

# **UPPER DARBY TOWNSHIP DELAWARE COUNTY, PENNSYLVANIA**

## **Resolution No. 24-25**

### **A RESOLUTION GRANTING CONDITIONAL PRELIMINARY AND FINAL MINOR SUBDIVISION AND LAND DEVELOPMENT APPROVAL FOR APPLICANT, KEVIN ROWGHANI, FOR SUBDIVISION OF A PARCEL INTO THREE (3) LOTS AND CONSTRUCTION OF TWO (2) TWO-FAMILY SEMI-DETACHED DWELLINGS AND ASSOCIATED IMPROVEMENTS**

**WHEREAS**, Kevin Rowghani (“Applicant”) submitted a minor subdivision and land development application on January 9, 2025, for subdivision of a parcel into three (3) lots and construction of two (2) two-family, semi-detached dwellings and associated improvements at 8520 Monroe Avenue, Upper Darby Township, Pennsylvania, further identified as Tax Parcel No. 16-08-02148-00. On the applicant’s behalf, Dennis F. O’Neill, P.E., of Herbert E. MacCombie, Jr., P.E. Consulting Engineers & Surveyors, Inc., has requested certain modifications (“waivers”) of Upper Darby Township’s Subdivision and Land Development Ordinance (the “Waiver Request”); and,

**WHEREAS**, Applicant has submitted the following in support of the proposed subdivision of a parcel into three (3) lots and construction of two (2) two-family, semi-detached dwellings and associated improvements: Preliminary / Final Minor Subdivision & Land Development Plans, prepared by Herbert E. MacCombie, Jr., P.E. Consulting Engineers & Surveyors, Inc., 1000 Palmers Mill Road, Media, PA 19063 consisting of sixteen (16) sheets, dated October 10, 2024 and last revised May 19, 2025; Landscape Plan, prepared by Indigenous Ingenuities, consisting of one (1) sheet, dated April 24, 2025, last revised May 19, 2025; and architectural plans prepared by Wedenman Architecture, LLC, consisting of three (3) sheets, dated February 12, 2025; and,

**WHEREAS**, Applicant proposes to subdivide a parcel into three (3) lots and construct two (2) two-family semi-detached dwellings with improved parking, stormwater management, and landscaping (the “Property”); and,

**WHEREAS**, the Township Engineer has reviewed the Applicant's application and Waiver Request and offered comments for consideration as indicated in the Township Engineer's review letter dated June 4, 2025, which letter includes and references various comments and recommendations, the Upper Darby Township Planning Commission's Review and Recommendation Letter, dated June 9, 2025, and the Delaware County Planning Commission letter, dated February 21, 2025, collectively attached hereto as **Exhibit "A"** and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED**, by the Upper Darby Township Council that Minor Preliminary and Final Subdivision and Land Development for the Project is approved subject to the satisfaction of the following conditions:

1. Except as modified herein, Applicant shall comply with all other applicable Township ordinances, County, State and Federal rules, regulations, ordinances and statutes, and obtain all applicable permits and approvals. Applicant shall obtain a building permit prior to construction and shall ensure that all proposed improvements comply with Pennsylvania Act 45, the Uniform Construction Code, including but not limited to the Accessibility provisions.
2. Applicant shall obtain all required PennDot approvals prior to construction and shall ensure that all proposed improvements comply with any and all conditions of PennDot approval(s).
3. Unless specifically granted a waiver below or modified herein, Applicant shall comply with all comments and requirements set forth in the review letter issued by the Township Engineer, Khaled R. Hassan, P.E., Pennoni Associates, Inc., dated June 4, 2025, the Upper Darby Township Planning Commission's Review and Recommendation Letter, dated June 9, 2025, and, to the extent practicable and to the satisfaction of the Township, the Delaware County Planning Commission letter, dated February 21, 2025, collectively attached hereto as **Exhibit "A,"** and any subsequent review letters from Pennoni Associates, Inc.
4. Applicant shall enter into a development, financial security, and stormwater O&M agreement and post financial security for the project, in an amount determined to be required by Township Engineer and Township

Solicitor in the form of cash escrow or a letter of credit, to be prepared by the Township Solicitor and executed prior to the issuance of any building permits and start of construction.

