
December 27, 2024
Via Overnight Delivery

Westtown Township
1039 Wilmington Pike
West Chester, PA 19382

Attn: Mila Carter
Director of Planning and Zoning

**RE: Westtown AM West TIC, LLC
Proposed Chase Bank
1506 PA State Highway Route 3
Township of Westtown
Chester County, PA
DEC #1478-99-191**

Dear Ms. Carter,

On behalf of the applicant, Westtown AM West TIC, LLC, this letter shall serve as the formal resubmission to the Town of Westtown Planning and Zoning Department towards issuance of Site Plan Approval for the above referenced project. Enclosed please find the following documents for your review:

- Twelve (12) signed and sealed copies of the Preliminary and Final Land Development Plans prepared by Dynamic Engineering Consultants PC, dated July 12, 2024, last revised December 27, 2024;
- Twelve (12) copies of the AQUA Pennsylvania Service Connection Approval Letter dated December 16, 2024;
- Twelve (12) copies of the “Response to Traffic Review Comments” letter prepared by Dynamic Traffic, LLC, dated October 18, 2024; and
- Twelve (12) copies of the Traffic Impact Assessment, prepared by Dynamic Traffic, LLC, dated September 13, 2024, last revised October 16, 2024.

Please note, the Land Development Plans are being submitted for final review and approval prior to obtaining signatures and moving forward with record plan processing. All of the supporting documents submitted to the Township on November 8, 2024, have not changed. Also, to alleviate recording issues, the Cover Sheet of the Land Development Plan set has been revised to provide property owner certifications for all six (6) tenants-in-common as they each own a percentage of the property as defined by the deed of the property.

Chase Bank Preliminary/Final Land Development Review Letter, prepared by Liudmila Carter of Westtown Township, dated December 10, 2024.

In addition to the waivers granted as requested in the Dynamic Engineering Consultants, PC's September 18, 2024 letter, the Board of Supervisors' approval is subject to the following conditions:

1. *The applicant shall resolve all outstanding comments highlighted in the Township's consultant letters from Cedarville Engineering dated November 27, 2024, from the Emergency Management Coordinator's email dated October 3, 2024, and from Albert Federico Consulting, Inc. dated September 30, 2024.*

Response: Acknowledged. This resubmission addresses the above-mentioned review letters in anticipation of recording the land development plans and agreements.

Prior to the Board applying their signatures to the final subdivision plans and prior to the plans being recorded with the Chester County Recorder of Deeds, the following administrative items must be received by the Township in acceptable form, as approved by the Township Solicitor and Township Engineer, in accordance with the referenced section of the Code of the Township of Westtown:

1. *Subdivision and Land Development Agreement (§149-404);*

Response: Acknowledged. We are working with the Township solicitor to finalize the Subdivision and Land Development Agreement. The final version will be provided to the Township under separate cover to accompany the plan recording.

2. *Financial Security Agreement (§149-403);*

Response: Acknowledged. We are working with the Township solicitor to finalize the Financial Security Agreement. The final version will be provided to the Township under separate cover to accompany the plan recording.

3. *Stormwater Facilities Operation and Maintenance Agreement (§144-703);*

Response: Acknowledged. We are working with the Township solicitor to finalize the Stormwater Facilities Operation and Maintenance Agreement. The final version will be provided to the Township under separate cover to accompany the plan recording.

4. *Legal descriptions for all easements (drainage, stormwater management) and any written deed or deed amendment, if needed.*

Response: A blanket stormwater easement is being offered to the Township for inspection and maintenance of the stormwater facilities as outlined within the Stormwater Facilities Operation and Maintenance Agreement. No other easements for drainage, stormwater management, utilities, etc. are being proposed.

Land Development Review Letter, prepared by Robert E. Flinchbaugh, PE of Cedarville Engineering Group, LLC, dated November 27, 2024

We offer the following comments:

Chapter 80 – Erosion, Sediment Control and Grading

1. *This comment has been satisfactorily addressed.*

Response: Acknowledged.

Chapter 144 – Stormwater Management

2. *Section 144-108 – For all activities requiring submittal of a stormwater management (SWM) site plan that involve subdivision or land development, the applicant shall post financial security to the municipality for the timely installation and proper construction of all stormwater management facilities as required by the approved SWM site plan and this chapter, and such financial security shall:*

A. *Be equal to or greater than the full construction cost of the required facilities except to the extent that financial security for the cost of any of such improvements is required to be and is posted with the Pennsylvania Department of Transportation in connection with a highway occupancy permit application; and*

B. *Be determined, collected, applied and enforced in accordance with Sections 509 through 511 of the MPC and the provisions of the municipality's Subdivision and Land Development Ordinance (SALDO).*

Section 144-403.G - Financial security, per the requirements of § 144-108, shall be submitted to the municipality prior to approval of the SWM site plan.

