

RESOLUTION NO. 859-2025
LONDON GROVE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF LONDON GROVE
TOWNSHIP GRANTING APPROVAL OF THE PRELIMINARY/FINAL LAND
DEVELOPMENT PLAN FOR THE YEATMAN TRACT, 1218 GLEN WILLOW ROAD,
LONDON GROVE TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA,
IDENTIFIED AS CHESTER COUNTY TAX PARCEL NO. 59-5-126**

The Board of Supervisors of London Grove Township (the "Board") approves this Resolution granting approval of the Preliminary/Final Land Development Plan for the Yeatman Tract located at 1218 Glen Willow Road, London Grove Township, subject to certain conditions more fully set forth below.

RECITALS

RJM Yeatman P.O., LLC c/o Moser Construction Management, LLC, ("Applicant") is the equitable owner of a 76.9 acre parcel of property located at 1218 Glen Willow Road, Avondale, Pennsylvania in London Grove Township ("Township"), identified as Chester County Tax Parcel No. 59-5-126 (the "Property"). The Property is owned by Yeatman Brothers Properties.

The proposed development of the Property started with a conditional use application that was filed by Heritage Building Group, Inc. ("Heritage") in 2002. The Board approved Heritage's conditional use application subject to 51 conditions. Heritage filed an appeal of the conditional use approval in the Court of Common Pleas of Chester County at Docket No. 2004-08887. The Township and Heritage thereafter entered a Settlement Agreement on September 5, 2007. Heritage never proceeded with the proposed development and NVR, Inc. ("NVR") became equitable owner of the Property in December of 2017. While equitable owner of the Property, NVR negotiated an amendment to the Settlement Agreement which was titled "Amended and Restated Settlement Agreement" dated December 14, 2022, between NVR, Inc. d/b/a Ryan Homes and the Township ("Amended Settlement"). NVR entered into an Assignment, Assumption and Novation Agreement with Applicant. Accordingly, Applicant is now equitable owner of the Property and seeks to subdivide and develop the Property consistent with the Amended Settlement.

Applicant seeks preliminary/final land development approval to subdivide the Property and construct 286 residential units -133 single-family detached dwellings and 153 single-family attached/townhomes, with access roads, sidewalks, trails, parking, stormwater management facilities and public utilities (the "Proposed Development"). The Proposed Development is depicted on Preliminary/Final Subdivision and Land

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

Development Plan for Yeatman Tract, prepared by Howell Engineering, dated August 23, 2023, last revised July 21, 2025, consisting of 80 sheets (the "Plans").

Applicant requested and was granted waivers from the following provisions in the Township's Subdivision and Land Development Ordinance ("SLDO"), as further outlined in a letter from Dawn Maciejczyk, London Grove Township Assistant Township Manager, dated July 10, 2025.

1. Waiver from Section 22-612.3.B.(1) – to allow Loop Road A and the private drive in the northwest corner of the Property to not have a 150 feet minimum center line radius for horizontal curves;
2. Waiver from Section 22-612.7.C. to allow 24 dwellings to be accessed from the private drive located in the northwest corner of the Property;
3. Waiver from Section 22-502.9.H.(2) to allow the number of street trees required to be planted to be calculated based on a total requirement of 260 trees and to be planted at intervals greater than 45 feet apart;
4. Waiver from Section 22-606.5 to allow a maximum grade of 6% on certain driveways;
5. Waiver from Section 22-606.6 to allow the edge of certain driveways to be less than 80 feet from the nearest end of the paving radius at a each street intersection; and
6. Waiver from Section 22-610.15 to allow Applicant to perform earth disturbance activities for the proposed development between October 15 and February 15.

Applicant also seeks a waiver from Section 502.9.H(2) to not be required to install street trees along Moxley Road due to the safety concerns raised by the Pennsylvania State Police. The Board is willing to grant this waiver provided that Applicant installs the 32 street trees in open space on the Property in a location approved by the Township.

Applicant also seeks a waiver from Section 502.9.H(4) to allow certain street trees to be located within areas designated as clear site triangles. The Board is willing to grant this waiver provided the Township traffic engineer confirms that adequate sight distances are provided at all intersections in accordance with Pennsylvania Department of Transportation ("PaDOT") standards.