5. The following waivers are hereby granted from the Delaware County Subdivision and Land Development Ordinance and Upper Darby Stormwater Management Ordinance, based on the scope and size of the proposed project, and as otherwise indicated:

- a. Section 301.A(2)(A)(I)&(II) to permit review and approval as a Minor Subdivision and Land Development Plan as the plan created fewer than four (4) lots.

**APPROVED** ☐ **DENIED** ☐

- b. Section 803.B(4) to not require additional right-of-way along Monroe Avenue where an additional 2.5 feet is required.

**APPROVED** ☐ **DENIED** ☐

- c. Section 806.E to permit Applicant to provide internal basement bicycle parking where bicycle parking is otherwise required by doorways.

**APPROVED** ☐ **DENIED** ☐

- d. Section 821.A to permit Applicant to locate utilities above-ground to the extent necessary.

**APPROVED** ☐ **DENIED** ☐

- e. Section 465-20.A to permit a dewatering time of 23.5 hours where a minimum of 24 hours is required.

**APPROVED** ☐ **DENIED** ☐

6. Applicant shall pay all Township fees and costs, including but not limited to legal, engineering and administrative fees, for all Township reviews

associated with the Project (the "Review Fees") and, at the Township's request, shall establish an escrow account to guarantee payment of the Review Fees; and Applicant shall further satisfy any and all existing municipal liens against the Property and shall address any and all outstanding code violations at the Property, if any, prior to receipt of any permits or recordings.

7. Applicant shall provide the Township Chief Administrative Officer and Township Engineer at least 72 hours' notice prior to the initiation of any construction, demolition, grading or ground clearing so that the Township may determine that the foregoing conditions have been met by the Applicant and that all necessary erosion and sedimentation controls have been correctly installed, if needed.
8. Applicant agrees to add all mutually agreeable conditions to the final plans.
9. This Conditional Approval of Land Development Application does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plans. Furthermore, this Conditional Approval of Land Development Application shall be rescinded automatically upon Applicant's or Applicant's agent's failure to accept, in writing, all conditions herein imposed within seven (7) days of receipt of this Resolution, such acceptance to be evidenced by Applicant's or Applicant's agent's signature below.
10. By accepting this Resolution, Applicant is signifying acceptance of the conditions contained herein.

**DULY PRESENTED AND ADOPTED** by the Council of Upper Darby Township,  
Delaware County, Pennsylvania, in a public meeting held this \_\_\_\_ day of  
\_\_\_\_\_, 2025.

SEAL:

ATTEST: \_\_\_\_\_

**MICHELLE BILLUPS**  
*SECRETARY OF COUNCIL*

BY: \_\_\_\_\_

**HAFIZ TUNIS, JR.**  
*PRESIDENT OF COUNCIL*

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST: \_\_\_\_\_

**CRANDALL O. JONES**  
*CHIEF ADMINISTRATIVE  
OFFICER*

BY: \_\_\_\_\_

**EDWARD BROWN**  
*MAYOR*

**In the event that the executed Resolution is not delivered to the Township within seven (7) days of receipt, it shall be deemed that the Applicant does not accept these conditions, and approvals conditioned upon its acceptance are revoked, and the application is considered denied for the reasons set forth above.**

ATTEST:

ACCEPTED BY:

**KEVIN ROWGHANI**

\_\_\_\_\_

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

## Exhibit A

610-356-9550  
FAX 610-356-5032

**Herbert E. MacCombie, Jr., P.E.**  
CONSULTING ENGINEERS & SURVEYORS, INC.  
1000 PALMERS MILL ROAD  
MEDIA, PA 19063

James W. MacCombie, P.E., P.L.S.  
Herbert E. MacCombie, III, Technician

REPLY TO:  
P.O. BOX 118  
BROOMALL, PA 19008-0118

June 20, 2025

Mr. Joshua Chast, Planning and Zoning Manager  
Upper Darby Township  
100 Garrett Road  
Upper Darby, PA 19082

RE: Waiver Request  
Proposed Subdivision and Land Development  
8520 Monroe Avenue  
Upper Darby Township, Delaware County, PA

Dear Mr. Chast:

On behalf of our client, Kevin Rowghani, we are requesting the following waivers from the Delaware County Subdivision and Land Development Ordinance of 2016.

