

**EAST GOSHEN TOWNSHIP  
PLANNING COMMISSION  
Meeting Agenda  
Wednesday, June 1, 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. **May 4, 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. **Paoli Pike Trail (Alternate Route Alignment)**
- K. Liaison Reports
- L. Correspondence
- M. Announcements

**Bold Items indicate new information to review or discuss.**

East Goshen Township Planning Commission  
Application Tracking Log

**June 1, 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	
Paoli Pike Trail ALT Route	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**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	P
EWT 537 Special Study	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	A

**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  
P - Pending

**Draft**  
**EAST GOSHEN TOWNSHIP**  
**PLANNING COMMISSION MEETING**  
**May 4, 2022**

The East Goshen Township Planning Commission held their regular monthly meeting on Wednesday May 4, 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**

**Michele Truitt, 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. Ernest 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. Ernest 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.
4. The minutes of the April 6, 2022 meeting were approved as amended.

**SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS**

Malvern Institute – Dave Lumpkin, Executive Director; Rick Stratton, Engineer for Applicant, and Brian Nagle, Esq. were present.

Brian Nagle made a presentation to the Planning Commission as follows:

- Malvern Institute will address all Township Solicitor comments and Township Engineer comments. To date the Township has not received the Twp. Engineer's comments on the latest plan revision.

Rick Stratton presented the Land Development Plan and discussed how the plan addresses the Zoning Hearing Board decision.

The Planning Commission members asked the applicant and their consultants questions.

Ernest asked for any public comment.

**PUBLIC COMMENT**

The following made comments or asked questions:

1. 1 Carrol Lane, East Whiteland Twp., Norman Phizenmayer
2. 12 Treemont, Terri Relick
3. 20 Brookmont Dr., Joanne Murphy

4. 10 Brookmont Dr., Amanda Greenberg
5. 21 Treemont Dr., John McCullough
6. 3 Treemont Dr., Paige Fenimore
7. 8 Line Rd., Maureen Martino

### **NEW BUSINESS**

#### **East Whiteland Township 537 Special Study/Transfer of Sanitary Sewerage Facilities**

Bernadette Curney and Chuck Faulkner made a quick presentation. Planning Commission members asked Mr. Faulkner some questions. The Planning Commission passed a motion to forward this to the Board of Supervisors.

### **LIAISON REPORT**

#### **1. Board of Supervisors**

Michele Truitt gave an update to the PC.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:15 pm. The next regular meeting will be held on Wednesday, June 1, 2022 at 7:00 pm.

Respectfully submitted,

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*Ruth Kiefer, Recording Secretary*  
*Notes from Mark Gordon*

# Memorandum

**East Goshen Township**  
**1580 Paoli Pike**  
**West Chester, PA 19380**  
Voice: 610-692-7171  
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E-mail: [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org)

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Date: 5/26/2022  
To: Planning Commission  
From: Mark Gordon, Township Zoning Officer  
Re: **Malvern Institute / Land Development Application (Second PC Review)**

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 18 month time limit for the applicant to implement the relief granted.

The Malvern Institute presented their plans to the PC last month (May 4, 2022) and they are back to discuss the 5/25/2022 Pennoni Assoc. review letter. The Township engineer (Pennoni Associates) has reviewed the revised plans dated June 28, 2021 last revised on April 20, 2022; that review letter is enclosed for your review.

## **STAFF COMMENTS**

Staff, the Township Engineer and the Township Solicitor met with the MI to discuss the review letter in detail and all parties are working to address the final administrative and minor comments.

A resubmission of the plan is required for Final Plan approval, with reviews by staff, the Twp. Engineer, and the Township Solicitor prior to coming to the Planning Commission for a recommendation for Final Plan approval.

The Conservancy Board Comments have been noted in the Pennoni review letter and will be incorporated in the final plan submission.

The Historical Commission's recommendation not to support the waiver request has been discussed internally and staff does not believe that a Historic Resource Impact Study will provide much benefit for the project, and supports the applicants request for a waiver from. The Malvern Institute is the only historic resource within 250' of this project, and it has been significantly renovated over the years prior to the adoption of the Historic Preservation Ordinance and has been adaptively as a Treatment Center use for nearly 75 years. The extensive additions and modifications to the resource have enhanced the adaptive reuse of the structure and we believe the proposed improvements outlined in the Land Development plan will reinforce the existing use and thus assist in its preservation.

