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Return To: Same as above

Parcel Nos. 18-4-44; 18-4-54

**EAST COVENTRY TOWNSHIP  
CHESTER COUNTY**

**RESOLUTION NO. 2016 - 05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, GRANTING APPROVAL OF A PRELIMINARY REVERSE SUBDIVISION AND LAND DEVELOPMENT PLAN SUBMITTED BY OWEN J. ROBERTS SCHOOL DISTRICT FOR CONSTRUCTION OF THE NEW EAST COVENTRY ELEMENTARY SCHOOL LOCATED ON EAST CEDARVILLE ROAD AND OLD SCHUYLKILL ROAD IN EAST COVENTRY TOWNSHIP.**

**WHEREAS**, Owen J. Roberts School District (the "Applicant") is the owner and developer of two certain tracts of land consisting of approximately 51.998 acres situate in East Coventry Township, Chester County, Pennsylvania (the "Township"), with frontage on East Cedarville Road and Old Schuylkill Road (the "Property"); and

**WHEREAS**, the Property is more particularly shown on plans prepared by G.D. Houtman & Son, Inc. (hereinafter, "Houtman"), being plans consisting of forty four (44) sheets dated August 26, 2015, with a final revision date of February 23, 2016 (the "Plans"); and

**WHEREAS**, a schedule of the individual sheets, drawing title and final revision date for each sheet comprising the Plans is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the Plans have been reviewed by the Chester County Planning Commission, the Township Planning Commission, the Township Engineer, the Township Planner, the Township Traffic Engineer, the Township Fire Marshal, the Township Solicitor and other Township advisors, and have been found acceptable subject as herein below provided.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, as follows:

**SECTION A. AUTHORITY; SHORT TITLE; DEFINITIONS.**

1. This Resolution is adopted pursuant to and in accordance with the Subdivision and Land Development Ordinance of 2011 (Ordinance No. 179) enacted August 8, 2011, as amended through Ordinance No. 196 enacted August 12, 2013 (collectively, the "SALDO"), as set forth in Chapter 22 (Subdivision and Land Development) of the Code of Ordinances of the Township of East Coventry.

2. This Resolution shall be known and may be cited as the "Resolution for Preliminary Reverse Subdivision and Land Development Plan Approval for Construction of the New East Coventry Elementary School."

3. Except as may be otherwise provided herein and/or if the context clearly indicates otherwise, all words and phrases appearing in this Resolution, which also appear in the SALDO, shall have the same meanings in this Resolution as in the SALDO.

**SECTION B. WAIVERS.**

4. The Board of Supervisors waived strict compliance with the following provision of the SALDO, on and subject to the terms and conditions set forth in the Township Traffic Engineer's review letter dated December 4, 2015, at its December 14, 2015 meeting:

a. Section 406.1 to permit the Applicant to widen East Cedarville Road along the site frontage to provide for a twelve-foot (12') wide lane and three-foot (3') wide paved

shoulder and one-foot (1') wide stabilized grass shoulder (with appropriate buffering of any pedestrian trail/sidewalk).

In light of the subsequent written recommendations received from the Pennsylvania Department of Transportation ("PennDOT") the Board of Supervisors hereby amends the aforesaid waiver approval, on and subject to the terms and conditions set forth in this Resolution, so as to permit the Applicant to widen East Cedarville Road along the site frontage to fifteen (15) feet from centerline, to consist of an eleven-foot (11') wide cartway and a four-foot (4') wide paved shoulder.

5. The Board of Supervisors hereby waives strict compliance with the following provisions of the SALDO, on and subject to the terms and conditions set forth in this Resolution:

a. SALDO §403.5 to permit the Applicant to not provide crosswalks, except that the Applicant shall install (i) one (1) crosswalk at the intersection of Buckwalter and East Cedarville Roads, (ii) one crosswalk at the front entrance to the Property, and (iii) one (1) crosswalk connecting the walkway along the side of the front entrance driveway to the sidewalk leading to the front of the school building.

b. SALDO §405.9 to permit the Applicant to not widen Old Schuylkill Road along the site frontage.

c. SALDO §416.1 to permit the Applicant to not provide curbing along the site frontage of East Cedarville Road and Old Schuylkill Road, on the condition that: (i) a six-foot (6') wide asphalt walkway shall be installed at the locations shown on the Plans; and (ii) a four-foot (4') paved shoulder is installed along the site frontage of East Cedarville Road in lieu of curbing.

d. SALDO §418.2 to permit the Applicant to not install sidewalks along the site frontage of East Cedarville Road and Old Schuylkill Road, on the condition that: (i) a six-

foot (6') wide asphalt walkway shall be installed in lieu of a five-foot (5') wide concrete sidewalk in the locations shown on the Plans; (ii) the design of the six-foot (6') wide asphalt walkway shall be ADA accessible; and (iii) sidewalk improvements shall be installed at the Applicant's expense at such time as sidewalk improvements are installed along a portion of Old Schuylkill Road on one side adjacent to the Property.

e. SALDO §419.2 to permit the Applicant to not provide paving and curbing in the parking areas that complies with the Township's specifications for local streets on the condition that the location of the curbing for the interior parking areas shall be as shown on the Plans.

f. SALDO §§428.6.A & C to permit the Applicant to not install a landscape screen along the outer perimeter of parking, loading and storage areas and to permit fewer total plantings and smaller nursery stock, as shown on the Plans and as identified in the Applicant's waiver request letter dated March 15, 2016.

g. SALDO §428.7.A and §428.11.D to permit the Applicant to not install a landscape screen along all property boundaries that abut incompatible land uses and to permit fewer total plantings and smaller nursery stock, as shown on the Plans and as identified in the Applicant's waiver request letter dated March 15, 2016.

