



**TOWNSHIP OF THORNBURY  
DELAWARE COUNTY**

**RESOLUTION No. 14 of 2023**

**WHEREAS**, CHEYNEY UNIVERSITY OF PENNSYLVANIA through the COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES (collectively the “**Applicant**”), is the owner of the property and existing improvements located in Thornbury Township, Delaware County (the “**Township**”), which is part of Cheyney University of Pennsylvania, and commonly known as Marcus Foster Parking Lot; and being all or a part of Delaware County Tax Folio Number 44-00-0036-00 (the “**Property**”); and

**WHEREAS**, the Applicant has made application to the Township for the repair and upgrade of the parking lot and related facilities on the Property (the “**Application**”); and

**WHEREAS**, the Application was accompanied by a preliminary/final land development plan for the Property, said plan being entitled OVERALL SITE PLAN & LAND TITLE/LEASE COORDINATION DRAWING, prepared by Digroup Architecture, LLC & Hunt Engineering Company previously dated April 28, 2022, last revised May 28, 2022, now dated October 14, 2022, last revised February 6, 2023<sup>1</sup>, consisting of a total of 16 sheets, including Landscape Plan sheet L-100 and Lighting Plans sheets E-001, E-101 & E-102 (collectively the foregoing are the “**Plan**”). The Plan sheets are as follows:

<u>Plan Sheet</u>	<u>Plan Sheet Title</u>	<u>Dated</u>	<u>Last Noted Revision</u>	<u>Last Plan Revision Submission<sup>2</sup></u>
1. CS-1	Overall Site Plan & Land Title/Lease Coordination Drawing	10-14-2022	2-6-2023	7/13/2023
2. C-100	Existing Conditions & Site Demolition Plan	10-14-2022	2-6-2023	7/13/2023
3. C-200	Site Plan	10-14-2022	2-6-2023	7/13/2023
4. C-300	Grading and Utilities Plan	10-14-2022	2-6-2023	7/13/2023
5. C-400	Profiles	10-14-2022	2-6-2023	7/13/2023
6. C-500	Erosion and Sedimentation Plan	10-14-2022	2-6-2023	7/13/2023
7. C-600	E & S Notes and Details	10-14-2022	2-6-2023	7/13/2023
8. C-601	Notes and Details	10-14-2022	2-6-2023	7/13/2023
9. C-602	E & S Notes and Details	10-14-2022	2-6-2023	7/13/2023
10. C-603	E & S and PCSWM Notes	10-14-2022	2-6-2023	7/13/2023

<sup>1</sup> Applicant made a 3<sup>rd</sup> submission of the Plan to the Township on July 13, 2023, however, the Plan revision date and description for the revisions were not noted on the resubmission Plan sheets. *See Condition No. B.8., below.*

<sup>2</sup> *See Footnote 1, above.*

11. C-604	Grading Details Plan	10-14-2022	2-6-2023	7/13/2023
12. C-700	Post-Construction Stormwater Management Plan	10-14-2022	2-6-2023	7/13/2023
13. L-100	Landscape Plan	10-14-2022	2-6-2023	7/13/2023
14. E-001	Electrical Cover Sheet and Details	10-14-2022	2-6-2023	7/13/2023
15. E-101	Electrical Site Lighting Plan	10-14-2022	2-6-2023	7/13/2023
16. E-102	Electrical Site Lighting Calculations	10-14-2022	2-6-2023	7/13/2023

**WHEREAS**, the Application and Plan have been reviewed by the Delaware County Planning Department in its review dated August 19, 2022; the Thornbury Township Engineer in its latest review letter dated September 11, 2023; and the Thornbury Township Planning Commission at its public meeting on September 13, 2023, as set forth in its recommendation letter of September 14, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Application and Plan, be and are hereby conditionally approved subject to the following:

**A. Waivers Granted.** The following waivers from the Chapter 22, *Subdivision and Land Development*, of the Thornbury Township Code (“Township Code”) are hereby granted and shall be noted on the revised Plan (the “**Revised Plan**”):

1. Section 22-404 of the Township Code – To allow the Plan to be submitted for contemporaneous preliminary and final approval. This waiver request shall appear on the Revised Plan.
2. Section 22-406 of the Township Code – To allow the project to proceed without the posting of financial security since the project is backed by the Applicant, Pennsylvania Department of General Services.
3. Section 22-904 of the Township Code – To waive the requirement for placement of monuments around the Property outbound boundaries since there are no Property corners within close proximity to the parking lot.
4. Section 27-2811 of the Township Zoning Code – From the requirement to provide a Historic Resource Impact Study with the conditions that (a) the Applicant (including the owner or any developer) document any artifacts found on the Property during construction and share that documentation with the Township Historical Commission in a timely manner, and (b) that a note reflecting the foregoing be added to the Revised Plan together with the Historic Resources information block.
5. Section 19-705 of the Township Stormwater Management Code – To allow the form of Stormwater O&M Agreement attached hereto as Exhibit “A” (“**Stormwater O&M Agreement**”) to be used in place of the form required by this section, provided that said Stormwater O&M Agreement is updated to reflect the applicable terms of this Resolution.