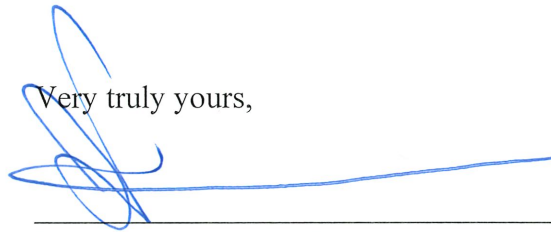
- A waiver is requested from Section 301.A(2)(A)(I) & (II) of the Delaware County Subdivision and Land Development Ordinance, to allow the review of the Plan as a Minor Subdivision and Development Plan. Although the plan includes an easement for access it does not create 4 or more lots.
- A waiver is requested from Section 803.B(4) of the Delaware County Subdivision and Land Development Ordinance, which requires a fifty (50) feet wide Right-of-Way for Monroe Avenue. The existing Right-of-Way is forty-five (45) feet. This subdivision is in the middle of a block, which is essentially fully developed. It is unlikely additional opportunities for adding Right-of-Way exists.
- A waiver is requested from Section 806.E of the Delaware County Subdivision and Land Development Ordinance, which requires bicycle parking to be provided near doorways. The Applicant will provide each dwelling unit with storage in the basement on the proposed two-family semi-detached structure.
- A waiver is requested from Section 821.A of the Delaware County Subdivision and Land Development Ordinance, which requires proposed utilities to be placed underground. The Applicant will work with the utility and communication companies to reduce the number of overhead utilities such as electric and communications, however due to the constraints of the lot and the location of the existing utilities it may not be possible for all utilities to be placed underground.



- A waiver is requested from Section 465-20.A of the Upper Darby Township Stormwater Management Ordinance of 2022, which requires a minimum 24-hour dewatering time for stormwater management basins to allow for a dewatering time of 23.5 hours. The 30-minute difference in dewatering time is de minimis and does not affect the functionality of the proposed basin. Additional water quality BMPs, such as porous pavement, are included to improve water quality.

Please feel free to contact our office if you have any questions or need additional information regarding these waiver requests.

Very truly yours,



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Dennis F. O'Neill, P.E.  
Project Engineer

Copy: Kevin Rowghani  
George Lavin, Esq.  
Allison Lee, P.E.



June 4, 2025

UPDBY130009

Mr. Joshua Chast, Planning and Zoning Manager  
Upper Darby Township  
100 Garrett Road  
Upper Darby, PA 19082

**RE: 8520 Monroe Avenue**  
**PARID: 16-08-02148-00/ MAP No.: 16-06-495:003**  
**Final Minor Subdivision & Land Development Plans Review (3<sup>rd</sup> Submission)**

Dear Mr. Chast:

We have received a copy of the Final Minor Subdivision & Land Development Plans consisting of fourteen (14) sheets dated October 10, 2024, last revised May 19, 2025, as well as the revised Drainage Analysis report dated December 10, 2024 and last revised May 19, 2025; as prepared by Herbert E. MacCombie, Jr. PE Consulting Engineers and Surveyors, Inc. located at PO Box 118, Broomall, PA, for the above referenced project.

Under this plan submission, the Applicant is proposing to subdivide the existing 10,300 SF property located at 8520 Monroe Avenue into three (3) lots as follows:

- Lot 1 - will consist of the existing ½ twin dwelling and associated concrete walkways, and a proposed lot size of 3,475 SF.
- Lot 2 - will consist of ½ of a proposed two (2)-family semi-detached (twin) residence. There will be two (2) residential dwelling units (duplex) on this lot. The proposed lot size for Lot 2 will be 3,412.5 SF.
- Lot 3 - will consist of ½ of a proposed two (2)-family semi-detached (twin) residence. There will be two (2) residential dwelling units (duplex) on this lot. The proposed lot size for Lot 2 will be 3,412.5 SF.

Along with the proposed two (2)-family semi-detached (duplex) dwellings, additional site improvements will include curbing, sidewalk, landscaping, retaining walls, driveways, and stormwater management. The proposed residential dwellings will be serviced by public water and sewer from Monroe Avenue.

This project is located within the R-3 – Residential Zoning District. The site is fronted by Monroe Avenue to the north; residential properties zoned within the R-3 – Residential Zoning District to the east and west; and the PECO right-of-way and the Upper Darby Township Public Works Department Highway Yard zoned within the C-1 – Traditional Neighborhood Commercial Zoning District to the south.

