

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION**

Agenda

Wednesday, February 3, 2010

7:00 PM

- A. Call to Order / Pledge of Allegiance
- B. Review of Tracking Log / Determine need for Workshop Meeting
- C. Public Comment on Non-Agenda Items
- D. Approval of Minutes
 - 1. **January 6, 2010**
- E. Acknowledge Receipt of New Applications
 - 1. **National Bank of Malvern (C/U)**
 - 2. **St. Francis Nursery School (Corvino), 1201 N. Chester Rd.(United Church of Christ) (S/E)**
 - 3. **T-Mobile Northeast, LLC, West side of N. Chester Rd (C/U)**
- F. Subdivision Plans
- G. Land Development Plans
 - 1. **1661 E. Strasburg Rd, Mullen Property (Lot 2, Ashbridge Farm)**
 - 2. **Lieberman Earley & Co., 1345 Enterprise Drive (L/D)**
 - 3. National Bank of Malvern, 1305 Paoli Pike (L/D)
- H. Conditional Uses and Variances
 - 1. **Lieberman Earley & Co., 1345 Enterprise Drive (C/U)**
 - 2. **National Bank of Malvern (C/U)**
 - 3. **St. Francis Nursery School (Corvino) 1201 N. Chester Rd.(United Church of Christ) (S/E)**
 - 4. **T-Mobile Northeast, LLC, West side of N. Chester Rd (C/U)**
- I. Ordinance Amendments
- J. Old Business
 - 1. Discussion on "Traditions" Ind. Living Fac. project in West Goshen
- K. New Business
- L. Any Other Matter
- M. Meetings and Dates of Importance

February 2, 2010	Board of Supervisors	7:00 PM
February 3, 2010	Planning Commission	7:00 PM
February 4, 2010	Park & Recreation	7:00 PM
February 8, 2010	Municipal Authority	7:00 PM
February 9, 2010	Board of Supervisors	7:00 PM
February 10, 2010	Conservancy Board	7:00 PM
February 11, 2010	Historical Commission	7:00 PM
February 16, 2010	Board of Supervisors	7:00 PM
February 17, 2010	Deer Committee	7:00 PM
February 23, 2010	Board of Supervisors	7:00 PM
February 24, 2010	Zoning Hearing – Liberty Towers	7:30 PM
- N. Correspondence
- O. Goals
- P. Adjournment

- **Bold Items indicate that the Planning Commission has new information to review for that application.**

REMINDER – Newsletter Article Submission Due Date:

<u>Article Due Date</u>	<u>Delivery Date</u>
February 10, 2010	April 1, 2010
May 12, 2010	July 1, 2010
August 11, 2010	October 1, 2010

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION**

Agenda

Wednesday, February 3, 2010

7:00 PM

November 10, 2010

January 1, 2011

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
APPLICATION HISTORY
Wednesday, February 3, 2010
7:00 PM**

1. SUBDIVISION & LAND DEVELOPMENT PLANS

Matthew & Christine Mullen, 1661 E. Strasburg Rd (L/D)

August 18, 2009	application
October 13, 2009	Yerkes – Stormwater Mgt & Erosion Review
October 26, 2009	CCPC – Pre/Final Land Development
November 10, 2009	Chester County Conservation District
January 12, 2010	Site Engineering Concepts – addressing comments
January 12, 2010	Site Engineering Concepts – Erosion & Sedimentation Pollution Control Plan
January 22, 2010	Yerkes – Land Development Plan Reviews Plans
January 28, 2010	Memo – recommendation of approval

Lieberman Earley & Company, 1345 Enterprise Drive (L/D)

November 19, 2009	EB Walsh – application of NPDES Permit
November 20, 2009	Application Plan
December 4, 2009	EB Walsh – 60-day extension
December 10, 2009	Memo – new hearing date
December 16, 2009	Lieberman Earley & CO – continuance
December 29, 2009	Yerkes – L/D and C/U Plan Review

2. CONDITIONAL USE / VARIANCES / ZHB APPLICATIONS

Lieberman Earley & Company, 1345 Enterprise Drive (C/U)

December 10, 2009	memo – new hearing date
December 16, 2009	Lieberman Earley – 90 Day extension

National Bank of Malvern (C/U)

January 8, 2010	Gawthrop Greenwood C/U Application
January 14, 2010	Gawthrop Greenwood C/U Application
January 26, 2010	Township Fire Marshall review
January 28, 2010	e-mail 60- day extension

St. Francis Nursery School (Corvino) 1201 N. Chester Rd. (S/E)

January 26, 2010	Application
January 27, 2010	1,000' notification ltr

T-Mobile Northeast, LLC, West side N. Chester Rd. (C/U)

January 26, 2010	Application Plans
January 27, 2010	1,000' notification ltr

3. ORDINANCE AMENDMENTS

4. ANY OTHER MATTER

Application Name	Application (CU, LD, O, SD, V, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Yerkes/Consultant	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
1661 E. Strasburg Rd. (Mullen)	LD	P/F	9/24/09	10/7/09	9/25/09	9/25/09	9/28/09	2	2/3/10	3/2/10	n/a	3/12/10
Leiberman Early (1345 Enterprise Drive)	CU	P/F	11/19/09	11/19/09	11/20/09	n/a	11/30/09	1	3/3/10	3/16/10	3/2/10	3/19/10
Leiberman Early (1345 Enterprise Drive)	LD	P/F	11/19/09	12/2/09	11/20/09	11/23/09	11/30/09	1	4/7/10	4/20/10	n/a	5/1/10
National Bank of Malvern (1305 Paoli Pike)	LD	P/F	11/24/09	12/2/09	12/7/09	12/4/09	11/25/09	1	4/7/10	4/20/10	n/a	5/1/10
St. Francis Nursery School / UCC East Goshen	SE	Sk	1/26/10	1/26/10	1/28/2010	n/a	1/28/2010		2/3/2010	3/2/2010	3/11/2010	3/26/2010
T-Mobile	CU	P/F	1/26/10	1/26/10	1/28/2010	n/a	1/28/2010		3/3/2010	3/26/2010	3/16/2010	3/26/2010

Bold = New Application or PC action required

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
January 6, 2010

The East Goshen Township Planning Commission held their regularly scheduled meeting on January 6, 2010 at the East Goshen Township building. Chairman George Martynick, Vice-Chair Susan Carty, and members Senya Isayeff, Megann Hedgecock, Albert Zuccarello, Chuck Proctor and Peter Mylonas were present. Also present were Township Zoning Officer Mark Gordon, Don McConathy (BOS) and Ginny Newlin from the Conservancy Board.

WORKSHOP SESSION – 7:00pm

The minutes of November 4th and December 2nd were reviewed and corrected. Motions to be passed in the formal session.

George reviewed the agenda for the evening's formal session. Mark Gordon added that representatives from Liberty Towers would be present, as well as National Bank of Malvern. George questioned why the Liberty Tower is proposing a 150' tower when a 60' tower would suffice. The PC plans to recommend to the Board of Supervisors to deny this request due to high traffic and schools in the area, along with the fact that the tower would sit in the historic district of East Goshen Township.

George added that Al would have time to discuss the Traditions project during the formal session.

FORMAL SESSION

A. Pledge of Allegiance

George called the meeting to order at 7:35pm and led those in attendance in the Pledge of Allegiance.

George asked those in attendance if there were any non-agenda items to be discussed.

Ginny Newlin from the Conservancy Board came forward to discuss the 100 foot buffer. Ginny noted that Willistown Township has adopted a 100 foot buffer for their residents. Ginny listed additional townships that have adopted as well.

Public Comment- Shirley Fox, East Goshen resident came forward to add that she never had problems with her property until the golf course was constructed. She added that the front of her property is being washed away and she would benefit from the buffer.

B. Approval of Minutes

The minutes of November 4th and December 2nd were discussed. Susan made a motion to approve the minutes of both November 4th and December 2nd be approved as corrected in the workshop. Senya seconded the motion. No further comment was made and the motion passed unanimously.

C. New Applications

George acknowledged the receipt of Liberty Towers and noted that representatives for the Land Development of 1661 E Strasburg Road-the Mullen Property and Lieberman, Earley, and Company at 1345 Enterprise Drive are not in attendance this evening.

National Bank of Malvern- Mr. Olivo and Bob Adams were in attendance. Mr. Olivo noted that the Yerkes letter dated December 31st had been received and will be discussed further when the PC has time to review. Mr. Olivo gave an update on plans. The National Bank of Malvern plans to construct

the parking spaces first. Utilities will be laid as needed for future construction of the main building to follow at a later date.

D. Conditional Uses & Variances

Liberty Towers- 1592 Paoli Pike-Wawa location.

Mr. Richard Lemanowicz, counselor of Liberty Towers was in attendance to discuss the proposed addition of a 150' tower cell to house T-Mobile, ATT, Metro, Sprint, and Clearwire Mobile Services.

Peter asked Mr. Lemanowicz what the hardship is and Mr. Lemanowicz noted that there is an absence of coverage in this immediate area. Senya added that past applicants have come to the PC and has shown maps and such of the coverage area. Senya noted that this tower would be the tallest in the township. Senya also noted that other carriers have achieved their goals by using lower towers. Senya also added that he is opposed to the approval and made a motion to recommend to the Board of Supervisors to decline at this time. Al seconded the motion. No further comment was made and the motion passed unanimously.

George added that he is sensitive to the location of the proposed tower along with the magnitude of the structure and agrees to decline. Senya suggested that Liberty Towers look into the possibility of a lower structure and that they are welcome to come back at that time.

Public Comment

Linda Waterhouse-Koski, owner of the Tory Inne, 734 N. Chester Road spoke in great detail of the cons of having such a structure in this township. She listed a copulation of facts that she was able to find via the internet explaining the company and its procedures for procuring properties.

Andrea Perakis- 1601 Paoli Pike- added that she had received a letter from Liberty Towers asking permission to install said structure on her property. Ms. Perakis added that she feels this structure is not condusive to this historical area.

Kathryn Yahraes- Chairman of the Historic Commission added that this structure would be right in the middle of historic Goshenville and added that the tower would be right behind a rather small Wawa that may someday be demolished.

E. Old Business- Al commented that the discussions in West Goshen about Traditions are ongoing. Mark added that a meeting had been set up with Traditions attorneys.

Ordinance Amendments- Signs for Historic Adaptive Reuses- Mark changed on word on the amendment. Senya moved to recommend to the Board of Supervisors to accept the revision to the proposed ordinance and recommended by the township solicitor. Peter seconded the motion. No further comment was made and the motion passed unanimously.

Liasion Changes were also discussed and it was decided that Susan would serve as a liaison to the Conservancy Board, Senya to serve as liaison to the regional Planning Commission, Peter to the Historic Commission, Megann to the Municipal Authority, and George to the Board of Supervisors with Peter as the alternate.

F. Adjournment

Motion to adjourn the meeting was made by Peter and seconded by Chuck. The meeting adjourned at 9:25p.m.

Respectfully submitted, _____
Linda Jones, Recording Secretary

G. MULLEN
1
6 pgs

SITE ENGINEERING CONCEPTS, LLC

Consulting Engineering and Land Development Services

12 January 2010

Mike Conrad, P.E.
c/o East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: Mullen Residence
1645 East Strasburg Road

Dear Mike:

Please find the attached plan sets for approval of land development. We have addressed your October 13, 2009 review as follows (*comment*, response):

Subdivision and Land Development Ordinance

1. Sections 205-(30&33).8 (3): *The name of the record owner and applicant and the source(s) of title to the land being developed, as shown by the records of the County Recorder of Deeds, should be provided.*
 - a. *The plan should specifically note that the Mullen's are the owners and/or applicants.*
 - b. *The deed book and page number refer to in General Note #2 is the previous property owners or the Mita's deed, the current deed book and page number for the Mullen's should be noted on the plan.*

General Note 1 on plan sheet 1 has been revised as requested.

