

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

RESOLUTION 10-2025

**A RESOLUTION TO GRANT FINAL SUBDIVISION
PLAN APPROVAL FOR 1414 BIRCHRUN ROAD, LLC**

WHEREAS, 1414 Birchrun Road, LLC ("Applicant") submitted a Final Minor Subdivision Plan ("Plan"), and has requested Final Plan approval, to permit a lot line change at two properties located at 1414 Birchrun Road, in specific TPN 25-3-101.1B and TPN 25-3-101.1, located in the R-3 Residential District, as further described in a Deed recorded in the Office of the Recorder of Deeds for Chester County, Record Book 11015, Page 1050; and,

WHEREAS, on April 17, 2025, the West Vincent Township Planning Commission recommended conditional approval of the Plan, subject to certain conditions; and,

WHEREAS, the Plan, prepared by Howell Engineering, dated August 19, 2024, and as last revised March 28, 2025, sheets 1 to 12 inclusive, is now in a form suitable for approval, subject to certain conditions.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY RESOLVED by the West Vincent Township Board of Supervisors ("Board"), as follows:

1. Approval of Plan – The Plan is hereby approved, subject to the conditions set forth below.
2. Conditions of Approval – The approval of the Plan is subject to strict compliance with the following conditions:
 - A. Applicant shall execute a Developers Agreement, Financial Security Agreement, and a Stormwater Management Easement Agreement, in a form acceptable to the Township Solicitor, and shall record same, prior to the release of the Plan for recording. The Applicant shall post and maintain a \$5,000.00 cash professional services escrow prior to release of the Plan for recording. Applicant shall replenish said escrow when the balance falls below 50% of the posted amount, and within ten (10) days of the date of the Township's written notification to Applicant requesting the escrow to be replenished. The Board Chair is authorized to sign the Agreement upon confirmation the required professional services escrow has been posted.
 - B. Applicant shall post of all financial securities required by the Township, in amount to be determined by the Township Engineer and pursuant to State Law, prior to release of the Plan for recording.
 - C. Applicant shall pay in full any outstanding fees owed to the Township prior to the release of the Plan for recording.
 - D. Applicant, at its cost, shall record the approved Plan, and return three copies of the same, together with one electronic copy, to the Township within seven (7) days of the date of recording.

- E. Applicant shall comply with all terms and conditions as set forth in the December 16, 2024 Conditional Use Order, as adopted by the Board.
 - F. Applicant shall address all outstanding items noted in the LTL Consultants review letter dated April 9, 2025.
 - G. Applicant shall address all outstanding items noted in the Cedarville Engineering Group review letter dated April 9, 2025.
 - H. Applicant shall obtain Planning Module approval from the Pennsylvania Department of Environmental Protection, and any required approvals from the Chester County Department of Health, prior to the issuance of a building permit.
 - I. Applicant shall obtain an Erosion & Sedimentation Control Adequacy Letter from the Chester County Conservation District, prior to the release of the Plan for recording.
 - J. Should, at any time during construction, the limits of disturbance exceed one acre in total, the Applicant shall cease all work, and the Applicant shall obtain an NPDES Permit from the Pennsylvania Department of Environmental Protection, prior to the continuation of construction.
 - K. Applicant shall obtain all approvals required from any other agencies, authorities, or departments having jurisdiction, prior to the release of the Plan for recording.
 - L. Applicant shall prepare, in a form acceptable to the Township Solicitor, draft deeds, prior to the release of the Plan for recording.
 - M. The Applicant may offer for dedication to the Township a 5,000sf parcel of land to be reserved for park and open space purposes, and to be made available for public use, if so desired by the Board, or, in the alternate, the Applicant may offer a fee in lieu of the dedication of this land, in an amount to be calculated pursuant to §315-47.C, and to be approved by the Township Solicitor, and to be paid prior to the release of the Plan for recording.
 - N. Applicant shall assume all costs to comply with the terms of this approval.
3. Waivers & Deferrals – The Board hereby confirms the following waivers and/or deferrals from the provisions of the Township's Stormwater Ordinance and/or Subdivision and Land Development Ordinance:
- A. a waiver of §315.44.C(1) so to not require the installation of sidewalks along the Property frontages to Jaine Lane and Birchrun Road.
4. Acceptance – The conditions set forth in Paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.

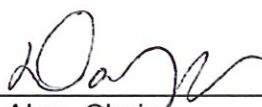
5. Effective Date – This Resolution shall become effective on the date upon which its conditions are accepted by the Applicant in writing, or ten (10) days from the date of the Applicant's receipt of this Resolution, whichever occurs first.

BE IT FURTHER RESOLVED, the Plan shall be considered to have received Final Approval once staff appointed by the Board determines that all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plan and submitted the Plan for recording with the Chester County Recorder of Deeds. Applicant shall provide the Township with the executed Plan, development and other agreements, easements, and other associated documentation, according to Township procedures. Any changes made to the approved Plan will require the submission of an amended plan for land development review by all Township review parties.

BE IT RESOLVED THIS 19TH DAY OF MAY, 2025.

FOR WEST VINCENT TOWNSHIP

BY:


Dana Alan, Chair,
Board of Supervisors

ATTEST:


Christina Casey
Township Secretary

ACCEPTANCE

The undersigned states that he is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he has reviewed the Conditions imposed by the Board in the foregoing Resolution and that he accepts the Conditions and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

1414 BIRCHRUN ROAD, LLC

Date:

19 May 2025

By:



Name:

Michael Lockyer