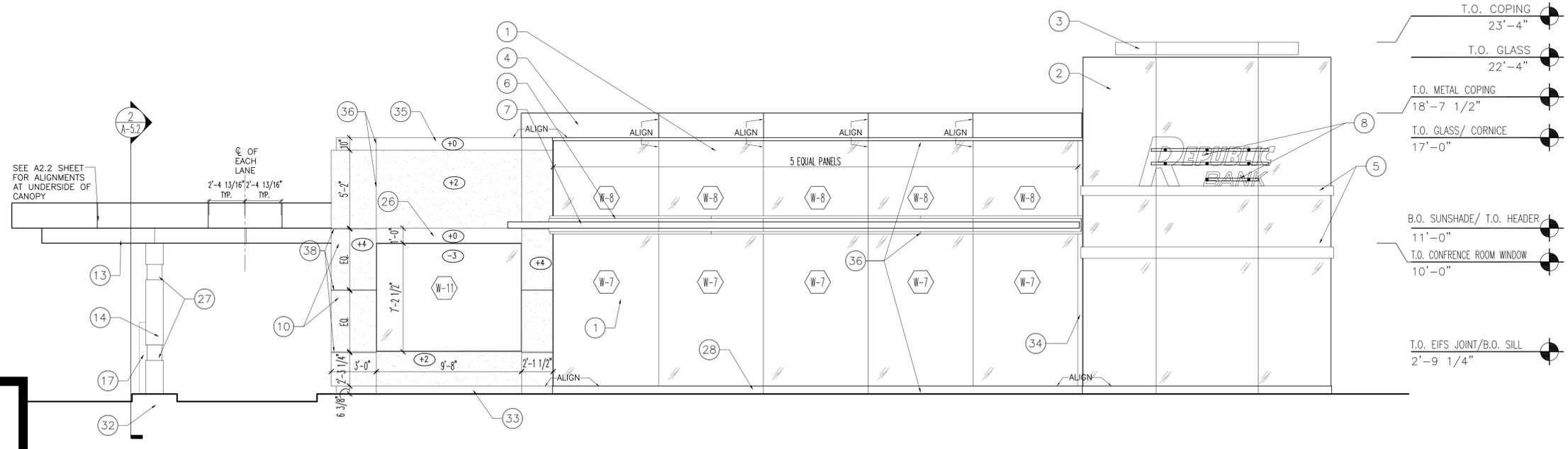
- ① BACKSET MULLION CURTAIN WALL SYSTEM WITH INSULATED GLAZING UNIT (SEE GLAZING SCHEDULE)
- ② STRUCTURAL GLASS SYSTEM (SEE GLAZING SCHEDULE)
- ③ PAINTED SILVER (EP-2) METAL COPING
- ④ 1'-6" SILVER (EP-2) ALPOLIC 4mm METAL PANEL SYSTEM (OR APPROVED EQUAL) NO EXPOSED FASTENERS TYP.
- ⑤ P.S.S. BANDS (CONNECTION IN COORDINATION WITH GLAZING SYSTEM) SEE 3/A-4.2
- ⑥ HORIZONTAL CLADDING (EP-2) AT SUNSHADE SYSTEM
- ⑦ PAINTED SILVER (EP-2) SUNSHADE SYSTEM WITH ALUMINUM OUTRIGGERS & LONG SPAN AIRFOIL LOUVERS SEE DETAILS 7/A-6.9
- ⑧ INTERNALLY ILLUMINATED INDIVIDUAL CHANNEL LETTERS WITH PSS BACKSET SUPPORT BY SIGN VENDOR (3'-3" "R" LOGO; 29.2 SQ FT PER SIGN)
- ⑨ BLUE BAND (EP-3) BY SIGNAGE VENDOR
- ⑩ DRYVIT OUTSULATION PLUS MD EIFS SYSTEM WITH STANDARD PLUS REINFORCEMENT MESH. PROVIDE PANZAR 20 (HIGH IMPACT) REINFORCEMENT MESH 7' ABOVE GRADE. NOTE: PROVIDE SQUARE REVEALS TO MATCH METAL PANEL REVEALS AS SHOWN (SEE A-15.0 FOR FINISH INFO)
- ⑪ RED (EP-1) ALPOLIC 4MM METAL PANEL SYSTEM (OR APPROVED EQUAL) NO EXPOSED FASTENERS OR RIVETS
- ⑫ 1'-0" PAINTED SILVER (EP-2) METAL CLAD BAND
- ⑬ STRUCTURE AT THE UNDERSIDE OF DRIVE THRU CANOPY TO BE CLAD IN PAINTED SILVER (EP-2) METAL
- ⑭ PAINTED SILVER (EP-2) METAL CUSTOM COLUMN COVERS WITH BRUSHED STAINLESS INSERTS.
- ⑮ NOT USED
- ⑯ PAINTED REAR EXIT DOOR ARCHITECT TO SPECIFY PAINT SPEC.
- ⑰ TELLER DOWNSIDE UNITS, PAINT ALL FASTENERS BLACK
- ⑱ S.S.S. NIGHT DEPOSITORY
- ⑲ S.S.S. DEAL DRAWER
- ⑳ INTERNALLY ILLUMINATED INDIVIDUAL CHANNEL LETTERS BY SIGN VENDOR AT S.S.S. BAND(23.75 SQ FT)
- ㉑ 12-3/4" S.S.S. BAND TO ALIGN WITH DEAL DRAWER BY SIGNAGE VENDOR
- ㉒ EXTERIOR ILLUMINATED POSTER SIGN BY SIGN VENDOR.
- ㉓ PAINTED SILVER (EP-2) DRIVE THRU FASCIA BAND
- ㉔ PAINTED BLUE (EP-3) METAL PANEL TUCKED BEHIND EIFS. COOR. WITH GRADE (FINISH SIDES) BY SIGNAGE VENDOR.
- ㉕ LED RED/GREEN BAR LIGHT
- ㉖ 1'-0" PAINTED SILVER (EP-2) CLAD WINDOW HEADER
- ㉗ BRUSHED STAINLESS STEEL DRIVE THRU COLUMN INSERTS BY SIGNAGE VENDOR.
- ㉘ 6" P.S.S. GLAZING SHOE
- ㉙ (2) MIRRORRED CUSTOM S.S.S./RED ACRYLIC "R" DOOR PULLS BY SIGNAGE VENDOR.
- ㉚ B.S.S. CARD READER SEE SHEET A17.0
- ㉛ OUTDOOR EMERGENCY LIGHTING (PAINT TO MATCH EGRESS DOOR BELOW)
- ㉜ DRIVE THROUGH ISLANDS, CONCRETE CURB WITH PAVERS WITHIN.
- ㉝ PROVIDE VINYL FLASHING PAINTED TO MATCH EIFS/STUCCO COLOR EXTEND 4" BELOW GRADE TYP.
- ㉞ PROVIDE 18ga P.S.S. VERTICAL GLAZING CHANNEL AT INTERSECTION OF STRUCTURAL GLASS PLANES, INTERIOR/EXTERIOR GLASS, & METAL PANEL ROOF FASCIA. (SEE DETAIL 1/A-6.5) PSS JOINT TO ALIGN W/ BOTTOM OF SUNSHADE BAND. COORD. HEIGHT IN FIELD.
- ㉟ PAINTED BONE WHITE FIRESTONE UNA-CLAD METAL COPING TO MATCH EIFS.
- ㊱ ALL METAL PANEL, COPING, FLASHING AND STAINLESS STEEL JOINTS TO BE LOCATED PER A-4.0, 4.1, 4.2 SHEETS.
- ㊲ 3" PSS REVEAL ALONG ALL SIDES OF GLASS
- ㊳ PREFORMED T'S AND CORNERS ARE TO BE USED FOR EIFS REVEALS
- ㊴ HOURS VINYL OR PLAQUE
- ㊵ CLEARANCE PLAQUE

