



December 15, 2017

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

RE: VGK-1 Trust – 1259 Birchrun Road
Sewage Facilities Planning Module & Preliminary/Final Major Subdivision Review – **RESUBMISSION REQUIRED**
West Vincent Township
File No. WVT-17-143

Dear Ms. Batdorf,

As requested, we have completed a review of Sewage Facilities Planning Module and the Preliminary/Final Subdivision Plan of VGK-1 Trust for 1259 Birchrun Road. The proposed tax parcels #: 25-3-69 & 25-3-69.1 owned by VGK-1 Trust is an approximately 90.11-acre gross tract, within the R-3 Residential Zoning District. The current application proposes to subdivide using Tier II Subdivision option into seven lots including 6 new 10+ - acre building lots and one 21.572-acre residual lot containing existing structures, septic systems and a well. The single family detached homes is a use by right. The new lots are proposed to be served by individual on lot sewage disposal system and individual wells.

The tract is subject to a transfer of development rights and restrictive covenant agreement with West Vincent Township dated July 9, 2016. The property had a total of 42 Development Rights, out of which 36 Development Rights were conveyed to the West Vincent Township, and remaining 6 Development Rights plus an existing dwelling lot were retained, that are used for the current application. No further subdivision or increase in density shall be allowed.

No construction of any improvements is proposed in this application. It is our understanding that the applicant intends to complete engineering of the site, including grading, stormwater management, erosion and sediment control and other design requirements, be addressed during the development and construction approvals for the proposed individual lots. At the time of building permit and stormwater management application for the individual lots, each lot owner will have to apply for the following permits from the other agencies:

- NPDES Permit from the PADEP (If more than one (1) acre of land disturbance is proposed)
- E&S Permit from the Chester County Conservation District (CCCD)
- On-lot Sewage Disposal Permit and On-lot Well Permit from the Chester County Health Department (CCHD)

The following information was submitted by VGK-1 Trust, and was received by the CEDARVILLE office on December 13, 2017 and reviewed for compliance with the Township's Zoning, Subdivision and Land Development and Stormwater Management Ordinances:

- A. Four (4) full size plan sets consisting of the Preliminary/Final Plan and Analysis Tier 2 Site Plan for Greenway/Lot Lines by Vincent G. Kling, Jr., RA, AICP (dated August 10, 2016, last revised December 10, 2017) and the Preliminary/Final Subdivision Plan of VGK-1 Trust by Hopkins and Scott Inc. (dated December 6, 2016, last revised December 11, 2017). (Plans)

- B. 1 copy of a letter titled “RE: VGK-1 Trust Subdivision Review” prepared by Vince Kling, dated December 11, 2017.
- C. 1 copy of letter titled “Response to Cedarville Review Letter 12/09/17 Email” prepared by Vince G. Kling, Jr TTEE dated 12/09/17.
- D. 1 copy of the revised Section I of the DEP Sewage Facilities Planning Module.

Sewage Facilities Planning Module Review:

The following information was submitted by VGK-1 Trust, and was received by the CEDARVILLE office on April 25, 2017 and reviewed for compliance with the requirements of the Sewage Facilities Planning Module:

- A. Completeness Checklist
- B. Sewage Facilities Planning Module Form– Component 1
- C. Project Narrative
- D. Topographic Location Map
- E. 8.5”X11” Plan Sections - showing disposal areas
- F. Site Investigation and Percolation Test Report for On-lot Disposal of Sewage Forms
- G. PNDI Manual Search Form, PNDI Supplemental Narrative, PNDI Receipt dated 1/6/17 indicating potential conflict with US Fish & Wildlife Service, and US Fish & Wildlife Service clearance letter dated 3/23/17.
- H. PADEP – Preliminary/Final Plan Analysis Key Plot Plan for Soil Test/Site Suitability Plan prepared by Vincent G. Kling, Jr. RA, AICP dated 1/1/17. (11”X17”)

As indicated in our June 9, 2017 letter, the following items are missing from this submission:

- 1. Sewage Facilities Planning Module Component 1 Form
 - (a). Section B - The Municipal contact information should be completed.
- 2. Planning Review

CEDARVILLE recommends the Township have the Municipal Planning Agency (Township Planning Commission) and Zoning Officer Review the submission, complete and execute Section J of the Component 1 Form.