2. Sections 205-(30&33).8 (7) & 205-65.8: *All lot corners should be clearly identified by either a monument or an iron pin. The northwestern corner should have either a "pin found" or a "pin to be set" designation added to the plan.*

Pin to be set has been added as requested.

3. Sections 205-(30&33).8 (8) & 205-35.8: *Location and elevation of the bench mark to which contour elevations refer should be noted. Where reasonable and practical datum used shall be United States Geodetic Survey (USGS) from a known, established benchmark. The location and elevation of a benchmark is missing and should be noted on the plan.*

Noted on plan and in General Note 4 on plan sheet 1.

4. Sections 205-(30&33).8 (10). Section 205-35.C & 304.8.(4&5): *The site plan should identify the location and ownership of all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, watercourses, trees, wetlands, easements, rights-of-way and other significant man-made or natural features within the proposed subdivision and within 50 feet from the boundaries of the proposed subdivision.*

- a. *As part of the previous plan submission review, it was observed that Verizon facilities are located in the vicinity of the proposed driveway. All utility lines located in the vicinity of the proposed driveway should be indicated on the site plan.*

We contacted Verizon and no facilities are located onsite aside from the utility poles shown. A PA One Call was made and utilities are shown to the best of our knowledge. Per General note 6 and the PA One Call note, the contractor shall verify utilities before beginning construction.

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- b. *The approved subdivision plan indicates that the FEMA 100-yr. floodplain boundary extends onto the northeastern corner of the parcel. FEMA mapping, however, has been revised since subdivision approval. The plan should be revised as necessary to reflect current FEMA mapping.*

General note 9 has been added to plan sheet 1 that states that no FEMA floodplain is on the site. Comparing the 2006 map to the 1996 map, it is evident that a finger of floodplain that touched the site was removed as part of the updated study.

5. *Sections 205-(30&33).B (12): The cartway width for East Strasburg Road should be noted on the site plan.*

Added as requested.

6. *Section 205-33.B (19): The site plan should note that the parcel is also known as Lot #2 of the approved Ashbridge Farm Subdivision.*

Added to general note 1.

7. *Section 205-33.8 (21) (e): All easements or rights-of-way, public or private, and any limitations on such easements or rights-of-way shall be shown and accurately identified on the plan. The site plan indicates a trail easement along the northern and eastern property lines. The plan should include a note to identify the easement beneficiary or owner and list any restrictions, limitations, and responsibilities associated with the trail easement.*

General note 11 has been added to plan sheet 1. The document mentioned is 25 pages long and thus cannot be included on the plan.

8. *Sections 205-33.B (22) (a), 205-68.0 & E - The applicant shall comply with all requirements of the Chester County Health Department and the Pennsylvania Department of Environmental Protection and shall so certify prior to final plan approval.*

The applicant will comply.

9. *Section 205-30.C.1.g - The plans indicates that the PennDot Minimum Use Driveway Highway Occupancy Permit had been filed as part of the original Ashbridge Farm Subdivision in 2002. Typically these permits are valid for one year from date of issuance. Evidence or notification from PADOT should be provided to the Township confirming that a highway occupancy permit has been extended and will be issued prior to plan approval. Otherwise a new HOP will need to be obtained.*

We have checked with PADOT and the permit is expired. The applicant is applying for a new permit.

10. *Section 205-57.0 (1): The driveway grades should be noted on the plan. The driveway grade within the right-of-way should be no greater than 5% and no more than 10% for 25 ft. from the right-of-way. All other driveway grades should be noted. Additionally, the driveway highpoint should be indicated.*

The driveway and driveway detail have been labeled as requested.

11. *Section 205-57.D (2): A detail should be placed on the plan for the driveway paving specifications per this section. A driveway construction detail for the remainder of the driveway should also be provided.*

Added to plan sheet 1.

12. *Section 205-57.0 (3): The driveway width within the limits of the Strasburg Road right-of-way should be noted to be no less than 12 feet. The driveway width for the remainder of the driveway should also be noted.*

The driveway has been labeled as 12' in width and noted in the driveway cross section and notes detail on plan sheet 1.

13. *Section 205-66.E - All proposed on-site residential water supply systems shall have a permit certified by the Chester County Health Department. The proposed type of water supply should be added to the plan and proposed well locations and/or public water tie-in locations should also be shown.*

A proposed on lot septic is shown on the plan and general note 10 on plan sheet requires approval from the Chester County Health Department. The connection to the AQUA PA water main is now shown.

Conservation Plan. Erosion and Sedimentation Control, Chapter 195, Ord. No. 129-M-03, SLOD 205-35 & 37, Chapter 131

14. *Section 205-35.E: An inconsistency exists between the seed mix specifications on Sheet 2 and the meadow and lawn seed specifications on Sheet 5. Either one set of seed specifications should be provided for the site or the locations where the different seed mixes are to be applied should be more clearly indicated.*

Sheet 2 has been revised to refer to sheet 5 for permanent seeding.

15. *Section 205-35.F: The site plan should include notations indicating all trees or portions of tree masses to be cleared.*

Two trees are shown to be removed for driveway construction and a proposed tree/brushline has been added to the plans.

16. *Sections 304.C.2 & 407.A: In accordance with Chapter 102, a NPDES permit is required if the area of disturbance is more than 1 acre. The plan proposes an area of disturbance of 3.1 acres and, therefore, an NPDES Permit is required. An application has been made to the Chester County Conservation District for an NPDES Individual Permit. Approval and issuance of an NPDES Individual Permit will be required for plan approval.*

A copy of these plans was sent to the CCCD for their approval.

Stormwater Management Chapter 195, Ord. No. 129-M-03 & SOLO 205-37

17. *Section 304.D.1 & 304.0.3: All stormwater management facilities are to be located on the plan and described in detail and all design calculations, assumptions and criteria should be provided.*

- a. *The standpipe for the Rain Garden #1 is modeled in the calculations with a 2 ft. diameter opening, but the plan indicates a 1.5 ft. diameter opening. Either the calculations and/or the Rain Garden design should be adjusted for consistency.*

The plan view and detail have been revised to show a 24" drain basin.

- b. *Rain Garden #1 detail on Sheet 1 should be addressed as follows:*
 - i. *The location, size, invert and material of the inlet pipe should be shown and noted.*
Added as requested.
 - ii. *The size, invert and material of the outlet pipe should be noted.*
Added.
 - iii. *The 440.4' elevation should be indicated.*
Added as requested.
 - iv. *The location, size, invert, and material of the inlet pipe and rip-rap should be shown and noted on the detail for Rain Garden #3 and #4.*
Added as requested.
- c. *The location of the infiltration testing should be shown on the plan.*
Added as requested.
- d. *All berm and spillway locations should be labeled on the plan.*
Labels have been added.
- e. *A detail for all the BMP "Snouts" should be provided.*
Added to plan sheet 1.
- f. *The slope or grade requirements for the drainage swales should be noted on the swale detail on Sheet 1.*
Added as requested.

18. *Section 304.B.19: A statement, to be signed by the landowner, acknowledging the stormwater management system to be a permanent fixture that can only be altered or removed only after approval of a revised plan by the Township should be added to the plan.*
Added to plan sheet 1.

19. *Section 304.6.20: The following certification to be completed by the design engineer should be added to the site plan: "(Design Engineer), on this date (date of signature), has reviewed and hereby certifies that the drainage plan meets all design standards and criteria of the East Goshen Township Stormwater Management Ordinance".*
Added to plan sheet 1.

Landscaping Plan

20. *Section 205-36.C: Floodplain areas within and adjacent to the tract should be identified. The floodplain boundary location should be identified as noted by comment #4.*
General note 9 has been added to plan sheet 1 that states that no FEMA floodplain is on the site. Comparing the 2006 map to the 1996 map, it is evident that a finger of floodplain that touched the site was removed as part of the updated study.

21. *Section 205-36.F: The location and type of all proposed landscaping and/or ground cover in buffer areas, common open space, and entrances should be appropriately identified.*
 - a. *There is an unlabeled evergreen tree along the existing gravel drive which should be identified on Sheet 3.*
The evergreen tree in the woods has been removed.

- b. *Notes for all Rain Gardens incorrectly refer to Sheet 5, but should note Sheet 4 for the planting schedule and enlarged details.*

Rain Garden sheet references have been revised.

- c. *Soil amendments noted in the rain garden details on Sheet 1 are typical generic quantities as required by the PADEP Manual, but specifications for the type of soil amendments should be noted on the plans. It is recommended that soil tests be conducted prior to finalizing soil amendments that will reveal any nutrient deficiencies.*

Rain Garden Soil amendments are noted on sheet 4. It is to be a mix by volume of 30% excavated topsoil from site, 20% compost and 50% construction sand, to a depth of 2 to 2 1/2 feet. The pH shall be in the range of 5.5 to 6.5.

22. *Section 205-36.G: The landscape plan should include a full plantings list showing the proper botanical and common name along with the size and grade.*

- a. *Spacing for IRIS VERSICOLOR in Rain Garden #1 has not been specified on Sheet 4.*
 The Blue Flag Iris in Rain Garden #1 has been revised to Pink Turtlehead and Goldsturm Black-eyed Susan and specified at a spacing of 18" on centers.
- b. *The following should be addressed for Rain Gardens #2 through 5 on sheet 4:*
- i. *The incorrect quantity specified for ACER RUBRUM.*
 The quantity has been revised.
 - ii. *Grasses/Perennials/ Groundcovers - Substituting plugs for trees as shrubs as recommended by PA BMP manual is acceptable, however the proposed spacing for the plugs should be revised to a minimum of 12" D.C. The current proposed spacing is not suitable for the survival rate and maturation rate of the plugs.*
 The spacing of perennials and grasses has been revised to 12" on centers and quantities adjusted accordingly.
 - iii. *50% or more of the plug species proposed are designated "wetland" species. Due to Rain Garden #3 having to endure both wet and dry conditions it is recommended that the following species be reconsidered:*

- *Asclepias incarnate*
- *Calamagrostis Canadensis*
- *Hibiscus moscheutos*
- *Iris versicolor*
- *Juncus effuses*
- *Scirpus cyperinus*
- *Carex stricta*
- *Verbena hastata*

The first seven species on the above list have been revised to the following species respectively:

- *Aster novi-belgi*
- *Panicum virgatum*
- *Heliopsis helianthoides*

- Lobelia cardinalis
- Veronicastrum virginicum
- Vernonia glauca
- Solidago rugosa

We have relocated the Verbena hastata to the low point of the rain garden at the inlet from the house roof drains. Verbena can tolerate saturated soils, but is also adapted to average garden soil.

c. *The following items should be addressed on Sheet 5:*

i. *An incorrect quantity is specified for CERCIS CANADENSIS.*

The quantity of Crecis canadensis has been revised.

ii. *FRANXINUS (ASH) species have a high susceptibility of disease, another species should be selected.*

The 3 Ash trees have been revised to Shingle Oak.

23. *General Landscaping Comment: Plugs should be included in the guarantee period in note Number 17, Sheet 5.*

Herbaceous plants have been added to the guarantee period in note #17.

General Comments

24. *Signature blocks for approval and an owner's plan acknowledgment statement should be added to the site plan if the plan is to be recorded.*

Added to plan sheet 1.

25. *The erosion and sediment control plan should include protective measures to prevent disturbance to the primary and replacement septic system absorption areas.*

Tree protection fencing has been added around the systems.

26. *The site plan should note the amount of future impervious coverage that may be installed based upon the stormwater management design.*

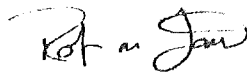
Noted in the Impervious Summary on plan sheet 1.

27. *The zoning schedule on sheet 1 should note the height of the proposed house.*

Noted as requested.

Should you have any questions or comments, please feel free to contact me.

Sincerely,



Robert M. Lambert, P.E.

