

LAMB | M C E R L A N E ^{PC}

ATTORNEYS AT LAW

Recd 7/24/20

Vincent M. Pompo
Direct 610-701-4411
General 610- 430-8000
Fax 610-692-6210
vpompo@lambmcerlane.com

Date of Mailing of Notice of Decision:

July 22, 2020

Louis J. Colagreco, Jr., Esquire
Riley Riper Hollin & Colagreco
717 Constitution Avenue
P.O. Box 1265
Exton, PA 19341

Re: Troutbeck Farms
Troutbeck Farm Developers LLC
Willistown Township, Chester County
Preliminary Subdivision and Land Development Approval

Dear Mr. Colagreco:

As required by Section 508 of the Pennsylvania Municipalities Planning Code, this correspondence will serve to memorialize the decision rendered by the Board of Supervisors on Monday, July 20, 2020, conditionally approving the preliminary subdivision and land development plan application for a portion of the tract of land known as Troutbeck Farms with an address of 730 Monument Road in Willistown Township consisting of approximately 65.48 acres with UPI numbers 54-2-41, 54-2-41.3, 54-2-41.3A, 54-2-41.3B, 54-2-41.3E, 54-2-41.4A, and 54-2-41.6. The proposed development consists of thirty-eight (38) single family dwelling units.

The conditions of preliminary subdivision and land development approval are set forth below. It is the understanding of the Board of Supervisors and the Township Solicitor that each of these conditions is acceptable to the Applicant, Troutbeck Farm Developers LLC, based upon communications and discussions with the Applicant's representative, Theodore R. Moser, III and you, which occurred during the meeting of the Board of Supervisors at which the decision was considered on the preliminary plan approval.

The preliminary land development plan as referenced herein includes plans and additional materials as follows:

- A plan entitled "Preliminary Subdivision and Land Development Plans" prepared by dH Enterprises, dated June 1, 2018 and last revised February 5, 2020, consisting of twenty-five (25) sheets (the "Plan").

In addition, the Plan shall include those additional materials, plans and correspondence as referenced in the memorandum of John M. Gaadt, AICP, Michael Conrad, P.E. and Edward A. Theurkauf, RLA, ASLA, APA (the "Township Consultants") of March 2, 2020, as further

24 E. Market Street | PO Box 565 | West Chester, PA 19381 | Phone: 610.430.8000 | Fax: 610.692.0877
One South Broad Street | Suite 1500 | Philadelphia, PA 19107 | Phone: 215.609.3170 | Fax: 610.692.0877
3405 West Chester Pike | Newtown Square, PA 19073 | Phone: 610.353.0740 | Fax: 610.353.0745

www.lambmcerlane.com

supplemented by this correspondence. A copy of the March 2, 2020 Memorandum is attached hereto as Exhibit A.

Notwithstanding the above, this approval and the Plan does **not** include the Minor Subdivision Plans prepared by dH Enterprises dated November 28, 2018 and last revised February 5, 2020. The approval of the Minor Subdivision Plans shall be the subject of a separate approval by the Township.

The Board grants a waiver from Section 73-55.1. of the Environmental Protection Ordinance (EPO) to permit 2-inch trees to be provided at one per 5,000 square feet of riparian buffer, and the remaining requirement substituted with smaller container plantings, subject to the conditions set forth in Comment 36.A.6. of the March 2, 2020 Memorandum, and the conditions of this preliminary plan approval.

The Board approves the proposed cul-de-sac street in excess of 1,600 pursuant to Section 123-24.A. of the Subdivision and Land Development Ordinance (SLDO), subject to the evaluation/suitability of Friarsheel Lane as an emergency access only to be determined by the Board as opposed to the full street access as currently shown on the Plans, as further detailed in the March 2, 2020 Memorandum. The Board further grants a waiver from Section 123-25.A of the SLDO to allow for a width of 18 feet instead of 22 feet and without curb for the connector access from proposed Walnut Tree Lane to Friarsheel Lane.

The Board grants a waiver from Section 123-38.B and C of the SLDO to permit the use of Belgian Block for roadway curbing as recommended by the Township Consultants' memorandum of January 20, 2020.

The Applicant shall comply with each of the following conditions of preliminary plan approval to the satisfaction of the Township prior to the approval of the final plan:

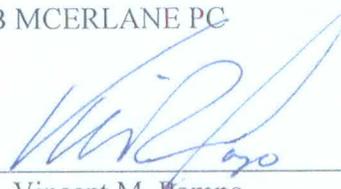
1. Applicant shall comply in all material respects with any of the outstanding comments set forth in the aforementioned March 2, 2020 Memorandum to the satisfaction of the Township Consultants and the Board of Supervisors, as supplemented by the following conditions of this preliminary plan approval.
2. Applicant shall comply in all material respects with the comments set forth in the letter of Michael W. Schneider, P.E., of Pennoni Associates, the Township Traffic Engineer, dated January 20, 2020, including but **not** limited to a monetary contribution toward future improvements at the Sugartown Road/Paoli Pike intersection to reduce queues and minimize impacts to the Forest Lane/Sugartown intersection in the amount no less than 3.7% of the costs of those improvements as estimated by the Township Traffic Engineer at the time of final plan approval, and to be paid prior to the recording of the final plan. A copy of the January 20, 2020 letter is attached hereto as Exhibit B.

3. Applicant shall comply in all material respects with the comments set forth in the letter of William Malin, of Carroll Engineering, the Township Sewer Engineer, dated July 17, 2020 with the exception that the HOA will be responsible for maintaining the sewers only within the development and not within the existing public roads and easements. A copy of the July 17, 2020 letter is attached hereto as Exhibit C.
4. Applicant shall obtain sewage facilities planning module approval by the Board of Supervisors and PaDEP prior to final plan approval. As per Exhibit C, the Plans shall be revised to show the off-site sewer facilities connected to the Township's existing sewer system in Brampton Chase via Monument Road, Sugartown Road and an existing sewer easement as shown on the recorded plan for Brampton Chase. Applicant shall afford existing properties along Monument Road and Sugartown Road the opportunity to connect to the sewer facilities to be installed by the Applicant in the aforesaid roads.
5. Applicant shall comply in all material respects with the comments set forth in the Chester County Planning Commission comment letter dated June 25, 2018. A copy of the June 25, 2018 letter is attached hereto as Exhibit D.
6. Within thirty (30) days of the date of this letter, and pursuant to Section 503 of the MPC, 53 P.S. §10503, Applicant shall pay to the Township any outstanding invoices associated with this matter.