h. SALDO §428.7.B to permit the Applicant to not provide any building area landscaping.

i. SALDO §428.7.C to permit the Applicant to plant fewer total foundation plantings and to use smaller nursery stock as identified in the Applicant's waiver request letter dated March 15, 2016.

j. SALDO §428.8.B to permit the Applicant to plant street trees of smaller nursery stock as identified in the Applicant's waiver request letter dated March 15, 2016.

k. SALDO §428.9 to permit the Applicant to plant fewer total plantings for tract boundary landscaping and to use smaller nursery stock, as shown on the Plans and as identified in the Applicant's waiver request letter dated March 15, 2016.

l. SALDO §428.8.C(1) to permit the Applicant to not install street trees between two feet (2') and four feet (4') outside the ultimate right-of-way and to instead permit the planting of street trees in the locations as shown on the Plans.

m. SALDO §429.2 to permit the Applicant to not install bicycle, equestrian and/or pedestrian trails other than (i) to install those trails and gravel paths depicted on the Plans, and (ii) to provide the location for the "future trail" as shown on the Plans.

n. SALDO §429.2 to permit the Applicant to postpone the installation of the gravel path leading to the Coventry Glen development until such time as the athletic fields identified on the Plans are installed, on the condition that (i) construction of the trail on the Property leading to the Pheasant Lane cul-de-sac shall be completed concurrently with construction of the school building, and (ii) the Applicant shall post financial security with the Township prior to the commencement of construction of the school building in an amount satisfactory to the Township to ensure completion by the Applicant of the gravel path.

6. The Board of Supervisors hereby waives strict compliance with the following provision of the East Coventry Township Code of Ordinances, Chapter 21, Part 3, Exhibit 21-3-A ("SPIS"), on and subject to the terms and conditions set forth in this Resolution:

a. SPIS §6.1.C to permit the Applicant to construct the gravel path on the Property leading to the Coventry Glen development, as shown on the Plans, using clean permeable un-compacted gravel rather than asphalt.

7. The Board of Supervisors hereby waives strict compliance with the following provisions of the East Coventry Township Stormwater Management Ordinance, (Ordinance No.

198) enacted December 9, 2013 ("SWMO"), on and subject to the terms and conditions set forth in this Resolution:

a. SWMO §121.17 to permit the Applicant to use the Modified Rational Method for basin sizing and routing at Basin #4, as shown on the Plans, on the condition that (i) the Applicant also receives approval from the Pennsylvania Department of Environmental Protection ("PADEP") and/or the Chester County Conservation District ("CCCD"), acting on behalf of PADEP, (ii) the Applicant ultimately receives its NPDES permit, and (iii) the design of the bio-retention facility located within Basin #4 shall continue to utilize the SCS method for volume and water quality requirements.

b. SWMO §125 to permit the Applicant to utilize infiltration areas as shown on the Plans and to not utilize infiltration areas north of the school on the condition that (i) the Applicant also receives approval from the Pennsylvania Department of Environmental Protection ("PADEP") and/or the Chester County Conservation District ("CCCD"), acting on behalf of PADEP, and (ii) the Applicant ultimately receives its NPDES permit.

c. SWMO §126.E to permit the Applicant to not provide at least one-half inch ( $\frac{1}{2}$ " ) of runoff from all impervious surfaces on the Property, on the condition that (i) the Applicant also receives approval from the Pennsylvania Department of Environmental Protection ("PADEP") and/or the Chester County Conservation District ("CCCD"), acting on behalf of PADEP, and (ii) the Applicant ultimately receives its NPDES permit.

**SECTION C. CONDITIONS OF PRELIMINARY PLAN APPROVAL.** Approval of the Plans is hereby granted subject to the following conditions:

8. As a condition of final plan approval, the nonconforming use of the existing East Coventry Elementary School shall be deemed abandoned immediately upon the vacating of the building by the Applicant.

9. As part of its final plan submission, the Applicant shall revise the Plans to show signage as required by Zoning Ordinance §702.5 and a note to this effect shall be placed on the Plans. The signage shall comply with the requirements of Zoning Ordinance §1314 and shall not interfere with sight distance, proposed storm water facilities, proposed lighting facilities, proposed landscaping or other proposed improvements. Landscaping associated with signage installed at entranceway features shall be shown on the Plans in accordance with SALDO §428.10.

10. As part of its final plan submission, the Applicant shall revise the landscaping plans in accordance with Zoning Ordinance §1310.2.E to provide: (i) the species lists, acreage and amount of seed mix to be used; and (ii) clarification as to how the unmarked areas, including the riparian buffer and areas marked as undisturbed, will be addressed.

11. The proposed landscaping plans submitted by the Applicant as part of its final plan submission shall be satisfactory to the Board of Supervisors in accordance with SALDO §428.

12. The Professional Land Surveyor responsible for the boundary survey shall sign and seal Sheet C-1 as a condition of preliminary plan approval as required by SALDO §304.3.A(3).

13. A certification shall be provided for signature by the Professional Land Surveyor that the boundary survey has an error of closure not exceeding one (1) foot in twenty-five thousand (25,000) feet as required by SALDO §304.3.A(12). In addition, each sheet of the Plans shall be signed and sealed prior to both preliminary and final plan approval to satisfy the accuracy certification requirements of SALDO §304.3.A(25) and SALDO §305.3.B(1)(g).

