

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Tuesday, August 22, 2023
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. July 25, 2025, Meeting Canceled.**
 - 2. June 27, 2023**
- F. Subdivision and Land Development Applications
 - 1. 14 Reservoir Road Residential Subdivision – (No Action Required)**
 - 2. Millstone Meadows SD – (Initial Presentation)**
- G. Conditional Uses and Variances
- H. Zoning Hearing Board Variances
- I. Ordinance Amendments
- J. Old Business
 - 1. The Malvern Institute – Update – No Action Required**
 - 2. 1671 & 1681 East Strasburg Road – Sewage Facilities Planning Module Review.**
Change was made by contractor to remove temporary residential activity in barn.
- K. New Business
- L. Liaison Reports
- M. Correspondence
- N. Announcements
- O. Next Meeting – **September 26, 2023, at 7pm.**

Bold Items indicate new information to review or discuss.

DRAFT
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
June 27, 2023

The East Goshen Township Planning Commission held their regular monthly meeting on Tuesday, June 27, 2023 in the Township Building.

Members present are highlighted:

Chair – Ernest Harkness

Vice Chair – John Stipe

Dan Daley

Michael Koza

Mark Levy

Michael Pagnanelli

Fred Pioggia

Also present was:

Duane Brady, Zoning Officer

Derek Davis, Township Manager

Nathan Cline, Township Engineer

David Shuey, Township Supervisor

Michael Lynch, Township Supervisor

COMMON ACRONYMS:

BOS – Board of Supervisors

BC – Brandywine Conservancy

CB – Conservancy Board

CCPC – Chester Co Planning Commission

CPTF – Comprehensive Plan Task Force

CVS – Community Visioning Session

SWM – Storm Water Management

ZHB – Zoning Hearing Board

FORMAL MEETING – 7 p.m.

1. John 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 first responders, police, and military.
2. John asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
3. The tracking log was checked and no need for a workshop meeting.
4. The minutes of the May 23, 2023 meeting were approved.

CHAIRMAN’S REPORT

None

SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS

1. 14 Reservoir Road, Residential Subdivision – No action needed

2. Millstone Meadows SD- Initial submission (Miller Property) – Duane commented that they will update the plan after all of the review letters are received. So far, the township engineer’s first review letter was received and the Chester County Planning Commission review letter was received.

CONDITIONAL USES AND VARIANCES

1. 905 Airport Road – (Conditional Use application closed).

ZONING HEARING BOARD VARIANCES

None

1
2 **ORDINANCE AMENDMENTS**

3 None

4
5 **OLD BUSINESS**

6 1. The Malvern Institute – No action required.

7
8 **NEW BUSINESS –**

9 1. 1671 & 1681 East Strasburg Road - Sewage facilities planning module review. Duane explained that
10 it was too expensive to install a sewer line directly to the plant so they are working on onsite facilities. It
11 will go to the Chester County Planning Commission, then to our Municipal Authority and then to the
12 Board of Supervisors. He explained that it is a 5 bedroom house and a barn with living quarters above it
13 for staff who will take care of the horses. There was discussion that this may be a business.
14 Dan moved to forward the plan to the Board of Supervisors with conditional approval of the township
15 staff review for compliance with applicable zoning. Mark seconded the motion. The motion passed
16 unanimously.

17
18 2. 1425 Cooper Circle – Property owner Tyler Simches made a presentation. They bought the property 7
19 years ago and have done extensive renovations. The shed at the end of the driveway is rotting. They
20 want to replace the shed. The current shed is 140 sq.ft. The new one will be 28 sq.ft. larger. The current
21 shed is 7 ½ ft. tall. The new shed is 12 ft. tall. He is asking for a variance to install the new 168 sq.ft.
22 shed. Duane explained that they are requesting 5 ft. of relief from the setback. Setbacks were discussed.
23 Mr. Simches mentioned that a tree fell on the house last year so all of the trees were removed. The
24 neighbors are okay with the plan. The Board of Supervisors reviewed the plan and took a neutral
25 position.
26 Dan moved to take a neutral position with no further comments. Mark seconded the motion. The motion
27 passed unanimously.

28
29 **LIAISON REPORTS -**

30 1. Board of Supervisors – Michael Lynch reported that the BOS will be receiving bids for the Milltown
31 Dam project with an estimated range of \$4.2 million. The Township will apply for grants. He mentioned
32 that the Comprehensive Plan needs to be reviewed every 10 years. The last review was in 2015. He
33 asked the Planning Commission members to take a look at it and make any comments on things they
34 think should be updated. He spoke about all of the components of the plan and recommended discussing
35 a few chapters at each meeting for the next 4-5 months.

36
37 **ANY OTHER MATTER –**

38 None

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40 **CORRESPONDENCE -** None

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42 **ADJOURNMENT**

43 There being no further business, Dan made a motion to adjourn the meeting. Mark seconded the motion.
44 The meeting was adjourned at 8:10 pm. The next regular meeting will be held on Tuesday, July 25, 2023
45 at 7:00 pm.

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48 Respectfully submitted,

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Ruth Kiefer, Recording Secretary

East Goshen Township Planning Commission
Application Tracking Log

July 6, 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 MUST Act Date (70-Days)	BOS Must Act Date (90-Days)	Hearing Date	Drop Dead date	Comments
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													
14 Reservoir Road	SD	P	9/28/2022	9/28/2022	10-12-2022	10/19/2022		3/14/2023 5-28-2023 8-28-2023				5/28/2023	5-23-2023 Presentation for SD The Township Engineer review letter was received on 6-8-2023. The CCPC review letter was received on 6-7-2023. The Township Park & Recreation Board decline to review application. The following reviews are still in process. Historical, Fire Marshal, Zoning Officer, Municipal Authority, Conservancy.
Millstone Meadows SD 1010 Hershey Mill Road	SD	P	5/16/2023	5/16/2023		5/5/2023		7/15/23	10/25/2023	10/25/2023			PC made rec to BOS for Prelim App on June 1 2022 ZHB Decision was 3 years for building permits for Vertical Building 11.25.2023 ZHB Decision was 4 years for building permits for Barn Renovations Building 11.25.2024
Malvern Institute	LD	P	6/28/2021	7/1/2021	6/30/2021	6/29/2021	8/13/2021	(5) 7-31-2022	2/2/2022	2/15/2022	NA	2/28/2022	
PROJECTS COMPLETED IN 2023													
901 Sorrell Hill Drive	ZDV	A	2/17/2023	2/17/2023	NA	NA	3/16/2023	NA	3/28/2023	4/4/2023	4/12/2023	4/17/2023	ZHB Granted Request - Closed
301 Reservoir Road	SD	Sk	11/17/2022	11/17/2022	11/17/2022	NA	NA	NA	NA	NA	NA	NA	5-16-2023 Owner closed SK Plan review by email.
1010 Hershey Mill Road, Miller	CU	S	8/30/2022	8/30/2022	8/2/2022	NA	10/12/2022	2/17/23	12/7/2022	1/17/2023	11/15/2022	1/17/2023	Second hearing on 1-17-2023 Application was Granted with Conditions on 3-7-2023 Application Closed) CU (CU
Applebrook Golf Club	LD	P	7/27/2022	7/27/2022	8/17/2022	8/29/2022	NA	2/28/2023 4-30-2023	4/25/2023	5/2/2023	5/2/2023	6/7/2023	4-25-2023 Preliminary/Final Land Development Presentation. 5-2-2023 BOS Approved the LD. Application Closed) (LD
905 Airport Road	CU	Amend	1/24/2023	1/24/2023	NA	NA	2-12-2023	NA			3/21/2023	3/24/2023	BOS Approved waiting for signatures. CU Signed on May 2, 2023, CU Closed.

Memorandum

**East Goshen Township
1580 Paoli Pike
West Chester, PA 19380**

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

Date: 8-17-2023
To: Planning Commission
From: Duane J. Brady Sr., East Goshen Township Zoning Officer
Re: **1010 Hershey Mill Road / Millstone Meadows
Preliminary/Final Subdivision and Land Development
Residential Open Space Development/Initial Presentation Letter**

Dear Board Commissioner,

This letter is to list the information included in the Planning Commission Packet for the August 22, 2023, meeting.

The following information is attached:

- ❖ A July 15, 2023, 90-day extension letter approving a new drop-dead date of October 25, 2023.
- ❖ Township Engineer first review letter dated June 8, 2023.
- ❖ Township Zoning Officer application filing letter dated May 29, 2023.
- ❖ Township Conservancy Board review letter dated August 16, 2023.
- ❖ Subdivision Application dated May 16, 2023.
- ❖ Township Fire Marshal review letter dated July 16, 2023.
- ❖ Township Zoning Officer review letter for the Historic Resource Impact Study dated July 14, 2023.
- ❖ Township Municipal Authority letter dated April 18, 2023.
- ❖ Chester County Planning Commission letter dated June 7, 2023.
- ❖ Township Conditional Use approval dated March 8, 2023.
- ❖ Aqua water availability confirmation letter dated June 22, 2023.
- ❖ DH Enterprises second submission letter dated July 25, 2023.
- ❖ DH Enterprises second submission flood plain plan dated July 25, 2023.
- ❖ DH Enterprises second submission post-development plans revision date July 25, 2023.
- ❖ DH Enterprises second submission preliminary/final plans revision date July 25, 2023.
- ❖ Also, noted as received are the post-construction storm water management report and the flood plain study report. Both reports are large and available upon request.

Sincerely,



Duane J. Brady Sr.
East Goshen Township
Zoning Officer



June 22, 2023

Michael Hartman, P.E., LEED AP
Dh Enterprises
2815 Penn Avenue
West Lawn, PA 19609

Re: Water Availability
Millstone Meadows (1010 Hershey Mill Road)
East Goshen Township, Chester County

Dear Mr. Hartman:

This letter will serve as confirmation that the above referenced property is situated within Aqua Pennsylvania Inc.'s ("Aqua") service territory. Service will be provided in accordance with Aqua's Rules and Regulations.

This proposed development will require a main extension for service to be available. The required main extension will originate from Aqua's existing 8-inch main in Tanglewood Drive. A main extension plan, utilizing Aqua plan standards, must be prepared, and submitted to this office for review and approval. Following approval of the main extension design and plan, construction of the main extension project would be completed by the Builder under our standard Builder's Extension Agreement.

Flow data information may be obtained from our Production Department. You may email a request to SEPAflowrequest@aquaamerica.com. Your request must include the address, street, cross street and municipality and all pertinent contact information.

This letter is valid for one year from the date first written above. If I can be of further assistance, you may contact me at 610-645-4230.

Sincerely,

A handwritten signature in black ink that reads "Michael Linkiewicz". The signature is fluid and cursive, with a long, sweeping underline.

Michael Linkiewicz
New Business Representative

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

Date: July 15, 2023

To: T.R. Moser

From: Duane J. Brady Sr., Zoning Officer

RE: 1010 Hershey Mill Road / Millstone Meadow

Preliminary/Final Subdivision and Land Development

Extension of Review Period Request Letter

Mr. Moser, this letter is a request for an extension of the review period for your subdivision plan for 1010 Hershey Mill Road. The extension will be needed as there are outstanding items still needed for the Planning Commission to complete the review process. The must act date for the East Goshen Planning Commission is July 25, 2023.

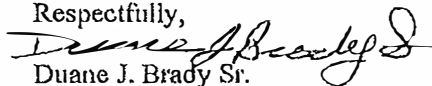
I am requesting you authorize a 90-day extension to the review period. Please understand that this extension doesn't mean that the application referenced will be approved within the period; it only allows East Goshen Township additional time to review the application.

If you are allowing the 90-day extension to the review period, please sign below and return it to me by email no later than Thursday July 20, 2023.

Applicant (Print): Theodore R Moser III

Applicant (Signature): 

Respectfully,



Duane J. Brady Sr.
East Goshen Township
Zoning Officer

June 8, 2023

EGOST 00134

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

**RE: 1010 Hershey Mill Road – Millstone Meadows
Preliminary/Final Subdivision and Land Development Review**

Dear Duane:

As requested, we have reviewed the following information, prepared by dH Enterprises, Inc., regarding the referenced submission:

- *"Preliminary/Final Subdivision and Land Development Plans for Milestone Meadows"* (17 sheets) dated April 20, 2023; and
- *"Post-Construction Stormwater Management Report"* dated April 20, 2023;
- *"Bog Turtle Habitat Assessment"* dated October 21, 2022; and
- Subdivision/Land Development application and transmittal letter.

The applicant and equitable owner, Grove Meadow Developers LLC of Berwyn, on behalf of the owners, Mark & Christine Miller of Wayne, propose to subdivide and develop UPI 53-1-19 (±16.1 acres) with fifteen (15) single-family residential lots per the *Single-Family Open Space Development Option* (§240-36). Two (2) of the lots will be redeveloped utilizing existing buildings and/or historic resources. The parcel is located on the west side of Hershey Mill Road (T-452) approximately 1,950 feet north of its intersection with Greenhill Road, within the *R-2 Low Density Residential District*. The development is proposed to be served by public water supply and public sanitary sewer.

