

EAST COVENTRY TOWNSHIP

BOARD OF SUPERVISORS

CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2024-31

A RESOLUTION OF THE BOARD OF SUPERVISORS OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, GRANTING CONDITIONAL APPROVAL OF A PRELIMINARY / FINAL MINOR SUBDIVISION AND LAND DEVELOPMENT PLAN SUBMITTED BY RB ASHLEY CUSTOMS, LLC AS AGENT FOR JOSEPH ESPOSITO AND KATRINA RAICHLE FOR THE PROPERTY LOCATED AT 2377 EAST CEDARVILLE ROAD IN EAST COVENTRY TOWNSHIP.

WHEREAS, Joseph C. Esposito and Katrina G. Raichle, by and through their agent, RB Ashley Customs, LLC (collectively, the “Applicant”) are the owners of a certain parcel of land located at 2377 East Cedarville Road in East Coventry Township, Chester County, Pennsylvania (the “Township”), consisting of approximately 5.193 gross acres, more particularly identified as Chester County UPI No. 18-4-43.1 (the “Property”); and

WHEREAS, the Property is currently improved with an existing single-family detached dwelling, pole barn, and associated driveway (the “Existing Improvements”); and

WHEREAS, the Applicant proposes to subdivide the Property into two (2) lots, resulting in Lot 1 consisting of approximately 1.5217 gross acres (which will fully contain the Existing Improvements) and Lot 2 consisting of approximately 4.3906 gross acres, and the construction on Lot 2 of a 1,954 square foot single-family detached dwelling, paved driveway, public sanitary sewer, private on-lot water, stormwater management facilities and related improvements (collectively, the “Development”); and

WHEREAS, the Development is more particularly shown on plans prepared by Carta Engineering (hereinafter, "Applicant's Engineer"), being plans consisting of six (6) sheets dated August 21, 2024, last revised September 24, 2024 (the "Plans"); and

WHEREAS, a schedule of the individual sheets, drawing title and last 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, 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. 2023-260 enacted June 12, 2023 (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 and Land Development Approval for 2377 East Cedarville Road."

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 AND DEFERRALS.

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. Waiver of SALDO §22-406.7 requiring that subdivisions abutting existing streets with improper cartway or right-of-way widths must be widened and rights-of-way dedicated, in order to allow the Applicant to forego the widening of East Cedarville Road and the dedication of right-of-way therefor.

b. SALDO §22-418.2. requiring that the Applicant install a sidewalk along all collector streets abutting or within a subdivision, on all streets within 1,000 feet of a school, on all commercial streets, and other locations determined necessary by the Township, to allow the Applicant to not construct sidewalks along E. Cedarville Road.

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

1. Prior to the Township releasing the Plans for recording, the Plans shall be revised to comply with all comments contained in the Township Engineer Review Letter dated October 23, 2024, prepared by Carroll Engineering Corp., attached hereto as Exhibit “B”, to the satisfaction of the Township.

2. Prior to the Township releasing the Plans for recording, the Plans shall contain, among others required by the above-identified consultant review letters, the following revisions:

a. Revise the Waiver Request Matrix on Sheet 1 in accordance with SALDO §§22-305.3.B.(1)(d) and 22-704.5. to include all of the information required by SALDO Appendix 22-A.

3. Prior to the Township releasing the Plans for recording, the Applicant shall provide to the Township either an approved sewage facilities planning module or an approved sewage facilities planning module exemption issued by PADEP, in accordance with SALDO §22-421.1.

4. Prior to the Township releasing the final plans for recording, all signature blocks and certifications on the final plans shall be signed and notarized, as appropriate, as part of the final plan approval and recording process in accordance with SALDO §22-307.2.

5. Prior to the Township issuing a building permit for the Development, a Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement ("BMP Agreement") in form and substance acceptable to the Township, shall be executed by the Applicant and recorded in the Office of the Chester County Recorder of Deeds simultaneously with the Plans at the Applicant's expense pursuant to SWMO §§ 9-142.F(2) and 9-173. The BMP Agreement shall grant to the Township a blanket easement over Lot 2 to inspect the proposed storm water management facilities and maintain, repair and/or replace the same if the responsible party fails to do so. A copy of the recording receipt shall be provided to the Township prior to the commencement of any work associated with the Development. The BMP Agreement shall be prepared by the Township Solicitor or the Township Engineer at the Applicant's expense after receipt by the Township of an application for drainage permit.

