



Civil Engineers, Surveyors & Land Development Consultants

May 25, 2021

Westtown Township
John Altshul, Township Manager
1039 Wilmington Pike
West Chester, PA 19395

**Re: Sawmill Court
Preliminary/Final Land Development
Response to Cedarville Review letter dated April 28, 2021
Inland Design Project No. 11541
CEG Project No. WTT-20-414**

Mr. Altshul:

We are in receipt of the review letter from Cedarville Engineering Group (CEG) dated April 28, 2021, for the above referenced project. Based on the comments contained in that letter we have revised the plans and offer the following responses:

Erosion and Sediment Control Comments:

1. - 2. This comment has been satisfactorily addressed.
No response required.

Stormwater Management Comments:

3. – 7. This comment has been satisfactorily addressed.
No response required.
8. This comment is no longer applicable.
No response required.
9. – 14. This comment has been satisfactorily addressed.
No response required.
15. This comment is no longer applicable.
No response required.
16. – 17. This comment has been satisfactorily addressed.
No response required.
18. This comment is no longer applicable.

No response required.

19. – 29. This comment has been satisfactorily addressed.

No response required.

30. Section 144-402.G – Inspections, operation, and maintenance requirements. The following documents shall be prepared and submitted to the Township for review and approval as part of the SWM site plan, in accordance with the requirements of Article VII, for each BMP and conveyance included in the SWM site plan (including any to be located on any property other than the property being developed by the applicant);

- 1) An O&M plan.
- 2) An O&M agreement.
- 3) Any easement agreements that are needed to ensure access, inspection, maintenance, operation, repair and permanent protection of any permanent BMP(s) and conveyances associated with the regulated activity.
- 4) Any written deed, deed amendment or equivalent document (if needed) to be recorded against a subject property, as shown on the SWM site plan maps or plan sheets, or recorded plan sheets for the purpose of protecting and prohibiting disturbance to a BMP or conveyance; and
- 5) Written approval, easement agreements, or other documentation for discharges to adjacent or down- gradient properties when required to comply with § 144-301G and Article VII of this chapter.

Section 144-701.D - General Requirements for protection, operation and maintenance of stormwater BMPs and conveyances - For any BMP or man-made conveyance (including any to be located on any property other than the property being developed by the applicant) to be owned by a person other than the Township:

- 1) An O&M agreement shall be submitted to the Township for review and approval; and
- 2) The O&M plan shall be attached to, incorporated within, and recorded as a public record along with a fully executed O&M agreement, all of which shall be recorded as a restrictive covenant that runs with the land and shall be binding upon the landowner and any heirs, administrators, successors in interest or assigns of the landowner.

A Stormwater Management Operation & Maintenance Agreement will need to be executed and recorded for the proposed stormwater BMPs, to include all BMPs shown on the PCSM Plan. The O&M Agreement shall be provided by Westtown Township upon approval of the Plan. The applicable signatures included under the Stormwater Management Operation & Maintenance Statement, Sheet 1, must be signed by the property owner prior to recording. The Operation & Maintenance Agreement shall be recorded concurrently with the Land Development Plan.

The O&M Agreement shall be amended and re-recorded as required upon the applicant's conveyance of open space to the Homeowners Association.

The applicant will execute the Stormwater Management Operation and Maintenance Agreement after the plan has been approved and prior to plan recording.

SALDO Comments:

31. This comment has been satisfactorily addressed.

No response required.

32. Section 149-600.C – If the preliminary plan and all supporting data comply in all respects with the requirements for final plans (see Article [VII](#)), the Township may, in the case of small subdivisions involving no new streets or limited development of land, proceed to final action at the first consideration of the plan if a written request for final approval is made by the applicant and agreed to by the Board of Supervisors..

The applicant has requested a waiver from submission of a Preliminary Plan. CEG defers consideration of this waiver request to Westtown Township.

CEG defers consideration of this waiver request to Westtown Township. If this waiver is to be considered, CEG recommends that the applicable comments noted in this letter be addressed prior to consideration of final plan approval

The planning commission has recommended approval of this waiver and the applicant is proceeding with the waiver request at this time.

33. – 37. This comment has been satisfactorily addressed.

No response required.

38. Section 149-903.A(3)– Collector Street Right-of-Way shall be 60 feet and cartway width shall be 28 feet.

CEG defers to the Westtown Township Traffic Engineer regarding required widening along South Concord Road.

This issue is addressed in the response letter to the Traffic Engineer review.

