

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, May 4, 2022
7:00 PM**

- A. Call to Order / Pledge of Allegiance and Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. **Review of Tracking Log / Determine need for Workshop Meeting**
- D. Public Comment on Non-Agenda Items
- E. **Approval of Minutes**
 - 1. **April 6, 2022**
- F. **Subdivision and Land Development Applications**
 - 1. **Malvern Institute**
- G. Conditional Uses and Variances
- H. Ordinance Amendments
- I. Old Business
- J. **New Business**
 - 1. **East Whiteland Township 537 Special Study / Transfer of Sanitary Sewerage Facilities**
- K. Liaison Reports
- L. Correspondence
- M. Announcements

Bold Items indicate new information to review or discuss.

East Goshen Township Planning Commission
Application Tracking Log

May 4, 2022 PC Meeting

Application Name	Application (CU,LD,ZO, SD, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Township Engineer	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date	Comments
The Malvern Institute	LD	P	6/28/2021	7/1/2021	6/30/2021	6/29/2021	8/13/2021	(4) 6/30/2022	2/2/2022	2/15/2022	NA	2/28/2022	
EWT 537 Special Study	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

Bold = New Application or PC action required

Completed in 2022

14 Broad St.	V	P	3/28/2022	3/28/2022	NA	NA	3/30/2022		5/4/2022	5/6/2022	5/19/2022	5/27/2021	
--------------	---	---	-----------	-----------	----	----	-----------	--	----------	----------	-----------	-----------	--

Completed in 2021

Small Wireless Facilities	ZO	F	NA	NA	NA	NA	NA	NA	NA	NA	12/7/2021	NA	AD
Imperial Marble, 1311 WCP	V	Sk	10/25/2021	10/25/2021	NA	NA	10/28/2021		11/3/2021	11/16/2021	12/14/2021	12/24/2021	A
14 Reservoir Rd. / Glossen	V	Sk	5/25/2021	5/25/2021	NA	NA	5/27/2021		6/2/2021	7/6/2021	7/15/2021	7/23/2021	A
ESKE Development LLC	V	S	4/20/2021	4/20/2021	4/27/2021	NA	4/27/2021		5/5/2021	5/11/2021	5/26/2021	6/18/2021	A
Albert and Lynn Greto	V	S	4/26/2021	4/26/2021	NA	NA	4/29/2021		5/5/2021	6/1/2021	6/8/2021	6/25/2021	D
1365 Enterprise Drive	V	Sk	4/1/2021	4/1/2021	NA	NA	4/1/2021		5/5/2021	5/18/2021	TBD	5/31/2021	A
198 Oneida Ln	V	Sk	1/26/2021	1/27/2021	NA	NA	1/28/2021		2/3/2021	1/16/2021	2/25/2021	3/26/2021	A
Pipeline HMS / Consultation Zone Or	ZO / S	DRAFT	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	AD

KEY

- A - Approved
- AD - Adopted
- D - Denied

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
April 6, 2022

The East Goshen Township Planning Commission held their regular monthly meeting on Wednesday April 6, 2022 in the Township Building.

Members present are highlighted:

Chair – Ernest Harkness

Vice Chair – John Stipe

Dan Daley

Edward Decker

Michael Koza

Mark Levy

Michael Pagnanelli

Also present was:

Mark Gordon, Zoning Officer

John Hertzog, Township Supervisor

COMMON ACRONYMS:

BOS – Board of Supervisors

BC – Brandywine Conservancy

CB – Conservancy Board

CCPC – Chester Co Planning Commission

CPTF – Comprehensive Plan Task Force

CVS – Community Visioning Session

SWM – Storm Water Management

ZHB – Zoning Hearing Board

FORMAL MEETING – 7 p.m.

1. John Stipe called the meeting to order at 7:00 pm. He led the Pledge of Allegiance and asked for a moment of silence to remember our troops and first responders.
2. John asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
3. The tracking log was checked and no need for a workshop meeting. Mark mentioned that Malvern Institute has given another extension until June 30. He sent them a letter offering to meet with them.
4. The minutes of the March 2, 2022 meeting were approved as amended.

OLD BUSINESS

None

NEW BUSINESS

None

CONDITIONAL USES AND VARIANCES

1. 14 Broad Street (Zoning appeal and Zoning Variance) - Phillip Winicov and Margaux Arar, owners and husband and wife were present with their attorney. Mr. Winicov purchased 14 Broad Street earlier this year. He requested to use the accessory structure on the property as a second dwelling unit. There are two lots mentioned in all deeds since 1928. The main dwelling is on lot #38 and the accessory building is on lot #44 (16 Broad St.). Mr. Winicov described the accessory building as having a kitchen, bathroom, bedroom, electric, water and public sewer. He mentioned that he receives a separate bill from PECO for the electric. He has also made several improvements including new roofs, expansion of the driveway. There are two mailboxes, one for 14 and one for 16.

1 Mark Gordon explained that the property is in Milltown and was probably built before 1952 and before
2 zoning. The Township denied Mr. Winicov's request to lease the second dwelling unit. He has submitted
3 a Zoning Hearing Board application.

4 Mark Levy asked if the accessory dwelling was always leased. Mr. Winicov answered that the previous
5 owner did not lease it but the owner before that did lease it.

6 Ed asked about the garage between both lots. Mark Gordon thinks it is very old and looks like it was
7 probably a barn.

8
9 **PUBLIC COMMENT**

10 Pam Coleman, 18 Broad Street – She owns the property south of Mr. Winicov at the intersection of Broad
11 and Center Sts. Her property is also shown as 2 lots. She agrees with the Zoning Officer's denial. There
12 would be significant impact to her because the second dwelling structure is so close to the property line.
13 Mark Gordon asked if her deed lists 2 lots. She answered yes.

14
15 John Stipe made a motion that the Planning Commission take no position on the Zoning Hearing Board
16 application. Mark Levy seconded the motion. The motion passed unanimously.

17
18
19 **LIAISON REPORT**

20 **1. Board of Supervisors**

21 **1. TND** – John Hertzog mentioned that Ernest Harkness was at the Board of Supervisors meeting last
22 night to discuss the proposed TND zoning for the section of Paoli Pike between Boot Rd. and Rte. 352.
23 In 2019 the BOS planned to hold a meeting about the TND but so many people showed up that they had
24 to postpone it. There was opposition to allowing apartments in this area.

25 Mark Gordon mentioned that this area permits single family residential, no apartments. A feasibility
26 study was done to see what other uses could be included along this corridor. The shopping center is fully
27 occupied for the first time. Mark agrees that the plan sent to the BOS may not have been explained well
28 enough. He will review it and prepare it for a BOS meeting.

29 **2. Paoli Pike Trail** - John Hertzog mentioned that the original plan for the Trail was compromised, so the
30 BOS is considering going through the Corporate Park to Ward Ave. instead of along Paoli Pike in front of
31 the Hicks Farm. It will be less expensive than the original plan along Paoli Pike. Neighborhood
32 connections were discussed.

33
34
35 **ADJOURNMENT**

36 There being no further business, Ed made a motion to adjourn the meeting. Mark Levy seconded the
37 motion. The meeting was adjourned at 8:15 pm. The next regular meeting will be held on Wednesday,
38 May 4, 2022 at 7:00 pm.

39
40
41 Respectfully submitted,

42
43
44
45
46 _____
Ruth Kiefer, Recording Secretary

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: 4/28/2022
To: Planning Commission
From: Mark Gordon, Township Zoning Officer *mlg*
Re: **East Whiteland Township / Act 537 Special Study, Transfer of Sanitary Sewerage Facilities**

Planning Commission Members,

The Township has received a request from East Whiteland Township (EWT) to review their Act 537 Special Study. The 537 special study is required because East Whiteland Township is selling their Municipal Sanitary Sewer System to Aqua PA.

East Goshen Township receives sanitary sewer flows from EWT, therefore the East Goshen Township Planning Commission needs to review the Act 537 Special study and complete the required form for the PA Department of Environmental Protection. EGT receives a very low volume of flow from the +/- 30 EWT properties; approx. 7,700 gpd (gal. per. day). The entire EWT Sewer system conveys and treats over 1 MM gpd.

The agreement of sale does propose a rate freeze for 3 years for all customers of the EWT Sanitary Sewer System. **The study is very long, 412 pgs., and is available for review and or download on the Township website.**

What is the 537 Special Study?

The study is required by the PA DEP due to the change of ownership of the system.

- The Study is intended to address the following criteria including:
 - Identify all assets of the system
 - Identify arrangements/agreements with the surrounding municipalities/entities
 - Identify previous wastewater facilities planning
 - Identify future growth / and development that will impact the system
 - Identify all responsibilities for Sewage Facilities planning as well as the enforcement of sewer related ordinances

No improvements or modifications to any components of the EWT Sanitary sewer system are proposed with this study, this is strictly a study of the existing system to facilitate the transfer of ownership.

STAFF RECOMENDATION:

The Township Planning Commission is required to review and confirm that the Special Study is consistent with the Township's existing plans and ordinances that govern land use and planning related topics, by completing Component 4A of the Sewerage Facilities Planning Module (enclosed).

Staff and the Municipal Authority Engineer have reviewed the Special Study and have completed component 4A of the sewerage facilities planning module (enclosed) for submission to DEP. The Study outlines, in detail, the existing EWT Sanitary Sewerage System as required by PA DEP. The Study proposes no changes to the existing system. Staff has concluded from the study that the transfer of ownership of the EWT Sewerage System is consistent with the Township's existing plans and ordinances. Staff recommends that the Planning Commission authorize staff to sign component 4A of the EWT 537 Special Study and forward the study along to the Board of Supervisors for their review and approval.

DRAFT MOTION:

Mr. Chairman, after review of the East Whiteland Township Act 537 Plan Special Study, and finding it consistent with the East Goshen Township comprehensive plan and Township ordinances, I move that we direct staff to complete and sign the PA DEP Sewage Facility Planning Module component 4A form for the East Whiteland Township , Act 537 Special Study and forward it to East Whiteland Township, and that the East Goshen Township Board of Supervisors adopt the Special Plan by resolution as required by the Pa DEP.

April 25, 2022

VIA EMAIL

EWTPX 17000

Mr. Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

[CLICK here to view Materials](#)

**Re: East Whiteland Township
Act 537 Special Study
Sale of Township Sanitary Sewer System**

Dear Mr. Gordon:

As you may be aware, East Whiteland Township is in the process of selling their sanitary sewerage system to Aqua Pennsylvania Wastewater Inc. Being that portions of the East Whiteland's system flows into East Goshen Township, and inter-municipal sewage agreements exist between the Township's, the Department of Environmental Protection (PaDEP) requires East Goshen Township review and adopt the East Whiteland Township's Act 537 Special Study prepared for the sale of the system. Enclosed is a link to this study.

Adoption of the Special Study requires the Township's Planning Commission to review the study and complete the enclosed Component 4A - Municipal Planning Agency Review. We respectfully request this matter be placed on the Commissions May 4th agenda.

In addition, PaDEP requires the Township adopt a Resolution approving the Special Study. For your use, enclosed is a draft Resolution which includes PaDEP's requisite language.

Thank you in advance for your attention to this matter. Should you have any questions, please feel free to contact me.

Sincerely,

PENNONI ASSOCIATES INC.



Charles Faulkner, PE
Township Wastewater Engineer

CF/rmc

cc: John Nagel, Manager, East Whiteland Township, via email
John Neild, Director of Public Works, East Whiteland Township, via email
Joseph J. McGrory Jr., Esquire, Hamburg, Rubin, Mullin, Maxwell & Lupin, PC, via email
Aqua Pennsylvania Wastewater, Inc., via email
Derek Davis, East Goshen Township Manager, via email



DEP Code #: _____

**SEWAGE FACILITIES PLANNING MODULE
COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW**

Note to Project Sponsor: To expedite the review of your proposal, one copy of your completed planning module package and one copy of this *Planning Agency Review Component* should be sent to the local municipal planning agency for their comments.

