

**APPROVED MARCH 13, 2024**



**THORNBURY TOWNSHIP**  
**DELAWARE COUNTY**  
**Planning Commission**  
6 Township Drive  
Cheyney, PA 19319-1020

James Quinn, Chairman

James Bulkley  
Kenneth Zitareli  
James Falcone  
John Ibach  
Samuel Yim  
Albert DeFruscio

**MINUTES**  
**Thornbury Township Planning Commission Meeting**  
**Wednesday, February 14, 2024**

The Thornbury Township Planning Commission held a public meeting Wednesday, February 14, 2024 at the Township Administration Building, 6 Township Drive, Cheyney, Pennsylvania. Chairman Quinn called the meeting to order at 7:00 p.m., with a salute to the flag.

**PRESENT:**

James Quinn, Chairman  
James Bulkley  
James Falcone  
John Ibach  
Albert DeFruscio

Michael Ciocco, PE, Township Engineer  
Wayne Grafton, Land Planner (via Zoom)  
James Byrne, Esq., PC Solicitor

**ABSENT:**

Samuel Yim  
Ken Zitarelli

**MEMBERS OF PUBLIC:** 5

**AGENDA**

Mr. Quinn called the meeting to order and reviewed the agenda, as follows:

1. Salute to the Flag
2. Reorganization
3. Public Comment
4. Approval of Minutes: November 8, 2023
5. Old Business:
  - a. VMDT Final Reverse Subdivision & Land Dev. Plan  
282-286 Dilworthtown Road
6. New Business:
  - a. Orchard Knoll Subdivision (Concord Township)
  - b. (Revised) Outdoor Dining Ord. Draft 2/9/24
  - c. Planning Commission 2023 Annual Report &  
Addendum
7. Next Meeting: Wed., March 13, 2024 at 7 pm
8. Adjournment

1. **SALUTE TO THE FLAG:** Mr. Quinn led the salute to the flag.

2. **REORGANIZATION:**

Chairman Quinn asked for nominations for a Temporary Chairman to chair the 2024 Planning Commission Reorganization:

**MOTION:** *On a motion by Mr. DeFruscio, seconded by Mr. Ibach, all members present voted in favor of appointing Mr. Falcone as Temporary Chairman to conduct the 2024 Planning Commission Reorganization.*

Mr. Falcone asked for nominations for Chairman.

**MOTION:** *On a motion by Mr. Ibach, seconded by Mr. Bulkley, with Mr. Quinn, abstaining, all members present voted in favor of appointing Mr. Quinn as Chairman of the Planning Commission for 2024.*

Mr. Falcone turned the meeting over to (new Chair) Mr. Quinn.

Mr. Quinn asked for nominations for Vice Chairman:

**MOTION:** *On a motion by Mr. Falcone, seconded by Mr. Ibach, with Mr. Bulkley abstaining, all members present voted in favor of appointing Mr. Bulkley as Vice Chairman of the Planning Commission for 2024.*

Mr. Quinn asked for a motion to close the Reorganization.

**MOTION:** *On a motion by Mr. Bulkley, seconded by Mr. Falcone, all members present voted in favor of closing the Planning Commission's 2024 Reorganization.*

3. **PUBLIC COMMENT:**

Mr. Quinn asked for public comment on issues not on tonight's agenda. There were no comments from the public.

4. **APPROVAL OF MINUTES: November 8, 2023:**

**MOTION:** *On a motion by Mr. Bulkley, and seconded by Mr. Falcone, with Mr. Ibach recusing himself as he was absent at that meeting, all other members present voted in favor of approving the November 8, 2023 minutes, as presented.*

**OLD BUSINESS:**

- a. VMDT Final Reverse Subdivision & Land Development Plan  
282-286 Dilworthtown Road

Present: Adam Brower, P.E.  
Aristidis Christakis, Attorney

Mr. Christakis gave a brief overview of the plan. Mr. Christakis asked for a waiver of a wetlands survey and noted that a draft has been submitted.