GENERAL NOTES

- A ARCHITECT TO SPECIFY ALL FINISHES. PHYSICAL SAMPLES OF ALL MATERIALS ARE TO BE SUBMITTED TO ARCHITECT FOR APPROVAL.
- B SEE SHEET A-18.0 FOR LANDSCAPING DETAILS
- C ALL POLISH/BRUSHED STAINLESS STEEL CLADDING AND INSERTS TO BE A MINIMUM OF 18 GAUGE.
- D G.C. TO REVIEW AND COORDINATE SITE, LANDSCAPING, SIGNAGE, AND LIGHTING COMPLETION SCHEDULES WITH ARCHITECT. SITE WORKS ARE REQUIRED TO BE COMPLETED EARLY IN THE CONSTRUCTION SCHEDULE TO MAINTAIN A CLEAN AND PRESENTABLE SITE WHILE UNDER CONSTRUCTION.
- E NO EXPOSED FASTENERS / RIVETS OR CAULK JOINTS WILL BE ACCEPTED ON METAL PANEL SYSTEMS U.N.O. REFER TO ARCHITECT FOR ACCEPTABLE FASTENING CONDITIONS.
- F 0 POINT IS LOCATED AT OUTSIDE FACE OF SUBSTRATE.
- G ALL CAULK AGAINST EIFS TO BE COLORED TO MATCH EIFS, SUBMIT SAMPLE FOR ARCHITECTS APPROVAL.