In accordance with the FEMA, Flood Insurance Rate Map (FIRM) Panel No. 42045C0108F, effective November 18, 2009, the site is located within Zone X, which are areas determined by the FEMA FIRM as areas outside of the flood hazard areas or areas of minimal flood hazard. Based on the FEMA FIRM determination, this site is not located within the Floodplain Management District, and is therefore not subject to the floodplain regulations of the Floodplain Management District.

### **VARIANCES GRANTED**

The Applicant was granted the following zoning relief by the Upper Darby Township Zoning Hearing Board at their regularly scheduled meeting held on May 28, 2024, Decision and Order No. 2-5 of 24:

1. A variance from Section §550-15.D, Table 4-2 to permit a lot size of 3,396 SF per parcel whereas a minimum of 2,000 SF per parcel is required;
2. A variance from Section §550-15.D, Table 4-2 to permit a minimum lot width of 27 feet, 3 inches, whereas a minimum 35 feet lot width is required;
3. A variance from Section §550-15.D, Table 4-2 to permit an existing dwelling to have a lot width of 27 feet, 9 inches whereas a minimum 35 feet lot width is required;
4. A variance from Section §550-33.A, Table 8-1 to permit the development of three (3) parking spaces per lot where a minimum of four (4) parking spaces is required.

These variances were granted subject to the following conditions:

1. The Applicant shall comply with all landscaping and stormwater requirements within the Township's Subdivision and Land Development Ordinance.
2. The rear parking spaces shall be composed of pervious material.

### **WAIVERS REQUESTED**

**The Applicant is requesting the following waivers as indicated on the Record Plan (Sheet 1) dated October 10, 2024, last revised May 19, 2025.**

1. A waiver from Section 301.A(2)(a)(i) & (ii), to review the plans as a minor subdivision and land development.
2. A waiver from Section 803.B(4) to not provide a right of way width of 50 feet for Monroe Avenue. The current right-of-way width is 45 feet.
3. A waiver from Section 806.E in regard to bicycle parking. The applicant will be providing alternative bike storage.
4. A waiver from Section 821.A, from the requirement to place all utilities underground. The Applicant will work to reduce the number of the overhead utilities, however, due to the constraints of the lot it may not be possible to place all utilities underground.
5. A waiver from Section 465-20.A, to allow for a basin dewatering time of 23.5 hours instead of the required minimum of 24 hours.

The following documents have been reviewed:

<b>Title</b>	<b>Sheet</b>	<b>Dated</b>	<b>Revised</b>
<b>Minor Subdivision &amp; Land Development Plans</b>			
Record Plan	1 of 17	10/10/24	05/19/25
Subdivision Plan	2 of 17	10/10/24	05/19/25
Site Plan	3 of 17	10/10/24	05/19/25
Easements Plan	4 of 17	10/10/24	05/19/25
Grading Plan	5 of 17	10/10/24	05/19/25
Demolition Plan	6 of 17	10/10/24	05/19/25
E&S Control Plan	7 of 17	10/10/24	05/19/25

Erosion Control Details	8-9 of 17	10/10/24	05/19/25
Existing Features – ERSAM Plan	10 of 17	10/10/24	05/19/25
Utilities Plan	11 of 17	10/10/24	05/19/25
Profiles	12 of 17	10/10/24	05/19/25
Lighting Plan	13 of 17	10/10/24	05/19/25
PCSM Plan	14 of 17	10/10/24	05/19/25
Post Construction Detail Sheet	15-16 of 17	10/10/24	05/19/25
Landscape Plan	17 of 17	04/24/25	05/19/25

As requested, we have performed a review of the above referenced plans for compliance with the Delaware County Planning Department Subdivision and Land Development Ordinance; the Stormwater Management Ordinance (Chapter 465), and our previous review letter dated May 6, 2025. We offer the following outstanding comments for your consideration, using the same numbering as our original review:

### **CHAPTER 550** **ZONING COMMENTS**

Please refer to the review letter issued by the Upper Darby Township Planning and Zoning Department.