Mr. Ciocco's 2/12 review letter was then discussed, including:

- Applicant's ability to comply with most of Mr. Ciocco's comments.
- Parking layout, including restricting parking on the grass, painting to show no parking areas, emergency vehicle access, time limit for length of time vehicles can currently remain on the property
- Historic Commission – recommended no Historic Resource Impact Study required
- Curb – more detail needed
- Floodplain and wetland delineation – waiver with deed restrictions proposed
- Additional right of way/easement
- PennDOT Review
- Landscape architecture
- Retaining Wall
- Legal Description for deed
- New fire hydrant location
- Copy of PennDOT plan
- Stormwater Management

Mr. Grafton discussed the following:

- Declaration of Restricted Covenants – changes should be made at the discretion of the Township

Mr. Quinn asked for the status of third-party approvals and noted that they should be complete before the plan is presented to the Board of Supervisors. Mr. Brower gave an update.

Mr. Ciocco noted that there are still some issues that need to be resolved and suggested that the applicant revise the plans prior to asking for plan approval consideration at the Supervisor's level.

Offloading from tractor trailers was discussed, including the need for a space on the property for this purpose so that the street is not used. Mr. Christakis stated that there will be no drop-off at this location.

Washing and detailing cars on the premises was discussed. Mr. Christakis stated that he believes that cars will not be washed, but will check into it.

**MOTION:** *On a motion by Mr. Bulkley, seconded by Mr. Falcone, all members present recommended final approval for the 282 and 286 Dilworthtown Road VMDT Partnership, contingent on the following:*

- *Mr. Ciocco's February 12<sup>th</sup> review letter,*
- *Meeting comments re. parking and signage*
- *amendment to deed restriction subject to Township Solicitor review*

**5. NEW BUSINESS:**

a. Orchard Knoll Subdivision (Concord Township)

There were no representatives from Orchard Knoll present.

Mr. Ciocco presented the plan to the Planning Commission. The following was discussed:

- Mr. Ciocco will send a review letter to Concord
- Property is 45-acres with 22 proposed homes on half-acre lots
- Mr. Ciocco noted there could be problems with private (existing) lane to Mill Road, which will be included in his letter
- Public sewer
- 55-foot wide access to Mill Road
- Emergency access to Evergreen Drive
- Mill Creek historic resources within the 250 feet required for a historic resources study. Mr. Ciocco will defer to the Planning Commission Solicitor to determine if this applies to Concord Township
- Traffic study

b. (Revised) Outdoor Dining Ordinance Draft, dated 2/9/24:

- Mr. Ciocco stated that Mr. Kynett requested the PC give any other thoughts on wording in a specific area of the document
- Minimal rear-yard setback was discussed
- Amplified music in residential area 50 feet or less from the restaurant

- Mr. Byrne referred to a new law with respect to amplified music and stated that he will get more details.
- Members discussed removing amplified music from document.
- Mr. Byrne explained conditional use application as it pertains to approval by the Supervisors.
- Public Comment  
Lee Weersing discussed the following:
  - Emergency restrictions lifted in May 2021.
  - Requested a copy of the revised ordinance before it is presented to the Supervisors
  - Requested the meeting date when the revised ordinance will be presented to the Supervisors.
  - Noise level, original Township ordinance, proprietor of the Bierhaul, kids behavior, music, outdoor bands, normal noise including car alarms, trucks picking up and unloading dumpsters.
  - Stated that the restaurants seem to be more about alcohol than dining.
  - He also noted that it is a historic district.

Sheri Weersing stated that Pace 1 only had outdoor activities on the weekends. With Bierhaul the activities are every day beginning at lunch which include kids running around screaming plus music.

- Mr. Ciocco noted that there are fences that have sound deadening qualities that could be investigated.
- c. Planning Commission 2023 Annual Report & Addendum:  
**MOTION:** *On a motion by Mr. Bulkley and seconded by Mr. DeFruscio. all members present voted in favor of recommending approval of the 2023 Annual Report & Addendum.*

**6. NEXT MEETING:** March 13, 2024 at 7 pm

**7. ADJOURNMENT:** On a motion by Mr. Bulkley, seconded by Mr. Ibach, the meeting was adjourned at 8:20 pm.

Respectfully submitted,

Suzanne Howat for Deborah Zitarelli, Secretary  
Planning Commission

**MINUTES – PLANNING COMMISSION MEETING**

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cc: Planning Commission Members  
Board of Supervisors  
Kenneth D. Kynett, Esq.  
Jeffrey Seagraves, Township Manager  
James Byrne, Esq

Michael Ciocco, Township Engineer  
Wayne Grafton, Land Planner  
Geoff Carbutt, Subdivision Coordinator  
Suzanne Howat, Bookkeeper