The applicant was granted Conditional Use approval by the Board of Supervisors on March 7, 2023.

CONDITIONAL USE DECISION AND ORDER

1. *The application for a single-family open space development is hereby granted, subject to the conditions hereinafter enumerated.*

No action required.

2. *Pursuant to Section 240-38.6 of the Historic Preservation Ordinance, a modification from Section 210-23.B(2)(B)(2)(C), permitting only one flag lot, is granted to allow two (2) flag lots for the historic resources on the property.*

No action required.

3. *The applicant shall comply with all outstanding comment contained in the Pennoni review letter dated October 27, 2022 (Exhibit B-10), to the satisfaction of the Township Engineer, as amended by this order.*

Outstanding. See updated comments below.

4. *During the subdivision/land development process, the applicant shall adequately address stormwater management, to the satisfaction of the Township Engineer, including but not limited to stormwater conveyances through the site from adjacent stormwater management facilities and any necessary stormwater easements.*

Outstanding. See comments below.

5. *The applicant shall provide to the Township a sanitary sewer and pedestrian access easement approximately located between lots 6 and 7, to the satisfaction of the Township. The pedestrian access easement shall be demarcated by post-and-rail fencing, stone, mulch, grass pavers, or the like. The pedestrian access easement shall be maintained by the Homeowners' Association and will be adequately addressed in the Association's Declaration of Covenants, Conditions and Restrictions (the "Declaration") to the satisfaction of the Township. Notice of the easement shall also be provided to any prospective buyers of lots 6 and 7 prior to execution of an agreement of sale. The applicant shall complete the demarcation of the pedestrian access prior to the issuance of building permits for lots immediately adjacent to the easement area.*

Outstanding. Easement documents, HOA documents, lot owner notification documents, sequence of construction notation and demarcation items have not been provided nor indicated; pedestrian access should be clearly addressed/noted.

6. *The "Central Green" located within the cul-de-sac shall be graded and maintained to allow for active recreation.*

Pending. The applicant has indicated that the "Central Green" will be for active recreation and will be maintained in a grass/mowed cover. See General Note 3 on Sheet 1. This should be further addressed with the Landscape Plan submission.

7. *The applicant shall preserve as much of the existing perimeter vegetation as possible. Any vegetation replaced pursuant to the Ordinance and/or the Township's subdivision and land development ordinance (the "SALDO") shall be replaced with native and deer-resistant materials, wherever possible. Landscaping plans shall be reviewed by the East Goshen Township Conservancy Board and the Township Engineer to ensure compliance with the ordinance and SALDO. Furthermore, the perimeter of the property shall contain a traditional post-and-rail or equivalent fence that reuses the existing concrete posts, where possible.*

Outstanding. Landscape plans shall be provided for review.

8. *The applicant shall design and install a 150' wide riparian forest buffer in accordance with the riparian buffer requirements outlined in 25 PA. Code §102.14 for the portion of stream within the subject property, should the applicant demonstrate to the Township that creation and maintenance of the entire 150' riparian buffer area is not possible for any portion of the property, then the width of the buffer may be reduced by the Board of Supervisors, in their sole discretion, during the subdivision/land development process. Areas of existing woodland may be utilized to meet the riparian buffer requirements; however, these areas shall be reviewed by an arborist or qualified professional to ensure that the composition of plant life meets the requirements outlined. A plan shall be established to remove invasive species within the existing wooded areas and any area of the*

riparian buffer. An operation and maintenance plan shall be developed for the riparian buffer to ensure that this buffer is maintained free of invasive species in perpetuity, with such plan being recorded with the approved Final Plans.

Outstanding. A Riparian Buffer Operations and Maintenance plan shall be provided for review.

9. *Maintenance of all landscaping on HOA-owned property, as well as all street trees, shall be the responsibility of the Homeowners Association and will be addressed in the declaration, to the satisfaction of the Township. All street trees shall be located outside of any road right-of-way.*

Outstanding. Neither HOA documents nor a Landscaping Plan have been provided.

10. *Prior to recording the plans, the applicant shall prepare and submit to the Township a shared access easement, as approved by the Township Solicitor, for the shared driveway servicing the two (2) flag lots.*

Outstanding.

11. *The applicant shall comply with the Township's ordinances regarding cartway width (Section 205-44) and sidewalks/paths (Section 205-56). Any waiver request from these provisions will be considered by the Board of Supervisors during the subdivision/land development process.*

Outstanding:

- a. *The proposed right-of-way width and cartway widths do not meet the minimum requirements of this section.*
- b. *Trail/sidewalk access is not proposed throughout the site; this should be confirmed with the Planning Commission and Board.*

See additional comment, below.

12. *The applicant shall provide an offer of dedication of additional property along Hershey Mill Road for a potential suture sidewalk or pathway.*

Outstanding.

13. *Any future residential reuse of the historic barn shall require further approvals from the Township, pursuant to the historic preservation provisions of the ordinance (Sections 240-38.1 through 240-38.11). During its ownership of the historic barn, the applicant shall ensure that it is well maintained and does not fall into disrepair.*

No action required.

14. *Prior to Final Plan Approval, a Phase I Environmental Site Assessment for the property shall be provided to the Township.*

Outstanding.

15. *The use of the property shall be substantial conformity with the applicant's application and the testimony and exhibits presented at the hearing on the application as determined by the Township, as amended by this order.*

No action required.

16. *The applicant's conditional use shall be subject to compliance with all terms and provisions of the ordinance and all other Township ordinances and regulations.*

Outstanding. See comments below.

17. *The attached Findings of Fact, Conclusions of Law, and discussion are incorporated into this order.*

No action required.

18. *The applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the Office of the Recorder of Deeds of Chester County no later than the recording of the approved Final Plan. All recording costs shall be reimbursed by the applicant within 30 days of receipt of an invoice from the Township.*

Pending.

ZONING (§240)

1. We will defer a review of the *Flood-Prone Area* regulations (§240-26) pending clarification regarding PADEP permitting requirements and anticipated submissions and designs.
2. Provide a Zoning Table addressing conformance with the requirements of the *Single-Family Open Space Development* regulations. (§240-36.B, §240-36.C)
3. The proposed density of the development appears to be incorrectly calculated.
4. All buildings shall be located at least 25 feet from the edge of the cartway. (§240-36.C(5)) The building on Lot 12 does not appear to meet these requirements.
5. The plan shall note all prohibited accessory uses per §240-36.D(2).
6. An Open Space Development plan shall be provided, addressing the requirements of §240-36.F.
7. The developer shall be responsible to install and pay for any traffic control devices, widening of abutting streets or construction of acceleration/deceleration lanes or other improvements required by the Board of Supervisors to be necessary for the reasonable ingress and egress to the development. (§240-27.D(2)(b))

SUBDIVISION AND LAND DEVELOPMENT (§205)

8. The submission was submitted as preliminary/final submission; a waiver from §205-28 should be requested.
9. Building setback lines for each lot shall be indicated. (§205-30.C(2)(c))
10. Full documentation of any proposed homeowners' association, covenants or other such proposed association and/or restrictions governing the subdivision and/or land development shall be provided. (§205-30.C(4)(i))

11. A water 'will serve' letter shall be provided. (§205-30.C(4)(b))
12. Provide a landscape plan meeting all the requirements of §205-36.
13. Documentation concerning the maintenance, repair and use of the private streets shall be submitted to the Township for review and approval with the preliminary plan. (§205-42.H)
14. Note 4, Sheet 1 references clearing for sight distance. A minimum clear sight triangle (as measured from the center-line intersections of two streets) shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of two feet in such triangle. (§205-49.A) Provide clear sight distance per PENNDOT regulations and add a site triangle to the intersection of the proposed entrance and Hershey Mill Road in order to determine any impacts on existing vegetation or the adjacent parcel to the south.
15. There shall be a maximum center-line grade of 7%; a portion of Millstone Circle is at 8.25%. (§205-45)
16. The minimum sight distance for a vertical curve on a minor street is 200 feet. The vertical curve near station 3+00 on Millstone Circle should be lengthened to increase the sight distance, notably since the vertical curve is also on a horizontal curve. (§205-47)
17. Horizontal curve data should be provided to ensure conformance with §205-46.
18. Street curb intersections shall be rounded by a tangent arc with a minimum radius of 35 feet. (§205-48)
19. As the proposed lots are below one acre, the right of way width of a minor street may be reduced to 40 feet and the cartway width of a minor street may be reduced to 20 feet at the sole discretion of the Township Supervisors (§205-44.E(2)). Otherwise, the right of way width shall be 50 feet and the cartway width shall be 25 feet (§205-44.D). See Decision & Order Condition No. 111, above.
20. The stone subbase course for the proposed roadway paving section should be increased to eight inches. (§205-51.D(2))
21. Proposed streets that are in alignment with existing streets shall bear the name of the existing street. (§205-53.A) The proposed entrance to the development aligns with Tanglewood Drive.
22. Where driveways are used jointly by more than one property owner, they may straddle the property line. The appropriate easement restrictions shall be noted on the final plan. (§205-57.C) An access/utility easement should be provided for Lots 13 & 14.

STORMWATER MANAGEMENT

23. It appears that several permits will be required; please confirm PADEP direction regarding specific permits being required. (§195-16)
24. There appear to be discrepancies between the plans, the stormwater report, and the PADEP spreadsheet regarding the basins. Please review and correct these discrepancies so that a determination of the adequacy of the plan can be determined (§195-19, §195-20, §195-21, §195-22):

- a. The berm elevation for Basin 1 on the plan is 478.00 feet; the elevation in the stormwater Report is 488.00.
 - b. The berm elevation for Basin 2 on the plan is 488 feet; the elevation in the stormwater report is 480 feet.
 - c. The routing for the basins in the stormwater report appears to be Basin 1 to Basin 2. The plans appear to indicate the routing is Basin 2 to Basin 1; please clarify.
 - d. The smaller basin is labeled Basin 1 on the ESC plan and Basin 2 on the PCSM plan.
25. Indicate the elevations of the amended soils in their respective details in order to confirm the infiltration BMPs have the required 2-foot separation to a limiting zone. (§195-20.L(1))
26. All required regulatory approvals shall be indicated on the PCSM Plan. (§195-27.A(2))
27. Add a statement on the PCSM Plan, to be signed by the applicant prior to recording, 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))
28. Add the engineer's signature block to the PCSM Plan. (§195-27.A(4))
29. The existing basin appears to drain through the site; clarify the total extent of the upstream area draining through the site. (§195-27.B(12))
30. Indicate a complete delineation of the flow paths used for calculating the time of concentration for the predevelopment and postconstruction conditions. (§195-27.B(14))
31. Provide an easement a minimum twenty-foot around all BMPs and conveyances. Alternatively, a blanket easement is acceptable. (§195-27.B(18)(c))
32. Provide all calculations and design details for the proposed culvert.
33. It appears that the emergency spillway of proposed Basin 1 is active during the 100-year storm event. We recommend that the design be revised to retain the 100-year storm event within the basin.
34. Runoff volume credit is being claimed via trees planted within the disturbed area; this shall be documented on the PCSM plan.
35. The design appears to manage the discharge from the existing basin through proposed infiltration Basin 1 as opposed to bypassing the flow to DP 001; please clarify.
36. It is unclear to where the emergency spillway(s) of the existing basin discharges. Additional detail should be provided to confirm, in an event where the basin overflows the emergency spillway, Lots 6 & 7 are not directly impacted. Additionally bypass swales or other mechanisms may be warranted.
37. Clarify the drainage areas shown on the post developed plan to distinguish between managed areas and unmanaged areas (indicate acreage, CN, and Tc.)
38. Label the existing and proposed contours on the PCSM plan.
39. Label the storm structures on the PCSM plan.