Please confirm in writing the acceptance by Troutbeck Farm Developers LLC of the terms set forth above within 15 days of the date of this correspondence, by signing the enclosed copy and returning the same to this office.

Very truly yours,

LAMB MCERLANE PC

By: 

Vincent M. Pompo

The above conditions are accepted and agreed to this 30th day of July, 2020.

Troutbeck Farm Developers, LLC

By: 

~~Its General Partner~~ sole member

Theodore R Moser III

Louis J. Colagreco, Jr., Esquire
Troutbeck Farm Developers LLC (Troutbeck Farms)
July 22, 2020
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EXHIBIT A

[Being the memorandum of John M. Gaadt, AICP, Michael Conrad, P.E. and Edward A. Theurkauf, RLA, ASLA, APA (the "Township Consultants") of March 2, 2020]



Environmental and Land Use Planning
Project Management and Facilitation

John M. Gaadt, AICP
Principal
251 S Fairville Rd
Chadds Ford PA 19317
610.388.7641
jgaadt@gadt.com

Yerkes

Associates, Inc.

a cirilli company

Consulting Engineers / Structural Engineering
Site Planners / Land Surveyors / Municipal Services
Professional services since 1874

1444 Phoenixville Pike, P.O. Box 1568
West Chester, PA 19380-0078
Tel: 610-644-4254 info@yerkes-assoc.com

MEMORANDUM

March 2, 2020

TO: Willistown Township Planning Commission

FROM: John M. Gaadt, AICP
Michael Conrad, P.E.
Edward A. Theurkauf, RLA, ASLA, APA

RE: Troutbeck Farms Subdivision – Monument Road, Friarsheel Lane, and Forest Lane Preliminary Subdivision and Land Development Plan Review

The following plans, reports, and letters have been submitted for review:

- Preliminary Subdivision and Land Development Plans prepared by dH Enterprises, dated June 1, 2018 and last revised February 5, 2020

<u>Sheet No.</u>	<u>Title</u>
1 of 25	Cover Sheet
2 of 25	Overall Subdivision Plan
3 thru 5 of 25	Subdivision Plan
6 of 25	Existing Conditions and Natural Resources Plan
7 and 8 of 25	Grading and Utility Plan
9 of 25	Open Space Management Plan
10 of 25	Profile – Walnut Tree Lane (0+00 – 14+00)
11 of 25	Profile – Walnut Tree Lane (14+00 – 25+00)
12 of 25	Profile – Kingfisher Lane and Friarsheel Lane
13 of 25	Profile – Overland Sanitary Sewer (0+00 – 14+00)
14 of 25	Utility Profiles
15 thru 17 of 25	Erosion and Sediment Control Plan
18 of 25	E&SC Details and Notes
19 of 25	E&SC Details
20 of 25	Overall Post-Construction Stormwater Management Plan
21 and 22 of 25	Post Construction Stormwater Management Plan
23 and 24 of 25	PCSM Details
25 of 25	Site Construction Details

- Minor Subdivision Plans prepared by dH Enterprises, dated November 28, 2018 and last revised February 5, 2020

<u>Sheet No.</u>	<u>Title</u>
1 of 5	Cover Sheet
2 of 5	Overall Subdivision Plan
3 of 5	Subdivision Plan
4 of 5	Lot Consolidation Plan
5 of 5	Natural Resources Plan

- Easement Exhibits prepared by dH Enterprises, dated February 5, 2020
 - Temporary Sanitary Sewer Exhibit
 - Access / Utility Easement Exhibit, sheet 1 of 2
 - Access / Utility Easement Exhibit, sheet 2 of 2
 - Utility Easement Exhibit
 - Sight Line Easement Exhibit
 - Stormwater Utility Easement Exhibit
- Preliminary Plan - Offsite Sanitary Sewer Plans prepared by dH Enterprises, dated February 5, 2020
 - Sheet 1: Stations 0+00 to 14+00
 - Sheet 2: Stations 14+00 to 28+00
 - Sheet 3: Stations 28+00 to 36+00
- Stormwater Management Excerpt from the Post Construction Stormwater Management Report, prepared by dH Enterprises with Drainage Area Maps, dated June 1, 2018 and last revised December 20, 2019 (Reference Post Construction Stormwater Management Report with Drainage Area Maps, dated June 1, 2018 and last revised October 23, 2019)
- Erosion and Sediment Control Report, prepared by dH Enterprises, dated December 20, 2019
- Environmental Impact Narrative, prepared by dH Enterprises, dated December 20, 2019
- Community Impact Narrative, prepared by dH Enterprises, dated February 2, 2020
- dH Enterprises response letter dated February 5, 2020
- Landscape Plans prepared by Orsatti and Stuart Associates, Inc., dated October 21, 2019, last revised February 5, 2020:
 - LP-1 thru LP-3 Landscape Plan
 - LP-4 Details and Notes
 - LP-5 Riparian Buffer Plantings
 - February 5, 2020 Plan Submission Letter
- Transportation Impact Study prepared by Traffic Planning and Design, Inc., dated June 7, 2019. Also, January 31, 2020 plan review response letter
- Sewage Facilities Planning Module, prepared by Evans Mill Environmental, LLC, dated July 25, 2019
- December 3, 2019 Memorandum from Rockwell Associates, Inc. re. the Woodland Area adjoining Forest lane

The 64.32 acre tract is located between Hickory Lane, Monument Road, Stonehenge Lane, and Forest Lane. Friarsheel Lane adjoins the northeastern corner of the Tract and the tract is situated within the R-1 Residence Zoning District. Due to the Tract area exceeding 15 acres, the Tract is also subject to the zoning provisions of the Open Space Conservation Overlay District.

