



February 17, 2023

Jon Altshul, Township Manager
Westtown Township
1039 Wilmington Pike
West Chester, PA 19382

RE: Westtown School – Art School Center
Preliminary/Final Plan Review
Westtown Township
0236-23-0061

Dear Mr. Altshul,

As requested, Cedarville Engineering Group, LLC (CEG) has completed a Preliminary/Final Subdivision and Land Development Review for the Westtown School – Art School Center project. The site (Parcel ID 67-02-00250-00-E) comprises of roughly 170.5 acres and is located on the northwest side of the intersection of Oak Lane and Walnut Hill Road in the Agricultural/Cluster Residential (A/C) Zoning District of Westtown Township. The project includes an addition to the existing Art School Center building and new walkways for a net impervious area increase of 2,343 SF with an additional 500 SF of future impervious. The applicant is proposing an underground BMP to manage the increase in stormwater runoff.

The following information was received by our office on February 15, 2023:

- Full size Plans titled “Westtown School – Art School Center” prepared by Apex Design + Engineering Group consisting of 9 sheets, Sheets 1-9 of 9, dated November 15, 2022 and last revised February 14, 2023.
- Landscape Architecture Plan Sheets L-101, L-102, L-401, and L-501, prepared by Wallace, Roberts, and Todd, LLC, dated October 28, 2022.
- Post Construction Stormwater Management Report prepared by APEX Design + Engineering Group, dated November 11, 2022 and last revised January 27, 2023.
- Preliminary estimate of probable costs prepared by Apex Design + Engineering Group, dated January 27, 2023.
- Response Letter dated February 15, 2023, to Cedarville Review Letter dated January 11, 2023.

The referenced documents have been reviewed for compliance with Chapter 80 – Erosion, Sediment Control and Grading, Chapter 144 – Stormwater Management, Chapter 149 – Subdivision of Land, and Chapter 170 – Zoning of the Westtown Township Ordinance.

Cedarville Engineering Group, LLC

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





If Preliminary/Final Land Development Plan approval is to be considered, the following conditions shall be incorporated and shall be addressed prior to recording of the plan:

- ***The Applicant’s Acknowledgement shall be signed on the plans to be recorded (comment #6).***
- ***An easement, permitting the Township’s access to the stormwater BMP, will need to be granted prior to plan recording. A note on the Post Construction Stormwater Management Plan, granting a blanket easement for this purpose would be acceptable and is typical; if the applicant is to not utilize a blanket easement, the form of easement shall be subject to the review and approval of the Township Solicitor (comment #8).***
- ***A Stormwater Management Operation & Maintenance Agreement shall be executed, provided to the Township prior to recording, and be recorded concurrently with the Land Development Plan at the Chester County Recorder of Deeds (comment #9).***
- ***Posting of financial security in the amount of \$141,728.82, and execution of the Developers Agreement shall be completed (comment #10).***
- ***Relief (waiver) from Section 149-700.A of the Westtown Subdivision and Land Development Ordinance shall be obtained to allow processing of the plan as a Preliminary/Final Plan (comment #12).***
- ***Approval from the Westtown Township Fire Marshall shall be obtained (comment #13).***

The following comments are offered for your consideration:

EROSION AND SEDIMENT CONTROL COMMENTS (WESTTOWN TOWNSHIP CODE, CHAPTER 80, EROSION, SEDIMENT CONTROL AND GRADING):

1. This comment has been satisfactorily addressed.

STORMWATER MANAGEMENT COMMENTS (WESTTOWN TOWNSHIP CODE, CHAPTER 144, STORMWATER MANAGEMENT):

2. This comment has been satisfactorily addressed.
3. This comment has been satisfactorily addressed.
4. This comment has been satisfactorily addressed.
5. This comment has been satisfactorily addressed.
6. *Section 144-402.B.(3) - A statement, signed by the applicant, acknowledging that any revision to the approved SWM site plan shall be submitted to and approved by the municipality, and that a revised erosion and sediment control plan shall be submitted to, and approved by, the Conservation District or municipality (as applicable) for a determination of adequacy prior to construction of the revised features.*



January 11, 2023 Comment: The statement shall be signed by the applicant prior to final Plan approval.

February 10, 2023 Comment: The above comment remains applicable.

Current Comment: The plans to be recorded shall include the above referenced signature.

7. This comment has been satisfactorily addressed.
8. *Section 144-402.C.(18).(c) - Easements, as per the requirements of Article VII.*

Section 144-402.C.(18).(c).[2] - Notes or other documentation, as needed, to grant the municipality the right of access to all BMPs and conveyances for the purposes of inspection and enforcement of the requirements of this chapter, and any applicable O&M plans and O&M agreements.

January 11, 2023 Comment: An easement shall be granted to the municipality granting them the right, but not the obligation, to inspect and repair the BMP. If a blanket easement is to be offered, it shall be clearly noted on the Plan to be recorded with the Stormwater Management Operations & Maintenance Agreement.