### **SUBDIVISION & LAND DEVELOPMENT COMMENTS**

36. *Per §817.F.1).a – Landscape Plan – Shade trees of twelve (12)-inch caliper or more when measured at a height of thirty-six (36) inches from the ground may not be removed unless authorization is granted by the municipality and in accordance with tables 8-5 and 8-6 of this chapter.*

*The Applicant is proposing to remove trees with calipers of 18", 24", and 30". The Applicant shall obtain authorization from Upper Darby Township to permit the removal of these trees with calipers greater than twelve (12)-inches per the above Code Section.*

*Based on the Existing Features/ERSAM Plan provided, trees of 18", 24" and 30" are proposed to be removed. Authorization from Upper Darby Township will be required for the removal of these trees.*

**The Applicant indicated in their response letter dated May 19, 2025, that they are acknowledging that additional approvals are required for the proposed removal of the existing trees. This comment will be kept until the review and approval of the Shade Tree Commission is completed.**

### **STORMWATER MANAGEMENT COMMENTS**

48. *Per §465-20.A – Stream Bank Erosion Requirements – In addition to controlling the water quality volume (in order to minimize the impact of stormwater runoff on downstream stream bank erosion), the primary requirement to control stream bank erosion is to design a BMP to detain the proposed conditions two-year, twenty-four-hour design storm to the existing conditions one-year flow using the SCS Type II distribution. Additionally, provisions shall be made (such as adding a small orifice at the bottom of the outlet structure) to release the proposed conditions one-year storm for a minimum of 24 hours from a point in time when the maximum volume of water from the one-year storm is stored in a proposed BMP (i.e., the maximum water surface elevation is achieved in the facility). Release of water can begin at the start of the storm (i.e., the invert of the water quality orifice is at the invert of the facility).*

*Dewatering calculations have been provided in the report with a dewatering time of approximately 28 hours; however, the infiltration rate was indicated as an assumed 1"/60 min. rate. The infiltration rate based on infiltration testing shall be provided and the dewatering time calculation revised to reflect the infiltration rate results from the field.*

*The Applicant is indicating that due to the high infiltration rates, an impermeable membrane is being utilized on the basin bottom to reduce the infiltration rate and increase the dewatering time. Even with the impermeable membrane, a dewatering time of 19.3 hours is provided, which is less than the minimum required 24 hours dewatering time. The Applicant shall provide a dewatering time of at least 24-hours; otherwise, a waiver from this Code Section would be required.*

**Since the previous submission, the Applicant has reduced the size of the proposed underground infiltration basin from 26'x25'x39" to 23'x25'x43" to reduce the area of the infiltration. The calculated dewatering time is 23.5 hours which is less than the required minimum 24 hours. The Applicant has requested a waiver from providing the required minimum 24 hours of dewatering time since the 30-minute difference is de minimis for functionality of the proposed stormwater system.**

#### **ADDITIONAL COMMENTS**

1. On the Post Construction Stormwater Management Plan, the table provided breaking down the post-development drainage areas not retained and the post development drainage areas retained are not consistent based on the proposed conditions shown on the revised plans. These tables shall be revised to be consistent with the areas within each drainage area accordingly.

#### **We have received the following documents/permits/reviews:**

- Deed (June 20, 2019)
- Zoning Decision No. 2-5 of 24 (May 28, 2024)
- Final Minor SD/LD Plans (October 10, 2024)
- DCPC Application for Act 247 Review (Not Dated)
- Minor SD/LD Plan Application Checklist (November 15, 2024)
- Sewage Facilities Planning Module Request (December 4, 2024)
- PCSM Report (December 10, 2024)
- Draft Zoning/Planning Commission Recommendation (February 10, 2025)
- Aqua-PA Will Serve Letter (February 3, 2025)

#### **We have not received the following documents/permits/reviews:**

- Fire Review
- DCPC Review
- Shade Tree Commission (STC) Review
- Waiver Request Letter
- Sewage Facilities Planning Modules Approval
- Financial Escrow
- LD Agreements
- Stormwater BMP O&M Agreement
- Shared access and maintenance agreement
- Legal Descriptions & Exhibits for subdivided lots

#### **SUMMARY**

**We would recommend Final Minor Subdivision and Land Development Plans approval contingent the Applicant addresses the above referenced comments, including the Zoning comments from the Township.**

If you have any questions or comments with this submittal, please do not hesitate to contact me.