14. As a condition of final plan approval, a PennDOT Driveway and/or Highway Occupancy Permit ("HOP") shall be obtained by the Applicant and furnished to the Township

for the proposed East Cedarville Road access and utilities running in and/or along East Cedarville Road as required by SALDO §304.3.I. The Township and the Township Traffic Engineer shall receive copies of all submissions to PennDOT and all correspondence between the Applicant and PennDOT relating to the proposed access and roadway improvements. The HOP Application submitted to PennDOT shall be satisfactory to the Township upon advice of the Township Traffic Engineer. The Applicant shall afford the Township Traffic Engineer the opportunity to participate in all meetings between the Applicant and PennDOT and shall satisfy all comments provided by the Township Traffic Engineer throughout the HOP process on the location and design of the roadway and pedestrian improvements.

15. As a condition of final plan approval, the Applicant shall ensure that the existing roadway drainage system on or in East Cedarville Road will function properly, as determined by both PennDOT and the Township, following installation of the required roadway widening and access improvements.

16. Any waivers granted by the Board of Supervisors shall be listed on Sheet C-2 of the Plans using the Waiver Request Matrix as outlined in SALDO Appendix 22-A as per the requirements of SALDO §305.3.B(1)(d).

17. The final plans shall be accompanied by the information required in SALDO §305.3.B(2).

18. All signature blocks and certifications shall be signed, and notarized as appropriate, as part of the final plan approval and recording process in accordance with SALDO §307.2.

19. The following items shall be corrected or noted on the final plans submitted to the Township for approval:

a. Revise Note 45 on Sheet C-2 as required by SALDO §304.3.A(8) to identify the applicable SALDO, zoning, storm water management and other ordinances governing the Plans, as identified in the September 9, 2015 ARRO review letter and the March 9, 2016 Wisler Pearlstine review letter

b. Revise the Zoning Relief Notes on Sheet C-2 as required by SALDO §304.3.A(8) to identify the zoning relief granted in accordance with the Order issued by the Zoning Hearing Board on December 7, 2015, as identified in the March 9, 2016 Wisler Pearlstine review letter.

c. Clarify which existing fencing is to remain and the proposed fencing to be installed and revise the Plan legends accordingly. In addition, revise Sheet C-19 with regard to fencing around the storm water basins to (i) provide fence gates for access, (ii) depict the height of the fence rails, which shall be forty-two inches (42”), and (iii) mount screen fencing on the outside of the posts rather than the inside.

d. Restate General Note 19 on Sheet C-2 as follows: “The Township is granted a blanket easement and right of access to enter upon any portion of the Property from time to time to inspect all storm water BMPs, to confirm that the Applicant is in compliance with its obligations to maintain, repair and replace the same in accordance with the Operation & Maintenance Plan and the BMP Agreement, and to enforce the terms thereof.”

e. Revise Sanitary Sewer Note 4 on Sheet C-20 to add "by the Township Engineer" after the word "approval".

f. Revise Sanitary Sewer Note 5 on Sheet C-20 to add "to East Coventry Township" after the word "provided".

g. Update the Plans and General Note 11 on Sheet C-2 to reflect the updated Flood Insurance Rate Maps recently issued by FEMA.

h. Add a construction detail for the proposed six-foot (6') wide asphalt walkway.

i. Revise General Note 46 on Sheet C-2 to add a second sentence as follows: "Plans for all playground areas, equipment and components shall be approved by East Coventry Township prior to installation to ensure ADA compliance."

j. Add a note that all walkways, paths and crosswalks shall be constructed in compliance with the Americans with Disabilities Act and all applicable regulations and guidelines relating thereto.

k. Revise the Plans to provide for depressed curb where the emergency access drive connects to the new school driveway as required by Section 13.1.A of the East Coventry Township Standard Public Improvement Specifications ("SPIS").

l. Revise the Plans to provide for a minimum width of five (5) feet for all proposed sidewalks, paths and trails on the Property, as depicted on the Plans, as required by SALDO §418.7, excepting, however, that the paved walkway along the East Cedarville Road site frontage shall be revised to a minimum width of six (6) feet in consideration for the granting of the waivers described in subparagraphs 2(c) and 2(d) above by the Board of Supervisors.

m. Revise the Plans to provide for a legally described easement area for each storm water management facility identified on the Plans that includes a twenty foot (20') wide perimeter around each storm water basin that constitutes a BMP or conveyance in accordance with East Coventry Township Storm Water Management Ordinance ("SWMO") §§142.B(18)(c), 172.A(10)(a) and 174.1.

n. Clarify Note 16 on Sheet C-4, which states that wetlands do not exist on the Property.

- o. Extend the asphalt walkway along the site driveway to the sidewalk along the front of the school building and provide a pedestrian crossing with ADA-compliant curb ramps and a painted crosswalk.
- p. Clarify whether the handicap parking spaces in the rear of the building are intended for the primary use of the athletic fields, the school, or both.
- q. Provide ADA-compliant curb ramps at the crosswalk and the parking spaces at the rear of the school building.
- r. Revise the Plans to provide continuous sidewalk around the school building. Eliminate the sidewalk gap near the loading area and provide ADA-compliant curb ramps for crossing the loading area driveway.
- s. Provide a stop sign at the end of the loading area.
- t. Provide clarification as to the need for a curb ramp just south of the smaller kindergarten play area.
- u. Provide a stop sign and stop bar at the southern end of the eastern parking/drive aisle.
- v. Provide stop signs and stop bars at the end of each rear circulating drive aisle on both sides of the school building.
- w. Provide a double yellow centerline along the main driveway in the vicinity of the access.
- x. Unless opposed by PennDOT, revise the Plans to show the ultimate right-of-way line on East Cedarville Road along the entire frontage of the Property as being parallel to the roadway centerline with perpendicular offsets at right-of-way width changes, as needed, provided that minimum Township and PennDOT roadway requirements are satisfied.