G. MULLEN
1
3pgs

SITE ENGINEERING CONCEPTS, LLC

Consulting Engineering and Land Development Services

12 January 2010

Jordan Perry
Chester County Conservation District
688 Unionville Road, Suite 200
Kennett Square, PA 19348

Re: Erosion & Sedimentation Pollution Control Plan
Mullen Residence: Review I
East Goshen Township, Chester County, PA
NPDES File: PAI011509033
Most Recent Plan Revision Date: 12-10-09 Total Acres: 19.74 Disturbed Acres: 3.10
Receiving Watershed: UNT to Ridley Creek Designation: HQ, TSF

Dear Mr. Perry:

Please find attached 3 plan sets (1 with highlighted revisions) and 3 sets of revised drainage area plans for the PCSM report (all other aspects of the report remain the same) for issuance of NPDES and E&S permits. We have revised the plans to address your November 10, 2009 review as follows: (*Comment, response*):

Erosion and Sedimentation Control Comments

1. Silt fence slope lengths have been exceeded in several areas. Please revise.

Silt fence has been revised from 18" to super as necessary after checking slopes lengths. The silt fence at rain gardens 3 and 5 are only necessary for construction of those rain gardens and the beginning of construction will entail the cutting and the filling of a berm (essentially creating a sediment trap) so 18" was used in these areas.

2. Please provide a separate drawing to include existing conditions.

Plan sheet 6 has been added.

3. Please show all proposed erosion control blanket (ECB) on the plan as shading, crosshatching, or similar for all 3:1 slopes on site.

Revised as requested.

4. Please extend channels into the bottom of the rain garden and at least 10 feet beyond the toe of the slope of the berm.

The swale to rain garden 5 and the rain garden spillway details have been revised as requested.

5. The E&S control plan mapping must display a PA ONE CALL SYSTEM INCORPORATED symbol including the site identification number. (This is a numbered symbol not a note.)

Added as requested.

Jordan Perry
 Chester County Conservation District
 Mullen Residence
 12 January 2010
 Page 2 of 3

6. Please revise the *Limits of disturbance* to include all disturbed areas including but not limited to: all SW piping.

Revised as requested.

7. Grading is not called out in the sequence of construction. Please revise.

Please refer to sequence #2 and #4.

8. Please revise the sequence of construction #5 to occur before sequence of construction #4.

Revised as requested.

9. Swale construction, as well as roof leader tie-ins are not included in the sequence of construction. Please revise.

Roof leaders have been added to sequence #8.

10. It appears that more stockpile areas will be needed for the scope of work. Please clarify.

Two additional stockpile areas have been added to the plan.

Notes for Projects in Special Protection Watersheds:

11. The following note should appear on all E & S plans for projects in specially protected watersheds:

- This project is in a specially protected High Quality or Exceptional Value watershed; extreme care should be exercised in all disturbance activities to prevent degradation to the Waters of the Commonwealth.
- Because this project is in a specially protected High Quality or Exceptional Value watershed, upon completion or temporary cessation of earth disturbance activities, the project site must be immediately stabilized with the appropriate temporary or permanent stabilization.

The note on plan sheet 2 has been revised to state this.

Comments as per the PA DEP NPDES II Post Construction Stormwater Requirements

1. Please add this note to the plan: The permittee shall provide engineering construction oversight for the proposed stormwater BMPs. Additional soil testing may be required prior to the installation of infiltration BMPs to ensure proper location and function. A licensed professional engineer knowledgeable in the design and construction of stormwater BMPs, preferably the design engineer, shall conduct the oversight.

Added to plan sheet 1 as requested.

2. The PCSWM Plans did not clearly identify the existing and proposed drainage areas. Please provide plans with delineated drainage areas clearly identified for all proposed stormwater management Best Management Practices (BMPs). Also include in Tabular format a summary table of all the existing and proposed features of those areas (Total Acreage, as well as Acres of Woods, Lawn, Impervious, etc.- this should correspond with Worksheets 2, 3, and 10)

As discussed, drainage areas are shown on maps contained within the PCSM Report. These maps were printed on the wrong size paper and have been reprinted and included with this submission. Also, as requested, drainage areas to BMPs have been added to plan sheet 1.

Jordan Perry
Chester County Conservation District
Mullen Residence
12 January 2010
Page 3 of 3

3. Please provide a roof leader connection detail. It should clearly indicate how overflow from the less frequent storm events will exit or bypass the individual onlot seepage/infiltration beds. Please provide additional notes and/or modify the detail to provide positive overflow from these systems.

No roof leaders tie into the infiltration bed shown on the plan. All roof leaders tie into rain gardens so all flow is meant to enter into the rain gardens with no bypass. A roof leader detail has been added and the details for rain gardens 3 and 4 have been updated to show the roof leaders that tie into them, as you requested.

4. Please add this note to the plan: As-built plans of the stormwater BMPs shall be provided within six months following the completion of each phase. The as-built plans shall be signed and sealed by a PA Registered Professional Engineer.

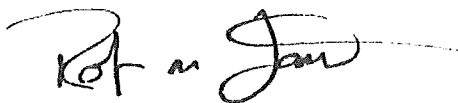
Added to plan sheet 1 as requested.

5. Please add this note to the plan: A Notice of Termination (NOT) will be required to be submitted following approval of the final as-built plans. Prior to accepting the NOT, the Department and/or Conservation District staff will perform a final inspection to ensure site stabilization and verify adequate installation and function of stormwater BMPs.

Added to plan sheet 1 as requested.

I believe these comments satisfactorily address the requirements of the NPDES and E&S permits. Should you have any questions and/or comments, please feel free to contact me.

Sincerely,



Robert M. Lambert, P.E.

cc: Mike Conrad, Yerkes Associates

1
2 pgs

Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

January 22, 2010

East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Matthew J. and Christine Mullen – East Strasburg Road
Land development Plan Review

Dear Mark:

The following plans, correspondence and report submitted by Site Engineering Concepts, LLC have been received by our office for review:

Site Development Plans, last revised December 10, 2009, prepared by Site Engineering Concepts, LLC & Landscaping Plans & Details, last revised December 8, 2009, prepared by DePallo Design & Planning :

- Proposed PCSM Plan / Site Plan, sheet 1 of 6
- Erosion & Sediment Control Plan, sheet 2 of 6
- Landscape Plan, sheet 3 of 6
- Rain Garden Landscape Plan, sheet 4 of 6
- Landscape Details, sheet 5 of 6
- Existing Conditions Plan, sheet 6 of 6

Correspondence

- January 12, 2010 Plan Submission Letter
- January 12, 2010 Chester County Conservation District Plan Submission Letter

The site is located and is accessed from the north side of East Strasburg Road (S.R. 2010) via an overgrown gravel driveway situated between Christine Lane and Wyllpen Circle and opposite the intersection with Springhouse Lane. The site is situated within the R-2 Low Density Suburban Residential Zoning District. The parcel is also known as Lot #2 of the Ashbridge Farm Subdivision being 19.74 acres gross. The site is currently undeveloped with meadow, woodland, and individual trees. The proposed construction includes a new dwelling with attached garage, driveway, courtyard, patio area, walkways and parking area. Stormwater management is to be provided by a series of five rain gardens and an underground infiltration bed. The new dwelling is to be served by public water and on-site sanitary sewer.

Professional services since 1874

1444 Phoenixville Pike, P.O. Box 1568, West Chester, PA 19380-0078 / Tel: 610-644-4254 / Fax: 610-640-0771

Mathew J. and Christine Mullen – East Strasburg Road
January 22, 2010
Page 2 of 2

All comments from our previous review letter of October 13, 2009 have been satisfactorily addressed except for the following that are numbered as they appeared previously:

Subdivision and Land Development Ordinance

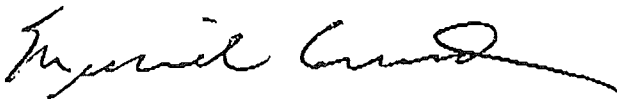
8. Sections 205-33.B (22) (a), 205-68.D & E - A copy of the Chester County Health Department approval or permit for the on-lot sanitary sewer disposal system will need to be provided to the Township for final plan approval.
9. Section 205-30.C.1.g – General note 8 on sheet 1 notes that a PennDOT minimum use driveway is required for the driveway access. A copy of the PennDOT Highway Occupancy Permit for the driveway access will need to be provided to the Township.
13. Section 205-66.E – The plans have been revised to indicate public water service for the new dwelling. The project narrative and general notes on sheet 1 should be updated accordingly. A copy of the Aqua, Pennsylvania "will serve" letter along with a copy of the PennDOT Highway Occupancy Permit for the water service connection within Strasburg Road will need to be provided to the Township.

Conservation Plan, Erosion and Sedimentation Control, Chapter 195, Ord. No. 129-M-03, SLDO 205-35 & 37, Chapter 131

16. Sections 304.C.2 & 407.A: In accordance with Chapter 102, a NPDES permit is required if the area of disturbance is more than 1 acre. The plan proposes an area of disturbance of 3.1 acres and, therefore, an NPDES Permit is required. An application has been submitted to the Chester County Conservation District for an NPDES Individual Permit. A copy of the NPDES Permit and the Chester County Conservation District letter of adequacy will need to be provided to the Township for final plan approval.

Plan approval is recommended conditioned upon the above comments being satisfactorily addressed. Please contact me if you have any questions concerning this review.

Sincerely,
YERKES ASSOCIATES, INC.



Michael Conrad, P.E.

Cc: Site Engineering Concepts, LLC

G. MULLEN
1.
one pg

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 1/28/2010
To: Planning Commission
From: Mark Gordon, Zoning Officer 
Re: Mullen Land Development, 1661 East Strasburg Rd.

Dear Commissioners,

The Township Engineer recommends approval of the Land Development Plan understanding that there are minor items that need to be forwarded to the Township. We have received the CCHD approval for the proposed on lot sewer system.

I have drafted the following motion for your consideration:

Mr. Chairman, I move that we recommend that the Board of supervisors approve the Land Development application of Matthew and Christine Mullen to construct a single family home and associated improvements as depicted on the plan dated 13 August 13, 2009 last revised December 10, 2009 with the following conditions:

1. All references to the address of this property throughout this plan be corrected to: 1661 East Strasburg Road, West Chester PA 19380
2. The applicant provides the Township a copy of the PennDOT Highway Occupancy Permit for the driveway access and the water service connection within Strasburg Road, prior to final approval by the Board of Supervisors.
3. The applicant provides the Township with letter of adequacy from Aqua PA regarding the public water service proposed for this property.
4. The applicant provides the Township with a copy of the NPDES Permit and the Chester County Conservation District letter of adequacy prior to final Approval by the Board of Supervisors.
5. The Township Conservancy Board issues a letter of adequacy for the plan.



Gawthrop Greenwood, PC
Attorneys at Law

17 East Gay Street, Suite 100, P.O. Box 562 p. 610.696.8225
West Chester, PA 19381-0562 www.gawthrop.com

H. NATIONAL BANK
OF MALVERN

9 pgs

Robert F. Adams
610.696.8225 x125
rfadams@gawthrop.com

January 8, 2010

Joseph E. Brion, Esquire
Buckley Brion McGuire Morris & Sommer LLP
118 West Market Street, Suite 300
West Chester, PA 19382-2928

JAN 11 2010

Re: **National Bank of Malvern Conditional Use Application
East Goshen Township**

Dear Skip:

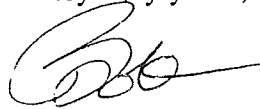
The Township is processing the land development plan for the parking lot on the property of the National Bank of Malvern for which a conditional use approval was issued by the Supervisors back in September. In this connection, we were questioned at the Planning Commission meeting this week as to the status of the cross-access easement with the YMCA which was a requirement of condition 5 of the order. It happens that a Driveway Cross-Easement Agreement dated February 22, 1999 was entered into by the National Bank of Malvern and the predecessor in title to the YMCA, Terramics/Goshen Associates. That Cross-Easement was recorded in Book 4685, page 1837. A copy of the complete document is enclosed.

