

**BOROUGH OF BROOKHAVEN
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. -

AN ORDINANCE OF THE BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, PENNSYLVANIA, AMENDING THE 1977 ZONING ORDINANCE OF THE BOROUGH OF BROOKHAVEN, WHICH IS CODIFIED IN TITLE FOUR OF THE CODIFIED ORDINANCES OF THE BOROUGH OF BROOKHAVEN TO REZONE CERTAIN PROPERTY OWNED BY THE CHESTER WATER AUTHORITY BEING PORTIONS OF FOLIO NUMBERS 05-00-00428-00 and 05-00-00429-00 FROM R-S RESIDENTIAL SPECIAL DISTRICT TO C-5 COMMERCIAL DISTRICT; TO AMEND SECTION 1240.05 TO ADD DEFINITIONS FOR UNIFIED SHOPPING CENTER, ATHLETIC CLUB, HEALTH CLUB, RESTAURANT, FAST FOOD RESTAURANT, LEARNING CENTER AND DAY CARE FACILITY; TO AMEND THE USE REGULATIONS IN THE C-5 DISTRICT TO ALLOW A UNIFIED SHOPPING CENTER; TO ESTABLISH DIMENSIONAL RESTRICTIONS AND DESIGN STANDARDS FOR SUCH USE, TO AMEND SECTION 1275.19 GOVERNING SIGNS FOR DEVELOPMENT COMPLEXES AND UNIFIED SHOPPING CENTERS AND TO AMEND SECTION 1276.05 GOVERNING LIGHTING FOR UNIFIED SHOPPING CENTERS.

BE IT ENACTED AND ORDAINED by Borough Council of the Borough of Brookhaven as follows:

SECTION 1. Those portions of Folio Numbers 05-00-00428-00 and 05-00-00429-00 owned by the Chester Water Authority and as specifically described in Exhibits "A" and "B" attached hereto and incorporated herein shall be rezoned from R-S Residential Special to C-5 Commercial..

SECTION 2. The following definitions shall be added to Section 1240.05 and shall appear in alphabetical order.

"Athletic Club" means an enterprise operating as a business or club which charges an admission, entry or membership fee or combination thereof, whether owned by a public or private entity, which is open to the public and provides various athletic or health facilities for its members, including a combination but not limited to the following: gymnasium, swimming pool, nautilus, weights and similar conditioning equipment, tennis, handball, racquetball and similar ball courts and similar athletic facilities which

are used to promote fitness and good health. An athletic club may also include as an accessory use a physical therapy facility, spa and restaurant for this use by members. The term "athletic club" shall be synonymous with "health club."

"Child day care center" means a facility which, on a daily basis, exclusively provides supplemental parental care and supervision and/or instruction to seven or more children simultaneously, who are not all related to the caregiver or operator, where tuition, fees or other forms of compensation are charged, whether governmentally subsidized or not, and which is licensed or approved to dispense child care by the Commonwealth of Pennsylvania, and whether operated for profit or not for profit.

"Fast food restaurant" means a restaurant devoted to the sale of food and beverages to patrons either within an enclosed building at a pick up counter, through a drive through service, a pick up window on the outside of the building and/or through a delivery service. All such facilities may offer their patrons the option to consume food and beverages either inside the restaurant or off of the premises.

"Health Club" has the same meaning as Athletic Club.

"Learning Center" means a facility which provides supplemental educational support and tutoring services for students. Such use shall not be defined as an "educational use" and shall not include child day-care center.

"Pharmacy/drug store" means an area of land, together with any structures erected thereon, including drive-through lanes under canopy, where medical prescriptions are filled and prescription and over-the-counter drugs, medical supplies, food, beverages, personal care items, greeting cards and similar retail items are sold in one store under one operator.

"Physical therapy facility" means a facility where licensed physical therapists provide treatment to patients suffering from disease or injury by physical means, such as exercise, massage, infrared or ultraviolet light, heat, electrotherapy, hydrotherapy or physiotherapy.