y. Add a note that the Applicant shall be responsible for the maintenance of all constructed pedestrian accommodations, including without limitation, sidewalks, walkways and trails, on the Property and along the site frontage, whether inside or outside of the legal right-of-way.

z. Add a note that all areas to be developed as meadow, as identified on the Plans, shall be maintained in this condition by the Applicant.

aa. Add the following note pertaining to storm water management facilities:

"The Applicant grants to the Township, its successors and assigns, an access easement and the full right and uninterrupted authority, right, right-of-way and privilege to enter upon all of the Property for the purpose of inspection of the surface and subsurface storm water drainage facilities and BMPs on the Property, including but not limited to, the storm water and bio-retention basins, permanent channels, vegetated swales and related storm water facilities as shown on the Plans. The Property shall be subject to a recorded Operation and Maintenance Agreement, which shall include provisions for a blanket access easement upon all of the Property for the purpose of inspection, maintenance and repair."

bb. Add a note that the Applicant shall, at its expense, install sidewalk improvements along the site frontage of Old Schuylkill Road at such time as sidewalk improvements are installed on one (1) adjacent side to the Property.

20. The Applicant's final plan submission shall address each of the following requirements to the satisfaction of the Township upon recommendation of the Township Engineer in accordance with SWMO §121.12:

a. A core of impervious material shall be provided for all three basin embankments. This impervious material shall not be limited to the core trench, but shall compose the core of the basic embankment as well, in accordance with the Bureau of Reclamation's The Design of Small Dams.

b. The end of the concrete on the level spreaders shall be a minimum of twelve inches (12") higher than the crest elevation in order to prevent washout of the existing soil; the elevated portion of the level spreader shall extend to the soil slope.

c. The PADEP BMP manual requires that for adequate cleansing of storm water, infiltration through two (2) feet of soil at required infiltration rates is required. The proposed amended soils for water quality improvements shall be a minimum depth of two feet and shall have infiltration rates between 0.1 and 10 inches per hour.

d. The gate valves on the outlets of the basins shall be eliminated, and the amended soils or sub-drain, whichever controls, shall be modeled as a basin outlet for the calculation of peak flows.

e. The following discrepancy shall be rectified: on Sheet C-42, the entrance invert of the 15" discharge pipe from basin 3 is currently shown as 221.3, but the downstream invert is shown as 229.8.

f. Horizontal dimensions shall be provided for the amended soils portion of the basins.

g. Inlet protection shall be provided for the one inch (1") drain pipe entrance from basin 1.

h. The following discrepancy shall be rectified: Basin 1 shows an outlet pipe of 42" diameter on Calculation Sheet F-2, but shows as 36" on drawing C-42.

i. The following discrepancy shall be rectified: Sheet C-42 shows a top of amended soil at elevation 223.3 on the basin 2B detail, but shows as 223.5 on the basin 2B outlet detail.

j. The following discrepancy shall be rectified: Sheet C-42 shows a top of outlet structure elevation 224 on the basin 3 detail, but shows as 232.1 on the basin 3 outlet detail.

k. The following discrepancy shall be rectified: Sheet R-2 of the calculations shows a pipe slope of 0.87% for the 15" pipe, but drawing C-42 shows 0.67%. In addition, sheet R-2 shows an n-value of 0.01, which is only be applicable for smooth-lined pipe.

l. For the areas of basin 4 to be considered meadow as shown on page R-1-C-1 of the calculations, the drawings must identify the area to remain as meadow.

m. The time of concentration path for the pre-development and post-uncontrolled area 4 shall extend to the junction point with the controlled area 4 outlet.

21. The Applicant's final plan submission shall address each of the following requirements to the satisfaction of the Township upon recommendation of the Township Engineer:

a. Unless opposed by PADEP or CCCD acting on PADEP's behalf, water quality improvements similar to bio-retention basins 1 and 2 shall be provided for all flow which enters storm water management basin 1 in accordance with SWMO §125.F.

b. Averaging of runoff coefficients shall not be done for calculation of runoff volumes, including those determined for infiltration facilities or basin routings, per SWMO §129.7.

22. As a condition of final plan approval, the Applicant shall guarantee the replacement of any dead or diseased trees, shrubs and other plantings installed by the Applicant

for a period of eighteen (18) months following the date of final installation and shall post financial security with the Township to assure performance of its replacement obligations in accordance with SALDO §309.

23. As part of the final plan submission, the Applicant's engineer shall include the following additional plan sheets: (i) an easement plan that depicts all easement areas to be located on the Property, which shall be recorded as part of the Record Plans, and (ii) a truck turning plan that provides truck turning templates for school buses, the largest anticipated delivery truck, and emergency vehicles. The truck turning plans shall be included with the HOP plan and shall be satisfactory to PennDOT and the Township upon advice of the Township Traffic Engineer and the Township Fire Marshal.

24. As a condition of final plan approval, a Trail Easement Agreement in form and substance satisfactory to the Township shall be provided by the Applicant, which provides for public use of the proposed future trail that may be constructed and maintained by the Township (but for which the Township has no obligation to do so), as shown on the Plans. The Trail Easement Agreement shall be executed by the Applicant before the Board of Supervisors signs the Record Plans and releases same for recording and shall be recorded by the Township at the Township's expense.

25. As a condition of final plan approval, an easement and maintenance agreement in form and substance acceptable to the Township shall be provided by the Applicant, which provides for the continued use and maintenance of the emergency access easement area located on the existing elementary school site adjacent to the Property and the emergency access drive improvements constructed thereon, at no cost to the Township. The easement and maintenance agreement shall be a covenant running with the land and shall be binding upon the Applicant, its successors-in-title, successors and assigns in perpetuity.