The plans depict the lot line change between UPI parcels 54-2-41.3A and 54-2-41.3B and the consolidation of parcels 54-2-41.3, 54-2-41.3A, 54-2-41.3E, 54-2-41.4A, and 54-2-41.6 into one parcel. The consolidated parcels contain farmstead buildings, cultivated land, woodland, hydric soils, wetlands, riparian buffer area, and prohibitive and precautionary slopes. In general, the western two-thirds Tract area is situated within the Ridley Creek Watershed and the eastern one-third Tract area is situated within the Crum Creek watershed.

The plans depict the subdivision of the tract into 34 single-family detached dwelling lots (each lot consisting of approximately 16,000 square feet) in accordance with the Open space Overlay District zoning provisions and two (2) farmstead lots in accordance with the R-1 Zoning District provisions. The proposed open space area is noted to be 48.08 acres (75% of the overall tract area of 64.32 ac.). The open space lots will access Forest Lane and will also have emergency vehicle access from Friarsheel Lane. The farmstead lots will access Monument Road. All lots will be served by public water and public sanitary sewer. Stormwater management is to be addressed by two (2) infiltration basins and five (5) rain gardens.

Conditional use approval to allow the subdivision for the creation of the two (2) proposed farmstead lots in accordance with the R-1 Zoning District provisions was granted during the spring of 2019.

Previous and current plan updates are noted below:

- Street names have been added to the plans. Road 'A' has been named Walnut Tree Lane and Road 'B' has been named Kingfisher Way.
- The location of a pedestrian access easement from UPI 54-2-41.5E (adjoined along Forest Lane) to Road Kingfisher Way is depicted on the Subdivision Plan.
- A storm sewer easement and a sight line easement at the northeast corner of Walnut Tree Lane intersection with Friarsheel Lane have been added to the Subdivision Plan.
- Tree locations for the woodland area adjoining Forest Lane have been added to the Existing Conditions and Natural Resources Plan.
- Soil infiltration testing has been completed in the area of infiltration basin #2 and the location is identified on the plans.
- A registered consulting arborist, Rockwell Associates, was retained by the Applicant to provide a letter report addressing the impact to and recommendations for the preservation of specimen trees within the woodland area adjoining Forest Lane.
- Public sanitary sewer service for the proposed development is to be provided by a grinder pump low-pressure force main extension. The proposed route extends east along Monument Road to Sugartown Road, then extends south along Sugartown Road to a connection point to the existing gravity sanitary sewer system within the Brampton Chase development.

The comments from our previous March 4, 2019 review letter, November 18, 2019 memorandum, and January 20, 2020 memorandum have been satisfactorily addressed except for the following that are numbered as they appeared previously.

Zoning Ordinance

1. Section 139-152: Authorization to develop a tract pursuant to the requirements of the underlying residential district other than the open space Conservation District may be granted by the Board of Supervisors as a conditional use provided that the Applicant follows the procedures and addresses the provisions of this section.
 - A. March 4, 2019 Minor Subdivision Plan Review Letter:
Subdivision and Land Development Ordinance
 5. Section 123-17.B.2.c: The plans will need to be signed and sealed by the surveyor responsible for the plans.
 7. Section 123-17.B.2.j: The plans need to identify the location and establish easements for the extension of public water service and public sanitary sewer service to Lots 1 and 2.
 8. Section 123-17.B.2.s: Sewage facility planning module requirements or an exemption request will need to be submitted to the Township and PADEP for review and approval. The plan submission letter notes that an updated planning module is being prepared.
 9. Section 123-33.C: For the existing driveway entrance onto Monument Road (posted speed limit of 35 mph) to be shared by Lots 1 and 2, sheet 3 of 5 notes a required sight distance of 299 feet to the right but the provided or available sight distance to the right is noted to be only 86 feet. The available sight distance to the right is limited by the Monument Road hill crest. Measures to improve the available sight distance need to be addressed. The plan submission letter notes that regrading of the northern slope of the driveway entrance will be done to aid in improving site distance in coordination with the proposed trail. This regrading approach will need to be demonstrated to be satisfactory and further evaluated.
 10. Section 123-33.D: A shared access and utility easement and maintenance agreement for Lots 1 and 2 will need to be prepared and submitted for review and approval by the Township Solicitor.
5. Sections 139-156 and 157: Homeowners Association Documents which incorporate the Conditional Use Findings and a management plan for the disposition, use, maintenance, and insurance of the common open space area, including provisions for funding, shall be provided to and approved by the Planning Commission and Township Solicitor prior to final plan approval.

While sheet 9 outlines open space management techniques, we believe this information should be included under separate cover as part of the overall management plan. Included therein shall be all of the information referenced above, as well as provisions for funding and a formal open space management agreement. The plan submission letter notes that the Open Space Management Agreement will be provided to the Township Solicitor for review prior to Final Plan approval.

Subdivision and Land Development Ordinance

6. Sections 123-17.B.2.b and .e: The subdivision plan will need to be signed and sealed by the surveyor responsible for the plan.
9. Section 123-17.B.2.j: A drainage easement and sight line easement agreement will need to be established and recorded for proposed inlet I-16 and the clear sight triangle which extends onto the William P. Drinkwater lot (parcel 54-2-41.2). An easement exhibit was included with the plan submission.
10. Section 123-17.B.2.s: Sewage facility planning modules will need to be submitted to the Township and PADEP for review and approval. The plan submission notes that an updated planning module is being prepared.
- 10A. Section 123-40: The Off-Site Sanitary Sewer Concept Plan will need to be reviewed by the Township Sanitary Sewer Engineering Consultant and discussed with the Planning Commission.
12. Section 123-22.F: Street addresses will need to be assigned and be noted on the final plans.
13. Section 123-24.A: Cul-de-sac streets permanently designed as such shall not serve more than 24 lots nor exceed 1,600 feet in length from existing streets. The Board, at its sole discretion, may approve lengths in excess of 1,600 feet if the configuration of the tract puts constraints on alternative access or if similar site design problems exist. Board approval will be required for the cul-de-sac street.

