



**VIA ELECTRONIC MAIL**

**West Chester Office**  
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West Chester, PA 19380  
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October 14, 2019

Erica L. Batdorf, Township Manager  
West Vincent Township  
729 Saint Matthews Road  
Chester Springs, PA 19425

RE: 1414 Birchrun Road  
Minor Subdivision Plan Review #2 – **Resubmission Required**  
West Vincent Township  
File No: 11084.52

Dear Ms. Batdorf:

As requested, we have completed a review of the Minor Subdivision Application for 1414 Birchrun Road. The site (UPI #25-3-101.1B) is located within the R-3 Residential Zoning District southwest of Birchrun Road and abutting Jaine Lane along its southern border, consisting of 40.00 acres. Two lots are being created; however, no construction or improvements are proposed with this Application.

The following information was received by ARRO on October 7, 2019:

- A plan, consisting of two (2) sheets – Final Minor Subdivision 1414 Birchrun Road dated August 6, 2019 and last revised October 2, 2019 and prepared by DL Howell & Associates, Inc. (Plan).
- A waiver request letter, dated October 1, 2019 and prepared by DL Howell & Associates, Inc.
- A response to ARRO review letter, dated October 1, 2019 and prepared by DL Howell & Associates, Inc.

We have reviewed the information for compliance with the following Ordinance:

- West Vincent Township Subdivision and Land Development Ordinance of 1998 (As amended by Ordinance No. 170-2016) (SALDO)

**Subdivision and Land Development Relief:**

The applicant is requesting the following waivers from the SALDO requirements.

1. *§403.F.: Five-Step Design Process for Residential Subdivisions*

The Applicant is requesting a waiver to not require the Five-Step Design Process for Residential Subdivisions. This requirement does not apply to a minor land development; therefore, this waiver is not required.

2. *§403.I.1: Sewer and Water Feasibility Report*

The Applicant is requesting a waiver to not be required to provide a Sewer and Water Feasibility Report. ARRO does not object to this waiver provided that the applicant obtains a waiver from PADEP and the Chester County Health Department to not be required to provide a Sewage Planning module.

3. *§403.I.2: Hydrogeology and Groundwater Protection Study*

The Applicant is requesting a waiver to not be required to provide a Hydrogeology and Groundwater Protection Study. ARRO offers no objection to this waiver for this application as no construction is proposed.

4. *§404.E.: Final Improvements Construction Plan*

The Applicant is requesting a waiver to not be required to provide a Final Improvements Construction Plan. ARRO offers no objection to this requirement being waived for this application as no improvement is proposed.

5. *§404.F.: Final Stormwater Management and Erosion & Sedimentation Control Plan*

The Applicant is requesting a waiver to not be required to provide a Final Stormwater Management and Erosion and Sedimentation Control Plan. ARRO offers no objection to this requirement being waived for this application as no construction is proposed.

6. *§404.H.: Final Landscape Plan*

The Applicant is requesting a waiver to not be required to provide a Final Landscape Plan. ARRO offers no objection to this requirement being waived for this application as no improvement is proposed.

7. *§607.A: Sewerage – General Requirements*

The Applicant is requesting a waiver to not be required to provide a sewerage facilities planning module. It is ARRO's understanding that the applicant will be obtaining a non-

building waiver from the PADPE. If the PADEP issues this waiver, the requested relief from Section 607.A will not be necessary for this application.

8. *§610.A: No grading, excavating, removal, or other movement of the topsoil and no removal or destruction of trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been reviewed by the Township Engineer and approved by the County Conservation District and the Board of Supervisors, or there has been a determination by the Planning Commission and the Board of Supervisors that such plans are not necessary. Appropriate earthmoving and NPDES permits from the Township and the Department of Environmental Protection shall be required.*

The Applicant is requesting a waiver to not be required to provide an erosion and sedimentation control plan. However, this waiver is not required as the Plan does not propose any grading, excavating, removal, or other movement of the topsoil, nor any removal or destruction of trees or other vegetative cover.

9. *§612.C.1: Concrete or paved sidewalks or walking paths shall be required along all streets or within common open space or recreational areas within a subdivision or to provide pedestrian linkage and access to adjacent tracts and developments.*

The Applicant is requesting a waiver (Wavier Request #3) to not be required to provide sidewalks along Jaine Lane. ARRO offers no objection to this requirement being waived for this application as there are no sidewalks along Jaine Lane in the vicinity.

### **Subdivision and Land Development Comments:**

#### **Section 404 FINAL PLAN**

*Final plans shall conform in all important details to the detailed Preliminary Plan, including any conditions specified by the Board. A detailed final plan shall consist of and be prepared in accordance with the following:*

1. *§403.B.2: Dimensions shall be set in feet and decimal parts thereof, bearings in degrees, minutes and seconds (errors in closure shall not be more than one part in 10,000).*

A legal description and closure report for each proposed lot and the access easement must be submitted for review and approval.

2. *§403.G.2.i: The locations and dimensions of all existing street rights-of-way and paving widths, including those approved or recorded but not constructed, ...*

The cartway width of Jaine Lane must be added to the Plan.