26. As a condition of final plan approval, an easement for the emergency access area shall be offered for dedication to the Township in accordance with SALDO §304.3.E.(16) and SPIS §13.1.

27. As a condition of final plan approval, a Trail Easement and Maintenance Agreement in form and substance acceptable to the Township shall be provided by the Applicant, which provides for public use of the gravel path leading to the Coventry Glen development, to be constructed and maintained by the Applicant, as shown on the Plans. The Trail Easement and Maintenance Agreement shall be executed by the Applicant before the Board of Supervisors signs the Record Plans and releases same for recording and shall be recorded at the Applicant's expense. As a further condition of final plan approval, the Applicant shall post financial security with the Township in an amount satisfactory to the Township to ensure completion of construction by the Applicant of said gravel path. Construction shall be completed at such time as the athletic fields identified on the Plans are installed. All work associated with the path and its connection to the path installed on the Coventry Glen property shall comply with all applicable ADA requirements.

28. The boundary survey shall be signed and sealed by the Professional Land Surveyor registered in the Commonwealth of Pennsylvania responsible for its preparation to satisfy the requirements of SALDO §§304.3.A(3), 304.3.A(26) and 305.3.B(1)(n) prior to recording the final plans at the Office of the Chester County Recorder of Deeds (the "Recorder's Office").

29. The certification of accuracy on the final plans shall be signed prior to recording the final plans in accordance with SALDO §304.3.A(26).

30. All signature blocks on the final plans shall be fully executed prior to the recording of the Plans at the Applicant's expense at the Recorder's Office.

31. As a condition of final plan approval, the Applicant shall obtain Sewage Facilities Planning Module approval, or an exemption therefrom, from PADEP as required by SALDO §421.1 and shall reserve an initial sewer capacity allocation of sixteen (16) EDUs in accordance with the procedures established by the Township under SALDO §306.2.B.(2) and §421.1 and East Coventry Township Public Sanitary Sewer Ordinance §309.2. The Applicant shall install a flow meter and collect water consumption records for the first twenty-four (24) month period after the school is open to students. The aforesaid EDU requirement shall be subject to adjustment upon completion of the 24-month monitoring period.

32. The Applicant's final plan submission shall include an updated letter from Pennsylvania American Water stating that all comments contained in its letter dated December 4, 2015 have been satisfactorily addressed. The Applicant shall provide a certification and supporting calculations from a licensed Professional Engineer certifying that the flow rates and pressures identified in SALDO §422.5 and SALDO §422.6 for public water available to the site will be met at the highest useable floor. The Applicant shall install a booster pump with a back-up generator in the building to be constructed and a note to that effect shall be set forth on the Plans. Prior to the issuance of a certificate of occupancy for the building, the Applicant shall submit documentation satisfactory to the Township evidencing the installation of said booster pump and back-up generator. Finally, the Applicant shall satisfactorily address any other concerns identified in comment No. 20 of the ARRO review letter dated March 1, 2016.

33. A copy of the NPDES storm water permit issued by the Pennsylvania Department of Environmental Protection or the Chester County Conservation District shall be furnished to the Township before the Township releases the Record Plans for recording in accordance with SALDO §306.1 and SWMO §121.3.B.

34. A Land Development Agreement, including financial security provisions, and a Memorandum of Land Development Agreement, each in form and substance acceptable to the Township, shall be prepared by the Township Solicitor and executed by the Applicant before the Board of Supervisors signs the Record Plans and releases same for recording in accordance with SALDO §309.

35. The Applicant shall submit an improvements cost estimate to the Township for review and approval by the Township Engineer in accordance with SALDO §310.6. The Applicant shall post financial security, as described in the Land Development Agreement, with the Township to cover the cost of construction of all improvements in accordance with SALDO §310 and §601.3.

36. A Letter of Adequacy or evidence of approval of an Erosion and Sediment Control Plan from the Chester County Conservation District shall be furnished to the Township before the Township releases the Record Plans for recording in accordance with Section 121.3.B of the East Coventry Township Stormwater Management Ordinance (hereinafter, the "SWMO").

37. The Applicant shall design, construct and install a flashing school zone device and any other traffic control devices and/or roadway modifications required by PennDOT in the vicinity of the entrance to the Property on East Cedarville Road at its expense, in accordance with Zoning Ordinance §1305.H. As a condition of final plan approval and prior to recording the Record Plans, the Applicant shall enter into a maintenance agreement with the Township in form and substance acceptable to the Township to provide for the ongoing maintenance by the Applicant of the flashing school zone device and all pedestrian improvements installed by the Applicant to service the site.

38. As part of the final plan submission, the Applicant's engineer shall revise the Plans to provide separate grading details and all dimensions for construction, including without

limitation, widths, lengths and slopes, for each curb ramp located within a public right-of-way, along a public use trail within the boundaries of the Property, and along the frontages of the Property in accordance with Zoning Ordinance §1306.D(1)(e). All proposed curb ramps shall provide labels for the ramp types. Detectable Warning Surface (DWS) shall be provided for all curb ramps.

39. As a condition of final plan approval, all proposed pedestrian facilities, including without limitation, curb ramps and pedestrian access routes, shall be constructed in accordance with the requirements of the U.S. Access Board, Public Right-Of-Way Accessibility Guidelines (PROWAG) of the Accessibility Guidelines of Buildings and Facilities (ADAAG), PennDOT Design Manual Part 2, Chapter 6, and PennDOT Standards for Roadway Construction (Publication 72M, RC-67M) in accordance with Zoning Ordinance §1306.D(1)(e).

