



## ZONING HEARING BOARD APPLICATION

This form is used to apply for a special exception or variance. This form can also be used for any appeal to the Zoning Hearing Board.

### Submission requirements/Checklist (NO ACTION WILL BE TAKEN IF NOT COMPLETE):

- ☒ Application form
- ☐ Property description: lot size, acres, improvements, present use, zoning
- ☒ 20 Location maps: MUST INCLUDE property lines/road names, adjacent properties, other properties owned by applicant
- ☒ 20 Plot plans: MUST INCLUDE old & new structures, contour lines, setbacks, wells/septic systems, water constraints, trees
- ☒ Description of proposed use and relief requested: Include Section number from Zoning Ordinance.
- ☒ Names and addresses of all property owners within a radius of 500'
- ☒ FEES: For Residential, the fee is \$1,500. For Commercial, the fee is \$3,000 (cash or check only).

RECEIVED

MAR 17 2023

(FOR OFFICE USE ONLY)

☒ Complete ☐ Incomplete (see below)

*KS* ✓ *Twp Secretary initials*  
\_\_\_\_\_  
*Zoning Officer's initials*

☒ Fee Received: 3/16/23 3388 \$1,500.00 KS  
Date Ck. # Amount By

\*\*\*\*\*

### INFORMATION FOR APPLICANTS

As an applicant presenting a request to the Zoning Hearing Board, you should be aware of the following:

- The Zoning Hearing Board will schedule a hearing within sixty (60) days of your application.
- At the hearing, you should be prepared to discuss the proposed use or change of use, as well as any new construction or building planned. If new building is to be constructed or existing building(s) rehabilitated, you should have a building plan showing the proposal (e.g.-floor plans, elevations).
- The Zoning Hearing Board will officially notify all property owners within 500 feet (500') of the applicant's property (**from the list accompanying the application**). You may, however, want to be prepared to discuss what their positions are, if any, regarding your proposal.
- If relevant to the proceedings, you should have photographs of the property and surrounding neighborhood in order to fully inform the Board of the nature of the proposed use and how it fits into the surrounding uses.
- Since Zoning Hearing Board decisions are based on compliance with specific ordinance provisions, the applicant should consult the Township Zoning Ordinance regarding hearing procedures and standards for review of applications (copies enclosed).
- It is strongly recommended by the Zoning Hearing Board that you be represented by an attorney. A zoning hearing is a legal proceeding.



## ZONING HEARING BOARD APPLICATION

### 1. OWNER/APPLICANT

Property Address: 1245 School House Lane, Chester Springs, PA 19425

Tax Parcel # 25- 4-67

Applicant: Glenn E. and Jill S. Lipton Phone: 610-269-4883

Applicant Address (if different): 16 Patterdale Place, Downingtown, PA 19335

Applicant Email: glennlipton@gmail.com and jill.lipton@yahoo.com

Legal Owner (if different): \_\_\_\_\_ Phone: \_\_\_\_\_

Legal Owner Address (if different): \_\_\_\_\_

Legal Owner Email: \_\_\_\_\_

Equitable Owner (if different): \_\_\_\_\_ Phone: \_\_\_\_\_

Equitable Email: \_\_\_\_\_

**\* If applicant is not the owner, please provide copy of agreement of sale, lease, or other proof of legal interest.**

### 2. REASON FOR APPLICATION

- This application is: ☐ an **appeal** from a decision of the Zoning Officer
- ☐ an application for **special exception** pursuant to the terms of Section(s) \_\_\_\_\_ of the Township Zoning Ordinance
- ☒ a request for a **variance** from the terms of Section(s) 390-182 of the Township Zoning Ordinance.
- ☐ **other** (please specify): \_\_\_\_\_

### 3. PROPERTY DESCRIPTION

Lot Size: 21.490 (in acres) Existing improvements: House, barn, accessory house & related improvements

Present Use: Residential Zoning Classification: R-2

### 4. LOCATION MAP

Include a minimum of 20 copies of a location map showing:

- ☐ Road names/property lines
- ☐ Adjacent properties
- ☐ Location of any property you may own adjacent to or in the immediate vicinity of the property in question.



