



June 9, 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 and 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 well.

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 acre disturbance is proposed)
- E&S Permit from the Chester County Conservation District (CCCD)
- On-lot sewage disposal permit and On-lot Well Permit from Chester County Health Department (CCHD)

The following information submitted by VGK-1 Trust, and was received by the CEDARVILLE office on April 25, 2017 and reviewed for compliance with 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 Onlot 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”)

The following information submitted by VGK-1 Trust, and was received by the CEDARVILLE office on May 16, 2017 and reviewed for compliance with the Township’s Zoning, Subdivision and Land Development and Stormwater Management Ordinances:

- I. Subdivision and Land Development Application submitted by VGK-1 Trust and dated May 5, 2017.
- J. 1 full size copy of the Preliminary/Final Subdivision Plan of VGK-1 Trust by Hopkins and Scott Inc., dated December 6, 2016 with no revisions.
- K. 1 full size copy of Preliminary/Final Plan and Analysis Tier 2 Site Plan for Greenway/Lot Lines by Vincent G. Kling, Jr., RA, AICP and dated August 10, 2016 and last revised April 6, 2017.
- L. 1 copy of VGK-1 Trust Subdivision Greenway (Open Space) Ownership and Management Statement, no date.

Sewage Facilities Planning Module Review:

The following items are missing from this submission:

- 1. SEO signature - CEDARVILLE recommends the Township submit two (2) copies of the planning module to the Chester County Health Department for review.
- 2. Planning Review - CEDARVILLE recommends the township have the Municipal Planning Agency (Township Planning Commission) and Zoning Officer Review the submission and complete Section J of the Component 1 Form.
- 3. Sewage Facilities Planning Module Component 1 Form
 - 1. Section B - The Municipal contact information should be completed.
 - 2. Section I – As a PNDI database search and clearance letter is included in the submission, the first box in Section I should be checked, not the second box which notes the DEP staff must run the PNDI database search.
- 4. Project Narrative – The sewage flows from the existing structures must be included in the sewage flow calculation for the project.
- 5. Plot Plan
 - 1. 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.
 - 2. 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.
 - 3. For Lot 7, note which existing buildings are served by which existing septic systems.

6. Soil Test Data

1. 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. This discrepancy must be reconciled.

The submission contains most of 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. Veneziale, 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:

7. *Section 504.A.4 - Sensitive Area Disturbance: The proposed design shall strictly minimize disturbance of environmentally sensitive areas, as shown on the Existing Conditions and Site Analysis Plan. Lands within the 100-year floodplain, or having slopes in excess of 25%, and rock outcroppings constitute such environmentally sensitive areas, where disturbance shall be strictly minimized. Demonstration by the applicant that these features will be protected by the proposed application shall be prerequisite to approval of both the conceptual Preliminary Plan and the detailed Final Plan.*

The building envelope on Lots 5 and 6 shall be adjusted to reflect any slopes in excess of 25% within the building envelope.

8. *Section 504.E - Dimensional Standards for Tier II Subdivisions. 4. - 6.*

The table or chart for the zoning requirements showing the actual building coverage, as compared to the permitted building coverage of each lot; actual impervious coverage, as compared to the permitted impervious coverage of each lot; actual lot width, as compared to permitted lot width of each lot; actual yard setbacks, as compared to permitted yard setbacks and actual perimeter setback, as compared to permitted perimeter setback shall be added to the plan.

9. *Section 505.E.4.a - Minimum Lot Width at Building Setback Line for Single-Family Detached Dwellings: 65 feet. All proposed lots shall possess at least 30 feet of frontage on a public or private street or common driveway meeting Township standards. Access strips to interior lots or flag-lots shall not exceed 350 feet in length, except where deemed necessary by the Board of Supervisors owing to site conditions or the depth of adjoining lots with street frontage. The land area within the driveway access strips shall not be included in the minimum required lot area or in the minimum required building envelope.*

The Access strips to Lots 1, 2, and 3 are much longer than 350 feet in length. The Applicant be required to obtain permission from the Board of Supervisors for this design feature.

