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Return To: Same as above

UPI Nos. 18-5-20; 18-5-21

**EAST COVENTRY TOWNSHIP
CHESTER COUNTY**

RESOLUTION NO. 2016- 26

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, GRANTING APPROVAL OF A
PRELIMINARY/FINAL MINOR REVERSE SUBDIVISION
PLAN SUBMITTED BY MICHAEL J. MAKRIS FOR THE
PROPERTY LOCATED AT 2579 NEW SCHUYLKILL
ROAD (S.R. 724) IN EAST COVENTRY TOWNSHIP**

WHEREAS, Michael J. Makris (the “Applicant”) has submitted for approval to East Coventry Township (the “Township”) a Preliminary/Final Minor Reverse Subdivision Plan (the “Plan”) consisting of one (1) sheet prepared by Hopkins and Scott Inc. dated June 29, 2016, and last revised October 29, 2016, for the real property located at 2579 New Schuylkill Road (S.R. 724) in East Coventry Township, Chester County, Commonwealth of Pennsylvania (the “Property”); and

WHEREAS, the Plan has been reviewed by the Chester County Planning Commission, the Township Planning Commission, the Township Engineer, the Township Planner, the Township Traffic Engineer, the Township Solicitor and other Township advisors, and has 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. 205, enacted December 14, 2015 (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/Final Minor Reverse Subdivision Approval for the Autoquest Collision Storage Garage.”

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.

1. 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. Section 301.3.B(1), which requires that the Plan be processed as a major subdivision, in order to permit the Applicant to process the Plan as a minor subdivision.

b. Section 304.3.C, which requires a Site Context Map be provided, in order to permit the Applicant to not provide a Site Context Map.

c. Section 404, which requires the installation of monuments at property corners, to permit the Applicant to not install a monument at the corner identified on the Plan as

“Mag Nail Found Held” on the condition that monuments be installed at the two remaining property corners.

d. Section 405.9, which requires the installation of additional paving or other street improvements where the site abuts an existing street, in order to allow a six foot (6’) wide shoulder in lieu of an eight foot (8’) wide shoulder along the Property’s frontage on New Schuylkill Road (S.R. 724).

e. Section 406.7, which requires the installation of road widening improvements where the site abuts an existing street of improper cartway or right-of-way width in order to allow a six foot (6’) wide shoulder in lieu of an eight foot (8’) wide shoulder along the Property’s frontage on New Schuylkill Road (S.R. 724).

f. Section 416, which requires the installation of curbs where sidewalks are required, in order to permit the Applicant to not provide curbs along the Property’s frontage on New Schuylkill Road (S.R. 724).

g. Section 418.2 requiring sidewalks on all collector and commercial streets and Section 418.4 requiring sidewalks along all streets in nonresidential subdivisions in order to permit the Applicant to not provide sidewalks along the Property’s frontage on New Schuylkill Road (S.R. 724).

h. Section 419, which requires that all parking areas be paved and curbed, in order to allow the parking areas on the Property to remain in their current condition and to not be altered.

i. Section 428, which requires that a landscape screen or buffer be provided, in order to permit the Applicant to not provide any landscaping within the side yard setback area of the Property.

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

1. The following revisions shall be made to the Plan:
 - a. The Waivers Matrix on the Plan shall be completed and updated to include all waivers approved by the Board of Supervisors. All portions of the Waivers Matrix shall be completed in accordance with SALDO §305.3.B(1)(d) and §704.3.
 - b. Signature lines for the Chairman and members of the Board of Supervisors shall be provided on the Plan.
 - c. A note shall be added to the Plan identifying the underlying soil(s) on the Property and stating that no soils with seasonally high water tables exist on the site.
 - d. A note shall be added to the Plan stating “No historic resources exist within one hundred feet (100’) of the proposed improvements.”
 - e. Note 14 on the Plan shall be restated 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 stormwater BMPs, to confirm that the Applicant is in compliance with its obligations to maintain, repair and replace the same in accordance with the O&M Plan and the BMP Agreement, and to enforce the terms thereof."
2. The Applicant shall obtain Sewage Facilities Planning Module approval, or an exemption therefrom, from the Pennsylvania Department of Environmental Protection as required by SALDO §421.1.
3. All signature blocks and certifications on the Plan shall be fully executed and notarized, as appropriate, prior to the recording of the Plan at the Applicant’s expense at the

Office of the Chester County Recorder of Deeds (the "Recorder's Office") in accordance with SALDO §305.3.B(1)(g) and SALDO §307.2.

4. A Deed of Consolidation shall be executed and recorded by the Applicant consolidating Parcel No. 18-5-20 and Parcel No. 18-5-21 as shown on the Plan. The legal description for the consolidated parcel shall be acceptable to the Township Engineer. The Deed of Consolidation shall be acceptable in form and substance to the Township Solicitor and recorded at the Recorder's Office at the Applicant's expense on the same date as and immediately following the recording of the Plan.

5. A Simplified Approach Stormwater Best Management Practices Operation, Maintenance, and Inspection Plan and Agreement (the "BMP Agreement") shall be fully executed by the Applicant and recorded at the Recorder's Office at the Applicant's expense pursuant to SWMO §§142.F(2) and 173. The BMP Agreement shall be recorded following the recording of the Plan and prior to the start of construction as part of the drainage permit application process, which shall occur concurrently with the building permit application process. The BMP Agreement shall be acceptable in form and substance to the Township upon recommendation of the Township Engineer and the Township Solicitor. A copy of the recording receipt shall be provided to the Township before any work associated with the 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 the Certificate of Occupancy is issued. The Township Engineer's office shall provide the BMP Agreement to the Applicant as part of the Drainage Permit review process.

6. Prior to the Township releasing the Plan for recording, the Applicant shall pay and/or reimburse the Township for all fees, charges and costs of the Township, the Township

Engineer, the Township Planner, the Township Traffic Engineer, the Township Solicitor and other Township consultants, relating to the preparation and/or review of the Plan, the consolidation deed, the legal description, and any other documentation required by this Resolution to be delivered prior to recording the Plan.

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

8. 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 this Resolution 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 Plans 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 this Resolution, or any written extension thereof, this contingent subdivision approval shall expire and be deemed to have been revoked.

9. 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/final 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 January 11, 2017, 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 of this

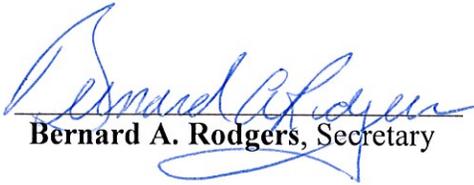
Resolution (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with the conditions set forth in this Section C, all 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 December 12, 2016.

EAST COVENTRY TOWNSHIP

Attest:


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/Final Minor Subdivision Approval.

APPLICANT:

Date: 12/14/2016

By: 
Michael J. Makris