

Date of Mailing Notice of Decision:

December 21, 2020

Michael S. Gill, Esquire
Buckey Brion McGuire & Morris, LLP
118 West Market Street, Suite 300
West Chester, PA 19380**Re: Land Development Approval -Pennsylvania Turnpike Commission,
Devault Maintenance Facility, Charlestown Township, Chester County**

Dear Mr. Gill:

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 7, 2020, conditionally approving the preliminary/final land development plan application of the Pennsylvania Turnpike Commission for property located on the Eastbound Lane adjacent to the Turnpike in Malvern, PA Near Intersection w/Valley Hill Road, further identified as Tax Parcel Numbers Tax Parcel Nos. 35-7-69, 35-7-71, 35-7-72, 35-7-95, 35-7-96, 35-7-96.1, 35-7-96.3, 35-7-96.4, 35-7-96.5, 35-7-97, 35-7-97.1, 35-7-98, and 35-7-98.1.

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 final subdivision plan approval.

The final plan as referenced in this correspondence includes: i) plans and correspondence consisting of 45 sheets dated May 15, 2020, last revised November 20, 2020, prepared by Maser Consulting P.A., entitled "Devault Maintenance Facility"; ii) Sight Line Exhibits consisting of six (6) sheets dated revised July 31, 2020, prepared by Maser Consulting P.A.; iii) Erosion and Sediment Pollution Control Plans, last revised July 31, 2020; iv) Post Construction Stormwater Management Plans, last revised July 31, 2020 and as further supplemented by this correspondence (the "Final Plan").

The Applicant has requested the following waiver from the following Subdivision and Land Development Ordinance provisions:

1. Waiver from the requirement in Section 22-404 to prepare a Conservation Plan since the information was included with the Erosion and Sediment Pollution Control Plans and Report and with the Post-Construction Stormwater Management Plans.

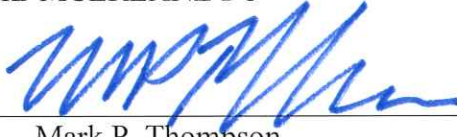
The Applicant shall comply with the following conditions of final plan approval:

1. Compliance by the Applicant to the following review letters issued by the Township consultants:
 - a. Advanced GeoServices, dated September 2, 2020, September 28, 2020. November 2, 2020 and December 1, 2020;
 - b. Thomas Comitta Associates, Inc., dated October 7, 2020 and October 30, 2020.
 - c. Lighting Review Comments from Stan Stubbe dated September 3, 2020 and October 7, 2020.
 - d. Zoning Officer Preliminary Opinions dated October 30, 2020 and November 20, 2020.
2. The Applicant shall be required to apply for and obtain conditional use approval for any incursion into areas of steep slopes as shown on the Plans.
3. The Applicant agrees that, except in times of emergency use, any lighting along the access driveway shall be triggered by a motion sensor system when used by any vehicles with the lights staying illuminated for a minimum period of time so as not to cause blinking and the Applicant shall amend its Lighting Plan to reflect the same and shall place a note on the plans indicating it will make a good faith effort to address reasonable post-development lighting issues that may impact abutting properties.
4. The Applicant shall execute any agreements required by the Subdivision and Land Development Ordinance for land development, as may be applicable, and in lieu of financial security shall provide a letter committing funds for completion of the project in a form acceptable to the Township Solicitor.
5. 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 and submittal, legal research and other legal services, incurred by the Township, within thirty (30) days after invoicing.
6. The Applicant shall execute and record in the Office of the Recorder of Deeds a Conservation Easement on terms and conditions acceptable to Applicant and the Township Solicitor to preserve in perpetuity the woodlands on the approximately 19.326 acre portion of the property depicted on plan entitled "Conservation Easement Exhibit" attached hereto. Such Conservation Easement shall preclude any timbering or other removal of trees or other use of such property for any purpose other than passive woodlands and shall require protection of any environmentally sensitive features. In addition, the Applicant agrees that such easement shall preclude the Turnpike from use of the property for any operations including storage of materials.