10. *Section 505.E.5.e - Tract Perimeter Setback: All new buildings shall be set back not less than 60 feet from the tract perimeter unless an effective visual buffer exists, in which case the Board of Supervisors may reduce the perimeter setback for structures to 50 feet. The Board may also require that such a buffer be created or amplified where existing vegetation does not provide effective visual screening in accordance with Section 1903C.5 and Section 2106B of this Ordinance.*

The building envelope on Lots 5 and 6 should be adjusted to account for this requirement.

11. *Section 1903.D - Permanent Greenway Protection through Conservation Easements. In Tiers I, II, III and IV subdivisions, the Greenway Land that is required to be reserved and created through the subdivision process shall be subject to permanent conservation easements prohibiting future development. (For example, the clearing of woodland habitat shall generally be prohibited, except as necessary to create trails, Low to Medium Intensity Recreation facilities, and to install subsurface septic disposal systems or spray irrigation facilities. The determination of necessity shall lie with the Board of Supervisors. A list of permitted and conditional uses of greenway lands is contained in Sections 1902 above.)*

More information needs to be provided for the future of the Conservation Easement. Any agreements or easements and accompanying legal descriptions should be provided to the Township for review before recording.

12. *Section 2102.H.3 - Easement Agreements between Sharing Property Owners. If a privately owned parking facility is to serve two or more separate properties, a legal agreement between property owners guaranteeing access to, use, maintenance and management of designated spaces is required. Such agreement shall be submitted to the Township for review and approval. The Board of Supervisors may require that the property owners record the agreement as an easement with the Chester County Recorder of Deeds.*

Lots 1 and 2 will share a driveway easement. The driveway easement agreement must be approved by the Township Solicitor prior to being recorded in County Recorder's office.

13. *Section 2103.C - Every building and lot shall have access to a public street or an approved private street. Unless clearly impractical, all residential lots shall have direct access only to a local access street.*

Lots 1, 2, and 3 do not have road frontage. Lots 1 and 2 share a driveway easement and Lot 3 appears to have its own driveway easement. These easements need to be prominently labeled and described with metes and bounds.

14. *Article XXIV - Historic Resources.*

According to a map entitled 'West Vincent Township Historic Resources Map', the Parcel UPN 25-3-69.1 containing the existing single family dwelling is a Class I Historic Resource. This office recommends a note on the recordable subdivision plan in order to preserve the existing dwelling from future demolition.

Subdivision and Land Development Ordinance:

SECTION 403 DEFINITIONS

15. **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

1. *Sketch Plan, as described in Section 503 (optional).*
2. *Preliminary Plan, as described in Sections 504 and 505.*
3. *Final Plan, as described in Sections 506 and 507.*

The Application has been submitted as 'Final.' The Plan is indicated to be a 'Preliminary/Final Subdivision Plan.' CEDARVILLE defers to the Board of Supervisors to determine if they will accept the Application is permitted to be considered a Preliminary/Final Application. CEDARVILLE offers no objection to this Application being considered a Preliminary/Final Application.

SECTION 403 PRELIMINARY PLAN

16. *Section 403.B.3. – Drafting Standards. Each sheet shall be numbered and shall show its relationship to the total number of sheets.*

The title block shall be revised to include total number of sheets.

17. *Section 403.D. – Existing Resources and Site Analysis Plan.*

An Existing Resources and Site Analysis Plan is not required for this Application as all proposed lots exceed ten (10) acres in size.

18. *Section 403.E. – Preliminary Impact Analysis and Resource Conservation Plan*

A Preliminary Impact Analysis and Resource Conservation Plan is not required for this Application since an Existing Resources and Site Analysis Plan is not required as all proposed lots exceed ten (10) acres in size.