6. The existing dwelling on Lot 1 shall complete its connection to the public sanitary sewer system and pay in full all tapping fees and other fees and costs due to the Township for the sewer connection on or before September 21, 2025.

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

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

9. The Development is located in the Northern Transportation Service Area. A traffic impact fee in the amount of Two Thousand Eight Hundred Forty-Six Dollars (\$2,846.00) shall be paid in full to the Township prior to the issuance of a building permit for Lot 2.

10. All Township consultant fees and costs incurred for the Development shall be promptly reimbursed to Township upon presentation of invoices to Developer from Township. All such consultant fees and costs shall be paid in full prior to issuance of a certificate of occupancy for Lot 2.

11. 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 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 said resolution, or any written extension thereof, the contingent approval shall expire and be deemed to have been revoked.

12. 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 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 close of business on or before the 30th day after the date of this Resolution, 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 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, 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 this 9th day of December, 2024.

**BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP**

Attest: 
Eugene C. Briggs, Secretary

By: 
Ray Kolb, Chairman

By signing below, the Applicant accepts and consents to all of the terms and conditions of approval contained in the foregoing Resolution for Preliminary/Final Minor Subdivision and Land Development Approval for 2377 East Cedarville Road.

APPLICANT:

Date: 12/31/24

By: Anne Lora
RB Ashley Customs, LLC, as agent for
Joseph C. Esposito and Katrina G. Raichle

EXHIBIT "A"

ENUMERATION OF THE PRELIMINARY/FINAL PLAN

Page No.	Drawing Title	Original Date/ Last Revised Date	
1 of 6	Preliminary / Final Minor Subdivision and Land Development Plan	8/21/2024	9/24/2024
2 of 6	Existing Features Plan	8/21/2024	9/24/2024
3 of 6	Grading Permit and Erosion Control Plan	8/21/2024	9/24/2024
4 of 6	Grading Permit and Erosion Control Plan	8/21/2024	9/24/2024
5 of 6	Sewer Connection Details	8/21/2024	9/24/2024
6 of 6	Site Context Plan/Site Analysis Plan	8/21/2024	9/24/2024

EXHIBIT "B"
TOWNSHIP ENGINEER REVIEW LETTER



October 23, 2024

SENT VIA EMAIL

Mr. Eugene C. Briggs, Jr., Township Manager
East Coventry Township
855 Ellis Woods Road
Pottstown, PA 19465

Subject: Esposito/Raichle (2377 E. Cedarville Road) Subdivision
Minor Subdivision and Land Development Plan Application
Township Engineer Review
UPI No. 18-4-43.1
Township File No. SLD-24-001

Dear Mr. Briggs:

Carroll Engineering Corporation ("CEC") has reviewed the following documents for the above-referenced project:

1. Letter dated October 22, 2024 prepared by Carta Engineering ("Applicant's Engineer") responding to comments contained in our September 24, 2024 review letter.
2. Waiver request letter prepared by the Applicant's Engineer dated October 7, 2024.
3. Post-Construction Stormwater Management Report & Erosion Control Plan Narrative for 2377 East Cedarville Road prepared by the Applicant's Engineer dated August 2024 and last revised September 2024 ("Report").
4. Wetland Investigation prepared by Vortex Environmental, Inc. dated September 27, 2024.
5. Page 6 of the PADEP Sewage Facilities Planning Module Application Mailer.
6. Preliminary/Final Minor Subdivision and Land Development Plan for Joseph Carmen Esposito & Katrina Gabrielle Raichle consisting of six (6) sheets prepared by the Applicant's Engineer dated August 21, 2024 and last revised September 24, 2024 ("Plan").

The following comments are offered for your consideration:

SALDO

1. §22-304.3.I(1): The Applicant should apply to PennDOT for a Low-Volume Driveway Permit pertaining to the proposed driveway for Lot 2, and also a Highway Occupancy Permit for the work proposed in the PennDOT right-of-way for Lot 2 (including low-pressure sewer lateral connection to the existing lot-pressure force main). The Township should be provided with the permits as issued by PennDOT prior to recording.

