

**TOWNSHIP OF WEST VINCENT
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 13-2022

**RESOLUTION FOR PRELIMINARY/FINAL SUBDIVISION
PLAN APPROVAL FOR
613 ST. MATTHEWS ROAD FOR A FIVE LOT SUBDIVISION**

WHEREAS, John A. Heathcote and Carolyn S. Heathcote (the "Applicants"), are the owners of two parcels consisting of a 36.2-acre property located at 613 St. Matthews Road, West Vincent Township, consisting of two individual tax parcels identified as UPI Nos. 25-7-92 and 25-7-87, both located within the Township's R-3 Residential Zoning District (the "Property");

WHEREAS, the Applicant proposes to subdivide the Property into (5) Lots with Lots, 2, 3, 4, and 5 created for new dwellings and consisting of 1.3-acres and 1.6-acres net, and with Lot 1 being 30-acres improved with the existing dwelling and Greenway Lands (collectively the "Project");

WHEREAS, the Project is shown on the plans consisting of 15 sheets originally dated 7/16/21, last revised 1.22/22 prepared by Inland Design (the "Plan").

WHEREAS, the entire Property is restricted by a Conservation Easement held by French and Pickering Creeks Conservation Trust;

WHEREAS, on November 18, 2022 the West Vincent Township Planning Commission recommended approval of the Project.

NOW, THEREFORE, BE IT RESOLVED, by the West Vincent Township Board of Supervisors, Chester County, this 21st day of March, 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 the Township comments contained in the following letters:
 - i) LTL Consultants LTD review letter: (Dated January 13, 2022 and February 7, 2022)

- 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 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 must complete all easements, dedication agreements, maintenance agreements, and/or sewer agreements associated with or required for the Project, and provide all applicable necessary legal descriptions, in forms satisfactory to the Township Solicitor, prior to the issuance of any permits for residential construction on Lots 2, 3, 4, or 5.
 - e) A Land Development Agreement and/or related Financial Security Agreement is not required at this time. However, a Financial Security Agreement shall be required in the future before any building permit is issued for residential improvements proposed for Lots 2, 3, 4, and 5 of the Property.
 - f) Before construction shall be permitted on Lots 4 and 5, the Applicants agree to provide sufficient financial security for the construction of all stormwater improvements serving each of such lots including stormwater piping along the south side of Red Bone Road extending from Lot 5 to an existing culvert pipe to the west.
 - g) The Applicants shall provide a driveway profile for each driveway for the first 30 feet to demonstrate compliance with required grades and drainage swales on the Plans.
 - h) The Applicants shall dedicate a 30-foot additional right-of-way along the frontage of the south side of Red Bone Road and a 40-foot additional right of way on St. Matthews Road as shown on the boundary.
 - i) The Applicants shall provide a trail easement along the south side of Lot 1.
2. **Waivers.** The Applicants have requested the following waivers from the West Vincent Township Subdivision and Land Development Ordinance ("SALDO") for the Plan:
- a) The request for a waiver from **Sections 502 and 504 (Code Section 315-20 and 315-21)** of the SALDO to permit a combined Preliminary and Final Plan review and approval process is hereby **Granted**.
 - b) The request for a waiver from **Section 403.C (Code Section 315-13.C)** of the SALDO for the Applicants to not show conditions extending beyond 200' and up to 500' on the aerial map on Sheet 1 of the Plan. is hereby **Granted**.

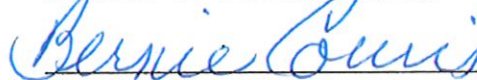
- c) The request for a waiver from **Section 403D (Code Section 315-13.D)** of the SALDO for the Applicants to not show conditions extending beyond 200' and up to 500' on the Existing resources and site analysis Plan is hereby **Granted**.
- d) The request for a waiver from **Section 403I.1 (Code Section 315-13I(1))** of the SALDO for the Applicants to not submit a Sewer and Water Feasibility Report with a Preliminary Plan is hereby **Granted**.
- e) The request for a waiver from **Section 511 (Code Section 315-26)** of the SALDO to permit the Applicants to defer the posting of financial security for common and quasi-public improvements is hereby **Granted**.

3. This Resolution shall be effective immediately.

RESOLVED THIS 21st DAY OF MARCH, 2022

WEST VINCENT TOWNSHIP


BOARD OF SUPERVISORS



Bernie Couris, Chairman



Sara Shick, Vice Chairperson



Dana Alan, Member

ATTEST:



Kathy 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.