Various Township and London Grove Township Municipal Authority ("LGTMA") consultants reviewed the Plans and issued the following review letters:

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

• Edward B. Walsh & Associates, Inc.- Township Engineer review letter dated July 28, 2025.

• Carroll Engineering Corporation- Township Traffic Engineer- review letter dated July 16, 2025.

• Hydraterra Professionals, LLC- LGTMA sewer engineer- review letter dated July 23, 2025.

• Carroll Engineering Corporation- LGTMA water engineer- review letter dated July 22, 2025.

At its meeting on July 30, 2025, the Township Planning Commission recommended that the Board grant approval of the Plans subject to Applicant complying with all outstanding issues in the various Township and LGTMA consultant review letters and provide all necessary legal documents for approval by the Solicitor.

DECISION

AND NOW, this 13 day of August 2025, the London Grove Township Board of Supervisors hereby GRANTS preliminary/final approval of the Plans subject to the 8 waivers that are outlined above, and subject to Applicant's compliance with all Notes on the Plans and the following conditions:

1. The Proposed Development shall comply with the terms in the Amended Settlement as amended by the First Amendment to the Settlement Agreement approved August 13, 2025.
2. The Proposed Development shall comply with all relevant terms and provisions of the Township Zoning Ordinance, SLDO, the Stormwater Management Ordinance and all other applicable regulations except for the waivers of the SLDO which are identified above.
3. Prior to the release of the Plans for recording, Applicant shall comply with all comments and conditions outlined in the Township Engineer, Edward B. Walsh & Associates, Inc.'s July 28, 2025 review letter to the satisfaction of the Township.
4. Prior to the release of the Plans for recording, Applicant shall comply with all comments and conditions outlined in the Township Traffic Engineer,

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

Carroll Engineering Corporation's July 15, 2025 review letter to the satisfaction of the Township.

5. The Proposed Development shall be serviced by public water from the LGTMA. Applicant shall satisfy all conditions imposed by LGTMA to provide public water to the Proposed Development, including compliance with Carroll Engineering Corporation's letter dated July 22, 2025 and provide proof of same in writing to the Township prior to release of the Plans for recording. Applicant shall obtain all necessary permits and pay all necessary fees to the LGTMA in order to provide public water to the Proposed Development.
6. The Proposed Development shall be serviced by public sewer from the LGTMA. Applicant shall satisfy all conditions imposed by LGTMA to provide public sewer to the Proposed Development, including compliance with Hydraterra Professionals LLC's letter dated July 23, 2025 and provide proof of same in writing to the Township prior to release of the Plans for recording. Applicant shall obtain all necessary permits and pay all necessary fees to the LGTMA in order to provide public sewer to the Proposed Development.
7. Prior to the release of the Plans for recording, Applicant shall provide to the Township a fully executed and recordable easement agreement ("Easement Agreement") with Nancy E. Truitt ("Truitt"), as the owner of the adjacent property located at 2 Moxley Lane, identified as Chester County Tax Parcel No. 59-5-120 and Chester County Tax Parcel No. 59-5-120.4 (collectively "Truitt Property"). The Easement Agreement shall provide Applicant with the following rights: (i) the necessary property interests to construct Moxley Road from Gap-Newport Pike to the entrance of the Proposed Development in the location and with the specifications and details required by the Plans; (ii) the necessary property interests to construct all traffic improvements at the intersection of Gap-Newport Pike and Moxley Road depicted on the Plans and required by PennDOT for the issuance of the HOP; (iii) the right and obligation to modify the existing stormwater management facility located on the Truitt Property in accordance with specifications and details on the Plans; (iv) a temporary construction easement (defined or blanket) that allows Applicant to construct the Moxley Road improvements on the Truitt Property. The Easement Agreement must require Truitt or her successors and assigns to obtain final subdivision plan approval for Chester County Tax Parcel Nos. 59-5-120 and 59-5-120.4 to allow conveyance of Moxley Road to the Township in fee simple when deemed appropriate by the Township in its discretion. The Township must agree to accept the tender of the deed for

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

Moxley Road. The terms of the Easement Agreement must be approved by the Township and the Township engineer to ensure that all necessary property interests that Applicant requires to build the improvements on the Plans are memorialized and provided to Applicant. The Easement Agreement must be perpetual (except the temporary construction easement) and recorded before or contemporaneous with the Plans.