"Restaurant" means any establishment, however designated, at which ready-to-eat food and beverages are sold, and at least a portion is consumed on the premises. A Restaurant may contain an accessory area devoted to outdoor dining provided the outdoor dining does not exceed 30% of the gross floor area of the Restaurant. A facility that primarily involves off-site delivery of ready-to-eat food shall also be considered a restaurant. A snack bar at a public or community playground, playfield, golf course, park or swimming pool operated solely by the agency or group operating the recreational facilities, and for the convenience of patrons of the facility, shall not be deemed to be a restaurant. A restaurant may include the sale of alcohol, but if it meets the definition of a "Tavern" then the requirements for a Tavern shall also be met.

Mary Ellen McKinley

From: Lisa Catania [eac@cataniaengineering.com]
Sent: Friday, August 29, 2014 11:15 AM
To: Mary Ellen McKinley
Cc: Charles Catania
Subject: Re: 225 Upland Road

Hi Mary

The folio number is 05000125902.

Have a good weekend!

Sent from my iPhone

On Aug 29, 2014, at 10:04 AM, "Mary Ellen McKinley" <mary.mckinley@brookhavenboro.com> wrote:

Hi!

Sorry to bother you. I am sending the letter for this address to both CSS and OLC as well as everyone and their brother on the list I have to notify. I was shooting for getting it out today but I have to give a folio number. There are three listed on the official Partial Site Plan—05 00 01259 01, 02 and 03. Which one do I use?

Thanks!!

"Retail sales" means the sale of goods to the general public for personal or household consumption and the rendering of services incidental to the sale of such goods.

"Unified Shopping Center" means a group of commercial establishments planned, constructed and managed as a unified development on a parcel or parcels of property in common ownership or control sharing common vehicular and pedestrian access and parking. For the purposes of this chapter, a unified shopping center shall contain at its ultimate development or build-out a minimum of 100,000 square feet of gross leasable area.

SECTION 3. Chapter 1265 titled, "C-5 Commercial District", Sections 1265.01 through and including Section 1265.08 shall be deleted and replaced with the following new Chapter 1265:

**"CHAPTER 1265
C-5 Commercial District**

1265.01. APPLICATION OF REGULATIONS.

The following regulations shall apply to properties in the C-5 District.

1265.02. PERMITTED USES.

A building may be erected, altered or used and a lot or premises may be used for any one of the following purposes:

- (a) A supermarket, grocery food or produce store;
- (b) A fast food restaurant which may include drive-through service with or without outdoor seating;
- (c) A garden center sales and service establishment and greenhouse;
- (d) A restaurant which may include drive up and take-out service, with or without outdoor seating;
- (e) A bank or financial institution which may include drive through service and drive through ATM machines;
- (f) A drugstore or pharmacy which may include drive through service;
- (g) Offices including medical offices;

- (h) Other retail commercial uses approved by Council as conditional uses;
- (i) Municipal uses, including but not limited to recreational uses which would include a municipal baseball or athletic field and/or related parking, police, volunteer fire and emergency service uses, buildings and facilities;
- (j) A Unified Shopping Center subject to the standards in Section 1265.09 and which use may contain one or more of the following uses:
 - 1) A supermarket, grocery store, produce store or wholesale club store (such as a BJ's or Costco), banks and financial institutions and pharmacies as accessory uses within or outside of such stores;
 - 2) Drug stores or pharmacies which may include drive through service;
 - 3) Retail store or personal service shop of all kinds including retail sale of alcoholic beverages and all commercial uses permitted in the C-2, C-3, C-4 and C-5 Districts except the following uses which shall not be permitted in a unified shopping center:
 - [a] Moving storage warehouse.
 - [b] Camping motor homes sales and service.
 - [c] Funeral parlor.
 - [d] Fuel oil heating contractor.
 - [e] Miniature golf course.
 - [f] Machine shop.
 - [g] Meatpacker.
 - [h] Upholster.
 - [i] Junk yard.
 - [j] Nursing home, not including adult day care.
 - [k] Kennels.
 - [l] Welding sales and service.

[m] Exterminator.

[n] Tavern.

[o] Nightclub.

