

Borough of West Chester
Borough Council
Regular Meeting
6:30 p.m., Monday January 4 2016
Council Chambers, Borough Hall

- A. Call to Order
- B. Public Comment
- C. Comments by Mayor and Council Members
- D. Comments, suggestions, petitions, etc. by members of the public on items not on the Agenda
- E. Consider Action on the Final Land Development Plan for Sharpless Hall (The Hickman)
- F. Consider Action on the Carlino's Liquor License Application
- G. Consider Action on the 2016 Property Tax Ordinance
- H. Consider Banner permits
 - 1. Chester County Hospital Foundation – 3/21/2016 – 4/4/2016
High Street
- I. Consider Resolution #1 -2016 – Emergency Service Providers
- J. Consider HARB applications:
 - 1. 22 E. Market Street
Construct addition to rear of building
Approve with conditions: a two to six inch setback or reveal be included where stucco meets brick.
 - 2. 135 E. Gay Street
Rear Multi-story addition
Approve with conditions: roof material on shed roof be red metal standing seam, upper most roof will be EPDM, stairs and railings be black metal and west elevation be as depicted in Sketch 5.2.
 - 3. 134 E. Gay Street
Small one story bridge connection with minor excavation to adjoin the two properties in rear of first floor. Connection will include four foot wide by eight foot high stucco one story addition with 1 window.
Approve with conditions: all previously submitted work for front façade and deck

be withdrawn except for the rear one story stucco bridge wall and enclosure with window.

4. 100 S. Church Street
Install white, gray and black plywood sign in existing black sign bracket.
Approve as presented
5. 130 E. Market Street
Install one post and panel sign in front of building.
Approve with conditions: clarification that the blue trim is actually off white in color.
6. 109 N. Church Street
Install hanging sign on existing bracket.
Approve as presented
7. 39 W. Gay Street
Repair windows on 2nd and 3rd floor.
Approve with conditions: Clarification that windows be repaired and not replaced, replacement of downspout not gutter in kind, replacement bracket and finial on the right front of pend on building, in kind.

K. Zoning Hearing Board

1. T. Mercer – 311 S. Walnut Street



KRISTIN S. CAMP
p: 610.436.4400 Ext# 1050
f: 610.436.8305
e: kcamp@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

MEMORANDUM

To:	Borough Council
From:	Kristin S. Camp, Esquire
Date:	December 31, 2015
Subject:	Brick Sidewalks

I was requested to review the issue of whether the brick sidewalk along Marshall and Walnut Streets along the frontage of the Hickman property must be replaced with brick or if another material such as concrete can be used when the proposed development of a new independent living facility is constructed. Patrick McKenna, Esquire, counsel for the Hickman, has suggested that the brick sidewalk, if removed, need not be replaced with brick and has provided certain documentation in support of his claim. In researching this particular issue, I reviewed the following:

1. Section 97-33 of the Subdivision and Land Development Ordinance titled "Sidewalks";
2. Section 95-11 of the Borough Code titled, "Construction and Maintenance Requirements for Sidewalks";
3. Minutes of the Borough Council meeting of March 20, 2012 where an ordinance was adopted to amend Section 95-11 and where Council members discussed where brick sidewalks should be required; and
4. Email dated December 22, 2015 from Councilman Scott.

After reviewing the aforesaid writings, I believe Section 97-33.D is controlling in this matter and requires that the brick sidewalks be replaced with brick sidewalks.

Section 97-33.D of the SALDO (which only applies to applications which involve a subdivision or land development) states as follows:

"Brick sidewalks shall be constructed to replace any brick sidewalks that have been removed or disturbed."

Section 95-11, which applies to all sidewalk construction, states:

Section 95-11 Construction and maintenance requirements for sidewalks.

- A. *Construction requirements. All sidewalks hereafter constructed in the Borough of West Chester shall be constructed according to the following specifications:*
- (1) *Except in the Historic Overlay Zoning District as designated on the Borough of West Chester Zoning Map, a sidewalk shall be composed of not less than four inches of concrete, using a one-to-two-to-three mix, or high-early-strength concrete of 3,500 pounds per square inch, or shall be composed of brick, concrete paver or approved equivalent. In the Historic Overlay Zoning District as designated on the Borough of West Chester Zoning Map, all sidewalks that are constructed or rebuilt after the effective date of this Subsection A(1) shall be composed of clay-fired brick. All newly constructed sidewalks shall not be less than four feet in width. Reconstruction or repairs to existing sidewalks shall match the width of the existing sidewalk. Exceptions to the minimum width requirements may be granted by the Public Works Committee of the Borough in such cases in which previously existing conditions would merit or justify such an exception.*
 - (2) *A concrete sidewalk shall be placed on a six-inch thoroughly compacted base of stone aggregate. A brick sidewalk shall be placed on a four-inch base of stone aggregate followed by a two-inch layer of sand, screenings or approved equivalent. No other base material will be acceptable.*
 - (3) *Curb cut ramps shall be constructed at all street intersections in full compliance with all federal and state requirements.*
 - (4) *All sidewalk construction or reconstruction shall provide for a two-foot minimum radius or a four-foot rectangular tree well, where applicable.*
- B. *Maintenance requirements. The owner of property abutting a sidewalk in existence on the date of enactment of this section shall not remove a sidewalk without replacing such sidewalk in accordance with the provisions of this chapter and shall have the duty to thereafter continually maintain and keep the sidewalk in good repair. The use of such sidewalk for any purpose other than a sidewalk shall be prohibited.*

Mr. McKenna's reliance on Section 95-11 as the controlling statute is erroneous. Although discussion did occur at the Borough Council meeting of March 20, 2012 between Council members about the construction of sidewalks in the Borough and whether brick sidewalks would be required outside of the Historical District, no amendment was made to Section 97-33 of the SALDO to permit an existing brick sidewalk to be replaced with a concrete sidewalk.

Based on the language of Section 97-33.D and Section 95-11.A, in the context of a subdivision or land development, if there is a sidewalk that is being constructed outside of the Historic District, it can be constructed with concrete in the following circumstances:

1. Construction of a new sidewalk where no sidewalk exists at this time; or
2. Replacement of an existing concrete sidewalk.

However, in a subdivision or land development application, if there is a brick sidewalk already in existence that must be replaced (whether inside or outside of the Historic District), it cannot be replaced with a concrete sidewalk based on Section 97-33.D which states that “brick sidewalks shall be constructed to replace any brick sidewalk that has been removed or disturbed.”

Based on Section 97-33.D of the SALDO, since the sidewalks along the frontage of the Hickman property on Marshall Street and Walnut Street are currently brick, even though the property is outside of the Historical District, the repair, reconstruction and replacement of that sidewalk must be brick. However, because Section 97-33.D is part of the SALDO, Council has the discretion to waive this section and allow the sidewalk to be reconstructed with a material other than brick. Mr. McKenna has been asked to present an alternative material such as concrete pavers or stamped concrete which Council can accept or reject.

If anyone has any questions, please feel free to contact me.



Planning Commission
Borough of West Chester

December 2, 2015

Borough Council
430 East Gay Street
West Chester, Pennsylvania 19380

RE: Final Land Development: Sharpless Hall Redevelopment – The Hickman

Dear Council Members,

At its last meeting on November 17, 2015, the Planning Commission discussed this application and voted (4/1) to recommend approval contingent on compliance with all of the recommendations put forward by Gilmore and Associates, Inc.

Although written comments from Gilmore and Associates were not available for the Commission's review of the final plan, in order to receive a timely Planning Commission recommendation, the applicant stated that he/she would fully comply with any recommendations ultimately presented by Gilmore and Associates. The discussions are reflected in the minutes of the Planning Commission. Should Council have any questions, please do not hesitate to contact us.

Sincerely,

Allen Burke, Chair
Planning Commission



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

November 20, 2015

File No. 15-07060T

Mr. Michael A. Perrone, C.B.O.
Director of Building, Housing and Codes Enforcement
Borough of West Chester
401 East Gay Street
West Chester, PA 19380

Reference: Sharpless Hall Redevelopment – Stormwater Management Review
Borough of West Chester, Chester County, PA

Dear Mr. Perrone:

Gilmore & Associates, Inc. (G&A) is in receipt of the following items prepared by Advanced Geoservices (AGS) for a proposed personal care facility located at N. Walnut and E. Marshall Streets in West Chester Borough, Chester County, Pennsylvania.

1. Plan set consisting of fourteen (14) sheets titled "Sharpless Hall Redevelopment," dated June 1, 2015 and last revised November 17, 2015.
2. "Post Construction Stormwater Management Report" dated August 4, 2015 and last revised November 13, 2015.

The above listed items were received in this office via email link on November 17, 2015. In accordance with the Borough's direction, G&A has completed our review of the revised items for compliance with the Borough of West Chester's Stormwater Management Ordinance only (Chapter 94). Based on our review of the above-referenced documents, we hereby offer the following comments for the Borough's consideration.

The site is located at the intersection of N. Walnut and E. Marshall Streets and contains 4.082 acres. The project consists of the redevelopment of Sharpless Hall involving the

Mr. Michael A. Perrone, C.B.O.

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Borough of West Chester

Reference: Sharpless Hall Redevelopment – Stormwater Management Review

Borough of West Chester, Chester County, PA

File No. 15-07060T

November 20, 2015

demolition and reconstruction of Sharpless Hall along with reconstruction of the parking lot and installation of stormwater management facilities.

STORMWATER MANAGEMENT ORDINANCE REVIEW

1. *Section 94-701, 94-703 and 94-704 – The O&M agreement shall be submitted to the Borough for review and approval; and the O&M plan shall be attached to, incorporated within, and recorded as a public record along with a fully executed O&M agreement, all of which shall be recorded as a restrictive covenant that runs with the land and shall be binding upon the landowner and any heirs, administrators, successor in interest or assigns of the land owner.*

GENERAL COMMENTS

1. The site drains to two inlets (High St. and Marshal St., and High St. and Biddle St.); revise the stormwater report narrative accordingly (pg. 3).
2. The 2-year volumes pre- and post-developed (pgs. 3 and 4) do not appear to match volumes from hydrographs. Clarify the areas used in A-51 and A-53 as these exceed the areas used in rest of SWM report.
3. The Applicant's Engineer has stated that the source of the dimensions for the existing UG basin, pipe and exfiltration rate were taken from a soils testing report and plans prepared by DL Howell. Add a note to Record plan stating same, and include these documents in the final SWM report.
4. The Pre-DA map "Unmanaged to Biddle Street" area label appears incorrect (4,450 SF on pre DA map; Post DA map and SWM report 4,121 SF), and should be revised.
5. On the Post-DA map, delete the "unmanaged area" leader line which points to nothing (there are 3 leader lines but only 2 areas).
6. In the stormwater report, page A7 has sub-catchment numbers not used elsewhere (1S and 2S); clarify these numbers.

Mr. Michael A. Perrone, C.B.O.