40. Provide calculations for the proposed sediment trap.

SANITARY SEWER

41. Provide elevations of any basements shown in plan view at the associated home location. (§205-71.B(1)(e)(1))
42. Indicate the type and class of pipe noted on the profiles. (§205-71.B(1)(e)(8)) Please note, pipes should be SDR-26 or better.
43. Indicate locations of proposed sanitary laterals in profile views. (§205-71.B(1)(e)(9))
44. Provide sewer construction details. (§205-71.B(1)(e)(12)) Please also include a detail for bedding of the pipe.
45. Note on the record plan all lots without basement service, if any. (§205-71.B(1)(e)(13))
46. All manholes will have a drop of 0.2 feet between inlet and outlet built in. (§205-71.B(4)(c)) Manholes appear to currently have a 0.1 foot drop; please revise.
47. Watertight lids shall be utilized and noted on the plans when the manhole is within a 100-year floodplain or may become submerged. (§205-71.B(4)(c)) Manholes 1, 2, and 3 appear to be within the 100-year floodplain. Please relocate or indicate that they require watertight lids.
48. Minimum cover over the top of the sewer shall be 4.5 feet unless special construction precautions such as cast-iron pipe or concrete encasement are specified and approved. (§205-71.B(4)(d)(2)) It appears there is a section between MH 2 & MH 3 where the cover is approximately 2.5 feet and between MH 3 & MH 4 where the cover is approximately 3.5 feet.
49. Sewers shall be located a minimum of 10 feet horizontally from any obstruction such as a building. Sewers must be a minimum of 10 feet from a water main or 18 inches (measured from top of sewer to bottom of water main) under the same. When a sanitary sewer line crosses above or under any other pipeline with separation of less than 18 inches, the sanitary line will be provided with concrete encasement per the standard detail that extends 10 feet on either side of the pipe being crossed. (§205-71.B(4)(d)(6)) Sewer pipe between MH 6 & MH 12 and between MH 7 & MH 8 appear to have less than 10 feet horizontal or 18 inches vertical clearance between sanitary sewer and water pipes.
50. Top of all sewers entering or crossing streams shall be at a sufficient depth below the natural bottom of the stream bed to protect the sewer line. In general, one foot of cover should be provided where the sewer is located in rock and three feet of cover (including concrete encasement) in other material. (PA DEP Domestic Water Facilities Manual 27.1) Sewer crossing the stream currently appears to have 2.5-feet of cover.
51. Sewer outfalls, headwalls, manholes, gateboxes or other structures shall be so located that they do not interfere with the free discharge of flood flows of the stream. (PA DEP Domestic Water Facilities Manual 27.1) MH 3 appears close to the stream, please relocate or indicate how this manhole will not interfere with the streamflow.
52. Sewers entering or crossing streams shall be constructed of cast or ductile iron pipe with mechanical joints or concrete encasement around other types of pipes so that they will remain watertight and free from changes in alignment or grade. (PA DEP Domestic Water Facilities Manual 27.2) Proposed sewer appears to be PVC.

53. Upon completion of construction, the stream shall be returned as near as possible to its original condition. The streambanks shall be seeded, planted or other erosion prevention methods employed to prevent erosion. Provide on the plans the specific method(s) to be employed in the construction of the sewers in or near the stream to control siltation. (PA DEP Domestic Water Facilities Manual 27.2)
54. During construction of sewer projects, the contractor shall be prohibited from unnecessarily disturbing or uprooting trees and vegetation along the streambank and in the vicinity of the stream, dumping of soil and debris into streams and/or on banks of streams, changing the course of the stream without an encroachment permit, leaving cofferdams in streams, leaving temporary stream crossings for equipment, operating equipment in the stream, or pumping silt-laden water into the stream. (PA DEP Domestic Water Facilities Manual 27.3) Please add the above as a note on the plans.
55. Please provide 20-foot-wide easements for proposed sewer not located within the right-of-way.
56. We recommend further spacing be provided between sanitary sewer manholes 7, 8, and 9 and the respective storm sewer inlets to provide adequate spacing for future maintenance on either.
57. Please include the effluent invert and size of pipe for the existing manhole that is being tied into.

GENERAL

58. Please continue to include the Township in any meetings, submissions and/or correspondence with the Chester County Conservation District and/or PADEP.
59. Multiple plan sheets are indicated as "(RESERVED)" and not included with the submission, including the Landscaping Plan, E&SC Details, Riparian Buffer Management Plan and Construction Details – Sanitary.
60. It is unclear if lighting is proposed, as this is typically indicated on the Landscaping Plan, which was not included.
61. A trail/sidewalk easement should be provided along the frontage of Hershey Mill Road for future connections; see additionally Condition No. 12
62. Proposed fencing should consider the context of the area; it may be appropriate to restrict any fencing to post and rail or similar and address any existing fencing in need of repair. Please address fencing on the Landscaping Plan, when submitted.
63. Submission is subject to Zoning Officer, Historic Commission and Fire Marshall review.
64. It may be appropriate to consider a pedestrian crossing, per PENNDOT regulations, across Hershey Mill Road to Tanglewood Drive.
65. Directional and traffic control signage should be added to the plans. It is unclear if the circular portion of Millstone Circle is proposed to be one-way.
66. Truck turning templates should be provided for delivery vehicles, trash trucks and emergency vehicles.
67. Note a Historic Resource Impact Study, Will Serve Letter (Sewer) and Pipeline Awareness Study were submitted previously with the Conditional Use application.

Due the exclusion of various plan sheets and a lack of clarity regarding PADEP permitting required for the project, we anticipate additional comments with any revised submission.

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

Sincerely,

PENNONI



Nathan M. Cline, PE
Township Engineer

cc (via e-mail): Derek Davis, Township Manager
Mark Miller; Public Works
Mark Thompson, Township Solicitor
Michael D. Hartman, PE, dH Enterprises
TR Moser, Grove Meadow Developers LLC

Memorandum

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

Date: 5-19-2023
To: Planning Commission
From: Duane J. Brady Sr., Zoning Officer
Re: 1010 Hershey Mill Road/Millstone Meadows SD
Preliminary/Final SD Plan/Application Filing Letter

Dear Commissioners,

The Township staff has received an SD application for 1010 Hershey Mill Road, Millstone Meadows (Miller Property). The proposal is to create a subdivision tract for 14 single-family homes using the Open Space Development Option (Zoning Ordinance section 240-36). A Conditional Use was granted by the Board of Supervisors on March 8, 2023, for a 15 Lot subdivision under the single-family open space development option with 19 conditions. The application has been reviewed for completeness and was accepted by Township Staff on May 16, 2023.

Background Information:

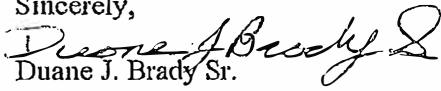
- The property is approximately 16 acres.
- The property is in the R-2 Low Density Residential District.
- The property contains two (2) Class II historic resources that are currently detailed in the East Goshen Township Historic Resource Inventory (Existing house and barn).
- The property has a stream which is a tributary of Ridley Creek and is classified as a High-Quality Stream and has wetlands.
- The SD plans have been sent to Chester County Planning Commission for review on May 5, 2023.
- The start date for the project is May 23, 2023 (Day 1).
- The must act date for the Planning Commission is July 25, 2023 (Day 70).
- The must act date for the Board of Supervisors is August 14, 2023 (Day 90).

The following information was sent with this letter:

- Transmittal letter 230427
- 1010 Hershey Mill Conditional Use Decision 3-8-2023.
- 1010 Hershey Mill pipeline Awareness Study 230110.
- Bog Turtle Habitat Assessment.
- Chester County Act 247 Referral Application.
- Millstone Meadows SD application filed 5-16-2023.
- Millstone Meadows DA Plan 230420.
- Millstone Meadows SD Historic Resource Impact Study 10-2022.

- Millstone Meadows PCSM Report 230420.
- Millstone Meadows Subdivision Plan set 230420.
- Overlay Plan show the changes in number of lots.
- Zoning Code 240-36 Single-family open space development.

Sincerely,

A handwritten signature in black ink, appearing to read "Duane J. Brady Sr.", written over the printed name.

Duane J. Brady Sr.

East Goshen Township

Zoning Officer

August 16, 2023

Board of Supervisors
East Goshen Township

To the Board,

We have reviewed the landscape development plan provided to us for 1010 Hershey Mill Road/Millstone Meadows at our August 9th monthly meeting.

Please note the landscape development plan was lacking in the following areas and the Conservancy Board will not be able to provide a recommendation with regards to the plan without a revised plan:

1. The Conservancy Board needs to be provided with a full sized (full scale) landscape development plan. Even just one full size copy of the plan to be provided at our next monthly meeting (or subsequent meeting) so that we can provide an adequate response.
 - a. If possible, we would like to review the entire land development plan (in full scale) so we can review the slope of the landscape, see their stormwater management plan, etc. That can help us make decisions about planting locations, etc.
2. On the revised plan we are requesting it be marked at the bottom/side as “revised” the plans we were provided with said “Preliminary/Final” which we didn’t understand. Was the plan the “preliminary” plan? Or was this their “final” plan?
3. For purposes of the landscape plan itself the following items are required to be made clearer:
 - a. The have listed TBR for “to be removed” with regards to trees to be removed, however they are not marked on the plan, so we have no idea where those trees are located that are TBR. We would like to see the trees marked for removal with a circle (or some defining shape) and then an “X” or some other mark showing removal.
 - b. The species are listed but there are no defining qualities to define on the plan itself which species they are stating they are going to plant where. Example – a deciduous tree species is identified as having 75 of that species planted, however nowhere on the plan is that particular species identified as being planted where – the plan simply states a deciduous tree will go there, etc. We are requesting they identify the type of tree species not only in their legend at the bottom of the plan but then identify each species in the plan itself so we know where the plantings are to occur.
4. To our knowledge the plan was also not signed by a landscape architect or the engineer and we believe that’s a requirement.

Once we are provided with the proper plans, we would be happy to review them and give our recommendation.

Thank you.


Sandra Snyder

East Goshen Township Conservancy Board
Chairman



EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PA

SUBDIVISION AND / OR LAND DEVELOPMENT APPLICATION

Date Filed: 5-16-23

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: Grove Meadow Developers, LLC.

Address: 1171 Lancaster Avenue, Suite 201, Berwyn, PA 19312 Phone: 610-725-0812

Fax: _____ Email: tr@moserhomes.com

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

Name: Mark & Christine Miller

Address: 210 N. Aberdeen Avenue, Wayne, PA 19087 Phone: _____

Fax: _____ Email: _____

3. Location of plan: Hershey Mill Road at intersection of Tanglewood drive

4. Proposed name of plan: Millstone Meadows Subdivisions

5. County Tax Parcel No.: 53-1-19 Zoning District: R-2

6. Area of proposed plan (ac.): 16.128 Number of lots: 14 Single Family

7. Area of open space (ac.): 9.25

8. Type of structures to be constructed: Single Family Dwellings

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

10. Linear feet of road to be constructed: 1,500 ft

11. Name of Engineer: Michael Hartman, dH Enterprises

Phone Number: 484-663-3487 Fax: _____

Email address: mhartman@dh-enterprises.net

**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: Grove Meadow Developers, LLC.

Address: 1171 Lancaster Avenue, Suite 201, Berwyn, PA 19312

Telephone Number: 610-725-0812 Fax: _____

Email Address: tr@moserhomes.com

Property Address: 1010 Hershey Mill Road

Property Information:

Owner's Name: Mark & Christine Miller

Address: 210 N. Aberdeen Avenue, Wayne, PA 19087

Tax Parcel Number: 53-1-19 Zoning District: R-2 Acreage: 16.128

Description of proposed subdivision and or land Development:

Subdivide tract for 14 single family lots per Township's
Open Space Development Option

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

12. Name of Land Planner: Nave Newell
Phone Number: 610-265-8523 Fax: _____
Email address: plepard@navenewell.net


- 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.

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


Applicant Signature
OWNER

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)

Memorandum

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

Date: 7-14-2023
To: Planning Commission
From: Duane J. Brady Sr., East Goshen Township Deputy Fire Marshal
Re: 1010 Hershey Mill Road / Millstone Meadows
Preliminary/Final Subdivision and Land Development
Residential Open Space Development/Initial Review Letter

Dear Board Commissioner,

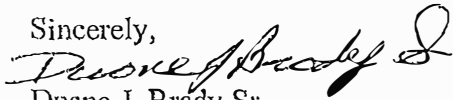
The Township Fire Marshal has reviewed the Subdivision Plans dated April 20, 2023, for the creation of a new 14 Lot Residential Open Space Subdivision/Land Development and has the following recommendations and comments:

All code information is from the International Fire Code 2018 Edition (IFC) and East Goshen Township Code Chapter 205 Subdivision and Land Development section 205-30 Preliminary plan requirements, Part C.3.D.

1. The plans show an 18-foot-wide street/road which does not meet the minimum fire access road requirement of 20 feet minimum. IFC 2018 section 503.2 specifications.
2. The plans do not show the size of the driveways. A driveway is considered a fire access road and shall be a minimum of twenty feet as required pre the IFC 2018 section 503.2. specifications.
3. The development street/road and driveways shall be installed to carry a minimum of 75,000 pounds as required for a fire access road. IFC 2018 section 503.2.3 Surface.
4. The development street/road and driveway shall meet the required apparatus turning requirements. As required in the IFC 2018 section 503.2 Specifications. Please provide a Fire Turck Pathway Plan showing the requirements will meet code.
5. The development of the street/road and shared driveway may require placing or installing Fire Lane No Parking signs if the minimum of 20 feet width is installed.
6. Fire Hydrant location were not clearly located on the plans.
7. Fire hydrants show existing locations of hydrants in the area and distance to new development.
8. Fire Hydrant will the installed system be private or public.

