

**TOWNSHIP OF WEST VINCENT
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 7-2023

**RESOLUTION FOR PRELIMINARY/FINAL MINOR SUBDIVISION
PLAN APPROVAL FOR
595 FELLOWSHIP ROAD FOR A TWO LOT SUBDIVISION**

WHEREAS, Charles D. & Patricia M. Spackman (the "Applicants"), are the owners of a 5-acre parcel of land located partially in West Vincent Township with an address of 2620 Conestoga Road, being UPI No. 25-7-19.1 and consisting of 1.2-acres; and partially located in Upper Uwchlan Township, with an address of 595 Fellowship Road, being UPI No. 32-2-10.1 and consisting of 3.8 acres (the "Property"). The portion of the Property located in West Vincent Township is in the R-2 Residential Zoning District;

WHEREAS, the Applicants proposes to subdivide the Property into two (2) parcels with Lot 1 consisting of 2.455-acres unimproved with frontage on Conestoga Road and with Lot 2 consisting of 2.755-acres improved with the existing dwelling and garage with access through an access easement on an adjacent property, connecting to Fellowship Road (the "Project");

WHEREAS, the Applicants propose to construct a single family dwelling on Lot 1 with access to Conestoga Road as part of the Project;

WHEREAS, on January 19, 2023 the West Vincent Township Planning Commission recommended approval of the Project conditioned upon the Applicant satisfying the Township Engineer's review letter dated January 11, 2023 with the five requested waivers and a fee for open space;

WHEREAS, the Applicants have requested approval of the plan entitled Minor Subdivision of 595 Fellowship Road Made for Charles D. & Patricia M. Spackman, prepared by Hopkins and Scott, Inc., consisting of four sheets dated May 5, 2022, last revised November 1, 2022 (the "Plan");

NOW, THEREFORE, BE IT RESOLVED, by the West Vincent Township Board of Supervisors, Chester County, this 21st day of February, 2023, that the Plan is **APPROVED WITH CONDITIONS**:

1. Conditions of Subdivision Plan Approval. The Plan is hereby approved subject to the following conditions:

- a) The Applicants must address to the satisfaction of the Township staff comments contained in the following letters:
 - i) LTL Consultants LTD review letter dated January 11, 2023.
 - b) Before the Plans are recorded, the Applicant must obtain any necessary planning modules, permits, approvals, waivers, and/or reviews from all outside agencies, including, but not limited to, the Chester County Conservation District; Chester County Department of Health; Pennsylvania Department of Environmental Protection; Pennsylvania Department of Transportation; and US Army Corps of Engineers as may be applicable.
 - c) Any outstanding Township fees, fees for the Township Engineer, fees for the Township Solicitor, and any other third party consultant fees associated with the review and approval of the application shall be paid in full prior to the recording of the Plan.
 - d) The Applicants must complete all easements, dedication agreements, maintenance agreements, and/or sewer agreements associated with or required for the Project, and provide all applicable necessary legal descriptions, in forms satisfactory to the Township Solicitor, prior to or contemporaneously with the recording of the Plans.
 - e) The Applicants shall prepare legal descriptions of all revised lot lines of the Subject Property for review and approval by the Township Engineer, and record all necessary instruments to document and establish the newly formed parcels with the Chester County Recorder of Deeds after or contemporaneously with the recording of the Plans, including, but not limited to, deeds for the separate parcels, in forms satisfactory to the Township Solicitor.
2. **Waivers.** The Applicants have requested the following waivers from the Subdivision and Land Development Ordinance ("SALDO") for the Plan:
- a) The request for a waiver from **Section 315-14.B** of the SALDO to not provide an Existing Resources and Site Plan is hereby **Granted** due to the limited scope of the Project.
 - b) The request for a waiver from **Section 315-14.C** of the SALDO to not provide a Final Impact Analysis & Resource Plan is hereby **Granted** due to the limited scope of the Project.
 - c) The request for a waiver from **Section 315-44.C(1)** of the SALDO to not provide paved sidewalks along Conestoga Road is hereby **Granted**.
 - d) The request for a waiver from **Section 315-47** of the SALDO to not provide fee-in-lieu of open space is hereby **Granted** due to the size of the Property and the limited scope of the Project.

- e) The request for a waiver from Section 315-48 of the SALDO to not provide trail easements is hereby **Granted**.

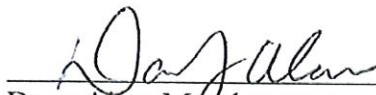
3. This Resolution shall be effective immediately.

RESOLVED THIS 21th DAY OF SEPTEMBER, 2023

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**


Bernie Couris, Chairman


Sara Shick, Vice Chairman


Dana Alan, Member

ATTEST:

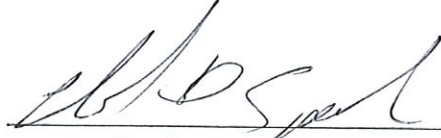

Kathryn Shillenn, Secretary

In the event that the Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Applicants did not accept these conditions, and approvals conditioned upon this acceptance are revoked, and the application shall be considered to be denied.

ACCEPTANCE OF CONDITIONS

The Applicants do hereby sign, acknowledge, and accept the approval for the Plan as issued by the West Vincent Township Board of Supervisors and accept the conditions contained therein as recited above.

Date: 3/6/23

By: 
Charles D. Spackman

Date: 3/6/23

By: 
Patricia M. Spackman