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Borough of West Chester

Reference: Sharpless Hall Redevelopment – Stormwater Management Review
Borough of West Chester, Chester County, PA

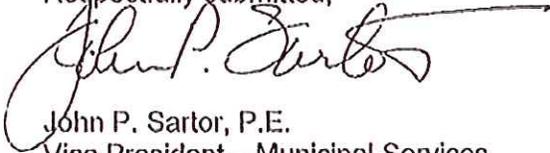
File No. 15-07060T

November 20, 2015

7. The Marshall Street bypass appears to exclude an area (both pre- and post-developed) that has a parking lot expansion (on Post DA map, this is the area with leader "6 onsite parking spaces"); clarify why is this area excluded. Also, the label for this bypass area is on another text label; revise the text overwrite.
8. We are awaiting verification from the Director of Public Works that the proposed stormwater connection in High Street is acceptable.
9. Many details on the plans as plotted from the submitted electronic copies are illegible (all black). This appears to be a plotter issue, as the electronic copies are clear. Once approved, please provide G&A with three complete paper sets of all plans (appropriately signed and sealed).

This concludes our review of the submitted plans. We recommend the Applicant address the above comments to the satisfaction of the Borough. If you have any questions, then please do not hesitate to contact me.

Respectfully submitted,



John P. Sartor, P.E.
Vice President – Municipal Services
Gilmore & Associates, Inc.

cc: Michael A. Cotter, Borough Manager, Borough of West Chester (via e-mail only)
O.B. Laing, Director of Public Works, Borough of West Chester (via e-mail only)
Randall R. Patry, P.E., Advanced Geoservices (via e-mail only)
The Hickman and West Chester Monthly Meeting, Applicants (via e-mail only)

Judy Benes

From: Michael Perrone
Sent: Tuesday, September 08, 2015 6:40 PM
To: Judy Benes
Cc: Michael A. Cotter; Dana DiDomenico
Subject: Fwd: Hickman sidewalk

Judy can you please add Kristin's email to the Smart Growth Agenda Item " Hickman/Sharpless.
Thank you.

Sent from my iPhone

Begin forwarded message:

From: Kristin Camp <kcamp@buckleyllp.com>
Date: September 8, 2015 at 5:11:35 PM EDT
To: 'Michael Perrone' <mperrone@west-chester.com>
Subject: Hickman sidewalk

I looked at this interpretation issue and believe that the regulations in Chapter 95 control which only requires replacement of brick with brick in town center.

I suggest the PC and Council accept a compromise and get them to do the partial brick Pat suggested.

Happy to discuss in more detail.



KRISTIN S. CAMP, Esq.
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E. COUNSELLOR
www.buckleyllp.com
114 W. Hotel Street, Suite 200
West Chester, PA 19380-2929

Chapter 95. Streets and Sidewalks

Article II. Sidewalk and Curb Construction Specifications

§ 95-11. Construction and maintenance requirements for sidewalks.

[Amended 12-13-1978 by Ord. No. 11-1978; 10-9-1986 by Ord. No. 9-1986; 10-20-1993 by Ord. No. 21-1993]

- A. Construction requirements. All sidewalks hereafter constructed in the Borough of West Chester shall be constructed according to the following specifications:
- (1) Except in the Historic Overlay Zoning District as designated on the Borough of West Chester Zoning Map, a sidewalk shall be composed of not less than four inches of concrete, using a one-to-two-to-three mix, or high-early-strength concrete of 3,500 pounds per square inch, or shall be composed of brick, concrete paver or approved equivalent. In the Historic Overlay Zoning District as designated on the Borough of West Chester Zoning Map, all sidewalks that are constructed or rebuilt after the effective date of this Subsection A(1) shall be composed of clay-fired brick. All newly constructed sidewalks shall not be less than four feet in width. Reconstruction or repairs to existing sidewalks shall match the width of the existing sidewalk. Exceptions to the minimum width requirements may be granted by the Public Works Committee of the Borough in such cases in which previously existing conditions would merit or justify such an exception.
[Amended 3-20-2012 by Ord. No. 2-2012]
 - (2) A concrete sidewalk shall be placed on a six-inch thoroughly compacted base of stone aggregate. A brick sidewalk shall be placed on a four-inch base of stone aggregate followed by a two-inch layer of sand, screenings or approved equivalent. No other base material will be acceptable.
 - (3) Curb cut ramps shall be constructed at all street intersections in full compliance with all federal and state requirements.
 - (4) All sidewalk construction or reconstruction shall provide for a two-foot minimum radius or a four-foot rectangular tree well, where applicable.
- B. Maintenance requirements. The owner of property abutting a sidewalk in existence on the date of enactment of this section shall not remove a sidewalk without replacing such sidewalk in accordance with the provisions of this chapter and shall have the duty to thereafter continually maintain and keep the sidewalk in good repair. The use of such sidewalk for any purpose other than a sidewalk shall be prohibited.

Minutes
Borough Council Meeting
March 20, 2012

In attendance:

Holly Brown
Chuck Christy
Tom Paxson
John Manion
Jordan Norley
Stephen Shinn
Mayor Carolyn Comitta

Ms. Brown called the meeting to order at 7 PM and Mr. Shinn led those in attendance in the Pledge of Allegiance.

Ms. Brown and Mayor Comitta presented Cpl. Tom Gotthold with a plaque and gift in honor of his retirement from the Police Department after 22 years five months of service, thanking him for his hard work doing a difficult job for so many years.

Mayor Comitta noted Cpl. Gotthold was a DARE instructor at Hillsdale elementary and did a good job with the young people at the school.

Police Chief Scott Bohn congratulated Tom Gotthold on behalf of the Police Department noting he appreciated the sacrifices made by himself and his family for so many years and noted the department will certainly miss his presence.

Tom Gotthold thanked Mayor, Council and all fellow Borough employees.

Ms. Brown noted the next item is to recognize the 3-31-12 retirement of Fred Waldbuesser after 38 years of service to the West Chester Wastewater Department. Ms. Brown thanked him for his long service and presented him with a plaque and gift for his retirement.

Kevin Oakes, Director of Environmental Compliance stated Fred has done all of the dirty jobs in the Wastewater Department over his many years of service and has always done them with dedication and with a positive attitude. Fred is the type of employee who has always been willing to help another employee and has managed to overcome any personal challenges in his life. The Wastewater Department will certainly miss Fred and wishes him the very best on this occasion of his retirement.

Fred Waldbuesser thanked all for the opportunity and recognition.

Mayor Comitta presented a Citation of Congratulation on the 100th anniversary of the Girl Scouts and recognized a number of Girl Scouts in attendance at the meeting.

Mayor Comitta issued an Earth Hour proclamation urging all residents in West Chester to turn their lights off on March 31 between 8:30 and 9:30 PM.

Thomas Comitta, Borough Planning Consultant presented his credentials and outlined the history of his planning service to the Borough. He clarified his role as Borough planning consultant, serving pro bono since 2006, as directed by the PA State Ethics Commission, while his wife serves as an elected official in the Borough. Mr. Comitta reminded Council that he is pleased to assist the Planning Commission and Borough Council as requested.

Ms. Brown thanked Mr. Comitta for the presentation and noted Council welcomes his participation.

Mr. Norley thanked the retirees for their service and also recognized the Girl Scouts for their anniversary.

Mr. Paxson noted a Heroes Fund Motorcycle Rally scheduled for June 3rd which will start at Benny's Pizza.

Ms. Brown then opened the public hearing to consider adoption of proposed Ordinance # 2-2012 amending the sidewalk construction code to require brick sidewalk construction when replacing brick sidewalks in the Historic District.

Mr. Norley stated he was disappointed and felt the ordinance should go beyond the Historic District and protect brick sidewalks all over town.

Ms. Brown stated it is important to get this much done and Council can always revisit the requirement in other areas.

Mr. Christy stated brick sidewalks are tough enough to walk on for the handicapped and elderly and brick is not the historic material everywhere in the Borough.

Mr. Manion moved to adopt proposed Ordinance #2 - 2012, motion was seconded by Mr. Shinn and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Ms. Brown opened the public hearing to consider adoption of proposed Ordinance # 3-2012 amending Chapter 77, Residential Permit Parking to allow permit "Area I" holders to park

at street meters on Church Street between Washington Street and Chestnut Street without payment in the meters.

Mr. Christy explained that this is needed due to the impact from the Eagles Club moving on to the block.

Ms. Brown stated there are few residents who actually live on this block.

Mr. Shinn stated there is public parking available in the parking lot on this block.

Mr. Manion moved to adopt proposed Ordinance #3 - 2012, motion was seconded by Mr. Christy and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Ms. Brown opened the public hearing to consider adoption of proposed Ordinance # 4-2012 amending Chapter 62, Garbage Rubbish & Refuse to provide for single stream recycling.

Mr. Christy explained this is simply making the code conform to what we are doing in the recycling service now which is single stream recycling.

Mr. Christy moved to adopt proposed Ordinance # 4-2012 amending Chapter 62 Garbage Rubbish & Refuse to provide for single stream recycling, motion was seconded by Mr. Paxson and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Ms. Brown opened the public hearing to consider adoption of proposed Ordinance # 5-2012 amending Chapter 104, Vehicles & Traffic to designate a Motor Coach Parking Only zone on Chestnut Street the north side 45 feet east of High Street effective September 1, 2012.

Malcolm Johnstone, BID Director noted no parking spaces are lost for this designation and the bus parking zone will be important for the hotel.

Mr. Christy stated it will be located 45 feet east of the intersection but wondered if there was any better location.

Malcolm Johnstone stated this is the best location for the zone as the buses will drop off and pick up passengers in front of the hotel on High Street.

Herb Schwabe, 133 W. Barnard St., asked about the size of the zone?

Borough Manager, Ernie McNeely, replied the zone will fit one motor coach size bus.
Mr. Manion moved to adopt proposed Ordinance # 5-2012 amending Chapter 104 Vehicles

& Traffic to designate a Motor Coach Parking Only zone on Chestnut Street the north side 45 feet east of High Street effective September 1, 2012, motion was seconded by Mr. Paxson.

Mr. Christy stated he thought a better location would be outside of town.

Motion considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- no; Ms. Brown- yes, motion approved 5-1.

Ms. Brown opened the public hearing to consider the Public Works Committee recommendation to adopt proposed Resolution #4-2012 authorizing submission of a grant application to the Chester County Community Revitalization Program for the East Miner Street Storm Sewer Rehabilitation Project - \$284,006.

Mr. Christy explained this is a bad storm sewer that needs relined and this will be a 75% grant from Chester County.

Ms. Brown stated this is a good opportunity for the Borough and asked if there were any public comments regarding use of the funds for this project or any others?

Mr. Christy moved to adopt Resolution #4-2012 authorizing submission of a grant application to the Chester County Community Revitalization Program for the East Miner Street Storm Sewer Rehabilitation Project \$284,006, motion was seconded by Mr. Norley and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Mr. Norley moved to accept the Planning Zoning Business & Industrial Development Committee and HARB recommendation to deny a Certificate of Appropriateness for 30 W. Barnard St., Dan Putt - windows -inappropriate material, motion was seconded by Mr. Shinn.

Mr. Christy explained this is a senior housing facility but it is located in the Historic District and while it needs windows the owners have asked to use inappropriate vinyl windows at the facility which is not appropriate according to the Secretary of Interior or Borough historic standards.