RIGHT ELEVATION  
1/4" = 1'-0" 2



REAR ELEVATION  
1/4" = 1'-0" 1

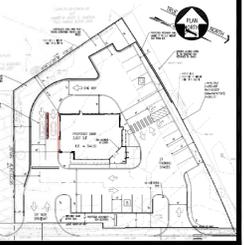
**EXHIBIT  
A-XX**

**INTERARCH**  
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PA LIC. NO. PE-046990-E

MICHAEL A. BEACH & ASSOCIATES, LLC  
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7999 PONDS EXECUTIVE CAMPUS, SUITE 200  
200 BROADWAY, 2ND FLOOR  
MOUNT LAUREL, NEW JERSEY 08054  
TEL: (609) 271-1818 FAX: (609) 271-1440  
EMAIL: ma@beachassoc.com

DATE SIGNATURE



ISSUE OR REVISIONS

#	DATE	DESCRIPTION	BY	CHK
1	6/12/2020	NOT FOR CONSTRUCTION	--	--

**REPUBLIC  
BANK**

BROOMALL STORE  
1998 SPROUL RD  
MARPLE TOWNSHIP, PA

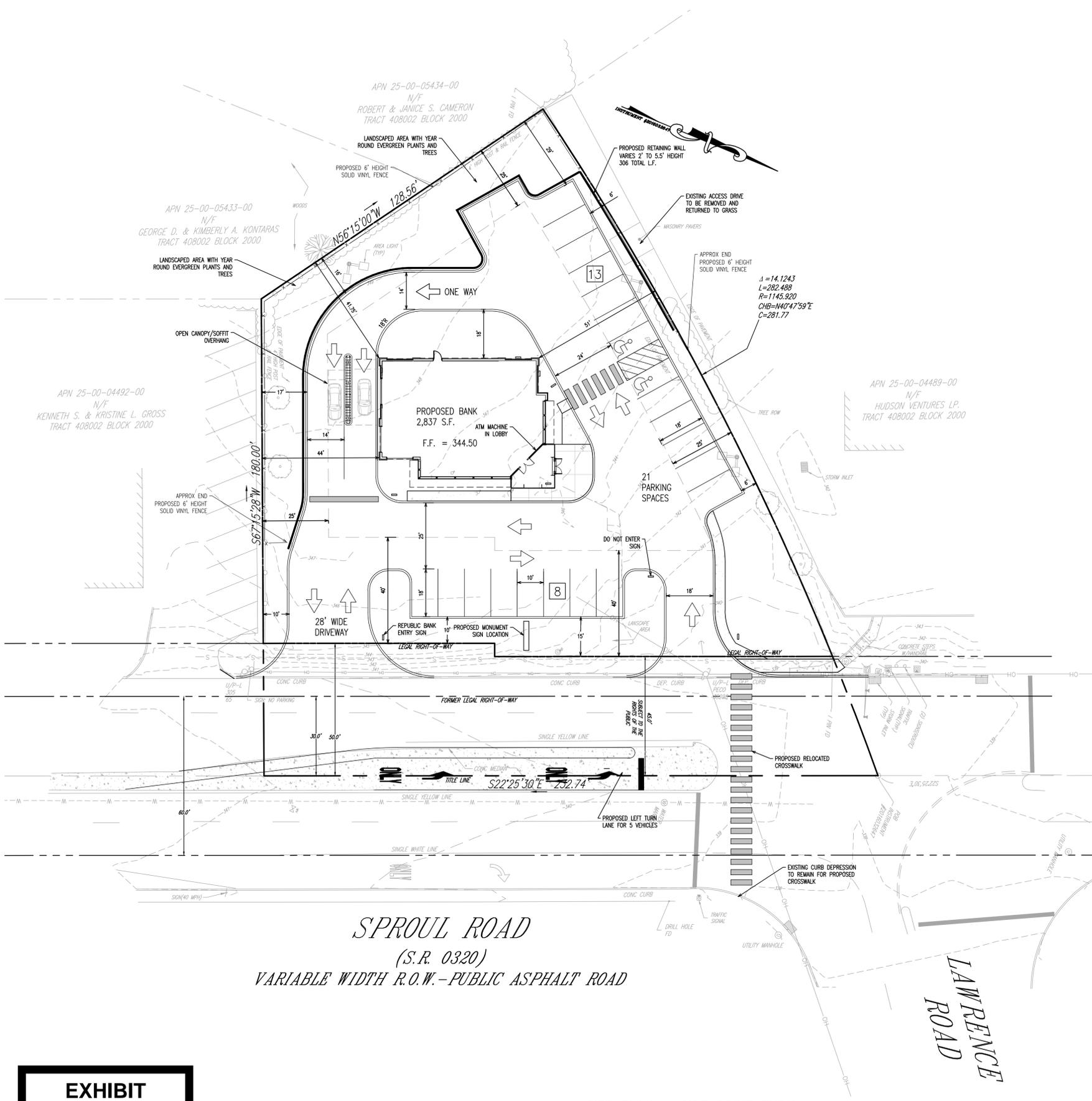
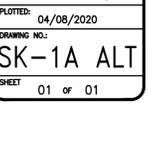
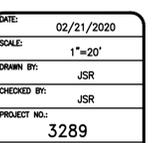
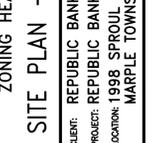
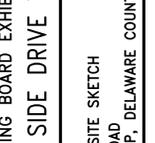
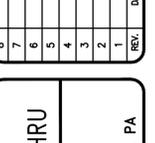
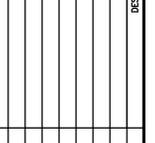
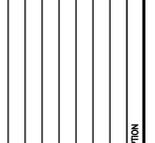
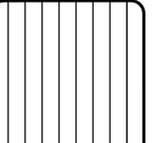
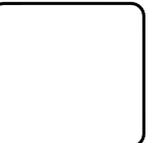
EXTERIOR ELEVATIONS  
PROJECT NO. 17143.00 DWG. NO. **A-4.0**  
SCALE 1/4" = 1'-0"  
DATE 05/04/18