Evaluation/suitability of Friarsheel Lane as an 'emergency access only' needs to be further considered. Current plans show a full street access from Friarsheel Lane in addition to a full street access from Forest Lane.

It is our understanding that this property currently has a deed restriction in place that requires two points of access. Presumably once the roads are dedicated to the Township, Friarsheel Lane can be made 'emergency access only' by the Township, however the design of this access road, trail linkages to the Stonehenge Lane community and points north, and the location/ design/ construction of the emergency access facilities (attractive bollards rather than typical barricades and signage) still need to be addressed. Funding of such improvements should also be considered. We believe the Applicant should address whether the road must be built to Township standards in order to satisfy the requirements of the deed restriction. If so, the Township will need to determine how it will convert this entrance into an 'emergency access only'. If not, the Township should work with the Applicant to configure this access in a manner it deems appropriate. Alternatives to the proposed configuration, including a narrower cartway width, should be considered. See also comment #19 below.

There is a portion of Road 'A' (Walnut Tree Lane), which overlaps an unopened right-of-way of Friarsheel Lane. If Road "A" is to eventually be dedicated to the Township, and the subdivision approved overall, the Friarsheel Lane right-of-way area will need to be amended accordingly.

17. Section 123-30.A.2.a: The comments from the Township Traffic Engineer regarding the traffic impact study will need to be satisfactorily addressed and discussed with the Planning Commission.

19. Section 123-37 (sidewalks and paths): Pedestrian trails or paths are now shown on Sheet 9 (Open Space Management Plan). The proposed trail connection to Monument Road has been revised to avoid the identified tree protection easement area and has been extended to the intersection of Monument Road and Druid Lane.

The proposed trail location will need to be shown on the grading and utility plans, the erosion and sediment control plans, and the post-construction stormwater management plans. The proposed grading, stormwater management, and erosion and sediment control measures for the trail construction will need to be addressed.

21. Section 123-41.G: Aqua Pennsylvania Water Main Extension Plans with proposed fire hydrant locations will need to be prepared and reviewed and approved by the Aqua Pennsylvania and the Township Fire Marshall.

Environmental Protection Ordinance

27. Sections 73-43.B.2: An operation and maintenance agreement with the Township covering the site drainage, stormwater management facilities, and BMP control measures will need to be established with the Township. The plan submission letter notes that the Operation and Maintenance Agreement will be provided to the Township Solicitor for review prior to Final Plan approval.

Conservation Plan Requirements: Erosion and Sedimentation Controls

28. Section 73-47.F: The erosion and sediment pollution control plan will need to be submitted to the Chester County Conservation District for review and approval. A letter of adequacy from the Conservation District and a NPDES permit from PADEP are required for final plan approval.
- 28B. Section 73-48.B.5: The erosion and sediment control plans need to identify location(s) for an equipment and materials staging area within the areas to be established for Stage 1 and Stage 2.

General Comments

31. We are in receipt of the June 25, 2018 review letter from the Chester County Planning Commission. We note, in particular, comment 21 regarding the ACT 319 (Clean and Green) covenant which will need to be satisfactorily addressed.

Stormwater Management

- 32A. Sections 73-37.16.b, 73-37.D & 73-37.E – Soil infiltration and percolation testing has been completed for infiltration basin #2 and the design of the basin has been updated as part of the stormwater management excerpt report. For the basin discharge pipe, the report indicates a slope of 2.5 percent and the basin cross-section detail on sheet 23 notes a slope of 1.2 percent.

The plans and report will need to be checked and amended for consistency.

36. Landscaping Plan Review:

A. Natural Features Protection – Section 139-108.C.1 of the zoning ordinance (ZO) requires that cluster developments be laid out to preserve natural features in accordance with the best principles of site design. In addition, section 139.154.B (ZO) requires that open space maximize conservation of natural features, including woodlands, riparian areas, mature trees, and scenic resources. The plan needs further evaluation as follows:

6. Riparian Buffer Landscaping – In accordance with section 73-55.1 (EPO), 100 foot wide planted riparian buffers are required.

Section 73-55.1.D (EPO) requires zone 1 buffer plantings consisting of (8) 2-inch caliper canopy trees and (8) 5-6 foot understory trees per 1,000 square feet of buffer area. Zone 2 buffer plantings shall consist of (6) 2-inch canopy trees and (10) 2-3 foot shrubs per 1,000 square feet of buffer, along with native wildflowers, grasses, and forbs. This would require nursery grade trees planted as close as every eight feet on grid in zone 1.

In order to reduce overcrowding of trees and promote successful buffer establishment, a waiver has been requested to permit 2-inch trees be provided at one per 5,000 square feet of buffer, and the remaining requirement substituted with smaller container plantings. This method is generally consistent with successful reforest restoration practices implemented by regional conservation and watershed organizations. Based on this, Riparian buffer plantings would be required and proposed as follows:

<u>Buffer Zone (square feet)</u>	<u>2-inch trees</u>	<u>container trees</u>	<u>container shrubs</u>
Zone 1 (30,043)	6	475	0
Zone 2 (103,754)	<u>21</u>	<u>602</u>	<u>1,038</u>
Total Required	27	1,077	1,038
Total Proposed	28	1,077	1,038

We have no objection to the requested waiver to permit buffer plantings as proposed provided the conditions outlined below are included and the waiver is conditioned on the specified maintenance plan being implemented by the developer and subsequently by the HOA to ensure successful establishment of the riparian forest buffer:

- Pursuant to 73-55.1.E., a Planting Plan shall be prepared jointly by a Pennsylvania-registered landscape architect in consultation with other professionals having a practical knowledge of riparian ecosystems (including horticulturists, wetland specialists, wildlife biologists, ecologists, etc.). The planting plan shall include a Planting Schedule that summarizes the quantity, type, size and root condition of all plantings. Installation shall use practices accepted by the American Association of Nurserymen.
- Although smaller diameter trees will be substituted for larger trees, the same number of trees and shrubs required by the Code shall be planted.
- All trees and shrubs shall be given adequate protection from construction encroachment, deer browsing, and other natural and man-made impacts.