Ms. Brown stated it would be appropriate to replace the wood windows with wood and it is surprising that they could even ask to use federal dollars on the facility with inappropriate historic material.

Upon consideration of the motion by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr.

Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Borough Manager, Ernie McNeely, reviewed the bids opened March 20, 2012 for multiple materials as follows:

<u>Tuesday - March 20, 2012</u>		
	<u>Bidder</u>	
<u>Bluminous Material</u>	Highway Materials, Inc	\$44,575.00*
	Independence Materials*	\$49,682.80
<u>Crushed Stone</u>	Martin Limestone Inc.	\$12,010.00
	Independence	\$11,745.00*
<u>Liquid Chlorine</u>	Univar Inc.	\$669/per ton*
	Kuehne Chemical Company	\$3000.00/per ton
	JCI Jones chemical	\$700.00/per ton
<u>Aluminum Sulfate</u>	General Chemical Corporation	\$422.00/per ton
	USALCO LLC	\$317.90/per ton*
<u>Sulfur Dioxide</u>	Univar	\$1098/ton*
	JCI Jones Chemical	\$1249/ton
<u>Street Signs</u>	Garden State Products	\$17,496.48*
	US Municipal Supply	\$21,093.80
* = recommended bid		

Mr. Paxson moved to award the bids to the low bidders, motion was seconded by Mr. Christy and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Ms. Brown explained the next item is to consider the revised Special Event Permit application submitted by the Chester County Hospital Foundation for an April 14, 2012 race.

Mr. Norley stated he is uncomfortable approving a revised race without a West Chester Police Department recommendation.

Mr. Manion stated this revision is closing many streets and is not a good route for the race.

Mr. Norley moved to deny the permit request for the revised route, motion was seconded by Mr. Manion and considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- yes; Ms. Brown- yes, motion approved 6-0.

Ms. Brown stated Council will separately discuss q.1. from the Consent Agenda which is the recommendation of the Public Safety Committee to deny the Andrew Hicks Foundation Relay - 4/21/12 as an inappropriate course.

Andrew Hicks stated they wanted to do this different route for the race and that they are going to be able to provide adequate marshals in order to manage the event.

Mr. Manion replied the race is impacting too many arterial roads and suggested the organizers use the typical Southwest race route.

Andrew Hicks assured Council that they can get enough marshals to manage the alternate route and that they will pair students with adults to perform the marshaling.

Mr. Manion stated it could perhaps be managed but he was still concerned with the impact on streets and residents.

Mr. Christy stated Southwest neighborhoods are impacted sometimes three and four times a week.

Andrew Hicks stated they would like to do the course this year and could re-plan and do the typical course next year.

Mr. Paxson stated this is a good cause and while he understands the impacts he suggested Council let it go forward this year and have them revise the route if they come back next year.

Mr. Manion moved to approve the route as requested with the condition that the organizers revise the route if they reapply next year, motion was seconded by Mr. Paxson who noted it is still subject to West Chester Police Department conditions.

Motion considered by roll call vote: Mr. Shinn - yes; Mr. Norley-yes; Mr. Manion- yes; Mr. Paxson-yes; Mr. Christy- no; Ms. Brown- yes, motion approved 5-1.

Mr. Shinn moved to approve the Consent Agenda items a. through x. as follows:

a.	Accept the Planning Zoning Business & Industrial Development Committee recommendation to propose an ordinance designating commercial parking lots as a permitted use in the Commercial Service zoning district and to allow religious uses to lease up to 80% of their required parking for daytime use by others.
b.	Accept the Planning Zoning Business & Industrial Development Committee recommendation to charge applicants for zoning changes, land development and conditional use for Solicitor and other professional review costs.
c.	Accept the Planning Zoning Business & Industrial Development Committee and HARB recommendations regarding Certificates of Appropriateness as follows: <ol style="list-style-type: none"> 1. 5 N. Matlack St., Ronald Gilliam - windows - deny inappropriate material. 2. 23-25 N. High St., Joseph/Sandra Riper - façade, doors, ramp, windows - approve with conditions. 3. 22,24,26 W. Market St., Charles Jeffris - windows - deny inappropriate material. 4. 15 N. Church St., David Yori - sign, exhaust fan hoods - approve as modified and presented. 5. 15 W. Gay St., Wendy Hoffman - door - approve as presented. 6. 234-236 W. Market St., Greg Radford - 2nd & 3rd story additions - approve as presented. 7. 12 W. Market St., James Robertson - sign - approve as modified and presented.
d.	Accept the Parking Committee recommendation to approve the request by The Social Lounge 29-31 E. Gay Street for permission to place an outdoor dining platform in the Gay Street right-of-way utilizing two parking spaces contingent on the platform being steel frame construction, planter box dividers from the street, brick paving surface, payment of established per space fee and execution of appropriate indemnification agreement.
e.	Accept the Parking Committee recommendation to approve the request by Nonna's Restaurant to again install their dining platform in the Gay Street right of way for the 2012 season subject to the same conditions as the prior year and payment of established per space fee.
f.	Approve the request by Doc Magrogan's Oyster House to again install their dining platform in the Gay Street right of way for the 2012 season subject to the same conditions as the prior year and payment of established per space fee.
g.	Approve the request by Limoncello Restaurant to again install their dining platform in the Gay Street right of way for the 2012 season subject to the same conditions as the prior year and payment of established per space fee.
h.	Accept the Parking Committee recommendation to approve the request for a handicap parking space at 338 East Miner Street by 90 day order.
i.	Accept the Parking Committee recommendation to approve the request by the West Chester BID & Downtown Foundation for permission to again use the Chestnut Street Parking Garage for the Annual Up On The Roof Fundraising event June 2, 2012 subject to conditions as required prior years.
j.	Accept the Parking Committee recommendation to approve renewal of the Parking Garage Management Agreement with Standard Parking for 2012-2013.
k.	Accept the Parking Committee recommendation to eliminate three of the reserved County parking spaces

	on Market Street closest to High Street and convert those spaces to metered parking by 90 day order.
l.	Accept the Parks Recreation, & Environmental Protection Committee recommendation to approve the BLUER recommendation for appointment of Jonathon Keith (term to 2013) and Sue Herbert (term to Jan 2013) to the BLUER committee.
m.	Consider the bids opened March 6, 2012 for Cold Recycled Base and accept the Public Works Director recommendation to award to the low bidder Recon Construction Services \$69,254.50 and approve Changeorder #1 reducing the contract price to \$66,754.50.
n.	Consider the bids opened March 12, 2012 for the Chestnut Street Garage Lightning Protection System Repair and accept the Public Works Director recommendation to award to the low bidder B&B Lightning Protection -\$13,300.
o.	Consider the bids opened March 13, 2012 for the S. Church Street Sewer Relining Project and accept the Public Works Director recommendation to award to the low bidder Insituform Technologies LLC - \$42,813.
p.	Accept the Public Works and Finance Committee recommendation to approve authorization to fill the upcoming vacancy in the position of Wastewater Director.
q.	Accept the Public Safety Committee recommendations regarding the following Parade - Special Event permit applications: <ol style="list-style-type: none"> 1. Andrew Hicks Foundation Relay - 4/21/12 - deny inappropriate course 2. Legal Aid of SE Pa. 5K Race - 6/23/12 - approve subject to Police Department conditions 3. WC Recreation Restaurant Festival Revision - 9/16/12 - approve subject to Police Department conditions 4. Out of the Darkness Walk - 4/21/12 - approve on sidewalks only and payment of any required police overtime. 5. YMCA Healthy Kids Day - 4/28/12 - approve subject to Police Department conditions 6. WC Area Day Care 5K Race 6/2/12 - approve subject to Police Department conditions 7. Crime Victims Center 5K Race 4/28/12 - approve subject to Police Department conditions
r.	Accept the Finance Committee recommendation to approve proposed Budget Modification #1 for the 2012 Budget as prepared by the Finance Director.
s.	Approve of the retirement of Fred Walbuesser from the Wastewater Department effective March 31, 2012 including extension of medical benefits through July 30, 2012.
t.	Approve adoption of proposed Resolution #15-2012 recognizing the West Chester Downtown Foundation as a charitable organization eligible to acquire an LCB Special Event Permit for the Up On The roof event.
u.	Approval of the minutes of the Borough Council Meeting of February 15, 2012 and the Special Meeting of March 6 th , 2012.
v.	Accept the West Chester Area COG recommendation to authorize execution of an Equipment Sharing Agreement to formalize the understanding between COG members for shared equipment procedures.
w.	Approve establishing April 30, 2012 at 6:30 pm as the date for a public hearing on the conditional use application filed by 234-236 W. Market Street LLC for permission to provide required parking for one residential unit on a lot other than the principal lot in the TC Zoning district.

x.	Approve establishing April 30, 2012 at 6:30 pm as the date for a public hearing on the conditional use application filed by Gay Street Development Co. LLC for permission to provide required parking for three residential units on a lot other than the principal lot in the TC Zoning district.
----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Motion was seconded by Mr. Norley and considered by roll call vote: Mr. Shinn -- yes; Mr. Norley--yes; Mr. Manion-- yes; Mr. Paxson--yes; Mr. Christy-- yes; Ms. Brown- yes, motion approved 6-0.

Matt Halliday, Library Board, invited all to attend the Library Literacy Heroes breakfast on April 13.

Meeting adjourned at 8:45 PM

Chapter 97. Subdivision and Land Development

Article IV. Design Standards

§ 97-33. Sidewalks.