- 4) Restaurant with or without a liquor license and with or without outdoor seating.
 - 5) Bank or other financial institution including drive through bays and ATM's.
 - 6) Health Club or Athletic Club.
 - 7) Place of public amusement or recreation and motion-picture theater.
 - 8) Offices including medical offices and physical therapy facilities.
 - 9) Automotive center for the retail sale of automobile parts and/or service of vehicles, permitted as one of the uses in a detached free standing building.
 - 10) Learning Centers.
 - 11) Child day care center.
- (k) An accessory use on the same lot or lot with condo unit with and customarily incidental to any of the above permitted uses.

1265.03. DIMENSIONAL REGULATIONS.

The following dimensional regulations shall apply to all uses in the C-5 Commercial District except for Unified Shopping Centers. The dimensional regulations for a Unified Shopping Center shall be found in Section 1265.08.

- (a) There shall be a front yard on each street on which a lot abuts, the depth of which shall be at least forty (40') feet.
- (b) There shall be a rear yard on each lot, the depth of which shall be at least thirty-five (35') feet.

- (c) There shall be a minimum distance between buildings on abutting lots of thirty (30') feet.
- (d) The maximum height of any building shall be thirty-five (35') feet.
- (e) The minimum lot size shall be one (1) acre with a minimum width of one hundred seventy-five (175') feet at the building line.

1265.04 OFF-STREET PARKING.

Off-street parking spaces for automobiles shall be provided for all uses permitted in the C-5 District at the ratio of four spaces per 1,000 square feet of gross floor area. The parking spaces shall be a minimum of one hundred sixty-two (162") square feet in area and shall be paved and maintained with an accepted hard surface.

1265.05 BUSINESSES TO BE COMPLETELY ENCLOSED; EXCEPTION.

Fast food restaurants and restaurants (either as a stand-alone use or within a unified shopping center) may have designated outdoor dining areas. All other uses permitted under Section 1265.02 shall be conducted within a completely enclosed building, except for recreational uses and the storage of materials. Storage of materials shall be permitted in an enclosed building or an area outside completely enclosed by a fence which creates a solid visual screen such that the enclosed area is not visible. Under no circumstances shall storage be permitted in temporary structures or trailers.

1265.06 STORAGE OF TRASH.

All trash shall be stored in a completely enclosed building or in a designated dumpster area which is screened from view from adjacent properties by a solid fence or landscaping which creates a solid visual screen such that the dumpster area is not visible from adjacent properties.

1265.07 LOADING AND UNLOADING HOURS.

No loading or unloading of supplies or materials shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.

1265.08 DIMENSIONAL REGULATIONS AND DESIGN STANDARDS FOR A UNIFIED SHOPPING CENTER.

A Unified Shopping Center shall comply with the following regulations:

- (a) **Building Height.** The average maximum height of a building shall be thirty-five (35) feet measured from the mean level of the finished grade surrounding the building to the average height of the highest roof surface. Chimneys, spires, towers, elevator penthouses, tanks and similar projections, including parapets, roof features and other roof decorations, shall be included in the calculation of the height. Regardless of average, no portion of the building may exceed forty-five (45) feet in height from grade. Where a building is of varying heights, the average shall be calculated by determining the height factor for each section (being the height of such building section times the linear feet of building frontage of

such building section); the sum of height factors for all building section, as the numerator, divided by the linear feet of building frontage of the building in its entirety, as the denominator, shall constitute the average height of the building.

- (b) Lot area. The minimum lot size shall be 15 acres with a minimum width of two hundred fifty (250) feet at the building line and a minimum of 500 feet of lot frontage along an arterial road.
- (c) Building setbacks. A Unified Shopping Center shall not require yard setbacks in the traditional sense. Building setbacks and buffers shall instead be regulated from adjacent uses, streets and parking areas as follows:
 - 1) Buildings and parking areas shall be set back from a contiguous adjacent lot and from PA Route 352 by a buffer planting strip of not less than 20 feet in width from the cartway of PA Route 352, provided that if the cartway is widened, a 10 foot planting strip on the lot measured from the property line of the lot shall be maintained. Within the buffer shall be placed shrubbery, trees or other suitable plantings sufficient to constitute an effective year round screen and give maximum protection to the abutting properties. This 10 foot wide buffer zone shall include all area between the property line and the nearest parking area or building line. The buffer provision shall be waived where both adjacent lots are the subject of reciprocal cross easements which allow for common parking and which provide internal vehicular and pedestrian interconnections between the two lots.
 - 2) Buildings need not be set back from all other roads, private collector drive aisles and adjacent parking areas. However, adequate provisions must be made for sidewalks and landscaping in front of the buildings as required by this Ordinance.
 - 3) All buildings shall be set back a minimum of 400 feet from the closest property line of each lot containing residential use existing as of the date of approval of final land development of the Unified Shopping Center.
 - 4) All recreational uses may be located within the 400 foot setback in subsection 3 above, provided there exists a setback of at least 60 feet from existing residential uses.