I ask that you take a look at this because I think it may well serve the intended purpose of the referenced condition. You will observe that the two lots referenced therein, being the 3.54-acre lot 1 owned by the Bank and the 14 plus-acre lot then owned by Hicks, as shown on the plan attached to the Agreement, are the very same properties as are owned by the Bank and the YMCA today. The Agreement imposed on each lot an easement, undesignated as to particular area, but serving as driveways, for the sole purpose of providing access to each owner across the property of the other. That is contained in paragraph 1 and 2 of the document. Paragraph 3 recognizes that the physical layout or location of the easement area on either lot may be changed providing that there is comparable access. This paragraph recognizes that the easement shall automatically be adjusted as driveways are modified or improved. The YMCA purchased its

Page 2

property subject to preexisting rights of the National Bank of Malvern, so I think that the 1999 document should satisfy the requirements of the Township as set forth in condition 5. Please let me know if you are in agreement.

Very truly yours,

A handwritten signature in black ink, appearing to be 'R. Adams', written over a horizontal line.

Robert F. Adams

RFA/cb

Enclosure

pc (w/enc.): Gary R. Green
Denise Day
Mark Gordon

RETURN TO:

9781-00942 A

CHAGO TITLE INSURANCE COMP.
1301 MARKET STREET
SUITE 2550
PHILADELPHIA, PA 19103

9781-00942-4
30
4

DRIVEWAY CROSS-EASEMENT AGREEMENT

THIS CROSS-EASEMENT AGREEMENT is made this 2nd day of February, 1999 by and between NATIONAL BANK OF MALVERN (hereinafter referred to as "Malvern"), a Pennsylvania corporation, with its address at King and Warren Streets, Malvern, Pennsylvania 19355 and TERRAMICS/GOSHEN ASSOCIATES (hereinafter referred to as "Terramics"), a Pennsylvania limited partnership, with its address at 1160 West Swedesford Road, Suite 140, Berwyn, Pennsylvania 19312 (either Terramics or Malvern will be referred to from time to time as "Declarant" and both of the parties will be collectively referred to as "Declarants").

BACKGROUND

WHEREAS, Malvern is the owner of a parcel of land known as Lot 1 (hereinafter referred to as "Lot 1") in East Goshen Township, which is more particularly defined and shown on the Subdivision Plan of Hicks Property prepared by Hunt Engineering Company dated October 21, 1998, last revised December 7, 1998 and recorded with the Chester County Recorder of Deeds, February 5, 1999, as Plan No. 14790 (hereinafter referred to as the "Final Subdivision Plan").

WHEREAS, Terramics is the owner of a parcel of land known as Lot 2 (hereinafter referred to as "Lot 2") in East Goshen Township which is located adjacent to and north of Lot 1 and is more particularly described in the Final Subdivision Plan.

WHEREAS, the parties to this Agreement desire to create and define easement rights for one another upon driveways within the boundaries of their respective properties.

WITNESSETH

NOW THEREFORE, said Declarants, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, hereby grant and create, in favor of each other and of their respective successors

Dec 12-16-1999

BK 4685 PG 1837

in interest the following easement restrictions and servitudes upon Lot 1 and Lot 2:

1. Malvern hereby imposes upon Lot 1 in favor of Lot 2 an easement on and over those portions of its land, serving as driveways, for the sole purpose of providing Terramics and its respective successors in interest, assigns, agents, tenants, business invitees, employees, concessionaires, licensees, contractors and subcontractors access, ingress and egress between its property and Paoli Pike by means of vehicular and/or pedestrian traffic.

2. Terramics hereby imposes upon Lot 2 in favor of Lot 1 an easement, on and over those portions of its land, serving as driveways, for the sole purpose of providing Malvern and its respective successors in interest, assigns, agents, tenants, business invitees, employees, concessionaires, licensees, contractors and subcontractors access, ingress and egress between its property and Airport Road by means of vehicular and/or pedestrian traffic.

3. The easements imposed upon Lot 1 in favor of Lot 2, as described in Paragraph 1, and upon Lot 2 in favor of Lot 1, as described in Paragraph 2, shall collectively be referred to as the Easement Area. A Declarant may alter the physical layout or location of the Easement Area that is situated and located on its own respective Lot without the prior written consent of the other Declarant so long as the change provides comparable access and does not significantly impede the direct access of the other Declarant to the adjacent roadway. As the driveways are modified, altered, realigned, widened, or improved, the Easement Area shall automatically be adjusted and incorporate such modification, alteration, realignment, widening or improvement upon the properties of the Declarants.

4. The driveways upon Lots 1 and 2 shall be designed, constructed and financed in accordance with the terms of Paragraph 7 of the Assignment and Agreement of Sale between the Terramics/Brandywine Associates and Malvern Bank Corporation dated March 30, 1998.

5. Declarants shall be responsible for the maintenance, repair, and snow-removal related operations for their own portion of the Easement Area which is situated and located on their own respective Lots.

509
6. No barriers, fences, curbs or other obstructions which prevent the free and unhampered use of said Easement area shall hereafter be permitted.

7. To the extent otherwise permitted by the Township zoning regulations, this Easement shall entitle each Declarant to place one identification sign of a size, style and design similar to that used by the other Declarant or as otherwise agreed, where the driveway and Easement Area intersects the adjacent roadway to serve as directional guidance to traffic using the driveway.

8. This Agreement is not intended to expand the liability of either Declarant nor convey rights to third parties. There is no contractual obligation upon the Declarants to indemnify one another or otherwise hold one another harmless for liability arising from the easements created herein. Each Declarant shall be responsible for carrying its own liability insurance for such property as it may own or otherwise be entitled to use under this Easement Agreement.

9. These easements and rights-of-way may be terminated and forever extinguished or altered, modified or limited by a writing in form sufficient to be recorded, executed by the then record owners of the lands. Documents effecting any such change need not be joined or consented to by any tenants or other person or entity claiming rights in these easements, whose rights shall be extinguished, modified, altered or limited upon the recording of such writing.

10. The respective rights and obligations herein granted and reserved shall run with the land as to both the servient and the dominant tenements and the respective rights and obligations herein granted and reserved shall inure to the benefit of and be binding upon the successors and assigns of the respective parties herein undersigned.

11. The provisions of this Agreement shall be deemed independent and severable, and the invalidity or unenforceability of any provision or portion thereof shall not affect the enforceability or validity of any other provision or portion thereof.

12. This Agreement shall be construed, interpreted, and applied in accordance with the laws of the Commonwealth of Pennsylvania.

609
13. This Agreement shall be recorded of public record.

IN WITNESS WHEREOF, Declarants, intending to be legally bound hereby, have caused this instrument to be executed the day and year first above written.

DECLARANT:
NATIONAL BANK OF MALVERN

BY: *Anthony J. Vipp*
President

ATTEST: *Jan Foudry*

DECLARANT:
TERRAMICS/GOSHEN ASSOCIATES

BY: *[Signature]*

ATTEST: *[Signature]*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF *Ches*

SS

On this the *21* day of *July*, 1999 before me the undersigned individual appeared, *Peter O. Hausmann*, for the general partner of TERRAMICS/GOSHEN ASSOCIATES, a Pennsylvania Limited Partnership, to acknowledge that he, as such General Partner, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

NOTARY PUBLIC
NOTARIAL SEAL
JOHN J. GAFFNEY, III, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Aug. 17, 2002

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF *Ches*

SS

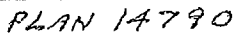
On this the *12* day of *July*, 1999 before me the undersigned officer personally appeared, *Barbara W. Shipp*, who acknowledged himself to be the *president* of NATIONAL BANK OF MALVERN, and that he, as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

NOTARY SEAL
JOHN J. GAFFNEY, III, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Aug. 17, 2002

CHESTER COUNTY PLAN NO. 14790 SHOWS THE FOLLOWING:

- a) Building and Restriction setback lines
- b) Floodplain area
- c) General notes
- d) 20 feet wide sanitary sewer easement crossing premises
- e) stream.





Gawthrop Greenwood, PC
Attorneys at Law

17 East Gay Street, Suite 100, P.O. Box 562 p. 610.696.8225
West Chester, PA 19381-0562 www.gawthrop.com

H. NATIONAL BANK OF MALVERN
3
8pgs

Robert F. Adams
610.696.8225 x125
rfadams@gawthrop.com

January 14, 2010

Joseph E. Brion, Esquire
118 West Market Street, Suite 300
West Chester, PA 19382-2928

JAN 15 2010

Re: **National Bank of Malvern Conditional Use Application**
East Goshen Township


Dear Skip:

The decision and order issued by the Board of Supervisors in the application of the National Bank of Malvern included as condition 6 the requirement that the applicant provide to the Township a proposed lease for the 103 spaces. I drafted such a lease last summer and I think that the YMCA and the Bank are in substantial agreement over the basic terms of the lease.

Would you kindly take a look at the enclosed lease and let me know if it is acceptable to the Township. The order required that it has a term of not less than 10 years, which this lease does. I believe that the commencement date of this lease is not going to be until the parking lot improvements are completed so I need to find out when that will be but we will certainly agree that there shall be no use of the parking lot until the lease is fully executed.

I will need to update this with a modified Exhibit A which will reflect the single driveway configuration on Paoli Pike as well as any other changes that are incorporated into the final plan as approved by the Supervisors. Once I have your consent to the form of the lease, I will get it tuned up as necessary and present you with what will be the final lease. I would be happy to consider any comments that you choose to make.

Very truly yours,



Robert F. Adams

RFA/cb
Enclosure
pc (w/enc.): Gary R. Green
Denise Day
Mark Gordon

AGREEMENT OF LEASE

THIS AGREEMENT OF LEASE, made this _____ day of _____, 2009, by and between **NATIONAL BANK OF MALVERN** ("Lessor"), with an address at 2 West King Street, Malvern, PA 19355, and **YMCA OF THE BRANDYWINE VALLEY** ("Lessee"), with an address of 50 South First Avenue, Coatesville, PA 19320,

WITNESSETH:

1. Demise.

(a) Lessor, for and in consideration of the payment of the rentals hereinafter specified, and the performance of the terms, covenants and agreements herein contained, hereby demises and leases unto Lessee and Lessee hereby lets from the Lessor the parking lot consisting of 103 parking spaces, together with the access driveway from Paoli Pike, as shown on the Revised Sketch Plan prepared by Stantec Consulting Services, Inc. attached hereto as Exhibit "A" ("Leased Premises"). The Leased Premises are part of the Lessor's 4.56-acre parcel of land on the north side of Paoli Pike and the east side of Airport Road in East Goshen Township, Chester County, Pennsylvania ("Bank Property").

(b) Lessee shall use the Leased Premises for the purpose of constructing and using a parking lot and access driveway to serve the contiguous 14.89-acre parcel of land on the east side of Airport Road north of and contiguous with the Bank Property ("YMCA Property") on which the Lessee operates the West Chester Branch of the YMCA. Lessee shall use the Leased Premises for no other purposes without the prior written consent of Lessor, which consent shall not be unreasonably withheld.

(c) Lessee shall have access to the Leased Premises to permit its members to utilize the parking lot by crossing that portion of the Bank Property between the parking lot and Paoli Pike by means of the access driveway shown on Exhibit "A". Lessee shall have full ingress, egress and regress rights to use the access driveway on the Bank Property for this purpose. The access driveway on the Bank Property shall be considered part of the Leased Premises and shall be used by Lessee in common with Lessor. The driveway shall be maintained by Lessee in the same manner as it maintains the parking lot on the Leased Premises.

(d) Lessee shall construct at its sole expense the Phase I improvements depicted on Exhibit "A," including the parking lot, the access driveway from Paoli Pike and the proposed exit driveway intended to serve the proposed Bank.

