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Return To: Same as above

Parcel Nos. 18-001-0082.000;  
18-001-0081.0000

UPI Nos. 18-1-81; 18-1-82

**EAST COVENTRY TOWNSHIP  
CHESTER COUNTY**

**RESOLUTION NO. 2016- 18**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
EAST COVENTRY TOWNSHIP, CHESTER COUNTY,  
PENNSYLVANIA, GRANTING APPROVAL OF A  
PRELIMINARY/FINAL MINOR SUBDIVISION (LOT LINE  
ADJUSTMENT) PLAN SUBMITTED BY ALL COUNTY  
AND ASSOCIATES, INC. FOR THE PROPERTIES  
LOCATED AT 14 AND 34 FRICKS LOCK ROAD IN EAST  
COVENTRY TOWNSHIP**

**WHEREAS**, All County and Associates, Inc. (the “Applicant”), on behalf of Barry A. and Lois M. Reitnour and Benjamin Silverberg and Caitlin Skelton (collectively, the “Owners”), has submitted for approval to East Coventry Township (the “Township”) a Preliminary/Final Minor Subdivision (Lot Line Adjustment) Plan (the “Plan”) consisting of one (1) sheet prepared by the Applicant dated January 15, 2016, and last revised September 28, 2016; 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 Subdivision Plan Approval for the 14 and 34 Fricks Lock Road Lot Line Adjustment.”

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 304.3.C requiring that a Site Context Map be provided that shows the location of the site within its neighborhood context.

b. Section 405.9 requiring the installation of additional paving or other street improvements where the site abuts an existing street to the extent deemed by the Board of Supervisors to be in the public interest.

c. Section 406.7 requiring the installation of road widening improvements where the site abuts an existing street of improper cartway or right-of-way width.

d. Section 418.2 requiring that concrete sidewalks be provided along the Old Schuylkill Road frontage.

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

1. The following revisions shall be made to the Plan:

a. Revise the Zoning Requirements Chart to show the gross area of Lot 1 as being reduced by 0.05 acres and the gross area of Lot 2 as being increased by 0.05 acres to conform to the East Coventry Zoning Hearing Board Opinion and Order dated July 19, 2016.

b. Revise the Zoning Requirements Chart to correctly reflect the “proposed” ultimate right-of-way area for each lot in accordance with Zoning Ordinance §703.1.A.

c. Revise the “Applicable Code” block in accordance with SALDO §304.3.A(8) as follows:

(i) Add the following at the end of the SALDO reference: “, as amended through Ordinance No. 205.”

(ii) Add the following at the end of the Zoning Ordinance reference: “, as amended through Ordinance No. 205.”

(iii) Add the following: “Roadway Classifications adopted and effective July 19, 2004 via Resolution No. 2004-25.”

d. Revise the “Right-of-Way Dedication” block to add the words “for dedication” after the word “offered”.

e. Revise the “Zoning Variance” paragraph to change the word “plot” to “lot”.

f. Delete the words “Recommended for Approval” in the Township Engineer and Township Planning Commission certification blocks and replace them with “Reviewed by” as required by SALDO §307.2.

g. Eliminate the extra signature lines on the Plan so there is one (1) signature line for execution by the Township Planning Commission Chairman and one (1) signature line for execution by the Board of Supervisors Chairman.

h. Clearly label, to the satisfaction of the Township Traffic Engineer, the existing legal right-of-way lines and proposed ultimate right-of-way lines along the Old Schuylkill Road, Fricks Lock Road and Savage Road frontages of Lot 1 and Lot 2.

i. Revise the site map to change the reference from School House Road to Ellis Woods Road.

2. 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.

3. The Waiver Request Matrix shall be revised to include approval dates for all waivers granted by the Board of Supervisors, as appropriate, prior to the recording of the Plan in accordance with SALDO §704.3.

4. A special warranty deed (the “Deed”) granting and conveying fee simple title to that portion of Lot 1 to be conveyed to the owners of Lot 2, as shown on the Plan, shall be executed and delivered by Barry A. and Lois M. Reitnour, as Grantors, to Benjamin Silverberg and Caitlin Skelton, as Grantees. The Deed, which shall be prepared by the Applicant and reviewed and approved by the Township Solicitor, shall be recorded at the Recorder’s Office at the Applicant’s expense immediately following the recording of the Plan. The legal description

for that portion of Lot 1 being conveyed to the owners of Lot 2 shall be prepared by the Applicant for review and approval by the Township Engineer and attached to or incorporated into the Deed.

5. A Deed of Consolidation shall be executed and delivered by Benjamin Silverberg and Caitlin Skelton consolidating the portion of Original Lot 1 that is to be conveyed in accordance with Paragraph 4 above with the adjoining lands of Original Lot 2. The legal description for consolidated Lot 2 shall be prepared by the Applicant for review and approval of the Township Engineer and attached to or incorporated into the Deed of Consolidation. The Deed of Consolidation shall be acceptable in form and substance to the Township Solicitor and recorded on the same date as and immediately following the recording of the Plan and the Deed.

6. Prior to releasing the Plan for recording, a Deed of Dedication shall be executed and delivered by Barry A. and Lois M. Reitnour, as Grantors, to the Township, as Grantee, granting and conveying fee simple title in perpetuity to the lands constituting the ultimate right-of-way along the frontage of Lot 1 abutting Old Schuylkill Road and Fricks Lock Road. The legal description for the ultimate right-of-way shall be prepared by the Applicant for review and approval of the Township Engineer and attached to or incorporated into the Deed of Dedication. The Deed of Dedication shall be acceptable in form and substance to the Township Solicitor and recorded on the same date as and immediately following the recording of the Plan.

7. Prior to releasing the Plan for recording, a Deed of Dedication shall be executed and delivered by Benjamin Silverberg and Caitlin Skelton, as Grantors, to the Township, as Grantee, granting and conveying fee simple title in perpetuity to the lands constituting the ultimate right-of-way along the frontage of Lot 2 abutting Fricks Lock Road and Savage Road. The legal description for the ultimate right-of-way shall be prepared by the Applicant for review and approval of the Township Engineer and attached to or incorporated into the Deed of

Dedication. The Deed of Dedication shall be acceptable in form and substance to the Township Solicitor and recorded on the same date as and immediately following the recording of the Plan.

8. 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 following: the Deed, the deed of consolidation, the deeds of dedication, all required legal descriptions, and any other documentation required by this Resolution to be delivered prior to recording the Plan.

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

10. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the completion of all conditions and the payment of all applicable fees 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 and the applicable fees have been paid, the Plan shall not be signed nor recorded. In the event that the conditions have not been satisfied and the fees have not been paid 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.

11. 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 December 14, 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 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.

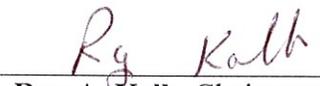
**APPROVED** at the public meeting of the East Coventry Township Board of Supervisors held on November 14, 2016.

**EAST COVENTRY TOWNSHIP**

Attest:

  
Bernard A. Rodgers, Secretary

By:

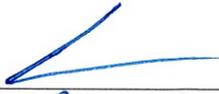
  
Ray A. Kolb, Chairman

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:

ALL COUNTY AND ASSOCIATES, INC.

Date: 11/22/16

By:   
Name: Roger Lehmann  
Title: Applicant Agent