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- LEGEND**
- EX. PROPERTY LINE
  - PROP. PROPERTY LINE
  - EX. RIGHT-OF-WAY
  - PROP. RIGHT-OF-WAY
  - EX. MONUMENT
  - EX. IRON PIPE
  - EX. EASEMENT
  - PROP. EASEMENT
  - EX. WETLANDS
  - 242 EXISTING CONTOUR
  - 242 PROP. CONTOUR
  - X 123.00 EXISTING SPOT ELEV.
  - X 623.00 NEW SPOT ELEV.
  - GEB2 SOILS TYPE
  - SOILS LINE
  - EX. CONC. CURB
  - PROP. CONC. CURB
  - EX. EDGE OF PAVING
  - PROP. EDGE OF PAVING
  - EX. LIGHT POLE
  - PROP. LIGHT POLE
  - EX. FENCE
  - EX. MAIL BOX
  - EX. SIGN
  - PROP. SIGN
  - EXIST. PARKING SPACES
  - PROP. PARKING SPACES
  - (TBR) TO BE REMOVED
  - EX. TELE. LINE
  - PROP. TELE. LINE
  - EX. ELEC. LINE
  - PROP. ELEC. LINE
  - EX. UTILITY POLE
  - PROP. UTILITY POLE
  - EX. GUY ANCHOR
  - EX. GAS LINE
  - PROP. GAS LINE
  - EX. GAS VALVE
  - PROP. GAS VALVE
  - EX. STORM SEWER LINE
  - PROP. STORM SEWER LINE
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  - EX. FIRE WATER LINE
  - PROP. FIRE WATER LINE
  - EX. WATER VALVE
  - PROP. WATER VALVE
  - EX. HYDRANT
  - PROP. HYDRANT
  - EX. MANHOLE
  - PROP. MANHOLE

**EXHIBIT  
A-XX**

*SPROUL ROAD  
(S.R. 0320)  
VARIABLE WIDTH R.O.W. - PUBLIC ASPHALT ROAD*

**SITE PLAN - SIDE DRIVE THRU**  
SCALE: 1"=20'  
GRAPHIC SCALE  
1 inch = 20 feet

**EXISTING IMPERVIOUS CALCULATIONS:**

EXISTING BUILDING: 3,600 S.F.  
EXISTING SHED: 108 S.F.  
EXISTING WALKS/PADS: 1,202 S.F.  
EXISTING PAVED AREA: 18,276 S.F.  
TOTAL EXISTING: 23,186 S.F. (77.32%)

**PROPOSED IMPERVIOUS CALCULATIONS:**

PROPOSED BUILDING: 2,837 S.F.  
PROPOSED WALKS/PADS: 777 S.F.  
PROPOSED PAVED AREA: 16,891 S.F.  
PROPOSED EXISTING: 20,305 S.F. (67.72%)

EXISTING (23,186 S.F.) - PROPOSED IMPERVIOUS (20,305 S.F.) = -2,881 S.F. REDUCTION

**ARTICLE XV NONCONFORMANCE SECTION 300-124 USE CHANGES**

C.4. APPLICANT TO SHOW THAT THE PROPOSED CHANGE WILL BE LESS OBJECTIONABLE IN EXTERNAL EFFECTS THAN THE EXISTING NONCONFORMING USE WITH RESPECT TO APPEARANCE.