2. Term. This Lease shall be for a period of 10 years ("Term"), beginning on _____ and terminating _____, subject to the adjustment as provided in paragraph 16(a) hereof.

3. Rent.

(a) Lessee shall pay to Lessor the sum of \$12,000 for the Leased Premises for the first year of the Term hereof, without any demand therefore, at the place designated by Lessor, in equal, consecutive monthly installments of \$1,000 each. Each such installment shall be due and payable in advance on the first day of each month during the Term. In the event the Term shall begin and end other than on the first day and last day, respectively, of a calendar month, the rental for such partial month shall be adjusted utilizing the number of days of the Term actually contained in the calendar month during which the Term begins and ends, respectively.

(b) Commencing with the second year of the Term and for each subsequent year of the Term, the rent shall be increased annually by an amount equal to 1/2 of the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Philadelphia Area, as measured from the Base Index to the Comparison Index, multiplied by the rent (which shall be paid monthly during such year or part thereof), published by the Bureau of Labor Statistics of the United States Department of Labor, provided that if such Index is no longer published at regular periods, then any index released by the Department of Labor for substantially similar purposes shall be used. The Base Index shall be the most recent Consumer Price Index figure published prior to the Commencement Date of each year of the Term of this Lease. If the increase in rent based on the Consumer Price Index for any year of the Term is less than 3%, the rent shall increase by 3% for that year.

4. Utilities; Maintenance; Snow Removal.

(a) Lessee shall pay all electricity used by Lessee in connection with the lighting of the parking lot on the Leased Premises.

(b) Lessee will keep the Leased Premises clean and accessible to pedestrians and vehicles. The parking lot on the Leased Premises shall be kept in an acceptable state of repair and free of snow and ice accumulation.

(c) Lessee shall be responsible for maintaining the landscaping, mowing and maintaining the stormwater management system on the Leased Premises.

5. Real Estate Taxes. Lessor shall pay all real estate taxes assessed against the Leased Premises.

6. Insurance. Lessee shall maintain liability insurance in the amounts that it maintains for the adjacent YMCA Property for the purpose of insuring its activities on the parking lot and access driveway located on the Leased Premises. Such insurance shall name Lessor as an additional insured and Lessee shall indemnify and hold harmless Lessor from any claims relating to the operation of the parking lot on the Bank Property except for any claims that are based upon Lessor's negligence.

7. Lessee's Covenants. Lessee agrees during the Term and for so long as Lessee's occupancy continues:

(a) To pay the rent when due, to maintain the Leased Premises as renovated, reasonable wear and tear excepted and to promptly perform all items of maintenance and repair which Lessee is obligated to perform pursuant to paragraph 4 hereof;

(b) Not to vacate the Leased Premises;

(c) To permit Lessor to have access to the Leased Premises with prior notice during Lessee's normal operating hours and in the event of an emergency, at other times, for the purpose of inspection of the same and to assure Lessor with regard to the performance by Lessee of the terms and conditions hereof;

(d) At the expiration or earlier termination of the Term or any applicable renewal term, promptly to yield up, clean and neat, the Leased Premises and all improvements, alterations and additions thereto; and

(e) Comply with all governmental requirements and regulations respecting Lessee's use and occupancy of the Leased Premises in a timely manner and be solely responsible for all tax levies, assessments, licenses or fines arising from the conduct of Lessee's business.

8. Lessor's Covenants and Warranties. Lessor represents warrants and covenants as follows:

(a) Lessor is the beneficial owner of the Leased Premises;

(b) Lessor has full right and power to execute and perform this Lease and to grant the estate demised herein;

(c) Upon payments of the rent and performance of all of the other terms and conditions to be performed by Lessee herein, Lessee shall peaceably and quietly hold and enjoy the Leased Premises for the term hereinabove provided; and

(d) The Leased Premises, and its intended use by Lessee, are in compliance with all presently applicable zoning and subdivision laws, and all applicable federal, state and local laws, ordinances and regulations.

9. Signage. Provided Lessee complies with the regulations of East Goshen Township and the terms and conditions of the conditional use and land development approval for the development of the Bank Property, Lessee shall be permitted to maintain an identification and direction sign on the Paoli Pike frontage of the Bank Property. No sign shall be erected without Lessor's prior written consent, which consent shall not be unreasonably withheld.

10. Assignment and Subletting. Lessee shall not assign or sublet all or any portion of the Leased Premises without the prior written consent of Lessor, which consent shall not be unreasonably withheld.

11. Lessee's Default. Lessee will be in default if:

(a) Lessee fails to pay rent when due and the failure is not cured within 30 days after Lessee has received written notice from Lessor of such deficiency;

(b) Lessee fails to perform any other material covenant or condition contained in this Lease within 30 days after Lessee receives written notice of the failure from Lessor (unless the failure cannot reasonably be cured within such period, in which case Lessee will be in default if it fails to commence its cure within such period and/or fails to diligently pursue its cure to completion); and

(c) Lessee is adjudicated a bankrupt in a proceeding against it or a receiver for Lessee or for all or a substantial part of its property is appointed, or a court order is entered approving a petition seeking reorganization or an arrangement under the Bankruptcy Code, and any such adjudication, appointment or order is not vacated, set aside or otherwise terminated or stayed within 60 days from the date of its entry. If Lessee is in default and while that default is continuing, Lessor may, at its option:

(1) terminate this Lease by notice to Lessee, recover possession of the Leased Premises, and recover from Lessee the present value of the difference, if any, between the Rent owed by Lessee for the remaining portion of the Term and the fair rental value of the Leased Premises for such period, or

(2) without terminating this Lease, recover possession of the Leased Premises and relet the Leased Premises as the agent of Lessee, and Lessee shall pay Lessor the present value of the difference, if any, between the Rent owed by Lessee for the remaining portion of the Term and the amount received or to be received under such reletting for such period. Lessor may also recover all reasonable costs and expenses he incurs in connection with Lessee's default and the enforcement of its remedies under this Lease, including, without limitation, reasonable legal fees. Lessor shall use best efforts to mitigate its damages as a result of Lessee's default.

12. Subordination; Non-Disturbance. Lessee agrees at any time during the term of this Lease to execute upon Lessor's request an agreement to subordinate the estate hereby demised to any mortgagee thereof provided that said agreement provides that, so long as the Lessee complies with the terms and provisions of this Lease, the right of possession of Lessee to the Leased Premises and the terms and conditions of this Lease shall not be affected or disturbed by:

(a) such mortgagee in the exercise of any of its rights under said mortgage or the bond or debt secured thereby;

(b) such mortgagee coming into possession of or ownership of the title of the Leased Premises by foreclosure of such mortgage or by proceedings on said bond or otherwise;
or

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(c) by anyone else if the Leased Premises are sold or otherwise disposed of pursuant to any right or any power contained in any such mortgage or such bond and such person acquiring title through or by virtue of such sale shall take such title subject to this Lease.

13. Condemnation. If the whole of the Leased Premises is condemned for any public use or purpose by any legally constituted authority (or is sold to such authority in lieu of condemnation), this Lease shall cease from the date of such taking or sale and rental shall be accounted for between Lessor and Lessee as of the date of the surrender of possession. If a portion of the Leased Premises is so taken or sold then from and after the date of taking or sale, Lessee shall, at its option:

(a) terminate the Lease as of such date; or

(b) remain on the remaining portion of the Leased Premises, under the terms and conditions of this Lease, provided, however, that the rental shall be proportionately reduced to reflect the portion of the Leased Premises so taken or sold. No condemnation or condemnation award shall prejudice the rights of either Lessor or Lessee to recover compensation from the condemnation.

14. Holding Over. If Lessee remains in possession of the Leased Premises after the expiration of the Lease term, its continued possession shall be as a month-to-month tenant. During such month-to-month tenancy, rent shall be payable at the same rate as that in effect during the last month of the immediately preceding term, and the terms and provisions of this Lease shall apply.

15. Deposit With Bank. Upon execution of this Lease, Lessee shall deposit \$250,000 in a certificate of deposit with Lessor which shall be subject to annual renewal by Lessee. This deposit shall not be deemed to be a security deposit under this Lease but, rather, shall be considered only as a condition of the willingness of Lessor to enter into this Lease with Lessee.

16. Miscellaneous.

(a) Examination or review of this Lease by or on behalf of either Lessor or Lessee shall not be construed as approval or acceptance hereof; and this Lease shall not be effective until executed by duly authorized signatures of both Lessor and Lessee. Notwithstanding the foregoing, this Lease shall not be fully effective until final land development approval has been obtained for the parking lot on the Leased Premises and the Term as stated in paragraph 2 hereof shall be adjusted as necessary to commence when the parking lot on the Leased Premises has been fully constructed, paved, lighted and striped, all as approved and permitted by East Goshen Township.

(b) No consent or waiver, express or implied, by Lessor or Lessee to or of any breach of any agreement or duty to the other shall be construed as a consent or waiver of any other breach of the same or any other agreement or duty.

(c) Whenever any notice, approval, consent or request is given pursuant to this Lease, it shall be in writing. Communications and payments, unless otherwise specified shall, be addressed to the party's address stated herein. Any communication so addressed shall be deemed duly served if mailed by certified mail, return receipt requested.

(d) The invalidity or unenforceability of any provision of this Lease shall not affect or render invalid or unenforceable any other provision hereof.

(e) This Lease shall be construed under the laws and judicial interpretations of the Commonwealth of Pennsylvania.

(f) The obligations of this Lease shall run with the land, and this Lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Lease as of the day and year first above written.

Attest:

YMCA OF THE BRANDYWINE VALLEY

By: _____
Name: Gary R. Green
Title: President/CEO

Attest:

NATIONAL BANK OF MALVERN

By: _____
Name:
Title:

[illegible]**BANK PARKING DATA**

	REQUIRED	PROVIDED
BASE		
1 SPACE/150 FLOOR AREA + 1 FOR	26 SPACES	2 HANGAR SPACE
ENTRANCE		30 SPACES
		22 TIRE SPACES
		105 SPACES
DETAIL FLOORING LOT FOR TRUCK		

VARIANCE GRANTED

AND NOW, DATE 27TH DAY OF MAY, 2009, THE APPLICANT, MINERAL BANK OF ALABAMA, IS HEREBY GRANTING A VARIANCE FROM SECTION 100-1-138(1)(D) IN ORDER TO HAVE 22 PARKING SPACES BETWEEN THE PROPOSED BUILDING AND PDAU PLOT AS MORE PARTICULARLY SPECIFIED ON EXHIBITS "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L," "M," "N," "O," "P," "Q," "R," "S," "T," "U," "V," "W," "X," "Y," AND "Z" REMAINING THE CHESTER COUNTY, PENNSYLVANIA PDAU PLOT. EAST CORNER TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA. PROPOSED THE APPLICANT COMPLIES WITH ALL OTHER TOWNSHIP CODES AND REGULATIONS AND OBTAINS ALL OTHER REQUIRED GOVERNMENTAL APPROVALS AND PERMITS.

NOTES

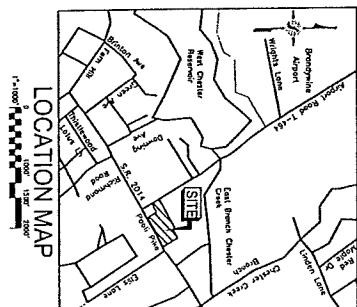
CONDITIONAL USE APPROVAL IS REQUIRED FOR SPACES FOR OTHER THAN THE PROPOSED USE. THE PROPOSED USE IS DIFFERENT FROM THE CURRENT ZONING FOR CONDITIONAL USE. A DETERMINATION OF THE EFFECTS OF THE PROPOSED USE ON THE ADJACENT AREAS WILL NEED TO BE CONSIDERED AND THE LAND USE APPROVAL WILL NEED TO BE APPROVED UNDER THE LAND USE ACT. THE LAND USE APPROVAL IS SCHEDULED FOR JULY 21, 2015.