9. Provide the size of the largest dwelling unit to calculate the required fire flow rate for the development.
10. Provide the existing available fire flow rate to the development.
11. Fire Hydrants and fire flow rate must meet the IFC 2018 code requirements.
12. East Goshen Township Code Chapter 205 Subdivision and Land Development section 205-30 Preliminary plan requirements, Part C.3.D. requires size and location of fire hydrants be shown on plans. Fire hydrants were not clearly marked on plans.

Sincerely,

A handwritten signature in black ink, appearing to read "Duane J. Brady Sr.", written in a cursive style.

Duane J. Brady Sr.
East Goshen Township
Fire Marshal

Memorandum

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

Date: 7-14-2023
To: Planning Commission
From: Duane J. Brady Sr., East Goshen Township Zoning Officer
Re: 1010 Hershey Mill Road / Millstone Meadows
Preliminary/Final Subdivision and Land Development
Residential Open Space Development/Initial Review Letter

Dear Board Commissioner,

The Township Zoning Officer has reviewed the required Historic Resource Impact Study (HRIS) prepared by Mary Sue Boyle and Company West Chester PA dated October 2022 for the creation of a new 14 Lot Residential Open Space Subdivision/Land Development which will contain three (3) Historic Resources which include a Single-Family Dwelling, Barn (To be sold as a Primary Single-Family Dwelling), and Spring House. The following recommendations and comments are provided:

1. The historic resource impact study (HRIS), prepared by a registered architect specializing in historic preservation and adaptive reuse of historic buildings and structures, shall be submitted to the Township, unless waived or modified by the Board of Supervisors. When part of a preliminary plan submission for any subdivision or land development application which proposes new construction of buildings, structures, roads, driveways, parking areas, or other land disturbance within 250 feet of the exterior walls of any Class I or II historic resource.

Pending: Please provide documentation that Mary Sue Boyle is a registered architect or that a waiver was approved by East Goshen Township Board of Supervisors.

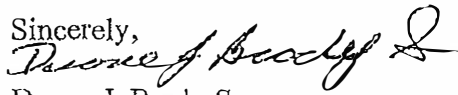
2. A request should be made to include as part of the historic resource impact study (HRIS), that a physical description of the interior of the historic resource(s), including an interior floor plan.

Pending: Please provide interior floor plans and a physical description of the interior of the single-family dwelling.

3. The existing historic barn will be sold as a primary/principal structure for use as a single-family dwelling.

Pending: A note should be added to the plan to hold the barn as a single-family dwelling and no other use unless approved by East Goshen Township Planning Commission and Board of Supervisors.

Sincerely,

A handwritten signature in black ink, appearing to read "Duane J. Brady Sr.", with a stylized flourish at the end.

Duane J. Brady Sr.
East Goshen Township
Zoning Officer

EAST GOSHEN MUNICIPAL AUTHORITY
EAST GOSHEN TOWNSHIP
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

Moser Construction Management LLC
TR Moser, Managing Member
1171 Lancaster Ave, Ste 201
Berwyn, PA 19312

April 18, 2023

Dear Mr. Moser,

The Municipal Authority has consulted with the township engineer, Pennoni Associates, regarding the additional sewer flow that would result from the proposed new housing on the Miller Property on Hershey Mill Road. Pennoni determined that the following four upgrades will need to be done at the Hershey Mill Pump Station in order to accommodate the additional flow:

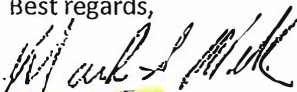
1. PUMP CONTROL PANEL: \$37,641 (including labor)
Provide, install, and commission one pump control panel to include variable frequency drive (VFD) speed control, pump alternation, alarm monitoring for pump and wet well level conditions, and HMI operator interface.
2. VARIABLE FREQUENCY DRIVE: \$14,852 (including labor)
Provide, install, and commission two VFDs. VFDs would operate two submersible sewer pumps rated five horsepower.
3. LEVEL SENSOR: \$4,271 (including labor)
Provide, install, and commission one radar level sensor (RLS). The RLS is a maintenance-free wet well level monitor that would integrate with the existing pump control panel.
4. STATION FLOW DATA LOGGER: \$6,557 (including labor)
Provide, install, and commission one station flow data log recorder, which would connect into existing flow meter.

East Goshen Township will cover the cost of the station flow data logger. If you are willing cover the: 1) pump control panel, 2) variable frequency drive, and 3) level sensor for a total of \$56,764, I will place the order. Additionally, you will be responsible for the sewer tap-in fee (\$2,000) and sewer inspection (\$500) for each new home.

If you agreeable to the above, please sign here and return a copy of this letter to me:

Signature: _____ Date: _____

Best regards,



Mark S Miller
Director of Public Works
East Goshen Township



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

June 7, 2023

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

Re: Preliminary/Final Subdivision - Millstone Meadows
East Goshen Township – SD-05-23-17662

Dear Mr. Davis:

A Preliminary/Final Subdivision Plan entitled "Millstone Meadows", prepared by DH Enterprises, and dated April 20, 2023, was received by this office on May 8, 2023. This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code. We offer the following comments on the proposed subdivision for your consideration.

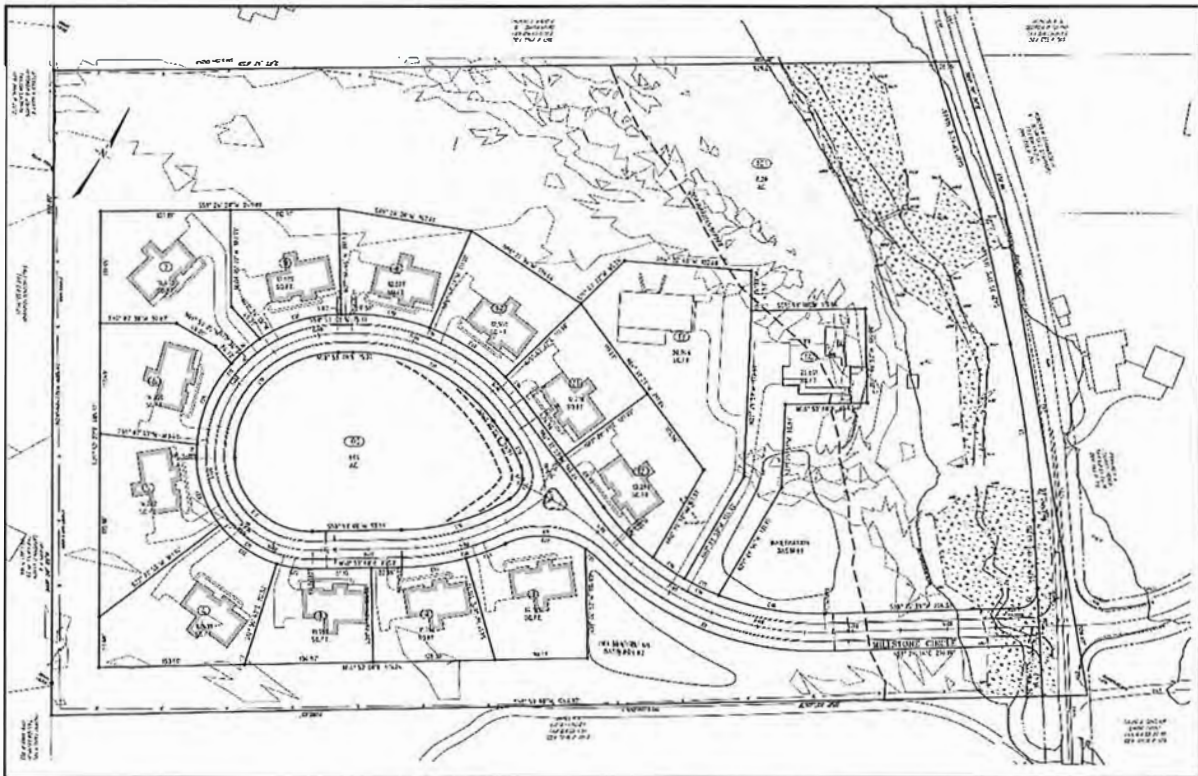
PROJECT SUMMARY:

Location:	west side of Hershey Mill Road, north of Greenhill Road
Site Acreage:	16.10
Lots/Units:	14 Lots
Non-Res. Square Footage:	0
Proposed Land Use:	Single Family Residential
Municipal Land Use Plan Designation:	Low Density Residential
UPI#:	53-1-19

PROPOSAL:

The applicant proposes the creation of 14 single family residential lots, 9.25 acres of private open space, and 1,500 linear feet of public roadway. Vehicular access will be provided from Hershey Mill Drive at its intersection with Tanglewood Drive. The project site, which will be served by public water and public sewer, is located in the R-2 Low Density Suburban Residential zoning district, and is being developed under the single-family cluster development standards permitted by conditional use in the R-2 district. The existing dwelling and barn, which are identified as historic resources, will remain on Lots 14 and 13, respectively (this issue is further discussed in comment #6).

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



Site Plan Detail, Sheet 2: Preliminary/Final Subdivision - Millstone Meadows

Page: 3
Re: Preliminary/Final Subdivision - Millstone Meadows
East Goshen Township – SD-05-23-17662

BACKGROUND:

1. It is identified on Sheet 1 that the applicant obtained conditional use approval for this proposal on March 7, 2023, with 19 conditions of approval, which include the following:
 - The applicant shall provide to the Township a sanitary sewer and pedestrian access easement approximately located between Lots 6 and 7, to the satisfaction of the Township (condition #5). We note that Sheet 4-Grading Plan indicates that this easement extends to the adjoining parcel to the west owned by East Goshen Township (UPI# 53-1M-21);
 - The “central green” located within the cul-de-sac shall be graded and maintained to allow for active recreation (condition #6);
 - The applicant shall preserve as much of the existing perimeter vegetation as possible. Any vegetation replaced shall be replaced with native and deer-resistant materials, wherever possible (condition #7);
 - The applicant shall design and install a 150 foot wide riparian forest buffer for the portion of the stream within the subject property (condition #8); and
 - Any future residential reuse of the historic barn shall require further approvals from the Township, pursuant to the Historic Preservation provisions of the Township Zoning Ordinance. Additionally, the applicant shall ensure, during its ownership of the historic barn, that it is well maintained and does not fall into disrepair (condition #13).
2. A Pipeline Awareness Study, prepared by DH Enterprises, dated January 10, 2023, was included with the plan submission. The study indicates that there are three existing natural gas pipelines approximately 450 feet to the west of the project site, and that the closest the proposed development will be located would be 500 feet from the pipelines. The study also indicates that, as required by PA Act 287, a Pennsylvania One Call has been completed, and that a “No Conflict” response has been received, a copy of which is included in the study.

COUNTY POLICY:

LANDSCAPES:

3. The project site is located within the **Suburban Landscape** and **Natural Landscape** designations of Landscapes3, the 2018 County Comprehensive Plan. The vision for the **Suburban Landscape** is predominantly residential communities with locally-oriented commercial uses and facilities, accommodating growth at a medium density that retains a focus on residential neighborhoods, with enhancements in housing diversity and affordability. Additionally, roads, sidewalks and paths with convenient access to parks and community facilities should be provided. As an overlay of all other landscapes, the county’s **Natural Landscapes** consist of a network of streams, wetlands, floodplains, and forests that are protected by regulations or should be subject to limited disturbance. Conservation practices should protect and restore these natural resources. While the proposed subdivision is consistent with the objectives of the **Suburban Landscape**, careful consideration of the proposed development activity is required due to its existing environmental characteristics.

WATERSHEDS:

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

PRIMARY ISSUES:

Access and Circulation:

5. Condition #11 of the conditional use decision indicates that the applicant shall comply with the Township's ordinances regarding sidewalks/paths, and that any waiver requests from these provisions will be considered by the Board of Supervisors during the subdivision/land development process. Additionally, condition #12 indicates that the applicant shall provide an offer of dedication of additional property along Hershey Mill Road for a potential future sidewalk or pathway. However, the site plan does not depict the location of any proposed sidewalks or future sidewalk paths. These issues should be clarified by the applicant. Sidewalks, which are an essential design element in the Suburban Landscape, would facilitate safe pedestrian access to the open space areas on the project site.

Historic Preservation:

6. An Historic Resource Impact Study, prepared by Mary Sue Boyle and Company, dated October 2022, indicates that the farmstead is listed as a Class II historic resource in the Township Historic Resources Inventory. The study states that the farmhouse and barn will remain intact, with no anticipated architectural changes to either structure, and that the barn will share egress with the farmhouse driveway as it does today (page 10). The study also states that the barn shall be considered as a separate parcel to encourage adaptive re-use, and that the setting of the barn will not be impacted visually, as it sits above the roof line of the new homes due to the slope of the land (page 11). We endorse the efforts of the applicant and the Township for preserving these historic resources and their historic setting. "Appreciate" Objective A of *Landscapes3*, the 2018 County Comprehensive Plan, is to preserve historic resources in their context while supporting appropriate reuse as a vital part of our community infrastructure and character.