- A. Sidewalks shall be required on both sides of all public or private streets and shall be installed and/or upgraded by the applicant along the street frontage of his property where sidewalks do not exist or are not in compliance with Borough standards.
[Amended 7-19-1995 by Ord. No. 12-1995]
- B. Sidewalk construction and maintenance shall be in accordance with the applicable provisions of Chapter 95, Streets and Sidewalks, Article II, Sidewalk and Curb Construction Specifications, of the Code of the Borough of West Chester. At driveway crossings, the minimum four-inch thickness of the sidewalk shall be increased to a minimum of six (6) inches with reinforcement.
- C. Sidewalks shall have minimum width of four (4) feet.
- D. Brick sidewalks shall be constructed to replace any brick sidewalk that has been removed or disturbed.
[Added 7-19-1995 by Ord. No. 12-1995]

**BOROUGH OF WEST CHESTER
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. _____

**A RESOLUTION CONDITIONALLY APPROVING AN ECONOMIC DEVELOPMENT
LIQUOR LICENSE APPLICATION
PURSUANT TO ACT 141 OF 2000, 47 P.S. SECTION 4-461
AND CHAPTER 69 OF THE WEST CHESTER BOROUGH CODE FOR ANGNICK, INC.
D/B/A CARLINO'S SPECIALTY MARKET WEST CHESTER
LOCATED AT 128 WEST MARKET STREET**

WHEREAS, by correspondence dated October 7, 2015, AngNick, Inc., doing business as Carlino's Specialty Market West Chester ("Applicant") submitted a request to the Borough of West Chester for approval of an economic development liquor license for Applicant's specialty food market located at 128 West Market Street ("Property") pursuant to 47 P.S. Section 4-461(b.1) of the Pennsylvania Liquor Code ("Liquor Code") and Chapter 69 of the Code of the Borough of West Chester; and

WHEREAS, the Liquor Code allows the Pennsylvania Liquor Control Board ("PLCB") to issue a restaurant and eating place retail dispenser license, known as an ED-R license, without regard to the quota restrictions in the Liquor Code for the purpose of economic development in the municipality provided that the applicant has exhausted reasonable means of obtaining a suitable license within the county and the governing body of the municipality has approved the issuance of the liquor license for the purpose of local economic development; and

WHEREAS, Applicant has requested that Borough Council approve the issuance of an ED-R license for a proposed wine and beer bar and take-out beer area which would be located in a portion of the food market located at 134 East Gay Street in the Borough (the "Property"); and

WHEREAS, Borough Council conducted a public hearing on November 18, 2015 and December 16, 2015 (the "Hearing") after public notice in the *Daily Local News*, for the purpose of providing an opportunity for the Applicant to present information relevant to the request and to receive comments and recommendations of Borough residents and other interested individuals concerning Applicant's intent to acquire the ED-R liquor license; and

WHEREAS, there were no comments or recommendations made by any resident or individual at the hearing; and

WHEREAS, Council has considered Applicant's request and finds that the issuance of the ED-R liquor license, subject to compliance with the conditions set forth hereinafter, will promote economic development within the Borough by allowing Carlino's Specialty Market to continue to exist in the Borough, which will provide employment and attract customers and patrons to other businesses in the Borough; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that Borough Council hereby approves the issuance of an ED-R liquor license to Applicant subject to compliance with the following conditions:

1. The area of the building on the Property licensed by the PLCB shall not exceed 1000 square feet of the first floor of the building as depicted on the floor plan ("Floor Plan") marked as part of Exhibit A-3 at the Hearing (the "Premises"). Additional area in the basement of the building may be licensed for storage of wine, beer and malt beverages.

2. The Applicant shall renovate and operate the Premises in accordance with the testimony and evidence, including the Floor Plan, presented at the Hearing and in accordance with the requirements of the Liquor Code and PLCB regulations and policies.

3. Without limiting the scope of Conditions 1 and 2 herein above, the ED-R license, if issued by the PLCB, shall not be transferable with regard to ownership or location. Additionally, the Applicant's sales of food and nonalcoholic beverages for on- Premises consumption shall, for each calendar quarter, be equal to or greater than 70% of the combined gross sales of food and alcoholic beverages for on- Premises consumption for the same calendar quarter. If requested, Applicant shall provide its books and records to the Borough for purposes of verifying compliance with the foregoing sales percentage requirement.

4. Applicant's sale of alcoholic beverages shall be limited to wine and malt/brewed beverages. No spirits or beverage with alcohol content by volume in excess of sixteen percent (16%) (e.g., fortified wine, brandy, grappa) shall be sold or consumed on the Premises.

5. Applicant shall only be permitted to serve wine and malt or brewed beverages when food is being served and all sales of alcohol shall stop at 10:00 PM. The Premises shall close no later than 11:00 PM.

6. Except for sales of six-packs of malt or brewed beverages for take-out as provided in Condition 7 herein below, all alcoholic beverages shall be consumed on the Premises.

7. Six-packs of malt or brewed beverages may be sold on the Premises for off-Premises consumption. Six-packs may not be purchased and then consumed on the Premises. Inventory and sales of malt or brewed beverages shall be limited to those produced by artisan, craft and micro breweries, imports and the like.

8. The refrigerated display area for malt or brewed beverages shall be limited to the area depicted on the Floor Plan (12 feet in length near the front entrance of the store) and shall be separated from food sales areas. The non-refrigerated display area for malt or brewed beverages shall be limited to the three “shelf” areas surrounding the “Service Area” depicted on the Floor Plan and shall be separated from food sales areas. All purchasers of malt or brewed beverages for on-Premises consumption and take-out (off-Premises consumption) shall be required to provide identification which shall be verified by the Applicant using scanning technology to prevent underage purchases and consumption.

9. Applicant shall not offer or conduct live music or entertainment with amplified sound on the Property; provided however, Applicant may offer and conduct live entertainment from musicians, such as a piano player, whose music is amplified through microphones connected to a low wattage amplifier.

10. All individuals who sell or serve alcoholic beverages on the Premises shall successfully complete the PLCB Responsible Alcohol Management Program ("RAMP"). All alcoholic beverages to be consumed on the Premises shall be poured and served by individuals who have completed RAMP; self-service for on-Premises consumption is prohibited.

11. Applicant shall enter into a conditional licensing agreement (“CLA”) with the PLCB incorporating the conditions of this approval. If the PLCB and the Applicant do not sign a CLA, this approval by Borough Council shall be automatically rescinded without further action of Borough Council and the Application for the ED-R license is denied, the Board finding that in the absence of compliance with the conditions herein, the issuance of an ED-R license at the Premises would adversely affect the welfare, health, peace and morals of the Borough of West Chester and its residents.

12. The conditions of this Resolution shall remain in effect as long as the ED-R license, if issued, is used at the Premises and shall remain in full force and effect notwithstanding any change in or amendment to the Liquor Code or the regulations and policies of the PLCB applicable to ED-R licenses.

13. Applicant shall indicate its acceptance of the conditions of this approval Resolution by signing herein below and returning the executed copy to the Borough Manager’s office within 10 days of the date of adoption set forth herein below. By signing below, Applicant agrees that the Borough has legal authority to impose the conditions herein and that, if the ED-R license is issued by the PLCB, the conditions of this Resolution are a binding agreement between the Borough and Applicant which is enforceable by the Borough and Applicant independent of the CLA.

14. In the event the conditions are not unconditionally accepted, the request for an ED-R license is denied, the Board finding that in the absence of compliance with the conditions herein, the issuance of an ED-R license at the Premises would adversely affect the welfare, health, peace and morals of the Borough of West Chester and its residents.

RESOLVED, APPROVED and ADOPTED this ____ day of January 2016.

ATTEST:

Secretary

**COUNCIL OF THE
BOROUGH OF WEST CHESTER**

By: _____
President

ACCEPTED AND AGREED:

ATTEST:

Corporate Secretary

Print Name

ANGNICK, INC.

By: _____
Corporate President

Print Name

October 7, 2015

Michael A. Cotter, Borough Manager
West Chester Borough
401 East Gay Street
West Chester, PA 19380

Re: *Application for New Economic Development Liquor License*

Dear Mr. Cotter:

This is a follow up to our conversations over the last few months in which I advised you that I represent AngNick, Inc. dba Carlino's Specialty Market West Chester, ("Carlino's" or the "Applicant"). Please let this letter serve as Carlino's formal application for a new Economic Development Restaurant Liquor License in West Chester Borough and pursuant to section 4-468 of the Liquor Code (47 P.S. §4-468[a][1]) as well as Section 67 of the West Chester Borough Ordinances and in accordance with the local ordinances present the following information:

- A. Applicant: AngNick, Inc. 128 West Market Street, West Chester, PA 19382, (610) 696-3788.
- B. Attorney for Applicant: J. Kenneth Butera, Esquire, Butera Beausang Cohen and Brennan, 630 Freedom Business Center Suite 108, King of Prussia, PA 19406; 610-265-0800; facsimile 610-265-7205; email: jkbuttera@buteralaw.com and website www.buteralaw.com
- C. Business address of the proposed liquor license: 128 West Market Street, West Chester, PA 19382.
- D. Type of Establishment: Carlino's is an operating specialty Italian grocery store that also offers prepared foods for take-out or sit down in its store. Carlino's is seeking an Economic Development Restaurant license for a proposed revamped sit down dining area of at least 30 seats for a wine bar and food serving area in addition to the grocery store already in operation as well as the ability to sell six packs of beer for off premises consumption.
- E. Transferor: This would be a new license issued by the Liquor Control Board.
- F. License Number: N/A.

G. Additional information:

- (1) Amusement permit: Carlino's will be seeking an amusement permit from the LCB for light entertainment such as a guitar player.
- (2) Extended hours: Carlino's will not be requesting permit for extended hours.
- (3) Sunday Sales: Carlino's is presently opened on Sundays and will seek a Sunday Sales Permit from the LCB.
- (4) Days of operation: Carlino's is presently open every day of the week and expects to remain open every day of the week after approval of a new Economic Development Restaurant Liquor License.
- (5) Hours of operation: Carlino's will be open from 9 AM until 11 PM, however, will likely have shorter hours on Sunday.
- (6) Carlino's is currently working with an architect to configure the seating and counter area to conform with the requirements of the Liquor Control Board. It expects a counter for about 10 patrons with an additional 20 seats at tables. Applicant expects to have a rendition available for the required hearing before the Borough Counsel. A rough rendering can be found at the end of the document attached titled "A Brief History and Concept of a Unique Food Experience." See Exhibit "A".
- (7) Characteristic of neighborhood within (500')
 - (a) Residential: the area to the south of the proposed location is zoned NC-2 and is mostly residential.
 - (b) Commercial: The areas to the west, north and east are all zoned TC and are of a mixed use including residential and commercial uses.
 - (c) Rural: there are no areas within 500' of the premises that are considered rural.
- (8) Restrictive institutions within 200': None.
- (9) Other licensed premises within 200': Yes. See; Exhibit "B".
- (10) Protestors: Applicant is not aware of any protestors.

- (11) Supports: Yes.
- (12) Type of Menu:
 - (a) Applicant will offer food for Lunch and Dinner;
 - (b) Items presently range from \$7.00 to \$20.00.
- H. Individuals with financial and ownership interest: The applicant has two shareholders, Pat Carlino and his wife Laura Carlino, 128 West Market Street, West Chester, PA 19382, 610- 696-3788.
- I. Applicant is proposing to add a sit down dining area of at least 30 seats for a wine and food serving area in addition to the grocery store already in operation. The proposed hours of operation will be 9AM to 11PM with somewhat reduced hours on Sundays. In addition to serving food prepared on its premises, the applicant plans on serving wine and beer to its sit down customers and to offer beer and malt beverages for take-out in its grocery store.
- J. Property owner: Lapa, II, LP a Pennsylvania Limited Partnership whose only members are Pat Carlino and his wife Laura Carlino.
- K. Name, address and phone numbers of all property owners within 500' of the applicants are provided. See: Exhibit "C":
- L. Name address and telephone numbers of all schools, churches and licensed establishments within 500'. See; Exhibit "D" for list of licensed establishments within 500', there are no schools, or churches within 500'.
- M. Copy of the Application: A copy of the Draft application has been attached and marked as Exhibit "E". An application can only be made after the receiving municipality has approved the request for an inter-municipal transfer.
- N. Other business which applicant has ownership interest in liquor licenses: Applicant, property owners and Pat and Laura Carlino have no interest in any liquor license.

I have also included a draft advertisement and draft resolution for your convenience. In addition I have enclosed seven extra copies of Exhibit "A" for the Counsel's pleasure.