40. As part of the final plan submission, the Applicant shall re-design the interior circulation, drives and parking areas on the Property and shall implement traffic control measures to improve pedestrian safety and the ability of vehicles to execute parking maneuvers by providing greater separation of pedestrians, parking facilities and vehicular traffic, substantially, as shown on the marked site plan attached hereto as Exhibit "B" and incorporated herein by reference, in accordance with Zoning Ordinance §§1306.C(1) and 1306.D(1)(a). The re-design based on the revisions to the site plan to be prepared by G.D. Houtman and Sons, Inc., shall improve the site circulation compared to the plan, as initially proposed. Specifically, changes shall be made to eliminate the row of 20 parking spaces on the outside drive aisle, and relocate them to the middle drive aisle. The remaining row of 18 spaces in the outer drive aisle will be listed as staff parking and shifted northwest on the site as much as possible and the drive aisle will be widened to thirty feet (30'). A pedestrian crosswalk will be included in the area of the relocated parking to link to the existing sidewalk on the northwest end of the building.

Parents dropping off and picking up children will be directed to the outside (curbline) of the outer drive aisle and will turn left just west of the bus drop-off/pick-up point and proceed west down the main drive aisle in front of the school building, as this will increase queuing storage area on site. Intersection control (all way stop signage) will be installed at the easternmost intersection where buses and cars cross, and staff should assist during peak times to ensure safe passage of the buses.

The foregoing plan changes are intended to alleviate concerns of parents dropping off and picking up students who need to park and escort their child into the building that could be parked in (blocked) by queuing cars extending back from the drop-off point, will greatly reduce the potential vehicle conflicts with pedestrians within the parking aisles during the main drop-off and pick-up times, and will improve traffic operations.

41. A Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement (the "BMP Agreement"), in form and substance acceptable to the Township, shall be executed and delivered by the Applicant, as Grantor, to the Township, as Grantee, and shall be recorded by the Township at the Applicant's expense in the Recorder's Office on the same date as and immediately following the recording of the Record Plans in accordance with SWMO §142.F(2) and §173. In addition:

a. The BMP Agreement shall grant and convey to the Township, its contractors, agents, successors and assigns, an easement in perpetuity to those areas on which the stormwater basins and other stormwater management facilities are located, as shown on the Plans, stormwater basin access easements, and a blanket access and maintenance easement to enter upon any portion of the Property for purposes of inspecting, maintaining, repairing and replacing the stormwater basins and other stormwater management facilities, as identified on the Plans, in the event that the Applicant fails to do so.

b. Legal descriptions for all easements shall be submitted to the Township for review and approval by the Township Engineer in accordance with SALDO §305.3.B(1)(g) and shall be attached to the appropriate legal documentation prior to recording such documents.

c. A copy of the recording receipt shall be provided to the Township before any work associated with the Property may commence. The existence and applicability of the BMP Agreement shall be identified on the final plans. Appendix A of the BMP Agreement shall be completed prior to final plan approval.

42. A Drainage Permit Application shall be submitted by the Applicant to and must be approved by the Township. A copy of the recording receipt shall be provided to the Township, before any work associated with the SWM Site Plan and Drainage Permit may commence. The Township shall be provided with a copy of the fully recorded BMP Agreement before the Drainage Permit will be closed out, and the Drainage Permit must be closed out before a Certificate of Occupancy can be issued. Appendix A of the BMP Agreement shall be completed as a condition of final plan approval.

43. A Deed of Consolidation, acceptable in form and substance to the Township Solicitor, shall be prepared by counsel for the Applicant, and executed by Owen J. Roberts School District consolidating UPI #18-4-44 and UPI #18-4-54, with the consolidated lot identified as Parcel No. 18-4-54 (the "Consolidated Lot"), as shown on the Preliminary Plans. The Deed of Consolidation shall be recorded either prior to or immediately following the recording of the Record Plans.

44. All sanitary sewer mains and other improvements to be constructed within the ultimate right-of-way along the eastern boundary of East Cedarville Road shall be contained within dedicated roadways or legally described easement areas and offered for dedication to the Township. Acceptance of dedication shall require the execution by the Applicant of appropriate

deeds of dedication and a bill of sale for the improvements being constructed and conveyed to the Township. All water mains and related improvements to be constructed within the ultimate right-of-way along the eastern boundary of East Cedarville Road shall be conveyed to Pennsylvania American Water Company.

45. All storm water conveyance systems and improvements to be constructed within the ultimate right-of-way along the eastern boundary of East Cedarville Road shall be offered for dedication to the Township. Acceptance of dedication shall require the execution by the Applicant of appropriate deeds of dedication and a bill of sale for the improvements being constructed and conveyed to the Township.

46. As a condition of final plan approval and prior to releasing the Record Plans for recording, the Applicant and the Township shall execute an operations, maintenance and reimbursement agreement pursuant to which the Applicant shall be financially responsible for the maintenance of any storm water management facilities installed within the ultimate right-of-way of East Cedarville Road adjacent to the Property if and to the extent PennDOT discontinues the maintenance thereof.

47. As part of its final plan submission, the Applicant's engineer shall prepare and provide legal descriptions in form and substance satisfactory to the Township Engineer for all easement areas and areas to be offered for dedication to the Township, as depicted on the Plans, including, without limitation, the following: (i) storm water management facility easement areas; (ii) access, trail and emergency access easement areas; (iii) the ultimate right-of-way along Old Schuylkill Road to be offered for dedication to the Township; (iv) the ultimate right-of-way along East Cedarville Road (as modified per Paragraph No. 46 below) to be offered for dedication to the Township; and (v) sanitary sewer easement areas. All legal descriptions, once

approved by the Township Engineer, shall be provided to the Township Solicitor for attachment to the appropriate legal documentation prior to recording.