- (d) Building area. The total building area shall not exceed 20% of the total tract being developed.
- (e) Landscaping. An application for approval of a Unified Shopping Center shall include a landscaping plan for the entire Unified Shopping Center. All portions of the shopping center which are not occupied by buildings or paved surfaces shall be landscaped in accordance with an approved landscape plan. The landscape plan shall contain the location, size and species of all individual trees, shrubs and plantings to be provided or preserved on the site and utilize a combination of existing vegetation, trees, shrubs, lawns, ground cover, mulch, fencing and rock formations. At a minimum, the landscape plan shall provide the following:
 - 1) Street Trees. Street trees shall be required along all existing or proposed public or private streets, excluding any internal driveways, when they abut or lie within the proposed subdivision or land development. Street trees shall be located within a planting strip located within the right-of-way, between the edge of pavement, or back of curb and the sidewalk, or right-of-way. If a sidewalk is not proposed at the time of development, but is known to be a future possibility, then the tree shall be planted in the area that will become the planting strip. Trees shall be planted at a ratio of at least one tree per 30 linear feet of right-of-way or pavement frontage, or fraction thereof, not including the areas of driveway cuts or crosswalks. Trees shall be distributed along the entire planting strip. The street tree requirement may be waived where existing preserved vegetation is considered sufficient to meet these requirements and is reasonably assured of continued survival.
 - 2) Parking Lot landscaping. A minimum of 8% of the area of the parking lot shall be landscaped in accordance with a landscape plan, which shall include shrubbery and trees as approved by Council and provided that the plan will include 10 foot wide parking islands at the end of each parking row except where ADA or other handicap accessibility is required.

SECTION 4. The following definitions shall be added to Section 1275.04 and shall appear in alphabetical order:

"Informational Directional Sign" shall mean a sign installed in a Unified Shopping Center erected and maintained for the purpose of identifying the location of various tenants and/or businesses within the shopping center. Such signs may display the design and logo of the various tenants and businesses as well as directional information.

"Monument sign" shall have the same definition as ground sign.

SECTION 5. Section 1275.19 titled, "Signs for Development Complexes" shall be amended as follows:

1275.19. SIGNS FOR DEVELOPMENT COMPLEXES AND UNIFIED SHOPPING CENTERS.

- (a) Controlling regulations. The sign regulations in this section shall apply to all single-owner controlled multiple-occupancy non-residential development complexes and Unified Shopping Centers and shall supersede the regulations in Section 1275.10 for shopping centers and other commercial uses.
- (b) Master Sign Plan Required. The owner of the development complex or Unified Shopping Center must submit a master sign plan to the Code Official as part of the land development plans. The master sign plan shall establish standards and criteria for all signs in the complex or shopping center that require permits and shall address at a minimum the following:
 - 1) Proposed sign locations.
 - 2) Materials of proposed signs.
 - 3) Type and number of signs.
 - 4) Type of illumination.
 - 5) Size and height of all proposed signs.
 - 6) Quantity of signs.
 - 7) Uniform standards for nonbusiness signage including directional and informational signs.
- (c) Types of permitted signs. The following types of signs shall be permitted in a development complex and Unified Shopping Center.
 - 1) Freestanding Pylon Entrance Sign. Every development complex and Unified Shopping Center shall be permitted at least one freestanding pylon entrance sign located at the main entrance to the development or shopping center. Such sign shall have a maximum height of 25 feet, a maximum area of the sign façade of 250 square feet not including supports, pylons or frame and shall

be set back a minimum of 15 feet from the cartway. The freestanding sign shall identify the name of the development or shopping center and may contain the names of the tenants or business establishments within the development.