We also suggest that the applicant and Township consider the following issues pertaining to the preservation of these historic resources:

- A. The applicant should also ensure that the farmhouse and springhouse are maintained and not allowed to fall into disrepair under its ownership.
- B. Consideration should be provided that the farmhouse and barn be restored and sold as part of the development, along with the development of long-term maintenance plans for these structures.
- C. The existing springhouse should be required to be maintained in the open space area.
- D. Large healthy trees surrounding the house and barn should be protected during site work, and remain as part of the historic context of the property.

Natural Features Protection:

7. The site contains land within the 100 year floodplain along an unnamed tributary to Ridley Creek along the eastern portion of the project site, and the site plan indicates that the proposed road (Millstone Circle) will cross this stream. We note that the County Planning Commission does not support development in the floodplain, and the Federal Emergency Management Agency and Pennsylvania Department of Environmental Protection regulate filling or development in the floodplain. Development within a floodplain can increase the magnitude and frequency of normally minor floods, and present health and safety problems. Additionally, the applicant should be aware that an encroachment permit may be required by the Pennsylvania Department of Environmental Protection in accordance with Section 105.293 of its Rules and Regulations pertaining to stream crossings. The Township should request documentation of any required permit(s) for this project before approving the plan.

Page: 5
Re: Preliminary/Final Subdivision - Millstone Meadows
East Goshen Township – SD-05-23-17662

8. The project site contains existing steep slope areas (slopes 15 percent and greater). The Township should verify that the design of the slopes is consistent with all ordinance requirements related to permitted grades, the design and specifications of retaining walls and slope stabilization. Areas of steep and moderate slopes should be protected from disturbance that may cause erosion and flooding, as well as negatively impact water quality, wildlife habitat, slope stability, and scenic views.

Stormwater Management:

9. Land disturbance and land development activities that occur within Chester County must comply with the *County-wide Act 167 Stormwater Management Plan for Chester County, PA* (August 2022) and the associated Act 167 stormwater management ordinance standards adopted by each municipality.
10. The project is located in an area designated by the PaDEP as a Special Protection Watershed. Chester County's High Quality and Exceptional Value Watersheds are especially sensitive to degradation and pollution that could result from development. Therefore, stricter DEP or municipal limitations to wastewater and stormwater discharges may apply in this watershed. A map of Special Protection Watersheds in Chester County, PA may be viewed here: www.chesco.org/DocumentCenter/View/17339.

Threatened Species Habitat:

11. A Phase 1 Habitat Assessment conducted by Liberty Environmental, Inc., dated October 21, 2022, indicates that the project site has a potential threatened species habitat. The applicant should provide the Township documentation that the plan has been reviewed by the appropriate state and federal agencies regarding this potential threatened species habitat.

ADMINISTRATIVE ISSUES:

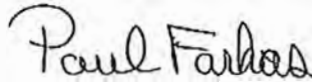
12. According to County Tax Assessment records, the land of the proposed subdivision appears to be subject to an Act 515 covenant. We advise the applicant to contact the Chester County Assessment Office (telephone #610-344-6105) regarding this subdivision.
13. Zoning Note 4 on Sheet 1 indicates that the open space areas, which shall be protected by a conservation easement, will be owned, managed and maintained by a homeowners association. Ownership, maintenance, use provisions, restrictions, and liability responsibilities associated with any commonly held amenities should be written into the Homeowners' Association (HOA) document. The HOA document should include provisions which allow the Township to: intervene and maintain common owned facilities; determine the schedule for Association formation; timing for construction of common facilities; and determine the schedule for transfer of ownership from developer to the HOA of common facilities. The HOA document should be submitted as part of the application to the municipality to be reviewed by an attorney versed in homeowners' association documents to evaluate the document for its completeness and compliance.

Page: 6
Re: Preliminary/Final Subdivision - Millstone Meadows
East Goshen Township – SD-05-23-17662

14. The applicant should contact the office of the Chester County Conservation District (telephone #610-455-1360) for information and clarification on erosion control measures. The provisions of the Commonwealth Erosion Control Regulations may apply to the project and may require an Earth Disturbance Permit or a National Pollutant Discharge Elimination System permit for discharge of stormwater from construction activities. Additional information on this topic is provided online at: <https://www.chesco.org/284/ErosionStormwater>.
15. A minimum of four (4) copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, the Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds and the Assessment Office.

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

Sincerely,



Paul Farkas
Senior Review Planner

cc: Grove Meadow Developers, LLC
Moser Construction Management, LLC
DH Enterprises
Mark and Christine Miller
Chester County Conservation District
US Fish and Wildlife Services
Chester County Assessment Office

LAMB | MCERLANE^{PC}

ATTORNEYS AT LAW

William R. Christman III
Voice 610-430-8000
Fax 610-692-6210
bchristman@lambmcerlane.com

March 8, 2023

EMAIL AND FIRST CLASS MAIL

Grove Meadow Developers, LLC
1171 Lancaster Avenue, Suite 201
Berwyn, PA 19312
Email: tr@moserhomes.com

Re: Conditional Use Application of Grove Meadow Developers, LLC


Dear Mr. Moser:

Enclosed please find the Decision and Order of the Board of Supervisors of East Goshen Township approved at its public meeting of last evening.

Please kindly signify your acceptance of the conditions of approval within fifteen (15) days of the date of this letter.

Very truly yours,

LAMB MCERLANE PC

By: 
William R. Christman III

Enclosure

cc: Derek Davis, Township Manager (*via email only*)
Duane Brady, Zoning Officer (*via email only*)
Alyson Zarro, Esq. (*via email only*)
Natie McManus
Alison Oshop
Lillian Fedor
Ron McGill

LAMB MCERLANE, P.C.
By: WILLIAM R. CHRISTMAN III, Esquire
Attorney I.D. # 318827
118 West Market Street, Suite 300
West Chester, Pennsylvania 19382
(610) 436-4400

IN RE: CONDITIONAL USE	:	
APPLICATION OF	:	BEFORE THE EAST GOSHEN TOWNSHIP
GROVE MEADOW	:	BOARD OF SUPERVISORS
DEVELOPERS LLC	:	

DECISION AND ORDER

Grove Meadow Developers LLC (the "Applicant") filed an application for conditional use approval (the "Application") pursuant to Sections 240-9.C(11) and 240-36 of the East Goshen Township Zoning Ordinance of 1997, as amended (the "Ordinance") requesting conditional use approval to subdivide and develop the existing tract of land with fifteen (15) single family residential lots under the Single Family Open Space Development option on property located at 1010 Hershey Mill in East Goshen Township, Chester County, Pennsylvania (the "Property").

The East Goshen Township Board of Supervisors (the "Board") conducted public hearings on November 15, 2022, and January 17, 2023. The Applicant appeared at the hearings represented by Alyson Zarro, Esquire. The Board was represented by the Township Solicitor, William R. Christman III, Esquire. The following individuals were granted party status without objection by the Applicant: (i) Natlie McManus, who resides at 1331 Jackson Lane; (ii) Alison Oshop, who resides at 1334 Jackson Lane; (iii) Lillian Fedor, who resides at 1013 Hershey Mill Road; and (iv) Ron McGill, who resides at 1050 Hershey Mill Road.

The evidentiary record was closed at the conclusion of the hearing on January 17, 2023. By email dated February 17, 2023, from the Applicant's counsel, the Applicant granted the Township an extension of time to render its decision on the Application through March 7, 2023, pursuant to Section 913.2(b)(2) of the Pennsylvania Municipalities Planning Code (the "Pa MPC").

From the testimony and exhibits presented at the hearing, the Board makes the following:

FINDINGS OF FACT

1. All facts set forth in the introductory paragraphs above are incorporated herein by reference and are deemed to be factual findings of the Board.
2. Applicant is a Pennsylvania limited liability company.
3. The Property, consisting of approximately 16 acres within the R-2 Low Density Residential District, is owned by Mark Miller and Christine Miller.
4. By Agreement of Sale dated March 15, 2022, the Applicant is the equitable owner of the Property. See Exhibit A-3.
5. The Property contains two (2) Class II historic resources that are currently detailed in the East Goshen Township Historic Resource Inventory (a house and a barn), as well as a stream (a tributary to Ridley Creek, which is classified as a High Quality Stream) and wetlands.
6. The first conditional use hearing, which was held on January 17, 2023, was advertised in the *Daily Local News* on October 13, 2022, and November 7, 2022. See Exhibit B-5.
7. All required notices of the hearing were made.

8. The East Goshen Township Planning Commission reviewed the Application on November 2, 2022, and recommended that the Board approve the Application with conditions as set forth in a memorandum from Duane Brady, the Township Zoning Officer, to the Board of Supervisors, dated November 7, 2022. See Exhibit B-12.

9. The Township conducted a site visit on October 18, 2022.

10. The Applicant seeks approval to use the Single-Family Open Space Development Option to subdivide the property into fifteen residential lots: thirteen (13) additional homes and each historic resource on its own lot. See Exhibit A-4.

11. The historic resources are intended for future residential use, will be located on individual flag lots, and will utilize a shared driveway.

12. The Applicant submitted a Historic Resource Impact Study, prepared by Mary Sue Boyle and Company, which opined that “the integrity of the setting of the resource farm complex shall remain intact and the topography of the lands shall assist in the visual assessment of no intrusion to the farmstead complex, which speaks the history of the parcel...This undertaking will not change the current Class II status of the property as noted in the historic inventory of the East Goshen Historic Resources.” See Exhibit B-5 at p.11.

13. The Applicant intends to remove and remediate the currently existing driveway for the Property, which is currently within a floodplain, and replace it with an entrance to the development directly across from Tanglewood Drive. According to the Applicant, this will relieve traffic concerns, as well as minimize adverse disruption to natural topography and waterways on the Property.

14. The Applicant has indicated its willingness to provide a sanitary sewer and pedestrian access easement from the proposed cul-de-sac to adjoining Township property between Lots 6 and 7.

15. Each lot will be served by public sewer and water. Both the East Goshen Municipal Authority (sanitary sewer) and Aqua Pennsylvania, Inc. (water) have indicated that service is available for the proposed development. See Exhibit A-7.

16. Certain improvements will be required to sanitary sewer equipment in order to accommodate the proposed development, which the Applicant has agreed to pay.

17. Approximately fifty-eight percent (58%) of the Property will be qualifying open space, which will be preserved in a conservation easement with a homeowners' association responsible for maintenance.

18. The "central green" within the proposed cul-de-sac is intended to be used for passive and active recreation.

19. The Applicant has proposed certain landscaping around the perimeter of the site and street trees along the proposed road, although the specifics of the proposed landscaping will be reviewed during the subdivision/land development process.

20. The homeowners' association documentation will include a specific section regulating street trees and landscaping, which will be maintained by the homeowners' association.

21. Each single-family dwelling would be separated by at least 30 feet and would provide a minimum of three (3) off-street parking spaces.

22. The Application proposes stormwater management facilities to accommodate maximum building and impervious coverage for each new house, in order to ensure that there is enough room for future improvements such as patios or pools.

23. The Property currently has a post-and-rail fence around a portion of its perimeter.

24. There is a currently existing pipeline within the adjacent Goshen Downs development, approximately 500 feet away from the Applicant's proposed disturbance areas, which carry petroleum products.

25. As required by the Ordinance, the Applicant submitted a Pipeline Awareness Study, which indicates that the proposed development will have "no impact on the existing pipelines." See Exhibit A-8 at p.1.

26. The Applicant also submitted correspondence from Enbridge Texas Eastern Transmission LP stating that the proposal would have "no conflict" with existing pipelines. See Exhibit A-8.

27. During the hearing, a question was raised about environmental contaminants on the Property, including lead pipes and a cistern.

28. Parties to the proceeding also raised concerns regarding the pedestrian trail to the west of the Property, stormwater management, traffic, sanitary sewer capacity and required improvements, parking, and density.

29. The following hearing exhibits were introduced and admitted by the Board at the January 17, 2023 hearing:

B-1 East Goshen Township Zoning Ordinance and Map

B-2 Conditional Use Application

- B-3 Email dated September 13, 2022, from Applicant's counsel granting an extension of all deadlines relating to the time in which the Board must hold its first hearing on the Application
- B-4 Form of Public Notice
- B-5 Proof of Publication of Public Notice
- B-6 Pennoni Review Letter dated September 21, 2022
- B-7 Revised Sketch Plan dated October 5, 2022
- B-8 Applicant's Response Letter to Pennoni Review dated October 5, 2022
- B-9 Historic Resource Impact Study dated October 2022
- B-10 Pennoni Revised Review Letter dated October 27, 2022
- B-11 Pipeline Awareness Study dated November 11, 2022
- B-12 Zoning Officer's Memorandum dated November 7, 2022
- B-13 Updated Pipeline Awareness Study dated January 10, 2023

30. The following hearing exhibits were introduced by the Applicant and admitted by the Board at the January 17, 2023 hearing:

- A-1 Conditional Use Application
- A-2 East Goshen Township Zoning Ordinance
- A-3 Redacted Agreement of Sale for 1010 Hershey Mill Road
- A-4 Open Space Development Layout Sketch Plan dated October 5, 2022
- A-5 Historic Resource Impact Study dated October, 2022
- A-6 C.V. of Michael Hartman, P.E.
- A-7 Will Serve Letter dated July 13, 2022
- A-8 Pipeline Awareness Study dated January 10, 2023

31. If this conditional use is granted for the proposed development, the Board, in order to protect the surrounding neighborhood and insure that the health, safety and welfare of the community and the Township are protected, will impose certain conditions on Applicant's home occupation.