48. As a condition of final plan approval and prior to the Township releasing the Record Plans for recording, a Deed of Dedication in form and substance satisfactory to the Township shall be executed and delivered by the Applicant, as grantor, to the Township, as grantee, granting and conveying fee simple title in perpetuity to the lands and road widening and other improvements constructed thereon or therein constituting the ultimate right-of-way along the frontage of the Property on the northeasterly side of East Cedarville Road, as depicted on the Plans, in accordance with SALDO §§406.6 and 406.7. The legal description for the ultimate right-of-way width along the entire Property frontage shall reflect an ultimate right-of-way line that is parallel to the roadway centerline with perpendicular offsets at right-of-way width changes, as needed, provided that minimum Township and PennDOT roadway requirements are satisfied. The Deed of Dedication shall be recorded by the Township at the Applicant's expense after all road widening improvements have been satisfactorily completed, as determined upon inspection by the Township Engineer, and the issuance of a certificate of completion for the improvements.

49. As a condition of final plan approval and prior to the Township releasing the Record Plans for recording, a Deed of Dedication in form and substance satisfactory to the Township shall be executed and delivered by the Applicant, as grantor, to the Township, as grantee, granting and conveying fee simple title in perpetuity to the lands and any road widening or other improvements constructed thereon or therein constituting the ultimate right-of-way along the frontage of the Property on the southwesterly side of Old Schuylkill Road, as depicted on the Plans, in accordance with SALDO §§406.6 and 406.7. The Deed of Dedication shall be recorded by the Township at the Applicant's expense after all road widening and other

improvements, if any, have been satisfactorily completed, as determined upon inspection by the Township Engineer, and the issuance of a certificate of completion for the improvements.

50. The Record Plans, following final plan approval, shall be fully executed and delivered to the Township and shall be recorded at the expense of the Applicant.

51. The Applicant shall pay to the Township a transportation impact fee in an amount to be agreed upon by the Applicant and the Township, which shall be payable to East Coventry Township for deposit into the Township Traffic Impact Fee Fund, pursuant to the East Coventry Township Transportation Impact Fee Ordinance §§305 and 403. Provided that there is no incremental increase in traffic impacts generated by the new school, as compared to the existing school, payment of the transportation impact fee shall be deferred until such time as the use of the existing school building is determined. The Applicant (or future owner of the existing school building property) shall be responsible for all applicable transportation impact fees associated with the re-occupancy/redevelopment of the existing school building once its use is determined.

52. All recording costs and applicable taxes and fees, if any, shall be paid by the Applicant.

53. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the completion of all conditions, the payment of all applicable fees and the funding of all escrows must be accomplished within ninety (90) days of the date of the resolution approving the final plans unless a written extension is granted by the Township. Until the conditions have been satisfied, the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed nor recorded. In the event that the conditions have not been satisfied, the fees have not been paid and the escrows have not been funded within ninety (90) days of the date of said resolution, or any written extension thereof, the contingent approval shall expire and be deemed to have been revoked.

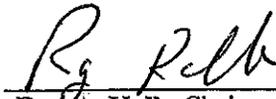
54. Under the provisions of the Pennsylvania Municipalities Planning Code, the Applicant has the right to accept or reject conditions imposed by the Board of Supervisors upon preliminary approval. The Applicant shall signify its acceptance of the conditions contained herein by signing a copy of this Resolution and returning it to the Township within thirty (30) days of the date of this Resolution. In the event execution of this Resolution is not delivered to the Township office by 12:00 p.m. on \_\_\_\_\_, 2016, or if the Township receives written notice of an appeal or rejection of any of the conditions set forth herein within thirty (30) days from the date of this Resolution, this approval and the waivers granted in Section B, Paragraphs 4, 5, 6 and 7 hereof (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the sections set forth in Section B, Paragraphs 4 and 5, all as authorized by Section 508 of the Pennsylvania Municipalities Planning Code.

**SECTION D. EFFECTIVE DATE.** This Resolution shall be effective immediately upon the adoption hereof.

**APPROVED** at the public meeting of the East Coventry Township Board of Supervisors held on April 11<sup>th</sup>, 2016.

**EAST COVENTRY TOWNSHIP**

  
\_\_\_\_\_  
Bernard A. Rodgers, Secretary

By:   
\_\_\_\_\_  
Ray A. Kolb, Chairman

By signing below, the Applicant accepts and consents to all of the terms and conditions of approval contained in the foregoing Resolution Granting Preliminary Reverse Subdivision and Land Development Approval.

APPLICANT:

OWEN J. ROBERTS SCHOOL DISTRICT

Date: May 17, 2016

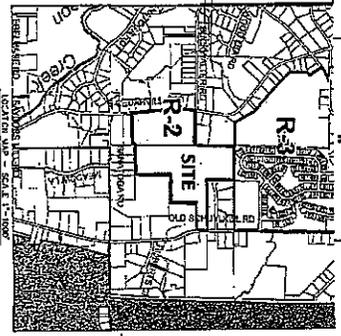
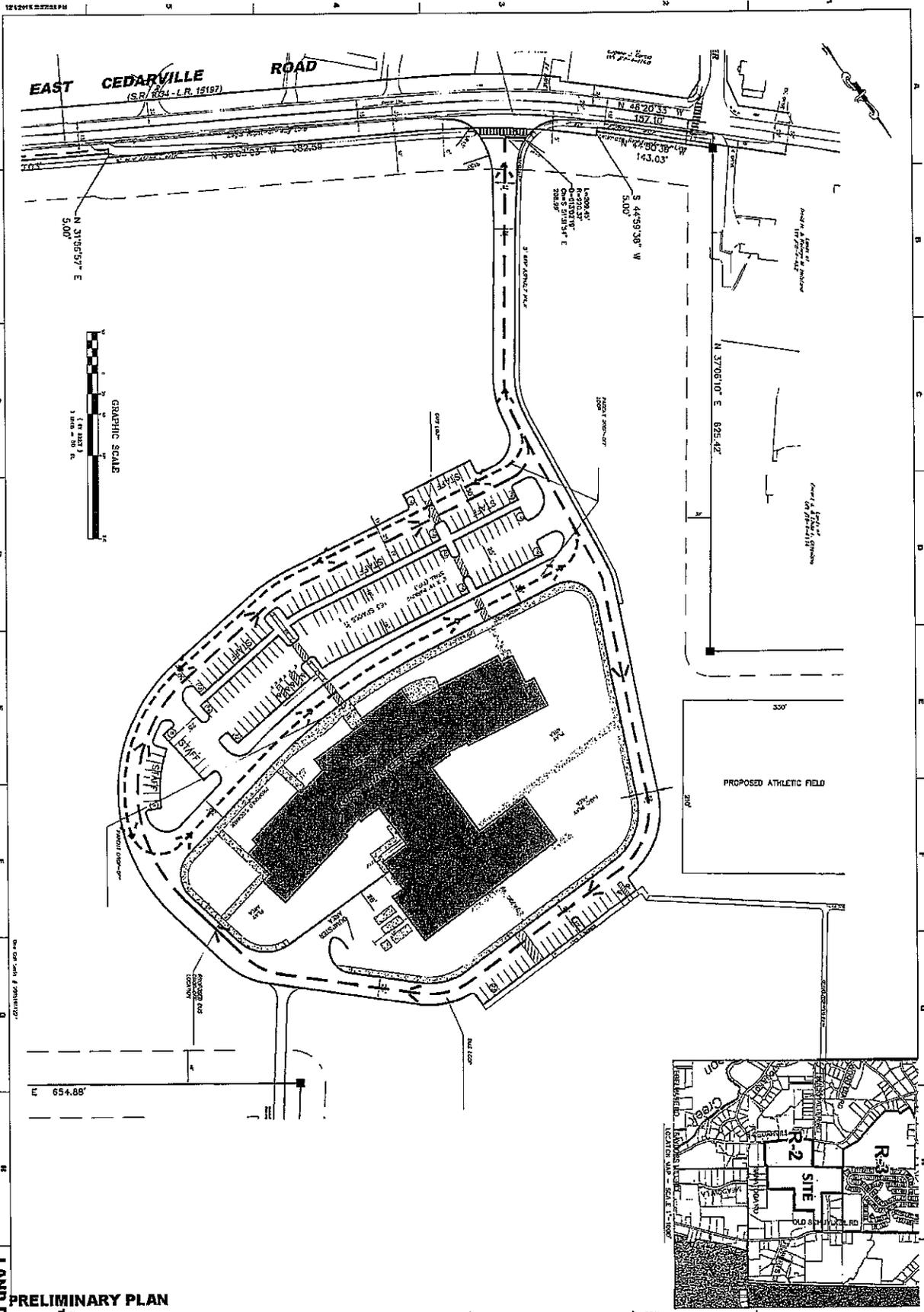
By: *Pamela C. Wolfe*  
President, Board of School Directors

EXHIBIT "A"

ENUMERATION OF THE APPROVED PRELIMINARY REVERSE  
SUBDIVISION AND LAND DEVELOPMENT PLANS FOR  
THE NEW CONSTRUCTION OF  
EAST COVENTRY ELEMENTARY SCHOOL

Sheet Nos.	Drawing Title	Original and Last Revision Dates
1	TITLE SHEET	08/26/15; 02/23/16
2 - 3	REVERSE SUBDIVISION & LAND DEVELOPMENT PLAN	08/26/15; 02/23/16
4 - 7	EXISTING CONDITIONS PLANS	08/26/15; 02/23/16
8 - 11	GRADING PLANS	08/26/15; 02/23/16
12 - 15	PROFILE PLANS	08/26/15; 02/23/16
16 - 21	CONSTRUCTION DETAILS PLANS	08/26/15; 02/23/16
22 - 25	UTILITY PLANS	08/26/15; 02/23/16
26 - 29	EROSION AND SEDIMENT CONTROL PLANS (CONSERVATION PLANS)	08/26/15; 02/23/16
30	CONSTRUCTION NOTES PLAN	08/26/15; 02/23/16
31 - 32	LANDSCAPE PLAN	08/26/15; 02/23/16
33 - 34	LIGHTING PLANS	08/26/15; 02/23/16
35	SITE ANALYSIS PLAN	08/26/15; 02/23/16
36	SITE CONTEXT PLAN	08/26/15; 02/23/16
37	RESOURCE IMPACT PLAN	08/26/15; 02/23/16
38 - 44	POST CONSTRUCTION STORM WATER MANAGEMENT PLANS	08/26/15; 02/23/16

**EXHIBIT "B"**



LAND DEVELOPMENT

**PRELIMINARY PLAN**

ISSUE DATES	DATE	DESCRIPTION
PROJECT & IDENTIFY		
PRELIMINARY PLAN		
FINAL PLAN		

NEW CONSTRUCTION OF  
**EAST COVENTRY  
 ELEMENTARY SCHOOL  
 OWEN J. ROBERTS SCHOOL  
 DISTRICT**  
 532 Sasatoga Road,  
 Pottstown, PA 19465

CONSULTANT:  
**G.D. HOUTMAN & SON, INC.**  
 CIVIL ENGINEERS-LAND SURVEYORS  
 LAND PLANNERS  
 138 WEST BALTIMORE PIKE  
 POTTSTOWN, PA 19465



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