8. All roads in the Proposed Development, including Moxley Road, but excepting Loop Road A and the private drive in the northeast portion of the Property, shall be offered for dedication to the Township. All roads in the Proposed Development, including Moxley Road, depicted on the Plans shall be maintained by Applicant or the underlying landowner until accepted for dedication by the Township. If the Township refuses to accept dedication of the internal roads in the Proposed Development, the roads shall be conveyed and maintained by the HOA. If the Township refuses to accept the deed which conveys the portion of Moxley Road located outside of the Property, it shall be maintained by the underlying landowner or as otherwise determined by Truitt and Applicant in the Easement Agreement.
9. There shall be no on street parking permitted anywhere in the Proposed Development. This restriction shall be included in the HOA declaration and may be enforced by the Township.
10. Applicant shall construct the sidewalks that are depicted on the Plans. After construction, the sidewalks located in front of lots that are conveyed in fee simple to the owners shall be maintained by the property owners or the HOA. Sidewalks that are located in front of open space owned by the HOA shall be maintained by the HOA. Sidewalks installed along Moxley Road from Gap-Newport Pike to the entrance of the development and any grass strips or landscaping located outside of the cartway of Moxley Road from Gap-Newport Pike to the entrance of the development shall be maintained by the applicable abutting property owner.
11. Applicant shall prepare and record contemporaneously with the Plans a homeowners association declaration that must be approved by the Township Solicitor. The declaration shall include at a minimum the following provisions: (i) conveyance and maintenance responsibility for Loop Road A and the private drive in the northeast portion of the Property to the HOA; (ii) conveyance and maintenance responsibility for the open space and all facilities located in the open space depicted on the Plan to the HOA; (iii) conveyance and maintenance responsibility for stormwater management

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

facilities in open space and delegation of maintenance responsibility for stormwater facilities that service more than one lot but located on an individual lot to HOA; and (iv) obligations to maintain the sidewalk where it abuts HOA owned common land and individual lots if not maintained by the lot owner. The declaration shall make it clear that Loop Road A and the private drive in the northeast portion of the Property shall perpetually remain a private road owned and maintained by the HOA.

12. The Amended Settlement required Applicant to pay a traffic impact fee of \$1,000 per approved dwelling unit. The Board will provide a credit to Applicant to be applied to the traffic impact fee upon proof of payment for improvements to Glen Willow Road, Gap-Newport Pike (including installation of traffic control devices) and the cost to build Moxley Road.
13. Prior to release of Plans for recording, Applicant shall provide the Township with video and audio transcripts of the preconstruction condition of Glen Willow Road from the Proposed Development to Gap-Newport Pike. Applicant shall adhere to Condition 19 in the Amended Settlement with respect to improving any damage to Glen Willow Road caused by construction of the Proposed Development.
14. Applicant shall execute and record contemporaneously with the Plans the Township's Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement as revised to include the maintenance obligations suggested by the Township engineer which are set forth on Exhibit "A" attached hereto.
15. Applicant shall execute an Operation and Maintenance Agreement for the storm drainage facilities located in Gap-Newport Pike in form and substance acceptable to the Township, the Township Engineer and the Township Solicitor prior to the Plans being released by the Board of Supervisors for recording. Such agreement shall be recorded with the Plans and a time-stamped copy provided to the Township.
16. Prior to the release of the Plans for recording, Applicant shall reimburse the Township for all outstanding engineering, administrative, legal and other review fees associated with the Township's review of the Plans for the Property.
17. Prior to the release of the Plans for recording, Applicant shall execute a Development Agreement and Financial Security Agreement and post financial security in an amount approved by the Township Engineer and in

IN THE MATTER OF:

Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

form and substance acceptable to the Township, the Township Engineer and the Township Solicitor.

