

Zoning Officer's Decision for Zoning Application (received March 26, 2001) to permit the use of portions of approximately 163 acres of property owned by Gibraltar Rock, Inc. for use as a quarry. The portion of the properties proposed for quarry use are located within the HI zoning district.

Note: **All** zoning ordinance deficiencies cited **must be satisfied** before the scheduled Zoning Hearing, **or** the submitted Zoning Hearing application **must be amended to request specific variances** from those sections of the ordinance before that hearing date. Requesting permission to amend or modify the relief sought the night of the scheduled hearing **will not be permitted**.

1. In all circumstances, the application and supporting documentation which references the property owner/appellant, refers to the owner as "Gibralter" Rock, Inc. while the deed of transfer lists "Gibraltar" Rock, Inc. as the owner. All incorrect references should be corrected.
2. The proposed "quarry" use (per Table of use Regulations, Chapter 27, Part 3, Section 307 of the Code of Ordinances of the Township of New Hanover) is permitted by Special Exception in the HI (Heavy Industrial) zoning district. Therefore, a hearing before the Zoning Hearing Board is required.
3. The submitted plans do not indicate existing data or proposed uses within a one mile radius as required by Chapter 27, Part 3, Section 305 (Use regulations), Subsection 8. (H- Industrial uses), L. H12 Extractive Operation, (2)(a) Plans required. There is one public school, one private school and approximately 50 acres of vacant land owned by the Archdiocese of Philadelphia located within ½ mile of the proposed facility.
4. The submission lacks **all** required information per Subsection (2)(a)(2) of the same section indicating environmental conditions (i.e. soils, water table info, plants, wind, etc.) and specifics about operations at the proposed facility (i.e. grading, machinery info, noise abatement, blasting procedures, hours of operation, complaint handling procedures, etc.).
5. The site plan submitted indicates an area for employee parking but no area is evident for parking of company owned vehicles (concrete trucks, etc.)
6. A bermed area is indicated to the north of Hoffmansville Road but there is no indication of the proposed use for this tract or any proposed access route to it.
7. The zoning application submitted indicates the only proposed use is that of a quarry; however, the traffic study provided mentions only a concrete plant as the proposed use and the site plan indicates proposed uses to be a quarry, a concrete plant and a macadam plant. It must be clarified as to what is the actual intended use of the property.

8. If the concrete and macadam plants are part of the proposal, unless it can be demonstrated that these uses are "clearly incidental and subordinate to" the quarry operation (e.g. accessory uses); a variance from Chapter 27, Section 301 of the Code of Ordinances is required. The referenced section permits only one principal use on a property unless specifically stated otherwise.
9. A land development plan approval is required unless specifically waived by the Board of Supervisors.
10. Traffic impact fees are required unless specifically waived by the Board of Supervisors.
11. Required buffer yards are not shown.
12. If the applicant feels the use as proposed is a legitimate use not presently provided for in Chapter 27 of the Code of Ordinances, they may request that it be included as such and have it referred to the planning commission for an opinion. If the planning commission subsequently determines it to be a use not provided for, they must determine if it should be provided for or if it is an exotic use and does not warrant inclusion. Upon a determination that it should be provided for, it is subsequently referred to the Board of Supervisors as a Conditional use subject to the various impact statements requires by Chapter 27, Part 19 of the Code of Ordinances.