

**Date of Mailing Notice of Decision:**

June 22, 2021

Marc B. Kaplin, Esq.  
Kaplin/Stewart  
910 Harvest Drive  
Blue Bell Pa. 19422Re: Revised Final Conditional Plan Approval – JPO Spring Oak  
Devault Village at Spring Oak  
Charlestown Township, Chester County

Dear Mr. Kaplin:

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 June 7, 2021, conditionally approving a revision by JPO Spring Oak, the equitable owner of the property, to 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 below conditions of final subdivision approval are supplementary to those imposed by the Board of Supervisors in the final plan approval letter dated December 18, 2018, which are incorporated as if fully set forth herein. 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 June 4, 2021, consisting of 46 sheets (the "Amended Final Plans"); ii) the Devault Village Traditional Neighborhood Development, Charlestown Township, Pennsylvania Manual of Design Standards by BartonPartners, Inc. last revised December 3, 2018, consisting of 121 pages (the "Design Manual") and as further supplemented by this correspondence

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

1. As stated in my May 25, 2021 email to you the Post-Construction Stormwater Maintenance agreement shall include the submission of a 10-year maintenance bond as guarantee of the performance of the Maintenance Plan. The Township further agrees that the submission

of the 10-year maintenance bond shall be completed after the construction of the stormwater improvements associated with the Development and no later than the release of the construction escrow related to the facilities.

2. As stated in my May 25, 2021 email to you, the Township requires that all contractors utilize the access to Rees Road, therefore Section 8 in the Subdivision and Land Development Agreement should read as follows

8. Developer and Developer's site contractor(s), contractors, subcontractors, material suppliers, professional consultants and other persons engaged in the construction of the houses to be constructed on the lots shall gain access to the Property only from the access to Rees Road depicted on the Plan for the vehicles and equipment used to construct or install the improvements depicted on the Plan. No traffic related to construction shall take place over any roadways of the existing Spring Oak development.

3. The Financial Security Agreement Performance Bond should provide that the work is to be completed within one year and not 36 months.
4. The Agreement of Sale for each lot and the Public Offering Statement for the development shall provide clearly on the first page that there is a transcontinental pipeline that runs along the southern border of the Community. Devault Foods operates a 24-hour food processing facility located on the South side of the Property, currently under expansion. The Pennsylvania Turnpike is located close to Phase 2 and there is a telecommunication tower are located on a portion of the Phase 2 property Common Elements. In addition the Agreement of Sale and Deed for each lot shall contain a reference to the maximum impervious coverage permitted for each lot.
5. The Design Manual shall be completed to accommodate the "half under-garage" design per the Township design requirements before the issuance of the first building permit for a dwelling in the Development.

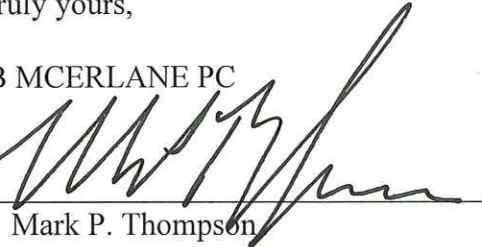
Please confirm in writing the acceptance by JPO Spring Oak of the terms set forth above within 15 days of the date of this correspondence, by signing the enclosed copy and returning the same to this office.

Marc B. Kaplin, Esq.  
June 22, 2021  
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Very truly yours,

LAMB MCERLANE PC

By: \_\_\_\_\_



Mark P. Thompson

The above conditions are accepted and  
agreed to this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

JPO Spring Oak

By: \_\_\_\_\_

Enclosures

cc: Board of Supervisors  
Linda M. Csete  
Daniel T. Wright, P.E.