



Gawthrop Greenwood, PC
Attorneys at Law

17 East Gay Street, Suite 100, P.O. Box 562 p. 610.696.8225
West Chester, PA 19381-0562 www.gawthrop.com

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ADMINISTRATION

Patrick M. McKenna
610.696.8225 x1550
610.344.0922 fax
pmckenna@gawthrop.com

February 21, 2024

Don Vymazal, Township Manager
Caln Township
253 Municipal Drive
Thorndale, PA 19372

Re: Farmhouse Amended Conditional Use Application
Request to Waive Conditional Use Application fee

Dear Mr. Vymazal:

As you may recall, I represent DPP 2022 Properties, LLC ("Applicant"), owner of the property located at 40000 Lincoln Highway, Caln Township, being UPI #39-4-138.1 ("Property"). The Applicant plans to develop the Property with a one-story, 5,445 square foot building, drive thru service window, 38 off-street parking spaces, sidewalk, stormwater management facilities and other related site improvements for the operation of a restaurant/coffee shop to be known as "The Farmhouse Coffee and Espresso Bar." The Property is located in the TV-1 Thorndale Village Zoning District, Lincoln Highway Overlay District, Zone 1 and Carbonate Geology District of Caln Township.

The Caln Township Board of Commissioners, (the "Board") granted Conditional Use approval, pursuant to §155-26.C(9) of the Caln Township Zoning Ordinance, on May 25, 2023, to allow the proposed building to be used for a restaurant with drive through service window. As part of its Conditional Use approval, the Board imposed certain conditions. Condition #5 of the May 25, 2023 Conditional Use Decision and Order, reads as follows:

5. Applicant shall install sidewalk along W. Lincoln Highway in the location depicted on the Plan admitted as Exhibit A-3. The specifications for the sidewalk shall be approved by the Board during land development but Applicant shall be required to install brick inlay similar to the sidewalk that was recently installed along Lincoln Highway in front of the Campus.

Thereafter, on January 25, 2024, the Board granted preliminary/final approval of the Land Development Plan prepared by Vastardis Consulting Engineers, LLC, dated June 30, 2023, last revised December 7, 2023 (the "Plans").

Don Vymazal, Township Manager

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In light of the Board's comments and feedback at the public meeting on January 25 2024, my client would like to file an application to amend the Conditional Use approval previously granted by the Commissioners to formally request that condition #5 of the Conditional Use Decision and Order be amended to no longer require the installation of a brick inlay sidewalk, and instead permit it to proceed to install a concrete sidewalk. There was general discussion at the Board meeting in January regarding a shift in Board policy regarding the brick inlay requirement such that it would justify amending the Conditional Use Decision based on a change in circumstances since the date of approval of the Conditional Use application. I do not have the meeting minutes to attach to my request as those minutes have not yet been approved.

Nevertheless, before filing for the amended Conditional Use approval, would you please pass along my client's request that the Township waive the \$4,000 application fee as the Plans have already been reviewed, commented on and approved (including final land development approval) such that the full application fee to seek an amendment to one condition of approval is onerous to my client and generally inapplicable to this particular situation.

Please let me know if you need anything else from me to present this request to the Board, and please confirm whether we need to be present for the meeting to speak to the request on February 29 as I have a conflict for that evening that I would need to work around. Thank you for your attention to this matter.

Very truly yours,



Patrick M. McKenna

cc: DPP2022 Properties, LLC