

**Gregg I. Adelman**  
Direct Dial: (610) 941-2552  
Direct Fax: (610) 684-2001  
Email: gadelman@kaplaw.com  
www.kaplaw.com

January 31, 2020

**VIA EMAIL ONLY**

Board of Supervisors  
c/o Will Ethridge  
Westtown Township  
1039 Wilmington Pike  
West Chester, PA 19382

**RE: Toll PA XVIII, L.P. – Second Conditional Use Application; Responses to Township Planning Commission Recommendations**

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Dear Board Members:

On behalf of Toll PA XVIII, L.P. (“**Toll**” or “**Applicant**”), I offer the following responses to the Westtown Township (“**Township**”) Planning Commission’s December 13, 2019 recommendation letter to the Township Board of Supervisors.

In conjunction with Toll’s responses, I include an alternate conceptual site plan incorporating many of the Planning Commission’s recommendations together with a list of required waivers from the Township Subdivision and Land Development Ordinance from your review and consideration.

Toll believes that its conditional use application complies with the applicable objective general and specific conditional use criteria under the Township Zoning Ordinance. However, Toll is willing to accept conditions of conditional use approval in accordance with its responses below and the alternate conceptual site plan.

Toll responds to the Planning Commission’s December 13, 2019 letter as follows:

- 1) The flexible development shall contain a maximum of 319 dwelling units, which shall include the two existing dwellings on the Property.

***Response: Will comply. Toll agrees the maximum permitted density is 319 units.***

- 2) The Plan shall be revised to be consistent with the Comprehensive Plan and to mitigate impacts to important scenic and historic resources by preserving a significant proportion of the scenic and

historic landscapes which are visible from the public right-of-way and characteristic of the natural heritage and historical settlement of the land. This requires the Plan to be revised to preserve a larger contiguous area of land on the western portion of the Property in the area designated in purple and labeled "Brandywine Battlefield Swath" on the review letter submitted by the Chester County Planning Commission ("CCPC") dated October 18, 2019, specifically Figure 3 of such letter, which letter is attached hereto as Exhibit "A". This area has been identified by Sean Moir of Western Heritage Mapping as the location of a portion of the 2nd Light Infantry Battalion and the Hessian Jaegers March en route to their engagement with the Continentals as part of the Battle of Brandywine (aka the Hessian March). The Planning Commission recognizes that Applicant has revised the Plan from the first conditional use application to shift some of the development further east; however, the Planning Commission believes that more development could be shifted further east to avoid the "Brandywine Battlefield Swath" as defined by the Chester County Planning Commission and to avoid the portions of the Property which were designated as open space or greenway in the Future Land Use Plan adopted as part of the Comprehensive Plan.

***Response: The alternate plan has shifted the development to the east as far as possible in the effort to preserve more of the westernmost portion of the property. An additional 21+ acres of contiguous open space on the western portion of the property can be provided such that approximately 78 acres of contiguous open space is preserved.***

- 3) The area designated as the "Brandywine Battlefield Swath" on the CCPC review letter shall be limited to disturbance necessary for the development and installation of facilities for sewage disposal, stormwater management, access, utilities, agricultural or equestrian use, recreational areas, or historic interpretation and trails. The existing historic resources that are located on the Property in the area designated as "Brandywine Battlefield Swath" shall be maintained and adaptively reused in accordance with condition 26 below.

***Response: See response to #2 above. The uses in the approximate 78 acres of open space on the westernmost portion of the property shall also include the continued use of the two (2) existing residences and the adaptive reuse of the structures Toll intends to retain.***

- 4) Applicant shall satisfactorily address the comments raised by the Township Traffic Engineer in his correspondence dated October 15, 2019.

***Response: Satisfied. A revised TIS (Dated August 13, 2019 and last revised on December 2, 2019) has been submitted to the township and PaDOT for review. Toll is in receipt of the Township Traffic Engineer's January 3, 2020 letter and will separately respond to the new review.***

- 5) Applicant shall engage with the Westminster Presbyterian Church to evaluate, and if determined feasible by the Township: (i) redesign the Connector Road so that it aligns with Orvis Way; (ii) provide a direct access from the Connector Road to the Church at a mutually agreed upon location.