SECTION A. PROJECT NAME (See Section A of instructions)

Project Name
East Whiteland Township Act 537 Special Study Transfer of Sanitary Sewerage Facilities

SECTION B. REVIEW SCHEDULE (See Section B of instructions)

1. Date plan received by municipal planning agency 4/25/2022
2. Date review completed by agency _____

SECTION C. AGENCY REVIEW (See Section C of instructions)

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, <i>et seq.</i>)?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Is this proposal consistent with the comprehensive plan for land use? If no, describe the inconsistencies _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Is this proposal consistent with the use, development, and protection of water resources? If no, describe the inconsistencies _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Does this project propose encroachments, obstructions, or dams that will affect wetlands? If yes, describe impacts _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Will any known historical or archaeological resources be impacted by this project? If yes, describe impacts _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Will any known endangered or threatened species of plant or animal be impacted by this project? If yes, describe impacts _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Is there a municipal zoning ordinance?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Have all applicable zoning approvals been obtained?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. Is there a municipal subdivision and land development ordinance?

SECTION C. AGENCY REVIEW (continued)

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13. Is this proposal consistent with the ordinance?
If no, describe the inconsistencies _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14. Is this plan consistent with the municipal Official Sewage Facilities Plan?
If no, describe the inconsistencies _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality?
If yes, describe _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision? |
| <input type="checkbox"/> | <input type="checkbox"/> | If yes, is the proposed waiver consistent with applicable ordinances?
If no, describe the inconsistencies
_____ |

17. Name, title and signature of planning agency staff member completing this section:

Name: Mark A. Gordon

Title: Township Zoning Officer

Signature: _____

Date: 4/28/2022

Name of Municipal Planning Agency: East Goshen Township Planning Commission

Address 1580 Paoli Pike

Telephone Number: 610-692-7171

SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)

This component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The planning agency must complete this component within 60 days.

This component and any additional comments are to be returned to the applicant.

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: 4/28/2022

To: Planning Commission

From: Mark Gordon, Township Zoning Officer



Re: **Malvern Institute / Land Development Application**

Planning Commission Members,

The Township has received a Land Development Application and Plan for the Malvern Institute proposing several development improvements on the property and which also addresses the requirements outlined in the November 25, 2020 Zoning Hearing Board Decision and Order (D&O), issued on Dec 1, 2020. The ZHB D&O outlines the ZHB approval for the following:

1. A special exception to expand the floor area serving the legal non-conforming use
2. A variance from the maximum 25% increase in total floor area, permitting an expansion of 34.04% (Second story addition)
3. A variance from the four foot maximum height limitation for fences in the front yard
4. A variance for the 24 foot driveway width requirement, to permit a 22 foot driveway width
5. A variance for the or the 18 month time limit for the applicant to implement the relief granted.

The application and plans were originally submitted in June of 2021, however the Malvern Institute (MI) was not prepared to answer the Township Engineers comments and present the application and plan to the Planning Commission until now. The plan set under consideration at this time is dated June 28, 2021, last revised April 20, 2022

STAFF COMMENTS

The applicant has provided a plan that proposes a second story addition to the Malvern Institute treatment facility in accordance with the ZHB D&O. The D&O outlines 28 conditions of approval, which in large part, are addressed within the LD plan set. There are however, a number of conditions that can't be reflected on the plans and have not been satisfied at this time.

Township has received plan reviews from the Township Engineer, the CCPC, the Conservancy Board, and the Historical Commission. At your meeting the applicant will present the revised Land Development plan and outline for the commission how the plan addresses the ZHB D&O.

At this time, Staff does not recommend action by the PC on this plan. Staff and the Township consultants just received the revised materials on 4/25.



April 25, 2022

Mr. Mark Gordon
Director of Code Enforcement
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

[CLICK HERE TO VIEW PLANS](#)

Re: Preliminary Land Development Plan
Malvern Institute - 940 King Road
CVE Project No. 21465-0000

Dear Mr. Gordon:

On behalf of our client, Malvern Institute for Psychiatric & Alcoholics Studies, we are submitting the following response in support of an application for a Preliminary Land Development. The following documents have been enclosed in support of the application:

- Eleven (11) copies of a Preliminary Land Development Plan for Malvern Institute, dated June 28, 2021, last revised on April 20, 2022;
- Eleven (11) copies of a Stormwater Calculations Worksheet, dated June 28, 2021, last revised April 20, 2022.
- Eleven (11) copies of a WB-40 Delivery Vehicle Exhibit, dated April 21, 2022.

We offer the following responses to the review comments from the Pennoni review letter dated August 16, 2021. Comments are repeated below and responses to each follow in **bold, italicized** text:

The applicant was granted relief by the Zoning Hearing Board via an order dated November 25, 2020 and issued December 1, 2020 for the following:

1. A special exception from §240-40.C(2)(e) to expand the floor area of the main building on the property serving the Applicant's legal nonconforming use;
2. A variance from the maximum 25% increase in total floor area of structures devoted to a nonconforming use per §240-40.C(2)(c) in order to permit a 34.04% floor area expansion pursuant to the initial (original) proposal or a 52.92% floor area expansion pursuant to the alternate (revised) proposal;
3. A variance from the four foot (4') maximum height limitations of §240-32.E(2) in order to construct a six foot (6') tall estate fence in the front yard of the property;

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 2

4. A variance from the 24-foot driveway minimum width regulation of §240-33.C(10) in order to permit a 22-foot wide driveway for two-way traffic at night;
5. A variance from the 250-foot minimum setback requirement of §240-31.C(2)(mm) in order to permit the first floor of the new building made the subject of the revised proposals to be setback 45.1 feet from the neighboring residential properties;
6. A variance from the 18-month time limit in §240-58.D so that any relief here granted will not lapse or become null and void so long as zoning permits are obtained and actual construction is commenced not later than 15 years from the date of this decision; and
7. Such other relief necessary and appropriate to permit the Applicant's proposed expansion of its nonconforming use.

Decision and Order

1. The Applicant shall restrict and limit the treatment program at the King Road facility (the "Facility") to in-patient treatment only.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

The condition is acknowledged and will be adhered to and has been made part of the plan (see sheet 13 of the plans). It should be noted that Malvern Institute is licensed only for in-patient treatment. To the extent that a narrative response is requested, the responses in this letter shall constitute the narrative response.

2. The Applicant shall limit the number of patients receiving treatment at the Facility to a maximum of 80 patients on-site at any one time. The Applicant shall, by formal and binding submission to the appropriate licensing agency, restrict and limit the licensing of the Facility to 80-paitnets. A true and correct copy of the submission shall be provided to the parties hereto.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

The condition is acknowledged and will be adhered to and has been made part of the plan (see sheet 13 of the plans).

3. The Applicant shall install additional video cameras at the front entrance and at locations along the main driveway entrance to supplement its existing video security system. The video cameras shall be continuously monitored so as to alert staff and security personnel of incoming and outgoing persons and vehicles. The location of all video cameras shall be

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 3

depicted on the preliminary and final land development plans. The eastern parking lot gate shall be closed by 11 p.m. each day to ensure that any vehicle entering the site must approach the main building. The Applicant shall have no less than one security guard on site at all times. In addition, the Applicant shall implement and maintain the use of the security cameras which shall be continuously monitored by properly trained staff.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Note the locations of the required cameras are not indicated on the plans, as required.

The condition is acknowledged and will be adhered to and has been made part of the plan (see sheet 13 of the plans). During the overnight hours, 9pm to 1am, security services are provided by Stonegate Services Group. During all other times, Malvern Institute has an on-staff security guard on site. Proposed video camera locations are shown on the plan. The video monitoring station is staffed at all times.

4. The Applicant shall submit a land development application depicting the improvements to the Property hereby approved and consistent with the testimony and exhibits admitted into the record of these proceedings. The said land development plan shall be submitted to the Township by the Applicant not more than 180 days from final, unappealable and unappealed zoning approval.

This condition has been met.

5. The Township confirmed the application was accepted in a timely fashion on June 28, 2021.

King Road is assumed to run in an east-west direction for the purpose of the following conditions. The Applicant shall install and maintain an 8-foot high fence, approved by the Board of Supervisors during the land development plan review, along the entire western and southern boundaries of the Property except for any areas within the floodplain. The nature of this fence including its dimensions, style, structure, materials, and color(s) shall be fully revealed during the land development plan review.

The required fence is indicated per the above; the detail for the fence is indicated on Sheet 12A. Board of Supervisors approval is required.

Acknowledged.

6. Neighboring property owners within 1,000 feet of the Facility in the Township shall be notified by mail of the scheduling of any and all land development plan review proceedings conducted by the Township Planning Commission and Board of Supervisors pursuant to this Order.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 4

The Township confirmed a letter was sent to all property owners within 1000 feet of the subject property on August 12, 2021, notifying them of the application and the scheduled meeting dates when the application will be discussed.

Acknowledged.

7. The Applicant shall submit and implement a landscape plan in accordance with §240-27.C(2) for the western and southern portions of the property except for any areas within the floodplain.

A landscaping plan (Sheet 9) and details (Sheet 11) have been provided. The proposed landscaping is robust and appears to meet the intent of the Code and the Decision and Order. We will defer to the Conservancy Board for additional comments.

Acknowledged.

8. The Applicant and its successors in interest shall plant and maintain the aforesaid buffer yard landscaping in accordance with §240-28.C(3), for so long as the Property is devoted to non residential use, subject to accommodation of the fence and wood chip walking path within said buffer yard landscaping. The required high-level screen shall consist of a combination of evergreen and deciduous trees planted with specimens no less than ten feet in height. These plantings are intended to mitigate the view of the 8-foot fence from the neighboring properties. As part of the land development plan approval process, the Applicant shall meet with the Conservancy Board or present its proposed landscape plan. The Conservancy Board shall provide recommendations to the Board of Supervisors as to whether the Applicant's landscape plan provides a completely planted visual barrier or landscape screen to mitigate the view of the fence.

A landscaping plan (Sheet 9) and details (Sheet 11) have been provided and the evergreens are specified as 10-feet in height. The proposed landscaping is robust and appears to meet the intent of the Code and the Decision and Order. We will defer to the Conservancy Board for additional comments.

Acknowledged.

9. The Applicant shall install a 6-foot high estate fence and deer resistant landscaping to buffer the fencing along the eastern property boundary in accordance with Willistown Township regulations. The Applicant shall install deer resistant understory landscape buffer plantings in the wooded area on the eastern side of the Property prior to the installation of any proposed walking paths and/or mediation areas on the east side of the Ridley Creek. The fencing and landscaping shall be shown on the landscape plans

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 5

submitted with the land development application for the review of the Board of Supervisors as part of the land development approval.

Note:

- a. The fence and landscaping are indicated as required.

Acknowledged.

- b. It may be appropriate to substitute a more deer resistant species for the proposed mountain laurel; please review with the Conservancy Board.

The native species of Mountain laurel (Kalmia latifolia) is noted to be deer resistant / tolerant. Deer will eat almost anything when they are hungry enough. Kalmia is able to withstand the deer browse should the deer chose to eat the plant. We would recommend retaining the Mountain laurel as an evergreen component to the property buffer.

- c. We will defer to the Conservancy Board of additional comments.

Acknowledged.

- d. The applicant shall submit the fencing plan to Willistown Township for review and comment and a determination if any permits are required.

The fence details will be coordinated with Willistown Township upon receipt of Preliminary Approval from East Goshen Township.

10. The Applicant shall install 6-foot high estate fencing along the right of way line for King Road. The fencing shall go around the pump station. The fencing shall be connected to the 8-foot fence and the estate fencing referred to above. The purpose of the fencing referred to in this condition and condition 9 above are to limit ingress and egress to the main entrance of the Facility.

The required fence is indicated along the right of way line of King Road. The detail for the fence is indicated on Sheet 12A.

Acknowledged.

11. All proposed fencing shall be shown in detail in the land development plan and shall be continually maintained by the owner.

Details for the proposed fence are indicated on Sheet 12A. It may be appropriate for the record plan to note maintenance requirements.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 6

Acknowledged. Maintenance requirements will be provided with the Final Plan.

12. The applicant shall identify in its preliminary land development plan submission all proposed fencing including location, height and general type and style. The location of all proposed fencing shall be shown in plan view with the height, type, style, colors and materials shown in a detailed plan attachment which shall also identify the fence manufacturer and a location, if available, where a similar fence may be inspected. The estimated cost of all proposed fencing shall be included in the improvements for which financial security must be posted by the Applicant.