ALL EXISTING STRUCTURES WILL BE DEMOLISHED AND NEW BY A SINGLE FLOOR OF THE BUILDING STRUCTURE WHICH IS AGENERICALLY DESCRIBED AS A 100,000 SQ. FT. BUILDING. THE BUILDING WILL BE IN ACCORD TO THE HIGHEST PERMITTED STRUCTURE. THE BUILDING WILL BE CONSTRUCTED TO THE HIGHEST PERMITTED STRUCTURE. THE BUILDING WILL BE CONSTRUCTED TO THE HIGHEST PERMITTED STRUCTURE. THE BUILDING WILL BE CONSTRUCTED TO THE HIGHEST PERMITTED STRUCTURE.

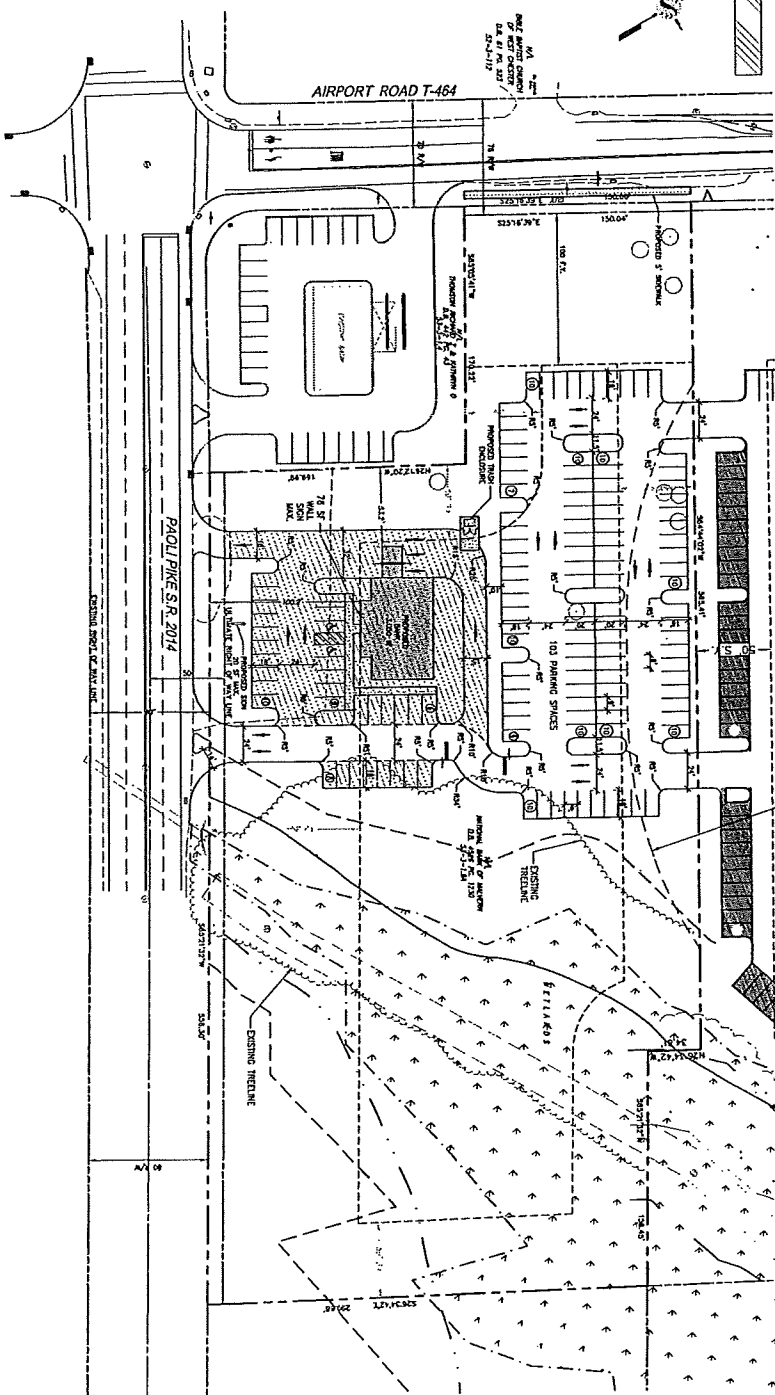
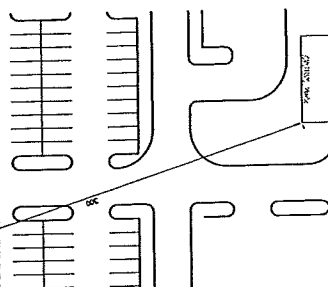
A WAREHOUSE WILL BE RECONSTRUCTED FROM SECTION 04.2.1 FOR THE LOCATION OF THE PROPOSED INDUSTRIAL.

0 1000' 1500' 2000'

LOCATION MAP



SIGN DETAIL
NOT TO SCALE



RECORD OWNER/APPLICANT:

NATIONAL BANK OF MALVERN
2 WEST KING STREET
MALVERN, PA 19355-2410
(610) 647-0100

Startec

Slurtec Consulting Services Inc.
425 McPherson Rd. Suite 203
Kennett Square, PA 19348-2112
Tel. 610.444.6522
Fax. 610.444.1698
www.slurtec.com

Leger

The Contractor shall verify and be responsible for all dimensions. DO NOT start the drawing - any errors or omissions must be reported to the Architect immediately. The Contractor is to design and draftings on the property of the Architect. Responsibility for site for any purpose other than that authorized by the Architect is forbidden.

•

1. REFERENCE TO THE PLAN ENTITLED "2004/2005 PLAN PROPOSED FOR THE HICKS PROJECT" PREPARED BY ADRI DORRINGER COMPANY LAST DATED 12/17/03
2. THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
3. WETLAND DEDICATION BY WOLFE RESEARCH, INC., STITCHER PARK, IN JULY 2004 TO BE HELD ADJACENT BY EAST COHEN TOWNSHIP.
4. FLOODPLAIN IS BASED UPON FIRM MAP #1202030350.

Client/Project
NATIONAL BANK OF MALVERN

EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA

REVISED SKETCH PLAN

Project No.	Scale
0	400
1	800
2	1200
3	1600
4	2000
5	2400
6	2800
7	3200
8	3600
9	4000
10	4400
11	4800
12	5200
13	5600
14	6000
15	6400
16	6800
17	7200
18	7600
19	8000
20	8400
21	8800
22	9200
23	9600
24	10000
25	10400
26	10800
27	11200
28	11600
29	12000
30	12400
31	12800
32	13200
33	13600
34	14000
35	14400
36	14800
37	15200
38	15600
39	16000
40	16400
41	16800
42	17200
43	17600
44	18000
45	18400
46	18800
47	19200
48	19600
49	20000
50	20400
51	20800
52	21200
53	21600
54	22000
55	22400
56	22800
57	23200
58	23600
59	24000
60	24400
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62	25200
63	25600
64	26000
65	26400
66	26800
67	27200
68	27600
69	28000
70	28400
71	28800
72	29200
73	29600
74	30000
75	30400
76	30800
77	31200
78	31600
79	32000
80	32400
81	32800
82	33200
83	33600
84	34000
85	34400
86	34800
87	35200
88	35600
89	36000
90	36400
91	36800
92	37200
93	37600
94	38000
95	38400
96	38800
97	39200
98	39600
99	40000

174810049

1000

EXHIBIT

22

tabbles®

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

H. NATIONAL BANK OF
MALVERN
3,
1 pg

January 26, 2010

East Goshen Township
Board of Supervisors
1580 Paoli Pike
West Chester, Pa. 19380

Re: National Bank of Malvern
1305 Paoli Pike
53-3-1.9A

Dear Commissioners:

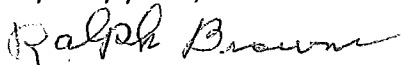
As requested I have reviewed the Land Development Plan for the proposed bank and parking lot at the above referenced property.

I believe the access proposed from Paoli Pike is adequate to allow ingress and egress of emergency response vehicles. The plan states that the proposed improvements will be served by public water however no water service is shown on the plan.

Prior to approval of the this application the applicant shall provide the Township with a copy of the plan that depicts the location and size of the proposed water service so I can recommend a location for a fire hydrant along the Paoli Pike frontage of the property.

Please don't hesitate to contact me if you have any questions.

Very truly yours,



Ralph F. Brown
Township Fire Marshall

Cc: Mike Conrad, P.E., Township Engineer (Via Email)
Charles Olivo, P.E. (Via Email)

mg

H. NAT'L BANK of MALVERN
3.
1/28

Gordon, Mark

From: Robert F. Adams [RFADAMS@gawthrop.com]
Sent: Thursday, January 28, 2010 11:01 AM
To: Mark Gordon
Subject: Re: NB of Malvern

Mark, Happy to accommodate you in this respect. You may consider this message the authorization for another 60 days for the LD review.

Bob

Robert F. Adams, Esq.
Gawthrop Greenwood, PC
17 E. Gay Street, Suite 100
West Chester, PA 19381-0562

Telephone: 610-696-8225 x125
Facsimile: 610-344-0922
E-mail: rfadams@gawthrop.com
We are on the web at www.gawthrop.com

***** PRIVACY NOTICE *****

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When replying, please virus-check all attachments to prevent contamination and corruption of files and operating systems.

>>> "Mark Gordon" <mgordon@eastgoshen.org> 1/28/2010 9:34 AM >>>
Bob,

Will you grant the Township a 60 day extension to complete the LD review?

Thanks,

-Mark

Mark A. Gordon

Director of Code Enforcement / Zoning Officer

East Goshen Township

1580 Paoli Pike

West Chester, PA 19380

H. CORVINO (ST. FRANCIS)
4.
199

**EAST GOSHEN TOWNSHIP
ZONING HEARING BOARD APPLICATION**

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Name of Applicant: Saint Francis Nursery School (Dianne Corvino)
Applicant Address: 1420 Ardleigh Circle
West Chester, PA 19380
Telephone Number: 610-696-1391 Fax Number: 610-696-4010
Email Address: jcorvino@comcast.net
Property Address: United Church of Christ East Goshen
1201 N. Chester Road, west Chester, PA 19380
Tax Parcel Number: 53-2-41.1 Zoning District: R2 Acreage: 5.8

Purpose of Application (check one)

- ☐ Variance (Type: ☐ Use Variance ☐ Dimensional Variance)
☐ Special Exception
☐ Appeal determination of the Zoning Officer
☒ Other Revision to Special Exception Use

Sections of Zoning Ordinance in which relief is sought:

SPECIAL EXCEPTION - CONDITION #1

Description of the Zoning Relief requested and the future use of the property:

See attached

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

Dianne H. Corvino
Signature of Applicant

1/26/00
Date

***Please review the formal application and review procedures on page three.**

H. ST. FRANCIS NURSERY
4.
1pg

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 27, 2010

Dear Property Owner:

The purpose of this letter is to inform you that the Saint Francis Nursery School has submitted a Zoning Hearing Board application requesting to amend the current Special Exception approval for the United Church of Christ East Goshen located at 1201 North Chester Road, West Chester PA, 19380. The applicant proposes to operate a pre-school program within the church facility and to add a 1000 square foot playground area towards the rear of the property. The applicant is seeking to amend the existing Special Exception approval granted to the church in 1992 which allows a day-care / pre-school program so long as it is operated solely by the church.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of these types of hearing applications.

This application is scheduled to be discussed at the following meetings and is subject to change.