- 2) Monument Signs. Every development complex and Unified Shopping Center shall be permitted to have one Monument sign for every 300 lineal feet of frontage on each street upon which the development or shopping center has frontage. The Monument signs shall have a maximum height of 12 feet, a maximum area of 60 square feet not including supports, pylons or frame and shall be set back a minimum of 15 feet from the cartway.
- 3) Wall Signs. Every tenant or business establishment within the development or shopping center shall be permitted a wall sign identifying its business. Such wall signs shall be attached to the wall of a building, erected against and parallel to the wall, extending less than twelve (12") inches from the wall of the building. Such wall signs shall be illuminated with internally illuminated LED channel letters with a maximum area of 3 square feet of signage for every one lineal foot of building façade occupied by such tenant or business. Wall signs shall be permitted on the front and side facades of buildings and on the rear façade if the rear façade of the building faces an internal access driveway used by the public within the development or shopping center.
- 4) Informational Directional Signs. Every development complex and Unified Shopping Center shall be permitted to have on site informational directional signs for the purpose of identifying the various tenants and businesses and directing vehicular and pedestrian traffic within the development or shopping center. The informational directional signs shall be installed at selected locations within the development or shopping center and shall have a maximum height of 8 feet and a maximum area of 20 square feet.
- 5) A restaurant with drive through service may erect two additional freestanding signs which are a menu sign and order sign provided that such signs shall not exceed 25 square feet.
- 6) Window signs. Window signs shall be permitted for each business establishment in the development complex or unified shopping center provided that the area of the window signs shall not exceed 25% of the glass area of the window in which it is placed.

SECTION 6. Section 1276.02(a), titled, "Open Space Preservation" shall be amended as follows:

"1276.02. OPEN SPACE PRESERVATION.

As an almost built-out community one of Brookhaven's goals is the preservation of open space and enhancement of recreation facilities.

(a) Open Space and Recreational Facilities.

- 1) Residential subdivisions for four or more dwelling units, or non-residential land developments of five or more acres shall provide land for open space and recreational facilities. In a Unified Shopping Center, the open space may be provided on land that is contiguous to the shopping center and which is owned or leased by a public entity and permitted to be used by the public. Alternatively, Council may agree to waive or modify the open space requirements for a Unified Shopping Center."
- 2) Land. The minimum amount of land to be reserved for open space and recreation facilities shall be a proportion of the site in accordance with the following development densities and uses, unless the zoning district contains a more stringent requirement:

Use and Gross Density

Residential development of one or fewer dwelling units per acre	5%
Residential development of more than one and fewer than four dwelling units per acre	7%
Residential development of four or more but fewer than eight dwelling units per acre	12%
Residential development of eight or more dwelling units per acre	20%
Industrial Development	10%
Commercial Development	10%
Unified Shopping Center ¹	10%

SECTION 7. Section 1276.05(b), titled, "Lighting Design" shall be amended as follows:

¹ Applicant shall construct recreational facilities to satisfy this requirement.

(b) Lighting Design. Standards for outdoor lighting. All outdoor area lighting shall conform to the following standards:

- 1) Outdoor lighting shall not shine directly into the yard or windows of a residence.
- 2) Outdoor lighting shall be designed, located and mounted at heights no greater than twelve feet above grade for non-cut-off lights and, except as permitted in the immediately following sentence, twenty feet above grade for cut-off lights. In a Unified Shopping Center in parking areas within the shopping center that have eight or more contiguous rows of parking, cut-off lights may be mounted at heights up to thirty-five feet above grade, provided however, any cut off lights located within ten feet of a property line, whether or not in a parking area, shall be limited to no greater than twenty feet above grade.
- 3) All lighting fixtures must be located at least ten feet from property lines defining rear and side yards. Light sources should not be located within any perimeter-landscaped area except on pedestrian walkways.
- 4) All outdoor roadway lighting shall be designed to meet IESNA guidelines for roadway lighting.
- 5) Parking lot lighting fixtures shall meet the requirements of IESNA for parking lot lighting.
- 6) Light fixtures used to light buildings and landscaping shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings, or other site features and away from adjoining properties and the street right-of-way.
- 7) Lighting fixtures in scale with pedestrian activities shall provide for uniform distribution of lighting to produce minimal shadows.