Very truly yours,

LAMB MCERLANE PC

By:



Mark P. Thompson

Board of Supervisors
Linda Csete, Township Manager
Danial T. Wright, P.E., Township Engineer

NOTES:
 1. ALL PROPERTIES ARE PLOTTED FROM DEEDS OF RECORD, RECORDS SUBMITTED TO THE COUNTY RECORDS DEPARTMENT, CHESTER COUNTY, PENNSYLVANIA, AND SURVEYED AND PLOTTED ONLY WHEN DETERMINED NECESSARY BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT. THE PROPERTY LINES SHOWN ARE BASED ON EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA.
 2. THIS PROPERTY PLOT PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

PA TURNPIKE EASEMENT REFERENCED FROM DESIGN PLANS ENTITLED:
 'UTILITIES PLAN A - SHEET COB OF C&P - DEWALT MAINTENANCE FACILITY, DISTRICT 4, CHARLESTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, FOR PENNSYLVANIA TURNPIKE AUTHORITY, DATED 7/10/2023, BY MASER CONSULTING, PA.
 'UTILITIES PLAN B - SHEET COB OF C&P - DEWALT MAINTENANCE FACILITY, DISTRICT 4, CHARLESTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, FOR PENNSYLVANIA TURNPIKE AUTHORITY, DATED 7/10/2023, BY MASER CONSULTING, PA.

CONTROL, ESTABLISHED USING THE KEWNET VIRTUAL REFERENCE SYSTEM NETWORK, PENNSYLVANIA STATE PLANE COORDINATE SYSTEM SOUTH ZONE) THE HORIZONTAL DATUM WERE ESTABLISHED AT THE PROJECT SITE BY USING GPS SURVEY METHODS. THE TIES, BEARINGS, AND DISTANCES ON THE TAKING AREAS FROM THE PROJECT HORIZONTAL DATUM AND ARE NOT NECESSARILY IN THE SYSTEM OF ADJACENT RESIDE DESCRIBED BY THE DEED CALLS.

THIS PROPERTY PLOT PLAN IS PLOTTED FROM THE DEED OF RECORDS IN THE COUNTY COURTHOUSE AND REFLECTS THE ACCURACY AND/OR ACCORDANCE OF THE DEED.

CONSERVATION EASEMENT FROM PENNSYLVANIA TURNPIKE COMMISSION

LEGEND
 [Symbol] SCALED DIMENSION
 [Symbol] CONSERVATION EASEMENT FROM PENNSYLVANIA TURNPIKE COMMISSION

CONSERVATION EASEMENT FROM PENNSYLVANIA TURNPIKE COMMISSION	
SIDE	LENGTH, FT.
A	3,597.65 FT. N
B	3,597.65 FT. N
C	1,324.14 FT. W
D	1,324.14 FT. W
E	876.37 FT. E
F	876.37 FT. E

AREA = 841,853.41 SF (19,326 AC.)

WAS NO.	DATE	DESCRIPTION

PREPARED BY: [Firm Name]
 441 MARCON BOULEVARD
 ALLENTOWN, PA 18109
 P: 610-261-4622
 F: 610-261-4622

DESIGNED BY: [Firm Name]
 1322 W. 10TH AVENUE
 ALLENTOWN, PA 18103
 P: 610-261-4622
 F: 610-261-4622



PROJECT NO. [Blank]
 SHEET NO. [Blank]
 SHEETS TOTAL [Blank]

CONSERVATION EASEMENT EXHIBIT
 DRAWING NO. 1
 OF 1

PROPERTY ADDRESS: 11824 E. SPRING CREEK DRIVE, CHARLESTOWN, PA 17316
 DISTRICT 4
 COUNTY: CHESTER
 TOWNSHIP: BERGSHOF, CHARLESTOWN

DATE: 11/29/2023
 SHEET: 1 OF 1