Sincerely,

**PENNONI ASSOCIATES INC.**



Khaled R. Hassan, PE  
Township Engineer

cc: Crandall O. Jones, Chief Administrative Officer  
Rita LaRue, Director of Community & Economic Development  
Kevin Rowghani, Applicant  
Dennis F. O'Neill, PE., Herbert E. MacCombie, Jr. PE., Design Engineer

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# UPPER DARBY TOWNSHIP

100 Garrett Road ▪ Upper Darby, PA 19082-3135

Edward Brown  
*Mayor*

Crandall O. Jones  
*Chief Administrative Officer*



## Members of Council

Hafiz Tunis, Jr., President - 7th Dist  
Andrew Hayman, VP - 5th Dist  
Michelle Billups, Secretary - At-Large  
Brian Andrusko - 3rd Dist  
David Bantoe - 6th Dist  
Danyelle Blackwell - 4th Dist  
Jess Branas - 2nd Dist  
Marion Minick - At-Large  
Matt Silva - At-Large  
Meaghan Wagner - 1st Dist  
Laura Wentz - At Large

## Upper Darby Township Planning Commission Recommendation

June 9, 2025

Township of Upper Darby  
100 Garrett Road  
Upper Darby PA, 19082

**ATTN: Upper Darby Township Council**

**RE: 8520 Monroe Ave**

**Parcel ID# 16-08-02148-00**

**Preliminary/Final Subdivision & Land Development Plan**

### Staff Report:

Joshua Chast, Planning & Zoning Manager

### Proposal

The applicant is proposing to subdivide the existing 0.2365 acre parcel into three lots. Lot 1 will consist of the existing single family semi-detached dwelling on a 3,745 ft<sup>2</sup> lot. Lot 2 and lot 3 will both be 3,412.5ft<sup>2</sup> and will be developed with a two-family semi-detached structure. In total, the applicant will be adding four residential living units, split between two new parcels. Additionally, the applicant will construct associated stormwater features, driveways and landscaping.

### Existing Conditions

The site is located approximately 215' north-west of the intersection of Monroe Avenue and S. Harwood Ave. The existing structure is a semi-detached single-family dwelling. The site is partially developed with a driveway and parking spaces in the rear. Existing natural features include several large trees and shrubbery along the frontage of the parcel.

### Zoning & Land Use

The property is zoned R-3 Residential Zoning District. The property is surrounded to the east, north and west by other properties in the R-3 District. South of the property is the C-1 Commercial District. The project fronts onto Monroe Avenue and is backed by the PECO Right-Of-Way, which was the former Newtown Square Branch Rail Line. The property is near other residential homes in the Highland Park neighborhood, including a duplex opposite the site on Monroe Ave. Additionally, the property is across the street from a commercial carpet store and office.

This parcel is also nearby several commercial sites and Township owned parcels such as the highway dept, electrical dept, public works and vehicle repair yard. The neighboring properties become more commercial in nature, as they grow in proximity to Lansdowne Avenue and West Chester Pike.

## Transportation

The site is well serviced by nearby bus routes. The closest bus stops are located at the intersection of Township Line Rd and Lansdowne Avenue. This connects to the 110 Bus Line which goes west to Media or east to 69<sup>th</sup> Street. The property is also within walking distance of the Lansdowne Ave and Manor Ave bus stops which serve the 115 bus line. This line runs north toward DCCC Newtown Square or south to the Darby Transportation Center. This site is also located adjacent to the proposed Naylor's Run Trail. This trail is proposed mainly along the existing PECO Right-of-way and will potentially provide a pedestrian connection from Baltimore Ave to Township Line Rd. The trail will also act as a component of the DVRPC Circuit Trails Program and will have the potential to connect locally to the neighboring Havertown trail system.

## Environmental Conditions

The site is not located in the 100-year floodplain. The parcel is located in the Cobbs Creek Watershed. Dividing the property is a north-south parallel grade of 15%-20% slope. Additionally, there is a small area of 20%+ slopes in the rear of the property. There are no natural heritage areas or areas of prime agricultural land per the USDA's web soil survey. No portions of the property is classified as areas of prime farmland or have soils with hydric inclusions.

## Previously Approved Zoning

The following variance was granted by the Zoning Hearing Board on May 28, 2024:

- V1.** A Variance from Section 550-15.D; Table 4-2 to permit a lot size of 3,396 ft<sup>2</sup> per parcel where a minimum of 6,000ft<sup>2</sup> is required.
- V2.** A Variance from Section 550-15.D; Table 4-2 to permit a minimum lot width of 27' 3" where 35ft is required.
- V3.** A variance from Section 550-15.D; Table 4-2 to permit the existing dwelling to have a lot width of 27' 3" where a minimum of 35ft is required.
- V4.** A variance from Section 550-33.A; Table 8-1 to permit the development of 3 parking spaces per lot, where a minimum of four per lot are required.