Page 4
October 7, 2015

Thank you for your attention to this matter. Naturally, I am available for any questions you may have. I look forward to hearing from you regarding the reimbursement costs at the time for a hearing.

Sincerely,



J. Kenneth Butera
jkbuttera@buteralaw.com

JKB:mbg

CC: Tom Oeste (126 W. Miner Street, West Chester)
Pat Carlino

AFFIDAVIT OF PUBLICATION
307 Derstine Avenue • Lansdale, PA 19446

WEST CHESTER BOROUGH
401 E GAY STREET
WEST CHESTER, PA 19380
Attention:

STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY

The undersigned *Mina Cherry*, being duly sworn she/he is the principal clerk of Daily Local News, Daily Local News Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

NOTICE OF PUBLIC HEARING
BOROUGH OF WEST CHESTER
CHESTER COUNTY, PA

REQUEST FOR APPROVAL OF
AN ECONOMIC
DEVELOPMENT RESTAURANT
LIQUOR LICENSE
FOR USE IN THE BOROUGH OF
WEST CHESTER

NOTICE IS HEREBY GIVEN that the Council of the Borough of West Chester, Chester County, PA, will conduct a public hearing on Wednesday November 18, 2015 at 5:30 PM in the Council public meeting room, Borough Hall, 401 East Gay Street, West Chester, PA to consider the request of AngNick, Inc. for approval of an economic development restaurant liquor license to be used at Carlino's specialty food market located at 128 West Market Street, West Chester Borough. The Applicant proposes to sell wine and beer for on-premises consumption and sell beer for take-out. All interested individuals and businesses are invited to attend and present comments, recommendations and testimony at the hearing. Michael A. Cotter, Borough Manager
DLN - 11/4- 1a

WEST CHESTER BOROUGH

Published in the following edition(s):

Daily Local News 11/04/15
Daily Local News Digital 11/04/15

Sworn to the subscribed before me this 17th of November, 2015

Maureen Schmid

Notary Public, State of Pennsylvania
Acting in County of Montgomery

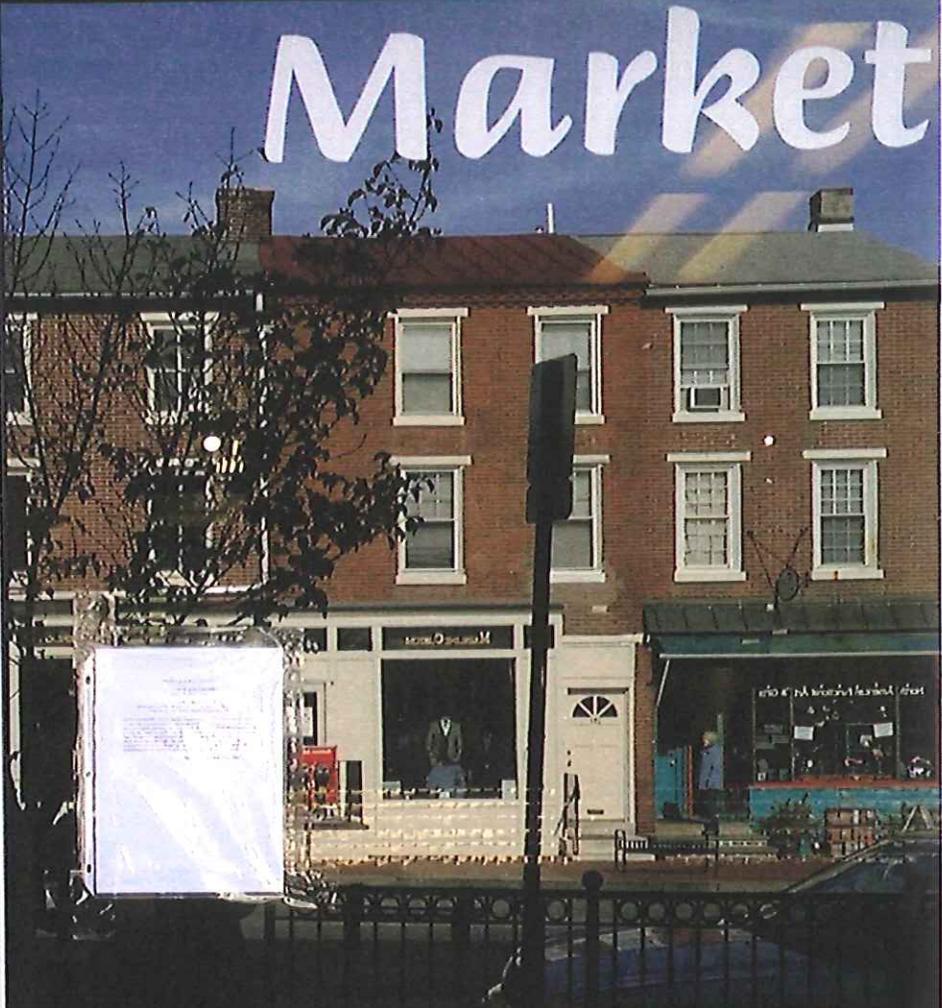
COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
MAUREEN SCHMID, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires March 31, 2017

Advertisement Information

Client Id: 884439 Ad Id: 801779 PO: Sales Person: 093304

Gourmet Market



Carlino's - 11-9-2015 (1)



NOTICE OF PUBLIC HEARING

BOROUGH OF WEST CHESTER
CHESTER COUNTY, PA

REQUEST FOR APPROVAL OF AN
ECONOMIC DEVELOPMENT RESTAURANT LIQUOR LICENSE
FOR USE IN THE BOROUGH OF WEST CHESTER

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Michael A. Cotter, Borough Manager

Carlino's 11-9-2015 (2)

EXHIBIT A

EST. 1983

CARLINO'S

MAKERS & PURVEYORS OF ARTISAN FOOD

A Brief History and Concept of a Unique Food Experience

For over six generations the Carlino Family has cultivated the finest fruits and vegetables and raised the healthiest game and livestock on its family farm in the sunny



Abruzzo, Italy

hills of Abruzzo, Italy. Many olde world recipes developed in that kitchen are still found at Carlino's Market today. Cured meats like prosciutto and sopresatta, sausages, sun-dried tomatoes, crusty breads, oil-cured olives, dried figs and olive oils,

handmade pasta, sauces and sweets have outlasted the test of time and remain virtually unchanged.

Grandfather Pasquale came to America in the early 1900's and was later followed by his family, including his daughter-in-law, Angela, who was known and loved as the famous "Mama Carlino". The Carlino family opened their first family store in Ardmore, PA, in 1983 offering homemade pastas, sauces and the freshest pastries and cookies.



First Carlino's Market

The business flourished and grew over the years to become one of the best-known specialty food stores in the Philadelphia region. In 2007, the Carlino family purchased its building on West Market Street in West Chester. Since the West Chester Carlino's Market opened, on what was once a virtually deserted block of the borough, the area has since blossomed into a vibrant section of West Chester's downtown. Today, Carlino's Specialty Foods is in its third generation of family ownership and is nationally recognized as a superior purveyor of: artisan cheeses; homemade desserts; signature pasta and sauces; handmade fresh bread; prepared gourmet take away foods; an authentic Italian deli; house made sausages; handmade-roasted



Carlino's Specialty Market West Chester PA

meats; a collection of over 40 hand-selected olive oils and balsamic vinegars on tap from around the globe; gelati; and an impressive selection of Italian groceries, many of which are imported exclusively by Carlino's Markets.

The Carlino's commitment to, olde world techniques, treasured family recipes, the finest ingredients and an enduring hospitality, remains the same today as it did when they opened their first market. They value the art of cooking, as well as, the tradition and joy food brings to families.



The Carlino Family

A New Grocery Market Concept

Eataly is the largest Italian marketplace in the world, comprised of a variety of restaurants; food and beverage counters; bakeries; retail items; and a cooking school. It has been described as a "megastore" that "combines elements of a bustling European open market, a Whole-Foods-style supermarket." It offers a high-end food court and a New Age learning center. Eataly recommends food pairings at various counters



Eataly New York City

whereby chefs present patrons the opportunity to experience modern and traditional Italian specialties paired with various beer, wines and spirits, then encourages their customers to buy the ingredients and prepare the dishes at home. The can also purchase the items already prepared as well as the drink with which it has been paired. Carlino's is seeking to create the similar type of atmosphere in West Chester (albeit on a much smaller scale). The Carlino's model would continue to be an Italian specialty grocery market first and foremost. Like Eataly, Carlino's currently offers food prepared by its chefs for take-out or to be eaten on the premises. Carlino's would like to pair their foods with select wines and beers to create an epicurean experience that will make it the premier Italian specialty store in the region.

The Grocery Store Trend in Pennsylvania

Since 2009, grocery stores in Pennsylvania have begun selling beer for take-out. In the West Chester area stores such as Wegmans, Giant and Acme have begun to sell beer or are in the process of obtaining licenses to sell beer. The convenience store chain Wawa has made an application for liquor license in its Chadds Ford location and it is expected that others will follow suit.



Wegmans Beer Section

Finally, larger box stores such as Target and Walmart have announced plans to begin selling beer using the "Wegmans" model. Although Carlino's Market is a specialty

market, it competes with all of these outlets for business. The current trend in Pennsylvania is for grocery stores to sell beer for take-out. For Carlino's to compete effectively at its West Chester market it needs to increase foot traffic within the store. Offering beer for take-out is a method Pennsylvania grocery stores have been using to increase their overall sales. While beer sales account for increase in the bottom line, the real goal of being able to offer take-out beer is to increase foot traffic within the store and thus stimulate sales of other items. Carlino's will treat the sale of alcohol the same as it has with the sale of food, which is to sell high quality products consistent with its reputation. Naturally superior products cost a premium which serves as a natural deterrent to any potential under age buyer. Like Wegmans, Carlino's Market will demand identification from every individual seeking to purchase alcohol and verify that identification using the latest scanning technology regardless of that customer's apparent age.