Note:

- Details for the proposed fence are indicated on Sheet 12A.
- We will confirm the fence is included in the financial security at such time it is submitted.
- Fence manufacture for the proposed solid PVC fence shall be provided
- Sample locations for both fences should be provided
- It may be appropriate to provide shop drawings, or similar, of each proposed fence from a fencing contractor or supplier

Acknowledged.

13. The Applicant shall actively prohibit all patient activity in the area between the existing building and the southern and western property lines other than the garden, the greenhouse, and the pedestrian walking paths.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

Patient activities in these areas is limited to the greenhouse, the garden, and the walking path.

14. The Applicant shall identify all existing and proposed active recreation areas on the land development plan which shall be reviewed by the Township Engineer who shall recommend the installation of appropriate sound attenuation measures as are necessary to mitigate potential noise form these facilities.

To be discussed further with all parties.

Acknowledged.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 7

15. The Facility shall be restricted to one outdoor smoking area for patients (smoking pavilion). The Applicant shall agree to require all patients to smoke within the smoking pavilion. Staff and visitors shall be restricted to smoking in the front of the building.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Note the plans indicate a proposed smoking pavilion just in front of the main building.

The condition is acknowledged and will be adhered to and has been made part of the plan (see sheet 13 of the plans). Upon installation of the smoking pavilion, patients will be informed of the rule that all smoking shall occur within the designated area. Staff will be employed to enforce the rule.

16. The smoking pavilion shall be equipped with a “Smoke Eater” type of ventilation and filtration system to minimize the effects of smoke on the surrounding property.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

The smoke-eater is indicated on the plans. Details for the smoke-eater, which was shown and explained during the proceedings, will also be included in the architectural package.

17. The Applicant shall screen the new smoking pavilion from the neighboring properties to the west and north with the 8-foot fence described above.

The required fence is indicated.

Acknowledged.

18. The Applicant shall demonstrate during the land development application review that the “Smoke Eater” can effectively ventilate and filter cigarette smoke in the proposed smoking pavilion.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

Details for the smoke-eater, which was shown and explained during the proceedings, will also be included in the architectural package. Additional information from the smoke-eater manufacturer will be provided to the Township. The project architect is seeking confirmation from a proper installation contractor that the unit will function as

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 8

intended upon installation. This will be provided prior to final land development approval.

19. The Applicant shall install sound attenuation blankets or similar sound dampening material inside the existing emergency generator fencing to mitigate noise from the generator.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

Details for the sound attenuation for the new generator will be provided to the Township.

20. The following site improvements shall be completed prior to issuance of a building permit for the vertical building addition or barn renovations:
- a. Parking lot renovations;
 - b. Installation of estate fence and the 8-foot fence;
 - c. Installation of the smoking pavilion, including the installation of screening and smoke mitigation measures;
 - d. Installation of sound blankets inside the generator fencing;
 - e. Installation of plantings as required on the landscape plan that is approved as part of the land development plans.

We recommend the applicant address these conditions as a narrative response, to be included on the plan and recorded with the final plan.

Acknowledged. It is recommended that the Township inspect the improvements listed above as they are implemented on site.

21. The Applicant shall construct and maintain all walking paths with pervious wood chips.

No modifications to the trail are proposed. However, we recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

The walking path is shown on the plans. The path will be maintained in good order by the Malvern Institute staff and landscaping contractor which is on site on a weekly basis during the spring, summer and fall seasons.

22. The Applicant shall comply with the parking allocation presented on the Plan.

The parking appears to meet Code requirements (see Sheet 4)

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 9

Acknowledged.

23. The Applicant shall agree to permit the outdoor patient activities on the property only between the hours of 7 a.m. and 10 p.m., with the follow exceptions. A maximum of 8 patients at any one time, with active staff supervision shall be permitted to use the smoking pavilion between 10 p.m. and 11:30 p.m. A maximum of 4 patients at any one time, with active supervision from the staff shall be permitted to use the smoking pavilion between 11:30 p.m. and 7 a.m.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

Acknowledged outdoor patient activity will be limited between the hours of 10PM and 7AM and will be conducted under staff supervision during these hours.

24. The Applicant shall record a deed restriction with the Chester County Recorder of Deeds that prohibits any further expansion of the treatment center for a period of 30 years. The deed restriction shall be enforceable by the Township. This condition does not imply that any further expansion will be permitted at any time.

Nothing appears to have been provided to address this condition. We recommend that a draft document be submitted to the Township for the Township Solicitor's review prior to recording.

A draft deed restriction will be submitted under separate cover.

25. The applicant shall establish and adhere to a written protocol acceptable to the Township following review and comment by the neighbors who contact the Facility to complain about adverse impacts from the operation of the Facility. This protocol shall require that a properly trained employee respond appropriately to neighbors' calls.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

During business hours M-F 8A-4:30P a contact hierarchy has been established to communicate to leadership on site consisting of Executive Director, Clinical Director, and the shift supervisor. Outside of these hours the shift supervisor/clinical lead designee will be properly trained to respond appropriately to neighbors' calls.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 10

26. The Applicant shall annually make a presentation to the Board of Supervisors at a public meeting to provide an update on the state of affairs at the Facility. This report shall advise the Board of the status of the expansion project, identify any issues that the Facility has encountered in the last year with neighboring property owners and identify any new programs or policies that the Facility has implemented to improve the relationship with the neighbors. Neighbors within 1000 feet of the facility in the Township shall be notified by mail of the scheduling of this annual presentation.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

Acknowledged. The executive director or other assigned staff will present the report on an annual basis.

27. When the Applicant becomes aware that a patient has left the Facility AWOL, it shall notify the Westtown East Goshen Regional Police Department of this fact provided that such notification does not violate any patient privacy laws. The intent of this notification is not to reveal the patient's identity or to require the police to respond but simply to advise the police that someone has left the Facility.

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

Acknowledged. Malvern Treatment Center will alert Westtown East Goshen Regional Police Department of AWOL discharges by calling the radio room at 610-692-5100 and requesting to make notification that there was a volunteer walk-off. This is the requested method of communication as directed by the Westtown East Goshen Regional Police Department.

28. Applicant shall obtain a building permit for the vertical building addition within three years from the date of an unappealed and unappealable zoning decision and shall obtain a building permit for the barn renovations within four years from the date of an unappealed and unappealable zoning decision.

The Township confirmed that the applicant shall secure a building permit for the vertical building addition no later than December 31, 2023 and the barn renovations no later than December 31, 2024. We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

Acknowledged.

Zoning

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 11

1. The applicant is reminded of the general performance standards of §240-24.

The applicant acknowledges the general performance standards of §240-24.

2. A permit is required from the Township for any construction within the identified floodplain. (§240-26.B((2)(b)) There are multiple improvements indicated within the floodplain that are labeled as ‘future’.

Improvements formerly indicated as “future” are not planned to be implemented at this time. In the event that the Applicant chooses to install them in the future, all necessary permits will be obtained by the Township and other applicable agencies.

3. Please clarify specific ADA ramp details to be utilized in accordance with PENNDOT standard details. (§240-33.B(7)(b))

The specific ADA ramp detail proposed for the site has been added to revised plans on sheet 12A.

4. Per §240-33.C(10), 22 feet is required for one-way traffic. The circle does not maintain that width for its entirety; it may be feasible to modify island to meet this dimension.

The geometry of the island and one-way drive has been revised to provide a minimum 22 foot wide drive lane near the front door of the building.

5. The applicant shall indicate the largest loading vehicle that accesses the site and confirm there is a loading and unloading space for the vehicle. (§240-33.D(2))

The largest vehicle that delivers to the Malvern Institute is a WB-40 trailer. The loading area for this vehicle is on the east side of the building. An exhibit demonstrating the maneuvering of a WB-40 trailer is enclosed with this submission.

Subdivision And Land Development

6. Please provide a location and elevation of the benchmark utilized. (§205-30.B(8))

Language in note #2 on sheet 2 has been revised to provide information about the site benchmark.

7. Sidewalks and/or paths may be required to be installed at the discretion of the Board of Supervisors upon the recommendation of the Planning Commission and Conservancy Board. (§205-56.A) No sidewalks are proposed nor were sidewalks a condition of the Zoning Hearing Board.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 12

There are no sidewalks or paths proposed along the public ROW by this plan.

Stormwater Management

8. Please indicate the Line of Interest/Point on Analysis on the drainage area plan.

The basis for analyses of project stormwater is that the outflow from SWM #1, when combined with runoff from buildout site disturbance that bypasses the basin, meets or exceeds ordinance criteria. Since the project is a proposed re-development, it is not necessary to control rate or volume of runoff from existing site areas that will not be made impervious in connection with the project. See Note 4 on page 1 of the Stormwater Report for a more detailed discussion of the calculational basis for the analysis and design of the proposed stormwater control system.

Given the above, the designated POI could be at any point on the creek downstream of all proposed disturbance (for the purposes of stormwater analyses and erosion control, areas of proposed landscape enhancement only are not considered “disturbance”). Therefore, we could designate the creek just downstream of the outlet for SW 108 (see Stormwater Calculation Worksheet) as the POI if necessary to designate such.

9. The volume calculations appear to meet water quality and infiltration requirements; however, the applicant should provide soils testing to verify. (§195-19, §195-20)

Soils testing will be provided with the final stormwater design prior to Final Land Development Approval.

10. The report (page 2) indicates 3,010 CF infiltrated, but the calculations on Page A3 indicate 3,326 CF; please clarify.

Since infiltration testing at the site hadn't yet been undertaken at the time the stormwater system was designed, the outlet works was designed to retain, at the lowest opening (IE 527.37 ft. msl, see Sheet 8A, Detail: Outlet Control @ SW 103) a volume (3,010 CF, see Stormwater Report, page A19) exceeding the required infiltration volume (2,991 CF, Stormwater Report, page 2) to ensure compliance without reliance on infiltration occurring during the 2-yr. design rainfall event. The indicated Proposed Infiltration Volume 3,010 CF on page 2 can be considered conservative. The volume calculated within HydroCAD on page A3 (3,326 CF) is the infiltration volume that would be realized if the measured field infiltration rate yields a design infiltration rate of 0.11 in/hr. The actual 2 -yr. infiltration will be at least 3,010 CF, but could be theoretically as high as 5,340 CF (entire 2-yr. SWM #1 inflow volume) if the design infiltration rate is high enough.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 13

11. A detailed soils evaluation of the site shall be conducted by a qualified professional and at a minimum shall address soil permeability, depth to bedrock, and subgrade stability. The applicant should provide soils tests for the infiltration BMP. (§195-20.I)

Soils testing will be provided with the final stormwater design prior to Final Land Development Approval.

12. Where sediment transport in the stormwater runoff is anticipated to reach the infiltration system, appropriate permanent measures to prevent or collect sediment shall be installed prior to discharge to the infiltration system. (§195-20.N)

Permanent inlet filters are proposed for the new drainage inlets upstream of the infiltration basin. A detail for the inlet filters has been added to sheet 8B.

13. The runoff elevation within the infiltration BMP is 527.48. The top of the BMP is 527.00. The BMP appears to operate above the volume capacity during the 2-year storm.

As indicated on page A17 of Stormwater Report, the top of aggregate of SWM #1 is $IE\ 525.75' + 3.42' = 529.17'$. This is consistent with the elevations indicated for SWM #1 on Sheet 5 of 15, Grading & Utilities Plan; Sheet 8A of 15, Post Construction Stormwater Management Details, Detail: SWM#1, and on the Stormwater Calculation Worksheet. The 2-yr. peak elevation (527.48) within SWM #1, as indicated on Page A3, while (slightly) above the invert (527.37) of the lowest opening in the outlet control at SW 103, is below the top of wall within SW 103, and is well below the top of aggregate of SWM #1.

Furthermore, given the basin's footprint of 3,922 SF [(58' x 55') + (24' x 30.5')] and a storage volume (3010 CF) below the lowest opening (527.37) in the outlet control, the hydraulic head (of infiltration) is 9.2", and for total storage (6109 CF) at top of bed (529.17), the hydraulic head is 18.7", both well below the DEP recommended maximum depth of 24" on page 16 of 21, Appendix C of the PENNSYLVANIA Stormwater BMP Manual December 30, 2006.

