

# MEMO

Date: April 26, 2023  
From: Derek Davis, Township Manager  
To: Board of Supervisors  
Re: Applebrook Golf Club Turf Maintenance Area – Land Development Approval

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The next two agenda items are both concerning Applebrook Golf Club's renovation to their turf maintenance area. The board already passed an ordinance change back in March for this project pertaining to footprint lots that are used for maintenance being accessory uses in this zoning district.

The first agenda item is a new easement agreement that is needed for this new building layout. The easement would be between the golf club and the township as East Goshen owns the surrounding land.

The 2<sup>nd</sup> agenda item is the actual land development proposal and shows the proposed upgrades to the turf maintenance area.

Motions would be as follows:

**DRAFT MOTION #1 for Easement:** Mr. Chairman, I move we approve the proposed amended easement for the parcels pertaining to the Applebrook Golf Club Turf Maintenance area and allow the Chair to sign on the board's behalf.

**DRAFT MOTION #2 for Land Development:** Mr. Chairman, I move we approve the proposed land development for the Turf Maintenance Area at Applebrook Golf Club.

Prepared by/Return to:  
Brian L. Nagle, Esquire  
MacElree Harvey, Ltd.  
17 West Miner Street  
West Chester, PA 19382

UPI Nos.     53-4-89  
                 53-4-89.1  
                 53-4-89.1B  
                 53-4-89.1C

**FIRST AMENDMENT TO EASEMENT AGREEMENT  
AND DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS FIRST AMENDMENT TO THE "Easement Agreement and Declaration of Covenants and Restrictions" dated December 19, 2002 is made and executed as of this \_\_\_\_\_ day of March, 2023 by and between East Goshen Township, a political subdivision of the Commonwealth of Pennsylvania, having a business address of 1580 Paoli Pike, West Chester, Pennsylvania 19380 (the "Township"), also referred to herein as the "Grantor", and Applebrook Associates LLC, successor to Applebrook Associates, L.P., a Pennsylvania Limited Liability Company, having a business address of 100 Line Road, Malvern, Pennsylvania 19355 ("Applebrook Associates"), also referred to herein as the "Grantee", and together referred to herein as the "Parties".

**BACKGROUND**

WHEREAS, the Township is the owner in fee of a certain 93.1 acre parcel of real property located in East Goshen Township, Chester County, Pennsylvania (U.P.I. #53-4-89.1), as more particularly described in Deed recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania in Record Book 4707, Page 2138 *et seq*, comprising a portion of East Goshen Public Parkland ("Township Park Property"); and

WHEREAS, by Deed dated December 19, 2002, the Township conveyed to Applebrook Associates, L.P., a Pennsylvania Limited Partnership, two footprint parcels of real property in fee, respectively measuring 6,537 square feet (U.P.I. # 53-4-89.1B) and 2,402 square feet (U.P.I. #53-4-89.1C), as more particularly described in Deed recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania, in Record Book 5520, Page 1516 *et seq*, each improved with buildings formerly used as farm dairy barns, and each located contiguous to and surrounded by the Township's Park Property (the "Footprint Lots"); and

WHEREAS, Applebrook Associates, L.P. subsequently converted from a limited partnership to a limited liability company and, by Deed dated May 30, 2018 and recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania, in Record Book 9751, Page 1293 *et seq*, granted and conveyed the two footprint parcels of real property (U.P.I. #53-4-89.1B) and (U.P.I. #53-4-89.1C) in fee to Applebrook Associates, LLC, hereinafter referred to as Applebrook Associates.

WHEREAS, Applebrook Associates is the owner in fee of a 160.71 acre parcel of real property (U.P.I. #53-4-89), acquired by it on January 27, 2000, which is contiguous to the Township Park Property, and on which it has developed a golf course, club house and ancillary facilities (the "Applebrook Golf Course"); and

WHEREAS, on December 19, 2002, the Township and Applebrook Associates made and executed an "Easement Agreement and Declaration of Covenants and Restrictions", recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania in Record Book 5520, Page 1523. Sometimes referred to herein as the "Access and Maintenance Easement", pursuant to which, and subject to its terms,

conditions and restrictions, the Township conveyed to Applebrook Associates in perpetuity from Township's Park Property, an Easement in land consisting of 58,716 square feet in area, as described by metes and bounds in Exhibit "D" to the Access and Maintenance Easement, which surrounds and encompasses the Footprint Lots, for Applebrook Associate's perpetual use and enjoyment, in conjunction with its Footprint Lots, as a Turf Maintenance Facility for the Applebrook Golf Course; and

WHEREAS, in conjunction with Applebrook Associate's now pending application to the Township to facilitate the modernization of its Greens Maintenance Facility, including the renovation, expansion and reconstruction of its buildings now located on its Footprint Lots into the Easement Area, the Township and Applebrook Associates have agreed to an adjustment of the boundaries of the Access and Maintenance Easement described in Exhibit "D", pursuant to which Applebrook Associates will extinguish and release a portion of the Access and Maintenance Easement comprising Two Thousand Six Hundred Thirteen (2,613) square feet of land from the burden of the Easement, and, in exchange, the Township will grant and convey to Applebrook Associates an Access and Maintenance Easement comprising Two Thousand Six Hundred Thirteen (2,613) square feet of land in, over and on the Township's Park Property for inclusion in Applebrook Associate's Access and Maintenance Easement for its perpetual use and enjoyment as a part of Applebrook Associate's Greens Maintenance Facility, both areas as more particularly described hereinafter.

NOW THEREFORE, for and in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt whereof is herewith acknowledged, and intending to be legally bound, the Parties agree, as follows:

1. Each paragraph of the Background of this Amendment is incorporated herein as if set forth at length.

2. Applebrook Associates hereby releases, extinguishes and forever quitclaims and by these presents does release, extinguish and forever quitclaim to the Township, its successors and assigns, all of its right, title, and interest in and to that portion of the 58,716 square feet Easement comprising an area of 2,613 square feet, described by metes and bounds in **Exhibit "A"** hereto, previously conveyed to Applebrook Associates by the Township on December 19, 2002, as described in Exhibit "D" to the Easement Agreement and Declaration of Covenants and Restrictions, recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania, in Record Book 5520, Page 1523, with the intent that said Two Thousand Six Hundred Thirteen (2,613) square feet portion of the Access and Maintenance Easement be forever extinguished, and, further, that the Township, and its successors, and assigns, shall hereafter have and enjoy the land, described in **Exhibit "A"** hereto, free and absolutely discharged from said Access and Maintenance Easement.