Culinary Opportunities



Deserts Prepared at Carlino's

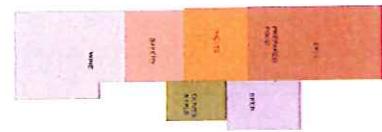
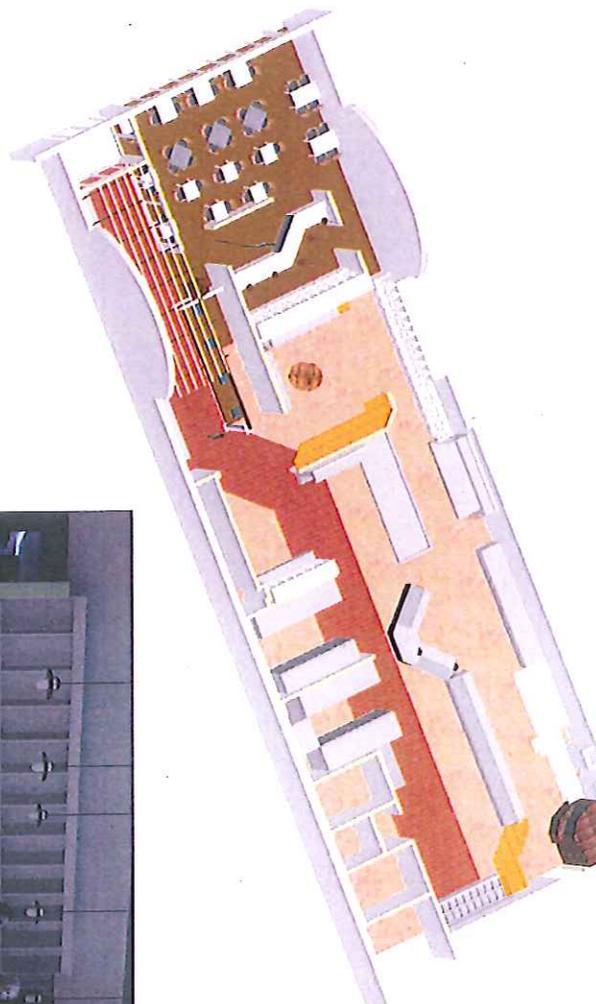
Finally, Carlino's bakery prepares gourmet Italian style pastries and confections. Many traditional Italian recipes call for various liquors to be served inside cavities within these special deserts. The Pennsylvania liquor code prohibits the sale of such pastries without a liquor license. A liquor license may permit Carlino's to offer these distinctive indulgences, making Carlino's Market unique in this area.

The Carlinos share a love and passion for gourmet Italian food and drink. Their belief is that quality cuisine brings everyone together and helps the community find a common point of view. The Carlinos are committed to the philosophy that one of the greatest sources of joy is what happens around the dinner table. They have dedicated their lives to promoting a real understanding of first-class gastronomy. Since the Carlino family opened their West Chester store, it has become synonymous with the cultural and economic revitalization occurring in the borough. The Carlino's have incorporated the values brought over from Italy over a century ago with the aim to add value and improve the lives of the community.



Carlino's Market West Chester





- PREPARED FOOD
- BEER
- CHEESE
- OLIVES & OILS
- BAKERY
- WINE



greg radford
 16 lead ap, north
 211 west chestnut street
 westchester, pa 19380



CARLINO'S WINE BAR
 INTERIOR RENOVATION

12.06.14
 SK1

EXHIBIT B.

Licensed Premises Within 200 feet of Application

Pietro's Prime Steakhouse 125 West Market Street, West Chester, PA 19382 484-760-6100

Landmark Americana 158 W. Gay Street, West Chester, PA 19382 610-701-9900

Kildares Irish Pub 18 W. Gay Street, West Chester, PA 19382 610-431-0770

Ryan's Pub W. Gay Street, West Chester, PA 19382 610-344-3934

Jitters Sports Bar 146 W. Gay Street, West Chester, PA 19382 610-696-0427

Mercato Ristorante & Bar 33 W. Market Street, West Chester, PA 19382 610-701-6326

EXHIBIT C



Ordinance # 1-20-16

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA – ESTABLISHING THE TAX RATE FOR THE YEAR 2016

BE IT ENACTED AND ORDAINED, and it is hereby enacted by the authority of Council of the Borough of West Chester as follows:

SECTION I: That a tax be and the same is hereby levied on all real property within the Borough of West Chester subject to taxation for the fiscal year 2016 as follows:

- A. Tax rate for General purposes,
the sum of 6.52 mills
on each dollar of assessed
valuation, or the sum of 65.2 cents
on each one hundred dollars of
assessed valuation.

- B. For Debt purposes,
the sum of29 mills
on each dollar of assessed
valuation, or the sum of 2.9 cents
on each one hundred dollars of
assessed valuation.

- C. For Library purposes,
the sum of15 mills
on each dollar of assessed
valuation, or the sum of 1.5 cents
on each one hundred dollars of
assessed valuation.

TOTAL:6.96 MILLS; 69.6 CENTS

SECTION II: That any ordinance, or part of ordinance, conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

SECTION III: Effective Date. This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED this 4th day of January 2016

ATTEST;

COUNCIL FOR THE BOROUGH OF WEST CHESTER

Michael A. Cotter, Secretary

Council President

Approved this 4th day of January 2016

Carolyn T. Comitta, Mayor



Borough of West Chester
 401 East Gay Street
 West Chester, PA 19380
 610-692-7574
www.west-chester.com

2016 BANNER APPLICATION

General: Banners shall be permitted to promote community events only (e.g., non-profit, charitable, educational, fraternal, civic, or service organizations). Banners promoting business and commercial enterprises are not permitted.

Installation dates will not be reserved until the application is completed in its entirety and submitted at least **45** days in advance of desired date. **A banner application requires approval by Borough Council at a public meeting.**

Applicant Information:

Name: Jonathan Waple
 Organization: The Chester County Hospital Foundation - Dash 4 Diabetes
 Address: 701 East Marshall St., West Chester, PA 19380
 Phone: 610-431-5328 Email: Jonathan.Waple@uphs.upenn.edu

An application executed on behalf of a corporation, partnership, association or a not-for-profit must be executed by the Chief Executive.

Requested Dates:

Requested Installation Date: 3/21/2016
 Requested Removal Date: 4/4/2016

Installation Information:

Organization responsible for Installation and Removal of Banner: First West Chester Fire Co.
 Contact Person: Captain Keith Green
 Phone Number: 610-431-1580
 E-Mail: kgreen@firstwestchester.org

Content & Text Description: (Include Picture of proposed banner. Exact wording required)
 Will look like the below with updated date and sponsors for 2016.



Requested Location Information:

- | | |
|------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> 3 West Gay Street (28' 3") | <input type="checkbox"/> 22 West Market Street (42' 10") |
| <input checked="" type="checkbox"/> 2 North High Street (45' 3") | <input type="checkbox"/> 36 East Market Street (36" 1') |

Distances are measured from "pole to pole". All banner lengths should be 6 feet less than the length listed to allow for tying off at each end.

BANNER CONSTRUCTION DESIGN REQUIREMENT

1. Minimum/Maximum height: 24 inches to 36 inches
2. All banners will be created of at least 18 ounce vinyl.
3. Metal grommets installed at all four corners and across the top edge of the banner to secure the banner to the guide line.
4. Grommets should be spaced no more than 30 inches apart across the top edge of the banner.
5. All banners should have reinforced corners to protect against wind damage.

REGULATIONS AND CONDITIONS DISPLAY OF BANNERS

By signing below, the Applicant agrees that he or she has read and agrees to fully comply with the following Regulations and Conditions and agrees that any banner displayed by the Applicant is subject to the following regulations and conditions:

1. Hanging and displaying of banner must be in complete conformance with the application as submitted and approved by Borough Council and in accordance with the Regulations and Conditions stated herein.
2. Installation of the banner will be in compliance with all applicable state and local policies and regulations is the **sole responsibility of the applicant and organization(s)**.
3. No banner may be hung lower than **fifteen (15) feet** over the street or public way. Banners are not permitted to be attached to traffic signal standards.
4. After approval, the banner may not be hung more than fourteen (14) days prior to the date of the event being advertised and must be removed no later than seven (7) days following the concluding date of the event being advertised.
5. A banner not removed within seven (7) days after the advertised event has concluded may be removed by the Borough with the sponsoring person(s) and organization held liable for the actual cost of the removal.
6. Banners hung without proper approval must be removed within two (2) working days after the Applicant or sponsoring organization(s) responsible have been notified by any means of communication. Failure to remove the banner after notification shall result in the Borough removing same at a charge to the Applicant and/or organization(s) of the actual cost of removal. Further, unauthorized hanging of a banner may subject the Applicant or sponsoring organization(s) to fines levied per local Ordinance.

7. Applicants and the sponsoring organization(s) and applications assume sole and exclusive liability in connection with any and all aspects of the banner, including but not limited to its content, installation, removal, and maintenance.
8. The Applicant and the sponsoring organization(s) hereby agree to indemnify, defend and save and hold harmless the Borough of West Chester, its officers, employees, agents, Council members and their successors and assigns (collectively, the Indemnified Party) from and against, and to reimburse the Indemnified Party with respect to, any and all claims, demands, causes of actions, losses, damages, liabilities, costs and expenses (including reasonable attorney's fees and expenses and court costs) asserted against or incurred by the Indemnified Party by reason or arising out of the Applicant's and the sponsoring organization(s) display of a banner across a street or way in the Borough of West Chester.
9. The Borough of West Chester is not responsible or liable for ripped, torn, or otherwise damaged banners. It is the responsibility of the applicant to secure a company to hang and take down their banner on the approved dated.
 - * If a banner becomes dislodged, falls down, rips, tears, or otherwise is not hanging in its intended position it is the responsibility of the banner permit recipient to have the banner taken down immediately at the recipient's cost.

The Applicant has reviewed each of the above eight regulations and conditions for display of banners, and agrees to adhere to and be bound by such regulations and conditions.



Applicant Signature

1/1/2016

Date

For Borough Use Only:	
<input type="checkbox"/> Approved Borough Manager Signature: _____	<input type="checkbox"/> Denied Date: _____



RESOLUTION # 1 of 2016

WHEREAS, West Chester Borough Council is concerned for the health, safety and welfare of West Chester residents; and

WHEREAS, it is the desire of West Chester Borough Council to provide the residents of West Chester with necessary emergency services, and;

WHEREAS, it is necessary to designate emergency service providers to meet the emergency needs of West Chester Borough.

NOW, THEREFORE BE IT RESOLVED by the Council of West Chester Borough that the following are designated as emergency service providers for West Chester:

Fire - West Chester Volunteer Fire Department

Ambulance – Good Fellowship Ambulance Company

Police - West Chester Police Department

BE IT RESOLVED this 4th day of January, 2016.

ATTEST:

Michael A. Cotter
Borough Manager

President of Council

Judy Benes

From: Mains, Patricia G. <pmains@chesco.org>
Sent: Monday, December 21, 2015 9:26 AM
To: Judy Benes
Subject: Emergency Services Resolution
Attachments: 01-West Chester Boro.pdf; Radio Booster Ordinance Letter 2015.pdf

December 21, 2015

TO: Township/Borough Manager

FROM: Robert J. Kagel
Director

SUBJECT: Emergency Services Resolution

With the new year upon us, I ask you to take a new look into the effectiveness of the emergency response that is being provided to the citizens of your community.

The Pennsylvania government empowers you through the Township and Borough Codes to make decisions that directly affect the health and welfare of the residents you serve.

Attached is the most recent Emergency Services Resolution we have on file for you. Please review and work with the emergency services providers to ensure your residents are receiving the most appropriate care. Upon completion of your review, please forward a copy to the Department so that we may complete any necessary changes.

Also attached is a draft resolution for an Emergency Radio Satellite Signal Booster Ordinance. This ordinance is recommended with the new Harris Digital Radio System, that is going online on January 4, 2016, radio coverage inside buildings will be different than the radio coverage that is now received/transmitted with the present EF Johnson radio system. Your consideration in adopting this resolution is encouraged.

If the Department of Emergency Services can be of assistance with these important issues, please contact Patty Mains, Assistant Director for External Liaison and Public Information at 610-344-5150 or pmains@chesco.org.