14. The Peak Rate calculations appear to consider only SWM #1 outflow. The applicant should provide calculations for the site at a common Point of Analysis. (§195-22)

The basis of analyses for project stormwater is explained in the response to comment 8. The Table, Peak Rate Control, on page 2 of the Stormwater Report lists proposed and existing peak flows from project (ie, new impervious surfaces) area, as well as allowable flow from project area given ordinance criteria. The enclosed revised Stormwater Calculation Worksheet has been revised to identify the areas of new impervious and the areas where existing impervious cover is being redeveloped with impervious cover. The

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 14

difference between proposed and allowable project peak flows is the required attenuation of peak flow to SWM #1 to ensure that the peak sum of bypass flow and SWM #1 discharge will meet ordinance requirements at the POI. It can be seen that the actual peak outflow from SWM #1 is less than allowable peak SWM #1, particularly for frequent storms (1-10-years). See pages A2-A8 of the Stormwater Report for the data presented in the referenced table.

15. The applicant should provide a statement, signed by the applicant, acknowledging that any revision to the approved SWM site plan shall be submitted to and approved by the municipality and that a revised erosion and sediment control plan shall be submitted to, and approved by, the Conservation District or municipality (as applicable) for a determination of adequacy prior to construction of the revised features. (§195-27.A(3))

A statement by the applicant certifying compliance with this requirement has been added to the cover sheet of the revised plans.

16. The applicant should provide the required signature block signed and sealed by the qualified licensed professional responsible for the preparation of the SWM site plan. (§195-27.A(4))

The required signature block has been added to the cover sheet.

17. The applicant should provide an easement around the stormwater management BMP's; alternately a blanket easement can be provided. (§195-27.B(18)(c))

A note has been added to the cover sheet providing a blanket easement to East Goshen Township to inspect the stormwater management facilities.

18. The applicant should provide the documents required per §195-27.F and §195-37 regarding a Stormwater Operations & Management Plan and Agreement, to be recorded.

The Stormwater Operations & Management and Agreement will be provided for review and approval by the Township prior to plan recordation.

19. The applicant should provide an Operations and Maintenance Plan for the proposed stormwater management BMP's. (§195-37)

Operations and Maintenance notes are provided within the plan set. This will serve as the Operations and Maintenance Plan upon recordation of the Final Land Development Plan.

20. Please provide a sediment barrier downslope of SW108.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 15

Compost filter sock has been added downslope of SW108.

21. The limit of disturbance does not include any fencing, landscaping improvements nor 'future' improvements.

Installation of the fencing and landscaping will not alter the grading and is therefore not included in the LOD. Improvements identified on the plan as "future" are not planned to be implemented at this time. In the event that the Applicant chooses to install them in the future, necessary permits will be obtained from the Township and other applicable agencies.

General

22. Multiple improvements are indicated as 'future'. It is unclear if they are intended to be included as part of the overall approval.

Improvements identified on the plan as "future" are not planned to be implemented at this time. In the event that the Applicant chooses to install them in the future, necessary permits will be obtained from the Township and other applicable agencies.

23. We recommend adding an additional arrow at the circle in addition to ONE WAY signage.

A directional arrow and sign have been added to the circle and a one-way sign detail has been added to sheet 12A on the revised plan.

24. The applicant shall confirm the height of the proposed walls, if more than four (4) feet, retaining wall plans and calculations, designed by a Pennsylvania registered engineer shall be submitted for Township review prior to construction.

Final wall designs will be provided prior to Final Land Development Approval.

25. Any non-regulatory signs will be reviewed and permitted separately by Township staff.

Acknowledged.

26. We recommend a detail for the dumpster enclosure be provided.

A trash enclosure detail has been added to sheet 12A of the revised plans.

27. An additional 'decorative fence' is indicated within the interior of the site; please provide a detail for this fence.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 16

Final fence and wall details will be provided prior to Final Land Development Approval.

28. The specific limits of each type of fence should be more clearly indicated on the plan, including those areas of fencing to be provide with sound attenuation.

Proposed fence along the western property boundary and behind the southwestern portion of the main building are intended to be sound attenuation fencing. The limits of sound attenuation fencing will be established prior to final Land Development Approval.

29. Fencing sound attenuation details should be provided.

A detail for sound attenuation fencing is provided on the plans. Specifications for the sound attenuation fencing will be provided prior to final Land Development Approval.

30. Please additionally note the status of the following reviews/permits:

- a. NPDES Permit (PADEP/CCCD) (§195-15.C(2), -16.A, -17.A) – Not applicable (limit of disturbance is indicated as 0.88 acres)
Not applicable.
- b. Planning Module (PADEP) (§240-24.F, §205-33.B(22)(a)) – Correspondence has not yet been received.
There are no additional EDU's required for the improvements proposed by this plan.
- c. Sanitary Sewer (Municipal Authority) – Correspondence has not yet been received
Not applicable.
- d. On-lot Wells (CCHD) – Not applicable.
Not applicable.
- e. Highway Occupancy Permit (PennDOT) – Not applicable
Not applicable.
- f. Fire/Emergency – Correspondence has not yet been received
Acknowledged.
- g. Historic Resource (Historical Comm.) – Correspondence has not yet been received
Acknowledged.
- h. Landscaping (Conservancy Board) – Correspondence has not yet been received.
Acknowledged.
- i. County Planning – See July 28, 2021 correspondence
Acknowledged. The County comments will be taken under advisement.
- j. Willistown Township - Correspondence has not yet been received
Acknowledged.

Chester Valley Engineers

Mr. Mark Gordon
April 25, 2022
Malvern Institute
Preliminary Land Development Application
Page 17

We trust the above items constitute a complete submission adequate for your review. Should you have any questions or require additional information, I can be reached at 610-644-4623 x103 or by email at rstratton@chesterv.com.

Very truly yours,
Chester Valley Engineers, Inc.

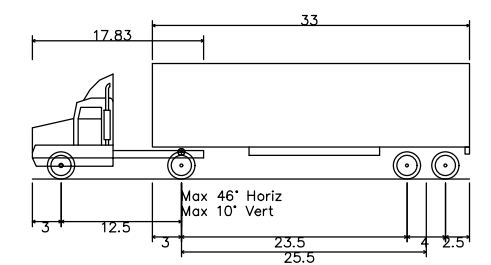
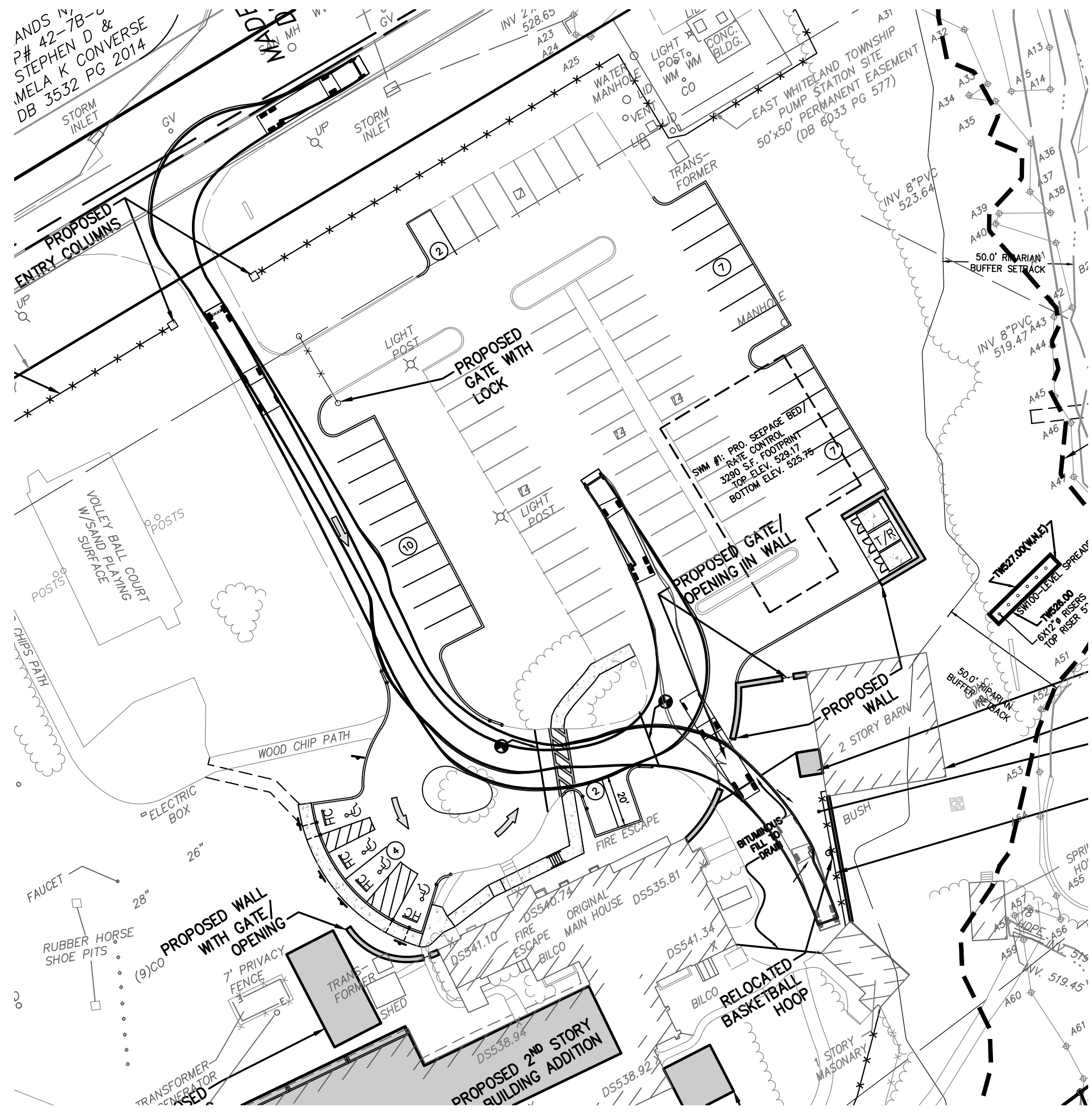


