

**TOWNSHIP OF WEST BRADFORD**  
**CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 24 -05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY/FINAL LAND DEVELOPMENT PLAN APPROVAL, SUBJECT TO CERTAIN CONDITIONS, FOR THE CHESTNUT LANE PUMP STATION IMPROVEMENTS.**

**WHEREAS**, Community Utilities Of Pennsylvania, Inc. (the "Applicant") submitted a preliminary/final land development plan titled "COMMUNITY UTILITIES OF PENNSYLVANIA, INC., CHESTNUT LANE PUMP STATION IMPROVEMENTS", dated December 11, 2023, last revised February 27, 2024, containing sixteen (16) sheets prepared by GHD, Inc. (the "Plan");

**WHEREAS**, the Plan proposes to upgrade the existing pump station, install a new driveway, and install two infiltration trenches to handle stormwater (the "Improvements") on the property located at the southwest corner of the intersection of Broad Run Road and Chestnut Lane, more specifically identified as Chester County Tax Parcel No. 50-4-60.1A, with an address of 1802 Chestnut Lane, Downingtown situated in the R-5 Residential Zoning District (the "Property");

**WHEREAS**, the Improvements are necessary as the Property currently contains a pump station dating back to the 1980's and a driveway configuration that requires operators to reverse onto the roadway;

**WHEREAS**, on May 19, 2023, the Zoning Hearing Board of West Bradford Township granted Applicant variance relief from Section 450-38.A(3) of the West Bradford Township Zoning Ordinance to permit a 3-foot front yard setback where a 25-foot front yard setback is required, from Section 450-38.B to permit an 8-foot side yard setback where a 20-foot setback is required, and from Section 450-59 to permit structures to be located within the floodplain;

**WHEREAS**, the Plan was reviewed by West Bradford Township Engineer, JMR Engineering, LLC, with the most recent review letter dated March 6, 2024 (the "Engineer Review Letter");

**WHEREAS**, the Plan was reviewed by West Bradford Township Traffic Consultant, Albert Frederico Consulting, LLC, with the most recent review letter dated January 11, 2024 (the "Traffic Consultant Review Letter");

**WHEREAS**, at their January 22, 2024 meeting, the West Bradford Township Planning Commission recommended that the Board approve the Plan subject to conditions;

**NOW, THEREFORE**, it is hereby **RESOLVED** by the West Bradford Township Board of Supervisors that preliminary/final land development approval is **GRANTED** for the Plan, subject to the conditions listed further below.

In addition, the Board of Supervisors hereby grants the following waivers, from the sections of the West Bradford Township Subdivision and Land Development Ordinance and the West Bradford Township Driveway Ordinance specified below:

1. Section 385-22.A –to allow the Plan to be submitted in 30"x 42" format.
2. Section 385-38.A –to allow the cartway widths on Chestnut Lane and Broad Run Road to be less than the required width, and to allow the right-of-way on Chestnut Lane to be less than the 50-foot required width. The additional right-of-way shall be provided for Broad Run Road.
3. Sections 385-47.A & 385-47.C –to not require Applicant to install sidewalks and/or trails as part of this development.
4. Section 385-66 –to not require Applicant to comply with the water supply requirements based on the existing and proposed use of the Property.
5. Section 385-70.A(1) & (2) and Section 385-70.A(6)(a)[2] –to not require Applicant to install additional landscaping and buffering as the existing vegetation is determined to be sufficient.
6. Section 166-7.J –to allow the proposed driveway entrances to be less than the 20-foot required width.
7. Section 166-7.K –to not require the curbs of the proposed driveway entrance to be rounded with a minimum radius of 20 feet.
8. Section 166-7.N(1) – to permit the measurement of sight distance 10 feet back from the edge of the cartway, consistent with PennDOT guidelines.

#### **CONDITIONS OF APPROVAL**

1. Prior to the release of the Plan for recording, Applicant shall comply with all outstanding comments in the Engineer Review Letter to the satisfaction of the Township and Township Engineer.

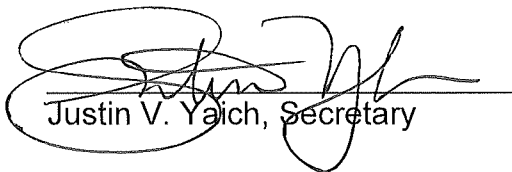
2. Prior to the release of the Plan for recording, Applicant shall comply with all outstanding comments in the Township Traffic Consultant Review Letter to the satisfaction of the Township and Traffic Consultant.
3. Within thirty (30) days of the date of this Resolution, Applicant shall pay all required review fees and shall reimburse the Township for the costs of its professional consultants, including the solicitor and engineer, incurred during the review and approval processes related to the Plan.
4. Applicant shall execute and deliver to the Township the following documents in form customarily accepted by the Township prior to the release of the Plan for recording:
  - (a) Land Development Agreement;
  - (b) Financial Security Agreement (with financial security as determined pursuant to Section 509 of the MPC, 53 P.S. § 10509); and
  - (c) Stormwater Management Best Management Practices Operations and Maintenance Agreement.

All documentation shall be subject to review and approval by the Township Solicitor.

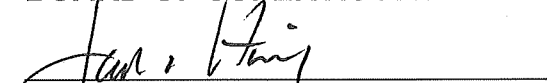
5. The Plan shall not be released for recording until all of the foregoing conditions are satisfied.
6. To the extent that any of the above conditions are determined to be invalid, the invalid condition(s) are severable and the invalidity shall not affect the validity of the remaining conditions imposed.

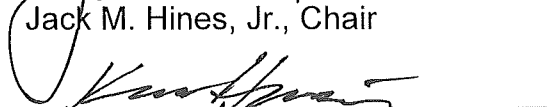
**ADOPTED** and **RESOLVED** this 12 day of March 2024.

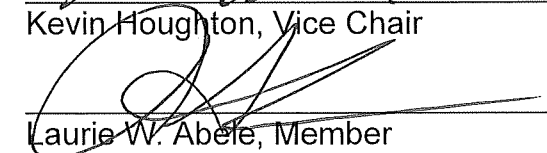
**ATTEST:**

  
Justin V. Yaich, Secretary

**WEST BRADFORD TOWNSHIP  
BOARD OF SUPERVISORS**

  
Jack M. Hines, Jr., Chair

  
Kevin Houghton, Vice Chair

  
Laurie W. Abele, Member