At this time staff is satisfied that the applicant has addressed the review comments in the Pennoni letter sufficiently enough to warrant a recommendation for Preliminary approval, and supports action by the Planning Commission to move this application on the Board of Supervisors.

#### **DRAFT MOTION**

The Planning Commission has reviewed the Land Development Application and Plan as well as the associated Zoning Hearing Board approval for the Malvern Institute, granting Special Exception and Zoning Variances for the expansion of the use. The expansion of the use consists of the following:

1. Second story addition to the existing single story wing at the rear of the property
2. A new smoking pavilion in the front of the property
3. A new greenhouse at the rear of the main building
4. Associated parking lot and driveway expansions
5. Associated improvements as ordered by the Zoning Hearing Board within the Special Exception and Zoning Variance Decision and Order

The applicant has requested a waiver from the Historic Resources Impact Study requirement (§240-38.10), which may be waived by the Board of Supervisors. The Planning Commission has no objection to this waiver request due to the modifications that have already been made to this historic resource over the years and prior to the adoption of the Historic Preservation Ordinance.

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors grant preliminary plan approval for the Land Development application and plan prepared for Malvern Institute, prepared by Chester Valley Engineers, dated June 28, 2021, last revised April 20, 2022, with the following condition:

1. All comments outlined in the Pennoni Associates plan review letter Dated May 25, 2022 are addressed and reflective in the Final Plan submission



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T: 610-429-8907  
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www.pennoni.com

May 25, 2022

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 - 2<sup>nd</sup> Submission**

Dear Mark:

As requested, we have reviewed the following information, prepared by Chester Valley Engineers, Inc. regarding the referenced submission:

- *"Preliminary Land Development Plans for Malvern Institute"* (15 sheets) dated June 28, 2021, revised April 20, 2022;
- *"Stormwater Calculations Worksheet"* dated June 28, 2021, revised April 20, 2022;
- *"WB-40 Delivery Vehicle Exhibit"* dated April 21, 2022; and
- Engineer's response letter dated April 25, 2022.

The applicant/owner, Malvern Institute, is proposing various improvements to UPI 53-2-18 (9.6 acres) which includes a 2<sup>nd</sup> 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 (new comments are in ***bold/italics***):

**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.

***Acknowledged. Sheet 13 includes the entire Decision and Order.***

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order.***

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order.***

***Outstanding. We were not able to locate the proposed video camera locations on the plans.***

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.*

**Pending.** 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.*

**Pending.** 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. **See additional comments below, and via the Conservancy Board.**

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.*

**Pending.** 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. **See additional comments below, and via the Conservancy Board.**

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 for additional comments.

**Pending (a-c). See additional comments regarding landscaping below, and via the Conservancy Board.**

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

**Pending. Applicant indicates fencing details will be coordinated with Willistown Township pending preliminary approval by East Goshen.**

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.*

**Resolved.** 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.

**Pending. The applicant notes 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 manufacturer 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

**Pending. Sheet 13 includes the entire Decision and Order, and additional information is to be provided.**

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order, and nothing is proposed in these areas.***

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 from these facilities.*

***Resolved. Sufficient buffers/screens appear to be provided for these existing and proposed areas. Future areas appear to be passive in nature.***

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order.***

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.

***Pending. The "Smoke Eater" is identified on the plan, and the applicant indicates additional details will be provided at a later date.***

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.*

***Resolved.*** 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.

***Pending. The "Smoke Eater" is identified on the plan, and the applicant indicates additional details will be provided at a later date.***

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.

***Pending. Sheet 13 includes the entire Decision and Order, and they applicant indicates details 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. Sheet 13 includes the entire Decision and Order.***

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.

***Resolved. Sheet 13 includes the entire Decision and Order.***

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

***Resolved.*** 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.

***Acknowledged. Sheet 13 includes the entire Decision and Order.***

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order, and the applicant indicates a draft deed restriction will be submitted under separate cover; defer to Township Solicitor.***

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.

***Acknowledged. Sheet 13 includes the entire Decision and Order; note further the applicant's response regarding specifics.***

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. Sheet 13 includes the entire Decision and Order.***

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. Sheet 13 includes the entire Decision and Order; note further the applicant's response regarding specifics.***

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. Sheet 13 includes the entire Decision and Order. Note the building application deadline for the second story is approximately 18-months away.***

## **ZONING**

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

***Acknowledged.***

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'.