Richard F. Stratton, P.E.
Senior Project Manager

Enclosures: as noted

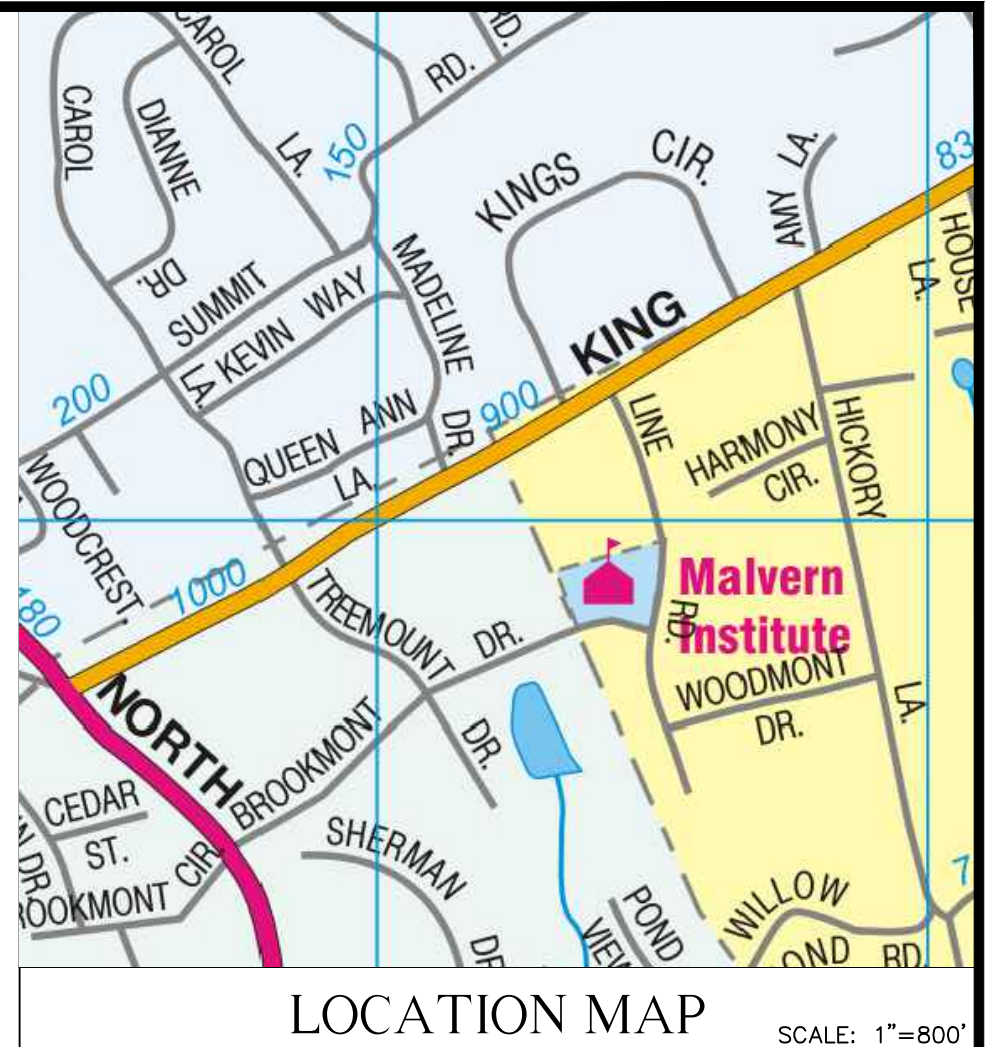
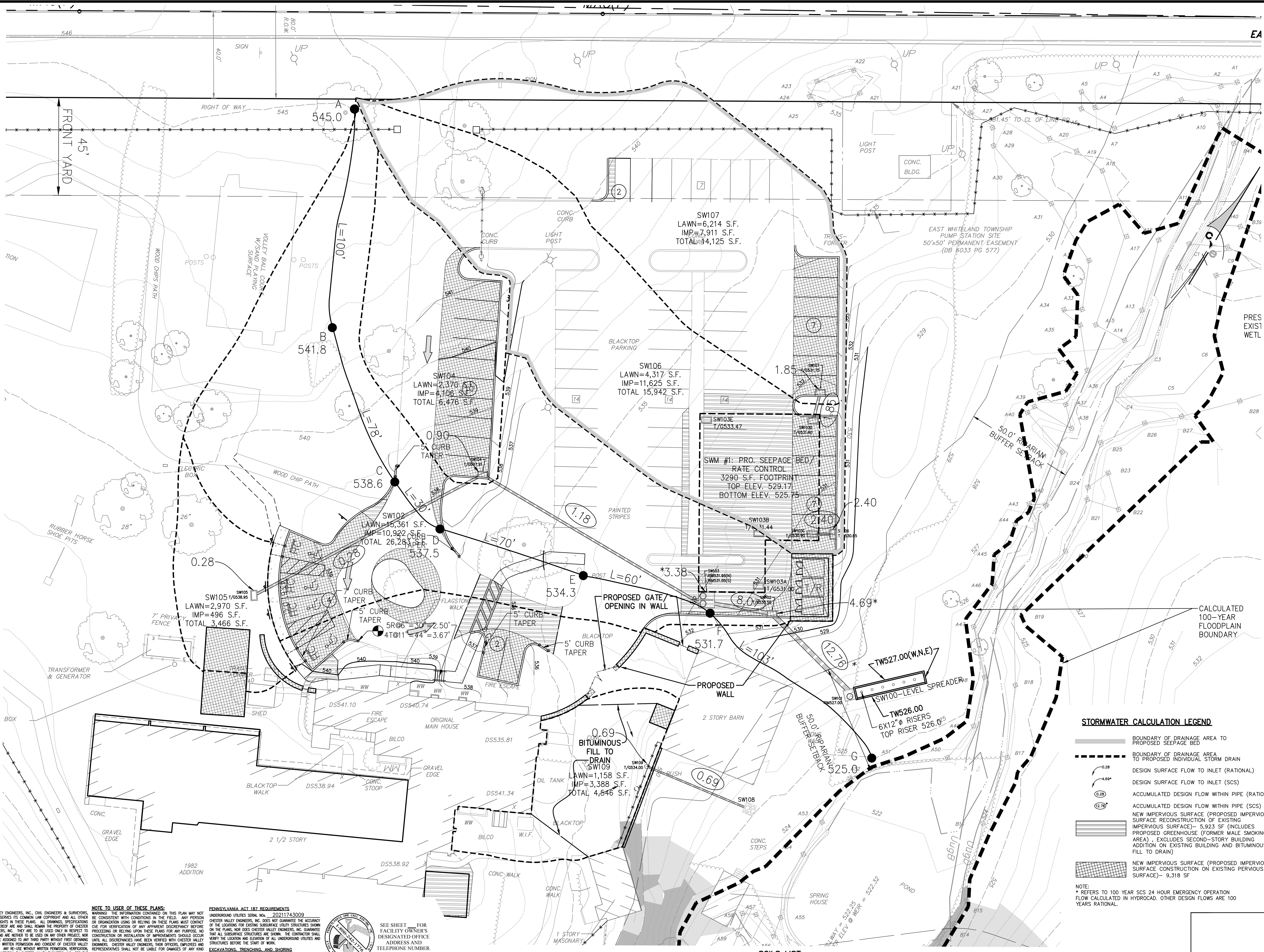
cc: Kevin Williams, Malvern Institute
Brian L. Nagle, MacElree Harvey, Ltd.

ANDS IN,
P# 42-7B-C
STEPHEN D &
MELA K CONVERSE
DB 3532 PG 2014



WB-40 - Intermediate Semi-Trailer
 Overall Length 45.500ft
 Overall Width 8.000ft
 Overall Body Height 12.052ft
 Min Body Ground Clearance 1.334ft
 Track Width 8.000ft
 Lock-to-lock time 4.00s
 Max Steering Angle (Virtual) 20.40°

WB-40 DELIVERY VEHICLE EXHIBIT
 SCALE: 1"=40'
 DATE: 04/21/2022



- EXISTING FEATURES LEGEND**
- 252 EXISTING 2' CONTOURS
 - 250 EXISTING 10' CONTOURS
 - x 250.50 EXISTING SPOT ELEVATION
 - EXISTING FENCE LINE
 - EXISTING ADJACENT PROPERTY LINE
 - EXISTING EASEMENT LINE
 - EXISTING RIGHT-OF-WAY LINE
 - EXISTING TRACT BOUNDARY LINE
 - EXISTING LOT LINE
 - EXISTING GUIDE RAIL
 - EXISTING CURB
- SOILS LINE AND DESCRIPTION**
- EcB2 EXISTING LIGHT POLE
 - BdA EXISTING STREAM LINE
 - EXISTING STORM INLET AND PIPE
 - EXISTING STORM MANHOLE AND PIPE
 - EXISTING STORM ENDWALL AND PIPE
 - EXISTING SIGN
 - EXISTING UTILITY POLE
 - EXISTING POST
 - EXISTING UNDERGROUND WATER MAIN
 - EXISTING UNDERGROUND ELECTRIC
 - EXISTING UNDERGROUND TELEPHONE
 - EXISTING OVERHEAD GAS LINE
 - EXISTING OVERHEAD WIRES
 - EXISTING FIRE LINE
 - EXISTING DECIDUOUS TREE
 - EXISTING CONIFEROUS TREE
 - EXISTING TREE & SHRUB LINE
 - EXISTING MANHOLE (SAN, STORM, GAS, WATER, WATER, ELECTRIC, TELEPHONE, ETC.)
 - BUILDING SETBACK LINE
 - WETLANDS POINTS
 - CALCULATED 100-YEAR FLOODPLAIN BOUNDARY
 - MUNICIPAL BOUNDARY LINE
 - EXISTING NUMBER PARKING SPACES
 - STEEP SLOPES 15-25%
 - VERY STEEP SLOPES 25% AND GREATER
- PROPOSED FEATURES LEGEND**
- 531 PROPOSED 1' CONTOUR
 - 530 PROPOSED 5' CONTOUR
 - PROPOSED BUILDING
 - PROPOSED CURB
 - PROPOSED FENCE
 - PROPOSED RETAINING WALL
 - PROPOSED NUMBER PARKING SPACES
 - PROPOSED WOODCHIP PATH
 - PROPOSED TRASH/RECYCLING
 - PROPOSED SIGN & LABEL
- FLOW PATH LEGEND**
- TO FLOW PATH
 - POINT ON PATH (LABEL AND ELEV.)
 - L=100' LENGTH OF PATH BETWEEN POINTS.

STORMWATER CALCULATION WORKSHEET

NO.	DATE	REVISION
1	04/20/22	REVISED PER TOWNSHIP COMMENTS DATED 08/16/21

PRELIMINARY LAND DEVELOPMENT PLAN FOR MALVERN INSTITUTE 2ND STORY BUILDING ADDITION

CVE ChesterValley ENGINEERS, INC. 21465
 83 Chestnut Road, P.O. Box 447, Fawn, PA 19330
 610-644-4023 | 610-889-3145 Fax
 www.cve-engineers.com

SCALE: 1"=20' DATE: 06/28/2021 DRAWN BY: PT CHECKED BY: RFS DRAWING: 21465

UNIFORM PARCEL IDENTIFIER: 53-2-18, 53-2B-13

NOTE TO USER OF THESE PLANS: WARNING: THE INFORMATION CONTAINED ON THIS PLAN MAY NOT BE CONSISTENT WITH CONDITIONS IN THE FIELD. ANY PERSON PROPRIETARY RIGHTS IN THESE PLANS. ALL DRAWINGS, SPECIFICATIONS OR ORGANIZATION USING OR RELYING ON THESE PLANS MUST CONTACT CHESTER VALLEY ENGINEERS, INC. FOR VERIFICATION OF ANY APPROPRIATE DISCREPANCY BEFORE PROCEEDING OR RELYING UPON THESE PLANS FOR ANY PURPOSE. NO PART OF THIS PROJECT AND NO PORTION THEREOF SHALL BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN PERMISSION AND CONSENT OF CHESTER VALLEY ENGINEERS, INC. ANY REUSE WITHOUT WRITTEN PERMISSION, VERIFICATION, REPRESENTATION SHALL NOT BE LIABLE FOR DAMAGES OF ANY KIND OR CONSENT OF ADAPTATION BY CHESTER VALLEY ENGINEERS, INC. FOR THE RESULTING FROM THE USER'S FAILURE TO OBTAIN CURRENT VERIFICATION WITH THE REQUIREMENTS OF THE FOLLOWING UNITED STATES GOVERNMENT PUBLICATIONS OF THE U.S. DEPARTMENT OF LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION: (1) CONSTRUCTION INDUSTRY STANDARDS AND INTERPRETATIONS (OSHA 2007) SUBPART "P", PART 1926/1910 - "EXCAVATIONS, TRENCHING AND SHORING"; (2) "EXCAVATIONS AND TRENCHING OPERATIONS" (OSHA 228) DATED 1985 (REVISED).

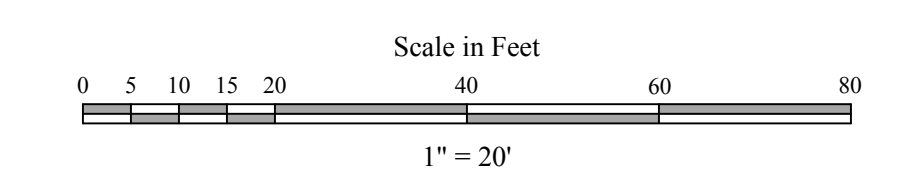
PENNSYLVANIA ACT 187 REQUIREMENTS
 UNDERGROUND UTILITIES SERIAL NO. 20211743009
 CHESTER VALLEY ENGINEERS, INC. DOES NOT GUARANTEE THE ACCURACY OF THE LOCATIONS FOR EXISTING SURFACE UTILITY STRUCTURES SHOWN ON THE PLANS, NOR DOES CHESTER VALLEY ENGINEERS, INC. GUARANTEE THAT ALL SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES BEFORE THE START OF WORK.