(\*) JUDGE ANGELOS OF THE DELAWARE COUNTY COURT OF COMMON PLEAS ISSUED AN ORDER DATED JANUARY 21, 2020 AND AN OPINION DATED APRIL 7, 2020 (NO. CV 2018-003694), WHEREIN THE COURT FOUND THAT REPUBLIC FIRST BANK MET THE REQUIREMENTS OF SECTION 300-124 (A) (B) AND (C) (1) (2) AND (3), BUT DID NOT MEET 300-124 (C) (4) [APPLICANT TO SHOW THAT THE PROPOSED CHANGE WILL BE LESS OBJECTIONABLE IN EXTERNAL EFFECTS THAN THE EXISTING NONCONFORMING USE WITH RESPECT TO APPEARANCE].

**SECTION 300-23 R-C DISTRICT - UNDERLYING ZONING DISTRICT SECTION 300-20A: DEVELOPMENT STANDARDS**

SECTION 300-23.B. DEVELOPMENT STANDARDS PER 300-20A.	REQUIRED: 20,000 (S.F.)	EXISTING: 29,984 (S.F.)	PROPOSED: 29,984 (S.F.)
MINIMUM TRACT AREA (S.F.)	20,000	29,984	29,984
MAXIMUM BUILDING COVERAGE (PERCENT OF TRACT)	18 %	12.00%	9.46%
MAXIMUM IMPERVIOUS COVERAGE (PERCENT OF TRACT)	25 %	73.22% (**)	67.72% (*)
CENTRAL WATER/SEWER FACILITIES REQUIRED	YES	YES	YES
MAXIMUM HEIGHT - PRINCIPAL STRUCTURES FEET	35 F.T.	± 22 FT.	± 25 FT.
MAXIMUM HEIGHT - PRINCIPAL STRUCTURES STORIES	3.5	2.5	1.5
MINIMUM LOT WIDTH AT RIGHT-OF-WAY LINE	25 F.T.	214 FT.	214 FT.
MINIMUM LOT WIDTH AT BUILDING LINE	100 FT.	184 FT.	184 FT.
MINIMUM FRONT YARD	40 FT.	17.4 FT. (**)	61 FT.
MINIMUM SIDE YARD - NONRESIDENTIAL - EACH	25 FT.	33.6 & 65 FT.	41 & 53 FT.
MINIMUM REAR YARD	25 FT.	76 FT.	42 FT.
MINIMUM ACCESSORY STRUCTURE SETBACK	10 FT.		6 FT. (*)

(\*\*) EXISTING NON-CONFORMITY  
(\*) JUDGE ANGELOS OF THE DELAWARE COUNTY COURT OF COMMON PLEAS ISSUED AN ORDER DATED JANUARY 21, 2020 AND AN OPINION DATED APRIL 7, 2020 (NO. CV 2018-003694), WHEREIN THE COURT FOUND THAT THE APPLICANT WAS ENTITLED TO AN IMPERVIOUS COVERAGE LIMIT NOT TO EXCEED 69.36% AND A PARKING SETBACK FROM AN ADJACENT PROPERTY LINES LESS THAN 6 FEET. THIS PLAN IS COMPLIANT WITH THOSE REQUIREMENTS.

**ARTICLE XI OFF-STREET PARKING**

SECTION 300-76 SETBACKS	REQUIRED:	PROPOSED:
FRONT LINE	10 FT.	10 FT.
SIDE	6 FT.	6 FT.
REAR	1 FT.	43 FT.
SECTION 300-77 SIZE OF SPACE		
10 X 18	10 X 18	10 X 18
12 X 18	12 X 18	16 X 18
SECTION 300-78 WIDTH OF AISLES		
90' - 24 FT.	24 FT.	24 FT.
SECTION 300-80 PERIMETER LANDSCAPING		
LANDSCAPE STRIP	5 FT.	6 FT.
SECTION 300-81 INTERIOR NON PERIMETER LANDSCAPING		
LANDSCAPED INTERIOR AREA -GROSS	5%	> 5%
SECTION 300-84		
BANK, FINANCIAL INSTITUTION WITH DRIVE-IN 3 PER INSIDE TELLER WINDOW + 3 PER SELF-SERVICE FACILITY	15	21