19. *Section 403.F.4 – Five-Step Design Process for Residential Subdivisions. Step 4: Location of Land-Based Water Management Facilities. Preferred locations for the stormwater and wastewater management facilities will be identified using the Site Analysis Plan and proposed Greenway lands as the base maps. Opportunities to use these facilities as an additional buffer between the proposed greenways and development areas are encouraged. These facilities should generally be designed to improve the quality of stormwater runoff and wastewater effluent with emphasis placed on achieving maximum groundwater recharge. The facilities should be located in areas identified as groundwater recharge areas as indicated on the Site Analysis Plan. The design of the facilities should strive to use the natural capacity and features of the site to facilitate the management of stormwater and wastewater generated by the proposal.*

The approximate location for the stormwater and on-lot sewage system must be identified on the plan.

20. *Section 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, existing gas, electric, and petroleum transmission lines, water courses, buildings, structures, sources of water supply, easements, trails and any other significant features, man-made and natural within the property proposed to be developed or subdivided and within 200 feet of the tract boundaries. Significant natural features shall include information shown on the Existing Resources and Site Analysis Plan.*

Dimensions indicating the widths of all existing street paving widths (cart ways) and right-of-way for Birchrun Road and Hilltop Road must be shown on the plan.

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

An Improvements Construction Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing a Preliminary Improvements Construction Plan. The waiver request list on the plan shall be revised accordingly.

22. Section 403.I.1 – Sewer and Water Feasibility Report

a) Section 403.I.1.b – The report shall demonstrate the adherence of the plan to the Township Well Ordinance and Sections 607 and 608 of this Ordinance.

1) Section 607.C.2 - Soil percolation tests shall be performed for all subdivisions wherein building(s) at the time of construction will not be connected to a public or community sanitary sewage disposal system in operation. Soil percolation tests shall be made in accordance with the procedures required by the Pennsylvania Department of Environmental Protection and the Chester County Health Department, by either a registered sanitarian or the Pennsylvania Sewage Facilities Act sewage enforcement officer, at a rate of not less than one (1) per lot. For lots less than one (1) acre in size and/or in cases when soil percolation tests indicated suitability for an elevated sand mound system, two (2) sets of approved soil percolation tests shall be required per lot so as to identify both primary and replacement disposal areas. The metes and bounds for both areas shall be described on all plans and in the deed for each lot.

Percolation tests, along with the proposed locations for on-site sanitary systems must be shown on the plans demonstrating that the systems are feasible within acceptable limits of the applicable protection areas.

2) Section 608.D.2 - The applicant shall be responsible either to install the on-site water supply system or to guarantee (by deed restriction or otherwise) as a condition of the sale of each lot or parcel within the subdivision that the system can be installed by the purchaser of such lot or parcel.

Installation of an on-site water supply system, Chester County Well Permit or proof of a guarantee that an on-site water supply system is feasible must be added to the plan. The locations of the existing and proposed wells must be shown on the Plan to demonstrate adequate separation from the septic disposal areas.

b) 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.

The above required information must be added to the Sewer and Water Feasibility Report unless waived by the Board of Supervisors. A waiver shall be requested from providing the cost evaluations. The waiver request list on the plan shall be revised accordingly.

23. *Section 403.I.3 – Erosion and Sediment Control Plan.*

An Erosion and Sediment Control Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing an Erosion and Sediment Control Plan. The waiver request list on the plan shall be revised accordingly.

24. *Section 403.I.4 – Stormwater Management Plan.*

A Stormwater Management Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing a Stormwater Management Plan. The waiver request list on the plan shall be revised accordingly.

25. *Section 403.J.1 - Proposed ownership, use restrictions, improvement and building limitations.*

Proposed ownership of the greenway lands must be added to the plan.

26. *Section 403.J.2 - Necessary regular and periodic operation and maintenance responsibilities for the various forms of greenway lands or open space (i.e. - lawns, playing fields, meadow, pasture, cropland, woodlands, etc.), including mowing schedules, control of invasive plants, etc.*

The above required information must be added to the plan.

27. *Section 403.N – Preliminary Engineering Certification.*

A Preliminary Engineering Certification must be submitted prior to the approval of the plan.