February 10, 2023 Comment: The above comment remains applicable.

Current Comment: The plans to be recorded shall reference a blanket easement to permit the Township’s repair and inspection of the BMP. If a blanket or defined easement is not referenced on the plan, an agreement shall be executed to the satisfaction of the Township Solicitor, permitting the Township’s access to the BMP.

9. *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.*

January 11, 2023 Comment: A Stormwater Management Operation & Maintenance Agreement shall 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 and shall be recorded concurrently with the Land Development Plan.

February 10, 2023 Comment: This above comment remains applicable.

Current Comment: The above referenced agreement shall be executed and recorded concurrently with the Land Development Plan.

SUBDIVISION AND LAND DEVELOPMENT COMMENTS (WESTTOWN TOWNSHIP CODE, CHAPTER 149, SUBDIVISION OF LAND):

- 10. *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 sings, 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.

January 11, 2023 Comment: Financial security of 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’s Engineer shall contact the Township Engineer regarding the improvements in which financial security is to be posted.

February 10, 2023 Comment: The provided Construction Cost Estimate shall be revised as follows to provide adequate funding in the event that the project needs to be publicly bid and constructed:

- a) The unit cost of item B1 PCSM System shall be increased to \$30,500.00 from \$24,000.00.
- b) The unit cost of item B9 Trench Drain shall be increased to \$80.00 per linear foot from \$50.00 per linear foot.
- c) The unit cost of item D.1 Shrubs (2-3’ ht) shall be increased to \$75.00 from \$40.00.
- d) The Engineering Fees, Contingencies Cost and Engineering and Inspection Cost shall be increased based on the revised subtotal.

The Total Construction Cost shall be revised to \$141,728.82 from \$130,102.32. The referenced amount shall be posted as financial security in a form acceptable to the Township Solicitor, for incorporation into a Developers Agreement. An Improvements Escrow Table for incorporation into the Agreement has been attached.

Current Comment: Financial security in the amount of \$141,728.82, in a form acceptable to the Township Solicitor, shall be posted prior to recording of the plan. The enclosed Improvements Escrow Table shall be incorporated into the Developers Agreement.

11. This comment has been satisfactorily addressed.

12. *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.*

Section 149-700.A – Within 60 days after approval of the preliminary plan, a final plan and all necessary supplementary data shall be officially submitted to the Township. However, an extension of time may be granted at the option of the Board of Supervisors upon written request of the applicant.

January 11, 2023 Comment: The referenced Ordinance section requires that a Preliminary Plan be submitted and reviewed prior to review of a Final Plan. CEG offers no objection to consideration of a waiver from this section of the Ordinance.

February 10, 2023 Comment: The applicant is requesting a waiver from the above referenced section of the Ordinance and stated that final action taken on the requested waiver will be





included on the Plan prior to recording. CEG offers no objection to consideration of a waiver from this section of the Ordinance.

Current Comment: The applicant is requesting a waiver from the above referenced section of the Ordinance and stated that final action taken on the requested waiver will be included on the Plan prior to recording. CEG offers no objection to consideration of a waiver from this section of the Ordinance.

13. Section 149-804.B.(3) – Complete description of both existing and proposed fire protection facilities within the tract, and where applicable within all abutting properties. Specifications shall comply with those found in §§ [149-917](#) and [149-918](#) of this chapter.

January 11, 2023 Comment: The proposed fire protection methods for the proposed project are subject to the review and approval of the Township Fire Marshall.

February 10, 2023 Comment: The applicant has stated they will coordinate with the Fire Marshal for review and approval of the proposed fire protection methods. This comment shall be deemed satisfactorily complete upon approval by the Township Fire Marshall.

Current Comment: This comment shall be satisfactorily addressed upon approval by the Township Fire Marshal.

14. This comment has been satisfactorily addressed.

15. This comment has been satisfactorily addressed.

16. This comment has been satisfactorily addressed.

17. This comment has been satisfactorily addressed.

ZONING COMMENTS (WESTTOWN TOWNSHIP CODE, CHAPTER 170, ZONING):

18. This comment has been satisfactorily addressed.

19. This comment has been satisfactorily addressed.

GENERAL COMMENTS

20. This comment has been satisfactorily addressed.

21. This comment has been satisfactorily addressed.

22. This comment has been satisfactorily addressed.

23. This comment has been satisfactorily addressed.

Please do not hesitate to contact me with any questions.

Best Regards,
Cedarville Engineering Group, LLC

A handwritten signature in black ink, appearing to read "R. E. Flinchbaugh".

Robert E. Flinchbaugh, P.E.
Municipal Team Lead

Attachment: Escrow Table

cc: Mila Carter – lrobinson@brandywine.org
Michael J. Bowker, P.E., Apex Design + Engineering Group – mbowker@apexdeg.com
Kate Donnelly, Westtown School – kate.donnelly@westtown.edu