3. In exchange, the Township hereby grants and conveys, and by these presents does grant and convey to Applebrook Associates LLC, its successors and assigns, in perpetuity, an easement in and to that 2,613 square feet area of the Township's Park Property, described by metes and bounds in **Exhibit "B"** hereto, for inclusion in and to be maintained by Applebrook Associates as part of the Access and Maintenance Easement conveyed to Applebrook Associates by the Township on December 19, 2002, as described in Exhibit "D" to the Easement Agreement and Declaration of Covenants and Restrictions, aforesaid, as the same is now revised and

modified as described in Exhibit "C", attached hereto and made a part hereof, with the intent that the perpetual use and enjoyment of said Easement be limited to those uses and purposes and be subject to the terms, conditions and restrictions specified in the said Easement Agreement and Declaration of Covenants and Restrictions, as aforesaid, as modified in this First Amendment.

4. Attached hereto as **Exhibit "C"** and made a part hereof is the Preliminary/Final Easement Plan of the Applebrook Golf Club Turf Maintenance Area, dated November 7, 2022, last revised March 1, 2023, prepared for Applebrook Associates by Chester Valley Engineers, Inc., Civil Engineers and Land Surveyors, showing the easement exchanges described in paragraph No. 2 and paragraph No. 3 hereof, and the boundaries of the revised Access and Maintenance Easement.

5. Exhibit "D" to the Easement Agreement and Declaration of Covenants and Restrictions is revised to the extent set forth in **Exhibit "D"**, which is attached hereto and made a part hereof, being the revised metes and bounds legal description of the Access and Maintenance Easement resulting from the easement exchanges described in paragraphs Nos. 2 and 3 above, is dated November 7, 2022, last revised January 12, 2023, prepared for Applebrook Associates by Chester Valley Engineers, Inc., Civil Engineers and Land Surveyors, and containing an Easement Area of Fifty Eight Thousand Seven Hundred Sixteen (58,716) square feet of land.

6. The last paragraph on page No. 5 of the Easement Agreement and Declaration of Covenants and Restrictions beginning with the words, "ALL THAT CERTAIN Easement Area depicted on the Subdivision Plan" is Amended to read, as follows:

ALL THAT CERTAIN Easement Area located and shown on the Preliminary/Final Easement Plan of the Applebrook Golf Club Turf Maintenance Area, dated November 7, 2022, last revised March 1, 2023, prepared for Applebrook Associates by Chester Valley Engineers, Inc., Civil Engineers and Land Surveyors, attached hereto as Exhibit "C", being the area described by the metes and bounds legal description dated November 7, 2022, last revised January 12, 2023, prepared for Applebrook Associates by Chester Valley Engineers, Inc., Civil Engineers and Land Surveyors, attached hereto as Exhibit "D", which the Grantee shall have the perpetual right and privilege of using for the following uses and purposes, subject to the land use approvals granted by the Grantor, and at the Grantee's sole cost and expense:

- a. Construction of buildings and structures within the Access and Maintenance Easement for uses associated with the Golf Club Turf Maintenance Facility, including Facility offices, storage of materials, vehicles and equipment, and storage of weed control and turf management chemicals and fertilizers; and
- b. Stormwater management infrastructure and dedicated wash water system to manage runoff from washing equipment through a collection, filtration and recycling system; and
- c. Erection of signs, lights, parking as limited herein, loading areas, fuel tanks, movable dumpsters and landscaping; and
- d. Electric charging stations allowing use of electric and hybrid vehicles for golf course maintenance; and

- e. Storage of materials, including sand, mulch and top soil required to maintain the golf course, all of which are subject to the following Covenants, Restrictions and Conditions.

7. The first sentence of paragraph No. 5 on page 6 of the Easement Agreement and Declaration of Covenants and Restrictions requiring approval of the Board of Supervisors for storage or use of hazardous materials on the Easement Area is DELETED.

8. During the term of this Easement Agreement, the Grantee shall, at its sole cost and expense, maintain the following insurance coverages on the Easement Area, **including the buildings and facilities constructed and maintained by the Grantee located within the Easement Area**, for its benefit and the benefit of the Grantor. Comprehensive general liability insurance in the amount of not less the Five Million (\$5,000,000.00) Dollars, U.S. currency, covering injury and damage to persons and property and naming the Grantor, its successors and assigns, as an additional insured. Original or duplicate policy naming the Grantor as an additional insured shall be delivered to the Grantor by the Grantee at Closing and shall have a term of not less than one (1) year and shall be renewable at least annually. Each such policy shall include a provision that such policy will not be canceled, altered or in any way limited in coverage or reduced in amount unless the Grantor is notified in writing at least thirty (30) days prior to such cancellation or change. Each insurance policy will be written on such forms as are reasonably acceptable to Grantor by one or more insurance companies authorized or licensed to do business in the Commonwealth of Pennsylvania and having an Alfred M. Best Company, Inc. rating of "A" or higher.



9. During the term of the Easement Agreement, the Grantee shall be solely liable for and the responsible party to pay, and shall timely pay all real estate taxes, Local, County and School District, imposed on the buildings located within the Easement Area and required to be paid by any such taxing authority; further, the Grantee shall indemnify and save harmless the Township from all such tax liability, including any suit, demand, claim, cause of action, loss or liability, and all court and tax collection costs, including reasonable attorney's fees, resulting from the Grantee's failure to timely pay such taxes.

10. Except as revised by this Amendment, the "Easement Agreement and Declaration of Covenants and Restrictions", dated December 19, 2002 recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania, in Record Book 5520, Page 1523 remains unchanged and shall remain in full force and effect.

**REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Easement Agreement and Declaration of Covenants and Restrictions as of the day and date first written above, which shall be its Effective Date.

ATTEST: **TOWNSHIP OF EAST GOSHEN**

\_\_\_\_\_ By: \_\_\_\_\_, Chairman

ATTEST: **APPLEBROOK ASSOCIATES, LLC**

\_\_\_\_\_ By: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA :  
 : ss.  
COUNTY OF CHESTER :

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me,  
the undersigned officer, personally appeared \_\_\_\_\_  
who acknowledged him/herself to be the Chairman of the Board of Supervisors of **East  
Goshen Township**, and that (s)he, being authorized to do so, executed the within  
instrument for the purposes therein contained.

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

\_\_\_\_\_  
Notary Public

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA :  
 : ss.  
COUNTY OF CHESTER :

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me,  
the undersigned officer, personally appeared \_\_\_\_\_,  
the \_\_\_\_\_ of **Applebrook Associates LLC**, a Pennsylvania Limited  
Liability Company, known to me or satisfactorily proven, to be the person whose name is  
subscribed to the foregoing instrument, and acknowledged that (s)he is authorized to  
execute the foregoing on behalf of the corporation, and that (s)he executed the same for  
the purposes therein contained.