August 2, 2024 Comment: 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. October 23, 2024 Comment: See comment 25 below.

Current Comment: See comment 25 below.

Response: Acknowledged.

- 3– 23. *These comments have been satisfactorily addressed.*

Response: Acknowledged.

24. *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.*

August 2, 2024 Comment: The following shall be addressed:

- A Stormwater Management Operation & Maintenance Agreement must be executed and recorded for the proposed stormwater BMP's to be incorporated. The O&M Agreement will be provided by Westtown Township at the time that stamped and approved Plans are issued for the project. The applicable signatures must be signed by the property owner prior to Plan recording.*
- Operation and maintenance requirements for the proposed BMP shall be added to the Plan.*
- The Plan shall clearly note the person(s) responsible for the operations and maintenance of the proposed BMP.*

October 23, 2024 Comment: The following shall be addressed:

- A Stormwater Management Operation & Maintenance Agreement shall be executed and recorded, concurrently with the land development plan, for the proposed Stormwater BMP. The O&M Agreement will be provided by Westtown Township prior to plan recording.*
- PCSM Long Term Operation and Maintenance Requirements notes on sheet 25 shall be revised to remove language to permittee, grantee, and department. The provided language shall specify who is responsible for inspections and maintenance instead, whether the applicant / owner, etc.*

Current Comment: A Stormwater Management Operation & Maintenance Agreement shall be executed and recorded, concurrently with the land development plan, for the proposed Stormwater BMP. The O&M Agreement will be provided by Westtown Township prior to plan recording. This comment is for informational purposes only.

Response: Acknowledged.

Chapter 149 – Subdivision of Land

25-26. *These comments have been satisfactorily addressed.*

Response: Acknowledged.

27. *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.*

August 2, 2024 Comment: A formal request to the Township must be made for the Plan to be reviewed as Preliminary/Final. Acceptance of this request is at the discretion of the Board of Supervisors.

Current Comment: The applicant has requested a waiver from this section of the Ordinance. CEG offers no objection to consideration of this request.

Response: Acknowledged. This waiver was approved by the Westtown Township Board of Supervisors at the December 2, 2024 Board meeting.

28 – 41. *These comments have been satisfactorily addressed.*

Response: Acknowledged.

42. *Section 149-804.A - Traffic impact study. A traffic impact study shall be required for any subdivision or land development that is expected to generate more than 250 total average weekday trip-ends after build-out.*
August 2, 2024 Comment: The referenced Traffic/Parking Impact Study is subject to review by the Township Traffic Engineer.
October 23, 2024 Comment: The above comment remains applicable.
Current Comment: The above comment remains applicable.

Response: The Township Traffic Engineer's review dated September 30, 2024, is being addressed as part of this resubmission.

43. *Section 149-918.A - Plan requirements. All proposed water distribution systems shall be designed, connected and installed to meet the specifications and requirements of the DEP, Pennsylvania Utility Commission (PUC), CCHD and all Township ordinances. The complete design of the proposed distribution system.*
August 2, 2024 Comment: The proposed water distribution system and connection shall be shown on the Plan connecting to the existing water service or main to the site. Final review and approval of the system shall be received by the utility owner.
October 23, 2024 Comment: This comment shall remain applicable until deemed addressed by the utility owner.
Current Comment: The applicant has responded that the review process is ongoing and will be provided prior to construction. This comment shall remain applicable until approval is provided to the Township.

Response: Aqua has reviewed the application and their approval letter is included with this resubmission.

44. *Section 149-925.G.(1) - Lot or perimeter yard requirements. Each yard shall be landscaped as follows:*
Section 149-925.G.(2) - Parking area requirements.
(a) Each planter island which is 20 feet or less in length shall contain one tree and 10 shrubs.
(b) Each planter island which is more than 20 feet in length shall contain two trees and 20 shrubs.
August 2, 2024 Comment: A landscape requirement tabulation shall be provided to demonstrate compliance with the referenced Ordinance section.
October 23, 2024 Comment: The applicant has requested a waiver from sections 149- 925.G.(1) and 149-925.G(2) of the Subdivision and Land Development Ordinance. CEG offers no objection to consideration of this request, conditioned upon the applicant providing a fee in lieu of deficient landscaping, in an amount deemed acceptable by Westtown Township.
Current Comment: The applicant has requested a waiver from sections 149-925.G.(1) and 149-925.G(2) of the Subdivision and Land Development Ordinance. CEG offers no objection to consideration of this request, conditioned upon the applicant providing a fee in lieu of deficient landscaping, in an amount deemed acceptable by Westtown Township.