SECTION 8. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. Repealer. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 10. Effective Date. This Ordinance shall be effective following enactment as by law provided.

ENACTED AND ORDAINED this _____ day of _____, 2014.

**BOROUGH COUNCIL OF THE
BOROUGH OF BROOKHAVEN**

ATTEST:

Mary Ellen McKinley, Secretary

BY: _____
Susan Rendler-Truesdale, President

EXHIBIT "A"



CONTROL POINT ASSOCIATES, INC.

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New Britain Corporate Center
1600 Manor Drive, Suite 210
Chalfont, PA 18914
Tel. 215.712.9800
Fax. 215.712.9802
www.cpasurvey.com

July 24, 2014
CP12208.01

METES AND BOUNDS DESCRIPTION
PROPOSED LOT 2
SHOPPING CENTER,
PART OF FOLIO 05-00-00428-00 & FOLIO 05-00-00429-00
LANDS NOW OR FORMERLY
CHESTER WATER AUTHORITY
BOROUGH OF BROOKHAVEN, DELAWARE COUNTY
COMMONWEALTH OF PENNSYLVANIA

BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF EDMONT AVENUE (A.K.A. S.R. 0352, A.K.A. L.R. 132, A.K.A. MIDDLETOWN, A.K.A. NEW EDMONT ROAD, A.K.A. EDMONT AVENUE, VARIABLE WIDTH RIGHT-OF-WAY), AT ITS INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COEBURN BOULEVARD (65 FOOT WIDE RIGHT-OF-WAY), AND FROM SAID POINT OF BEGINNING RUNNING, THENCE,

1. ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COEBURN BOULEVARD, SOUTH 54 DEGREES - 31 MINUTES - 41 SECONDS WEST, A DISTANCE OF 912.91 FEET TO A POINT, THENCE;
2. ALONG THE COMMON DIVIDING LINE BETWEEN PROPOSED LOT #2; PROPOSED LOT #3; AND PROPOSED LOT #1, NORTH 38 DEGREES - 11 MINUTES - 08 SECONDS WEST, A DISTANCE OF 1,200.33 FEET TO A POINT, THENCE;
3. ALONG THE DIVIDING LINE BETWEEN PROPOSED LOT #2 AND PROPOSED LOT #1, NORTH 53 DEGREES - 42 MINUTES - 10 SECONDS EAST, A DISTANCE OF 912.37 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF EDMONT AVENUE, THENCE;
4. ALONG SOUTHWESTERLY RIGHT-OF-WAY LINE OF EDMONT AVENUE, SOUTH 38 DEGREES - 11 MINUTES - 08 SECONDS EAST, A DISTANCE OF 1,213.49 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 1,100,550 SQUARE FEET OR 25.265 ACRES

THIS PROPERTY SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.

THIS DESCRIPTION WAS WRITTEN BASED UPON A MAP ENTITLED "PRELIMINARY LAND DEVELOPMENT PLANS FOR HARTFORD PROPERTIES, LLC, THE SHOPPES AT BROOKHAVEN (PROPOSED

Corporate Office
36 Technology Drive, Warren, NJ 07059
tel: 908.688.0099 fax: 908.688.9595

Branch Office
352 Turnpike Road, Suite 320, Southborough, MA 01772
tel: 508.948.3000 fax: 508.948.3003

Professional Land Surveying and Consulting Services



CONTROL POINT ASSOCIATES, INC.
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SHOPPING CENTER) 4800-4900 EDMONT AVE, BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, PA,
 SUBDIVISION PLAN", PREPARED BY BOHLER ENGINEERING, INC., FILE PV110758, DATED
 7/1/2014, SHEET C-5 OF 20.

CONTROL POINT ASSOCIATES, INC.