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

\_\_\_\_\_  
Notary Public

My Commission Expires:

# Memorandum

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**East Goshen Township**  
**1580 Paoli Pike**  
**West Chester, PA 19380**  
Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [dbrady@eastgoshen.org](mailto:dbrady@eastgoshen.org)


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Date: April 26, 2023  
To: Board of Supervisors  
From: Duane J. Brady Sr., Township Zoning Officer  
Re: Applebrook LD / Turf Maintenance Area

Dear Board of Supervisors,

At their meeting on Tuesday April 25, 2023, the Planning Commission voted 4-0 in favor of the Applebrook Golf Club Turf Maintenance project with the following conditions:

1. Township Engineer third submission letter dated March 24, 2023, all unresolved and comment items be answered to the Townships satisfaction.
2. That the Chester County Conservation District NPDES permit review be completed and provided before the building permit can be issued.

Sincerely,  
  
Duane J. Brady Sr.  
East Goshen Township  
Zoning Officer

**BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP  
CHESTER COUNTY  
1580 PAOLI PIKE, WEST CHESTER, PA 19380  
(610) 692-7171  
[codes@eastgoshen.org](mailto:codes@eastgoshen.org)**

**Date:** 4-20-2023  
**To:** Planning Commission  
**From:** Duane J. Brady Sr., Township Zoning Officer  
**Re:** Applebrook Golf Club Turf Maintenance Area  
Preliminary/Final Land Development  
Pennoni 3<sup>rd</sup> Submission Letter – Zoning Officer Comments

Dear Planning Commission,

In his third submission letter Township Engineer Nathan M. Cline requested the Township Zoning Officer Duane J. Brady Sr. and Township Solicitor Mark Thompson to review the following comments:

1. Zoning number 1. Resolved, the buildings are considered accessory uses to the golf course.
2. Zoning number 2. Resolved, the building setbacks do not apply as the buildings are accessory uses to the golf course.
3. Zoning number 3. Resolved, the building setbacks do not apply as the buildings are accessory uses to the golf course.
4. Zoning number 6. Resolved, the buffer yard requirement does not apply as the buildings are accessory uses to the golf course.
5. Zoning number 10. Resolved, reviewed, and approved by the Township Solicitor.
6. Subdivision number 13. Resolved, an additional signature block is not required by the Township Solicitor.
7. Subdivision number 17. Resolved, reviewed by Township Solicitor and is covered by other documents.

Respectfully,



Duane J. Brady Sr.  
East Goshen Township  
Director of Codes and Zoning  
Deputy Fire Marshal



**BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP  
CHESTER COUNTY  
1580 PAOLI PIKE, WEST CHESTER, PA 19380  
(610) 692-7171  
[codes@eastgoshen.org](mailto:codes@eastgoshen.org)**

**Date:** 4-20-2023  
**To:** Planning Commission  
**From:** Duane J. Brady Sr., Township Zoning Officer  
**Re:** Applebrook Golf Club Turf Maintenance Area ([Amended Letter 4-25-2023](#))  
Preliminary/Final Land Development  
Pennoni 3<sup>rd</sup> Submission Letter – Zoning Officer Comments

Dear Planning Commission,

In his third submission letter Township Engineer Nathan M. Cline requested the Township Zoning Officer Duane J. Brady Sr. and Township Solicitor Mark Thompson to review the following comments:

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3. Zoning number 3. Resolved, the building setbacks do not apply as the buildings are accessory uses to the golf course.
4. Zoning number 6. Resolved, the buffer yard requirement does not apply as the buildings are accessory uses to the golf course.
5. Zoning number 10. Resolved, reviewed, and approved by the Township Solicitor.
6. Subdivision number 13. Resolved, an additional signature block is not required by the Township Solicitor.
7. Subdivision number 17. Resolved, reviewed by Township Solicitor, and is covered by other documents.

Other pertinent information for this application:

1. Applebrook has revised its Easement Agreement with the Township to modify the Easement Area and to permit Applebrook to construct new buildings within on Township owned property within the revised Easement Area. The proposed Amendment to Easement Agreement was reviewed and approved by the Township Solicitor.
2. Township Engineer review letter dated 3-24-2023 noted three items that still need to be completed:
  - a. Number 19 NPDES Permit has been submitted to the Chester County Conservation District and a copy will be provided to the Township when completed.

- b. Number 20 the applicant has revised the stormwater management design to include leaf guards.
- c. Number 30 Leaf Guards will be installed on all downspouts. A detail of the proposed leaf guards should be added to the plans.
- d. The applicant has provided a time extension as requested. The new Drop-Dead Date for the Board of Supervisors to act is June 7, 2023.


The Township Staff has reviewed the project and makes the following draft motion:

**Draft Motion:**

Mr. Chairman, I move that we recommend that the Applebrook Golf Club Turf Maintenance Area project be forwarded to the Board of Supervisors in favor of the project with the following conditions:

1. Township Engineer third submission letter dated March 24, 2023, all unresolved and comment items be answered to the Townships satisfaction.
2. That the Chester County Conservation District NPDES permit review be completed and provided before the building permit can be issued.

Respectfully,



Duane J. Brady Sr.  
East Goshen Township  
Director of Codes and Zoning  
Deputy Fire Marshal







INITIATIVE IN PRACTICE<sup>®</sup>

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Attorneys at Law  
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610-436-0100 | main  
macelree.com

Brian L. Nagle  
bnagle@macelree.com  
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April 24, 2023

**Via Electronic Mail Only: mthompson@lambmcerlane.com**

Mark Thompson, Esquire  
Lamb McErlane PC  
24 E. Market Street, PO Box 565  
West Chester, PA 19381

**Re: Revised Preliminary/Final Plan  
Applebrook Golf Club – Turf Maintenance Area  
East Goshen Township, Chester County, PA**

Dear Mark,

My client hereby grants a continuance of the time limit provided for in Section 508 of the Municipalities Planning Code, within which the Board of Supervisors must act on the land development plan & application of Applebrook Associates for the Turf Management Golf Course Accessory Buildings' expansion project. The extension granted herewith is through June 7, 2023, as a courtesy, though we believe that the matter should be ready for action by the Board of Supervisors at its May 2, 2023 meeting. Nevertheless, a decision by the Board rendered by June 7, 2023 shall be timely under the forgoing referenced Section 508.

Very truly yours,

Brian L. Nagle

/cfg

cc: Duane Brady, Director of Code Enforcement/Zoning Officer  
[via Electronic Mail Only: [dbrady@eastgoshen.org](mailto:dbrady@eastgoshen.org)]  
Applebrook Associates [via Electronic Mail Only]

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**EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PA**

**SUBDIVISION AND / OR LAND DEVELOPMENT APPLICATION**

Date Filed: \_\_\_\_\_

Application for (Circle one):

☐ Subdivision ☒ Land Development ☐ Subdivision & Land Development

A. Application is hereby made by the undersigned for approval of a Subdivision and or Land Development Plan, more particularly described below.