- In addition to the requirements of 73-57, Site maintenance and guaranty, the survivability of all plantings is guaranteed a minimum of 12 months beyond completion of the project, e.g., road dedication and turnover to the HOA.
- In accordance with Section 73-64, a Riparian Buffer Area Management Plan shall be submitted and approved and incorporated into the Homeowners Association bylaws.

Please contact us if you have any questions concerning this review.

Louis J. Colagreco, Jr., Esquire
Troutbeck Farm Developers LLC (Troutbeck Farms)
July 22, 2020
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EXHIBIT B

[Being the letter of Michael W. Schneider, PE, of Pennoni Associates, the Township Traffic Engineer, dated January 20, 2020]



One South Church Street
Second Floor
West Chester, PA 19382
T: 610-429-8907
F: 610-429-8918

www.pennoni.com

January 20, 2020

WLTPX 18002

Sally Slook, Township Manager
Willistown Township
688 Sugartown Road
Malvern, PA 19355

**RE: Troutbeck Farm Development
Transportation Impact Study Review**

Dear Sally,

As requested, we have reviewed the following regarding the referenced submission:

- *"Troutbeck Farms Development Transportation Impact Study"*, prepared by Traffic Planning and Design, Inc., dated June 7, 2019;
- *"Preliminary Subdivision and Land Development Plans for Troutbeck Farms"*, prepared by DH Enterprises, dated June 1, 2018; last revised December 20, 2019.

The applicant, Moser Construction Management, LLC, on behalf of owners, Troutbeck Farms, LLC, propose to subdivide and redevelop Uniform Parcel Identifier Numbers 54-2-41, -41.3, -41.3A, -41.3E, -41.6, and -85 (a combined 61.77 acres). The applicant proposes to subdivide the existing lots into 34 single family lots with two access points to the site: a driveway at the intersection of Forest Lane and Oak Tree Lane and an extension of Friarsheel Lane. This subdivision is intended to be constructed in two phases. Additionally, the applicant is proposing landscaping, stormwater management, and associated improvements.

We offer the following comments:

1. Due to horizontal and vertical curvature along Forest Lane, it is recommended that multi-way STOP control be provided at the intersection of Forest Lane and Oak Tree Lane / Walnut Tree Lane. The multi-way STOP is reflected on the land development plans. Supplemental analyses should be provided to confirm that the multi-way STOP controlled intersection will operate with acceptable levels of service.
2. Access is proposed via an extension of Friarsheel Lane. It is our understanding that this access may be converted to emergency access only. If this access is proposed to remain open to vehicle traffic, the Township should consider alternatives to limit additional traffic from traversing the Friarsheel/Stonehenge residential neighborhood, e.g. constructing the extension as a one-way roadway, providing funds for future traffic calming, etc.
3. The majority of the proposed exiting traffic will utilize Forest Lane to Sugartown Road. The Forest/Sugartown intersection is located approximately 700 feet north of the signalized intersection of Sugartown Road and Paoli Pike. The Sugartown/Paoli intersection experiences delay and queuing during the peak periods that impacts the operation at Forest and Sugartown. While the Sugartown/Paoli intersection is not included in the study area for the traffic study, the Township should consider requesting a contribution toward future improvements at the Sugartown/Paoli

intersection to reduce queues and minimize impacts to the Forest/Sugartown intersection. Future planned improvements include intersection widening for left turn lanes for all approaches and a westbound right turn lane.

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

Sincerely,

PENNONI



Michael W. Schneider, PE
Township Traffic Engineer

cc: Mike Conrad, PE
T.R. Moser, Moser Construction Management, LLC
Eric Ostimchuk, PE, PTOE, Traffic Planning and Design, Inc.

Louis J. Colagreco, Jr., Esquire
Troutbeck Farm Developers LLC (Troutbeck Farms)
July 22, 2020
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EXHIBIT C

**[Being the letter of William Malin, of Carroll Engineering, the Township Sewer Engineer,
dated July 17, 2020]**



Carroll Engineering Corporation

July 17, 2020

Sally Slook, Manager
Willistown Township
688 Sugartown Road
Malvern, PA 19355

Dear Sally:

Subject: Troutbeck Farm

I am writing to provide the status of the sewer system and sewer service for Troutbeck Farm. Attached is our January 15, 2020 letter that summarized recommendations for sewer service, and Homeowners Association (HOA) issues related to the sewer system.

We have yet to receive full engineering plans for the off-site sewer to complete our sewer review. I will follow up again with the applicant's consultant, since the Township will own the sewers in existing roads and easements, even though the HOA will be responsible for maintaining the sewers.

Finally, at this time the Applicant will only be responsible for off-site sewer facilities needed to service his project. Provisions for connecting existing houses along the sewer route will not be required. Any property owner who wishes to connect to the sewer must separately make connection arrangements with the Applicant/Builder.

Should you have any questions or require additional information, please feel free to contact this office.

Very truly yours,

CARROLL ENGINEERING CORPORATION

William N. Malin, P.E.
Vice President

WNM:cam
Attachment

cc: Robert Smiley, Willistown Township
Vincent Pompo, Esquire, Solicitor, Lamb McErlane. P.C. (w/Attachment)
Michael Conrad, P.E., Yerkes Associates (w/Attachment)
Moser Group (w/Attachment)
James Horwath, CEC

Today's Commitment to Tomorrow's Challenges

Corporate Office:
949 Easton Road
Warrington, PA 18976
215.343.5700

630 Freedom Business Center
Third Floor
King of Prussia, PA 19406
610.489.5100

101 Lindenwood Drive
Suite 225
Malvern, PA 19355
484.875.3075

105 Raider Boulevard
Suite 206
Hillsborough, NJ 08844
908.874.7500



Carroll Engineering Corporation

January 15, 2020

Sally Slook, Manager
Willistown Township
688 Sugartown Road
Malvern, PA 19355

Dear Sally:

Subject: Troutbeck Farm

I am writing to follow up on the January 8, 2020 Township Planning Commission meeting and our recent conversations regarding sewer service for Troutbeck Farm. The Township's criteria for sewer service is that proposed sewer system for Troutbeck Farm be connected to Willistown's existing sewer system. This conforms to the Act 537 Supplement for the Wilson Road Force Main, which provides for wastewater generated in the Northwest Quadrant of the Township to be conveyed to the Valley Forge Sewer Authority for treatment.