***Response: The connector road cannot be redesigned to align with Orvis Way without cooperation from Westminster Presbyterian Church and the demolition of a portion of the Church, which is not practicable and beyond Toll's control. Toll is willing to provide an***

***easement area for the Church to directly connect to the connector road as identified on the alternate plan.***

- 6) The Plans shall be revised to add additional landscaping at the intersection of Road N and the Collector Road to buffer headlights from vehicles facing eastbound on Road N.

***Response: Will comply.***

- 7) The Connector Road shall be offered for dedication to the Township and shall be designed to adequately accommodate heavy equipment and truck traffic. Appropriate weight limitations for the Connector Road shall be determined during land development.

***Response: Toll shall design and construct the connector road in accordance with Township road specifications.***

- 8) Applicant shall construct a traffic signal at the intersection of the Connector Road and PA Route 926 and Bridlewood Boulevard, including fiber-optic interconnection to and coordination with the adjacent traffic signals along PA Route 926 at US Route 202 and New Street. If not immediately permitted by PennDOT as part of the development 's Highway Occupancy Permit, funds for the future design, permitting and construction (including contingency and 10 years' escalation) of a traffic signal at this location shall be placed in an escrow account with the Township as beneficiary prior to the release of the final approved subdivision and land development plans for recording. The amount of money to be placed in escrow shall be determined by the Township Engineer and shall be posted by Applicant as part of the financial security which is posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code ("MPC"). The funds shall be used by the Township for installation of this traffic signal when permitted by PennDOT.

***Response: Toll will construct a traffic signal at the intersection of the connector road and PA Route 926 if approved by the Township, Thornbury Township and PaDOT. Toll will provide fiber-optic interconnection to the other two traffic signals that about the property pursuant to PaDOT's approval.***

- 9) If not constructed by PennDOT, Applicant shall obtain all permits for design and construction of the following turn lanes (and ancillary infrastructure modifications including but not limited to traffic signals, drainage and pedestrian facilities):
- a. A southbound right turn lane, 150' in length or as otherwise required by PennDOT, on US 202 at PA 926, and
  - b. An eastbound left turn lane, 500' in length or as otherwise required by PennDOT, on PA 926 at US 202.

***Response: Pursuant to the original and revised TIS, these improvements are not required.***

- 10) Applicant shall revise the Plan to offer for dedication right-of-way along:
- a. US Route 202, PA Route 926, New Street and West Pleasant Grove Road as appropriate to comply with § 170-ISII, and

- b. Along US Route 202 and PA Route 926 as appropriate to accommodate the improvements required by Condition #9 above.

***Response: Will comply. The current and alternate plan provides for the required dedication of ROW.***

- 11) Applicant shall improve the cartway of W. Pleasant Grove along the property frontage to:
  - a. Comply with § 149-903.A(2) for width,
  - b. Comply with § 149-910.D for paving,
  - c. Provide landscaping in accordance with a plan to be developed in coordination with and approved by the Township, and
  - d. Implement traffic calming measures in accordance with a plan to be developed in coordination with and approved by the Township. This may include roundabouts at the Connector Road and other site accesses.

***Response: The Applicant will improve W. Pleasant Grove Road from the centerline to the property line in accordance with Township specifications. A roundabout at the intersection of the Connector Road and W. Pleasant Grove Road is not feasible nor required. Toll will not construct a roundabout at that location.***

- 12) Applicant shall design, permit and construct the following turn lanes (and ancillary infrastructure modifications including but not limited to traffic signals, drainage and pedestrian facilities):
  - a. A southbound right turn deceleration lane, 100' in length or as otherwise required by PennDOT, on US 202 at West Pleasant Grove Road;
  - b. An eastbound left turn lane, 50' in length or as otherwise required by PennDOT, on PA 926 at New Street.
  - c. Eastbound and westbound left turn lanes on W. Pleasant Grove Rd. between the Collector Road and Orvis Road or other improvements approved by the Township to mitigate potential conflicts associated with overlapping left turns.