CONCLUSIONS OF LAW

1. Applicant, as equitable owner of the Property, has standing to file the Application.
2. The Board has jurisdiction to hear the request for conditional use in this Application.
3. The hearing was duly advertised and noticed in accordance with the requirements set forth in the Pa MPC.
4. A single-family open space development must be approved by the Board of Supervisors by conditional use and meet the requirements of Sections 240-9.C(11) and 240-36 of the Ordinance.
5. The property on which a historic resource is located may be subdivided for additional development consistent with the regulations of the zoning district in which the property is located pursuant to Section 240-35.5.D of the Ordinance.
6. A maximum of one (1) flag lot may be created from each parent lot that existed as a single and separate lot of record at the time of adoption of the Ordinance pursuant to Section 240-23.B(2)(b)[2][c]. Section 240-38.6 of the Historic Preservation Ordinance, however, states that "the Board of Supervisors, as part of the conditional use approval, may grant modifications to the otherwise applicable area and bulk regulations applicable to the use or adaptive reuse of [a] historic resource."

DISCUSSION

A conditional use is defined as "a use permitted in a particular zoning district pursuant to the provisions in Article VI" of the Pa MPC. 53 P.S. §10107(a). Thus, a conditional use is a permitted use, subject to an applicant's proof of compliance with all

applicable conditions and criteria imposed by the Ordinance and reasonable conditions of approval imposed by the Board. A conditional use is not a use which the Board has the unfettered discretion to approve or deny. Rather, the Board is governed by the objective criteria and standards enunciated in the Ordinance when determining whether to grant an application.

If the Applicant can prove that they comply with the terms of the Ordinance authorizing a conditional use, the Board must grant the conditional use unless substantial evidence indicates that the use will result in substantial injury to the public interest. Susquehanna Twp. Board of Commissioners v. Hardee's Food Systems, Inc., 430 A.2d. 367 (Pa. Cmwlth. 1981); Appeal of Estate of Achey, 484 A.2d. 874 (Pa. Cmwlth. 1984), aff'd 501 A.2d. 249 (Pa. 1985); Joseph v. North Whitehall Township, 16 A.3d. 1209 (Pa. Cmwlth. 2011).

The fact that a use is permitted by conditional use evidences a legislative determination that such use would not have an adverse impact on public interests in normal circumstances. Joseph v. North Whitehall Township, 16 A.2d 1209 (Pa. Cmwlth. 2011).

In a conditional use hearing, an applicant has the burden of establishing that its proposed use complies with the specific and objective criteria of the zoning ordinance. Id. Once the applicant has met its burden, the conditional use must be granted unless a protestant presents "sufficient evidence to establish that there is a high degree of probability that the use will cause a substantial threat to the community." In re Cutler Group, Inc., 880 A.2d 39 (Pa. Cmwlth. 2005). To justify the denial of a conditional use,

the degree of harm alleged by a protestant must be greater than what would normally be anticipated by the permitted use. Id.

A protestant cannot meet its burden of proof by merely speculating as to a possibility of harm. Manor Healthcare Corp. v. Lower Moreland Twp. Zoning Hearing Bd., 590 A.2d 65 (Pa. Cmwlth. 1991); Marquise Investment, Inc. v. City of Pittsburgh, 11 A.3d 607 (Pa. Cmwlth. 2010). Moreover, lay opinions and concerns of protestants, without more, cannot serve as the basis for denying a conditional use application. See In re Brickstone Realty Corp., 789 A.2d 333 (Pa. Cmwlth. 2001) (noting that protestants failed to present expert testimony to substantiate claims of harm); Com. of Pa., Bureau of Corrections v. City of Pittsburgh, 532 A.2d 12 (Pa. Cmwlth. 1987) (holding that lay concerns of protestants must be supported by studies, reports, or objective testimony). In Com. of Pa., Bureau of Corrections, the applicant sought conditional use approval to operate a pre-release facility for state prisoners. Id. at 13. There, the protestants presented lay testimony that such a facility would decrease property value, increase the crime rate, and pose a threat to the female and elderly population within the city. Id. at 14. The Commonwealth Court stated:

The testimony of the neighborhood's residents, however, was not substantiated by facts but was no more than their bald assertions, personal opinions, and perceptions of the pre-release center and the area. [The protestants] did not present any studies, police records, property valuations or any type of substantive evidence upon which their fears were based, which would lead a reasonable mind to conclude that the facility would be detrimental to the community's general welfare.

Id. (emphasis added).

Here, the East Goshen Township Board of Supervisors has made the decision to grant the Application for conditional use relief, subject to the conditions specified within the Order below.

The additional conditions described in the Order below are imposed and attached pursuant to the authority of the MPC § 603(c) and Section 240-31.B(11) of the Ordinance and are subject to the following general principles. Unless a different mechanism is expressly required, compliance with these conditions shall ordinarily be established in the context of subsequent applications for building and use and occupancy permits and approvals. All conditions shall be complied with to the satisfaction of the Township. Any aspect of the said application or any revision thereto materially inconsistent with these conditions will require re-application to and re-hearing by the Board prior to such approval. Any violation of the conditions during or following construction will be treated as a violation of the Zoning Ordinance, subject to the enforcement mechanisms specifically detailed in MPC §§ 511 and 616-617, 53 P.S. §§ 10511 and 10616-10617.

Most fundamentally, this Decision and Order grants only conditional use approval in accordance with the express terms for the development as described in the Application and by the testimony and exhibits. Nothing contained in this Decision and Order shall be construed to abrogate or limit the obligation of the Applicant to comply with the applicable requirements of all of the Township's ordinances. Except as expressly augmented and clarified by these conditions, the use shall be in accordance with all of the otherwise applicable standards, specifications, and regulations of the Township and of all other agencies with jurisdiction over the Property, the development, or any aspect thereof. Any proposed development or use of the Property which would deviate from any

condition imposed pursuant to this Decision and Order or from the Applicant's testimony and exhibits as presented at the Hearing will require an additional conditional use application to and approval from the Board.

The Board, therefore, enters the following:

ORDER

AND NOW, this 7th day of March, 2023, the Board of Supervisors of East Goshen

Township hereby **ORDERS** the following:

1. The Application for a single-family open space development is hereby **GRANTED**, subject to the conditions hereinafter enumerated.
2. Pursuant to Section 240-38.6 of the Historic Preservation Ordinance, a modification from Section 210-23.B(2)(b)[2][c], permitting only one flag lot, is **GRANTED** to allow two (2) flag lots for the historic resources on the Property.
3. The Applicant shall comply with all outstanding comments contained in the Pennoni review letter dated October 27, 2022 (Exhibit B-10), to the satisfaction of the Township Engineer, as amended by this Order.
4. During the subdivision/land development process, the Applicant shall adequately address stormwater management, to the satisfaction of the Township Engineer, including but not limited to stormwater conveyances through the site from adjacent stormwater management facilities and any necessary stormwater easements.
5. The Applicant shall provide to the Township a sanitary sewer and pedestrian access easement approximately located between Lots 6 and 7, to the satisfaction of the Township. The pedestrian access easement shall be demarcated by post-and-rail fencing, stones, mulch, grass pavers, or the like. The pedestrian access easement shall be maintained by the homeowners' association and will be adequately addressed in the association's Declaration of Covenants, Conditions and Restrictions (the "Declaration") to the satisfaction of the Township. Notice of the easement shall also be provided to any prospective buyers of Lots 6 and 7 prior to execution of an agreement of sale. The Applicant shall complete the demarcation of the pedestrian access prior to the issuance of building permits for lots immediately adjacent to the easement area.
6. The "central green" located within the cul-de-sac shall be graded and maintained to allow for active recreation.
7. The Applicant shall preserve as much of the existing perimeter vegetation as possible. Any vegetation replaced pursuant to the Ordinance and/or the Township's Subdivision and Land

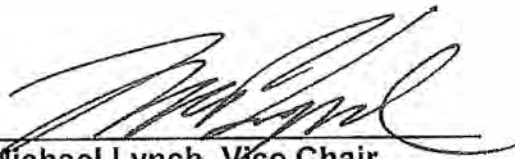
Development Ordinance (the "SALDO") shall be replaced with native and deer-resistant materials, wherever possible. Landscaping plans shall be reviewed by the East Goshen Township Conservancy Board and the Township Engineer to ensure compliance with the Ordinance and SALDO. Furthermore, the perimeter of the Property shall contain a traditional post-and-rail or equivalent fence that reuses the existing concrete posts, where possible.

8. The applicant shall design and install a 150' wide riparian forest buffer in accordance with the riparian buffer requirements outlined in 25 Pa. Code § 102.14 for the portion of stream within the subject property. Should the Applicant demonstrate to the Township that creation and maintenance of the entire 150' riparian buffer area is not possible for any portion of the Property, then the width of the buffer may be reduced by the Board of Supervisors, in their sole discretion, during the subdivision/land development process. Areas of existing woodland may be utilized to meet the riparian buffer requirements; however, these areas shall be reviewed by an arborist or qualified professional to ensure that the composition of plant life meets the requirements outlined. A plan shall be established to remove invasive species within the existing wooded areas and any areas of the riparian buffer. An operation & maintenance plan shall be developed for the riparian buffer to ensure that this buffer is maintained free of invasive species in perpetuity, with such plan being recorded with the approved final plans.
9. Maintenance of all landscaping on HOA-owned property, as well as all street trees, shall be the responsibility of the homeowners' association and will be addressed in the Declaration, to the satisfaction of the Township. All street trees shall be located outside of any road right-of-way.
10. Prior to recording the plans, the Applicant shall prepare and submit to the Township a shared access easement, as approved by the Township Solicitor, for the shared driveway servicing the two (2) flag lots.
11. The Applicant shall comply with the Township's ordinances regarding cartway width (Section 205-44) and sidewalks/paths (Section 205-56). Any waiver requests from these provisions will be considered by the Board of Supervisors during the subdivision/land development process.
12. The Applicant shall provide an offer of dedication of additional property along Hershey Mill Road for a potential future sidewalk or pathway.

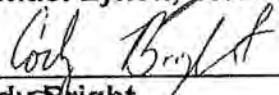
13. Any future residential reuse of the historic barn shall require further approvals from the Township, pursuant to the Historic Preservation provisions of the Ordinance (Sections 240-38.1 through 240-38.11). During its ownership of the historic barn, the Applicant shall ensure that it is well maintained and does not fall into disrepair.
14. Prior to final plan approval, a Phase I Environmental Site Assessment for the Property shall be provided to the Township.
15. The use of the Property shall be in substantial conformity with the Applicant's application and the testimony and exhibits presented at the hearing on the application as determined by the Township, as amended by this Order.
16. The Applicant's conditional use shall be subject to compliance with all terms and provisions of the Ordinance and all other Township Ordinances and Regulations.
17. The attached Findings of Fact, Conclusions of Law, and Discussion are incorporated into this Order.
18. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the Property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County no later than the recording of the approved final plan. All recording costs shall be reimbursed by the Applicant within 30 days of receipt of an invoice from the Township.
19. The Applicant shall express to the Board in writing, delivered to the Township Office within 15 days of the Applicant's receipt of this Decision, its full and complete consent to the conditions specified herein above or the Application for conditional use approval is denied; the Board expressly finding and concluding that the Application, in the absence of compliance with the said conditions, is inconsistent with the standards, criteria, purposes and policies codified in Section 240-31 of the Ordinance.

**BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP**



John Hertzog, Chair



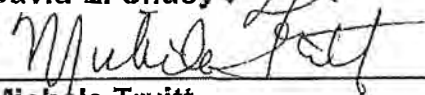
Michael Lynch, Vice Chair



Cody Bright



David E. Shuey



Michele Truitt

ATTEST:



Derek J. Davis, Secretary



a civil engineering design & management firm

July 25, 2023

Duane Brady
Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

**RE: *Millstone Meadows Subdivision
Preliminary/Final Subdivision Plan
East Goshen Township, Chester County
DHE Project No. 22-001***

Dear Duane:

On behalf of the applicant, Grove Meadow Developers, LLC, please accept for review the enclosed Preliminary/Final Subdivision application for the above-mentioned project. The following items have been enclosed specifically for your review:

- Three (3) copies of the Subdivision Planset
- Two (2) copies of the Post Construction Stormwater Management Report
- Two (2) copies of the Flood Plain Report
- Willingness to Serve letter from Aqua Pennsylvania

The enclosed items have been revised in response to the comments provided by Pennoni in their Review Letter dated June 8, 2023. Provided below is an item-by-item response to the provided comments:

CONDITIONAL USE DECISION AND ORDER

1. *The application for a single-family open space development is hereby granted, subject to the conditions hereinafter enumerated.
No action required.
As noted, no further action is required.*
2. *Pursuant to Section 240-38.6 of the Historic Preservation Ordinance, a modification from Section 210-23.B(2)(B)(2)(C), permitting only one flag lot, is granted to allow two (2) flag lots for the historic resources on the property.
No action required.
As noted, no further action is required.*
3. *The applicant shall comply with all outstanding comment contained in the Pennoni review letter dated October 27, 2022 (Exhibit B-10), to the satisfaction of the Township Engineer, as amended by this order.
Outstanding. See updated comments below.
A response to the updated comments has been provided below.*
4. *During the subdivision/land development process, the applicant shall adequately address stormwater management, to the satisfaction of the Township Engineer, including but not limited to stormwater conveyances through the site from adjacent stormwater management facilities and any necessary stormwater easements.
Outstanding. See comments below.
A response to the updated comments has been provided below.*

5. The applicant shall provide to the Township a sanitary sewer and pedestrian access easement approximately located between lots 6 and 7, to the satisfaction of the Township. The pedestrian access easement shall be demarcated by post-and-rail fencing, stone, mulch, grass pavers, or the like. The pedestrian access easement shall be maintained by the Homeowners' Association and will be adequately addressed in the Association's Declaration of Covenants, Conditions and Restrictions (the "Declaration") to the satisfaction of the Township. Notice of the easement shall also be provided to any prospective buyers of lots 6 and 7 prior to execution of an agreement of sale. The applicant shall complete the demarcation of the pedestrian access prior to the issuance of building permits for lots immediately adjacent to the easement area.

Outstanding. Easement documents, HOA documents, lot owner notification documents, sequence of construction notation and demarcation items have not been provided nor indicated; pedestrian access should be clearly addressed/ noted.

The applicant's attorney is working with the Township's Solicitor to coordinate all necessary documents and agreements.

6. The "Central Green" located within the cul-de-sac shall be graded and maintained to allow for active recreation.
Pending. The applicant has indicated that the "Central Green" will be for active recreation and will be maintained in a grass/mowed cover. See General Note 3 on Sheet 1. This should be further addressed with the Landscape Plan submission.
As noted, the "Central Green" shall be maintained to permit active recreational use. An Open Space plan has been included with this submission, with notation confirming this intention.

7. The applicant shall preserve as much of the existing perimeter vegetation as possible. Any vegetation replaced pursuant to the Ordinance and/or the Township's subdivision and land development ordinance (the "SALDO") shall be replaced with native and deer-resistant materials, wherever possible. Landscaping plans shall be reviewed by the East Gosben Township Conservancy Board and the Township Engineer to ensure compliance with the ordinance and SALDO. Furthermore, the perimeter of the property shall contain a traditional post-and-rail or equivalent fence that reuses the existing concrete posts, where possible.

Outstanding. Landscape plans shall be provided for review.

A landscaping plan has been included with this submission. The fencing has been noted on the plan and a detail for the fencing provided.

8. The applicant shall design and install a 150' wide riparian forest buffer in accordance with the riparian buffer requirements outlined in 25 P.A. Code §102.14 for the portion of stream within the subject property, should the applicant demonstrate to the Township that creation and maintenance of the entire 150' riparian buffer area is not possible for any portion of the property, then the width of the buffer may be reduced by the Board of Supervisors, in their sole discretion, during the subdivision/land development process. Areas of existing woodland may be utilized to meet the riparian buffer requirements; however, these areas shall be reviewed by an arborist or qualified professional to ensure that the composition of plant life meets the requirements outlined. A plan shall be established to remove invasive species within the existing wooded areas and any area of the riparian buffer. An operation and maintenance plan shall be developed for the riparian buffer to ensure that this buffer is maintained free of invasive species in perpetuity, with such plan being recorded with the approved Final Plans.

Outstanding. A Riparian Buffer Operations and Maintenance plan shall be provided for review.

A Riparian Buffer Management Plan has been included with this submission.

9. Maintenance of all landscaping on HOA-owned property, as well as all street trees, shall be the responsibility of the Homeowners Association and will be addressed in the declaration, to the satisfaction of the Township. All street trees shall be located outside of any road right-of-way.

Outstanding. Neither HOA documents nor a Landscaping Plan have been provided.

A landscaping plan has been included with this submission. The applicant's attorney is working with the Township's Solicitor to coordinate the necessary HOA documents.

10. Prior to recording the plans, the applicant shall prepare and submit to the Township a shared access easement, as approved by the Township Solicitor, for the shared driveway servicing the two (2) flag lots.

Outstanding.

An access easement has been denoted on the plans. The applicant's attorney is working with the Township's Solicitor to coordinate all necessary agreements.



11. The applicant shall comply with the Township's ordinances regarding cartway width (Section 205-44) and sidewalks/paths (Section 205-56). Any waiver request from these provisions will be considered by the Board of Supervisors during the subdivision/land development process.

Outstanding:

a. The proposed right-of-way width and cartway widths do not meet the minimum requirements of this section.

b. Trail/sidewalk access is not proposed throughout the site; this should be confirmed with the Planning Commission and Board. See additional comment, below.

A response to the updated comments has been provided below.

12. The applicant shall provide an offer of dedication of additional property along Hershey Mill Road for a potential future sidewalk or pathway.

Outstanding.

This request shall be further discussed with the Planning Commission.

13. Any future residential reuse of the historic barn shall require further approvals from the Township, pursuant to the historic preservation provisions of the ordinance (Sections 240-38.1 through 240-38.11). During its ownership of the historic barn, the applicant shall ensure that it is well maintained and does not fall into disrepair.

No action required.

As noted, no further action is required.

14. Prior to Final Plan Approval, a Phase I Environmental Site Assessment for the property shall be provided to the Township.

Outstanding.

A Phase 1 Environmental Site Assessment is being completed. A copy of the assessment shall be provided to the Township upon receipt.

15. The use of the property shall be substantial conformity with the applicant's application and the testimony and exhibits presented at the hearing on the application as determined by the Township, as amended by this order.

No action required.

As noted, no further action is required.

16. The applicant's conditional use shall be subject to compliance with all terms and provisions of the ordinance and all other Township ordinances and regulations.

Outstanding. See comments below.

A response to the updated comments has been provided below.

17. The attached Findings of Fact, Conclusions of Law, and discussion are incorporated into this order.

No action required.

As noted, no further action is required.

18. The applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the Office of the Recorder of Deeds of Chester County no later than the recording of the approved Final Plan. All recording costs shall be reimbursed by the applicant within 30 days of receipt of an invoice from the Township.

Pending.

Comment noted.

ZONING (§240)

1. We will defer a review of the Flood-Prone Area regulations (§240-26) pending clarification regarding PADEP permitting requirements and anticipated submissions and designs.

Pre-application meetings have been held with DEP and CCCD to review the permitting that will be required for the proposed project. As noted in these meetings, an Individual NPDES permit and Joint Permit shall be required.



2. *Provide a Zoning Table addressing conformance with the requirements of the Single-Family Open Space Development regulations. (§240-36.B, §240-36.C)*
The Zoning Data Table has been updated to include the following minimums:
 - Open Space Area - 8 acres
 - Lot Size - N/A
 - Building Setback from Tract Line - 50 ft.
 - Building Separation - 30 ft.
 - Building Setback from edge of cartway - 25 ft.
 - Building Setback from property lines - 1 ft
 - Required Parking - Three Off-Street Spaces/Unit
3. *The proposed density of the development appears to be incorrectly calculated.*
The units of the density calculations has been revised to "Acres/Unit"
4. *All buildings shall be located at least 25 feet from the edge of the cartway. (§240-36.C(5)) The building on Lot 12 does not appear to meet these requirements.*
The proposed dwelling on Lot 12 has been relocated to comply with the required setback.
5. *The plan shall note all prohibited accessory uses per §240-36.D(2).*
Zoning note #6 has been revised to include all prohibited uses.
6. *An Open Space Development plan shall be provided, addressing the requirements of §240-36.F.*
An Open Space Management Plan has been included with this submission.
7. *The developer shall be responsible to install and pay for any traffic control devices, widening of abutting streets or construction of acceleration/ deceleration lanes or other improvements required by the Board of Supervisors to be necessary for the reasonable ingress and egress to the development. (§240-27.D(2)(b))*
Comment noted.

SUBDIVISION AND LAND DEVELOPMENT (§205)

8. *The submission was submitted as preliminary/final submission; a waiver from §205-28 should be requested.*
The requested waiver has been noted on the Cover Sheet and a waiver request letter has been included with this submission.
9. *Building setback lines for each lot shall be indicated. (§205-30.C(2)(c))*
The building setback lines as identified in Zoning comment #2 have been delineated on the plans.
10. *Full documentation of any proposed homeowners' association, covenants or other such proposed association and/or restrictions governing the subdivision and/or land development shall be provided. (§205-30.C(4)(i))*
The applicant's attorney is working with the Township's Solicitor to coordinate all necessary documents and agreements.
11. *A water 'will serve' letter shall be provided. (§205-30.C(4)(b))*
A "will serve" letter from Aqua Pennsylvania has been included with this submission.
12. *Provide a landscape plan meeting all the requirements of §205-36.*
A landscaping plan has been included with this submission.
13. *Documentation concerning the maintenance, repair and use of the private streets shall be submitted to the Township for review and approval with the preliminary plan. (§205-42.H)*
Per Cover Sheet, General Note #2, the proposed road (Millstone Circle) is intended to be dedicated to East Goshen Township.



14. Note 4, Sheet 1 references clearing for sight distance. A minimum clear sight triangle (as measured from the center-line intersections of two streets) shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of two feet in such triangle. (§205-49.A) Provide clear sight distance per PENNDOT regulations and add a site triangle to the intersection of the proposed entrance and Hershey Mill Road in order to determine any impacts on existing vegetation or the adjacent parcel to the south.

Clear sight triangles have been added to the plans at both the proposed internal intersection and the proposed intersection with Hershey Mill Road. Please note that the proposed retaining wall in the open space has been revised to be outside of the clear sight triangle.

15. There shall be a maximum center-line grade of 7%; a portion of Millstone Circle is at 8.25%. (§205-45)
The proposed grades of the Millstone Circle have been revised to provide a maximum centerline grade of 7%.
16. The minimum sight distance for a vertical curve on a minor street is 200 feet. The vertical curve near station 3+00 on Millstone Circle should be lengthened to increase the sight distance, notably since the vertical curve is also on a horizontal curve. (§205-47)
The proposed vertical curve has been lengthened to provide the required 200' off sight distance.
17. Horizontal curve data should be provided to ensure conformance with §205-46.
Labels for the proposed horizontal curves have been labeled. Please note that while two curves within the loop road have been provided below the permitted minimum, the inner edge of these curves are along the central open space and will be maintained free of any obstructions. A waiver request of this requirement has been noted on the Cover Sheet and a waiver request letter has been included with this submission.
18. Street curb intersections shall be rounded by a tangent arc with a minimum radius of 35 feet. (§205-48)
The curb radii at the proposed intersection with Hershey Mill Road have been revised to provide a radius of 35'.
19. As the proposed lots are below one acre, the right of way width of a minor street may be reduced to 40 feet and the cartway width of a minor street may be reduced to 20 feet at the sole discretion of the Township Supervisors (§205-44.E(2)). Otherwise, the right of way width shall be 50 feet and the cartway width shall be 25 feet (§205-44.D). See Decision & Order Condition No. 11, above.
The right-of-way with for Mill Stone Circle has been proposed at 40'. Per §240.36.C.(4), since Mill Stone Circle is proposed with rolled curb, the cartway width has been reduced to 18'.
20. The stone subbase course for the proposed roadway paving section should be increased to eight inches. (§205-51.D(2))
The stone subbase has been revised as noted.
21. Proposed streets that are in alignment with existing streets shall bear the name of the existing street. (§205-53.A) The proposed entrance to the development aligns with Tanglewood Drive.
To ensure there is no confusion for emergency responders and since the proposed development is separate from the Hershey's Mill Subdivision, the internal road is proposed to be named differently. A waiver request of this requirement has been noted on the Cover Sheet and a waiver request letter has been included with this submission.
22. Where driveways are used jointly by more than one property owner, they may straddle the property line. The appropriate easement restrictions shall be noted on the final plan. (§205-57.C) An access/utility easement should be provided for Lots 13 & 14.
A shared access and utility easement have been noted on the plans.