1. Applicant's name: Applebrook Golf Club c/o Jared Viarengo

Address: 100 Line Road, Malvern, PA 19355 Phone: 610-647-7666 x10

Fax: \_\_\_\_\_ Email: jviarengo@applebrookgolfclub.com

2. Name and address of present owner (if other than 1. above)

Name: East Goshen Township

Address: 1580 Paoli Pike, West Chester, PA 19380 Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

3. Location of plan: Paoli Pike and Hibbard Lane

4. Proposed name of plan: Applebrook Golf Club - Turf Maintenance Area

5. County Tax Parcel No.: 53-4-89.1 Zoning District: I-2

6. Area of proposed plan (ac.): 1.4 Number of lots: 1

7. Area of open space (ac.): 0 Ac.

8. Type of structures to be constructed: Facilities to house and repair golf course maintenance equipment

9. What provisions are to be made for water supply and sanitary sewer? \_\_\_\_\_

Existing well water service and existing sanitary sewer service to remain

10. Linear feet of road to be constructed: 0

11. Name of Engineer: Chester Valley Engineer, Inc.

Phone Number: 610-644-4623 x122 Fax: 610-889-3143

Email address: bmackay@chesterv.com

**EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA  
SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION**

12. Name of Land Planner: N/A

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_


Email address: \_\_\_\_\_

- B. I/We agree to reimburse the Township of East Goshen for such fees and expenses the Township may incur for the services of an Engineer(s) in investigations, tests, and review in relation to the Subdivision Plan.
- C. I/We agree to post financial security for the improvements depicted on the Subdivision and or land Development Plan pursuant to the Subdivision and Land Development Ordinance.
- D. I/We agree to reimburse the Township of East Goshen for all inspection fees at the actual cost to Township.

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**NOTICE**

The Township requires an Occupancy Permit before any building can be occupied; no Occupancy Permit will be issued until final inspection and approved by the Zoning Officer and Building Inspector.

  
\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Applicant Signature

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**Administrative Use**

Fees received from applicant \$ \_\_\_\_\_ basic fee, plus \$ \_\_\_\_\_ per lot

For \_\_\_\_\_ lots = \$ \_\_\_\_\_.

Application and plan received by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Application accepted as complete on: \_\_\_\_\_  
(Date)

**EAST GOSHEN TOWNSHIP, CHESTER COUNTY PA  
SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION**

**SUBDIVISION AND/OR LAND DEVELOPMENT CHECKLIST**

This checklist outlines the steps and items needed to insure completeness of the application and to insure the application follows the process and conforms to the timeframe outlined by the State of Pennsylvania and East Goshen Township. This checklist is broken into two parts, the Application Process and the Review Process. The application process must be completed in its entirety prior to the advancement into the Review Process.

**\* Review the formal Planning Commission review procedure on page five.**

**Application for (Circle all appropriate):**    ☐ Subdivision ☒ Land Development

**Applicant Information:**

Name of Applicant: Applebrook Golf Club c/o Jared Viarengo

Address: 100 Line Road, Malvern, PA 19355

Telephone Number: 610-647-7776 X10    Fax: \_\_\_\_\_

Email Address: jviarengo@applebrookgolfclub.com

Property Address: Same

**Property Information:**

Owner's Name: East Goshen Township

Address: 1580 Paoli Pike, West Chester, PA 19380

Tax Parcel Number: 53-4-89.1    Zoning District: I-2    Acreage: 1.4

Description of proposed subdivision and or land Development:

Proposal to replace existing buildings for storage and repair of equipment  
for golf course maintenance.

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

www.pennoni.com

March 24, 2023

EGOST 00136

Duane Brady, Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

**RE: Applebrook Golf Club Turf Maintenance Area  
Preliminary/Final Land Development – 3<sup>rd</sup> Submission**

Dear Duane:

As requested, we have reviewed the following information, prepared by Chester Valley Engineers, Inc., in connection with the referenced project:

- “Land Development Plans for Applebrook Golf Club Turf Maintenance Area” (19 sheets), dated July 26, 2022, last revised February 3, 2023;
- “Post-Construction Stormwater Management Report” dated July 26, 2022, last revised October 5, 2022, last revised February 7, 2023;
- Application and supplemental information; and
- Response letter dated February 3, 2023.

The applicant, Applebrook Associates, propose to modify maintenance facility by constructing two (2) new maintenance and storage buildings, new storage bins, and associated parking and stormwater management on UPI #53-4-89.1 (93.1 acres). This parcel is owned by the Township, the existing maintenance facility is located within an access and maintenance easement; 2,614 square feet of additional easement area is proposed. Future building expansions are also indicated. The site is located directly south of the intersection of Paoli Pike (SR 2014) and Hibberd Lane, within the I-2 Planned Business, Research, and Limited Industrial District. The lot is by served by on-site water and public sanitary sewer.

The applicant has requested the following waivers:

1. From §205-01 – To permit the submission of a combined preliminary/final plan;
2. From §205-37.C(7) – To permit 12-inch diameter stormwater pipes;
3. From §205-39 – Requiring a traffic study, as no new traffic will be created;
4. From §205-40 – Requiring a water supply study, as no new water supply will be generated; and
5. From §205-38.10.A(1) – Requiring a Historical Resources Impact Assessment.

We offer the following comments (*new comments in bold/italics*):

#### **ZONING**

1. For the purpose of this review, we considered the buildings as accessory uses to the golf course; however, they are on separate properties. We recommend that the Zoning Officer/Township Solicitor should review the same; note (§340-30.1(C)(1)(g)) and our additional comment below (No. 11).

8. All outdoor storage or truck loading areas shall be completely screened from view from any adjacent public street right-of-way and any residential district which is contiguous to or across the street from the storage or loading areas (§240-27.C(4(a))). Supplemental landscaping to the existing vegetation is provided in some areas; as this site is adjacent to the Township Park, we recommend that the Conservancy Board review further.

*Pending. The applicant has added additional landscaping to screen the buildings from Paoli Pike (Sheet 14); awaiting a review by the Conservancy Board.*

9. The parking, loading, ingress and egress areas shall be provided with sufficient lighting for security purposes (§240-27.C(7(a))). A lighting plan was not provided.

***Resolved. A lighting plan has been provided.***

10. If the applicant is proposing restrictions, easements and/or covenants for the development, they shall be submitted to the Township for review prior to approval of the final development plans (§240-27.F). It our understanding modifications to existing documents are pending.

***Pending. The applicant is awaiting a determination by the Township Zoning Officer and/or Solicitor. The applicant is also requesting a reconfiguration of the existing Easement Area to allow for the expansion of one of the maintenance buildings.***

11. Note maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. (§340-30.1(C)(1)(g)) No further action is required, but it may be appropriate to include this as a note on the plans.

*Resolved. An access note has been added to Sheet 2.*

#### **SUBDIVISION AND LAND DEVELOPMENT**

12. Soil types should be added to the plans. (§205-27.B(10)).

*Resolved. A note regarding the soil types is located on Sheet 2, General Note 8.*

13. The plans shall clearly indicate the property is owned by East Goshen Township and Applebrook Golf Course has an easement for this portion of the property. (§205-33.B(33)) Further, it is unclear if the Township should be a co-applicant and/or signature blocks provided.