***Resolved. It has been clarified that improvements labeled as 'future' are not to be implemented at this time.***

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

***Resolved. Details have been provided (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.

***Resolved. The island has been modified to provide a minimum 22-foot-wide lane.***

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))

***Resolved. An adequate truck turning exhibit has been provided.***

## **SUBDIVISION AND LAND DEVELOPMENT**

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

***Resolved. Note #2 on Sheet 2 has been revised.***

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.

***Pending. No sidewalks are proposed; defer to Planning Commission, Conservancy Board and Board of Supervisors.***

## **STORMWATER MANAGEMENT**

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

***Resolved. The Point of Analysis has been clarified.***

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)

***Outstanding. Soils testing is currently being completed.***

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

***Outstanding. See Comment No. 9, above.***

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)

***Outstanding. See Comment No. 9, above.***

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)

***Outstanding. Permanent inlet filters upstream of the infiltration BMP are to be installed; please indicate these inlets on the PCSM plan.***

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.

***Resolved. The elevations have been clarified.***

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)

***Resolved. The Point of Analysis has been clarified.***

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))

***Resolved. The statement has been provided (Sheet 1).***

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))

***Resolved. The signature block has been provided (Sheet 1).***

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))

***Resolved. A blanket easement is proposed.***



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.

***Pending. The applicant indicates this will be provided prior to plan recording.***

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

***Outstanding. Please include O&M procedures which address maintenance of the inlet filters.***

20. Please provide a sediment barrier downslope of SW108.

***Resolved. This is now indicated.***

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

***Outstanding. We will defer to the Chester County Conservation District's recommendation.***

#### **GENERAL**

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

***Resolved. The applicant confirmed that all improvements labeled as 'future' are not to be implemented at this time.***

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

***Resolved. Striping, signage and a detail are provided.***

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.

***Pending. These may be provided at the building permit stage; the Township will require a structural review by Pennoni and a separate building permit for the retaining wall.***

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.

***Resolved. A trash enclosure detail is provided (Sheet 12A)***

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

***Pending. The applicant will provide additional clarity regarding fencing.***

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

*Pending. The applicant will provide additional clarity regarding fencing.*

29. Fencing sound attenuation details should be provided.

*Pending. The applicant will provide additional clarity regarding fencing.*

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

- a. NPDES Permit (PADEP/CCCD) (§195-15.C(2), -16.A, -17.A); (limit of disturbance is indicated as 0.90 acres)

*Not applicable; pending resolution of Comment No. 21, above.*

- b. Planning Module (PADEP) (§240-24.F, §205-33.B(22)(a)) - Resolved.
- 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.) – *See September 28, 2021 comments.*
- h. Landscaping (Conservancy Board) – *See September 28, 2021 comments.*
- i. County Planning – See July 28, 2021 correspondence.
- j. Willistown Township - *Correspondence has not yet been received; see D&O Comment No. 9d.*

#### **NEW COMMENTS**

- 31. *Unless otherwise permitted by the township (e.g., for safety, security, or all-night operations), lighting shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells to permit extinguishing or output reduction as required in the latest edition of the Energy Conservation Code.*
- 32. *We recommend substitutions for Mountain Laurel and Blue Holly; it is our opinion that in this area, these plants are not deer tolerant/resistant, and both have a harder time rejuvenating after being deer browsed extensively.*
- 33. *The Plant Legend has two (2) different plants indicated as "PO"; please adjust.*
- 34. *We recommend a substitute for Douglas Fir; it is susceptible to two forms of needlecast in this area and if untreated will cause premature death.*
- 35. *Comment No. 1 from the Conservancy Board states that the applicant shall provide additional landscaping in the parking lot islands and on the east and west side of the parking lot; please clarify the additional landscaping proposed.*
- 36. *Access gates into the fenced buffer area are recommended along the south and west property lines areas for maintenance.*

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)  
         Rick Stratton, PE, Chester Valley Engineers, Inc. (via e-mail)  
         Kristin Camp, Esq., Buckley Brion (via e-mail)



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April 25, 2022

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

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;

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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

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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.

*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.

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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



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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.

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***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 from these facilities.

To be discussed further with all parties.

***Acknowledged.***

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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*

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*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)

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### *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.*

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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**

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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.



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*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.*

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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*

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*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.

*Est. 1955*

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*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.

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***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.***

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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](mailto: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.