5. USAGE

Single family house with second house, barn and agricultural use. No change in proposed use.

Previous/Existing Use	Proposed/New Use
-----------------------	------------------

6. TYPE OF WORK OR IMPROVEMENT (check all that apply)

- ☐ Agricultural
- ☐ Patio/porch
- ☐ Park/Recreational
- ☐ Sign
- ☐ Accessory Building
- ☐ Deck, <30"
- ☐ Deck, >30"
- ☐ Walkway
- ☐ Shed
- ☐ Accessory Dwelling
- ☐ Boarding Stables
- ☒ Other Single family house

Describe the Proposed Work:

Addition to primary residence, rebuild barn and related improvements

7. ZONING DISTRICT AND COMPLIANCE

Which zoning district(s) is your property located in? Most parcels will only be in one district, but some larger parcels may be in two adjacent districts. Check all that apply:

- ☐ R-3 Residential District
- ☐ RC Residential Conservation District
- ☐ BV Birchrunville Village District
- ☒ R-2 Residential District
- ☐ LVCC Village Center Commercial District
- ☐ KV Kimberton Village District
- ☐ RM Residential Mix District
- ☐ PC/LI Planned Commercial/Limited Industrial
- ☐ M Municipal District

8. OVERLAY DISTRICT

Is your property also located in an Overlay District? (check all that apply)

- ☐ FPC Floodplain Conservation Overlay District
- ☐ PRD Planned Residential Development Overlay District
- ☒ SSC Steep Slope Conservation Overlay District
- ☐ TDR - Transferable Development Rights Overlay
- ☐ UDA Unified Development Area Overlay District
- ☐ VCR Village Center Residential Overlay District
- ☒ Water Resource Protection Overlay District
- ☐ Historic Preservation Overlay District
- ☐ Rte. 100 Overlay District
- ☐ Groundwater Protection Zone A
- ☒ Groundwater Protection Zone B
- ☐ Groundwater Protection Zone C
- ☐ MHP Mobile Home Park Overlay



9. FLOODPLAIN

Is the site located within an identified flood prone area? ☐ YES ☒ NO

Will any portion of the flood prone areas be developed? ☐ YES ☒ NO

*If "yes", attach one (1) of the flood hazard certifications mandated in section 1612.5 of the International Building Code. Owner/Agent shall verify that any proposed construction activity complies with the requirements of the National Flood Insurance Program and for PA Flood Plain Management Act (Act 166 1978, specifically section 60.3) (D).*

10. WETLANDS

Is the site located within any identified wetlands area? ☒ YES ☐ NO

Will any portion of the wetland area be developed? ☐ YES ☒ NO

*Owner/Agent shall verify that any proposed construction activity complies with the requirements of the Commonwealth of PA Department of Environmental Protection (25 PA Code Chapter 105).*

11. DIMENSIONS AND IMPERVIOUS AREA

Provide "footprint" areas in square footage.

Feature/Improvement	Existing area or footprint	Area being removed	New area being added
Primary building (house)	2989 S.F.	S.F.	2547 S.F.
Barn	3361 S.F.	S.F.	S.F.
Shed(s) /garages/stable/springhouse	3247 S.F.	982 S.F.	S.F.
Pool house	S.F.	S.F.	S.F.
Guesthouse/In-law Cottage (accessory dwelling, stand-alone)	1958 S.F.	S.F.	S.F.
Driveway (from road to primary garage)	6500 S.F.	S.F.	4337 S.F.
Driveway (all other driveway and/or parking area)	6474 S.F.	26 S.F.	S.F.
Patios	1116 S.F.	908 S.F.	S.F.
Walkways	264 S.F.	111 S.F.	335 S.F.
Decks	969 S.F.	S.F.	S.F.
Porches	491 S.F.	S.F.	S.F.
Pool (surface of water)	S.F.	S.F.	312 S.F.
Pool coping	S.F.	S.F.	S.F.
Pool deck or patio	S.F.	S.F.	262 S.F.
Pond	S.F.	S.F.	S.F.
Other (please list): Walls	734 S.F.	578 S.F.	161 S.F.
Misc. Conc Areas	531 S.F.	S.F.	S.F.
	28634S.F.	2605 S.F.	7954 S.F.