February 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

March 2, 2010 – Board of Supervisors meeting (workshop at 6:30 pm, formal meeting @ 8:00 pm)

March 11, 2010 – Zoning Hearing Board (meeting @ 7:30 pm) **(Zoning Hearing)**

All meetings are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions
Ross Unruh, Esq. Zoning Hearing Board Solicitor (Via Email)

Conditional Use Application and Checklist

East Goshen Township

To: Township Zoning Officer

Name of Applicant: T-Mobile Northeast, LLC

Applicant Address: 400 Street Road, Bensalem, PA 19020

Telephone Number: 610-892-1858 Fax: 610-565-0178

Email Address: dp@petrikin.com

Property Address: PECO Pole, west side N. Chester Road, north
of Boot Road at or near New Kent Apartments

Tax Parcel Number: 53-004-0076-0000 Zoning District: R-5 Acreage: N/A
PECO Pole in Right-of-Way

Description of proposed use:

Applicant proposes to replace an existing 24'+/- tall PECO utility pole with a 40'+/- wood utility pole with a 72" pole-top extension and to attach its commercial communications antennas at the top (total height of 49'+/-) and to attach equipment including meter, telco box, three (3) equipment cabinets and related wireless communications equipment to the replacement PECO utility pole.

Conditional Use is provided in Zoning Ordinance Section: 240-31.C(3)(h)[2][e]

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

T-Mobile Northeast, LLC

By: Donald T. Petros

Signature of Applicant's Attorney

01/25/2010

Date

Attest: _____

* Review the formal Planning Commission review procedure on page three.

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

H. T. MOBILE
5.
one pg

January 27, 2010

Dear Property Owner:

The purpose of this letter is to inform you that T-Mobile has submitted a conditional use application to the Township requesting approval to construct a Wireless Communication Facility on a PECO pole within the road right-of-way along North Chester Road north of Boot Rd and adjacent to New Kent Apartments. The applicant proposes to replace the existing 24 foot tall PECO pole with a 40 foot pole plus a pole extension and antennas to equal a total height of 49 feet.

Pursuant to Township policy, all property owners within 1000 feet of the property subject to the Conditional Use application are notified of the proceedings.

This application is scheduled to be discussed at the following meetings and is subject to change.

February 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm) **(The applicant will make a presentation at this meeting)**

March 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

March 16, 2010 - Board of Supervisors (workshop at 7 pm, formal meeting @ 8:00 pm) **(Conditional Use Hearing)**

All meetings and workshops are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All ABC's
Donald T. Petrosa, Esq. (Via Email)

TRANSPORTATION IMPACT STUDY FOR TRADITIONS OF WEST GOSHEN

Owner:
Stephen B. Janiec, et at.

Developer:
Traditions Development Corp.
REP: Michael McCormick
P.O. Box 6311
Harrisburg, PA 17112
(717) 554-4779

Site Location:
West Goshen Township,
Chester County
Pennsylvania

December 31, 2009

This report has been submitted in support of an Application for Conditional Use dated April 1, 2009

Prepared by:

ALPHA
ALPHA CONSULTING ENGINEERS, INC.
PLANNING ♦ ENGINEERING ♦ SURVEYING
115 Limekiln Road, P.O. Box G
New Cumberland, PA 17070
(717) 770-2500 Fax (717) 770-2400
www.alphacei.com

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- Growth Rate and Volume Worksheets
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EXECUTIVE SUMMARY

This report provides a traffic impact analysis for a proposed Independent Living Facility located in West Goshen Township, Chester County, Pennsylvania. The analysis presented follows standard traffic engineering practice for the definition of travel impacts associated with proposed land use developments. This report has been prepared in accordance with the Subdivision and Land Development Ordinance (SALDO) for West Goshen Township as required for final plan submissions and consultation with the Township's engineer. Per correspondence with the Township the scope of this report has been limited as shown on **Figure 1**.

- **Location** - The subject site of this analysis is a 6.6 acre tract located at the east quadrant of the intersection of US Route 202 and Boot Road (S.R. 0202) in West Goshen Township, Chester County, Pennsylvania. The site is currently an undeveloped tract located within the R-3 zoning district. See **Figure 1a**.
- **Project Description** - Traditions Development Corp is proposing to develop a 114 unit Senior Apartment Building or Independent Living Facility pursuant to section 84-12.G(3) of the Township Zoning Ordinance. The development is to be known as 'Traditions of West Goshen'. The facility will provide age-qualified, private accommodations consisting of single room or small apartment-style units with kitchenettes and living spaces as shown in **Figure 1b**.
- **Site Access** - Site access is proposed via the two existing driveways as shown on **Figure 2**. Site Driveway 1 currently provides access for the Goshen Fire Company across the site via an existing access easement directing traffic to the northwest bound lane of Boot Road. Although signed as 'no left turns' for movements exiting, Site Driveway 1 is being currently utilized as a full movement driveway by emergency vehicles. Site Driveway 2 provides access to Greenhill Road (S.R. 2018) via an existing access easement across land belonging to the Goshen Fire Company. Site Driveway 2 is also a full movement driveway.
- **Trip Generation** - Based on national trip generation statistics that have been compiled by the Institute of Transportation Engineers, an age-qualified home generates approximately two-fifths the peak hour volume of a conventional (without age qualification) single family home. Statistically, Independent Living Facilities generate their morning peak volumes of traffic an hour or so after the adjacent street peak volume and their evening peak volumes of traffic an hour or so before the adjacent street peak volume occurs. The term 'peak hour' as used in this report shall be the peak hour of the adjacent street traffic, and not the peak hour of the generator.

Upon full build out Traditions of West Goshen is anticipated to generate 11 total trips in the weekday A.M. peak hour and 15 total trips during the P.M. peak hour. Since each pair of trips represents a new vehicle in the study area, this equates to approximately 1 new vehicle per every 10 minutes added to the road network during the analyzed peak hours.

Trips generated by both the Goshen Fire Company and the proposed development represent less than 3 /1,000ths of all trips within the study area during the weekday A.M. and P.M. peak hours, respectively.

- **Distribution** - Future traffic distributions for Traditions of West Goshen were derived from actual counts at the existing intersections located within the study area. Based on this analysis, it is expected that the large majority of site traffic will travel to/from US 202. The distributional split will favor Site Driveway 1, approximately 67% to 33% for Site Driveway 2 during the analyzed peak hours. This corresponds to the extensive commercial corridors in Exton and West Chester along with the medical facilities provided by the Chester County Hospital.
- **Capacity Analysis** - Levels of Service (LOS) for the signalized intersections within the study area have been summarized in **Table 1a**. Levels of Service (LOS) for the unsignalized intersections within the study area have been summarized in **Table 1b** detailing the LOS for each movement. **Table 1c** details the LOS for each movement of the signalized intersections within the study area. The summaries have been prepared outlining existing 2009 background conditions, opening year 2010 Base (no-build), design horizon year 2015 base (no-build) conditions, opening year 2010 projected (build) conditions, and design horizon year 2015 projected (build) conditions.
- **Recommended Improvements** - Improvements to the signalized intersections are not recommended as mitigation should not be required. As noted in the report and as demonstrated in **Table 1** there is no apparent LOS degradation and there is no increase in intersection delay less than or equal to 10 seconds for any movement that can be attributed to the development of the site.

Current and projected LOS do not present the need for driveway improvements. However vehicles in queue for the Greenhill Road – Boot Road intersection present the possibility of blocking left turn entering movements into both driveways. It is recommended to provide the following signage along Greenhill Road and Boot Road. Add a 'Do Not Block Intersection' sign along the southwest bound lane of Greenhill Road at Site Driveway 2. Add a combination 'Watch for Stopped Vehicles' and 'Left Lane' sign along the southeast bound lane of Boot Road opposite the entrance taper of the left turn lane onto Greenhill Road. The developer has offered to construct as part of the site development an exclusive right-turn-lane for the Greenhill Road westbound approach with Boot Road. This is intended to provide additional vehicle capacity at this approach and reduce the possibility of blocking left-turn movements at Site Driveway 2. The developer has also offered to limit their use of Site Driveway 1 as signed for "No Left Turn" for exiting vehicles understanding that this condition does not apply to vehicles responding to emergencies (incidents) from the Goshen Fire Company.

Internal circulation utilizing shared access with Goshen Fire Company over both site driveways has been considered with specific regard to the mid-day traffic of the generator during probable incident response by the Goshen Fire Company. It is recommended to provide an internal automatic gating system that can be activated from responding emergency vehicles as is the case with preempted signals.

TABLE 1a
LEVELS OF SERVICE (V/C RATIO) SUMMARY
SIGNALIZED INTERSECTIONS

Intersection	Move ment	Existing Condition		2010 Opening Year				2015 Design Horizon Year					
		A.M.	P.M.	Base A.M.	Base P.M.	Projected A.M.	Projected P.M.	Base A.M.	Base P.M.	Projected A.M.		Projected P.M.	
Boot Road - US 202 Southbound Ramp	ILOS	C (0.80)	C (0.76)	C (0.82)	C (0.77)	C (0.82)	C (0.78)	C (0.91)	C (0.86)	C (0.91)		C (0.86)	
Boot Road - US 202 Northbound Ramp	ILOS	A (0.76)	A (0.63)	A (0.78)	A (0.64)	A (0.78)	A (0.64)	A (0.86)	A (0.71)	A (0.86)		A (0.71)	
Boot Road - Greenhill Road	ILOS	D (1.03)	C (0.81)	D (1.07)	C (0.83)	D (1.08)	C (0.84)	D (1.36)	C (0.96)	D (1.36)	D (1.36)	C (0.96)	C (0.84)
Boot Road - Wilson Drive	ILOS	C (0.78)	C (0.80)	C (0.79)	C (0.82)	C (0.80)	C (0.82)	C (0.86)	D (0.90)	C (0.86)		D (0.91)	

TABLE 1b
LEVELS OF SERVICE (INTERSECTION DELAY) SUMMARY
UNSIGNALIZED INTERSECTIONS

Intersection	Move ment	Existing Condition		2010 Opening Year				2015 Design Horizon Year					
		A.M.	P.M.	Base A.M.	Base P.M.	Projected A.M.	Projected P.M.	Base A.M.	Base P.M.	Projected A.M.		Projected P.M.	
Boot Road – Site Driveway 1	SEL					A (0.1)	A (0.1)			A (0.1)	A (0.1)	A (0.2)	A (0.2)
	NWR					(0.0)	(0.0)			(0.0)	(0.0)	(0.0)	(0.0)
	SWL / SWR	D (28.7)	B (10.1)	D (29.9)	B (10.2)	C (17.2)	B (10.3)	E (36.5)	B (10.8)	C (19.9)	C (19.9)	B (10.9)	B (10.9)
Greenhill Road – Site Driveway 2	EBL					A (0.1)	A (0.1)			A (0.1)	A (0.1)	A (0.1)	A (0.1)
	SBL / SBR	B (10.1)	B (11.7)	B (10.1)	B (11.8)	B (10.2)	B (11.0)	B (10.5)	B (12.4)	B (10.5)	B (10.5)	B (11.4)	B (11.4)

Base = No-Build (without proposed development) scenario for design year conditions

Projected = Build (with proposed development) scenario for design year conditions

ILOS = Overall Intersection Level of Service.

☒ = LOS with installation of fully-actuated, three-phase traffic signal.

☐ = With improvements / mitigation.