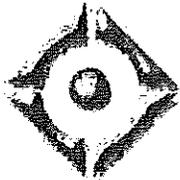
7/24/2014

JAMES F. HENRY
 PROFESSIONAL ENGINEER
 COMMONWEALTH OF PENNSYLVANIA
 PROFESSIONAL ENGINEER # SU056807

DATE

MFD/JLA:
 S:\12\CP12208-RetailSites-Brookhaven-PA-JFH\CP12208.01-RetailSites-Brookhaven Borough-PA-JFH\M&B\M18_Proposed Lot 2_7.26.2014.dwg
 PREPARED BY: JLA
 REVIEWED BY: MFD

EXHIBIT "B"



CONTROL POINT ASSOCIATES, INC.

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New Britain Corporate Center
1600 Manor Drive, Suite 210
Chalfont, PA 18914
Tel. 215.712.9800
Fax. 215.712.9802
www.cpasurvey.com

July 24, 2014
CP12208.01

METES AND BOUNDS DESCRIPTION
PROPOSED LOT 3
RECREATION AREA, PART OF FOLIO 05-00-00429-00
LANDS NOW OR FORMERLY
CHESTER WATER AUTHORITY
BOROUGH OF BROOKHAVEN, DELAWARE COUNTY
COMMONWEALTH OF PENNSYLVANIA

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COEBURN BOULEVARD (65 FOOT WIDE RIGHT-OF-WAY), AT THE DIVIDING LINE BETWEEN PROPOSED LOT #3 AND FOLIO 05-00-01101-00, AND FROM SAID POINT OF BEGINNING RUNNING, THENCE;

1. ALONG THE COMMON DIVIDING LINE BETWEEN PROPOSED LOT #3; FOLIO 05-00-01101-00; FOLIO 05-00-01100-00; FOLIO 05-00-01100-01; FOLIO 05-00-01099-00, FOLIO 050-00-01098-00; FOLIO 05-00-01097-00; FOLIO 05-00-01096-00 & FOLIO 05-00-01095-00, NORTH 36 DEGREES - 02 MINUTES - 04 SECONDS WEST, A DISTANCE OF 579.62 FEET TO A POINT, THENCE;
2. ALONG THE DIVIDING LINE BETWEEN PROPOSED LOT #3 AND PROPOSED LOT #1, NORTH 51 DEGREES - 48 MINUTES - 52 SECONDS EAST, A DISTANCE OF 386.67 FEET TO A POINT, THENCE;
3. ALONG THE DIVIDING LINE BETWEEN PROPOSED LOT #3 AND PROPOSED LOT #2, SOUTH 38 DEGREES - 11 MINUTES - 08 SECONDS EAST, A DISTANCE OF 598.57 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COEBURN BOULEVARD, THENCE;
4. ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COEBURN BOULEVARD, SOUTH 54 DEGREES - 31 MINUTES - 41 SECONDS WEST, A DISTANCE OF 408.88 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 234,216 SQUARE FEET OR 5.378 ACRES

THIS PROPERTY SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.

THIS DESCRIPTION WAS WRITTEN BASED UPON A MAP ENTITLED "PRELIMINARY LAND DEVELOPMENT PLANS FOR HARTFORD PROPERTIES, LLC, THE SHOPPES AT BROOKHAVEN (PROPOSED

Corporate Office
35 Technology Drive, Warren, NJ 07059
tel: 908.668.0099 fax: 908.668.9596

Branch Office
352 Tumpike Road, Suite 320, Southborough, MA 01772
tel: 508.948.3000 fax: 508.948.3003

Professional Land Surveying and Consulting Services



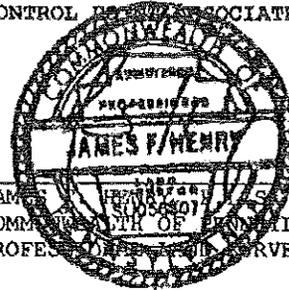
CONTROL POINT ASSOCIATES, INC.

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SHOPPING CENTER) 4800-4900 EDMONT AVE, BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, PA,
SUBDIVISION PLAN", PREPARED BY BOHLER ENGINEERING, INC., FILE PV110758, DATED
7/1/2014, SHEET C-5 OF 20.

CONTROL POINT ASSOCIATES, INC.



7/24/2014

JAMES F. HENRY
COMMONWEALTH OF PENNSYLVANIA
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MFD/JLA:

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PREPARED BY: JLA

REVIEWED BY: MFD