# MEMO

Date: May 26, 2022  
From: Derek Davis, Township Manager  
To: Planning Commission  
Re: Paoli Pike Alternate Trail – Segment B

---

Dear Commission Members,

At their May 3<sup>rd</sup> board meeting, the board decided that they would like various ABCs to review the very preliminary options laid out by Pennoni for a possible Paoli Pike Alternate Route for Segment B.

Attached are the latest conceptual plans from Pennoni that reflect those conversations they've had as a board thus far. Again, this is very early on in the process so the board would like any and all comments so that they can all be taken under consideration.

A short memo back to the board with some bullet points on the overall thoughts of the commission would be helpful.

Thank you.



PAOLI PIKE TRAIL EAST GOSHEN TOWNSHIP, PA Opinion of Probable Construction Cost			April 26, 2022		OPTION C1		OPTION C2		OPTION C3	
Item	Unit Cost	Unit	Quantity	Cost	Quantity	Cost	Quantity	Cost		
Pavement markings over existing asphalt paving	\$ 15	LF	900	\$ 13,500	-	\$ -	900	\$ 13,500		
New Trail: Asphalt paved at grade	\$ 130	LF	2,550	\$ 331,500	2,550	\$ 331,500	3,350	\$ 435,500		
New Trail: boardwalk condition	\$ 1,000	LF	1,150	\$ 1,150,000	1,700	\$ 1,700,000	250	\$ 250,000		
New Trail: at-grade/wet area condition	\$ 250	LF	-	\$ -	700	\$ 175,000	-	\$ -		
Earthwork/Grading	\$ 5,000	LS	4	\$ 20,000	8	\$ 40,000	2	\$ 10,000		
Landscaping	\$ 5,000	LS	3	\$ 15,000	2	\$ 10,000	1	\$ 2,500		
Clearing (additional)	\$ 5,000	LS	-	\$ -	2	\$ 10,000	-	\$ -		
ADA Ramps	\$ 6,500	EA	2	\$ 13,000	2	\$ 13,000	6	\$ 39,000		
Post/rail fence	\$ 25	LF	1,200	\$ 30,000	1,500	\$ 37,500	700	\$ 17,500		
Signage (specialty)	\$ 3,000	LS	1	\$ 3,000	1	\$ 3,000	1	\$ 3,000		
Stormwater Management	\$ 25,000	LS	1	\$ 25,000	1	\$ 25,000	2	\$ 50,000		
Wetland Mitigation	\$ 25,000	LS	1	\$ 25,000	3	\$ 75,000	-	\$ -		
Trail Head Amenities	\$ 5,000	EA	1	\$ 5,000	1	\$ 5,000	1	\$ 5,000		
Mobilization	\$ 50,000	LS	1	\$ 50,000	1	\$ 50,000	1	\$ 50,000		
Subtotal			\$ 1,667,500		\$ 2,475,000		\$ 862,500			
Contingency 20%			\$ 333,500		\$ 495,000		\$ 172,500			
General Conditions 10%			\$ 166,750		\$ 247,500		\$ 86,250			
Subtotal Construction			\$ 2,167,750		\$ 3,217,500		\$ 1,121,250			
Soft Costs (20%)			\$ 433,550		\$ 643,500		\$ 224,250			
Construction Admin (5%)			\$ 108,388		\$ 160,875		\$ 56,063			
TOTAL PER SEGMENT			\$ 2,709,688		\$ 4,021,875		\$ 1,401,563			