28. *Section 403.O – Ordinance Relief Report.*

A separate report that specify all the subdivision requested waivers along with the reasons and justification on why the waivers are needed in accordance with Section 1203 of SALDO shall be submitted for review.

SECTION 404 FINAL PLAN

29. *Section 404.B – Existing Resources and Site Analysis Plan*

An Existing Resources and Site Analysis Plan is not required for this Application as all proposed lots exceed ten (10) acres in size.

30. *Section 404.C – Final Impact Analysis and Resource Conservation Plan*

A Final Impact Analysis and Resource Conservation Plan is not required for this Application since an Existing Resources and Site Analysis Plan is not required as all proposed lots exceeding ten (10) acres in size.

31. *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 and closure reports for the proposed lots and the existing residual lot must be submitted for review.

32. *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.*

Street Addresses for the proposed lots and the existing residual lot must be shown on the plan.

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

An Improvements Construction Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing a Preliminary Improvements Construction Plan. The waiver request list on the plan shall be revised accordingly.

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

A Final Stormwater Management and Erosion & Sedimentation Control Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing a Final Stormwater Management and Erosion & Sedimentation Control Plan. The waiver request list on the plan shall be revised accordingly.

35. *Section 404.G - Final Greenway Ownership and Management Plan. Using the Final Plan as a base map, the boundaries, acreage and proposed ownership of all proposed Greenway areas shall be shown. A narrative report shall also be prepared indicating how and by whom such Greenway areas will be managed, and demonstrating the Applicant's compliance with Article XIX of the West Vincent Township Zoning Ordinance.*

The proposed ownership of all proposed Greenway Areas must be added to the plan/report.

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

A Final Landscape Plan must be provided for review and approval unless this requirement is waived by the Board of Supervisors. A waiver shall be requested from providing a Final Landscape Plan. The waiver request list on the plan shall be revised accordingly.

37. *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.

38. *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.*

The deed restrictions, easements, covenants and declarations which are 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.

39. *Section 404.K.6. - Certification of the engineer, land surveyor, landscape architect or land planner who prepared the plan that the plans are in conformity with zoning, building, sanitation, subdivision and other applicable Township ordinances and regulations. In any instance where such plans do not conform, evidence shall be presented that an exception or waiver has been authorized.*

The professional certification must be added to the plan prior to final plan approval.

40. *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.*

A copy of the final approved plans in a digital PDF shall be submitted to the Township.

41. *Section 507.E.1. - Conditions of Final Plan Approval. Approval of any detailed Final Plan shall, in addition to any other applicable provisions of this Ordinance, be subject to the following conditions: The landowner shall execute a Subdivision and Land Development Agreement in accordance with Section 509.*

The Applicant, VGK-1 Trust, is advised that a Subdivision and Land Development Agreement may be required.

42. *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 by the Board.

43. *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 call for the iron pins that were found on the property corners and would not need to be disturbed.

44. *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. The requested waiver has the wrong Subdivision and Land Development Ordinance section listed. The plan must be revised to reference the correct section.

45. *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 will need to coordinate with the Township for the Street Addresses for the proposed lots.

46. *Section 606.A. Private driveways shall be provided for all residences and other land developments requiring vehicular access. The construction shall be in accordance with the regulations of this section in order to provide safe access to Township and State roads, to minimize problems of stormwater runoff, and to assure sufficient area for access to off-street parking.*

Although the application is for the subdivision of land and not land development, there are lots that will not meet this driveway requirement using current layout. Future driveways will need to meet all of the requirements in Section 606 and the Applicant's Design Engineer shall plan the layout for them. Notation must be added to the Plan indicating the requirement of each lot to comply with this Section of the ordinance when they are developed.

Please note revised submissions may generate further review comments.

Please do not hesitate to contact me with any questions.

Best Regards,
CEDARVILLE Engineering Group, LLC



Bryan D. Kulakowsky, P.E.
Township Engineer

cc: Tammy Swavely, West Vincent Township Secretary
Tom Wargo, West Vincent Township Code Official
VGK-1 Trust, Owner (vklingjr@comcast.net)