

**Final Conditional Plan Approval
Devault Village at Spring Oak - Fillippo Developers
Charlestown Township, Chester County**

As required by Section 508 of the Pennsylvania Municipalities Planning Code, this correspondence will serve to memorialize the decision rendered by the Board of Supervisors on December 3, 2018, conditionally approving the final subdivision plan application of Fillippo Developers for property located on the west side of Rees Road, Devault, PA 19355, further identified as Tax Parcel Numbers 35-4-122, 35-4-129, 35-4-129.01, 35-4-132.

The conditions of final subdivision approval are set forth below. Preliminarily, as to each of these conditions, it is the understanding of the Board of Supervisors and the Township Solicitor that each of these conditions is fully acceptable to the applicant based upon communications and discussions which occurred during the meeting of the Board of Supervisors, at which the decision was rendered on the subdivision plan approval.

The plan as referenced in this correspondence includes: i) plans and correspondence as prepared by Langan Engineering and Environmental Services, Inc., entitled Devault Village at Spring Oak, dated January 10, 2014, last revised October 16, 2018, consisting of 46 sheets, ii) Manual of Written and Graphic Design Guidelines for Traditional Neighborhood Development, Devault Village at Spring Oak by BartonPartners, Inc. dated December 3, 2018, consisting of 121 pages, and as further supplemented by this correspondence (the "Final Plans").

The Applicant shall comply with the following conditions of final plan approval.

1. Compliance with all outstanding comments set forth in the Township engineer, Advanced Geoservices Corp. review letter of October 19, 2018 attached as [Exhibit A](#).
2. Compliance with all outstanding comments set forth in the Thomas Comitta Associates review letter dated September 9, 2016 attached as [Exhibit B1](#), and including the comments of Stubbe Consulting LLC dated September 8, 2016, attached as [Exhibit B2](#).
3. The Applicant shall comply with the requirements of Section 601 of the Charlestown Township Subdivision and Land Development Ordinance, pertaining to the provision and execution of a subdivision and land development agreement, the submission of appropriate performance, maintenance and/or escrow financial guarantees (in accordance with construction cost estimates agreed to by the Township Engineer), and agreements, all in a form acceptable to the Township Solicitor.
4. The payment of any outstanding review fees, pursuant to Section 503 of the Municipalities Planning Code, including, but not limited to, professional consultations, engineering review and reporting, legal documentation preparation and submittal, legal research and other legal services, incurred by the Township, within thirty (30) days after invoicing.

5. The Applicant shall document that they have secured all necessary permits and approvals from outside agencies whether or not noted above, including approval by the Chester County Conservation District of Erosion and Sedimentation Control Plans, the issuance of the NPDES Permit by the Pennsylvania Department of Environmental Protection, the approval of all necessary sewage planning including a sewage planning module by the Department of Environmental Protection, the issuance of the Highway Occupancy Permit by Pennsylvania Department of Transportation, and the approval by the fire marshal.

6. The Applicant shall provide to the Township for its review and approval: i) the Declaration of Covenants, ii) the Homeowner's Association Documents, which shall include any and all documents associated with the creation and governance of the development's homeowner's association, iii) Trail/Path Easement Agreements as applicable, and iv) Stormwater Management Facilities Maintenance Agreement(s). All aforementioned documents shall be to the satisfaction of the Township Solicitor and Township Engineer.

7. The Final Plans shall be consistent with the document entitled "Devault Village at Spring Oak Design Manual Changes and Updates dated October 7, 2018, attached hereto as Exhibit C, compliance of which shall be confirmed by the Township.

8. The Applicant agrees the development will not be a phased development as permitted by the Municipalities Planning Code. Phasing of the Development shall only be permitted after submission, review and approval of a phasing plan pursuant to the Charlestown Township Subdivision Ordinance, which shall require approval by the Board of Supervisors.

9. Fee simple title to the property currently owned by Donald F. Mahoney, Jr. and Noreen A. McIntyre located at 11 Fieldstone Lane, identified as Tax Parcel No. 35-04-129 and the property currently owned by Francis J. McIntyre and Noreen A. McIntyre located at 17 Fieldstone Lane, identified as Tax Parcel No. 35-04-129.1 shall have been acquired by the Applicant prior to recording of the Final Plan.