LAW OFFICES OF *LAMB McERLANE PC*
24 EAST MARKET STREET, BOX 565, WEST CHESTER, PA 19381-0565
Vincent M. Pompo
Direct 610-701-4411
General 610- 430-8000
Fax 610-692-6210
vpompo@chescolaw.com

Date of Mailing of Notice of Decision:
July 28, 2010

RECEIVED
JUL 29 2010
BY: Denise Miller

Stephen Sauselein, P.E.
Edward B. Walsh and Associates, Inc.
125 Dowlin Forge Road
Exton, PA 19341

Re: Application of Real Estate Finders' LLC for Final Plan Approval
11 lots – 2133-2135 Strasburg Road
East Fallowfield Township

Dear Mr. Sauselein:

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 Tuesday, July 27, 2010, conditionally approving the final subdivision plan application for eleven (11) single family residential lots on the 34.746 acre tract of land located on the north side of Strasburg Road in the R-1 Zoning District. Two existing dwellings located on the property will be retained on Lots 1 and 2, respectively.

The final plan as referenced in this correspondence includes plans and correspondence as prepared by Edward B. Walsh and Associates, Inc. entitled "Plan of Property for Real Estate Finders, LLC (Abrahams)" consisting of seventeen sheets, dated March 26, 2007 last revised June 21, 2010, and other documents as referenced in the Township's consulting civil engineer Della Penna Engineering, Inc.'s letter of June 25, 2010, a copy of which is attached hereto as Exhibit A. The Board conditionally approved the plan in accordance with the recommendations set forth in Exhibit A.

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

1. Compliance with all outstanding requirements of the June 25, 2010 engineer's review letter, and receipt of written correspondence from the Township engineer confirming the same.

2. Compliance with all outstanding concerns of the East Fallowfield Township Historical Commission, and receipt of written correspondence from the Township engineer confirming the same.

In addition to the above conditions, prior to the signing and recording of the final plans by the Township, the Applicant shall comply with all other applicable requirements including but not limited to (1) compliance with all outstanding conditions of approval set

forth in the July 27, 2010 Conditional Use Decision and Order; (2) submittal to the Township of all required plans, permits and approvals from governmental agencies and/or utilities having jurisdiction over ancillary matters necessary to effectuate the subdivision, as required by §22-408.3.E. of the Township Code, including but not limited to, the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP), the Chester County Conservation District and the Commonwealth of Pennsylvania Department of Transportation, including all applicable permits, plan approvals and sewage planning approvals; (3) compliance with the requirements of §§22-408.3, 22-411, 22-412, 22-413, and 22-806 of the East Fallowfield Township Code, pertaining to the provision and execution of a subdivision and land development agreement, the submission of appropriate performance, maintenance and/or escrow guarantees and agreements, and the submittal of executed stormwater maintenance agreements for each lot; and (4) payment of all applicable Township review fees, pursuant to Section 503 of the Municipalities Planning Code, including, but not limited to, professional consultations, engineering review and reporting, legal documentation preparation and submittal, legal research and other legal services, incurred by the Township.

It is further noted that the Applicant shall contribute the prevailing fee in lieu of amount at the time of submission of each application for building permit per approved dwelling lot to the Parks and Recreation Fund in lieu of constructing active public recreation facilities and/or dedicating land for said facilities, as required by §22-508 of the Township Code.

Please confirm in writing the Applicant's acceptance of the terms set forth above within 15 days of the date of this correspondence, by having your client sign both copies of this letter below, and returning one copy to me.

Very truly yours,

LAMB MCERLANE PC

By: _____
Vincent M. Pompo

Enclosures
cc: Board of Supervisors
Christopher Della Penna, P.E.