39. – 40. This comment has been satisfactorily addressed.

No response required.

41. Section 149-915.K – Driveway Design Requirements.

Section 149-915.K(1) – The grade of the driveway within 20 feet of the pavement edge or the curbline of the public road, Township or state, shall not exceed 4%. The maximum grade permitted beyond this point is 15%. Vertical curves shall be used a change of grades exceeding 5%.

Section 149-915.K(2) – Width of driveway within the legal right-of-way of the public road shall be at least 10 feet and shall be nine feet within the property line. Adequate turnaround surface shall be provided on the property so egress to the street is in a forward direction. Where the grade of the driveway exceeds 10%, at least on level parking space shall be provided just within the property line for emergency parking.

Section 149-915.K(4) – Discharge of roof drains or downspouts onto the driveway which slopes toward the street shall not be permitted. No drainpipe for any basement sump pump, foundation drain, disposal field, terrace, roof or pavement shall be discharged onto the public right-of-way.

The following information does not appear on sheet 6 and shall be clearly shown:

- The Spot elevations for slope arrows.

The spot elevation layer has been made visible on Sheet 6.

- Roof Drain Flow Arrows as referenced by Note 13 on Sheet 8 shall be shown on the plan.

The roof drain flow arrow layer has been made visible on Sheet 6.

42. Section 149-916 – Sidewalks and paths. Sidewalks, bike paths and other paths may be required to be installed at the discretion of the Board of Supervisors upon the recommendation of the Planning Commission.

Section 149-916.A – All materials entering into the construction of sidewalk and the method of construction and installation shall be in accordance with PennDOT Specification Publication 408, except that the compacted thickness of the aggregate bed shall be four inches. Sidewalk across driveways and driveway aprons shall be constructed with six inches of concrete reinforced with six-by-six s1.4 by s1.4 welded wire fabric place two inches from the finished surface. Sidewalks shall have a minimum width of four feet and be located four feet behind the curbline unless approved otherwise.

Section 149-916.B – Sidewalks at intersections shall be constructed to provide for handicapped access.

Section 149-916.C – Details and specification for the construction of bike paths and other paths shall be submitted with preliminary plans for review and approval by the Township Planning Commission and Township Engineer.

The following shall be addressed:

- Scaled views shall be provided for the handicapped ramp details as previously requested, to clearly demonstrate compliance with applicable ADA Standards.

Scaled views are provided on Sheet 6 and the spot elevation layer has been made visible.

- Spot elevations at the depressed curb area of the handicap ramps shall be provided to demonstrate compliance with ramp longitudinal slope requirements.

Scaled views are provided on Sheet 6 and the spot elevation layer has been made visible.

43. Section 149-918.B – Water distribution, approvals and reviews. No construction of any water distribution system shall commence prior to written approval and or comments from the DEP, CCHD, Fire Marshal, and Township Engineer.

The above referenced approvals shall be obtained, with correspondence provided to the Township, prior to plan recording.

The applicant is aware of the need for review and approvals from these agencies. All applicable correspondence will be forwarded to the Township.

44. Section 149-921.C(4) – The plan shall designate the use of common open space, the type of maintenance to be provided, and a planting plan or schedule. In designating use and maintenance, the following classes may be used.

Section 149-921.C(4)(a) – Lawn. A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to ensure a neat and tidy appearance.

Section 149-921.C(4)(b) – Natural area. An area of natural vegetation undisturbed during construction or replanted; such areas may contain pathways. Meadows shall be maintained as such. Maintenance may be minimal but shall prevent the proliferation of undesirable plants. Litter, dead trees and brush shall be removed, and streams kept in free-flowing condition.

Section 149-921.C(4)(c) – Recreation area. An area designated for a specific recreational use, including by way of example tennis, swimming, playfield and tot lots. Such areas shall be located and maintained in such manner as not to create a hazard or nuisance and shall perpetuate the proposed use.

Section 149-921.C(4)(d) – Stormwater detention/retention and sewage disposal areas. Detention or retention areas or land used for surface (land application) for subsurface sewage disposal and holding or settlement ponds.

The following shall be addressed pertaining to the Open Space Management Plan, in accordance with the Ordinance sections referred above, and shall be adequately addressed prior to consideration of Final Plan approval: Sections 190-907.A(2&3): This section requires the provision of a minimum of 10% of the Open Space to be set aside as “active recreation”. The recreation definitions set forth in Section 170-201 list hiking under “passive” recreation, that the Township may require that the area be prepared and developed for such purposes, and list activities including “playgrounds, ball courts, golf courses, and swimming pools” under “active” recreation. Subsection 3 does indicate that area associated with walking trails does not need to be in addition to the 10% active recreation requirement, unless the Board determines that the 10% minimum is to be designated for active recreation. The Planning Commission shall evaluate whether the walking trail adequately addresses this Ordinance requirement or if additional area and improvements for active recreation shall be provided.