***Pending. The applicant has noted on Sheet 1 that East Goshen Township is the owner of the property. Signature blocks will be signed and executed after a determination has been made by the Township Solicitor regarding which signature blocks are required.***

14. Location and elevation of the bench mark to which contour elevations refer (§205-30.B(8)).

*Resolved. The information has been added to General Note 5 on Sheet 2.*

15. A certification of ownership shall be signed and notarized by the owner(s) of the property. (§205-33.B(17)).

*Resolved. The existing well has been located on the plans.*

24. Please indicate the existing sanitary sewer connection.

*Resolved. The approximate location of the existing sanitary line appears on the plans.*

25. An existing septic tank is indicated; please clarify if this is to be removed.

*Resolved. The object has been correctly identified as a manhole which contains the existing sanitary pump.*

26. The plan is subject to Fire Marshall/Emergency Management review.

***No action required.***

We off the following additional comments regarding Stormwater:

27. It is unclear whether the design meets the requirements of §195-19 – Water quality and runoff volume. The predeveloped 2-year volume appears to be 6,670 CF (W.S. 4, p. 76) while the post-developed 2-year volume appears to be 6,932 CF (Link 9L, p. 27) The applicant should clarify the runoff volumes.

***Resolved. The applicant has provided a worksheet which clarifies compliance with §195-19.***

28. The design appears to meet the volume requirements of §195-20 - Infiltration.

***No action required.***

29. The infiltration BMP does not appear to have the required 2-foot separation to a limiting zone. The bottom of stone is 392.50' while the bottom of the test pit (limiting zone) appears to be 319.0'. (§195-20.J(1))

***Resolved.***

30. Where roof drains are designed to discharge to infiltration practices, they shall have appropriate measures to prevent clogging by unwanted debris (for example, silt, leaves and vegetation). Such measures shall include but are not limited to leaf traps, gutter guards and cleanouts. (§195-20.O)

***Pending. A note has been added to Sheet 11 indicating that Leaf Guards will be installed on all downspouts. A detail of the proposed Leaf Guard should be added to the plans.***

31. The design appears to meet the requirements of §195-22 - Stormwater peak rate control.

***No action required.***

32. The applicant has requested a waiver from the requirements of §205-37.C(7) to permit 12-inch diameter stormwater pipes. (§195-25) We have no technical objection to this waiver request.

***No action required.***

33. The statement and signature block required by §195-27.A(3) & (5) should be relocated from the Utility Plan to the PCSM plan to be recorded.



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

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March 24, 2023

EGOST 00136

Duane Brady, Zoning Officer  
East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

**RE: Applebrook Golf Club Turf Maintenance Area  
Preliminary/Final Land Development – 3<sup>rd</sup> Submission**

Dear Duane:

As requested, we have reviewed the following information, prepared by Chester Valley Engineers, Inc., in connection with the referenced project:

- *"Land Development Plans for Applebrook Golf Club Turf Maintenance Area"* (19 sheets), dated July 26, 2022, last revised February 3, 2023;
- *"Post-Construction Stormwater Management Report"* dated July 26, 2022, last revised October 5, 2022, last revised February 7, 2023;
- Application and supplemental information; and
- Response letter dated February 3, 2023.

The applicant, Applebrook Associates, propose to modify maintenance facility by constructing two (2) new maintenance and storage buildings, new storage bins, and associated parking and stormwater management on UPI #53-4-89.1 (93.1 acres). This parcel is owned by the Township, the existing maintenance facility is located within an access and maintenance easement; 2,614 square feet of additional easement area is proposed. Future building expansions are also indicated. The site is located directly south of the intersection of Paoli Pike (SR 2014) and Hibberd Lane, within the I-2 Planned Business, Research, and Limited Industrial District. The lot is by served by on-site water and public sanitary sewer.

The applicant has requested the following waivers:

1. From §205-01 – To permit the submission of a combined preliminary/final plan;
2. From §205-37.C(7) – To permit 12-inch diameter stormwater pipes;
3. From §205-39 – Requiring a traffic study, as no new traffic will be created;
4. From §205-40 – Requiring a water supply study, as no new water supply will be generated; and
5. From §205-38.10.A(1) – Requiring a Historical Resources Impact Assessment.

We offer the following comments (*new comments in bold/italics*):

#### **ZONING**

1. For the purpose of this review, we considered the buildings as accessory uses to the golf course; however, they are on separate properties. We recommend that the Zoning Officer/Township Solicitor should review the same; note (§340-30.1(C)(1)(g)) and our additional comment below (No. 11).



***Pending. The applicant has indicated that "accessory building" to the golf course is the correct determination of the proposed building. We still recommend a determination by the Township Zoning Officer and/or Solicitor.***

2. Per §240-20.B, a perimeter building setback is required due to its proximity to Paoli Pike. However, §240-20.F(1) & §240-20.F(2)(c) indicate the perimeter building setback requirement is not applicable for a planned golf course development. It is unclear if the proposed work is considered a planned golf course development and thus not required. We recommend that the Zoning Officer/Township Solicitor should review further.

***Pending. The applicant has indicated that "accessory building" to the golf course is the correct determination of the proposed building, and that the building setback does not apply. We still recommend a determination by the Township Zoning Officer and/or Solicitor.***

3. Per §240-20.F(3)(c), a front yard setback of 50 feet is required. There appear to be areas where this setback from Hibbard Lane is not met; however, it is unclear if this requirement applies to Hibbard Lane. We recommend that the Zoning Officer/Township Solicitor review further.

*Pending. The applicant is awaiting a determination by the Township Zoning Officer and/or Solicitor.*

4. New structures shall incorporate a complete visual screen for all rooftop structures (except roof-mounted solar panels), including but not limited to, heat pumps, cooling towers and other mechanical equipment. All rooftop structures (except roof-mounted solar panels) shall be screened from view by a single piece of the building structure which is aesthetically compatible in design, materials and color with the building facade, and which is at least equal in height to the highest rooftop structure. (§240-20.H(1))

Resolved. No mechanical equipment is being proposed on the roof tops at this time.

5. All outdoor storage facilities for fuel, raw materials and products stored outdoors shall be enclosed by a fence of a type, construction and size as shall be adequate to protect and conceal the facilities from any adjacent properties. Fencing shall not only encompass the question of safety, but also of screening, and the screening shall preferably be evergreens. All national Occupational Safety and Health Administration (OSHA) regulations shall be met (§240-24.E(2)).

Resolved. Additional fencing has been added to the southern portion of the lot (Sheet 4). A fence detail has been added to the plans (Sheet 6).