Accepted and Agreed to:

Real Estate Finders, LLC

By: _____
Neil Abrahams

LM

EXHIBIT A

Della Penna Engineering, Inc.
21 Whitetail Lane
Parkesburg, PA 19365

Phone: 610-857-0045 Fax: 610-857-0046

June 25, 2010

East Fallowfield Township
Board of Supervisors
2264 Strasburg Road
East Fallowfield, PA 19320

Re: Subdivision Plan of Real Estate Finders, LLC (Abrahams)
11 lots – 2133-2135 Strasburg Road
Final Plan Review #3

Dear Board Members:

The following revised final plans and supporting documentation prepared by Edward B. Walsh & Associates, Inc. were received for review:

Sheet No.	Description	Latest Date
1 of 17	Final Overall Title Plan	6/21/10
2,3 of 17	Final Title Plan	6/21/10
4 of 17	Final Existing Features Plan	6/21/10
5,6 of 17	Final Grading & Utilities Plan	6/21/10
7,8 of 17	Final Phase 1 Erosion & Sedimentation Control Plan	6/21/10
9,10 of 17	Final Phase 2 Erosion & Sedimentation Control Plan	6/21/10
11,12 of 17	Final Landscape Plan	6/21/10
13 of 17	Final Profile Sheet	6/21/10
14,15 of 17	Final Detail Sheet	6/21/10
16,17 of 17	Final Post Construction Stormwater Management Plan	6/21/10

- Set of Final Subdivision Plans consisting of 17 sheets last revised 6/21/10.
- Conditional Use Application report last revised 6/21/10.
- Response letter from Edward B. Walsh & Associates, Inc. dated 6/21/10.
- Copies of email correspondence from Jim Reagan, Fire Marshal.
- Letter of Transmittal from Edward B. Walsh & Associates, Inc. dated 6/22/10

The plan proposes to subdivide an existing 34.746 acre parcel into eleven (11) lots for single-family residential dwellings. Existing dwellings and outbuildings will be retained on Lots 1 and 2. A new cul-de-sac road is proposed to serve as access for the new lots.

The site is located on the north side of Strasburg Road between Sycamore Lane and Fineskinde Farm Road. The entrance to the proposed cul-de-sac road will be off of Strasburg Road. The tract is located within the R-1 Low Density Residential zoning district with a 2.0 acre minimum lot size. The lots are proposed to utilize individual on-site water and sewage facilities.

The plans have been revised in accordance with previous reviews by various agencies and the following comments are offered for your consideration:

Zoning Ordinance

1.1 Section 1402.3.B.1.b – This section prohibits any disturbance of Very Steep Slopes (greater than 25%). In accordance with section 1402.3.B.1.b.(2) however up to 15% disturbance of these areas may be permitted, if approved as a conditional use, for the grading of the minimum portion of a road or driveway necessary for access to the principal use and for sewer, water, and other utility lines when it can be demonstrated that no other routing for access or utility lines is feasible. The plan proposes disturbance of 3,559 square feet (14.2%) of the Very Steep Slopes associated with grading to improve the sight distance for the existing residential driveway for Lot 1 on Strasburg Road. The grading to improve the sight distance for this existing driveway was a condition of the recently issued PennDOT Highway Occupancy Permit for the project. The applicant has submitted an application for Conditional Use, which has been reviewed separately.

Subdivision Ordinance

2.1 Section 411 – Financial security in a form acceptable to the Solicitor must be provided to cover the cost of all proposed public improvements in accordance with the terms of this section. A copy of the contractor's construction cost estimate should be submitted to establish the required amount.

2.2 Section 507(D) – The plan notes that the applicant is offering to provide a fee in lieu of dedicated Park, Open Space and Recreation land, at the discretion of the Board of Supervisors. The applicant met with the Park and Recreation Commission on 10/30/07 and the Commission's recommendation was for the Board of Supervisors to enforce and accept the fee in lieu of open space.

General Comments

3.1 The response letter states that the plan has been revised to address the concerns of the Historical Commission and a revised plan has been submitted to them for their use.

Please feel free to call if you have any questions concerning this review.

Very Truly Yours,

Christopher R. Della Penna, P.E.
Township Engineer

Cc: Planning Commission
Vince Pompo, Esq. (via fax)
Ashley Hickman, E.I.T., E. B. Walsh & Associates, Inc. (via fax)
Real Estate Finders, LLC (via fax)