Attachments:
Most Recent Emergency Services Resolution
Draft Emergency Radio Satellite Signal Booster Ordinance

###

Sent on behalf of Director Kagel

Patty Mains

Assistant Director for External Liaison and Public Information
Chester County Department of Emergency Services
610-344-5150
pmains@chesco.org
eoc-pio@chesco.org
ready@chesco.org
www.chesco.org/des

This County of Chester e-mail message, including any attachments, is intended for the sole use of the individual(s) and entity(ies) to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone this e-mail message including any attachments, or any information contained in this e-mail message including any attachments. If you have received this e-mail message in error, please immediately notify the sender by reply e-mail and delete the message. Thank you very much.



Department of Building, Housing & Codes Enforcement
Regulations for the Protection of Public Health, Safety and Welfare

401 East Gay Street • West Chester, Pennsylvania 19380
610-696-1773 • fax: 610-692-7958 • web: www.west-chester.com

December 31, 2015

NOTICE IS HEREBY GIVEN that the Zoning Hearing Board of the Borough of West Chester, Pennsylvania has scheduled a Meeting at **5:30 pm, February 8, 2016** to be held in Room 240, 401 East Gay Street, West Chester, Pennsylvania. The purpose of this meeting is to hear the following appeal(s).

APPEAL #909

Applicant:

T. Mercer & B. Mercer

Property Address:

311 S. Walnut Street

Zoning District:

NC-2 (A)

Applicant is seeking a special exception and/or variances from Section 112-96; G to construct an addition to the rear of the principle building.

The application(s) are available for public review at the Department of Building & Housing at 401 East Gay Street, West Chester, Pennsylvania. The above appeal(s) will not necessarily be heard in the order listed. All interested persons will be given an opportunity to be heard at this Public Meeting.

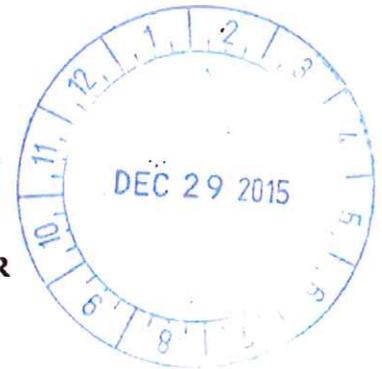
Respectfully,

Michael A. Perrone, C.B.O

Zoning Officer

MAP/dcd

**BEFORE THE ZONING HEARING BOARD
WEST CHESTER BOROUGH
CHESTER COUNTY, PENNSYLVANIA**



**APPLICATION OF THOMAS J. MERCER and BARBARA J. MERCER
for dimensional variances.**

Thomas J. Mercer and Barbara J. Mercer (collectively "Applicants") file this application for variances with the Zoning Hearing Board of West Chester Borough, with regard to their property located at 311 South Walnut Street, West Chester, PA, 19382, and in support thereof, state as follows:

1. The names and address of the Applicants is:

Thomas J. Mercer and Barbara J. Mercer
311 South Walnut Street
West Chester, PA 19382

2. Applicants are the owners of the real estate affected by this application for variances, having acquired ownership of the property by deed recorded in Record Book 9127, page 2127, in 2015.

3. The property is located on the east side of South Walnut Street and borders Mechanics Alley along its rear line.

4. The property consists of a 5,916 square foot lot, rectangular in shape, with a width (and frontage along Walnut Street) of 29 feet, and a depth of 204 feet. The property is improved with a twin dwelling unit, with the party wall with the adjacent home on the north side of the lot. There is a rear deck attached to the rear façade of the home, a garage located at the far rear of the property, with access to Mechanics Alley, and brick pathways leading on the south side of the property beside the dwelling and into the rear yard, back to the deck adjacent to the garage.

5. The property is located in an NC-2 Neighborhood Conservation District 2 Zoning District, and is within Block Class A thereof. The property is identified as UPI# 1-9-935. The improvements on the property are as set forth hereinabove, and the present use of the property is as a residence. The property is lawfully non-conforming with regard to several of the dimensional requirements as set forth in Section 112-21.A of the Zoning Ordinance, as follows:

- a. the lot width of 29 feet is non-conforming with the minimum lot width of 30 feet;
- b. the existing side yard on the south side of the property of 4.7 feet is non-conforming with the minimum side yard requirement of 15 feet;
- c. the front yard setback of 22.4 feet is non-conforming with the 25-foot minimum front yard setback requirement;
- d. the existing building coverage of 32.5% is non-conforming with the maximum building coverage requirement of 30%;

e. the existing impervious coverage of 54.6% is non-conforming with the maximum lot coverage requirement of 50%.

6. Applicants propose to remove an existing deck attached to the rear façade of the dwelling, and to replace it with a 16-foot deep by 23.4-foot wide addition to the dwelling, and a 6-foot deep by 12-foot wide covered porch to the back of the addition, with steps therefrom leading to the back yard.

The proposed addition would constitute an extension of the existing side walls of the dwelling, so that the existing side yard non-conformity would not be increased. The construction of the proposed addition and covered porch would require the grant of the following relief:

a. either (i) interpretation that the proposed addition can be constructed by right with the same side yard non-conformity as currently exists, or (ii) a variance from the 15-foot side yard requirement of Section 112-21.A in order to maintain the existing side yard non-conformity of 4.7 feet;

b. a variance from the maximum building cover requirement of 30 feet of Section 112-21.A, in order to increase the building cover from 32.5% as now exists, to 39.3% as proposed;

c. a variance and/or special exception from the requirements of Section 112-96.G (Conforming Uses of Non-Conforming Buildings on Non-Conforming Lots) in that the proposed addition will not be located wholly within the building envelope; and

d. such other relief as may be deemed necessary.

The Applicants propose, however, not to increase the impervious coverage of the lot from its existing 54.6% (non-conformity) by substituting pervious surfaces for certain of the existing impervious surfaces, primarily the walkway extending the full length of the property and the removal of the existing deck. In addition, Applicants propose to improve the existing drainage characteristics by the installation of substantial landscaping components in the rear yard, including a proposed rain garden in order to provide additional stormwater detention and infiltration on the lot.

7. Strict application of the dimensional requirements of Section 112-21.A of the Zoning Ordinance to the Applicants' property creates unnecessary hardship, for which Applicants are entitled to relief. As indicated above, the dimensional irregularities of the existing conditions on the property, including (i) the extreme length to width ratio resulting in an extremely narrow lot, and (ii) the relatively small building coverage allowed by the Ordinance as applied to the Applicants' property and dwelling thereon (which clearly predate the current zoning regulations) result in unnecessary hardship.

See *Hertzberg v. Pittsburgh ZBA*, 721 A.2d 43 (Pa. 1998) and its progeny. The Application of a 15-foot side yard requirement to a 29-foot wide lot creates additional hardship conditions. Under *Grubb Appeal*, 151 A.2d 599 (Pa. 1959), the Pennsylvania Supreme Court has recognized that an existing building which is non-conforming with

side yard setback requirements authorizes an extension of the building at the same non-conforming side yard setback distance.

With regard to the building coverage, the 30% limitation in the context of the existing non-conforming building coverage completely prevents any addition to the building in the absence of the grant of a variance. Here, the grant of the variance is offset by (i) removal of the deck, (ii) no net increase in total impervious coverage, and (iii) ameliorating the existing stormwater drainage conditions.

Reasonable use of the Applicants' property would be precluded by the denial of the variances requested, in that the Applicants propose simply to modernize and upgrade the use of their dwelling, by (i) modernization of the dwelling with a family room, (ii) substantially improving the appearance of the rear yard, (iii) improving the drainage characteristics thereof, and (iii) allowing for visual connection between the rear of the dwelling itself and the garden area to be constructed. The denial of the variances would preclude modernization of the dwelling as stated.

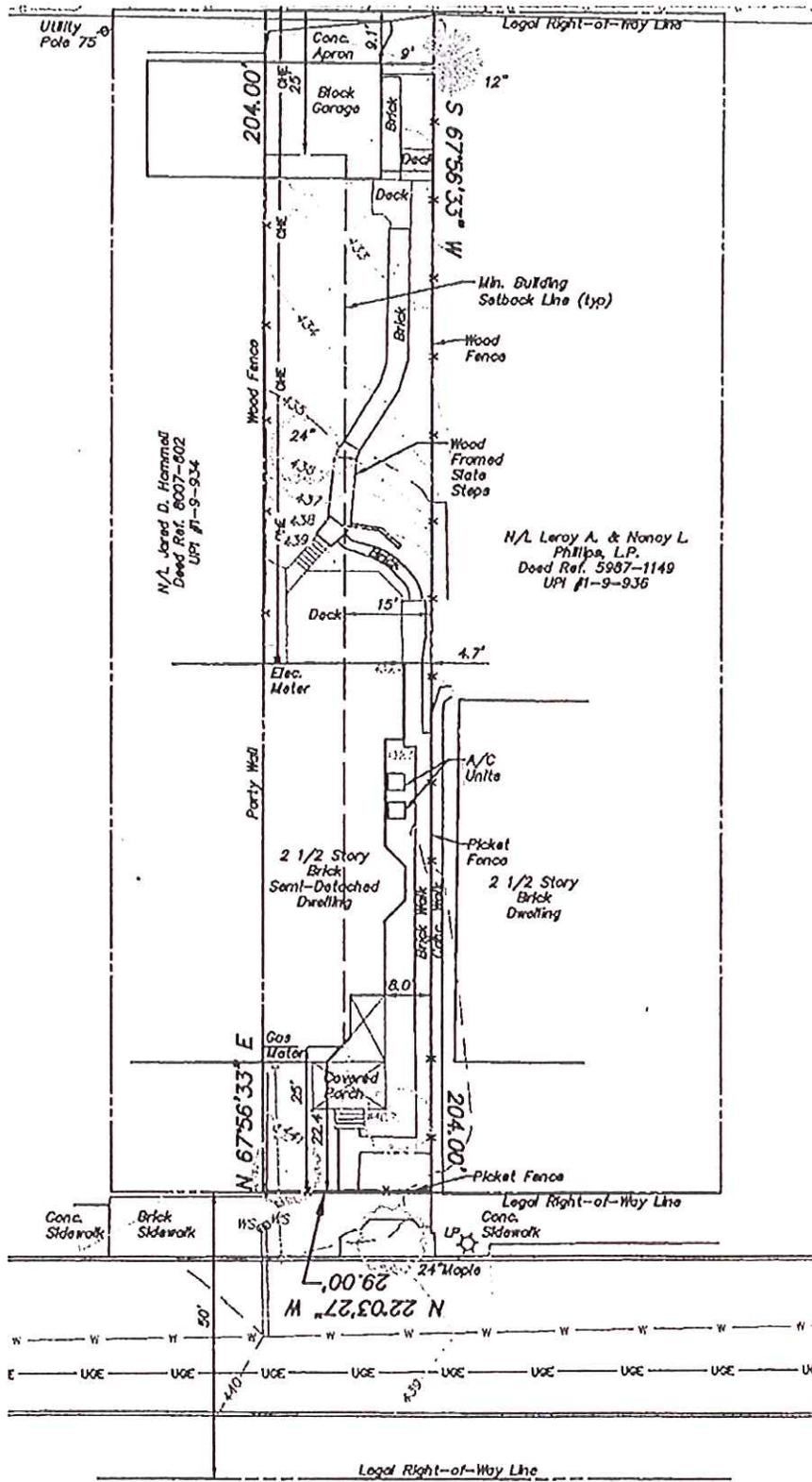
8. The following graphics are appended to this application, in order to illustrate the proposed alterations to the property:

- a. plot plan prepared by M.D. Site Consultants, Inc., showing existing conditions and zoning tabulation (2 sheets);
- b. architectural renderings of the proposed addition as prepared by Period Architecture, LTD;
- c. description and preliminary landscaping plan as prepared by Turpin Landscaping.