***Response: 12.a) Will comply.  
12.b) Not required.  
12.c) Not required***

- 13) Applicant shall implement traffic calming measures in accordance with plans to be developed in coordination with and approved by the Township(s) along the following roads:
  - a. Dunvegan Road;
  - b. Bridlewood Boulevard (in conjunction with Thornbury Township); and
  - c. Jacqueline Drive (if supported by post development traffic counts, completed following 50% and 100% occupancy of the development, showing increased volumes).
  - d. Road B to discourage cut through traffic.

***Response: 13.a) Not required.  
13.b) Applicant is willing to discuss potential traffic calming with Thornbury Township  
13.c) Not required.***

**13.d) Not required.**

- 14) Applicant shall eliminate the access from Road M and W. Pleasant Grove Road in order to minimize external conflict points, promote internal connectivity, reduce the number of cul-de-sacs and enhance overall safety along W. Pleasant Grove Road. This will also require the Plan to be revised to connect Roads L and N. If Applicant requires waivers from any provisions of the Township's Subdivision and Land Development Ordinance in order to make this Plan modification, the Planning Commission would support such waiver being granted by the Board.

***Response: Applicant will comply with eliminating Road N as shown on the alternate plan, provided the Board of Supervisors grants waiver permitting more than 25 units on a cul-de-sac. Applicant will not connect roads L and M because it involves unnecessarily disturbing environmentally sensitive areas including streams, riparian buffers and woodlands.***

- 15) Any trees that are located within the right-of-way of W. Pleasant Grove Road and S. New Street that are determined to create an unsafe condition or pose a traffic hazard to vehicles traveling on such roads shall be removed by Applicant. The determination of which trees create an unsafe condition shall be determined by the Township engineer and road master and shall be marked on the final subdivision and land development plans.

***Response: Will comply.***

- 16) During land development, Applicant shall implement an access and routing plan for construction vehicles to be developed in coordination with and approved by the Township in order to avoid undue impact on the roads. This Plan should include the inspection and video documentation of all roadways adjacent to the site prior to the start of construction. If, as a result of construction of the development proposed by the Plan, Applicant and its contractors damage the roads which are used by heavy construction vehicles, Applicant shall restore the same.

***Response: Will Comply.***

- 17) The Connector Road shall include pedestrian amenities with a paved surface that can accommodate pedestrians and bicyclists. The specifications and locations of the pedestrian amenities shall be determined by the Board at land development.

***Response: Will comply.***

- 18) The Plans shall be revised to be consistent with the Comprehensive Plan, specifically the Trails and Bikeways Map and Open Space and Recreation Plan, to provide an integrated trail network which includes a perimeter trail in the locations generally depicted on the Trails and Bikeways Map adopted as part of the Comprehensive Plan. The exact location, design and specifications of the perimeter trail shall be determined as part of land development but shall generally loop along Pleasant Grove Road, New Street and Street Road and connect to the pedestrian amenities that are built on the Connector Road. This perimeter trail shall be paved in accordance with specifications approved by the Board during land development but shall be designed to accommodate pedestrians and bicyclists and shall be dedicated to the Township for public use. The Planning Commission recognizes that Applicant will be required to provide proper crossings of wetlands to install this

perimeter trail and obtaining such permits shall be a condition of final plan approval.

***Response: Additional trails and public parking have been added to the alternate plan.***

- 19) Applicant shall provide a trail connection to the trail in the Arborview development and a crosswalk on W. Pleasant Grove Road to connect the perimeter trail to the Arborview trail. Applicant shall provide a trail connection to the proposed trail in Thornbury Township on the Spackman parcel. Applicant shall provide a pedestrian connection to the intersection of Route 202 and Route 926.