SEGMENT 1		SEGMENT 2		SEGMENT 3		SEGMENT 4		SEGMENT 5	
Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
-	\$ -	-	\$ -	900	\$ 13,500	-	\$ -	-	\$ -
2,400	\$ 312,000	1,600	\$ 208,000	150	\$ 19,500	-	\$ -	850	\$ 110,500
-	\$ -	750	\$ 750,000	-	\$ -	850	\$ 850,000	250	\$ 250,000
-	\$ -	-	\$ -	-	\$ -	600	\$ 150,000	-	\$ -
1	\$ 5,000	2	\$ 10,000	1	\$ 5,000	4	\$ 20,000	2	\$ 10,000
1	\$ 5,000	1	\$ 5,000	-	\$ -	2	\$ 10,000	2	\$ 10,000
-	\$ -	-	\$ -	-	\$ -	2	\$ 10,000	1	\$ 5,000
4	\$ 26,000	2	\$ 13,000	1	\$ 6,500	-	\$ -	1	\$ 6,500
-	\$ -	600	\$ 15,000	50	\$ 1,250	150	\$ 3,750	1,100	\$ 27,500
1	\$ 3,000	-	\$ -	-	\$ -	-	\$ -	-	\$ -
1	\$ 25,000	1	\$ 25,000	-	\$ -	1	\$ 25,000	1	\$ 25,000
-	\$ -	1	\$ 25,000	-	\$ -	2	\$ 50,000	1	\$ 25,000
1	\$ 5,000	-	\$ -	-	\$ -	1	\$ 5,000	1	\$ 5,000
-	\$ 20,000	-	\$ 20,000	-	\$ 5,000	-	\$ 20,000	-	\$ 10,000
\$ 401,000		\$ 1,071,000		\$ 37,250		\$ 1,143,750		\$ 484,500	
\$ 80,200		\$ 214,200		\$ 7,450		\$ 228,750		\$ 96,900	
\$ 40,100		\$ 107,100		\$ 3,725		\$ 114,375		\$ 48,450	
\$ 521,300		\$ 1,392,300		\$ 48,425		\$ 1,486,875		\$ 629,850	
\$ 104,260		**	\$ 160,000	\$ 9,685		\$ 297,375		\$ 125,970	
\$ 26,065		\$ 69,615		\$ 2,421		\$ 74,344		\$ 31,493	
\$ 651,625		\$ 1,621,915		\$ 60,531		\$ 1,858,594		\$ 787,313	