Respectfully submitted.



Fronefield Crawford, Jr.
Attorney for Applicants
Thomas J. and Barbara J. Mercer



- D**
- EXIST. 5' CONTOURS
 - EXIST. 1' CONTOURS
 - EXIST. OVERHEAD WIRES
 - EXIST. UNDERGROUND WIRES
 - EXIST. RIGHT-OF-WAY
 - EXIST. BOUNDARY LINE
 - EXIST. BUILDING SETBACK LINE
 - EXIST. FENCE LINE
 - EXIST. SANITARY SEWER LINE
 - EXIST. GAS LINE
 - EXIST. WATER LINE
 - EXIST. SPOT ELEVATION IMPERVIOUS SURFACE
 - EXIST. DOOR SILL ELEVATION
 - EXIST. WATER SERVICE
 - EXIST. IRON PIN
 - EXIST. LIGHT STANDARD
 - EXIST. SANITARY MANHOLE
 - EXIST. UTILITY POLE
- DECIDUOUS TREE
- CONIFEROUS TREE

Before You Dig Anywhere



PENNSYLVANIA

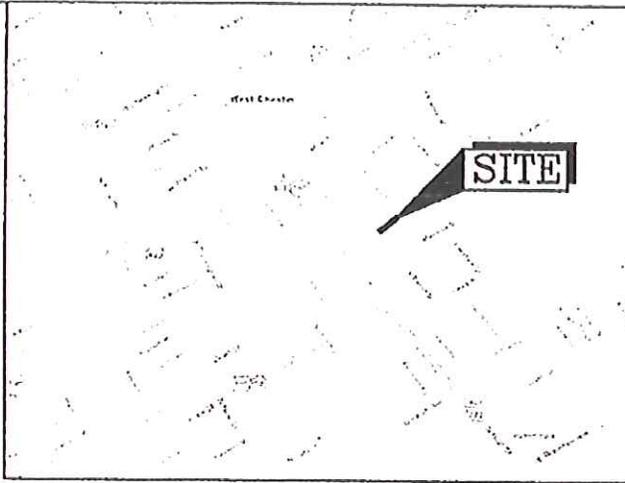
STOP! CALL 1-800-242-1778

PA ONE CALL SYSTEM, INC.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



LOCATION MAP
NOT TO SCALE

ZONING REQUIREMENT

NC-2 NEIGHBORHOOD CONSERVATION DISTRICT 2
BLOCK CLASS A

	REQUIRED	EXIST.
MIN. LOT SIZE SINGLE FAMILY DETACHED	7,000 S.F.	N/A
MIN. LOT SIZE ALL OTHERS	4,000 S.F.	5,918 S.F.
MIN. LOT WIDTH @ BUILDING LINE	30 FT.	29 FT.
MIN. LOT WIDTH @ STREET LINE	20 FT.	29 FT.
MIN. FRONT YARD SETBACK	25 FT.	22.4 FT.
MIN. SIDE YARD SETBACK	15 FT./35 AGG.	4.7 FT.
MIN. REAR YARD SETBACK	25 FT.	93.7 FT.
MIN. GREEN AREA	35%	50.8 FT.
MAX. IMPERVIOUS SURFACE	50%	<30 FT.
MAX. BUILDING AREA	30%	50.8 FT.
MAX. BUILDING HEIGHT	35 FT.	<30 FT.

PROPERTY OWNER

THOMAS J. & BARBARA J. MERCER
311 SOUTH WALNUT STREET
WEST CHESTER, PA 19382

PROPERTY INFORMATION

DEED REF. 8127-2127
UPI #1-9-935

IMPERVIOUS COVERAGE

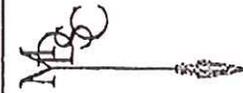
	EXIST.	
DWELLING	1523 S.F.	25.7%
WALKS	797 S.F.	13.5%
DECK	389 S.F.	6.6%
GARAGE	401 S.F.	6.8%
PORCH	119 S.F.	2.0%
TOTAL	3229 S.F.	54.6%

GENERAL NOTES

- PHYSICAL FEATURES SHOWN HEREON OBTAINED BY A FIELD SURVEY PERFORMED BY MD SITE CONSULTANTS, INC. COMPLETED ON NOVEMBER 11, 2013.
- HORIZONTAL AND VERTICAL DATUM ARE ASSUMED.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- THIS PLAT IS REPRESENTATIVE OF EXISTING CONDITIONS FOR WHICH MD SITE CONSULTANTS, INC. WAS CONTRACTED TO PERFORM, EXCEPT ANY RECORDED OR UNRECORDED EASEMENTS WHICH MAY NOT BE VISIBLE OR SUPPLIED TO MD SITE CONSULTANTS, INC.
- THE LOCATIONS OF UNDERGROUND UTILITIES HAVE BEEN SHOWN BASED ON FIELD SURVEY AND SURFACE OBSERVATION. MD SITE CONSULTANTS, INC. (MOSC) MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. MOSC DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION. THEREFORE, MOSC SHALL NOT BE RESPONSIBLE OR HELD LIABLE FOR ANY UTILITY NOT SHOWN OR SHOWN ON THE DRAWINGS IN A LOCATION OTHER THEN WHERE IT IS ACTUALLY DISCOVERED UPON EXCAVATION. MOSC HAS NOT PHYSICALLY EXCAVATED AND LOCATED ANY UNDERGROUND LINES.
- ANY REVISION MADE TO THESE PLANS AFTER THE DATE OF PLAN PREPARATION OR LATEST REVISION DATE SHALL NOT BE THE RESPONSIBILITY OF MD SITE CONSULTANTS, INC.
- NO ONE SHALL SCALE FROM THESE PLANS FOR CONSTRUCTION PURPOSES.

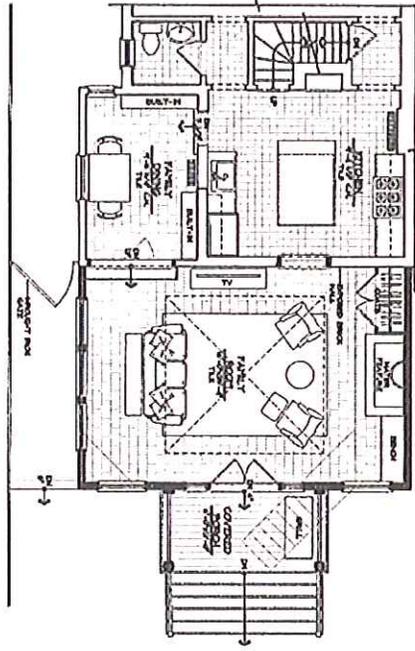
MD Site Consultants, Inc.
Land Surveying & Construction Layout Services

Lionville, Pennsylvania 19363
Phone 484.824.0001 Fax 610.970.1248

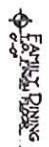
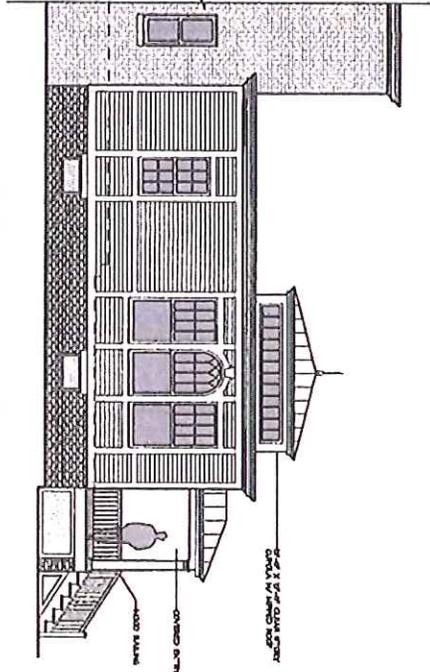


SEAL

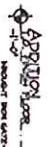
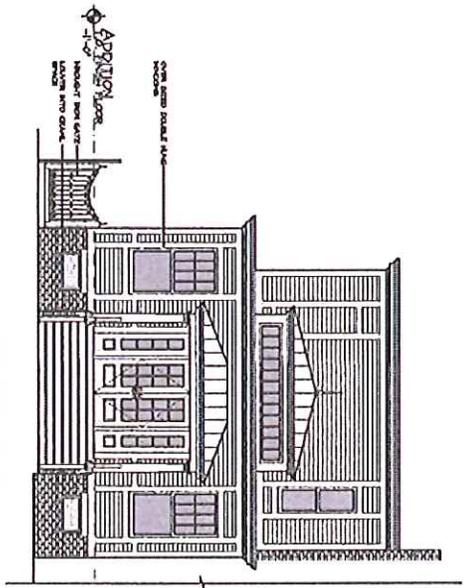
DRAWING FEATURES PLAN	TITLE	311 SOUTH WALNUT STREET
	BOROUGH OF WEST CHESTER	CHESTER COUNTY PENNSYLVANIA
MSB	CLIENT	THOMAS J. & BARBARA J. MERCER
	DATE	11/16/2015
MSB	SCALE:	1"=20'



PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"



PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

A-1

PROJECT NO.
SCALE: AS NOTED

PROPOSED ADDITION FOR
MR. & MRS. TOM MERCER
311 SOUTH WALNUT STREET, WEST CHESTER PA 19380

PERIOD ARCHITECTURE, LTD
P. 610-790-054
www.periodarchitecture.com

PROPOSED ADDITION

DATE	DESCRIPTION

Garden Improvement Plan for 311 S. Walnut Street (Mercer)

In concert with the proposed addition, we plan to make a number of improvements to the gardens in the rear of the property, including:

- Removing existing brick and decking (impervious) pathways/steps in the rear garden, to reduce the impervious coverage. Pathways will be replaced with pervious pavers/stepping stones.
- Adding a rain garden to capture water run-off from the addition, as well as run-off from the roof in the rear of the existing building (NB: water from the existing roof currently drains into the neighbor's property; the water will be re-routed into the proposed rain garden)
- Installing a pondless waterfall, which would also be integrated into the rain garden
- Upgrading existing fencing:
 - Replace deteriorating 6' wooden privacy fencing in rear of house with 6' vinyl privacy fencing
 - Replace deteriorating 38" picket fencing in front and side of house with 36"-40" period-appropriate metal fencing
- Adding trees, shrubs and other plant materials to beautify the garden area

Please see the attached preliminary sketch for the proposed plan.

