

RESOLUTION NO. 2019-10

BOARD OF SUPERVISORS OF NEWLIN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA

**IN THE MATTER OF: FINAL MINOR SUBDIVISION PLAN FOR 605 SOUTH BAY
ROAD, LLC – 1066 UNIONVILLE-WAWASET ROAD**

- I. The Board of Supervisors of Newlin Township hereby grants final approval to the Final Minor Subdivision Plan of 605 South Bay Road, LLC, (two lots) prepared by Register Associates, Inc., consisting of six (6) sheets, dated 01-07-19, last revised 05-21-19 (the “Final Plan”), subject to Applicant’s compliance with all of the notes and conditions contained on the Final Plan and the following conditions:
- a. A copy of the Sewage Facilities Planning Module for Lot 1 approved by the Pennsylvania Department of Environmental Protection shall be submitted to the Township.
 - b. A copy of the NPDES permit for Lot 1 approved by the Chester County Conservation District shall be submitted to the Township.
 - c. A copy of the Highway Occupancy Permit for Lot 1 approved by the Pennsylvania Department of Transportation shall be submitted to the Township.
 - d. The Township-approved Stormwater Best Management Practices and Conveyances Operations and Maintenance Agreement is executed by the Applicant and recorded in the chain of title for Lot 1 immediately following the recording of the Final Plan. A copy of the recorded Agreement shall be provided to the Township.
 - e. The deeds for Lot 1 and Lot 2 shall include the restrictions set forth in Notes 23 through 26 of the Final Plan, as applicable to each lot (subdivision, use and building area restrictions), including a right of enforcement of the restrictions by Newlin Township. The restrictions shall run with the land in perpetuity. The draft deeds shall be submitted to the Township Solicitor for review and approval. The deeds shall be recorded immediately following the recording of the Final Plan and copies of the recorded deeds shall be provided to the Township.

II. Based on the recommendations of the Township Planning Commission and Vandemark & Lynch, Township Engineer, in its correspondence dated May 24, 2019, the Board of Supervisors grants waivers from compliance with the following Sections of the Township Subdivision and Land Development Ordinance (“SLDO”) and the Township Stormwater Management Ordinance (“SWMO”):

- a. SLDO Section 302.A.1 and 302.C – requirement for a site context map.
- b. SLDO Section 303.C – requirement for lots to be deeded to the edge of the ultimate right-of-way.
- c. SLDO Section 303.F.1 and 303.F.2 – requirement for final resource impact and conservation plan.
- d. SLDO Section 919.F – requirement that all contours and elevations shown on the Final Plan be based on the 1929 mean sea level datum.
- e. SWMO Section 402.B.8.p – requirement for a fifty-foot non-disturbance buffer to protect streams, wetlands and other water bodies during construction.

III. The Board makes the following determinations:

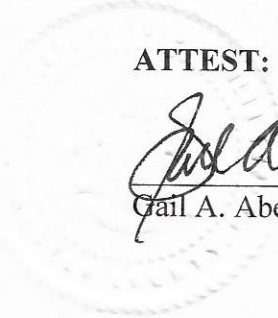
- a. The subdivision is consistent with SLDO Section 601.I which encourages preservation of the Route 842 scenic corridor since the proposed residential structures on Lot 1 will be setback 700 feet from Route 842.
- b. Paths and walkways are not required in accordance with SLDO Section 917.B.1 since the Final Plan is for only two (2) lots.

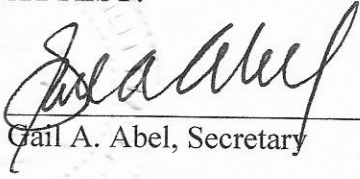
The Final Plan shall be revised to include notes indicating the foregoing waivers granted and determinations made.

The Final Plan shall not be released for recording until the Applicant complies with all of the foregoing conditions. Three copies of the recorded Final Plan and the documents required above shall be provided to the Township within five (5) days of recording.

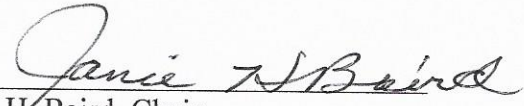
Resolved and adopted this 10th day of June 2019.

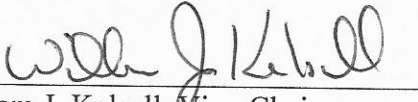
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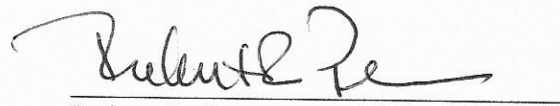



Gail A. Abel, Secretary

**BOARD OF SUPERVISORS
NEWLIN TOWNSHIP**


Janie H. Baird, Chair


William J. Kelsall, Vice-Chairman


Robert R. Pearson, Member