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December 5, 2023  
Ref: #7559

Township of Worcester  
1721 Valley Forge Road  
PO Box 767  
Worcester, PA 19490-0767

Attention: Sean Halbom, Township Manager

Reference: Variety – the Children’s Charity of the Delaware Valley  
2950 Potshop Road; Parcel #67-00-02842-00-7  
Conditional Use Application

Dear Sean:

I am in receipt of a copy of a Conditional Use Application in conjunction with proposed field lighting for proposed athletic fields and lighting for a proposed parking area on the Children’s Charity of Delaware Valley’s property located at 2950 Potshop Road. The property is approximately 78.04 acres and is in the AGR – Agricultural District. The existing use is in accordance with Zoning Ordinance Section 150-11.C. and is a special needs camp, school/developmental center. The application includes an eight (8)-sheet plan set prepared by Musco Lighting dated November 13, 2023.

Zoning Ordinance Section 150-11.C.2.b. notes the following:

Outdoor recreational facilities and uses including sports fields, playgrounds, play courts, swimming pools, tree houses, ropes courses, amphitheaters, and other similar facilities. Outdoor recreational facilities are primarily for the use of special needs camp, school/developmental center students and staff, while also being available for rental and community use. The illumination of any outdoor recreational facility is permitted by conditional use approval of the Board of Supervisors in accordance with §150-215.

The plans provided show four athletic field lights with pole heights of 70 feet, 16 parking lot lights with pole heights of 12 feet, and 14 driveway lights also with pole heights of 12 feet.

In accordance with Zoning Ordinance Section 150-200, Exterior Lightings, we offer the following comments:

1. Exterior lighting of a building or grounds shall be color corrected illumination which shall not be more than 12 feet above grade, shall be screened so as not to permit the source of illumination to be seen from off the premises, shall not cast measurable

illumination off the subject property, and shall not create a nuisance or intrusion to the privacy of adjacent property owners or the public. (Z.O. Section 150-200.A)

2. The maximum pole height, the number of poles, the location of poles, and the screening of the fixtures shall be approved by the Board of Supervisors to insure that such lighting complies with the requirements of the Exterior Lighting section of the Zoning Ordinance. No light pole heights shall be approved any higher than absolutely necessary to achieve safe, appropriate levels of illumination of an entire field without permitting the spillage of illumination off the property in excess of 0.1 footcandles horizontally measured three feet above the ground, and 0.5 footcandles vertically measured five feet above the ground at the property line or edge of pavement. (Z.O. Section 150-200.B.2 and 5)

We request larger scale drawings of Sheet 5 to determine if any illumination levels off site are in excess of the lighting requirements .

3. Maximum cutoff design in order to eliminate preventable light or glare spillover to adjacent properties abutting rights-of-way or the sky above the illuminated fields shall be provided. Glare control and light trespass shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles and the appropriate application of fixture mounting height, wattage aiming angle and placement. (Z.O. Section 150-200.B.4) These items have not been addressed on the plans.

Cut sheets of the proposed lighting, including poles, luminaries, and foundations must be included in future submissions.

4. All activities or events proposed for a lighted field shall be scheduled so that they shall be expected to end no later than 9:00 pm prevailing time Monday through Thursday and no later than 10:00 pm prevailing time Friday and Saturday. No use of lights shall be permitted on Sundays. (Z.O. Section 150-200.B.10)

The applicant's consultant should also refer to Zoning Ordinance Section 150-215 to provide sufficient plans to demonstrate that there will be no adverse effect on neighboring land uses in any way and shall not impose upon its neighbors in any way but rather blend in with them in a harmonious matter.

In addition, we suggest that the hours that the field can be lighted be noted on a plan to be recorded or within a Developer's Agreement.

5. Per Z.O. Section 150-200.B(9), because of the potential impact of lighting athletic fields in close proximity to residential uses, the Township shall be authorized to retain an independent lighting professional to review the design of any lighting system proposed by an applicant and present testimony and/or a written report at the required conditional use proceeding.

We recommend the plans be reviewed by an independent lighting professional prior to the conditional use hearing.

The above represents our comments in this conditional use plan submission. Please do not hesitate to contact this office if you have any questions or need any additional assistance on this project.

Very truly yours,  
CKS ENGINEERS  
Township Engineers



John W. Evarts, P.E.

JWE/klk

cc: Wendy Feiss McKenna, Esquire, Township Solicitor (via email)  
Mark D. Jonas, Esquire, Eastburn and Gray (via email)  
Variety – The Children’s Charity of Delaware (via email)  
File

ERECTED INTO A TOWNSHIP IN 1733  
**TOWNSHIP OF WORCESTER**  
AT THE CENTER POINT OF MONTGOMERY COUNTY  
PENNSYLVANIA

1721 Valley Forge Road  
P.O. Box 767  
Worcester, PA 19490

Phone (610) 584-1410  
Fax (610) 584-8901

**THIS SECTION COMPLETED ONLY BY TOWNSHIP:**

APPEAL NO. : \_\_\_\_\_ DATE FILED: \_\_\_\_\_, 20

APPLICATION:  **BOARD OF SUPERVISORS**  
 **ZONING HEARING BOARD**

1. Date of Application: \_\_\_\_\_

2. Classification of Appeal (Check one or more, if applicable):

- a. Appeal from the Zoning Officer's Determination
- b. Request for Variance
- c. Request for Special Exception
- d. Challenges to the Validity of Zoning Ordinance or Map
- e. Request for Conditional Use Hearing
- f. Request for Amendment to Zoning Map
- g. Request for Zoning Ordinance Amendment
- h. Request for a Curative Amendment
- i. Request for other relief within the Jurisdiction of the Zoning Hearing Board as established in Section 909.1(a) of the Pennsylvania Municipalities Code