Land development plans for Troutbeck Farm currently show sewers connecting to existing sewers in Willow Pond Road that connect to East Goshen Township's sewer system with treatment at East Goshen's Ridley Creek Wastewater Treatment Plant. Connection to East Goshen Township contradicts the Act 537 Plan, and requires a new agreement with East Goshen Township.

We recommend that the Troutbeck Farm sewer system be connected to the Township's existing sewers in Brampton Road via an existing sewer easement as shown on the enclosed sewer route map, and recorded plan for Brampton Chase. This option conforms to the Township's criteria to connect to existing Township sewer system, and with the Act 537 plan.

The Applicant should submit revised plans showing the recommend sewer route for review by this office. Once the sewer layout is finalized, a sewage facilities planning module can be prepared for review by this office.

Today's Commitment to Tomorrow's Challenges

Corporate Office:
949 Easton Road
Warrington, PA 18976
215.343.5700

630 Freedom Business Center
Third Floor
King of Prussia, PA 19406
610.489.5100

101 Lindenwood Drive
Suite 225
Malvern, PA 19355
484.875.3075

105 Raider Boulevard
Suite 206
Hillsborough, NJ 08844
908.874.7500

Sally Slook, Manager
Page Two
January 15, 2020

We also recommend that the Township include in the Developers Agreement and Home Owners Association (HOA) documents the following provisions:

- If streets in Troutbeck Farm are to be private, The HOA will own and maintain the sewers within Troutbeck Farm. If the streets are to be dedicated the Township, the Township will own the sewers, but the HOA will be responsible for maintenance. Sewer easements shall be provided for all areas outside public rights-of-way.
- Sewers in existing Township roads and sewer easements will be owned by the Township, but maintained by the HOA.
- Grinder pumps will be maintained by the HOA.
- In the event that the sewers require repairs, the Township shall have the right to effect repairs, and charge the cost to the HOA.

Should you have any questions or require additional information, please feel free to contact this office.

Very truly yours,

CARROLL ENGINEERING CORPORATION



William N. Malin, P.E.

WNM:vs

cc: Moser Group
Enclosures

Louis J. Colagreco, Jr., Esquire
Troutbeck Farm Developers LLC (Troutbeck Farms)
July 22, 2020
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EXHIBIT D

[Being the Chester County Planning Commission comment letter dated June 25, 2018]



THE COUNTY OF CHESTER



COMMISSIONERS

Michelle Kichline
Kathi Cozzone
Terence Farrell

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 25, 2018

David R. Burman, Manager
Willistown Township
688 Sugartown Road
Malvern, PA 19355

Re: Preliminary Subdivision - Troutbeck Farms
Willistown Township – SD-06-18-15453

Dear Mr. Burman:

A Preliminary Subdivision Plan entitled "Troutbeck Farms", prepared by DH Enterprises, and dated June 1, 2018, was received by this office on June 5, 2018. 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:	south side of Monument Road, west of Stonehenge Lane
Site Acreage:	65.48
Lots/Units:	38 Lots
Proposed Land Use:	Single Family Residential, Farm/Pasture Land
Municipal Land Use Plan Designation:	Suburban (Medium Density)
UPI#:	54-2-41, 54-2-41.3, 54-2-41.3A, 54-2-41.3B, 54-2-41.3E, 54-2-41.4A, 54-2-41.6

PROPOSAL:

The applicant proposes the creation of 37 lots and 3,525 linear feet of public roadway, along with the conveyance of a 0.325 acre portion of UPI# 54-2-41.3A to UPI# 54-2-41.3B. The single-family residential units on Lots 1 to 35 will be served by public water and public sewer, while the farmstead parcels (Lots 36 and 37) will be served by on-site water and on-site sewer. The project site is located in the R-1 Residence and Open Space Conservation zoning districts.

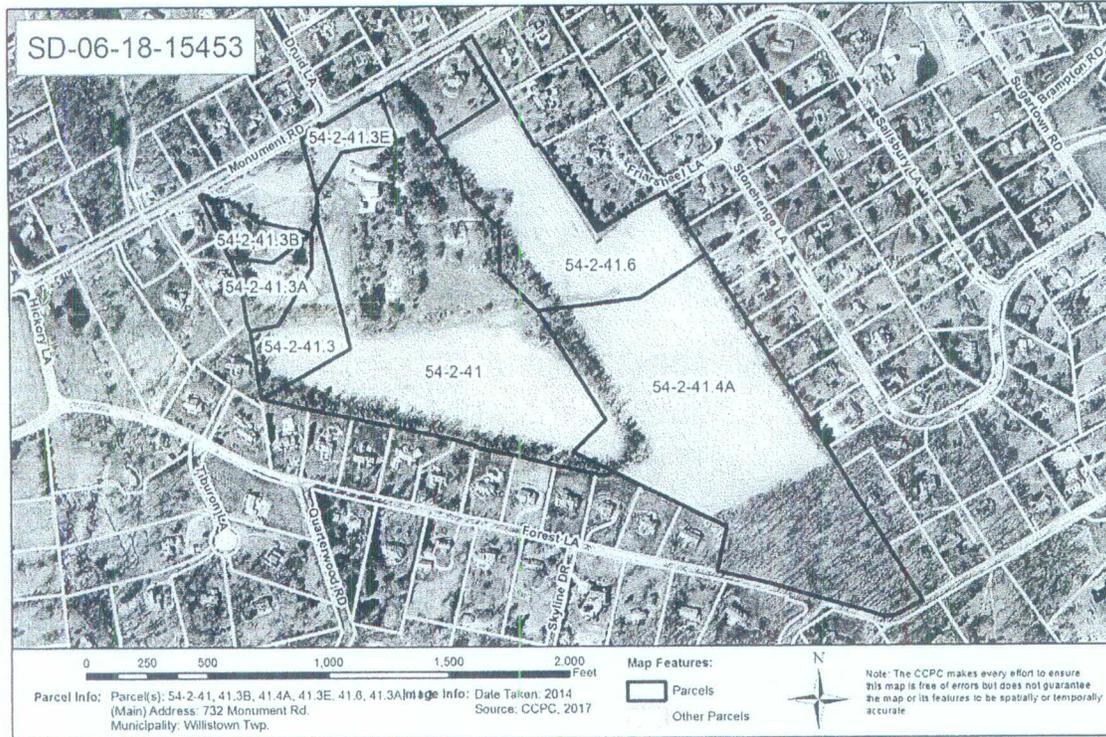
RECOMMENDATION: The County Planning Commission recommends that the issues raised in this letter should be addressed, particularly the historic preservation issues discussed in comment #3, and all Willistown Township issues should be resolved before action is taken on this subdivision plan.