**B. Conditions of Approval.** The Applicant shall comply, to the satisfaction of the Township, with the following conditions and revise the Plan, as applicable, prior to the release of the Revised Plan for recording:

1. Section 27-2104 of the Township Zoning Code – The Cheyney University Athletic Facilities Transportation and Parking Impact Assessment Report, dated 9/2022, shall be updated to provide an analysis of the parking capacity during a sporting event in one of the new facilities or how Applicant will handle parking during such events.
2. Section 22-602.19 of the Township Code – A “raised” crosswalk detail (noted as a future improvement) shall be added to the Revised Plan.
3. Section 22-605 of the Township Code – The conditions of the Buckeye Pipeline Company conditional approval letter dated May 3, 2023, shall be added to the Revised Plan along with Buckeye contact information for inspections during all work performed in the area of the Buckeye pipeline.
4. Section 22-906.3.B of the Township Code – Additional lighting shall be provided at all crosswalk locations, of particular concern is the future raised crosswalk location, which shall demonstrate adequate lighting or note future lighting for safe crossing of the roadway. The Revised Plan shall be updated to reflect the foregoing.
5. Additional spot elevations shall be added to the parking lot, along curb lines, and at driveways to demonstrate no more than a 5% maximum parking area slope. Parking areas to the north and south of driveway #1 should be re-evaluated, as they currently are designed well in excess of the 5% standard parking lot slope and scale between 7%-8%. In no case shall any parking area be designed in excess of 6%. The Revised Plan shall be updated to reflect the foregoing.
6. The intended use of the bollards at the southern driveway shall be indicated/clarified on the Revised Plan.
7. The sequence of construction on the Revised Plan shall address how inlet protection will be provided on the trench drains that are located directly within the rock construction entrances due to the high accumulation of sediment during construction.
8. The Revised Plan sheets shall properly reflect plan revision no. 3, dated July 13, 2023 (currently unnoted), along with a new revision no. 4 and corresponding date for the Revised Plan submission.
9. Section 19-702 of the Township Stormwater Management Code - The Applicant shall contact the Township Engineer to review and update the PCSWM Plan operation and maintenance notes on the Revised Plan to meet Township standards. Notes from Section 22-705 requiring deed restrictions and allowing Township rights, should also be added to the Revised Plan as described in this section.
10. A capacity analysis of the existing stormwater piping system that is being discharged into shall be added to the stormwater calculations. This analysis can be performed during construction if a note is added to the Stormwater Facility O&M notes on the Revised Plan requiring the analysis of the existing outfall piping being used by BMP #1 and that the

Applicant will address any resulting stormwater requirements in accordance with the Stormwater O&M Agreement. The Revised Plan shall be updated to reflect the foregoing.

11. The receiving stormwater piping system on the Property is old, corrugated metal piping, which often has issues with deterioration and rust, which can lead to sinkholes and pipe failure. A physical evaluation of the existing piping is required. This evaluation can be performed during construction if a note is added to the Stormwater Facility O&M notes on the Revised Plan requiring the physical evaluation of the existing outfall piping being used by BMP #1 and that the Applicant will address any resulting stormwater deficiencies or requirements in accordance with the Stormwater O&M Agreement. The Revised Plan shall be updated to reflect the foregoing.
12. Basin outflow pipe calculations shall be updated as they appear to use 4.78 cfs as outflow for the 100 year storm, whereas the basin routing indicates this value at 5.34 cfs.
13. Cleanouts at each corner of the bed shall be changed into manhole structures or inlet structures for future maintenance purposes. Any remaining cleanouts should be labeled on the plans and cleanout details added. The Revised Plan shall be updated to reflect the foregoing.
14. Spot top of grate elevations shall be added to each end of each trench drain for clarification and trench drain grate, invert and length information should be added to the profiles. The Revised Plan shall be updated to reflect the foregoing.
15. Storm sewer profiles shall be added to Revised Plan sheet C-400 for pipes SD-05,06,07, & 08.
16. The Applicant shall contact the Township Engineer to clarify minor drafting items and to review the required Stormwater O&M Notes to be included on the Revised Plan.
17. The following third party approvals are anticipated to be necessary and shall be provided and approved prior to release of the Revised Plan for recording: Delaware County Conservation District approval, Pennsylvania Department of Environmental Protection (“PA DEP”) Sewage Planning Module approval or exemption, PA DEP NPDES and General permits, Pennsylvania Department of Transportation Highway Occupancy Permit(s) for new driveways and utilities, a Developer’s Agreement, Township Fire Marshall Approval, Township SEO approval and any other applicable local, state or federal agency permits or approvals.
18. The Applicant and Township shall execute a Stormwater Operations and Maintenance Agreement in form and substance attached hereto as Exhibit “A”. The Agreement shall be recorded by the Applicant in the Office of the Recorder of Deeds, Delaware County, Pennsylvania, contemporaneously with the recording of the Revised Plan. No permits shall be issued until written evidence of such recording has been provided to the Township.
19. To the extent not specified in the forgoing conditions, and as applicable, the Applicant shall

obtain and provide the Township with any and all other required local, state and/or federal agency permits or approvals, to the extent practicable to the release of the Revised Plan for recording.

20. The Applicant shall, in addition to providing paper copies, submit the Revised Plan and other documentation required by this Resolution in electronic format acceptable to the Township.

**APPROVED AND ADOPTED** this 20<sup>th</sup> day of September, 2023.

**THORNBURY TOWNSHIP  
BOARD OF SUPERVISORS**

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James P. Kelly, Chair

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Sheri L. Perkins, Vice Chair

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Michael J. Mattson, Supervisor

Attest:

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Geoffrey Carbutt, Secretary

(TOWNSHIP SEAL)

Exhibit "A"  
Stormwater O&M Agreement