EXCAVATIONS, TRENCHING, AND SHORING
 ALL EXCAVATIONS, TRENCHING, AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE FOLLOWING UNITED STATES GOVERNMENT PUBLICATIONS OF THE U.S. DEPARTMENT OF LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION: (1) CONSTRUCTION INDUSTRY STANDARDS AND INTERPRETATIONS (OSHA 2007) SUBPART "P", PART 1926/1910 - "EXCAVATIONS, TRENCHING AND SHORING"; (2) "EXCAVATIONS AND TRENCHING OPERATIONS" (OSHA 228) DATED 1985 (REVISED).

PENNSYLVANIA ONE CALL SYSTEM, INC.
 CALL 3 WORKING DAYS BEFORE YOU DIG
 1-800-242-1776
 POC'S SERIAL NUMBER: 20211743009

SOILS LIST

SYMBOL	DESCRIPTION	DEPTH TO SEASONALLY HIGH WATER TABLE	DEPTH TO BEDROCK	PERMEABILITY FOR WINTER GRADING	ROAD FILL	TOPSOIL	CHARACTERISTICS THAT AFFECT
Urbg	URBAN LAND - CHESTER COMPLEX	0% TO 8% SLOPES	> 200 CM	20" TO 70" 165 DAY	NOT RATED	NOT RATED	NOT RATED
Ugd				NOT SPECIFIED			



J:\CVI\210005\140\dwg\sheds\PA_Pipe\09 SW CALCS.dwg, 4/22/2022 8:51:54 AM

August 16, 2021

EGOST 00124

Mark A. Gordon
Director of Code Enforcement/Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

**RE: Malvern Institute, LLC, 940 West King Road
Preliminary Land Development Review**

Dear Mark:

As requested, we have reviewed the following information, regarding the referenced revised submission:

- *“Preliminary Land Development Plans for Malvern Institute”* (15 sheet) dated June 28, 2021, prepared by Chester Valley Engineers, Inc.;
- *“Stormwater Management Report for Malvern Institute”* dated June 28, 2021, prepared by Chester Valley Engineers, Inc.; and
- Application and supplemental documents.

The applicant/owner, Malvern Institute, is proposing various improvements to UPI 53-2-18 (9.6 acres) which includes a 2nd story building addition, greenhouse, smoking pavilion, additional parking spaces, fence with associated landscaping, lighting and stormwater management. The site is located on the south side of King Road (SR 2022) opposite Madeline Drive, within the R-2 Residential District. A small portion of the site UPI 53-2B-13 (1.0 acre) is located within Willistown Township however no improvements are proposed on this parcel. The property is served by public water and public sanitary sewer.

The applicant was granted relief by the Zoning Hearing Board via an order dated November 25, 2020 and issued December 1, 2020 for the following:

1. A special exception from §240-40.C(2)(e) to expand the floor area of the main building on the property serving the Applicant’s legal nonconforming use;
2. A variance from the maximum 25% increase in total floor area of structures devoted to a nonconforming use per §240-40.C(2)(c) in order to permit a 34.04% floor area expansion pursuant to the initial (original) proposal or a 52.92% floor area expansion pursuant to the alternate (revised) proposal;
3. A variance from the four foot (4’) maximum height limitations of §240-32.E(2) in order to construct a six foot (6’) tall estate fence in the front yard of the property;
4. A variance from the 24-foot driveway minimum width regulation of §240-33.C(10) in order to permit a 22-foot wide driveway for two-way traffic at night;
5. A variance from the 250-foot minimum setback requirement of §240-31.C(2)(mm) in order to permit the first floor of the new building made the subject of the revised proposals to be setback 45.1 feet from the neighboring residential properties;

6. A variance from the 18-month time limit in §240-58.D so that any relief here granted will not lapse or become null and void so long as zoning permits are obtained and actual construction is commenced not later than 15 years from the date of this decision; and
7. Such other relief necessary and appropriate to permit the Applicant's proposed expansion of its nonconforming use.

We offer the following comments:

DECISION AND ORDER

1. *The Applicant shall restrict and limit the treatment program at the King Road facility (the "Facility") to in-patient treatment only.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

2. *The Applicant shall limit the number of patients receiving treatment at the Facility to a maximum of 80 patients on-site at any one time. The Applicant shall, by formal and binding submission to the appropriate licensing agency, restrict and limit the licensing of the Facility to 80-paitnets. A true and correct copy of the submission shall be provided to the parties hereto.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

3. *The Applicant shall install additional video cameras at the front entrance and at locations along the main driveway entrance to supplement its existing video security system. The video cameras shall be continuously monitored so as to alert staff and security personnel of incoming and outgoing persons and vehicles. The location of all video cameras shall be depicted on the preliminary and final land development plans. The eastern parking lot gate shall be closed by 11 p.m. each day to ensure that any vehicle entering the site much approach the main building. The Applicant shall no less than one security guard on site at all times in addition, the Applicant shall implement and maintain the use of the security cameras which shall be continuously monitored by properly trained staff.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Note the locations of the required cameras are not indicated on the plans, as required.

4. *The Applicant shall submit a land development application depicting the improvements to the Property hereby approved and consistent with the testimony and exhibits admitted into the record of these proceedings. The said land development plan shall be submitted to the Township by the Applicant not more than 180 days from final, unappealable and unappealed zoning approval.*

The Township confirmed the application was accepted in a timely fashion on June 28, 2021.

5. *King Road is assumed to run in an east-west direction for the purpose of the following conditions. The Applicant shall install and maintain an 8-foot high fence, approved by the Board of Supervisors during the land development plan review, along the entire western and southern boundaries of the Property except for any areas within the floodplain. The nature of this fence including its dimensions, style, structure, materials, and color(s) shall be fully revealed during the land development plan review.*

The required fence is indicated per the above; the detail for the fence is indicated on Sheet 12A. Board of Supervisors approval is required.

6. *Neighboring property owners within 1,000 feet of the Facility in the Township shall be notified by mail of the scheduling of any and all land development plan review proceedings conducted by the Township Planning Commission and Board of Supervisors pursuant to this Order.*

The Township confirmed a letter was sent to all property owners within 1000 feet of the subject property on August 12, 2021, notifying them of the application and the scheduled meeting dates when the application will be discussed.

7. *The Applicant shall submit and implement a landscape plan in accordance with §240-27.C(2) for the western and southern portions of the property except for any areas within the floodplain.*

A landscaping plan (Sheet 9) and details (Sheet 11) have been provided. The proposed landscaping is robust and appears to meet the intent of the Code and the Decision and Order. We will defer to the Conservancy Board for additional comments.

8. *The Applicant and its successors in interest shall plant and maintain the aforesaid buffer yard landscaping in accordance with §240-28.C(3), for so long as the Property is devoted to non residential use, subject to accommodation of the fence and wood chip walking path within said buffer yard landscaping. The required high-level screen shall consist of a combination of evergreen and deciduous trees planted with specimens no less than ten feet in height. These plantings are intended to mitigate the view of the 8-foot fence from the neighboring properties. As part of the land development plan approval process, the Applicant shall meet with the Conservancy Board or present its proposed landscape plan. The Conservancy Board shall provide recommendations to the Board of Supervisors as to whether the Applicant's landscape plan provides a completely planted visual barrier or landscape screen to mitigate the view of the fence.*

A landscaping plan (Sheet 9) and details (Sheet 11) have been provided and the evergreens are specified as 10-feet in height. The proposed landscaping is robust and appears to meet the intent of the Code and the Decision and Order. We will defer to the Conservancy Board for additional comments.

9. *The Applicant shall install a 6-foot high estate fence and deer resistant landscaping to buffer the fencing along the eastern property boundary in accordance with Willistown Township regulations. The Applicant shall install deer resistant understory landscape buffer plantings in the wooded area on the eastern side of the Property prior to the installation of any proposed walking paths and/or mediation areas on the east side of the Ridley Creek. The fencing and landscaping shall be shown on the landscape plans submitted with the land development application for the review of the Board of Supervisors as part of the land development approval.*

Note:

- a. The fence and landscaping are indicated as required.
- b. It may be appropriate to substitute a more deer resistant species for the proposed mountain laurel; please review with the Conservancy Board.
- c. We will defer to the Conservancy Board of additional comments.
- d. The applicant shall submit the fencing plan to Willistown Township for review and comment and a determination if any permits are required.

10. *The Applicant shall install 6-foot high estate fencing along the right of way line for King Road. The fencing shall go around the pump station. The fencing shall be connected to the 8-foot fence and the estate fencing referred to above. The purpose of the fencing referred to in this condition and condition 9 above are to limit ingress and egress to the main entrance of the Facility.*

The required fence is indicated along the right of way line of King Road. The detail for the fence is indicated on Sheet 12A.

11. *All proposed fencing shall be shown in detail in the land development plan and shall be continually maintained by the owner.*

Details for the proposed fence are indicated on Sheet 12A. It may be appropriate for the record plan to note maintenance requirements.

12. *The applicant shall identify in its preliminary land development plan submission all proposed fencing including location, height and general type and style. The location of all proposed fencing shall be shown in plan view with the height, type, style, colors and materials shown in a detailed plan attachment which shall also identify the fence manufacturer and a location, if available, where a similar fence may be inspected. The estimated cost of all proposed fencing shall be included in the improvements for which financial security must be posted by the Applicant.*

Note:

- Details for the proposed fence are indicated on Sheet 12A.
- We will confirm the fence is included in the financial security at such time it is submitted.
- Fence manufacture for the proposed solid PVC fence shall be provided
- Sample locations for both fences should be provided
- It may be appropriate to provide shop drawings, or similar, of each proposed fence from a fencing contractor or supplier

13. *The Applicant shall actively prohibit all patient activity in the area between the existing building and the southern and western property lines other than the garden, the greenhouse, and the pedestrian walking paths.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

14. *The Applicant shall identify all existing and proposed active recreation areas on the land development plan which shall be reviewed by the Township Engineer who shall recommend the installation of appropriate sound attenuation measures as are necessary to mitigate potential noise form these facilities.*

To be discussed further with all parties.

15. *The Facility shall be restricted to one outdoor smoking area for patients (smoking pavilion). The Applicant shall agree to require all patients to smoke within the smoking pavilion. Staff and visitors shall be restricted to smoking in the front of the building.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Note the plans indicate a proposed smoking pavilion just in front of the main building.

16. *The smoking pavilion shall be equipped with a "Smoke Eater" type of ventilation and filtration system to minimize the effects of smoke on the surrounding property.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

17. *The Applicant shall screen the new smoking pavilion from the neighboring properties to the west and north with the 8-foot fence described above.*

The required fence is indicated.

18. *The Applicant shall demonstrate during the land development application review that the "Smoke Eater" can effectively ventilate and filter cigarette smoke in the proposed smoking pavilion.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

19. *The Applicant shall install sound attenuation blankets or similar sound dampening material inside the existing emergency generator fencing to mitigate noise from the generator.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

20. *The following site improvements shall be completed prior to issuance of a building permit for the vertical building addition or barn renovations:*

- a. Parking lot renovations;*
- b. Installation of estate fence and the 8-foot fence;*
- c. Installation of the smoking pavilion, including the installation of screening and smoke mitigation measures;*
- d. Installation of sound blankets inside the generator fencing;*
- e. Installation of plantings as required on the landscape plan that is approved as part of the land development plans.*

We recommend the applicant address these conditions as a narrative response, to be included on the plan and recorded with the final plan.

21. *The Applicant shall construct and maintain all walking paths with pervious wood chips.*

No modifications to the trail are proposed. However, we recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

22. *The Applicant shall comply with the parking allocation presented on the Plan.*

The parking appears to meet Code requirements (see Sheet 4)

23. *The Applicant shall agree to permit the outdoor patient activities on the property only between the hours of 7 a.m. and 10 p.m., with the follow exceptions. A maximum of 8 patients at any one time, with active staff supervision shall be permitted to use the smoking pavilion between 10 p.m. and 11:30 p.m. A maximum of 4 patients at any one time, with active supervision from the staff shall be permitted to use the smoking pavilion between 11:30 p.m. and 7 a.m.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

24. *The Applicant shall record a deed restriction with the Chester County Recorder of Deeds that prohibits any further expansion of the treatment center for a period of 30 years. The deed restriction shall be enforceable by the Township. This condition does not imply that any further expansion will be permitted at any time.*

Nothing appears to have been provided to address this condition. We recommend that a draft document be submitted to the Township for the Township Solicitor's review prior to recording.