3. Applicant:

- a. Name: Variety-The Children's Charity of the Delaware Valley
- b. Mailing address: 2950 Potshop Road, P.O. Box 609  
Worcester, PA 19490
- c. Telephone number: 610-584-4366
- d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: \_\_\_\_\_ **(REQUIRED)** Legal owner

**Please attach Deed to prove ownership, an Agreement of Sale to prove equitable ownership, or an Affidavit allowing Tenant to apply for necessary relief.**

4. Applicant's attorney, if any:

- a. Name: Marc D. Jonas, Esq.
- b. Address: 470 Norristown Road, Suite 302  
Blue Bell, PA 19422
- c. Telephone number: 215-542-9345

5. Property Details:

- a. Present Zoning Classification: AGR Agricultural District
- b. Present Land Use: Special needs, camp, school/development center
- c. Location (Street Address):  
2950 Potshop Road, Worcester, PA 19490
- d. Parcel #: 67-00-02842-00-7
- e. Lot Dimensions:
  - (1) Area: 78.035 acres
  - (2) Frontage: \_\_\_\_\_
  - (3) Depth: \_\_\_\_\_
- f. Circle all that apply in regards to the above specified property:
  - Public Water       Public Sewer
  - Private Well       Private Septic
- g. Size, construction, and use of existing improvements; use of land, if unimproved: **(Please submit as an attachment)**

6. Proposed Use(s):

- a. Proposed use(s) and construction: Please provide size, construction and proposed use(s). **(Please submit as an attachment)**

7. Legal grounds for appeal (Cite specific sections of Pennsylvania Municipalities Planning Code, Zoning Ordinance, Subdivision Regulations, and/ or other Acts or Ordinances). All sections that apply must be listed in which relief is required and an explanation provided. **(Please submit as an attachment)**

8. Has any previous appeal been filed concerning the subject matter of this appeal?  
 Yes     No

If yes: specify: **(Please submit as an attachment)**

9. Challenges please list requested issues of fact or interpretation:  
**(Please submit as an attachment)**

10. Worcester Township to provide the list of names and addresses of properties situated in the vicinity of the subject property as per Township Code Section 150-224

**CERTIFICATION**

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge, information or belief.

*Juan Berub*  
Signature

DOMINIQUE BERNARDO  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Bucks : SS

The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

John Berul  
Applicant

\_\_\_\_\_  
Applicant

Sworn to and subscribed before me this 10<sup>th</sup> day of November, 2023

Elizabeth Haney  
\_\_\_\_\_  
Notary Public

Commonwealth of Pennsylvania - Notary Seal  
ELIZABETH A. HANEY, Notary Public  
Bucks County  
My Commission Expires May 30, 2025  
Commission Number 1066212

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

\_\_\_\_\_  
Zoning Officer

**Worcester Township**  
**Conditional Use Application of Variety – the Children’s Charity of the Delaware Valley**

**Addendum to Application**

**6. Proposed use**

Applicant, Variety – the Children’s Charity of the Delaware Valley (“Variety”), is the record owner of the property located at 2950 Potshop Road, Worcester, Pa 19490 (“Property”) located within the AGR Agricultural District of Worcester Township (“Township”). Variety is a nonprofit organization operating a “Special needs camp, school/development center” on the Property.

Variety is proposing to construct three athletic fields on the Property in two phases. The first phase will consist of a synthetic turf field with lighting. The second phase will include a natural grass athletic field, baseball field, playground, and a parking area with lighting.

**7. Legal grounds for conditional use application**

Variety submits this application for a conditional use pursuant to section 150-11(C)(2)(b) of the Worcester Township Zoning Ordinance (“Zoning Ordinance”) to install lighting for the turf field and the parking area on the Property. Section 150-11(C)(2)(b) of the Zoning Ordinance provides that a special needs camp, school/developmental center may include:

Outdoor recreational facilities and uses including sports fields, playgrounds, play courts, swimming pools, tree houses, ropes courses, amphitheaters, and other similar facilities. Outdoor recreational facilities are primarily for the use of special needs camp, school/developmental center students and staff, while also being available for rental and community use. The illumination of any outdoor recreational facility is permitted by conditional use approval of the Board of Supervisors, in accordance with § 150-215. [Emphasis added.]

As depicted on the plans submitted with this application, the lighting system for the turf field will include four light poles, each with a 70-foot mounting height; and the lighting system for the parking area will include sixteen light poles, each with a 12-foot mounting height.

Section 150-215 of the Zoning Ordinance provides the general criteria applicable to all conditional uses. Variety's proposed lighting system for the turf field and parking area satisfies the standards in section 150-215 for grant of a conditional use. In particular, the lighting system complies with both the legislative intent of Article I of the Zoning Ordinance and the AGR District by allowing for safe use of the fields and parking areas by the public.

The lighting will not adversely affect neighboring land uses or impose upon neighbors. There are few residential neighboring properties, and natural buffers exist on the Property between the proposed field and parking area locations and those residences. The lighting system will not be served by public service systems and will have no impact on traffic.

Finally, as shown on the plans submitted with this application, the field and parking areas for which the lighting systems are intended are properly designed with regard to internal circulation, parking, buffering, and all other elements of proper design.