- 3. Plot Plan
 - (a). Per the Instructions for Completing Component 1, the plot plan must be prepared by a registered surveyor. While the 8.5”X11” plan sections may be excerpts from a plan prepared by a registered surveyor, it is not possible to determine this without receipt of the complete plan.
 - (b). While the locations of the proposed wells, existing buildings, existing septic systems, soil types, and prime agricultural soil are shown on the PADEP – Preliminary/Final Plan Analysis Key Plot Plan for Soil Test/Site Suitability Plan prepared by Vincent G. Kling, Jr. RA, AICP dated 1/1/17 (11”X17”), this information should be added to the plan prepared by the registered surveyor.
 - (c). For Lot 7, note which existing buildings are served by which existing septic systems.
- 4. Soil Test Data
 - (a). While the soil test data forms have been approved, and signed by the Sewage Enforcement Officer, we note that percolation hole #6 for Test Pits 5/6 and Test Pits 13/14 have not stabilized. The applicant should be aware that this discrepancy may cause the PADEP to not accept the testing information.

The submission contains the required components to be considered complete. There are no issues related to on-site sewage disposal for this proposed subdivision.

Upon receipt of the above listed items, the Township may complete and sign the Completeness Checklist and the Board of Supervisors may consider this submission complete and complete Section K of the Component 1 Form.

Upon approval, two copies of the approved planning module package should be submitted to:

John M. Venezia, Sewage Planning Specialist 2
Department of Environmental Protection
2 East Main Street
Norristown, PA 19401

Please note, if provided by the Applicant prior to submission, please include the \$210.00 review fee check to the PADEP with the submission. Alternately, the applicant may elect to submit this fee directly to the PADEP. There is no requirement to withhold the submission until the review fee check is received.

Zoning Ordinance Review:

5. *Section 505.E - Dimensional Standards for Tier II Subdivisions.*

The dimension for the lot width at front yard line shown in the Zoning Table on Sheet 1 for Lot 2 is inconsistent with the lot width measured on the plan. This inconsistency shall be revised.

6. *Section 2307 Stream Buffers In addition to the erosion and sedimentation control requirements contained in the Pennsylvania Department of Environmental Protection's "Special Protection Waters Implementation Handbook," Publication #1455, the following buffers shall apply to all new non-agricultural activities or projects resulting in earth disturbance within any High Quality or Exceptional Value watershed of West Vincent Township as defined by Pennsylvania Department of Environmental Protection rules and regulations, including Chapter 93:*

- A. *On level terrain, a minimum one hundred and fifty (150) foot vegetated buffer strip shall be provided on each side of all wetlands, special protection streams, and around all lakes or ponds designated as High Quality or Exceptional Value waters. No buildings, swimming pools, structures resulting in impervious coverage or sewage utilities shall be permitted within the vegetated buffer.*
- B. *Four (4) feet of additional buffer shall be provided for every one (1) percent increase in slope.*
- C. *For all new developments with land disturbance of greater than one acre, the stream buffers shall be undisturbed or reforested to 60% canopy cover with native trees for 150 feet on both sides of the stream (measured from the top of bank).*

It is unclear on the Plans if the complete Ordinance required buffers are provided. The vegetative buffer shall be revised to be shown for the length of all wetlands, not just the wetlands near the building envelopes. Additionally, the wetlands shown on Sheet 2 are inconsistent with the wetlands shown on Sheet 1. This inconsistency shall be revised.

Subdivision and Land Development Ordinance:

SECTION 403 DEFINITIONS

7. **MAJOR SUBDIVISION.** *Any land development; any subdivision plan proposing improvements to be dedicated to the Township; any subdivision plan proposing the construction, improvement, or widening of a public or*

private street; any subdivision plan involving land disturbance activities requiring permanent stormwater management facilities; or a subdivision in which four (4) or more lots are proposed.

Section 502.B Major Subdivision, Land Development

- a. *Sketch Plan, as described in Section 503 (optional).*
- b. *Preliminary Plan, as described in Sections 504 and 505.*
- c. *Final Plan, as described in Sections 506 and 507.*

The applicant has requested a waiver from the requirement that a Preliminary Plan be submitted prior to an application for Final Plan approval. CEDARVILLE defers to the Board of Supervisors to determine if they will accept the Application being considered a Preliminary/Final Application. CEDARVILLE offers no objection to this Application being considered a Preliminary/Final Application being waived for this application as no improvements are proposed for this project.

SECTION 403 PRELIMINARY PLAN

8. Section 403.H – Preliminary Improvements Construction Plan.

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan must be approved by the Township.

- 9. Section 403.I.1.e.(2) – An evaluation of costs and public interest factors in providing water disposal and water supply by three (3) different means:**
- a. *Connection to an existing public sewer and/or water system.*
 - b. *Reliance upon a private community sewer and/or water system.*
 - c. *Reliance upon on-lot sewer and/or water system, complying with Sections 607 and 608.*

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to the waiver request due to the lack of public water and sewer supply in the area and the size of the proposed lots.

10. Section 403.I.3 – Erosion and Sediment Control Plan.

The typographical error in the language of the waiver request on sheet 2 should be corrected prior to Final Plan Approval.