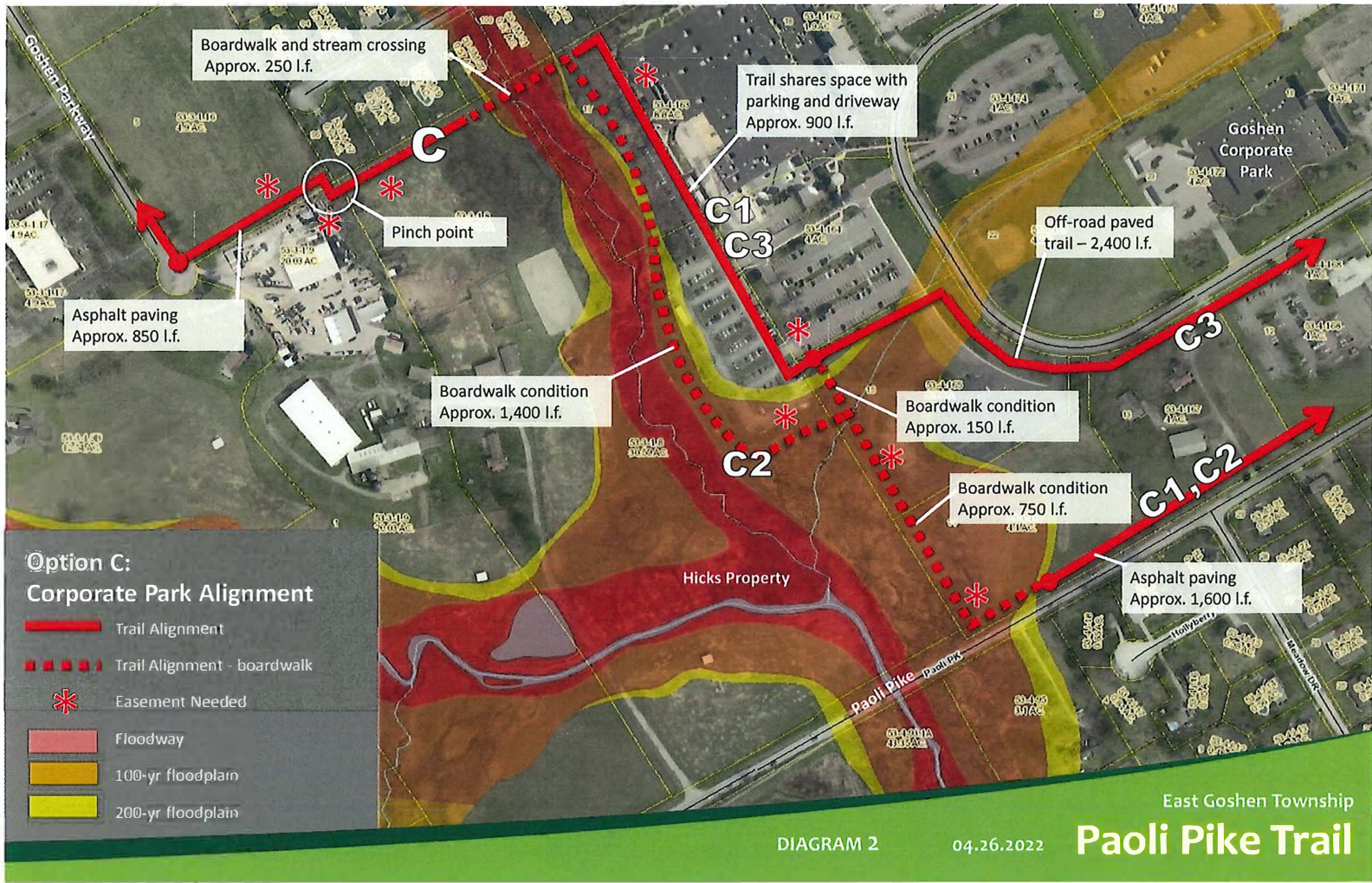


DIAGRAM 1

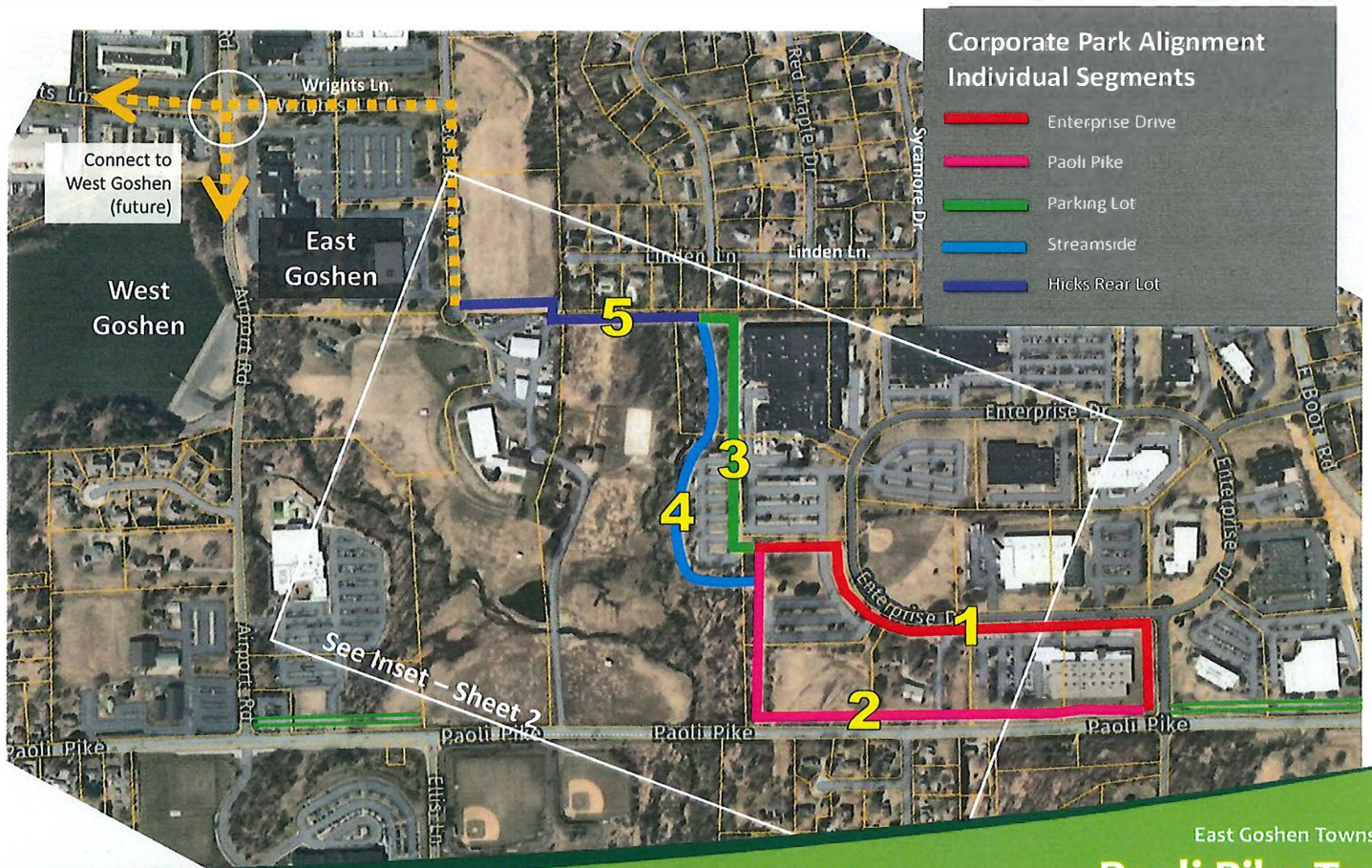
04.26.2022

East Goshen Township  
**Paoli Pike Trail**











One South Church Street  
Second Floor  
West Chester, PA 19382  
T: 610-429-8907  
F: 610-429-8918

www.pennoni.com

April 26, 2022

EGOST00022

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

**RE: Paoli Pike Trail Segment B - Alternate Routes**

Dear Derek:

Over the preceding months we have at your request explored alternative routes for connecting the remaining gap (Segment B) of the Paoli Pike Trail. After considering alternatives, the Township's preference was to more closely investigate "Option C" for the trail corridor to be located through Goshen Corporate Park. In February 2021 we presented potential alignments related to Option C. After consideration, the Township narrowed the possibilities and has asked us to investigate the remaining choices more closely. Accordingly, please see attached diagrams and further analysis of this option.

#### Trail Alignment Options

As shown on Diagram 1, remaining options being considered are as follows (each option begins at the intersection of Reservoir Road and Paoli Pike, and ends at the terminus of Goshen Parkway):

- Option C1 follows Paoli Pike, cuts generally through parking lots of the corporate center, then along the rear of the Hicks Property south of Linden Drive.

*Advantages:* Reduces the cost of construction by utilizing an existing paved surface to substantially reduce the length of boardwalk necessary. Also, engineering design has already been prepared for the portion of this route along Paoli Pike.

*Disadvantages:* Trail shares vehicular drive lanes within the QVC parking lot. While this can be designed safely with the use of pavement markings and signage, it is less desirable than a separate pathway solely dedicated to ped/bike use. This will also require coordination with and permission from the property owner and/or tenant.

- Option C2 follows Paoli Pike, travels alongside the existing stream on the Hicks property, then along the rear of the Hicks Property south of Linden Drive.

*Advantages:* No shared space with vehicular traffic. Right-of-way along Paoli Pike section has already been obtained.