18. Applicant shall obtain all necessary outside agency permits and approvals to develop the Proposed Development in accordance with the Plans, including but not limited to: (i) a highway occupancy permit from PennDOT for the road improvements at Gap Newport Pike and Moxley Road; (ii) a highway occupancy permit from PennDOT for any drainage facilities proposed to be installed in Gap Newport Pike; (iii) a traffic signal permit from PennDOT; (iv) NPDES permit from the PaDEP; (v) approval from the Chester County Conservation District for erosion and sedimentation control measures; and (vi) planning module approval from PaDEP for proposed sewer connection.
19. If Applicant intends to develop the Proposed Development in phases, it must revise the Plans to add a detailed phasing plan and construction sequence which must be approved by the Township.
20. Prior to the release of the Plans for recording, Applicant shall obtain approval from the Township for its plans for demolition and/or adaptive reuse of the historic house that is located on the Property.
21. The Plans shall be recorded by the Township at the Chester County Recorder of Deeds at Applicant's expense.
22. 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.
23. This Decision and conditions contained herein are binding on Applicant, its successors and assigns, for the benefit of the Township.

IN THE MATTER OF:
Moser Construction Management, LLC
Yeatman Tract
1218 Glen Willow Road
Tax Parcel No. 59-5-126

RESOLVED AND ADOPTED this 13th day of August, 2025.

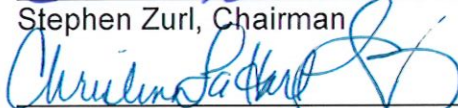
ATTEST:

BOARD OF SUPERVISORS OF
LONDON GROVE TOWNSHIP

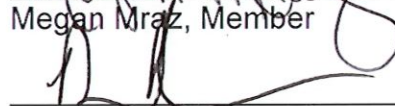

Rain Catoia, Secretary


BY:


Stephen Zurl, Chairman


Christina Fanning, Vice Chair


Megan Mraz, Member


David Connors, Member


Michael Summerfield, Member

POST-CONSTRUCTION STORMWATER MANAGEMENT (PCSM) NOTES

THESE NOTES APPLY TO ALL PERMANENT INFILTRATION BMPS (BMP 1, 2, 3, 5, 6, AND 7). LONG-TERM OWNERSHIP AND MAINTENANCE ARE THE RESPONSIBILITY OF THE HOA BEGINNING ONLY AFTER CONSTRUCTION IS COMPLETE AND THE FACILITIES HAVE BEEN INSPECTED AND ACCEPTED BY BOTH THE TOWNSHIP AND THE CHESTER COUNTY CONSERVATION DISTRICT.

1. INFILTRATION BMP SUMMARY

THE FOLLOWING BMPS HAVE BEEN DESIGNED WITH ELEVATED LOADING RATIOS AND SPECIFIC INFILTRATION PARAMETERS. THE HOA IS RESPONSIBLE FOR MONITORING THESE CONDITIONS TO ENSURE CONTINUED FUNCTION.

BMP	TYPE	DESIGN INFILTRATION RATE (IN/HR)	DEWATERING TIME (HRS)	TOTAL LOADING RATIO	IMPERVIOUS LOADING RATIO
1	INFILTRATION BASIN	0.24	93.8	67.6	15.5
2	INFILTRATION BASIN	0.51 (FS 2.0)	55.5	28.3	9.5
3	INFILTRATION BASIN	1.55	85.8	84.6	31.6
5	INFILTRATION BASIN	2.57 (FS 2.0)	5.1	9.6	0.3
6	INFILTRATION BASIN	0.91	94.6	55.9	33.0
7	INFILTRATION BASIN	3.11 (FS 2.0)	20.0	42.8	23.7

NOTE: BMPS 1, 3, AND 6 EXCEED PADEP GUIDANCE FOR LOADING RATIOS AND ARE SUBJECT TO ENHANCED LONG-TERM MONITORING AND MAINTENANCE.

(DEP Allows infiltration during the 24 hr storm event so $24+72=96$ and all meet that requirement.)

2. DEVELOPER RESPONSIBILITIES DURING CONSTRUCTION

- A. INFILTRATION BASINS SHALL NOT BE USED FOR SEDIMENT CONTROL DURING CONSTRUCTION UNDER ANY CIRCUMSTANCES.
- B. SEPARATE TEMPORARY SEDIMENT CONTROLS SHALL BE INSTALLED AND MAINTAINED PER THE APPROVED EROSION & SEDIMENT POLLUTION CONTROL PLAN.
- C. INFILTRATION BASINS SHALL REMAIN OFFLINE AND PROTECTED UNTIL CONTRIBUTING AREAS ARE STABILIZED. PROTECTION SHALL INCLUDE DIVERSION BERMS OR SWALES, EROSION CONTROL BLANKET ON BASIN FLOORS, AND INLET PROTECTION.
- D. PRIOR TO TURNOVER, THE DEVELOPER SHALL:
 - REMOVE ALL TEMPORARY PROTECTION MEASURES.
 - RESTORE SUBSOILS TO DESIGN CONDITION IF COMPACTED.
 - CERTIFY TO THE TOWNSHIP AND CHESTER COUNTY CONSERVATION DISTRICT THAT BMPS WERE NOT USED FOR SEDIMENT CONTROL AND ARE FUNCTIONING AS DESIGNED.