***Response: Applicant will provide a crosswalk on W. Pleasant Grove Road and terminate it at the north side ROW line. The alternate plan identifies this crosswalk.***

- 20) All trails on the Property shall be paved with a surface designed to accommodate pedestrians and bicyclists except for those trails located within environmentally sensitive areas where a different treatment may be used upon approval by the Township. The Planning Commission supports the use of porous paving which will allow infiltration of water. Internal trails shall be dedicated to the homeowner's association which is created for the development. The exact location, design and specifications for all internal trails on the Property shall be finalized during land development approval.

***Response: Will comply.***

- 21) The Plan shall be revised to provide sidewalks on one side of the streets and suitable pedestrian connections to community facilities. The exact location of the sidewalks shall be determined during land development. All sidewalks shall be maintained by the Homeowners Association for the development.

***Response: Will comply.***

- 22) Prior to issuance of grading permits, Applicant shall cause to be conducted an archeological survey including ground penetrating radar survey of any areas proposed to be disturbed within the Brandywine Battlefield Swath which is depicted on the CCPC review letter dated October 18, 2019, Figure 3. Applicant shall share the reports of the archeological survey with the Township and Pennsylvania Historic and Museum Commission and preserve any artifacts discovered on the Property.

***Response: Applicant will not perform archeological surveys but will allow the Township access to perform archeological surveys on the approximate 78 acres of open space area in the western portion of the property.***

- 23) Applicant shall preserve the following historic structures located on the Property which are referenced in the Applicant's historic resource inventory titled "Physical Description of Historic Structures" prepared by Cultural Resource Consultants dated December 13, 2016 ("Historic Resource Inventory"):



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1. Chapel/ springhouse- #24 on the Historic Resource Inventory;
2. The old Barn- Barn #1 on the Historic Resource Inventory;
3. The equestrian barn- #11 on the Historic Resource Inventory; and
4. The serpentine house on South New Street- #3 and buildings associated with this house (old stable, garage) #4, #5 on the Historic Resource Inventory.

These structures shall remain in their existing location on the Property and conveyed to the homeowner's association for adaptive reuse as community facilities unless Applicant procures another third-party entity who wishes to own and maintain these historic resources. Nothing herein shall prevent Applicant from conveying these historic resources to another party for adaptive reuse and subject to restrictions or easements to ensure their continued use and preservation.

***Response: 23.1) Will comply.***

***23.2) Will comply.***

***23.3) Will comply.***

***23.4) The buildings outlined are to be retained by the current owner.***

- 24) During land development, Applicant shall provide evidence to the Township as to whether it is feasible to relocate the Westtown Inn/ Darlington Tavern #25 on the Historic Resource Inventory without jeopardizing its structural integrity. If Applicant can demonstrate that it is not feasible to relocate the Inn without damaging its structural integrity, then Applicant shall maintain the Inn in its present location and convey it to the homeowner's association as a community room. If Applicant fails to demonstrate by sufficient credible evidence that relocating the Inn will jeopardize the structural integrity of the historic structure, then Applicant shall relocate the Inn to a different location on the Property approved by the Board for use by the homeowner's association as a community facility.

***Response: Will comply. In the event the Inn can be relocated, a potential location has been identified on the alternate plan.***

- 25) Applicant shall remove the metal siding on the front right section of the J.Q. Taylor Tenant House (Item #29 on the Historic Resource Inventory), above and below the porch, and entirely on the east (right side) elevation (of the main block of the house) for further examination. If it is determined that such house has valuable historic significance due to its architecture, Applicant shall preserve the same.

***Response: This structure is to be demolished.***

- 26) All of the historic resources that are preserved shall be adaptively reused for any purpose as permitted by the Ordinance, subject to Township approval with input and recommendation from the Township Historical Commission.

***Response: Applicant is willing to discuss alternatives for re-use if they differ from their currently proposed re-uses.***

- 27) Applicant shall execute and record facade or conservation easements on all Historic Resources that

are preserved and adaptively reused. The terms of such easements shall be approved by the Board during land development.