*Disadvantages:* Significantly more costly due to the increased length of boardwalk necessary.

- Option C3 is located through the Corporate Park, in landscaped spaces alongside Reservoir Drive and Enterprise Drive, then cuts generally through parking lots and along the rear of the Hicks Property south of Linden Drive.

*Advantages:* Ample room for off-road segment within the landscaped space to the side of Enterprise Drive. Avoids the low-lying wet area in the SE corner of the park.



*Disadvantages:* Trail strays sooner from Paoli Pike, which may be the more desirable route for trail users.

As shown on Diagram 2, Options C1 and C2 encounter areas within the 100-yr floodplain of the East Branch of Chester Creek, and likely contains regulated wetlands. A boardwalk-type structure will be needed to traverse the wetlands and flood-prone areas, and a stream crossing will be necessary. Easements will be required along the western edge of the Corporate Park, and along the back edge of the Hicks property and neighboring property that borders Goshen Parkway.

Diagram 3 shows that individual segments (numbered 1 through 5) can be combined to create a desired route. For instance:

- Segments 1 and 2 can be combined to create an independent loop within the southeast quadrant of the corporate park (also shown on Sheet 1 as "Enterprise Loop").
- A complete trail route can be created by combining either segment 1 or 2 with either segment 3 or 4, along with segment 5.

#### Potential costs

A rough order-of-magnitude estimate for cost of design and construction is shown in the attached table. Costs are associated with the individual trail segments 1 through 5 shown on Diagram 3.

- The least expensive complete route is a combination of segments 1, 3, and 5, approximately \$1.5 million.
- The most expensive complete route is a combination of segments 2, 4, and 5, approximately \$4.3 million.

#### Next Steps

- Outreach to property owners along the selected route, to obtain necessary easements.
- Identification of potential grant opportunities to fund design and construction.
- Topographic survey for selected route.
- Wetland delineation along relevant portions of the selected route.

If you need further assistance, please feel free to contact me.

Sincerely,

PENNONI



Nathan Cline, PE  
Township Engineer