3. COMMENCEMENT OF HOA RESPONSIBILITY



THE HOA ASSUMES RESPONSIBILITY FOR ALL POST-CONSTRUCTION STORMWATER BMPS ONLY AFTER:

- A. ALL SITE CONSTRUCTION IS COMPLETE.
- B. FINAL STABILIZATION IS VERIFIED.
- C. THE PERMITEE HAS OBTAINED APPROVAL OF ITS NOTICE OF TERMINATION FROM THE CONSERVATION DISTRICT AND/OR PADEP AS APPLICABLE, IN ACCORDANCE WITH SECTION 5202 OF THE UNIFORM PLANNED COMMUNITY ACT.

4. POST-CONSTRUCTION INSPECTION AND MAINTENANCE REQUIREMENTS (HOA RESPONSIBILITY)

A. INSPECTION FREQUENCY

- YEARS 1–2: INSPECT ALL BMPS QUARTERLY.
- YEAR 3 AND BEYOND: INSPECT ALL BMPS SEMI-ANNUALLY (SPRING AND FALL).

B. DEWATERING PERFORMANCE MONITORING

- VERIFY FULL DEWATERING OF STORMWATER WITHIN THE DESIGN DEWATERING TIME.
- IF STANDING WATER REMAINS AFTER 72 HOURS OR BEYOND THE DESIGN DEWATERING TIME, THE HOA MUST RETAIN A QUALIFIED ENGINEER TO ASSESS THE CAUSE AND PROPOSE CORRECTIVE ACTION.
- NOTIFY THE TOWNSHIP OF ALL EXCEEDANCES.

C. VEGETATION AND LANDSCAPING

- MAINTAIN DENSE VEGETATIVE COVER.
- RESEED BARE AREAS PROMPTLY.
- REMOVE INVASIVE SPECIES.
- MOW OR TRIM NO MORE THAN THREE TIMES PER YEAR TO MAINTAIN SOIL STRUCTURE AND AVOID COMPACTION.

D. SEDIMENT AND DEBRIS REMOVAL

- REMOVE SEDIMENT WHEN ACCUMULATION EXCEEDS 1 INCH OR IMPAIRS DRAINAGE.
- CLEAN INLETS, FOREBAYS, AND PRETREATMENT STRUCTURES REGULARLY.
- REMOVE ACCUMULATED LEAVES AND ORGANIC MATTER SEASONALLY.

E. STRUCTURAL MAINTENANCE

- REPAIR EROSION, UNDERCUTTING, OR DAMAGE TO BASIN COMPONENTS WITHIN 30 DAYS OF DISCOVERY.
- REPLACE STONE, FILTER FABRIC, OR MEDIA AS NEEDED.

F. CONTINGENCY PLANNING

- IF A BMP FAILS TO MEET DEWATERING OR INFILTRATION PERFORMANCE, THE HOA SHALL:
 - 1. RETAIN A LICENSED ENGINEER TO PREPARE A CORRECTIVE ACTION PLAN.
 - 2. SUBMIT THE PLAN TO THE TOWNSHIP FOR APPROVAL.
 - 3. IMPLEMENT APPROVED CORRECTIVE MEASURES SUCH AS TILLING, MEDIA REPLACEMENT, UNDERDRAINS, OR REDESIGN.

G. RECORDKEEPING

- MAINTAIN INSPECTION AND MAINTENANCE LOGS FOR AT LEAST FIVE (5) YEARS.
- INCLUDE DATES OF INSPECTION, CONDITIONS OBSERVED, MAINTENANCE PERFORMED, AND CORRECTIVE ACTIONS TAKEN.
- PROVIDE DOCUMENTATION TO THE TOWNSHIP UPON REQUEST.