***Response: Applicant is willing to discuss potential post-reuse façade easements pending final determination and design of adaptively reused buildings.***

- 28) Applicant shall ensure that the budget for the homeowner's association provides sufficient revenues to ensure adequate long-term maintenance and operational costs associated with the preservation and continued adaptive reuse of any historic structures that are conveyed to the homeowner's association.

***Response: Will comply.***

- 29) Prior to the issuance of any grading permit for the Property, Applicant shall provide access to the Property and all historic structures located on the Property for members and/ or representatives of the Township Historical Commission to document and photograph these historic structures.

***Response: Will comply.***

- 30) The flexible development shall be serviced by public water.

***Response: Will comply.***

- 31) Applicant shall revise the Plan to provide public sewer to the development. The Planning Commission recognizes that the Board will have to amend the Township's Act 537 Plan to include the Property in the public sewer service area. The Planning Commission supports this Act 537 Plan Update. As part of its land development application, Applicant shall prepare planning modules for land development that provide all wastewater facilities necessary to connect the Property to the public sewer system and any and all upgrades to the existing public sewer which are necessary to provide sufficient capacity for the proposed development. Applicant shall construct the necessary upgrades to the Township's public sewer system which are necessary to provide sufficient capacity for the proposed development. The specific upgrades that Applicant must make to provide public sewer service to the development shall be determined by the Board during land development, however, Applicant shall at a minimum provide the following improvements:

***Response: Applicant is willing to pursue public sewer provided the Township adds the property to the public sewer service area under its Act 537 Plan and PA DEP approves the amendment to the Township Act 537 Plan and the planning module for the proposed development.***

- a. A sewage pump station to convey flow from the proposed development to the Township's existing sewer system. The pump station shall be designed to meet the standards provided by the Westtown Township's wastewater consultant. The pump station shall be sized to handle all proposed sewage flows from the development and an additional 35 EDU's from the adjacent Arborview Pump station.

***Response: Will comply.***



- b. Extend proposed sewers in Road K north across West Pleasant Grove Road into Dunvegan Road past the north right-of-way line of West Pleasant Grove Road.

***Response: Applicant will terminate sewer line at ROW line at Road K and W. Pleasant Grove intersection.***

- c. Extend proposed sewers in Road L to West Pleasant Grove Road and then east in West Pleasant Grove Road to the Arborview Pump station.

***Response: Not required.***

- d. Reconstruct the Pleasant Grove Pump Station.

***Response: In the event the property is serviced by public sewer, final routing and design will be determine during land development. Reconstruction of Pleasant Grove Pump Station may not be required.***

- e. If the existing sewer collection system leading to the Pleasant Grove Pump station does not have sufficient capacity to handle the flows from the proposed development, the Planning Commission prefers that the wastewater be pumped from the Property Eastwardly in Street Road to Tower Course Drive.

***Response: In the event the property is serviced by public sewer, final routing and design will be determine during land development.***

- 32) The Plan shall be revised to eliminate the proposed effluent disposal areas. The areas depicted as proposed effluent disposal areas on the Plan may be used to relocate development outside of the Brandywine Battlefield Swath.

***Response: In the event the property is serviced by public sewer, will comply.***

- 33) In order to prevent further impairment of the Radley Run, to improve surface water quality and assist the Township in meeting its Pollutant Reduction Plan for the Radley Run, Applicant shall implement stream restoration of the portions of the stream that traverse the Property which exhibit bank erosion and scour. Applicant shall coordinate with the Township Engineer during the land development process to select vegetation and landscaping that will best assist the Township to reach the goals and requirements of the PaDEP MS4 program. Such provisions will address concerns regarding water quality and phosphorus reduction in the watersheds.

***Response: Stream restoration is not required. Applicant is willing to work with the Township Engineer during the land development process to reasonably select alternative vegetation for stormwater management areas that may assist the Township in compliance of its MS4 program.***

- 34) Applicant shall provide an easement as necessary to permit extension of sewer to the adjacent property, Chester County Tax Parcel No. 67-4-34, currently owned by Vasilious Moscharis. Any

tap-in fee for same, as determined by the Township, shall be the responsibility of the owner of Parcel 67-4-34.