ZONING HEARING BOARD APPLICATION

12. SIGNAGE

This section is needed if the project requires a sign permit. Refer to Article of the Zoning Ordinance for sign regulations. If you are **installing duplicate signs**, indicate so below. If you are **installing multiple signs**, provide information to questions A through C for each sign being installed. You may use additional sheets of paper or multiple copies of this page if necessary.

A. Existing Signage:

Provide the type and square footage of existing signs on the site that you intend to keep. (IE: Wall sign-200 sq. ft.)

Type: n/a Square footage: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Proposed Signs: Please answer all questions below *(check all that apply)*.

Total number of signs: n/a

☐ Permanent ☐ Temporary ☐ Duplicate (# of signs of same exact design): \_\_\_\_\_

Use:

- |                                       |  |                                       |  |  |
|---------------------------------------|--|---------------------------------------|--|--|
| <input type="checkbox"/> Office       | <input type="checkbox"/> Institutional | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Residential     | <input type="checkbox"/> Commercial            |
| <input type="checkbox"/> Supplemental | <input type="checkbox"/> Political     | <input type="checkbox"/> Industrial   | <input type="checkbox"/> Shopping Center | <input type="checkbox"/> Recreation/Open Space |

Type:

- |   |                                      |   |   |                                    |
|---|--------------------------------------|---|---|------------------------------------|
| <input type="checkbox"/> Wall Sign                            | <input type="checkbox"/> Roof Sign   | <input type="checkbox"/> Ground Sign                  | <input type="checkbox"/> Pylon Sign       | <input type="checkbox"/> Billboard |
| <input type="checkbox"/> Directory Sign<br>(multiple tenants) | <input type="checkbox"/> Awning Sign | <input type="checkbox"/> Monument or<br>Entrance Sign | <input type="checkbox"/> Directional Sign | <input type="checkbox"/> Banner    |

C. Structural Specifications:

The allowable size of many signs is determined by the size of the structure occupied by the tenant requesting signage. Please be as accurate as possible.

Square footage to be occupied \_\_\_\_\_ Acreage of site \_\_\_\_\_

Length of building frontage *(width of tenant frontage at main entrance)* \_\_\_\_\_

Height of building frontage *(height of building at tenant entrance)* \_\_\_\_\_

Will the sign be illuminated? ☐ YES ☐ NO If yes, then how? \_\_\_\_\_

TOWNSHIP USE ONLY BELOW THIS LINE

Zoning Officer Signature \_\_\_\_\_

Permit Number \_\_\_\_\_ Date Issued (mm/dd/yyyy) \_\_\_\_\_

---

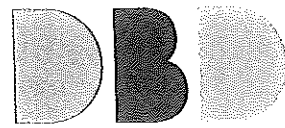
**Instructions for finding Property Owner Within 500 Feet of Property Line**

1. Type the word 'Chescoviews' into your internet browser. Click on the entry for ChescoViews – Chester County, Pennsylvania.
2. A welcome screen appears. Click on the button which says 'Enter ChescoViews'.
3. On the top right, click on the search tool indicated by the magnifying glass icon. Enter the street address and name of street you are making an application for in the appropriate boxes. If the street name is common, you may have to enter the Municipality name in the appropriate box as well. Click 'Search'.
4. When you see the property is highlighted in red, click on the round button icon on the top right that is labeled 'Buffer Zone'. Enter '500' in the distance box and make sure 'feet' is chosen in the unit pulldown. Click 'Set Buffer' and select your red-highlighted property. A list of all owners in the Buffer Zone is indicated below the map.
5. At the top of the list of owners, click 'Export' and 'Download as CSV'. You can open or save directly to your hard drive, whichever you prefer.
6. Open the Excel spreadsheet created by the import of the property owners. Widen the columns so that all the mailing information can be easily seen. Print this spreadsheet (you may have to change the orientation to 'landscape') and submit with application.