STORMWATER MANAGEMENT

23. It appears that several permits will be required; please confirm PADEP direction regarding specific permits being required. (§195-16)
Pre-application meetings have been held with DEP and CCCD to review the permitting that will be required for the proposed project. As noted in these meetings, an Individual NPDES permit and Joint Permit shall be required.



24. There appear to be discrepancies between the plans, the stormwater report, and the PADEP spreadsheet regarding the basins. Please review and correct these discrepancies so that a determination of the adequacy of the plan can be determined (§195-19, §195-20, §195-21, §195-22):
- a. The berm elevation for Basin 1 on the plan is 478.00 feet; the elevation in the stormwater Report is 488.00.
 - b. The berm elevation for Basin 2 on the plan is 488 feet; the elevation in the stormwater report is 480 feet.
 - c. The routing for the basins in the stormwater report appears to be Basin 1 to Basin 2. The plans appear to indicate the routing is Basin 2 to Basin 1; please clarify.
 - d. The smaller basin is labeled Basin 1 on the ESC plan and Basin 2 on the PCSM plan.
- Infiltration Basins 1 and 2 were mis-labeled on the plans. The plan labels have been revised accordingly. The discrepancies have been corrected.**
25. Indicate the elevations of the amended soils in their respective details in order to confirm the infiltration BMPs have the required 2-foot separation to a limiting zone. (§195-20.L(1))
The bottom of the amended soils has been labeled on the detail.
26. All required regulatory approvals shall be indicated on the PCSM Plan. (§195-27.A(2))
As the permits are received, the Permit Number, Authorizing Agency, and approval date shall be noted on the PCSM Plan as requested.
27. Add a statement on the PCSM Plan, to be signed by the applicant prior to recording, 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))
The requested acknowledgement has been added to the plans.
28. Add the engineer's signature block to the PCSM Plan. (§195-27.A(4))
The requested certificate has been added to the plans.
29. The existing basin appears to drain through the site; clarify the total extent of the upstream area draining through the site. (§195-27.B(12))
As discussed at the pre-application meeting with DEP and CCCD, the storm water conveyance system has been revised to carry the upstream basin through the site.
30. Indicate a complete delineation of the flow paths used for calculating the time of concentration for the predevelopment and postconstruction conditions. (§195-27.B(14))
The delineation of the pre-development flow paths has been included on the drainage area plans. The post-development time of concentration has been on an assumption of 5 minutes for each subbasin and the system time within the conveyance system for the Infiltration Basins.
31. Provide an easement a minimum twenty-foot around all BMPs and conveyances. Alternatively, a blanket easement is acceptable. (§195-27.B(18)(e))
Since the basins are located within the open space areas, a blanket easement shall be provided.
32. Provide all calculations and design details for the proposed culvert.
A separate Flood Study report has been provided for the design of the proposed culvert.
33. It appears that the emergency spillway of proposed Basin 1 is active during the 100-year storm event. We recommend that the design be revised to retain the 100-year storm event within the basin.
With the modifications to the conveyance system noted in Comment #29, the spillway is no longer used during a normal storm event.
34. Runoff volume credit is being claimed via trees planted within the disturbed area; this shall be documented on the PCSM plan.
The area being credited for tree planting has been delineated on the Landscape and PCSM plans.



35. *The design appears to manage the discharge from the existing basin through proposed infiltration Basin 1 as opposed to bypassing the flow to DP 001; please clarify.*
As discussed at the pre-application meeting with DEP and CCCD, the storm water conveyance system has been revised to carry the upstream basin through the site.
36. *It is unclear to where the emergency spillway(s) of the existing basin discharges. Additional detail should be provided to confirm, in an event where the basin overflows the emergency spillway, Lots 6 & 7 are not directly impacted. Additionally bypass swales or other mechanisms may be warranted.*
The proposed grading to the rear of Lot 6 has been provided to convey runoff from the emergency spillway of the existing basin between Lots 6 and 7 and into I-6.
37. *Clarify the drainage areas shown on the post developed plan to distinguish between managed areas and unmanaged areas (indicate acreage, CN, and Tc.)*
The proposed drainage areas have been delineated on the Drainage Area maps provided with the PCSM Report.
38. *Label the existing and proposed contours on the PCSM plan.*
Additional contour labels have been added to the plans.
39. *Label the storm structures on the PCSM plan.*
40. *Provide calculations for the proposed sediment trap.*

SANITARY SEWER

41. *Provide elevations of any basements shown in plan view at the associated home location. (§205-71.B(1)(e)(1))*
The floor elevations for all dwellings have been provided on the plans.
42. *Indicate the type and class of pipe noted on the profiles. (§205-71.B(1)(e)(8)) Please note, pipes should be SDR-26 or better.*
The pipe profile labels have been revised as requested.
43. *Indicate locations of proposed sanitary laterals in profile views. (§205-71.B(1)(e)(9))*
The tie-in point for the sewer laterals to the main has been marked on the profiles.
44. *Provide sewer construction details. (§205-71.B(1)(e)(12)) Please also include a detail for bedding of the pipe.*
Sanitary sewer details have been provided on a separate Site Construction Detail Sheet.
45. *Note on the record plan all lots without basement service, if any. (§205-71.B(1)(e)(13))*
It is not intended to provide sanitary sewer service to the basements of the proposed dwellings. Utility Note #8 on the Cover Sheet has been added to state this.
46. *All manholes will have a drop of 0.2 feet between inlet and outlet built in. (§205-71.B(4)(c)) Manholes appear to currently have a 0.1 foot drop; please revise.*
All manholes have been adjusted to provide 0.2 feet of drop between the inlet and outlet.
47. *Watertight lids shall be utilized and noted on the plans when the manhole is within a 100-year floodplain or may become submerged. (§205-71.B(4)(c)) Manholes 1, 2, and 3 appear to be within the 100-year floodplain. Please relocate or indicate that they require watertight lids.*
The off-site sanitary sewer profile has been revised to include a note specifying water tight lids.
48. *Minimum cover over the top of the sewer shall be 4.5 feet unless special construction precautions such as cast-iron pipe or concrete encasement are specified and approved. (§205-71.B(4)(d)(2)) It appears there is a section between MH 2 & MH 3 where the cover is approximately 2.5 feet and between MH 3 & MH 4 where the cover is approximately 3.5 feet.*
The sanitary sewer design has been revised to provide additional cover over the piping between MH2-MH3 and MH3 – MH4. As part of the proposed stream restoration and removal of the existing macadam



driveway the stream channel shall be regraded. With the proposed regrading, the provided cover over the pipe has been increased to 42". Additionally, the pipe has been proposed to be constructed with Ductile Iron Pipe and be encased in concrete.

49. *Sewers shall be located a minimum of 10 feet horizontally from any obstruction such as a building. Sewers must be a minimum of 10 feet from a water main or 18 inches (measured from top of sewer to bottom of water main) under the same. When a sanitary sewer line crosses above or under any other pipeline with separation of less than 18 inches, the sanitary line will be provided with concrete encasement per the standard detail that extends 10 feet on either side of the pipe being crossed. (§205-71.B(4)(d)(6)) Sewer pipe between MH 6 & MH 12 and between MH 7 & MH 8 appear to have less than 10 feet horizontal or 18 inches vertical clearance between sanitary sewer and water pipes.*

The utility layout has been revised to provide as much separation as possible. Where unavoidable or in cases of crossing utilities, a minimum of 18" of separation has been provided. The profiles have been revised to dimension the crossings.

50. *Top of all sewers entering or crossing streams shall be at a sufficient depth below the natural bottom of the stream bed to protect the sewer line. In general, one foot of cover should be provided where the sewer is located in rock and three feet of cover (including concrete encasement) in other material. (PA DEP Domestic Water Facilities Manual 27.1) Sewer crossing the stream currently appears to have 2.5-feet of cover.*

As noted above, the sanitary sewer design has been revised to provide additional cover over the piping between MH2-MH3. The stream channel shall be regraded to provide cover over the pipe of 42", and the pipe has been proposed to be constructed with Ductile Iron Pipe and be encased in concrete.

51. *Sewer outfalls, headwalls, manholes, gateboxes or other structures shall be so located that they do not interfere with the free discharge of flood flows of the stream. (PA DEP Domestic Water Facilities Manual 27.1) MH 3 appears close to the stream, please relocate or indicate how this manhole will not interfere with the streamflow.*

Manhole MH3 has been repositioned away from the stream.

52. *Sewers entering or crossing streams shall be constructed of cast or ductile iron pipe with mechanical joints or concrete encasement around other types of pipes so that they will remain watertight and free from changes in alignment or grade. (PA DEP Domestic Water Facilities Manual 27.2) Proposed sewer appears to be PVC.*

The profile labels have been revised to specify Ductile Iron Pipe.

53. *Upon completion of construction, the stream shall be returned as near as possible to its original condition. The streambanks shall be seeded, planted or other erosion prevention methods employed to prevent erosion. Provide on the plans the specific method(s) to be employed in the construction of the sewers in or near the stream to control siltation. (PA DEP Domestic Water Facilities Manual 27.2)*

The stream restoration will be handled as part of the Project's Joint Permit application and shall be in accordance with DEP's requirements.

54. *During construction of sewer projects, the contractor shall be prohibited from unnecessarily disturbing or uprooting trees and vegetation along the streambank and in the vicinity of the stream, dumping of soil and debris into streams and/or on banks of streams, changing the course of the stream without an encroachment permit, leaving cofferdams in streams, leaving temporary stream crossings for equipment, operating equipment in the stream, or pumping silt-laden water into the stream. (PA DEP Domestic Water Facilities Manual 27.3) Please add the above as a note on the plans.*

Utility Note #11 has been added to the Cover Sheet as requested.

55. *Please provide 20-foot-wide easements for proposed sewer not located within the right-of-way.*

The requested easements have been added to the plans.

56. *We recommend further spacing be provided between sanitary sewer manholes 7, 8, and 9 and the respective storm sewer inlets to provide adequate spacing for future maintenance on either.*

The utility layout has been revised to provide as much separation as possible. Where unavoidable or in cases of crossing utilities, a minimum of 18" of separation has been provided. The profiles have been revised to dimension the crossings.



57. Please include the effluent invert and size of pipe for the existing manhole that is being tied into.
The inverts of the existing manhole have been included with the profile.

GENERAL

58. Please continue to include the Township in any meetings, submissions and/or correspondence with the Chester County Conservation District and/or PADEP.
Comment noted.
59. Multiple plan sheets are indicated as "(RESERVED)" and not included with the submission, including the Landscaping Plan, E&SC Details, Riparian Buffer Management Plan and Construction Details – Sanitary.
The plans previously marked as reserved have been included with this submission.
60. It is unclear if lighting is proposed, as this is typically indicated on the Landscaping Plan, which was not included.
The is no site lighting proposed for the development.
61. A trail/sidewalk easement should be provided along the frontage of Hershey Mill Road for future connections; see additionally Condition No. 12
This item shall be further discussed with the Planning Commission to determine the location and extent.
62. Proposed fencing should consider the context of the area; it may be appropriate to restrict any fencing to post and rail or similar and address any existing fencing in need of repair. Please address fencing on the Landscaping Plan, when submitted.
The perimeter fencing has been specified as post and rail.
63. Submission is subject to Zoning Officer, Historic Commission and Fire Marshall review.
The noted reviews have been received and responses shall be provided.
64. It may be appropriate to consider a pedestrian crossing, per PENNDOT regulations, across Hershey Mill Road to Tanglewood Drive.
This item shall be further discussed with the Planning Commission to determine the location and extent.
65. Directional and traffic control signage should be added to the plans. It is unclear if the circular portion of Millstone Circle is proposed to be one-way.
It is intended that the upper loop of Millstone Circle shall be one-way. Signage has been added to the plans.
66. Truck turning templates should be provided for delivery vehicles, trash trucks and emergency vehicles.
Truck turning templates shall be provided.
67. Note a Historic Resource Impact Study, Will Serve Letter (Sewer) and Pipeline Awareness Study were submitted previously with the Conditional Use application
Comment noted.

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

Sincerely,

Michael Hartman, P.E.
mhartman@dh-enterprises.net



FLOOD PLAIN STUDY REPORT

FOR
MILLSTONE MEADOWS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

DHE PROJECT NO. 22-001

CLIENT:
GROVE MEADOW DEVELOPERS, LLC.

PREPARED BY:
MICHAEL HARTMAN, P.E.
DH ENTERPRISES
2815 PENN AVENUE
WEST LAWN, PA 19609



DATE: JULY 25, 2023



POST-CONSTRUCTION STORM WATER MANAGEMENT REPORT

FOR
MILLSTONE MEADOWS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

PROJECT NO. 22-001

CLIENT:
GROVE MEADOWS DEVELOPERS, LLC.

PREPARED BY:
MICHAEL HARTMAN, P.E.
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DATE: APRIL 20, 2023
LAST REVISED: JULY 25, 2023