***Response: In the event the property is serviced by public sewer, will comply.***

- 35) Applicant shall preserve existing trees along the Property boundary with Parcel 67-4- 34 and shall extend as necessary, a landscaped berm along the length of the dwelling on Parcel 67-4-34 to provide additional screening for this dwelling.

***Response: Will comply.***

- 36) Applicant shall address the comments in the Township Engineer's review letter dated October 3, 2019 to the satisfaction of the Engineer and Board during land development approval.

***Response: Will comply during land development.***

- 37) The Plan shall be revised to add a note which restricts the total impervious cover that can be constructed on each individual lot, including the two existing lots that shall be retained by the current legal owner. The total square footage of impervious coverage per lot shall be determined by the Township Engineer to be necessary to mitigate stormwater runoff from the individual lots, as determined at the land development phase. Applicant shall include in the homeowner association declaration or deeds to the individual lots a note that advises the lot owners the total amount of impervious cover in square feet that may be built on such lot.

***Response: Applicant will comply with restricting impervious coverage on individual lots in consultation with the Township Engineer.***

- 38) Applicant shall minimize impervious surfaces throughout the site, using green storm water management technology as applicable.

***Response: Applicant will minimize impervious surfaces and will meet stormwater ordinance requirements.***

- 39) Applicant shall grant the Township easements across the open space on the Property for future basin upgrades that the Township may need to perform in order to comply with its MS4 permit requirements.

***Response: Will comply. Toll will provide the Township with an easement over the property to access and upgrade stormwater facilities. However, in the event the Township modifies or upgrades stormwater management facilities, then the Township must become a co-permittee on any NPDES and be the responsible entity for the perpetual maintenance of such facilities.***

- 40) Applicant shall make every effort to balance the cut and fill within the development to avoid unnecessary import or export of soils during construction.

***Response: Will comply. Toll will minimize the need for import/export of fill during construction as much as possible.***

- 41) Subject to PennDOT approval, Applicant shall install the necessary equipment to allow for traffic light preemption for use by the emergency responders along the U.S. Route 202 corridor and along U.S. Route 926 at the intersection with New Street.

***Response: Applicant will work with PaDOT regarding pre-emption for traffic signals that abut the property.***

- 42) Applicant shall provide an emergency access road from the Property to South New Street. Such access road shall be wide enough to accommodate the largest apparatus used by the Fame Fire Company. The details for the location, width and specifications for the emergency access road shall be determined by the Board during land development.

***Response: Will Comply.***

- 43) Applicant shall investigate if in the design of its stormwater management facilities or road improvements it is able to make improvements to mitigate the existing flooding conditions that occur during heavy rain events on properties located to the south of the Property. If it is feasible to mitigate such flooding conditions, Applicant shall implement such improvements as approved by the Township Engineer and Board as part of land development.

***Response: Not required. Toll's stormwater management facilities will be designed to meet Township and PaDEP standards.***

- 44) Applicant shall include in the deeds for the lots in the development and in the homeowner's declaration deed restrictions that prohibit any disturbance of the riparian buffers required by the Township Code. Such deed restrictions shall run with the land and be enforceable by the Township.

***Response: Will comply for those lots that have riparian buffers within their lot area.***

- 45) As a part of land development, Applicant shall study the existing condition and hydraulic capacity of the S. New Street Bridge over Radley Run. If the Township Engineer determines that the existing condition and/ or function of the bridge is not sufficient to support the impacts from the proposed development of the Property, Applicant shall improve the condition and/ or function of the bridge to mitigate the impacts of construction of the development on the Property. The Township Engineer shall determine what improvements must be made to the bridge to support the proposed development.

***Response: Not required. Toll's stormwater management facilities will be designed to meet Township and PaDEP standards.***

- 46) Applicant shall provide a plan which identifies the location of off-street parking for all contractors who will be involved in construction on the Property. The parking plan shall ensure that parking for contractors occurs off of public roads in locations that do not create an adverse impact to the

public health, safety and welfare. The parking plan should be approved by the Board during land development.