GLENN E. LIPTON AND JILL S. LIPTON – 1245 SCHOOL HOUSE LANE  
WEST VINCENT TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA

ZONING SUMMARY

Owner and Applicant:	Glenn E. Lipton and Jill S. Lipton 1245 School House Lane Chester Springs, PA 19425
Property:	1245 School House Lane
Zoning District:	R-2 Residential
Proposal:	The renovation of an existing single-family home, replacement of barn, and related driveway/stormwater improvements. The renovation of the single-family home will include additions to the existing structure. The renovation of the barn is to replace the prior structure which fell during renovation activities – this will not include any expansion of the footprint of the barn but will include the removal of an existing concrete pad.
Requested Relief:	A variance from Section 390-182, Stream Buffers, of the Zoning Ordinance to allow the above renovation to the existing single-family home located within the required stream buffer and rebuilding of the barn which was within the required stream buffer before it fell down.
Reason for Relief:	<p>The existing improvements are currently located within the required 150 feet stream buffer. Accordingly, any change or addition to the single-family home and barn will require variance relief. Special care was taken to maintain and not impact the 100 feet wetland margin and outside of the high ground water soils. Additionally, most of the addition to the single-family home has been located further from the wetland and streams than the existing home. Only the improvements to the existing porch and entrance door foyer will be located on the southeast of the existing home.</p> <p>The design of the proposed improvements is required by the existing improvements and the property cannot be modernized without the requested variance. The variance is required for the reasonable use of the property and all precautions and planning have been completed to ensure that there will be no impacts to the streams, wetlands, adjacent properties, the neighborhood or the public.</p> <p>The requested relief is the minimum relief necessary for the reasonable use of the subject property.</p>



# DISCHELL BARTLE DOOLEY

law offices

March 16, 2023

Frank R. Bartle  
(1977 – 2020)

VIA FEDERAL EXPRESS

West Vincent Township  
729 St. Matthews Road  
Chester Springs, PA 19425

Attention: John A. Granger, Township Manager

**RE:** Zoning Hearing Board Application  
**Applicant:** Glenn and Jill Lipton  
**Property:** 1245 School House Lane

RECEIVED  
MAR 17 2023

Dear Manager Granger:

This office is the attorney for the above referenced applicant with regard to the enclosed documents representing our Zoning Application for their home located at 1245 School House Lane ("Subject Property"). Enclosed are the following documents constituting our Application:

- (1) One Zoning Hearing Board Application which includes a Summary of the relief requested;
- (2) Twenty copies of the Plan showing existing conditions and proposed additions to the home located on the Subject Property;
- (3) A copy of the current Deed for the Subject Property showing Applicant as owner and describing the Subject Property;
- (4) A complete listing of all property owners within 500 feet of the Subject Property boundary; and

Our client, Mrs. Jill Lipton, has already dropped a check off in the amount of \$1,500.00 representing the filing fee for this Application.

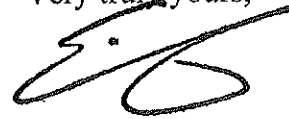
A Professional Corporation



We request a hearing on the Application. If anything else is needed or if you have questions, please contact me as soon as possible.

Thank you for your continued cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Eric C. Frey', written over a horizontal line.

ERIC C. FREY

ECF:mh

Enclosures

cc: Dr. Glenn and Mrs. Jill Lipton (w/enclosures)  
Mr. John Kohlhas (w/enclosures)  
Dave Gibbons, P.E. (w/enclosures)