6. Buffer yards are required to be provided as part of any new or expanded development of a principal commercial use, principal industrial use, townhouse development or apartment development along any lot line that would be contiguous to lot(s) within a residential district. Also, any outside industrial storage area visible from a lot in a residential district shall be separated by a buffer yard from such lot. (§240-27.C(2)). It is unclear if this section is applicable.

Pending. The applicant is awaiting a determination by the Township Zoning Officer and/or Solicitor.

7. Landscaped plant screening shall be provided in each buffer yard. This screening shall be composed of mostly evergreen shrubs and trees arranged to form both a low-level and a high-level screen (§240-27.C(3(a))). Supplemental landscaping to the existing vegetation is provided in some areas; as this site is adjacent to the Township Park, we recommend that the Conservancy Board review further.

Pending. The applicant is awaiting a review by the Conservancy Board.

8. All outdoor storage or truck loading areas shall be completely screened from view from any adjacent public street right-of-way and any residential district which is contiguous to or across the street from the storage or loading areas (§240-27.C(4(a))). Supplemental landscaping to the existing vegetation is provided in some areas; as this site is adjacent to the Township Park, we recommend that the Conservancy Board review further.

*Pending. The applicant has added additional landscaping to screen the buildings from Paoli Pike (Sheet 14); awaiting a review by the Conservancy Board.*

9. The parking, loading, ingress and egress areas shall be provided with sufficient lighting for security purposes (§240-27.C(7(a))). A lighting plan was not provided.

***Resolved. A lighting plan has been provided.***

10. If the applicant is proposing restrictions, easements and/or covenants for the development, they shall be submitted to the Township for review prior to approval of the final development plans (§240-27.F). If our understanding modifications to existing documents are pending.

***Pending. The applicant is awaiting a determination by the Township Zoning Officer and/or Solicitor. The applicant is also requesting a reconfiguration of the existing Easement Area to allow for the expansion of one of the maintenance buildings.***

11. Note maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. (§340-30.1(C)(1)(g)) No further action is required, but it may be appropriate to include this as a note on the plans.

***Resolved. An access note has been added to Sheet 2.***

#### **SUBDIVISION AND LAND DEVELOPMENT**

12. Soil types should be added to the plans. (§205-27.B(10)).

***Resolved. A note regarding the soil types is located on Sheet 2, General Note 8.***

13. The plans shall clearly indicate the property is owned by East Goshen Township and Applebrook Golf Course has an easement for this portion of the property. (§205-33.B(33)) Further, it is unclear if the Township should be a co-applicant and/or signature blocks provided.

***Pending. The applicant has noted on Sheet 1 that East Goshen Township is the owner of the property. Signature blocks will be signed and executed after a determination has been made by the Township Solicitor regarding which signature blocks are required.***

14. Location and elevation of the bench mark to which contour elevations refer (§205-30.B(8)).

***Resolved. The information has been added to General Note 5 on Sheet 2.***

15. A certification of ownership shall be signed and notarized by the owner(s) of the property. (§205-33.B(17)).

*Pending. The applicant has indicated that this will be executed at the time of the final plan.*

16. The applicant shall provide the Township with either of the following as appropriate prior to recordation of the final plan: A copy of the letter from the Department of Environmental Protection approving the Act 537 planning module for the project, a copy of the letter from the Department of Environmental Protection approving the exemption from the requirement to prepare the Act 537 planning module, or a copy of the letter from the Department of Environmental Protection approving the Form B waiver for the project (§205-33.B(22)).

***Resolved. See September 22, 2022 PADEP correspondence that planning is not required.***

17. Such private deed restrictions and/or a statement of any restrictions previously imposed in accordance with §205-33.C(2).

***Pending. The applicant is awaiting a determination by the Township Zoning Officer and/or Solicitor.***

#### **STORMWATER MANAGEMENT**

18. The site plan includes a vehicle fueling station which is considered a stormwater hotspot, in addition to a wash station and materials storage. Please include appropriate pretreatment for the proposed infiltration BMP. (§195-15.N(2))

***Resolved. The applicant has indicated inlet filters as pretreatment.***

19. The disturbed area appears to be greater than one (1) acre; therefore, an NPDES permit is required. Please include the Township and our office in all correspondence and/or meetings with the Conservation District. (§195-17.A(1)(b)) As the Township owns the property, they may be required to be the applicant or co-applicant.

***Pending. The applicant has stated a NPDES Permit will be submitted to the Chester County Conservation District and will provide a copy to the Township.***

20. Per recent discussions with the design engineer, they indicated that the stormwater management design is being revised due to soils testing results and a pending revision to one of the buildings. We will review the stormwater management when the revised plans are submitted.

***Pending. The applicant has revised the stormwater management design; see additional comments below.***

#### **GENERAL**

21. The plans appear to show an easement or right-of-way from Paoli Pike along the southern portion of site. The proposed administration/maintenance/equipment storage building extends into this area.

***Resolved. The applicant has stated that this was a temporary access easement that was to be extinguished at the time of installation of Hibberd Lane. It has been removed from the plans.***

22. The plan should clarify Hibberd Lane is a private road.

***Resolved. Hibberd Lane has been noted as a private road.***

23. Please indicate the existing well location.

*Resolved. The existing well has been located on the plans.*

24. Please indicate the existing sanitary sewer connection.

*Resolved. The approximate location of the existing sanitary line appears on the plans.*

25. An existing septic tank is indicated; please clarify if this is to be removed.

*Resolved. The object has been correctly identified as a manhole which contains the existing sanitary pump.*

26. The plan is subject to Fire Marshall/Emergency Management review.

***No action required.***

We off the following additional comments regarding Stormwater:

27. It is unclear whether the design meets the requirements of §195-19 – Water quality and runoff volume. The predeveloped 2-year volume appears to be 6,670 CF (W.S. 4, p. 76) while the post-developed 2-year volume appears to be 6,932 CF (Link 9L, p. 27) The applicant should clarify the runoff volumes.

***Resolved. The applicant has provided a worksheet which clarifies compliance with §195-19.***

28. The design appears to meet the volume requirements of §195-20 - Infiltration.

***No action required.***

29. The infiltration BMP does not appear to have the required 2-foot separation to a limiting zone. The bottom of stone is 392.50' while the bottom of the test pit (limiting zone) appears to be 319.0'. (§195-20.J(1))

***Resolved.***

30. Where roof drains are designed to discharge to infiltration practices, they shall have appropriate measures to prevent clogging by unwanted debris (for example, silt, leaves and vegetation). Such measures shall include but are not limited to leaf traps, gutter guards and cleanouts. (§195-20.O)

***Pending. A note has been added to Sheet 11 indicating that Leaf Guards will be installed on all downspouts. A detail of the proposed Leaf Guard should be added to the plans.***

31. The design appears to meet the requirements of §195-22 - Stormwater peak rate control.

***No action required.***

32. The applicant has requested a waiver from the requirements of §205-37.C(7) to permit 12-inch diameter stormwater pipes. (§195-25) We have no technical objection to this waiver request.