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan shall must be approved by the Township.

11. Section 403.I.4 – Stormwater Management Plan.

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are

proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan shall must be approved by the Township.

SECTION 404 FINAL PLAN

12. *Section 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 for the proposed lots and the existing residual lot must be submitted for review.

The submitted closure report for Lot 1 shows the bearing for the northern boundary with Erik G. Noska as being S66° 42'17"W where the plan shows N66° 50'44"E. This discrepancy shall be revised.

The submitted closure report for Lot 6 shows a distance of 180.86' for the southern boundary with Stephen J. and Deborah A. Reichart where the plan shows 179.32'. This discrepancy shall be revised.

The submitted closure report for Lot 7 shows a distance of 522.04' for the southeastern boundary with Lot 6 where the plan shows 547.71'. This discrepancy shall be revised.

The Applicant has acknowledged that revised legal descriptions and closure reports will be submitted.

13. *Section 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 Applicant has indicated that they are working with the Township to determine house numbers for the proposed lots. This information shall be added to the both Plans prior to Final Plan Approval and recordation of the Plans.

14. *Section 404.E – Final Improvements Construction Plan*

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan shall must be approved by the Township.

15. *Section 404.F. – Final Stormwater Management and Erosion & Sedimentation Control Plan*

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan shall must be approved by the Township.

16. *Section 404.H. – Final Landscape Plan*

A waiver request has been indicated on the Preliminary/Final Subdivision Plan from this requirement. CEDARVILLE offers no objection to this requirement being waived for this application as no improvements are proposed. Prior to the start of any proposed individual lot construction, an Improvements Construction Plan shall must be approved by the Township.

17. *Section 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.*

The format for the offer(s) of dedication for the rights-of-way to West Vincent Township must be coordinated with the Township Solicitor. Legal descriptions and closure reports for the rights-of-way to be dedicated must be submitted to the Township for review. The applicant has acknowledged that all offers of dedication for rights-of-way to West Vincent Township will be submitted to the Township for review.

18. *Section 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.*

A deed restriction shall be placed upon the properties indicating the areas of the property reserved as Greenway Land. The deed restriction which is to be imposed upon the individual lots shall be presented to the Township for review and approval by the Township Solicitor and Board of Supervisors prior to final plan recording.

19. *Section 404.K.7. - All data and information contained in the Final Plan and the Final Improvement Construction Plan shall also be submitted to the Township in digital format of the type and format as required by the Board of Supervisors.*

The applicant has acknowledged that a copy of the final approved plans in PDF format shall be submitted to the Township.

20. *Section 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 application.

21. *Section 507.E.4. - Receipt of all permits, final approvals or waivers required by Federal, State and County agencies for development in accord with the final plan including, but not limited to, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Transportation, the Public Utility Commission, the Chester County Health Department, and the Chester County Conservation District.*

Approval for the proposed subdivision from the Pennsylvania Department of Environmental Protection and Chester County Health Department for Sewage Planning Module must be provided to the Township prior to Final Plan Approval and Signature by the Board of Supervisors.

22. *Section 603.A.1. – Monument Standards. 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 are required at the boundary corners of the overall property being subdivided. The Applicant is requesting a waiver from this requirement. CEDARVILLE offers no objection to this requirement being waived for this Application as the adjoining deeds describe for the iron pins that were found on the property corners and would need to be removed and replaced by new monuments.

23. *Section 603.A.4. – Monument Standards. All streets shall be monumented on one (1) side, along the right-of-way line at the following locations: a.-e.*

Monuments are required along the right-of-way line at each intersection. The Applicant is requesting a partial waiver from this requirement. CEDARVILLE offers no objection to this requirement being partially waived for this Application as monument are proposed to be placed where the overall boundary intersects with the proposed right-of-way lines for Birchrun Road, Shady Lane and Hilltop Road.

24. *Section 605.G. - All house numbers shall be assigned by the Township upon recommendation by the United States Post Office and the Chester County Department of Emergency Services.*

The applicant has indicated that they are working with the Township to determine house numbers for the proposed lots. This information shall be added to the plan prior to final recording of the plan.

Please note, revised submissions may generate further review comments. Once we receive the revised information addressing the comments identified in this letter, CEDARVILLE will confirm that the application is compliant with the West Vincent Township Ordinance requirements.

Best Regards,
CEDARVILLE Engineering Group, LLC



Bryan D. Kulakowsky, P.E.
Township Engineer

cc: Tammy Swavelly, West Vincent Township Secretary
Tracey Franey, West Vincent Township Code Official
Frank Newhams, West Vincent Township Code Official
VGK-1 Trust, Owner/Applicant (vklingjr@comcast.net)