25. *The applicant shall establish and adhere to a written protocol acceptable to the Township following review and comment by the neighbors who contact the Facility to complain about adverse impacts from the operation of the Facility. This protocol shall require that a properly trained employee respond appropriately to neighbors' calls.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan. Nothing appears to have been provided to address this condition.

26. *The Applicant shall annually make a presentation to the Board of Supervisors at a public meeting to provide an update on the state of affairs at the Facility. This report shall advise the Board of the status of the expansion project, identify any issues that the Facility has encountered in the last year with neighboring property owners and identify any new programs or policies that the Facility has implemented to improve the relationship with the neighbors. Neighbors within 1000 feet of the facility in the Township shall be notified by mail of the scheduling of this annual presentation.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

27. *When the Applicant becomes aware that a patient has left the Facility AWOL, it shall notify the Westtown East Goshen Regional Police Department of this fact provided that such notification does not violate any patient privacy laws. The intent of this notification is not to reveal the patient's identity or to require the police to respond but simply to advise the police that someone has left the Facility.*

We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

28. *Applicant shall obtain a building permit for the vertical building addition within three years from the date of an unappealed and unappealable zoning decision and shall obtain a building permit for the barn renovations within four years from the date of an unappealed and unappealable zoning decision.*

The Township confirmed that the applicant shall secure a building permit for the vertical building addition no later than December 31, 2023 and the barn renovations no later than December 31, 2024. We recommend the applicant address this condition as a narrative response, to be included on the plan and recorded with the final plan.

ZONING

1. The applicant is reminded of the general performance standards of §240-24.
2. A permit is required from the Township for any construction within the identified floodplain. (§240-26.B(2)(b)) There are multiple improvements indicated within the floodplain that are labeled as 'future'.
3. Please clarify specific ADA ramp details to be utilized in accordance with PENNDOT standard details. (§240-33.B(7)(b))
4. Per §240-33.C(10), 22 feet is required for one-way traffic. The circle does not maintain that width for its entirety; it may be feasible to modify island to meet this dimension.
5. The applicant shall indicate the largest loading vehicle that accesses the site and confirm there is a loading and unloading space for the vehicle. (§240-33.D(2))

SUBDIVISION AND LAND DEVELOPMENT

6. Please provide a location and elevation of the benchmark utilized. (§205-30.B(8))
7. Sidewalks and/or paths may be required to be installed at the discretion of the Board of Supervisors upon the recommendation of the Planning Commission and Conservancy Board. (§205-56.A) No sidewalks are proposed nor were sidewalks a condition of the Zoning Hearing Board.

STORMWATER MANAGEMENT

8. Please indicate the Line of Interest/Point on Analysis on the drainage area plan.
9. The volume calculations appear to meet water quality and infiltration requirements; however, the applicant should provide soils testing to verify. (§195-19, §195-20)
10. The report (page 2) indicates 3,010 CF infiltrated, but the calculations on Page A3 indicate 3,326 CF; please clarify.
11. A detailed soils evaluation of the site shall be conducted by a qualified professional and at a minimum shall address soil permeability, depth to bedrock, and subgrade stability. The applicant should provide soils tests for the infiltration BMP. (§195-20.I)

12. Where sediment transport in the stormwater runoff is anticipated to reach the infiltration system, appropriate permanent measures to prevent or collect sediment shall be installed prior to discharge to the infiltration system. (§195-20.N)
13. The runoff elevation within the infiltration BMP is 527.48. The top of the BMP is 527.00. The BMP appears to operate above the volume capacity during the 2-year storm.
14. The Peak Rate calculations appear to consider only SWM #1 outflow. The applicant should provide calculations for the site at a common Point of Analysis. (§195-22)
15. The applicant should provide a statement, signed by the applicant, acknowledging that any revision to the approved SWM site plan shall be submitted to and approved by the municipality and that a revised erosion and sediment control plan shall be submitted to, and approved by, the Conservation District or municipality (as applicable) for a determination of adequacy prior to construction of the revised features. (§195-27.A(3))
16. The applicant should provide the required signature block signed and sealed by the qualified licensed professional responsible for the preparation of the SWM site plan. (§195-27.A(4))
17. The applicant should provide an easement around the stormwater management BMP's; alternately a blanket easement can be provided. (§195-27.B(18)(c))
18. The applicant should provide the documents required per §195-27.F and §195-37 regarding a Stormwater Operations & Management Plan and Agreement, to be recorded.
19. The applicant should provide an Operations and Maintenance Plan for the proposed stormwater management BMP's. (§195-37)
20. Please provide a sediment barrier downslope of SW108.
21. The limit of disturbance does not include any fencing, landscaping improvements nor 'future' improvements.

GENERAL

22. Multiple improvements are indicated as 'future'. It is unclear if they are intended to be included as part of the overall approval.
23. We recommend adding an additional arrow at the circle in addition to ONE WAY signage.
24. The applicant shall confirm the height of the proposed walls, if more than four (4) feet, retaining wall plans and calculations, designed by a Pennsylvania registered engineer shall be submitted for Township review prior to construction.
25. Any non-regulatory signs will be reviewed and permitted separately by Township staff.
26. We recommend a detail for the dumpster enclosure be provided.
27. An additional 'decorative fence' is indicated within the interior of the site; please provide a detail for this fence.

28. The specific limits of each type of fence should be more clearly indicated on the plan, including those areas of fencing to be provide with sound attenuation.
29. Fencing sound attenuation details should be provided.
30. Please additionally note the status of the following reviews/permits:
 - a. NPDES Permit (PADEP/CCCD) (§195-15.C(2), -16.A, -17.A) – Not applicable (limit of disturbance is indicated as 0.88 acres)
 - b. Planning Module (PADEP) (§240-24.F, §205-33.B(22)(a)) – Correspondence has not yet been received
 - c. Sanitary Sewer (Municipal Authority) – Correspondence has not yet been received
 - d. On-lot Wells (CCHD) – Not applicable
 - e. Highway Occupancy Permit (PennDOT) – Not applicable
 - f. Fire/Emergency – Correspondence has not yet been received
 - g. Historic Resource (Historical Comm.) – Correspondence has not yet been received
 - h. Landscaping (Conservancy Board) – Correspondence has not yet been received
 - i. County Planning – See July 28, 2021 correspondence
 - j. Willistown Township - Correspondence has not yet been received

Should you have any further questions or comments, please contact the undersigned.

Sincerely,

PENNONI



Nathan M. Cline, PE
Township Engineer

cc: Derek Davis, Township Manager (via e-mail)
Mark Miller, Director of Public Works (via e-mail)
Brian Nagle, Esq., MacElree Harvey (via e-mail)
Malvern Institute for Psychiatric & Alcoholic Studies (via e-mail)
Brett MacKay, PE, Chester Valley Engineers, Inc. (via e-mail)
Richard Stratton, PE, Chester Valley Engineers, Inc. (via e-mail)
Kristin Camp, Esq., Buckley Brion (via e-mail)



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

Brian N. O’Leary, AICP
Executive Director

PLANNING COMMISSION
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

July 28, 2021

Derek Davis, Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: Preliminary Land Development - Malvern Institute 2nd Story Building Addition (Revised)
East Goshen Township – LD-07-21-16804

Dear Mr. Davis:

A Preliminary Land Development Plan entitled "Malvern Institute 2nd Story Building Addition", prepared by Chester Valley Engineers Inc., and dated June 28, 2021, was received by this office on June 29, 2021. This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code. We offer the following comments on the proposed land development for your consideration.

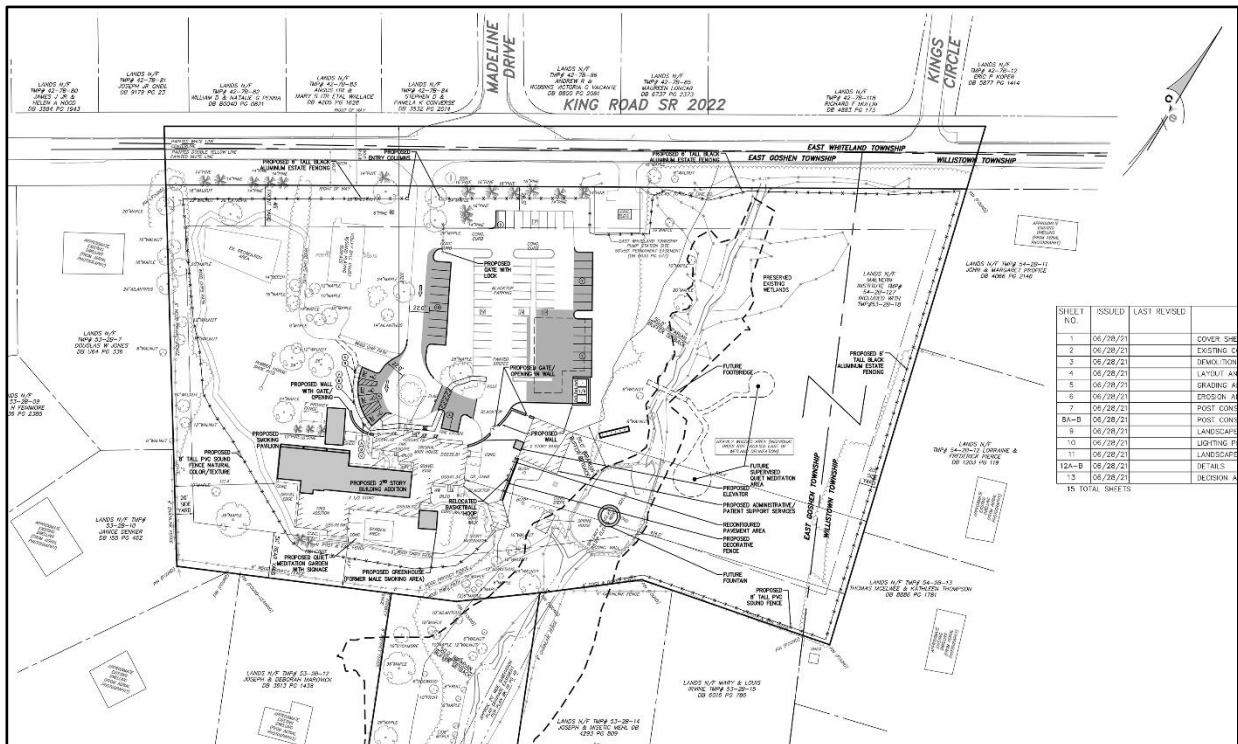
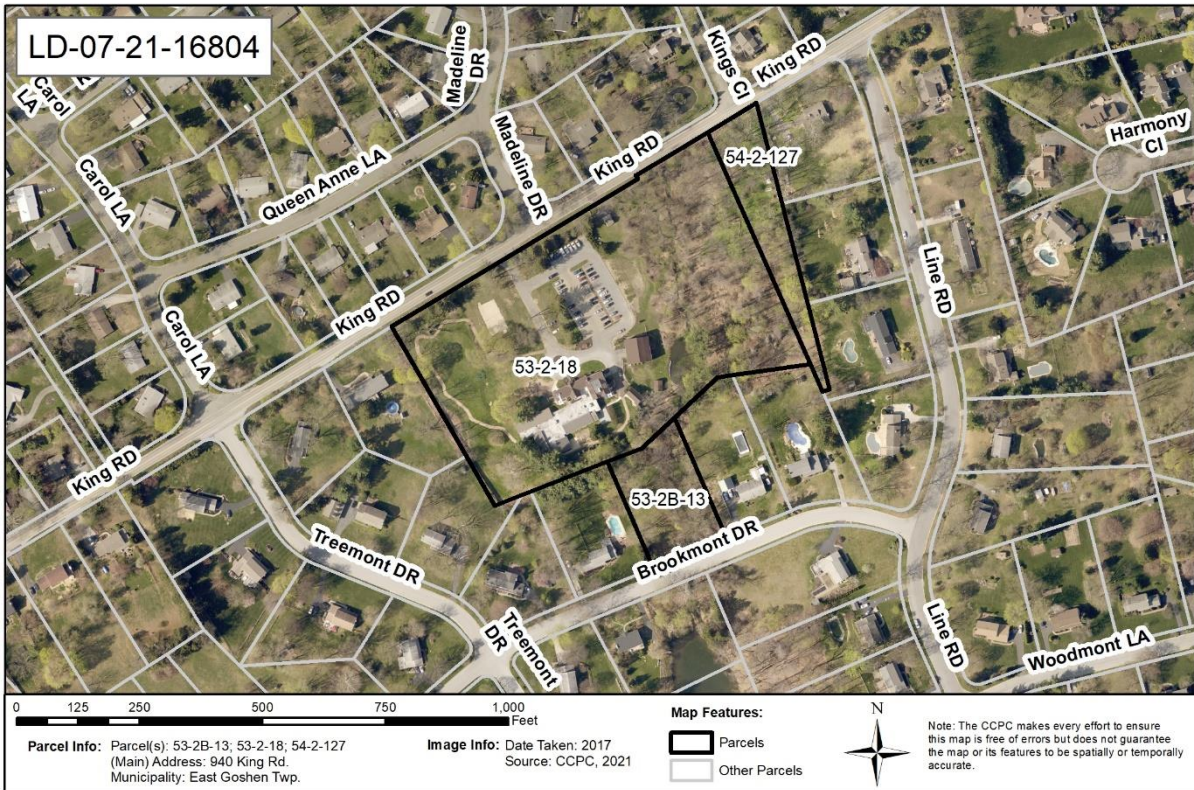
PROJECT SUMMARY:

Location:	south side of King Road, west of Line Road
Site Acreage:	10.50
Lots/Units:	1 Lot
Non-Res. Square Footage:	5,400
Proposed Land Use:	Expansion of existing medical facility
New Parking Spaces:	33
Municipal Land Use Plan Designation:	Low Density Residential
UPI#:	53-2B-13, 53-2-18, 54-2-127

PROPOSAL:

The applicant proposes the construction of a 5,400 square foot second floor addition to the existing facility, along with the construction of 33 additional parking spaces (81 parking spaces, including 4 handicapped-accessible spaces, will be provided). No new sewage disposal or water supply is proposed as part of this project. The project site is located in the R-2 Low Density Suburban Residential zoning district. The easternmost portion of the site is situated in Willistown Township, which is zoned R-1 Residence.

RECOMMENDATION: The County Planning Commission recommends that the issues raised in this letter should be addressed, and all Township issues should be resolved before action is taken on this land development plan.



Site Plan Detail, Sheet 1: Preliminary Land Development- Malvern Institute 2nd Story Building Addition

COUNTY POLICY:

LANDSCAPES:

1. The project site is located within the **Suburban Landscape** and **Natural Landscape** designations of [Landscapes3](#), the 2018 County Comprehensive Plan. The vision for the **Suburban Landscape** is predominantly residential communities with locally-oriented commercial uses and facilities, accommodating growth at a medium density that retains a focus on residential neighborhoods, with enhancements in housing diversity and affordability. As an overlay of all other landscapes, the county's **Natural Landscapes** consist of a network of streams, wetlands, floodplains, and forests that are protected by regulations or should be subject to limited disturbance. Conservation practices should protect and restore these natural resources. The proposed land development is consistent with the objectives of the **Suburban Landscape**.

WATERSHEDS:

2. **Watersheds**, the water resources component of [Landscapes3](#), indicates the proposed development is located within the Ridley Creek watershed. **Watersheds'** highest priority land use objectives within this watershed are: reduce stormwater runoff, protect vegetated riparian corridors, and protect/enhance water-based recreation, cultural, historic resources and public access. **Watersheds** can be accessed at www.chesco.org/water.

PRIMARY ISSUES:

3. The Township should verify that the design of the proposed outdoor lighting plan (Sheet 10) conforms to Township ordinance requirements. The illumination should be directed inward from the periphery of the site and be oriented to reduce glare and visual impact on the adjoining roadways and land uses.
4. While we acknowledge that Sheet 9-Landscape Plan depicts that extensive landscaping will be provided along the northern, western, and southern parcel boundaries (west of the existing floodplain area), we recommend that the applicant and Township consider planting additional trees, shrubs, and ground cover in areas currently covered by lawn within and adjacent to the parking areas. [Landscapes3](#) recommends that developments in the **Suburban Landscape** include extensive landscaping in parking areas (page 39).
5. The site contains land within the 100 year flood plain. Although it does not appear that any development activity will encroach into the floodplain, we note that the County Planning Commission does not support development in the floodplain, and the Federal Emergency Management Agency and Pennsylvania Department of Environmental Protection regulate filling or development in the floodplain. Development within a floodplain can increase the magnitude and frequency of normally minor floods, and present health and safety problems.
6. The site contains delineated wetlands. Although it does not appear that any development activity will encroach into the delineated wetland area, the applicant should be aware that placement of fill in wetlands is regulated by the Corps of Engineers in accordance with Section 404 of the Clean Water Act (1977) and the Department of Environmental Protection under Chapter 105 Rules and Regulations for the Bureau of Dams and Waterway Management.

ADMINISTRATIVE ISSUES:

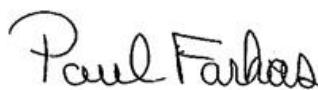
7. Land disturbance and land development activities that occur within Chester County must comply with the *County-wide Act 167 Stormwater Management Plan for Chester County, PA* (July 2013) and the associated Act 167 stormwater management ordinance standards adopted by each municipality.
8. Sheet 13-Decision and Order Letter indicates that the Township Zoning Hearing Board granted approval for this project with 28 conditions of approval. We note that the conditions of approval include the following:
 - The applicant shall install and maintain an 8-foot high fence along the entire western and southern property boundaries except for any areas within the floodplain (condition #5);
 - The applicant shall install a 6-foot high estate fence and deer resistant landscaping to buffer the fencing along the eastern property boundary in accordance with Willistown Township regulations (condition #9);
 - The applicant shall install 6-foot high estate fencing along the right of way line for King Road (condition #10); and
 - The applicant shall record a deed restriction that prohibits any further expansion of the treatment center for a period of 30 years, which shall be enforceable by the Township (condition #24).

The Township should verify that all applicable conditions of approval have been incorporated into the final plan. The date of the Zoning Hearing Board's decision should be identified on the approved plan. We note that the Township application form indicates that the Zoning Hearing Board order is dated November 25, 2020 and issued on December 1, 2020.

9. A site plan note incorrectly identifies the UPI-Uniform Parcel Identifier number of the portion of the project site in Willistown Township as 54-2B-127, rather than 54-2-127. This should be corrected by the applicant. The Chester County Recorder of Deeds Office requires that the correct UPI numbers be identified on all subdivision and land development plans submitted for recording.
10. A minimum of four (4) copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, the Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds and the Assessment Office.

This report does not review the plan for compliance to all aspects of your ordinance, as this is more appropriately done by agents of East Goshen Township. However, we appreciate the opportunity to review and comment on this plan. The staff of the Chester County Planning Commission is available to you to discuss this and other matters in more detail.

Sincerely,



Paul Farkas
Senior Review Planner

cc: Malvern Institute For Psychiatric & Alcoholics Studies
Chester Valley Engineers Inc.
Sally A. Slook, Manager, Willistown Township



The Blacksmith Shop

Historical Commission

East Goshen Township

Chester County, Pennsylvania

1580 Paoli Pike
September 28, 2021 ♦

West Chester, PA 19380 ♦

610-692-7171

East Goshen Township
Planning Commission
1580 Paoli Pike
West Chester, Pa. 19380

Re: 940 King Rd. / Malvern Institute Land Development Application
Historic Resource Impact Study (HRIS) Waiver Request

Dear Commissioners:

At their meeting on September 9, 2021, the Historical Commission discussed a waiver request that the Township has received from the Malvern Institute. The Malvern Institute has requested a waiver from the Historic Resource Impact Study (HRIS) requirement of the ordinance for their land development application. I have enclosed a copy of the waiver request and the applicable ordinance section for your use.

The Historical Commission discussed the request and does not believe that the applicant has a compelling reason or hardship to support their waiver request. The Historical Commission voted unanimously in favor of the following motion:

Madame Chairman, I move that the Historical Commission recommend denial of the waiver request for the submission of a Historic Resource Impact Study for the Malvern Institute Land Development Application.

Sincerely

Mark Gordon
Township Zoning Officer

Enclosures

September 2, 2021

Via Electronic Mail Only: mgordon@eastgoshen.org

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-619


**Re: Malvern Institute for Psychiatric and Alcoholic Studies, Inc.
Chester County CCP No: 2019-03106-ZB**

Dear Mr. Gordon:

Please accept this correspondence as formal request for a waiver from the requirement of the Township Code Free Historic Impact Assessment Report relative to the Malvern Institute land development project. Please note that the project is a second floor addition to an existing building and there is no new impact on any historic resource, especially considering the location of the improvements. The barn improvements are all interior renovations.

Thank you for your consideration.

Very truly yours,



Brian L. Nagle

/cfg

cc: Malvern Institute [via Electronic Mail Only]

4139741v1
141117.60426

*Township of East Goshen, PA
Tuesday, September 28, 2021*

Chapter 240. Zoning

Article VI. Historic Preservation

§ 240-38.10. Historic resource impact study.

[Amended 10-17-2006 by Ord. No. 129-F-06]

- A. Applicability. An historic resource impact study (HRIS), prepared by a registered architect specializing in historic preservation and adaptive reuse of historic buildings and structures, shall be submitted to the Township, unless waived or modified by the Board of Supervisors, in the following situations:
- (1) As part of a preliminary plan submission for any subdivision or land development application which proposes new construction of buildings, structures, roads, driveways, parking areas, or other land disturbance within 250 feet of the exterior walls of any Class I or II historic resource.
 - (2) As part of a tentative plan submission for any application for a planned residential development (prd) which proposes new construction of buildings, structures, roads, driveways, parking areas, or other land disturbance within 250 feet of the exterior walls of any Class I or II historic resource.
 - (3) As part of a demolition permit application.
 - (4) As part of a conditional use application.
- B. Contents. The HRIS shall contain the following information, unless waived or modified by the Board of Supervisors:
- (1) Background information:
 - (a) If not otherwise provided by the applicant, a general description of the site subject to the application, including topography, watercourses, vegetation, landscaping, existing drives, etc.
 - (b) A general description and classification of the historic resources located within 250 feet of any proposed land development or land disturbance.
 - (c) A physical description of the interior and exterior of the historic resource(s), including an interior floor plan.
 - (d) A narrative description of the historical significance of the historic resource, relative to both the Township and to the region in general, including the names of past owners and their significance to the Township, region or nation.
 - (e) A sufficient number of four-inch-by-six-inch photographs to show the exterior of the historic resource in its setting and, if the applicant is the owner, then photographs of the interior.
 - (2) An assessment of potential impacts to the historic resources.

- (a) A description of potential impact(s) to each historic resource with regard to architectural integrity, historic setting, and future use.
- (3) Mitigation measures: suggested approaches to mitigate potentially negative impacts to historic resources, including design alternatives, buffering, landscaping, conservation of existing vegetation, and any other appropriate measures permitted under the terms of this chapter and other Township ordinances.

EAST GOSHEN CONSERVANCY

September 28, 2021

East Goshen Township
Planning Commission
1580 Paoli Pike
West Chester, Pa. 19380

Re: 940 King Rd. / Malvern Institute LD Recommendation
Landscaping


Dear Commission Members:

At their meeting on September 8, 2021, the Conservancy Board voted unanimously in favor of the following motion:

Mr. Chairman, I move that the Conservancy Board recommend that the Planning Commission approve the landscaping plan proposed for the Malvern Institute Land Development application as submitted with the following conditions:

1. The applicant shall provide additional landscaping within the parking lot island and along the western and eastern side of the parking areas, similar to what they propose along the northern side of the parking area.
2. The applicant shall increase the diversity of the proposed evergreen species in order to help improve the resiliency of the evergreen planting buffer.
3. The applicant agree to a condition that should the landscape buffer cease to provide a visual screen of the sound fence in the future the applicant will replace dead and thinning landscape material at the direction of the Township.

Sincerely,



Mark A. Gordon
Zoning Officer