Today's Commitment to Tomorrow's Challenges

Corporate Office:	630 Freedom Business Center	433 Lancaster Avenue	101 Larry Holmes Drive	105 Raider Boulevard
949 Easton Road	Third Floor	Suite 200	Suite 201	Suite 206
Warrington, PA 18976	King of Prussia, PA 19406	Malvern, PA 19355	Easton, PA 18042	Hillsborough, NJ 08844
215.343.5700	610.572.7093	610.489.5100	610.989.4940	908.874.7500

www.carrollengineering.com

2. §22-305.3.B(1)(d): Any and all approved waivers should be added to Sheet 1 of the Plan prior to recording. Per §22-704.5, the Waivers block on Sheet 1 of the Plan should be replaced with the Waiver Matrix contained in Appendix 22-A. The matrix should be completed prior to recording.
3. §22-309: Prior to recording, the Applicant should execute a subdivision/land development and financial security agreement in a form and manner acceptable to the Township Solicitor if it is determined that there will be any escrowed or dedicated improvements.
4. §22-310.6: If it is determined that there will be any escrowed or dedicated improvements, prior to recording, the Applicant should submit to our office for review and approval an improvements cost estimate, and after our office approves same, should post financial security as required by §310.
5. §22-404.1: Assuming that the requested waivers will be approved by the Board of Supervisors, since there are no other improvements requiring establishment of financial security, we suggest that the proposed monuments and pins be set prior to recording and that the Plan be revised to show them as being set.
6. §22-406.7: The Applicant is requesting waivers of this section to allow the required ultimate right-of-way to not be dedicated and to allow road widening to not be required. Based on information provided in our September 24, 2024 review letter, PennDOT's email stating that it is not requiring any road widening and discussion held at the October 10, 2024 Planning Commission meeting, our office has no objections to the requested waivers.
7. §22-418.2: The Applicant is requesting a waiver of this section to allow sidewalk to not be provided along the frontages of Lots 1 and 2. Based on information provided in our September 24, 2024 review letter and discussion held at the October 10, 2024 Planning Commission meeting, our office has no objections to the requested waiver.
8. §22-421.1: Prior to recording, the Township should be provided with either an approved sewage facilities planning module or an approved planning exemption from PADEP.

SWMO

9. §9-142.1.A(4): The Report, which accompanies the Plan, should be signed and sealed prior to recording.
10. §9-173: A Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement ("BMP Agreement") should be fully executed and recorded at the Chester County Recorder of Deeds for Lot 2 after recording but prior to building permit issuance for Lot 2. The BMP Agreement will be prepared by the Township Engineer after receipt of an Application for Drainage Permit for Lot 2, which should be submitted prior to or concurrently with the building permit application for Lot 2. A copy of the recording receipt for the BMP Agreement shall be provided to the Township prior to any site work associated with the lot commences. The Township must be provided with a copy of the fully recorded BMP Agreement before the Drainage Permit will be closed out.

SEWER SPECS

11. A detail for the proposed low-pressure sewer lateral connection to the existing low-pressure force main in E. Cedarville Road should be added to Sheet 5 of the Plan relative to Lot 2 prior to recording.

Mr. Eugene C. Briggs, Jr., Township Manager
East Coventry Township
Page 3
October 23, 2024


GENERAL COMMENTS

12. All signature blocks within the Plan should be signed/dated, and notarized as appropriate, prior to recording.
13. All legal instruments, as determined necessary and appropriate by the Township Solicitor, should be submitted for review and approval by the Township Solicitor prior to recording. For each legal instrument requiring a legal description (and accompanying plat, if determined necessary by the Township Solicitor), such legal description (and accompanying plat, if appropriate) should be provided to the Township Engineer for review and approval prior to recording.

We trust that our comments will be of assistance to the Township. Please feel free to contact me via email at bflaharty@carrollengineering.com or by mobile phone at 484-995-7137 with any questions.

Very truly yours,

CARROLL ENGINEERING CORPORATION



Brady L. Flaharty, P.E.
Township Engineer

BLF:cam

cc: Annie Lorah, Applicant - RB Ashley Customs, LLC
Joseph Esposito & Katrina Raichle, Owners
Brynn Schaffer, P.E., PLS, Applicant's Engineer - Carta Engineering
Mark A. Hosterman, Esquire, Township Solicitor - Wisler Pearlstine, LLP
Scott C. Denlinger, Esquire, Township Solicitor - Wisler Pearlstine, LLP
Najeebah Beyah-Green, Esquire, Township Solicitor - Wisler Pearlstine, LLP
Andrew Zerby, E.I.T., CEC