***No action required.***

33. The statement and signature block required by §195-27.A(3) & (5) should be relocated from the Utility Plan to the PCSM plan to be recorded.

***Resolved. The noted statement and signature block have been relocated from Sheet 5 to Sheet 11 and 11A.***

34. The predeveloped Time of Concentration (Tc) is the same as the post developed Tc. The predeveloped Tc should be greater than the post-developed. A complete delineation of the flow paths used for calculating the time of concentration for the predevelopment and postconstruction conditions shall be included on the drainage area plans. (§195-27.B(14))

***Resolved. The applicant revised the Tc's and added to flow paths to the drainage area plans.***

35. The applicant has offered a blanket easement to the Township for access to the stormwater management BMP's (§195-39)

***No action required.***

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

Sincerely,

PENNONI



Nathan M. Cline, PE  
Township Engineer

cc (via-email): Derek Davis, Township Manager  
Mark Miller, Public Works  
Bill Christman, Township Solicitor  
Applebrook Associates, c/o Jared Viarengo  
Brian Nagle, Esq.  
Brett MacKay, PE, Chester Valley Engineers

# ***Pipeline Awareness Study***

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*Prepared for:*

## ***Applebrook Golf Club – Turf Maintenance Area***

*East Goshen Township  
Chester County, PA*

*CVE Project No. 20558-0015*

***December 16, 2022***

*Prepared by:*



83 Chestnut Road  
P.O. Box 447  
Paoli, PA 19301  
(610) 644-4623



## **INTRODUCTION**

This Pipeline Awareness Study has been prepared in accordance with the requirements of Section 205-40.1 of the East Goshen Township Subdivision Regulations. This report is being submitted with the Land Development application for the Turf Maintenance Area for Applebrook Golf Club and is based on the information shown on the development plans for this submission.

## **BACKGROUND**

The Applebrook Golf Club is proposing to expand the current Turf Maintenance Facility on their easement on the Township parkland in accordance with Section 240-30.1, Planned Golf Course development of the Township Zoning Ordinance.

Currently, the site includes the maintenance and storage areas for the equipment required to maintain the adjacent golf course as well as a separate storage building that contains materials needed for the golf course maintenance. These buildings were existing on the site at the time that Applebrook Golf course obtained the use of the easement area and the Club has been working with what they had.

The Golf Club is proposing to remove a portion of the existing buildings and construct a new facility that would house new equipment maintenance and storage areas for the equipment needed to maintain the adjacent golf course. In addition, this expansion would include administrative offices and a breakroom for employees. Also, as part of the application, the existing storage building would be expanded.

A Texas Eastern Pipeline right-of-way crosses the Township Park land further south along Paoli Pike. A portion of the Applebrook Turf Maintenance area easement falls within the 660 foot distance from the centerline of the closest pipe. This report has been prepared per the requirements in Section 205-40.1.A(1).

## **SITE DESCRIPTION**

The property is located on the eastern side of Paoli Pike at the intersection with Hibbard Lane. Hibbard Lane is a private road.

The site is within a Township park. The easement area is approximately 1.3 acres in size. The ground slopes from Paoli Pike down towards Hibbard Lane and ultimately the Ridley Creek, on the opposite side of Hibbard Lane from the project site. While the area of the proposed land development includes mature trees and other screening vegetation, there is little vegetation within the existing maintenance yard; the yard area is primarily buildings, paving, gravel and lawn areas. There is a privacy fence running along the Hibbard Road frontage.

As noted in the background section, the buildings currently on the site were former barns

and animal shelters from prior uses. These building are now used to store and maintain the Golf Club's maintenance equipment. There are no defined parking areas within the current maintenance yard; workers park off site. There are also no fire hydrants in the area since there is no public water. The closest hydrant is near the intersection of Hibbard Lane and Grist Mill Lane, approximately 950 feet away from the site.

The uses surrounding the property include the Township park on the eastern and southern sides, the Chester County Chamber of Business and Industry building to the west and single-family residential properties across Paoli Pike to the north.

### **PIPELINE INFORMATION**

The easement is approximately 65 feet in width. According to Texas Eastern representatives:

- There are two pipes in the easement.
- Each pipe is 20" in diameter.
- The pipelines transport natural gas.

### **ASSESSMENT OF POTENTIAL IMPACTS**

The area of the proposed land development is presently used as the maintenance area for the Golf Club, so the proposed project is not introducing any new uses to the site. In addition, there will not be a significant number of employees on the site for the majority of the day. The employees will meet at the Maintenance area, pick up their equipment and then leave to perform maintenance operations on the golf course. On a regular basis, there may only be three or four employees at the facility during the day. At the end of the day, the employees return the equipment to the maintenance area and leave the property. There are no employees at the site overnight.

The buildings will be used to store equipment and materials necessary for the maintenance of the golf course.

### **MITIGATION MEASURES**

Due to the small area involved with the current proposal and the limited number of employees that will be at the facility on a regular basis during the day, mitigation measures involving the building construction are not necessary for this application.

The Club will prepare an Evacuation Plan which will be shared with all employees of the Turf Management facility.





# 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

February 14, 2023

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

Re: Zoning Ordinance Amendment - Accessory Buildings in a Planned Golf Course Development  
# East Goshen Township – ZA-01-23-17533

Dear Mr. Davis:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on January 20, 2023. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. The Township proposes to amend the standards for accessory buildings in a Planned Golf Course Development set forth in Section 240-30.1.C(1)(g) of the Township Zoning Ordinance.

COMMENTS:

2. The proposed ordinance language appears to be appropriate.

**RECOMMENDATION: The County Planning Commission supports the adoption of the proposed zoning ordinance amendment.**

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

Paul Farkas  
Senior Review Planner

# EAST GOSHEN CONSERVANCY

March 2, 2023

To: Planning Commission  
From: Sandy Snyder, Conservancy Board Chair  
Re: Approval of Applebrook Turf Maintenance Plan

---

The Conservancy Board met on February 8, 2023. Bret McKay from Chester Valley Engineers attending the meeting and reviewed the Applebrook Turf Maintenance plan. The Conservancy Board approved the landscape development plan associated with the redevelopment by unanimous vote.

X *Sandy Snyder* /AN  
Sandy Snyder  
Conservancy Board Chair



CHESTER COUNTY  
CONSERVATION DISTRICT

*Conserving Natural Resources for Our Future*

March 27, 2023

**\*\*VIA ELECTRONIC TRANSMISSION\*\***

Applebrook Golf Club  
Attn: Jared Viarengo ([jviarengo@applebrookgolfclub.com](mailto:jviarengo@applebrookgolfclub.com))  
100 Line Road  
Malvern, PA 19355

**Re:    *Completeness Notification Letter***  
***NPDES Permit Application No.: PAD150299***  
***Project Name: Applebrook Golf Club - Turf Maintenance Area***  
***Municipality: East Goshen Township, Chester County***

Dear Mr. Viarengo:

The Chester County Conservation District has reviewed the above-referenced application for completeness and has determined that the application is complete. The District will now proceed with the technical review of the application. During the technical review, the adequacy of the application and its components will be evaluated to determine if sufficient information exists to render a decision on the technical merits of your application.