Response: Acknowledged. This waiver was approved by the Westtown Township Board of Supervisors at the December 2, 2024 Board meeting. A fee in lieu of deficient landscaping will be provided by the applicant under separate cover prior to plan recording.

- 45 – 46. *These comments have been satisfactorily addressed.*

Response: Acknowledged.

Chapter 170 – Zoning

47. *Section 170-1102.C – Maximum Building Coverage: 25%*

August 2, 2024 Comment: The Applicant shall clarify how the total building coverage of the lot remains at 15% with the addition of another building. Confirmation shall be received from the Westtown Township Zoning Officer regarding compliance with coverage requirements.

October 23, 2024 Comment: Confirmation shall be received from the Westtown Township Zoning Officer regarding compliance with the referenced coverage requirements.

Current Comment: Confirmation shall be received from the Westtown Township Zoning Officer regarding compliance with the referenced coverage requirements.

Response: Acknowledged. The Westtown Township Zoning Officer has acknowledged compliance with the referenced coverage requirements per their review letter dated December 10, 2024.

48. *Section 170-1102.F – Minimum front yard setback: 50 feet for any building or parking area. Section 170-1102.G – Minimum side yards:*

(1) Fifteen feet minimum for each, except 50 feet from the future right-of-way line of Route 202 or Route 3 and 30 feet from the future right-of-way line of Route 926 or Route 352.

Section 170-1102.H – Minimum rear yard: 50 feet.

August 2, 2024 Comment: Confirmation shall be received from the Westtown Township Zoning Officer regarding compliance with setback requirements.

October 23, 2024 Comment: The previous comment remains applicable.

Current Comment: The previous comment remains applicable.

Response: Acknowledged. The Westtown Township Zoning Officer has acknowledged compliance with the referenced setback requirements per their review letter dated December 10, 2024.

49 – 55. *These comments have been satisfactorily addressed.*

Response: Acknowledged.

56. *Section 170-1703.B.(2) – Parking areas shall have a minimum slope of 1% in any direction to provide for drainage, and a maximum slope of 5% in any direction for safety, user convenience, and stormwater management.*

August 2, 2024 Comment: The following shall be addressed:

- The slope of the handicap parking area and adjacent spaces shall be increased to provide a minimum slope of 1% in all directions to provide for drainage.*
- The spot elevation TC:413.30/G:412.80 adjacent to the proposed 414 contour line shown at the northeast portion of the project area creates a low point, based upon the spot elevations shown immediately to the north and south. This shall be clarified.*
- A slope of approximately 14% is proposed between the 413-contour line and the TC:413.17/G:412.67 spot elevation at the beginning of the drive through area and shall be revised accordingly.*

October 23, 2024 Comment: The previous comment has been satisfactorily addressed, however the current plan proposed handicap access to a bus stop located at the western side of the intersection of the shopping center drive and SR 0003. The proposed access complies with the applicable criteria set forth in the ADA Standards for Accessible Design, however CEG defers to Westtown Township and their Traffic Engineer as it pertains to access location within the shopping center parking lot.

Current Comment: The previous comment has been satisfactorily addressed, however the current plan proposes handicap access to a bus stop located at the western side of the intersection of the shopping center

drive and SR 0003. The proposed access complies with the applicable criteria set forth in the ADA Standards for Accessible Design, however CEG defers to Westtown Township and their Traffic Engineer as it pertains to access location within the shopping center parking lot.

Response: Acknowledged. The location of the proposed bus stop and handicap access to the bus stop was discussed and approved at the Westtown Township Board of Supervisors meeting on December 2, 2024.

57. *This comment has been satisfactorily addressed.*

Response: Acknowledged.

58. *Section 170-1706.B – The minimum amount of shared parking required shall be based on the application of the below percentages to the parking required for each land use as per § 170-1705.*

Section 170-1706.C – The applicant shall execute a written declaration that provides, in relevant part, that the minimum amount of shared parking required, based on the application of the percentages contained in § 170-1706B, shall be maintained at all times. The Township Solicitor shall review the declaration, as to form, content, and execution, which shall be finally approved by the Board of Supervisors. A draft of the declaration shall be submitted with the application for a building permit, and the final version of the declaration shall be retained by the Township and made a part of the property file.

