

**WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 7-2022

**RESOLUTION FOR PRELIMINARY LAND DEVELOPMENT
PLAN APPROVAL FOR TC ENERGY CORPORATION FOR
PROPERTY LOCATED AT 310 FELLOW ROAD**

WHEREAS, TC Energy Corporation (the "Applicant"), through its subsidiary Columbia Gas Transmission Corporation is the owner of a 33.5-acre parcel of land located at 310 Fellowship Road, West Vincent Township, being UPI No. 25-7-87.1.U, and located within the Township's R-3 Residential Zoning District (the "Property");

WHEREAS, the Applicant operates what is referred to as the Eagle Compressor Station, a utility facility that maintains the flow and pressure of natural gas through two existing interstate pipelines that traverse the Property, and by way of the current land development application, proposes to modernize the existing facility (the "Project");

WHEREAS, by Decision and Order dated October 18, 2021, the Board of Supervisors of West Vincent Township granted the Applicant conditional use approval for a Public Utility Building or Use in the R-3 Zoning District pursuant to Section 503.B.5 of the Township Zoning Ordinance and to permit cuts and fills and stormwater management within the Precautionary and Prohibitive Slope Districts pursuant to Sections 1704.B.1(a) and (b) and 1704.B.2 (a) and (b) of the Township Zoning Ordinance

WHEREAS, on August 17, 2021, the West Vincent Township Zoning Hearing Board approved certain variances related to landscape screening, parking and fire lane requirements related to the Project;

WHEREAS, on December 13, 2021 the West Vincent Township Planning Commission recommended approval of the Project conditioned upon the Applicant satisfying the Township Engineer's review letter;

WHEREAS, Applicant has requested review and approval of the Preliminary Land Development Plan prepared by ARCADIS Consultants consisting of 28 sheets last revised October 11, 2021 (the "Plan");

NOW, THEREFORE, BE IT RESOLVED, by the West Vincent Township Board of Supervisors, Chester County, this 18th day of January, 2022, that the Plan is **APPROVED WITH CONDITIONS**:

1. **Conditions of Subdivision Plan Approval.** The Plan is hereby approved subject to the following conditions.

- a) The Applicant must address to the satisfaction of Township staff comments contained in the following letters:
 - i) LTL Consultants, LTD. review letter dated December 13, 2021 including all comments pertaining to lighting pursuant to Section 2018 of the Township Zoning Ordinance;
 - b) Before the Plans are recorded, the Applicant must obtain any necessary planning modules, permits, approvals, waivers, and/or reviews from all outside agencies, including, but not limited to, the Chester County Conservation District; Chester County Department of Health; Pennsylvania Department of Environmental Protection; Pennsylvania Department of Transportation; and US Army Corps of Engineers as may be applicable.
 - c) Any outstanding Township fees, fees for the Township Engineer, fees for the Township Solicitor, and any other third-party consultant fees associated with the review and approval of the application shall be paid in full prior to the recording of the Plan.
 - d) The Applicant shall complete all necessary agreements including a stormwater operations and maintenance agreements, and an on-lot sewage management agreement required for the Project, and provide all applicable necessary legal descriptions, in forms satisfactory to the Township Solicitor, prior to or contemporaneously with the recording of the Plans.
 - e) The Applicant shall comply with all conditions set forth in the Decision and Order of the Board of Supervisors of West Vincent Township dated October 18, 2021, including replacement of the existing drainage facilities at Fellowship Road or monetary contribution as set forth in the Decision and Order.
 - g) A Land Development and Financial Security Agreement shall be required for any quasi-public improvements installed on the Property.
 - h) The Applicant shall obtain a Stormwater Permit and Sewage Planning review letter from the Pennsylvania Department of Environmental Protection and a review letter from Aqua Water Company concerning provision of public water for the Project.
2. **Waivers.** The Applicant has requested the following waivers from the West Vincent Township Subdivision and Land Development Ordinance ("SALDO") for the Plans:
- a) The request for a waiver from **Section 403.B.1** of the SALDO to provide a scale of 1"=30' is hereby **Granted**.
 - b) The request for a waiver from **Section 403.E** of the SALDO to not provide a Preliminary Impact Analysis and Resource Conservation Plan is hereby **Granted** due to

the site already having been developed.

- c) The request for a waiver from Section 403.I of the SALDO to not provide a Hydrogeology and Groundwater Protection Report pursuant to Section 403.I.2 of the SLDO, a Traffic Study pursuant to Section 403.I.5, and a Fiscal Impact Study pursuant to Section 403.I.6 are hereby **Granted**.

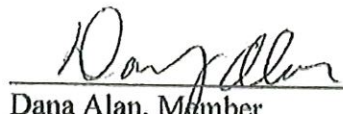
3. This Resolution shall be effective immediately.

RESOLVED THIS 18th DAY OF JANUARY, 2022

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**


Bernie Couris, Chairman


Sara Shick, Vice Chairman


Dana Alan, Member

ATTEST:


Kathryn Shillenn, Secretary

In the event that the Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Applicants did not accept these conditions, and approvals conditioned upon this acceptance are revoked, and the application shall be considered to be denied.

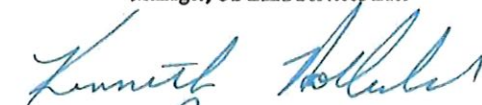
ACCEPTANCE OF CONDITIONS

The Applicants do hereby sign, acknowledge, and accept the approval for the Plan as issued by the West Vincent Township Board of Supervisors and accept the conditions contained therein as recited above.

Date: 1/21/2022

By: 
Karen Franks
Manager, US Land Services East

1/24/2022


LAND REPRESENTATIVE