COUNTY POLICY:

LANDSCAPES:

- The project site is located within the **Suburban Landscape** designation of *Landscapes2*, the 2009 County Comprehensive Plan. The objective of the **Suburban Landscape** is to promote new development to accommodate anticipated population and employment growth, using

appropriate density, sustainable design, and smart transportation principles. The proposed subdivision is consistent with the objectives of the **Suburban Landscape**.



WATERSHEDS:

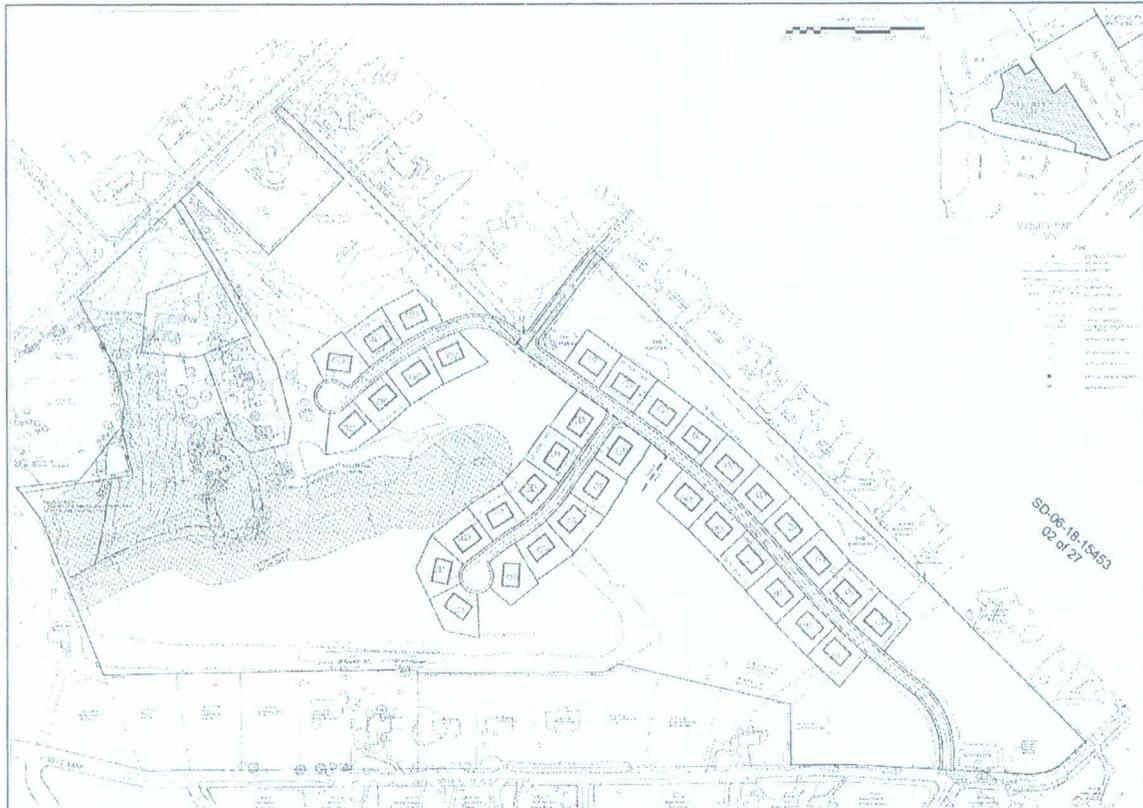
2. **Watersheds**, the water resources component of *Landscapes2*, indicates the proposed development is located within the Ridley Creek watershed, and the west branch subbasin of the Crum Creek watershed. **Watersheds'** highest priority land use objectives within the Ridley Creek watershed are: reduce stormwater runoff, protect vegetated riparian corridors, and protect/enhance water-based recreation, cultural, historic resources and public access. **Watersheds'** highest priority land use objectives within the Crum Creek are: reduce stormwater runoff, restore water quality and channel stability of "impaired" streams, protect vegetated riparian corridors. **Watersheds** can be accessed at www.chesco.org/water. We acknowledge that the design of the proposed stormwater management facilities includes rain gardens. The County Planning Commission endorses the use of innovative stormwater management practices.

PRIMARY ISSUES:

Historic Preservation:

3. The 2011 Township Historic Resource Atlas identifies that the project site contains three Class II Historic Resources. The applicant should identify the location of the existing historic resources on the site plan, and specify the level of preservation and intended use of these existing historic resources. The Township should reserve granting final plan approval until the proposal has been reviewed by the Township's Historical Commission. The County Planning Commission

encourages the preservation, rehabilitation and adaptive reuse of historic resources in suburban landscapes (*Landscapes* Policy HR 3.2).



Site Plan Detail, Sheet 2 - Preliminary Subdivision - Troutbeck Farms

Design Issues:

4. We recommend that sidewalks be provided for this development. Sidewalks are an essential design element for new construction in the **Suburban Landscape**.
5. The Township should resolve all matters pertaining to the Official Map designation of trails on this site according to the provisions of Section 406 of the PA Municipalities Planning Code, prior to taking action on this subdivision proposal. Both the Official Map and Map 13: Park and Recreation Plan in the Township's 2011 Comprehensive Plan identify that the project site is located along the proposed East-West Arterial Trail Corridor.