***Response: Will comply.***

- 47) Applicant shall coordinate with the West Chester Area School District to identify locations for appropriate and safe bus stops throughout the development. The bus stops shall be in locations that allows sufficient areas for vehicles to park while waiting at the bus stop for drop-off and pick-up.

***Response: Will comply.***

- 48) Applicant shall provide sufficient off-street parking in areas where community facilities are located. The exact number of off-street parking spaces that are provided shall be approved by the Board during land development.

***Response: Will comply.***

- 49) Applicant shall revise the Plan to relocate the proposed carriage homes at the end of the cul-de-sacs which are highlighted in red on the attached map which was prepared by the Township's Public Works Director. The Plan shall provide open areas off of the cartway of the cul-de-sacs to allow for the deposit of snow that is shoveled from the road.

***Response: Alternate plan identifies snow disposal areas.***

- 50) Applicant shall revise the Plan to redesign the 90° bends in Road J and Road F which are highlighted in blue on the attached plan to eliminate difficult maneuvers by snowplow vehicles.

***Response: Not required. There is no ordinance provision prohibiting the internal street design.***

- 51) The Plan shall be revised to add notes that restrict parking on certain roads if necessary, to facilitate access by emergency vehicles and snow plows.

***Response: Will comply.***

- 52) Driveway and mailbox locations, fire hydrants, public utility transformers, access panels, stormwater inlets, street trees and road signs should be designed and located in areas which allow for proper snow removal and snow disposal areas.

***Response: Will comply.***

- 53) Applicant shall preserve and retain the scale house located northeast of the house at 501 West Street Road (depicted in Photo 21 of CRC's report dated December 13, 2016) and the corn cribs located west of the Robinson House (depicted in Photo 9 and Photo 23 of CRC's report dated December 13, 2016). Such structures shall be conveyed to the homeowner's association and properly maintained.

***Response: Applicant will allow a third party, Township or other, to remove the scale house and scale for use/display at another location. Corn crib will be demolished.***

- 54) Subject to approval of PennDOT, all construction activities within the right of way of Route 202 and Route 926, including lane closures, shall be restricted to the hours of 7:00pm-6:00am. At all times while performing road improvements to these roads, Applicant's contractors must allow continuous access on these roads.

***Response: Not required (and not recommended that construction occur at night when residents are sleeping). All construction on state highways will occur pursuant to PaDOT rules and regulations.***

- 55) All construction activities within the right of way of S. New Street and W. Pleasant Grove Road, including lane closures, shall be restricted to the hours of 7:00pm - 6:00am. At all times while performing road improvements to these roads, Applicant's contractors must allow continuous access on these roads.

***Response: Not required (and not recommended that construction occur at night when residents are sleeping).***

- 56) Applicant shall prepare and implement a deer management plan which shall address the effect of the proposed development on the deer population on the Property. This deer management plan shall be approved by the Township as part of land development.

***Response: Not required.***

- 57) Applicant shall revise the Plan to maintain the existing unpaved equestrian access along the perimeter of the Property and to create an easement that allows the continued use of this area for equestrian use by the public.

***Response: Applicant will allow equestrian crossings on the western side of the property that is to be HOA maintained open space, subject to Pennsylvania law.***

- 58) Applicant shall deed restrict all of the proposed lots in the Development, including the 2 lots to be retained by the legal owner, against further subdivision.

***Response: Will comply.***

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Toll looks forward to further discussing the above responses and the alternative site plan at the Planning Commission's February 5, 2020 meeting.

Should you have any questions, comments, or require additional information, please contact me at my direct dial. Thank you.

Sincerely yours,



Gregg I. Adelman

/enclosures

cc: Patrick M. McKenna, Esquire  
Kristin S. Camp, Esquire



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Board of Supervisors

bcc: Andrew Semon  
Brian Thierrin  
Mike Downs  
Jeff Madden  
Emily Stewart  
Jan Jochems