Section 170-1709.C - The number of parking spaces for an existing shopping center may be reduced to 3.5 for each 1,000 square feet of gross leasable area, or fraction thereof, within the shopping center only when the following conditions are met to the satisfaction of the Township: [Added 2-20-2024 by Ord. No. 2024-01]

(1) The applicant shall submit to the Township for review and approval a parking study which includes:

- (a) Evidence documenting that the nature of the proposed occupancy or use of the buildings require less parking area or fewer spaces than that required by this article.*
- (b) Documentation of parking occupancy based on two separate observations completed during peak summer and winter periods, the specific time of which are confirmed with the Township traffic engineering prior to collecting data.*
- (c) A comparison of the observed and proposed parking relative to the 85th percentile parking demand presented in the Institute of Transportation Engineer's Parking Generation, latest edition.*

(2) An area equal to 10% of the parking being removed will be landscaped, including full depth removal of the existing paving.

August 2, 2024 Comment: The following shall be addressed:

- Compliance with the above referenced Ordinance section is subject to review by the Township Traffic Engineer and Township Zoning Officer.*
- Based on the reduction in parking calculation as calculated above, 10% of the reduction in area must be provided as additional landscape area. The Applicant shall provide supporting calculations demonstrating this area is provided, in addition to any required landscaping area to replace the removed landscaping area.*
- The Applicant shall address whether shared parking is to be proposed.*

October 23, 2024 Comment: The following shall be addressed: Compliance with the above referenced Ordinance section is subject to review by the Township Traffic Engineer and Township Zoning Officer.

Current Comment: Compliance with the above referenced Ordinance section is subject to review by the Township Traffic Engineer and Township Zoning Officer.

Response: Acknowledged. The Westtown Township Zoning Officer has acknowledged compliance with the referenced parking requirements per their review letter dated December 10, 2024.

General Comments:

59. *This comment has been satisfactorily addressed.*

Response: Acknowledged.

Chase Bank – Westtown Twp – LD Plans and Reports – Rev 1 Submission email prepared by Gerry DiNunzio if Westtown Township, dated October 3, 2024.

I have no concerns about this project, but I do have one request: that the builder install a Knox Box for the Fire Department.

Response: Acknowledged. A Knox Box is included adjacent to the front door of the proposed building. Please see Site Plan (Sheet 06).

Westtown AM West TIC, LLC Chase Bank – Traffic Review Letter, prepared by Albert Federico, PE, PTOE of Albert Federico Consulting, LLC, dated September 30, 2024.

1. *§149-804(A) – A traffic impact study shall be required for any subdivision or land development that is expected to generate more than 250 total average weekday trip-ends after build-out. The submitted Assessment should be revised to address the following:*
 - a. *Provide the full two-hour traffic counts and confirm that data collection included pedestrians.*
 - b. *Verify the description of pedestrian facilities at the signalized West Chester Pike driveway and provide additional information on pedestrian access to West Chester Pike from the Shopping Center.*
 - c. *Verify that the capacity analyses utilized the current system timings and included pedestrian intervals.*
 - d. *Verify the tenant occupancy of the Marketplace at the time of data collection and, if appropriate, adjust the No-Build traffic volumes.*
 - e. *Based on a review of the submitted counts it appears that the distribution should be adjusted to include movements across West Chester Pike to/from the Wawa.*
 - f. *Provide additional information regarding the changes in actuated green times assumed for the Build conditions analyses.*
2. *§149-916 - 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. The pedestrian path illustrated in the submitted exhibit has a number of undesirable jogs as it crosses the parking area. Further, insufficient detail has been provided to demonstrate compliance with accessibility standards. Consideration should be given to other alignments providing access to West Chester Pike, including along the west side of the entering driveway.*

Response: Responses to the above traffic comments have been addressed within the response letter prepared by Dynamic Traffic, dated October 18, 2024, that is being provided as part of this resubmission. The accompanying revised Traffic Impact Assessment, prepared by Dynamic Traffic, LLC, last revised October 16, 2024, is also being provided as part of this resubmission.

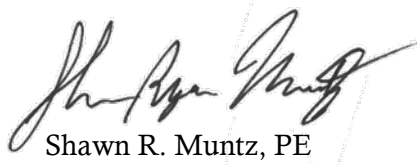
Should you have any questions, comments or require additional information, please do not hesitate to contact our office.

Sincerely,

Dynamic Engineering Consultants, PC



Matthew Sharo, PE, PP



Shawn R. Muntz, PE

Enclosures

cc: Eric Kelly (via Newforma)
Rich Ozimek (via Newforma)
Todd Samms (via Newforma)
John Weaver (via Newforma)
Gregg I. Adelman (via Newforma)
Shaynen Kramer (via Newforma)
Michael Chattin (via Newforma)