If you have questions about your application, please contact Shannon Healey, Urban Team Leader, by e-mail at [shealey@chesco.org](mailto:shealey@chesco.org) or by telephone at 610-455-1377.

Sincerely,

Christian E. Strohmaier, Director

cc:    SERO DEP  
      Neal Camens ([ncamens@chesterv.com](mailto:ncamens@chesterv.com))  
      Brett MacKay ([bmackay@chesterv.com](mailto:bmackay@chesterv.com))  
      East Goshen Township





**Chester County  
Parks + Preservation**  
EXPLORE NATURE, HERITAGE, COMMUNITY

**David T. Stauffer**  
Director

February 6, 2023

Mr. Brian L. Nagle  
MacElree Harvey, Ltd  
17 West Miner Street  
West Chester, PA 19382

Dear Mr. Nagle,

Please let this correspondence confirm receipt of the proposed Applebrook Golf Club Turf Maintenance Area Easement Plan dated November 7, 2022, detailing a revised easement area with last revision date of January 12, 2023 (hereinafter "Plan").

After review of the Plan with the County Solicitor, it has been determined that the proposed easement exchange detailed in the Plan does not infringe on the boundaries of the covenants set forth in the Chester County Park Land and Open Space Acquisition Grant dated October 7, 2003, nor does it constitute an additional and/or future restriction upon the land (hereinafter "Conservation Declaration").

Review of other relevant material provided by you indicates approval of this Plan by East Goshen Township as well as the corresponding proposed land development plan will result in additional environmental benefits to the County.

In consideration of the foregoing, Chester County has no objection to the Plan with the understanding that details regarding the Plan which relate to the easement area will be incorporated into any corresponding land development plan and recorded accordingly as they relate to the Conservation Declaration.

Thank you for your attention and please keep me updated regarding further developments in this matter.

Sincerely,

David T. Stauffer, RLA, ASLA  
Director, Chester County Parks + Preservation

CC: Colleen Frens, Chester County Solicitor



**Commissioners**  
Marian D. Moskowitz  
Josh Maxwell  
Michelle Kichline

**Government  
Services Center**  
601 Westtown Road, Suite 390  
West Chester, PA 19380-0990

**Contact Us**  
610-344-5656  
chescoparkspres.org  
parkspres@chesco.org

**EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**Ordinance No. 129-A-2023**

**AN ORDINANCE OF THE TOWNSHIP OF EAST  
GOSHEN, CHESTER COUNTY, PENNSYLVANIA,  
AMENDING THE ZONING ORDINANCE, CHAPTER  
240, TO REVISE THE REQUIREMENTS FOR  
ACCESSORY BUILDINGS IN A PLANNED GOLF  
COURSE DEVELOPMENT.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of East Goshen Township that the East Goshen Township Code of Ordinances, as amended, is hereby further amended as follows:

**SECTION 1.** Section 240-30.1.C(1)(g) of the Code of Ordinances, titled "Planned Golf Course Development", is hereby amended to read as follows:

(g) Accessory buildings. Maintenance buildings for storage and maintenance of equipment directly related to the golf course use may be located off site on property contiguous to the golf course, provided that there is direct access to and from the accessory buildings to the golf course over a private street or driveway serving the golf course and a subdivision plan of the off-site property is approved by the Board of Supervisors. In such case:

[1] Accessory buildings may be located on a "footprint lot" which, for purposes of this provision, is defined to mean the perimeter of the existing or proposed building coincident with the building's foundation and outer walls; provided, where a part of an existing building that is located on a footprint lot is proposed to be demolished and reconstructed, in whole or in part, and expanded beyond the boundary of the footprint lot, the area of any such existing building expansion may be located within any contiguous permanent easement area that has been deeded in perpetuity to the owner of the footprint lot and constitutes a permanent part of the golf course maintenance facility. In either case, the provision of Subsection C(1)(~~g~~)[2] shall apply.

[2] Footprint lots. When the maintenance building is proposed to be located on a footprint lot, or within any portion of a contiguous permanent easement area deeded in perpetuity to the owner of the footprint lot, the subdivision or land development plan depicting the building or buildings, as reconstructed or expanded, shall demonstrate that there is sufficient area on the parent lot from which the footprint lot is being subdivided, or has previously been subdivided, without violation of any setback encroachments from the boundaries of the parent lot, to contain the required parking, shared access to the footprint lot and permanent easement, storm water management, if any, and utilities within a shared easement area of not less than 24,000 square feet per building; the footprint lot and the expanded building shall comply with the front, rear and side yard requirements for the



parent lot set forth in § 240-20F(3), except the building(s) shall be limited to one story and shall not exceed 20 feet in height; the owner of the parent lot shall retain the right to use the parent lot for all purposes not inconsistent with the shared easement; unless already in effect, the subdivision and/or land development application shall be accompanied by a declaration of covenants, easements and restrictions which provides for and defines the shared access, parking and utility usage in common with the owner of the parent lot and the rights and obligations of the parties with respect thereto, in form and content acceptable to the Township Solicitor, which shall be recorded with the approved final land development or subdivision plan.

**SECTION 2.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

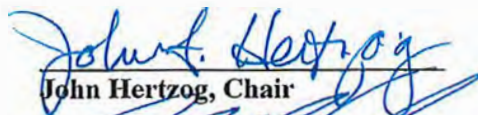
**SECTION 3.** General Code is hereby authorized to make any necessary formatting and numbering changes needed in order for this Ordinance to be made consistent with the formatting and numbering standards applicable to the East Goshen Township Code of Ordinances as published by General Code.

**SECTION 4.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.


**SECTION 5.** This Ordinance shall become effective five days after enactment.

**ENACTED and ORDAINED** this 7th day of March, 2023.

**BOARD OF SUPERVISORS  
EAST GOSHEN TOWNSHIP**

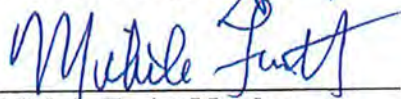
  
John Hertzog, Chair

  
Michael Lynch, Vice Chair

  
Cody Bright, Member

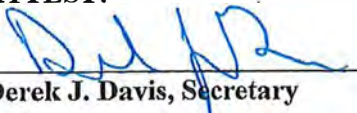


**David E. Shuey, Member**



**Michele Truitt, Member**

**ATTEST:**



**Derek J. Davis, Secretary**