- The Planning Commission shall evaluate whether the walking trail adequately addresses this Ordinance requirement, or if additional area and improvements for active recreation shall be provided.
- The Open Space Management Plan shall be revised to demonstrate that a minimum of ½ acre of contiguous open space of a minimum of 75 feet can be maintained for all areas proposed to meet minimum open space requirements.

The layout and composition of the open space was discussed with the Planning Commission and has been recommended as shown on the plans.

45. Section 149-922.B(2) All buffers shall include a completion planted visual barrier to landscape screen. Such visual barrier shall be fully attainable within a three-year period. Where the existing tree masses do not fully screen the area or where there are no existing tree masses, planting shall be added to compete the visual barrier within the prescribed time period.

The following shall be provided and shall be completed prior to consideration of Final Plan approval:

- If the applicant's arborist is to perform an evaluation regarding the health of the existing trees and their effect on the compensatory trees to be provided, this evaluation shall be completed in Report form, submitted to the Township for review, and approved by Westtown Township.
- In lieu of the above referenced arborist evaluation, a site walk with the Township shall be scheduled to determine the health of the existing trees and the effect on the compensatory trees to be provided.

The Arborist's report was forwarded to the Township and approved based on a site walk with township staff. Buffering plantings were added to the landscaping plan as required, and have been deemed adequate per Ms. Dobbs as indicated in a May 24, 2021 phone conversation.

46. Section 149-924.D(11) – A tree protection management plan must be submitted at the time of preliminary plan application if there are 10 or more viable trees proposed to be cut or removed from the property. The Tree Protection Management Plan shall contain the following information on a plot plan: A chart tabulating the diameter inches being removed, the required diameter inches to be replaced and the equivalent number of compensatory trees.

The following shall be addressed:

- The applicant has requested a waiver from providing the total amount of compensatory trees. Consideration of this request shall be deferred until the above referenced site walk has occurred or review of an Arborist's Report has been completed. Revisions to the Tree Protection Management Plan may be required based upon the outcome of this meeting and/or review.

The Landscaping plan as submitted is based upon the outcome of the site walk and review of the arborist report by Township Staff. Compensatory tree calculations are shown on the plan and a request is in place to provide a fee-in-lieu of the amount of trees that could not be fitted to the site.

- The plantings proposed downslope of BMP 1 encroach on the proposed sidewalk and shall be relocated.

The plantings located downslope from BMP 1 have been relocated to eliminate conflict with the proposed sidewalk.

- The limits of the tree protection zones shall be clearly labeled on the Plans and added to the Legend. The applicant has stated that the limits have been added to the Landscape Plan,

however it is unclear where the protection zones are defined by the line circular line adjacent to the trees, which is currently not defined in the Legend.

Tree Protection zone limits have been added to the Landscaping Plan and defined in the legend.

47. Section 149-924.D(12)(b) – Compensatory planting. Compensatory trees shall be provided in the following ratios, based upon the sum totals of the diameter inches of trees being removed. The stands are applicable to both deciduous and evergreen trees. Compensation is not required for shrubs, unless otherwise required by the Board of Supervisors.
- i. For viable non-specimen: one inch of new tree caliper shall be provided for every four inches of existing tree diameter cut or removed. For example, if a single trunked, twenty-inch diameter oak is removed, five diameter inches shall be replanted.
 - ii. For viable specimen: one inch of new tree diameter for every one inch of existing tree diameter cut or removed. Where it has been determined by the Zoning Officer that a specimen tree has been or is proposed to be cut or removed, the person responsible shall be fined no more than \$1,000.
 - iii. For existing street trees within the right-of-way, one tree, with a caliper of 3 ½ inches shall be replanted as a canopy tree in accordance with Section 149-925I(6).

The applicant has requested a waiver from this section of the Ordinance. CEG does not support this request, as the existing vegetation which serves as a buffer to the properties to the north, west, and south will be removed as a result of the improvements proposed; therefore, warranting the provision of compensatory plantings.