UPI	Owner 1	Owner 2	Local Address	Municipality	Zip Code	Mailing Address 1	Mailing Address 2
25-4-65	COVERT JEFFERY S	COVERT AMY L	1226 HOLLOW RD	WEST VINCENT	19425	1226 HOLLOW RD	CHESTER SPRINGS PA
25-4-65.1	VALVANO THOMAS		1256 HOLLOW RD	WEST VINCENT	19425	1256 HOLLOW RD	CHESTER SPRINGS PA
25-4-65.2	LEMASTER FRANK	ROBINSON MARYLOU	1246 HOLLOW RD	WEST VINCENT	19421	1246 HOLLOW RD	BIRCHRUNVILLE PA
25-4-67	LIPTON GLENN E	LIPTON JILL S	1245 SCHOOL HOUSE LA	WEST VINCENT	19425	1245 SCHOOL HOUSE LN	CHESTER SPRINGS PA
25-4-67.1	CASSEL ERIC J		1265 SCHOOL HOUSE LA	WEST VINCENT	19425	1265 SCHOOL HOUSE LN	CHESTER SPRINGS PA
25-4-67.2	MONTEITH DAVID J &	VERONICA B	1275 SCHOOL HOUSE LA	WEST VINCENT	19421	1275 SCHOOL HOUSE LN	BIRCHRUNVILLE PA
25-4-67.3	LOHIDALAT FELIX	LOHIDALAT SILVIA	1205 SCHOOL HOUSE LA	WEST VINCENT	19425	1205 SCHOOL HOUSE LN	CHESTER SPRINGS PA
25-4-67.5	SILEN REVOCABLE TRUST	SILEN STEVEN L ETAL	1225 SCHOOL HOUSE LA	WEST VINCENT	19425	1225 SCHOOL HOUSE LN	CHESTER SPRINGS PA
25-4-68	BLAZAK DIANE LOCKWOOD		1272 HOLLOW RD	WEST VINCENT	19421	1272 HOLLOW RD	BIRCHRUNVILLE PA
25-4-69	SHIELDS JOSEPH PETER		1276 HOLLOW RD	WEST VINCENT	19421	1276 HOLLOW RD	PO BOX 84 BIRCHRUNVILLE PA
25-4-70	KOENIG RICHARD W &	MARYANN	1280 HOLLOW RD	WEST VINCENT	19421	1280 HOLLOW RD	BIRCHRUNVILLE PA
25-4-71	MYERS PATRICIA RUTH	BRACHWITZ KARL AUGUST	1286 HOLLOW RD	WEST VINCENT	19421	1286 HOLLOW RD	BIRCHRUNVILLE PA
25-4-72	BRACHWITZ KARL AUGUST	MYERS PATRICIA R	1304 HOLLOW RD	WEST VINCENT	19421	1286 HOLLOW RD	BIRCHRUNVILLE PA
25-4-73	WEISS MARTINA GALLI	WEISS MICHAEL J	1322 HOLLOW RD	WEST VINCENT	19421	1322 HOLLOW RD	BIRCHRUNVILLE PA
25-4-75	FALKOWITZ DIANNA	FALKOWITZ MARC	1330 HOLLOW RD	WEST VINCENT	19421	PO BOX 20	BIRCHRUNVILLE PA
25-4-141.1	FINKEL SHANE W	MCMASTER JENNIFER J	1269 SAINT MATTHEWS RD	WEST VINCENT	19018	214 PRISCILLA LN	ALDAN PA
25-4-142	GEORGE JANE T TRU		1284 SCHOOL HOUSE LA	WEST VINCENT	19421	PO BOX 22	BIRCHRUNVILLE PA
25-8-28	WARD JAMES B &	NANCY E	1221 SAINT MATTHEWS RD	WEST VINCENT	19425	1221 SAINT MATTHEWS RD	CHESTER SPRINGS PA

RECEIVED

MAR 17 2023



May 2, 2023

Zoning Hearing Board  
West Vincent Township  
729 Saint Matthews Road  
Chester Springs, PA 19425

RE: 1245 School House Lane  
Variance Review  
West Vincent Township  
0234-23-0154

Dear Zoning Hearing Board,

As requested, Cedarville Engineering Group, LLC (CEG) has reviewed the application packet for 1245 School House Lane for variance relief from the Zoning Hearing Board (ZHB) from Zoning Ordinance (Ordinance) Section 390-182 (see pertinent ordinance sections attached to this letter). Please see below for a description of relief requested from the Applicant as well as property conditions and findings.

The subject property is a parcel containing 21.49 acres (936,101.4 square feet) known as 25-4-67 and is located in the R2 - Residential Zoning District. The subject parcel contains an existing single-family dwelling, a driveway, two detached garages, a shed, a springhouse, until recently a large barn, and an on-lot septic system. The Applicant is applying for a variance to allow the addition of an attached garage, a reworked front entrance, and a driveway extension to be built in the stream buffer.

**Wetland/Stream Buffer Requirements**

The delineated wetlands and the ephemeral stream located on the property require a 150-foot buffer plus 4 feet for every 1% increase in slope, which results in a buffer with variable widths in all directions from the wetlands and stream.