The location and design details of all trails to be provided on the project site should be incorporated into the final plan, and trails should be constructed prior to the Township issuing any building occupancy permits for this development. We also recommend that all-weather materials should be utilized in trail corridor construction, which will accommodate a wider variety of uses, and be handicapped-accessible.

6. We suggest that truck turning templates be provided to demonstrate the proposed road network can adequately accommodate fire equipment. The Township's emergency service providers should be requested to review the plan to ensure that safe access and egress is provided for this site.

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Re: Preliminary Subdivision - Troutbeck Farms
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Design Issues:

7. While we acknowledge that extensive engineering work has been completed by the applicant, we suggest that the applicant and Township investigate the feasibility of providing a usable central open space area within this development.

Natural Features Protection:

8. The site contains areas of hydric (wet) soils (Ba and BaB Baile) which have limitations to development. These limitations include drainage problems due to low permeability, low runoff rates and sub-surface saturation. When construction takes place on these soils, it interferes with the natural drainage of the land. On-site alterations to existing drainage patterns should be carefully inspected by the Township Engineer to insure that off-site drainage conditions are not negatively affected.
9. The plan and 2014 aerial photography indicate that a portion of the site is wooded. The removal of trees should be limited to the minimum area needed for the dwelling(s) and support facilities and the limit of tree removal should be shown on the plan. Any grading within the area of the dripline (the perimeter of the tree's branches) of the trees to be preserved increases the possibility of tree damage.
10. The site contains delineated wetlands. Although it does not appear that any development activity will encroach into the delineated wetland area, the applicant should be aware that placement of fill in wetlands is regulated by the Corps of Engineers in accordance with Section 404 of the Clean Water Act (1977) and the Department of Environmental Protection under Chapter 105 Rules and Regulations for the Bureau of Dams and Waterway Management.

Stormwater Management:

11. 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* (July 2013) and the associated Act 167 stormwater management ordinance standards adopted by each municipality.
12. The site plan depicts that a portion of an infiltration basin situated to the south of Lot 32 will be located within a riparian buffer zone. The Township should ensure that the infiltration basin design is consistent with all applicable provisions of Chapter 73-Environmental Protection of the Township Code.
13. Given that the project location will be adjacent to a headwater stream and roads and driveways will be constructed, consideration should be provided for establishing a material storage and pre-treatment and deicing plan for the site that minimizes the volume of de-icing chemicals and pollutants that may runoff from the site as a direct discharge or through infiltration. Chloride levels are rapidly increasing in the local watersheds in Chester County and all reasonable efforts to minimize future increases are essential to consider. This is a local, regional and national issue and solutions are being pursued here and by many states.

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Re: Preliminary Subdivision - Troutbeck Farms

Willistown Township – SD-06-18-15453

14. 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.

ADMINISTRATIVE ISSUES:

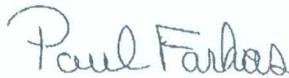
15. General Note 3 indicates that a Homeowners' Association will be responsible for the proposed common facilities/areas. Ownership, maintenance, use provisions, restrictions, and liability responsibilities associated with any common held amenities should be written into the Homeowners' Association (HOA) 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.
16. While the plan indicates that all the existing buildings will remain, it appears that one of the buildings will be located within an open space area. The applicant should identify who will be responsible for the ownership and maintenance responsibilities of this existing building, the details of which should be identified on the final plan.
17. Vehicular access to Lots 36 and 37 will be provided from a shared driveway entrance. The details of this shared access arrangement should be incorporated into the deeds of both lots.
18. While the site plan indicates that the existing residences on Lots 36 and 37 will be served by on-site water and on-site sewer, the location of the on-site facilities is not depicted on the current plan submission. This information should be provided by the applicant.
19. The landscaping plan indicates that many of the street trees are proposed to be located immediately adjacent to the right-of-way. We suggest that these trees be located slightly further away from the right-of-way in order to minimize conflicts in determining who is responsible for their maintenance when the trees are fully grown.
20. We suggest that truck turning templates be provided to demonstrate the proposed road network can adequately accommodate fire equipment. The Township's emergency service providers should be requested to review the plan to ensure that safe access and egress is provided for this site.
21. According to County Tax Assessment records, four of the parcels which comprise the project site (UPI# 54-2-41, 52-2-41.3, 54-2-41.4A, and 54-2-41.6) appear to be subject to an Act 319 (Clean and Green) covenant. We advise the applicant to contact the Chester County Assessment Office (telephone #610-344-6105) regarding this subdivision. Additional information on this topic is provided online at: <http://www.chesco.org/256/Act-319---Clean-Green>.
22. The list of parcels provided on Sheet 1 does not include UPI# 54-2-41.3A and #54-2-41.3B. This should be corrected by the applicant. The Chester County Recorder of Deeds Office requires that the correct UPI numbers be identified on all subdivision and land development plans submitted for recording.

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Re: Preliminary Subdivision - Troutbeck Farms
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23. While two plan sheets are identified as Sheet 22 of 27, there is no Sheet 21 of 27 in the plan submission received by the County Planning Commission. This should be corrected by the applicant.
24. The applicant should identify the feature depicted by a zip-zag pattern located to the south of Lots 29 to 31 as shown on Sheet 22. We note that this feature is not depicted on any other plan sheet in the current plan submission.
25. A site plan note on Sheet 3 should be revised to identify that a 0.325 acre portion of UPI# 54-2-41.3A to UPI# 54-2-41.3B (this plan note incorrectly identifies that this 0.325 acre area will be conveyed from UPI# 54-2-41.3 to # 54-2-41.3A).
26. The applicant should contact the office of the Chester County Conservation District (CCCD) 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.
27. 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 Willistown 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: Troutbeck Farm Developers, LLC
Moser Construction Management LLC
DH Enterprises
Chester County Conservation District
Chester County Assessment Office
Chester County Water Resources Authority