The Arborists Report has been forwarded to the Township for review. Based upon this report, and the subsequent sitewalk with Maggie Dobbs, the compensatory tree requirements chart has been updated. The landscaping plan has been updated to show the proposed on-site compensatory tree plantings and a fee-in-lieu of will be established for any additional compensatory trees.

48. This comment has been satisfactorily addressed.

No response required.

49. Section 149-927 – Sanitary sewage disposal and treatment facilities.

CEG defers comments pertaining to this Ordinance section to the Township Sanitary Sewer Engineer.

No response required.

50. Section 149-403.A – Before the final plan is signed by the Board of Supervisors, the applicant shall submit an agreement, subject to the approval of the Board of Supervisors, provided for, but not limited to, the following where applicable: In accordance with the approved final plan, the applicant will layout and construct all street and other improvements, including, but not limited to, grading, paving, curbs, gutter, sidewalks, streetlights, fire hydrants, water mains, street

singes, shade trees, storm and sanitary sewers, stormwater management structures, landscaping, traffic control devices, open space areas, and erosion and sediment control measures.

Section 144-403.C – The applicant shall sign a tri-party agreement with a financial institution and the Township guaranteeing and securing completion of the improvements listed in Subsection A, except as provide for in Subsection E, within one year of the date of the approved plan.

Financial security in an amount acceptable to the Township shall be provided prior to Plan recording. A Construction Cost Estimate shall be submitted for review and approval, with the required financial security incorporated into a Developer’s Agreement to be executed prior to Plan recording.

The applicant will sign the Tri-party agreement and provide financial security prior to recording of the plans.

ZONING COMMENTS:

(WESTTOWN TOWNSHIP CODE, CHAPTER 170, ZONING):

51. – 52. These comments have been satisfactorily addressed.

No response required.

53. *Section 170—1514.F(1) – Plan Submission -For subdivision and land development applications where site lighting is required for proposed, lighting plans shall be submitted to the Township for review and approval and shall include:*

It is confirmed that the lighting as proposed shall not produce glare in excess of the requirements set forth in the above referenced section of the Zoning Ordinance. CEG defers to the Westtown Township Zoning Officer as to the applicability of the above referenced Zoning Ordinance sections applicable to minimum illuminance to be provided.

The Planning Commission and township staff has recommended that the lighting for the site be approved as currently shown on the plans.

GENERAL COMMENTS:

54. – 60. These comments have been satisfactorily addressed.

No response required.

61. This comment is no longer applicable.

No response required.

62. This comment has been satisfactorily addressed.

No response required.

63. The following information shall be provided as it pertains to the Homeowners Association Declaration and applicable documents:

- The proposed budget of the Homeowners Association, to ensure that proper funding for maintenance of the following is established:
 - i. Stormwater BMPs 1, 2, and 3

- ii. The Permanent Compost Filter Sock
- iii. Community Walking Trail
- Evidence that the BMP and Compost Filter Sock Operation and Maintenance Notes have been incorporated into the HOA Documents.
- The applicable section of the documents covering the Homeowners Association and the Township 's responsibilities associated with the Off-Street Parking/Snow Removal Area shall be provided to ensure clarity as far as ownership and maintenance responsibilities.

The above comment remains applicable. The above referenced budget shall also include proposed sidewalks to be maintained by the Homeowners Association. The above information shall be submitted for review and approved by the Township prior to consideration of Final Plan approval

The Applicant is working with the Township Solicitor on the Homeowners Association Documents and will provide an updated document with the required details prior to recording.

64. This comment has been satisfactorily addressed.
No response required.

65. Section 149-913.D - Where practicable, blocks along arterial highways and collector streets shall not be less than 1,000 feet long.

The applicant has requested a waiver from the referenced Ordinance requirement. CEG defers comment to the Township Traffic Engineer.

See response letter to Al Federico Review Letter for response.

66. The bottom of curb elevation shown at the southern curb radius associated with the proposed parking area (360.17) shall be verified and revised as required, as the elevation as shown is lower than the top of grate of the adjacent inlet (360.39) and will result in potential ponding of stormwater

Bottom of curb elevations have been updated to correspond to the latest inlet elevations.

OTHER AGENCY APPROVALS:

- Chester County Conservation District (NPDES Permit)
- Pennsylvania Department of Environmental Protection (Sewage Facilities Planning Module Exemption)
- Township Fire Marshall

We trust that the plans adequately address the comments of the Township Consultants. Please feel free to contact me with any questions or comments regarding this matter.

Very Truly Yours,

Joel D. Comanda, P.E.
Project Manager

C: file