Variances were granted with the following conditions:

1. The applicant shall comply with all landscaping and stormwater requirements within the Township's Subdivision and Land Development Ordinance.
2. The rear parking spaces shall be composed of pervious material.

## Zoning Comments

- Z1. Section 550-33.D(8):** Glare from lights shall not reflect beyond the limits of the lot upon which they are installed.

## Waivers Requests

- W1. 301.A(2)(A) (I) & (II):** To allow the review of the plan as a minor subdivision and land development plan.
- W2. 803.B(4):** To forgo the additional 5' right of way adoption because Monroe Avenue has an existing right-of-way width of 45', when 50' is required.
- W3. 806.C(1)(B):** To forgo outdoor bicycle parking in lieu of providing an alternative bike storage area.



- W4. **821.A:** To allow some utilities to be overhead instead of being placed underground. The applicant will work with the utility companies to reduce the number of overhead utilities such as electricity and communication, however, due to the constraints of the lot it may not be possible.
- W5. **465.20.A:** To allow for basin dewatering time of 23.5 hours instead of the minimum required 24 hours.

#### **SALDO Comments**

- S1. Section 702.A(29):** An approved Planning Module is required by the Pennsylvania Sewage Facilities Act, Act 537 of 1967. *The application has been submitted but not yet approved.*
- S2. Section 806.E:** Bicycle parking shall be in the form of an inverted U or ribbon rack. *As a small residential property, we would recommend a waiver to this requirement, if there is some sort of alternative bike storage provided.*
- S3. Section 816.A(5):** The municipality may require the applicant to adhere to the following tree replacement regulations. For each tree to be removed with a caliper greater than twelve inches when measured at a height of thirty-six (36) inches from the ground, required replacement trees shall be calculated in accordance with the following schedule identified in Table 8-5.
- S4. Section 817.C (1):** All approved street trees are listed in Table 8-6. Trees to be used that are not listed in Table 8-6 must be approved by the municipality. *All street trees should be approved by the Shade Tree Commission prior to Council's review.*
- S5. Section 817.F(1)(c)(v):** Following construction, the applicant shall plant and warrant for a period of 18 months following installation, a tree of appropriate species as shown in the approved landscape plan. Any tree that dies within the 18-month period shall be replaced immediately by the applicant.
- S6. Section 821.A:** All utility lines including, but not limited to, electric, gas streetlight supply, cable television and telephone shall be placed underground. *See requested waiver.*

#### **Additional Comments:**

1. Need a shared access and maintenance agreement. Should include clarification against building fencing or any type of structure in the shared parking area.
2. Operation and Maintenance agreement must include yearly vacuuming of pervious parking spaces.

**Plan Recommendation:** Approval contingent on addressing staff comments

**Waiver Recommendation(s):** Approval



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Planning Commission Chair  
Jeffrey Roken



**DELAWARE COUNTY PLANNING COMMISSION**

**2 W. Baltimore Avenue – Suite 202**

**Media, PA 19063**

**(610) 891-5200**

**Email: [planning\\_department@co.delaware.pa.us](mailto:planning_department@co.delaware.pa.us)**

**GINA BURRITT**

**DIRECTOR**

**Planning Department**

February 21, 2025

Mr. Crandall O. Jones  
Upper Darby Township  
100 Garrett Road  
Room 206  
Upper Darby, PA 19082-3135

RE: Name of Dev't: Rowghani - 8520 Monroe Avenue  
DCPD File No.: 47-8155-25  
Developer: Kevin Rowghani  
Location: South side of Monroe Avenue,  
approximately 200' west of South Harwood  
Avenue  
Recv'd in DCPD: January 13, 2025

Dear Mr. Jones:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on February 20, 2025, the Commission took action as shown in the recommendation of the attached review.

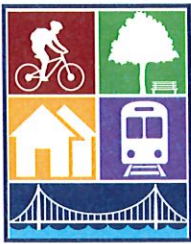
Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,

A handwritten signature in blue ink that reads "Gina Burritt".

Gina Burritt  
Director

cc: Kevin Rowghani  
Herbert E. MacCombie, Jr., P.E.