TABLE 1c
LEVELS OF SERVICE (V/C RATIO) SUMMARY BY MOVEMENT
SIGNALIZED INTERSECTIONS

Intersection	Move ment	Existing Condition		2010 Opening Year				2015 Design Horizon Year					
		A.M.	P.M.	Base A.M.	Base P.M.	Projected A.M.	Projected P.M.	Base A.M.	Base P.M.	Projected A.M.		Projected P.M.	
Boot Road - US 202 Southbound Ramp	SBL / SBT	D (0.88)	D (0.73)	D (0.90)	D (0.74)	D (0.90)	D (0.75)	E (1.00)	D (0.82)	E (1.00)		D (0.82)	
	SBR	A (0.11)	A (0.13)	A (0.11)	A (0.13)	A (0.11)	A (0.13)	A (0.13)	A (0.15)	A (0.13)		A (0.15)	
	SET	D (0.83)	C (0.64)	D (0.85)	C (0.66)	D (0.85)	C (0.66)	D (0.94)	C (0.73)	D (0.94)		C (0.73)	
	SER	A (0.14)	A (0.14)	A (0.14)	A (0.14)	A (0.14)	A (0.14)	A (0.16)	A (0.15)	A (0.16)		A (0.15)	
	NWL	C (0.59)	B (0.35)	D (0.63)	B (0.36)	D (0.63)	B (0.37)	D (0.85)	C (0.46)	D (0.86)		C (0.46)	
	NWT	B (0.66)	B (0.78)	B (0.68)	B (0.79)	B (0.68)	B (0.80)	C (0.75)	C (0.88)	C (0.75)		C (0.88)	
Boot Road - US 202 Northbound Ramp	NBL / NBT	D (0.60)	D (0.60)	D (0.62)	D (0.61)	D (0.62)	D (0.61)	D (0.68)	D (0.68)	D (0.68)		D (0.68)	
	NBR	A (0.17)	A (0.11)	A (0.17)	A (0.11)	A (0.17)	A (0.11)	A (0.19)	A (0.12)	A (0.19)		A (0.12)	
	SEL	A (0.14)	A (0.21)	A (0.14)	A (0.22)	A (0.14)	A (0.23)	A (0.18)	A (0.31)	A (0.18)		A (0.31)	
	SET	A (0.80)	A (0.70)	A (0.82)	A (0.72)	A (0.82)	A (0.72)	A (0.90)	B (0.80)	A (0.91)		B (0.80)	
	NWT	A (0.53)	A (0.69)	A (0.54)	A (0.70)	A (0.54)	A (0.70)	A (0.60)	A (0.77)	A (0.60)		A (0.78)	
	NWR	A (0.29)	A (0.57)	A (0.29)	A (0.58)	A (0.30)	A (0.58)	A (0.32)	A (0.65)	A (0.33)		A (0.65)	
Boot Road - Greenhill Road	EBL	D (0.56)	D (0.77)	D (0.58)	E (0.80)	D (0.58)	E (0.81)	E (0.73)	E (0.99)	E (0.73)	D (0.43)	E (0.99)	D (0.63)
	EBT / EBR	E (0.94)	D (0.50)	E (0.96)	D (0.51)	E (0.96)	D (0.51)	E (1.06)	D (0.57)	E (1.06)	E (1.06)	D (0.57)	D (0.57)
	WBL	F (1.06)	C (0.31)	F (1.15)	C (0.32)	F (1.16)	C (0.32)	F (1.83)	D (0.38)	F (1.84)	F (1.84)	D (0.39)	D (0.39)
	WBT / WBR	D (0.63)	D (0.58)	D (0.64)	D (0.59)	D (0.65)	D (0.60)	D (0.71)	D (0.66)	D (0.72)	D (0.38)	D (0.66)	c (0.34)
	SEL	B (0.46)	C (0.68)	B (0.48)	D (0.71)	B (0.48)	D (0.72)	B (0.58)	D (0.78)	B (0.58)	B (0.58)	D (0.79)	D (0.79)
	SET	C (1.03)	B (0.75)	D (1.05)	B (0.77)	D (1.05)	B (0.77)	D (1.16)	C (0.85)	D (1.16)	D (1.16)	C (0.85)	C (0.85)
	SER	A (0.13)	A (0.17)	A (0.14)	A (0.18)	A (0.14)	A (0.18)	A (0.15)	A (0.20)	A (0.15)	A (0.15)	A (0.20)	A (0.20)
	NWL	F (0.86)	C (0.50)	F (0.87)	C (0.53)	F (0.87)	C (0.53)	F (0.96)	D (0.73)	F (0.96)	F (0.96)	D (0.73)	D (0.73)
	NWT / NWR	C (0.65)	C (0.86)	C (0.66)	C (0.88)	C (0.66)	C (0.89)	C (0.73)	C (0.98)	C (0.73)	C (0.73)	C (0.98)	C (0.98)

TABLE 1c Continued
LEVELS OF SERVICE (V/C RATIO) SUMMARY BY MOVEMENT
SIGNALIZED INTERSECTIONS

Intersection	Move ment	Existing Condition		2010 Opening Year				2015 Design Horizon Year					
		A.M.	P.M.	Base A.M.	Base P.M.	Projected A.M.	Projected P.M.	Base A.M.	Base P.M.	Projected A.M.		Projected P.M.	
Boot Road - Wilson Drive	SEL	A (0.03)	B (0.01)	A (0.03)	B (0.01)	A (0.03)	B (0.01)	A (0.04)	B (0.01)	A (0.04)		B (0.01)	
	SET	B (0.84)	C (0.84)	B (0.86)	C (0.86)	B (0.86)	C (0.86)	C (0.95)	C (0.95)	C (0.96)		C (0.95)	
	SER	B (0.53)	A (0.20)	B (0.54)	A (0.21)	B (0.54)	B (0.21)	B (0.62)	A (0.24)	B (0.62)		A (0.24)	
	NWL	C (0.68)	D (0.46)	C (0.72)	D (0.48)	C (0.72)	D (0.48)	E (0.98)	E (0.70)	E (0.98)		E (0.70)	
	NWT	B (0.60)	C (0.81)	B (0.61)	C (0.83)	B (0.61)	C (0.83)	C (0.68)	D (0.91)	C (0.68)		D (0.92)	
	NWR	B (0.09)	B (0.01)	B (0.09)	B (0.01)	B (0.09)	B (0.01)	B (0.10)	B (0.01)	B (0.10)		B (0.01)	
	NEL	D (0.71)	D (0.80)	D (0.72)	D (0.82)	D (0.72)	D (0.82)	D (0.80)	D (0.91)	D (0.81)		D (0.91)	
	NEL/ NET	D (0.71)	D (0.83)	D (0.73)	D (0.84)	D (0.73)	D (0.84)	D (0.80)	D (0.93)	D (0.81)		D (0.93)	
	NER	C (0.05)	C (0.19)	C (0.05)	C (0.20)	C (0.05)	C (0.20)	C (0.06)	C (0.27)	C (0.06)		C (0.27)	
	SWL	D (0.32)	D (0.06)	D (0.33)	D (0.06)	D (0.33)	D (0.06)	D (0.37)	D (0.07)	D (0.37)		D (0.07)	
	SWT	D (0.09)	D (0.01)	D (0.09)	D (0.01)	D (0.09)	D (0.01)	D (0.10)	D (0.01)	D (0.10)		D (0.01)	
	SWR	D (0.07)	D (0.01)	D (0.07)	D (0.01)	D (0.07)	D (0.01)	D (0.08)	D (0.01)	D (0.08)		D (0.01)	

Base = No-Build (without proposed development) scenario for design year conditions

Projected = Build (with proposed development) scenario for design year conditions

ILOS = Overall Intersection Level of Service

☒ = LOS with installation of fully-actuated, three-phase traffic signal

☐ = With improvements / mitigation.

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 22, 2010

Mr. Albert Zuccarello
1661 Yardley Court
West Chester, PA 19380-5796

RE: Planning Commission Appointment

Dear Albert:

I am pleased to inform you that at their meeting on Tuesday, January 19, 2010, the Board of Supervisors appointed you to the East Goshen Township Planning Commission. Your term will expire at the end of the year 2013, at which time you may be re-appointed.

The Planning Commission holds their formal meetings the first Wednesday of each month at 7:00 PM and may schedule workshops as needed. A meeting agenda and applicable information will be delivered to your home the weekend prior to each meeting.

As always, if we can be of any assistance, please feel free to call.

Sincerely,



Louis F. Smith, Jr.
Township Manager

Cc: Planning Commission

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 22, 2010

Mr. Charles Proctor
Brandywine 4 Building
3 Dickinson Drive, 2nd Floor
Chadds Ford, PA 19317

RE: Planning Commission Appointment

Dear Charles:

I am pleased to inform you that at their meeting on Tuesday, January 19, 2010, the Board of Supervisors appointed you to a one term on the East Goshen Township Planning Commission. Your term will expire at the end of the year 2013, at which time you may be re-appointed.

The Planning Commission holds their formal meeting the first Wednesday of each month at 7:00 PM and may schedule workshops as needed. A meeting agenda and applicable information will be delivered to your home the weekend prior to each meeting.

We look forward to working with you. If we can ever be of any assistance, please do not hesitate to call.

Sincerely yours,



Louis F. Smith, Jr.
Township Manager

s
jat

cc: Planning Commission

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 11, 2010

East Goshen Township
Board of Supervisors
1580 Paoli Pike
West Chester, Pa. 19380

Re: Liberty Towers
Variance Request
53-4-80.1

Dear Board Members:

At our meeting on January 6, 2010 the Planning Commission voted unanimously in favor of the following motion:

I move that we, the Planning Commission, recommend that the Board of Supervisors oppose these variance requests based on the fact that the Applicant has not provided evidence of a hardship as required by law and its presence in the center of community activity, proximity to the two elementary schools and the historic district would have a negative impact on the quality of life in East Goshen Township.

Very truly yours,



George Martynick
Chairman

For/

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 11, 2010

East Goshen Township
Board of Supervisors
1580 Paoli Pike
West Chester, Pa. 19380

Re: Signage for Historic Adaptive reuses

Dear Board Members:

At our meeting on January 6, 2010 the Planning Commission discussed a proposed amendment to the Historic Preservation Ordinance related to signage for historic properties which receive approval for an adaptive reuse or have multiple principal uses. Right now the ordinance allows each adaptive reuse approved to have a 32 square foot sign. This amendment proposes to limit the total sign area to 32 square feet for the property as a whole.

The commission voted unanimously in favor to recommend that the Board of Supervisors consider approval of the amendment to the zoning ordinance as outlined below:

§240-38.5.

E. Where approved by the Board of Supervisors as a conditional use, a property on which a historic resource is located and adaptively reused shall be permitted one freestanding sign with a maximum area of 32 square feet for the entire property regardless of the number of uses conducted on the property.

The proposed amendment recommendation is a revision from a previous recommendation made at our October 7, 2009 meeting.

Very truly yours,



George Martynick
Chairman

FOR/

BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 27, 2010

Dear Property Owner:

The purpose of this letter is to inform you that T-Mobile has submitted a conditional use application to the Township requesting approval to construct a Wireless Communication Facility on a PECO pole within the road right-of-way along North Chester Road north of Boot Rd and adjacent to New Kent Apartments. The applicant proposes to replace the existing 24 foot tall PECO pole with a 40 foot pole plus a pole extension and antennas to equal a total height of 49 feet.

Pursuant to Township policy, all property owners within 1000 feet of the property subject to the Conditional Use application are notified of the proceedings.

This application is scheduled to be discussed at the following meetings and is subject to change.

February 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm) **(The applicant will make a presentation at this meeting)**

March 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

March 16, 2010 - Board of Supervisors (workshop at 7 pm, formal meeting @ 8:00 pm) **(Conditional Use Hearing)**

All meetings and workshops are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All ABC's
Donald T. Petrosa, Esq. (Via Email)

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 27, 2010

Dear Property Owner:

The purpose of this letter is to inform you that the Saint Francis Nursery School has submitted a Zoning Hearing Board application requesting to amend the current Special Exception approval for the United Church of Christ East Goshen located at 1201 North Chester Road, West Chester PA, 19380. The applicant proposes to operate a pre-school program within the church facility and to add a 1000 square foot playground area towards the rear of the property. The applicant is seeking to amend the existing Special Exception approval granted to the church in 1992 which allows a day-care / pre-school program so long as it is operated solely by the church.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of these types of hearing applications.

This application is scheduled to be discussed at the following meetings and is subject to change.

February 3, 2010 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

March 2, 2010 – Board of Supervisors meeting (workshop at 6:30 pm, formal meeting @ 8:00 pm)

March 11, 2010 – Zoning Hearing Board (meeting @ 7:30 pm) **(Zoning Hearing)**

All meetings are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions
Ross Unruh, Esq. Zoning Hearing Board Solicitor (Via Email)