This property does not contain any areas designated as floodway or floodplain.

**Existing Conditions:**

The historic 21.49-acre property currently features a single-family dwelling, a driveway, two detached garages, a shed, a springhouse, and until recently a large barn. All recent improvements were permitted through the Township. The lot is serviced by a private well and with an on-lot septic system. Existing improvements on the property account for 2.94% impervious area. This



**Cedarville Engineering Group, LLC**

159 E High St., Suite 500, Pottstown, PA 19464 | P: (610) 705-4500 [CedarvilleEng.com](http://CedarvilleEng.com)



number does not include the driveway as West Vincent Township does not require the primary driveway to be included in this number. See impervious area calculations below.

The existing house is an existing nonconformance with a large addition done in 2009. The 2009 addition added 1,727 square feet to the house that had a previous footprint of approximately 1,800 square feet. A majority of the existing property improvements including the existing home, much of the driveway, the barn (to be replaced under another application), the house and additions, springhouse, shed, and detached garage, were all built in what is now the stream/wetland buffer area. With the exception of the permitted building addition done in 2009, the remainder of the improvements located in the stream and wetlands buffer predate the current Ordinance restricting building in those areas.

**Proposed Conditions:**

The homeowners are seeking relief from Section 390-182 in order to construct a 7,054 square feet driveway addition, a 2,547 square feet house addition, a 574 square foot in-ground pool and patio, a walkway expansion, a boulder wall, and stormwater management facility.

These proposed improvements will bring the property to a total of 2.94% impervious area which is well under the maximum allowable impervious area.

**Impervious Area Calculations:**

Impervious Area Calculation	Exist SF	Remove SF	New SF	Total SF
House - primary building	2,989		2,547	5,536
Detached garage/stable/sheds/springhouse	3,247	(982)		2,265
Barn	3,361			3,361
Accessory Dwelling	1,958			1,958
Pool/patio			574	574
Wall	734	(578)	161	317
Patio	1,116	(908)		208
Deck	969			969
Porch	491			491
Walkway	264	(111)	335	488
Misc. Concrete areas	531			531
Driveway (not the primary drive)	6,474	(26)	4,337	10,785
<b>Zoning Total</b>	<b>22,134</b>	<b>(2,605)</b>	<b>7,054</b>	<b>27,483</b>
Driveway (excluded, primary drive)	6,500		0	6,500
<b>Stormwater Total</b>	<b>28,634</b>		<b>7,954</b>	<b>33,983</b>
<b>Lot Area</b>	<b>936,104</b>	<b>936,104</b>	<b>936,104</b>	<b>936,104</b>
Building Coverage	1.23%	0.00%	0.27%	1.19%





Impervious Coverage (without primary drive)	2.36%	0.65%	0.85%	2.94%
Impervious Coverage (with primary drive)	3.06%	0.00%	0.85%	3.63%

**Comments and Recommendations:**

1. The entire existing house is located in the wetlands/stream buffer on the property, so adding on to the house in the wetlands/stream buffer cannot be avoided. What should be explored, if it hasn't been already, is locating the proposed pool, driveway extension, and stormwater facility outside of the wetland and stream buffer where possible.
2. The Applicant should consider amending the application to seek relief from Section 390-205 to allow for an expansion of more than 50% of a non-conforming structure.
3. If the Zoning Hearing Board approves this application, it should consider the following conditions:
  - a. That all other required permits be sought and approved prior to the commencement of construction. These permits would include but may not be limited to a building permit and stormwater/grading permit.
  - b. Any changes to the scope of work (i.e. location of improvements, etc.) stemming from this Zoning Hearing Board be reviewed for compliance of conditions by the Zoning Officer or the Zoning Hearing Board, whichever the Zoning Hearing Board feels is more appropriate.

Please feel free to contact me with any questions.