## DELAWARE COUNTY PLANNING DEPARTMENT

2 W. Baltimore Avenue – Suite 202  
Media, PA 19063  
Phone: (610) 891-5200  
Email: [planning\\_department@co.delaware.pa.us](mailto:planning_department@co.delaware.pa.us)

Date: February 21, 2025

File No.: 47-8155-25

PLAN TITLE: Rowghani - 8520 Monroe Avenue

DATE OF PLAN: October 10, 2024

OWNER OR AGENT: Kevin Rowghani

LOCATION: South side of Monroe Avenue,  
approximately 200' west of South  
Harwood Avenue

MUNICIPALITY: Upper Darby Township

TYPE OF REVIEW: Final Subdivision & Land  
Development

ZONING DISTRICT: R-3 Residential

SUBDIVISION ORDINANCE: County

PROPOSAL: Subdivision: 0.2365 acre into three  
lots

Land Development: Construct two  
duplexes (4 units)

UTILITIES: Public Water & Sewer

RECOMMENDATIONS: Subdivision: Approval, with code  
relief granted

Land Development: Approval, with  
code relief granted and with  
consideration given to staff  
comments

STAFF REVIEW BY: Kelsey Stanton Murphy

Date: February 21, 2025  
File No.: 47-8155-25

REMARKS:

**CURRENT PROPOSAL**

The plan proposes to subdivide one lot into a 3,475 sq. ft. lot (Lot 1 on the plan) and two 3,412.5 sq. ft. lots (Lots 2 and 3). Lot 1 would contain an existing 1,068 sq. ft., semi-detached dwelling, and Lots 2 and 3 would each be developed with 1,138 sq. ft., two-family semidetached dwellings. All lots are proposed to have driveway access onto Monroe Avenue.

**SITE CHARACTERISTICS**

The site is a residential property surrounded by a mix of residential and commercial properties. Existing conditions include a single-family semidetached dwelling with associated driveway and landscaping.

**APPLICABLE ZONING**

The proposal is located within the R-3 district and is subject to applicable regulations set forth by the Municipal zoning code.

**NONCONFORMITIES**

The proposal does not appear to comply with the lot width, lot area, and parking quantity regulations as established within the Municipal zoning code. It should be noted that the proposal was granted variances on May 28, 2024, to allow the noted nonconformities.

**COMPLIANCE**

The proposal appears to comply with the R-3 district zoning with variances granted.

Date: February 21, 2025  
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REMARKS (continued):

#### **WAIVERS**

The applicant is seeking the following waiver relief:

- Section 702.A.3: To allow the plan to be drawn at a scale of one inch equals 10 feet.

Staff has no comment related to this waiver request.

#### **PERVIOUS PARKING AREA MAINTENANCE**

Staff recommends the following to ensure the long-term performance of the proposal's pervious parking area, which is listed on the plan as a required condition of a Municipal Zoning Hearing Board Decision and Order dated May 28, 2024:

- Revise the Operations & Maintenance Procedures to specify the maintenance tasks necessary to protect pervious pavements from clogging, such as regular sweeping and vacuuming, as well as to prohibit maintenance strategies such as sealcoating which are common practice for conventional pavements, but which damage pervious pavements; and
- Consider a deed restriction to prevent future property owners from replacing the pervious parking area with conventional pavement.

#### **MONROE AVENUE STREET TREES**

The plan proposes a Red Oak along Lot 1's Monroe Avenue frontage, which has overhead wires. Section 817.C.1, Table 8-6 of the Municipal Subdivision and Land Development Ordinance (SALDO)



Date: February 21, 2025  
File No.: 47-8155-25

REMARKS (continued):

states that large trees like Red Oak are not for use under overhead wires. Staff recommend that the plan be revised to replace the tree with one of the species listed under the table's Small Trees section.

**PARKING AREA SCREENING**

Section 817.D.3.b of the SALDO requires the outer perimeter of all parking areas to be screened using plantings, fencing or walls, and/or berms. The plan indicates a wall ranging in height from less than 6 inches to approximately 2 feet to screen the proposed parking area at the rear of the site. The Municipality should determine whether the proposed screening is adequate.

**SEWAGE FACILITIES**

The developer should contact the Pennsylvania Department of Environmental Protection regarding the need for sewage facilities planning approval.

The Municipality should confirm receipt of any necessary Pennsylvania Department of Environmental Protection planning approval prior to final approval.

**STORMWATER MANAGEMENT**

The Municipal Engineer must verify the adequacy of all proposed stormwater management facilities.

**RECORDING**

In accordance with Section 513(a) of the Pennsylvania Municipalities Planning Code (MPC), final plans must be recorded within ninety (90) days of municipal approval.