3. *§404.D.3 - Sufficient data to determine readily the location, bearing and length of every lot and boundary line and to produce such lines upon the ground, including all dimensions, angles, and bearings of the lines. The gross tract acreage and adjusted tract area shall be shown. For each lot created, including areas to be dedicated to public use, the gross and net lot area shall be indicated to the nearest one-thousandth (0.001) of an acre. For lot sizes smaller than one (1) acre, the lot area shall be indicated by square feet.*

Legal descriptions and closure reports for the proposed lots must be provided for review.

4. *§404.D.4 - For residential subdivisions, proposed driveway locations and the names of all streets, as approved in writing by the U.S. Postal Service, County Emergency Services Department and local fire companies, and house numbers as assigned by the Township shall be shown.*

The lot addresses as assigned by the Township shall be added to the Plan prior to approval and execution for recordation.

5. *§404.D.5 - Permanent concrete control and reference monuments, as required by Section 603 of this Ordinance.*

All monuments and pins (existing and proposed) must be referenced in the legal descriptions for both lots for clarity and completeness.

6. *§404.G: Final Greenway Ownership and Management Plan*

The note on the Final Greenway Ownership and Management Plan pertaining to the changing of the Greenway Land Areas shall be revised to indicate that any changes to the Greenway must comply with the Township Ordinances in effect at the time of Building Permit Application. Any change to the Greenway Plan must be reviewed and approved by the Planning Commission and Board of Supervisors.

7. *§404.K.3 – All offers of dedication of realty or structures and all declarations, easements and covenants governing the reservation and maintenance of undedicated open space, for the Final Plan shall be in such form as shall be satisfactory to the Board of Supervisors.*

An offer of dedication, legal descriptions and closure reports for the dedication of rights-of-way along the property frontage of Jaine Lane must be provided for review and approval. The deed of dedication for the rights of way for Jaine Lane will be prepared by the Township Solicitor for execution by the Applicant prior to Final Plan execution and recordation.

8. *§404.K.4 - A copy of such deed restrictions, easements, covenants and declarations which are to be imposed upon the property to comply with the Final Plan as approved by the Board of Supervisors. All such documents shall be in such form as is satisfactory to the Board of Supervisors.*

Legal descriptions and closure reports for the proposed access easements shall be provided for review.

9. *§507.C.4: No approval of the detailed Final Plan shall be granted by the Board until notification of PaDEP's approval of the Sewage Facilities Planning Module has been received by the Board. Should such notification not be received within the time limitations for detailed final plan approval in accord with the Act, the time limitations shall be extended for not more than ninety (90) days at the written request of the applicant. If the applicant refuses to provide such written request, approval of the detailed Final Plan shall be denied.*

The applicant should note that the Plan cannot be signed and approved by the Board of Supervisors for recording until the PADEP approval or non-building waiver is obtained.

10. *§507.E.1 - The landowner shall execute a Subdivision and Land Development Agreement in accordance with Section 509.*

The Applicant is advised that a formal resolution of Approval will be used by the Township in lieu of a Subdivision and Land Development Agreement as no improvements are proposed for this specific Application at this time.

11. *§603.A.1 - Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided.*

Monuments shall be placed on the boundary of the property being subdivided. Monuments shall be added to the perimeter of the original lot.

12. *§603.B.1 – Markers shall be accurately placed at all lot corners within a subdivision.*

The monuments proposed on the interior lot line can be revised to be markers.

### **Section 607 SEWERAGE**

13. *§607.A.1: Each lot shall have a sanitary sewer system in accordance with the provisions of the Pennsylvania Department of Environmental Protection and the Chester County Health Department.*

Approval of the subdivision must be obtained from the Pennsylvania Department of Environmental Protection (PADEP) and the Chester County Health Department through the approval of a Sewage Facilities Planning Module or formal written documentation of waivers.

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**General Comments:**

14. Areas of precautionary and steep slopes have been indicated on the Plan. Additional areas of potential precautionary and steep slopes along the stream and in the area of the access easement and the North corner of Lot 1 shall be verified and approved by the Township Zoning Officer.

Please note, a revised submission may generate further review comments. Once we receive the revised information addressing the comments in this letter, ARRO will confirm that the application is compliant with the West Vincent Township Ordinances.

Please do not hesitate to contact me via email at [bryan.kulakowsky@arroconsulting.com](mailto:bryan.kulakowsky@arroconsulting.com) or by phone at our West Chester office with any questions.

Sincerely,



Bryan D. Kulakowsky, P.E.  
ARRO Consulting, Inc. – Township Engineer

BDK:ted

CC: Kathy Shillenn – West Vincent Township Secretary  
Tracey Franey – West Vincent Township Zoning Officer  
Harry Price – Applicant ([hwp3eee@gmail.com](mailto:hwp3eee@gmail.com))  
D.L. Howell & Associates, Inc. – Applicant's Engineer ([cdaily@dlhowell.com](mailto:cdaily@dlhowell.com))  
John Mott, P.E. – ARRO  
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