Best Regards,  
**Cedarville Engineering Group, LLC**

Tracey M. Franey  
West Vincent Township Zoning Officer

**Attachments:** Relevant Ordinance Sections (Immediately following this letter)

cc: John Granger, West Vincent Township Manager - [jgranger@westvincenttwp.org](mailto:jgranger@westvincenttwp.org)  
Kathy Shillenn, Township Secretary (to forward to ZHB) - [kshillenn@westvincenttwp.org](mailto:kshillenn@westvincenttwp.org)  
Christina Casey, Assistant Township Secretary - [ccasey@westvincenttwp.org](mailto:ccasey@westvincenttwp.org)  
Jason Barron, Township Permit Coordinator - [jbarron@westvincenttwp.org](mailto:jbarron@westvincenttwp.org)  
Mark Thompson, Township Solicitor - [mthompson@lambmcerlane.com](mailto:mthompson@lambmcerlane.com)  
Ed Latshaw, Township Engineer - [elatshaw@tlconsultants.com](mailto:elatshaw@tlconsultants.com)  
Peter Benton, Member of Historical Commission - [pbenton@heritagestrategies.com](mailto:pbenton@heritagestrategies.com)  
Glenn & Jill Lipton, Property Owners and Applicants - [glennlipton@gmail.com](mailto:glennlipton@gmail.com) and [Jill.lipton@yahoo.com](mailto:Jill.lipton@yahoo.com)







**Relevant Ordinance Sections pertaining to this application (not complete sections):**

**§ 390-8 Definition of Terms.**

**BUFFER, RIPARIAN (AKA, STREAM BUFFER; VEGETATED STREAM BUFFER)** Land areas immediately adjacent to streams or ponds and typically include floodplains, alluvial soils and stream-related wetlands. Riparian buffers can provide many environmental benefits (including, but not limited to, functioning as silt and chemical buffers for associated streams).

**§ 390-182 Stream buffers.**

In addition to the erosion and sedimentation control requirements contained in the Pennsylvania Department of Environmental Protection's "Special Protection Waters Implementation Handbook," Publication #1455, the following buffers shall apply to all new nonagricultural activities or projects resulting in earth disturbance within any high quality or exceptional value watershed of the Township of West Vincent, as defined by Pennsylvania Department of Environmental Protection rules and regulations, Title 25 of the Pennsylvania Code, including Chapter 93:

- A. On level terrain, a minimum one-hundred-fifty-foot vegetated buffer strip shall be provided on each side of all wetlands, special protection streams, and around all lakes or ponds designated as high quality or exceptional value waters. No buildings, swimming pools, structures resulting in impervious coverage or sewage utilities shall be permitted within the vegetated buffer.
- B. Four feet of additional buffer shall be provided for every 1% increase in slope.
- C. For all new developments with land disturbance of greater than one acre, the stream buffers shall be undisturbed or reforested to 60% canopy cover with native trees for 150 feet on both sides of the stream (measured from the top of bank).

**§ 390-205 Nonconforming buildings and structures.**

Except as provided in this article, any lawful building or structure existing at the time of the effective date of this chapter or any subsequent amendment thereto, which does not conform with the provisions of this chapter or any subsequent amendment, shall comply with the following:

- A. Continuation/enlargement. Any nonconforming building or structure may be continued, altered or enlarged, provided such alteration or enlargement shall not increase the nonconformity of the building or structure with respect to the setback and coverage (area and bulk) requirements of this chapter or any subsequent amendment in effect at the time such alteration or enlargement is proposed. Any enlargement of a nonconforming building or structure which increases the nonconformity of the building or structure with respect to the setback and coverage requirements of this chapter or any subsequent amendment in effect at the time such enlargement is proposed shall require a special exception when the total floor area will be increased by more than 50% of the floor area of the





nonconforming building or structure. The increase by more than 50% shall occur only once per nonconforming building or structure. In considering a special exception when the total floor area will be increased by more than 50%, the Zoning Hearing Board may include previous increases in the total floor area even though such increases were less than 50% and did not require a special exception.

- B. Restoration. Any lawful nonconforming building or structure which has been damaged by fire, flood or other causes may be reconstructed within the limits of the existing foundation and to its former dimensions, provided that such restoration shall begin within one year from the date of damage or destruction and shall be completed within one year thereafter. Evidence of hardship beyond the control of the Applicant is necessary to request an extension of time from the Board of Supervisors.





