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April 13, 2021

via Email Only

Kristin S. Camp, Esquire
West Goshen Township Solicitor
BUCKLEY BRION MCGUIRE &
MORRIS LLP
118 W. Market Street, Suite 300
West Chester, PA 19382

Re: Reiser/Greystone/West Goshen Township

Dear Kristin:

During recent conversations between Township staff and our client, it was agreed that I should prepare correspondence regarding the status of certain improvements at the Greystone development. This letter is both an update on the status of site improvements as well as a request for modification of a few timing requirements associated with installation of certain of those improvements. As pertains to the latter, I do note that Condition 67 of the Conditional Use Decision of February 4, 2009 envisioned the possible need to amend certain of the improvement timing conditions absent reopening of the Conditional Use hearings.

The following is a status update of improvement installation which does not require modification of prior approvals.

1. We were asked to advise regarding the status of the FEMA letter of map revision. Condition 12 of the Final Plan Approval requires that after construction of the development, but before the final release of financial security for the final phase of the development, Applicant is required to obtain a LOMR (Letter of Map Revision) from FEMA. It was agreed last week that we cannot obtain this certification from FEMA until the project is completed. Applicant had already obtained a CLOMR (Conditional Letter of Map Revision) prior to plan recordation. The Township has requested that separate financial security be posted to secure the obtaining of the LOMR. Applicant will provide an estimate for the cost to obtain the LOMR on or before April 9, 2021. Applicant has agreed to post separate financial security prior to the release of the Phase 3 Subdivision Plans to secure obtaining the LOMR. Accordingly, release of final financial security for the final phase of the development will not be contingent upon obtaining the LOMR.

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2. It was brought to our attention that certain safety provisions to limit public access to dams on the property should be considered. This detail was not required as part of the approved developments plans, however, we agreed that it was prudent to provide fencing to restrict access to the dams. Temporary fencing has already been installed around the weir of Dam 181 and Dam 184. The temporary fencing will be added to the weir around Dam 182 on or before April 20, 2021. The temporary fencing will be maintained until the permanent fencing is installed. Detail of the permanent fencing for the Dam 181 weir will be added to the Phase 3 Record Plans to be submitted on April 6, 2021. Assuming approval, the permanent fencing for dam weir 181 will be installed on or before May 30, 2021. The permanent fencing for the other two dam weirs will be designed and submitted for Township review upon completion of the dam repair work and installed following Township approval. Moreover, details for bollard installation to limit access to Trail #5(a) to Judson Drive will also be added to the Phase 3 Record Plans. Assuming approval, those bollards will be installed on or before May 30, 2021.
3. Regarding the status of the Deer Management Program, Condition 19 of the Final Land Development Plan Approval requires that the Developer "continue to implement its deer culling program provided same can be done safely during construction". It was discussed that the current deer population at Greystone does not seem to be problematic or causing safety issues on abutting roadways and that any further culling exercise at this time would not be safe or appropriate given construction activity throughout the site. If problems arise in the future during construction because of the deer population, our client will meet with the Township to discuss appropriate measures.

Consistent with Condition 19 of the Final Land Development Plan Approval, "prior to dedication of the Township Open Space, Applicant shall complete one additional flyover of the property and if necessary to maintain the deer culling goals of 35-40 deer set forth in the Wildlife Management Plan, Applicant shall conduct one additional deer culling exercise".

4. As for the timing of the emergency access driveway from South Penn Drive to Rt. 322, this access will be constructed in accordance with notes and specifications to be added to the Record Plan for Phase 3 of the development. Assuming Township Engineer Rick Craig is in agreement with the specifications, construction will be completed on or before May 30, 2021. The Developer understands that it is necessary to repair an existing stone arch bridge in order for the emergency access from Rt. 322 to South Penn Drive to be usable. Such repair shall be completed on or before May 30, 2021. It was further determined that both the emergency access to Greenhill Road as well as the emergency access from Rt. 322 to Aram Avenue are not now needed

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given the fact that Aram Avenue was constructed ahead of schedule eliminating the need for both of these emergency accesses.

5. The Conditional Use Decision required an electronic gate to be installed to control access to the emergency access driveways. Given that there is no existing electric line in close proximity to the location of the emergency access driveway from Rt. 322, the Township is willing to consider an alternative design provided the gate can be opened quickly by emergency responders. The Developer submitted plans to Rick Craig on March 20, 2021 for solar activated gates (instead of electronic). Details for the solar gate construction will also be shown on the Phase 3 Record Plans. If approved, installation will be completed by May 30, 2021.
6. It was discussed that Infiltration Basin X in Phase 1 is not functioning as anticipated. The Developer shall submit plans which show the proposed design changes and modifications to the basin by April 30, 2021. Modifications to the basin will commence on or before May 30, 2021 and detailed on as-built plans.
7. There were a number of comments requesting supplemental pavement marking details for bike lanes and signage. These additional details are reflected on the Aram Avenue Striping and Signage Plan. The Signage and Striping Plan will be added to the Sheet Index for the Phase 3 Record Plans as will plans depicting bike lane pavement markings for residential streets that have designated bike lanes.
8. The existing boathouse has been secured with a temporary door and lock to prevent entry prior to dedication to West Goshen Township.
9. There was discussion that the existing 20-foot vegetative buffer required to be maintained around the perimeter of the property had been disturbed in certain locations. Our client has offered to meet with the Township consultant to review the areas in question. We believe there is confusion regarding the property line location and that there has been no breach of the buffer. If the buffer is breached in certain locations, our client will prepare a buffer restoration detail for each area. Buffer restoration will occur on or before May 30, 2021.

Modification of Timing

As noted above, certain of the conditions of both the Conditional Use and Final Development Plan Approvals require construction of certain improvements prior to the issuance of certain building permits. Our client seeks to adjust a few of those timing requirements for the reasons noted below:

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1. Completion of Dam 181 was to have been completed prior to the issuance of the 50th Use and Occupancy Permit. It was discussed that there is a relatively small non-structural stone wall associated with the dam reconstruction. Restoration work on that wall began prior to the winter months but was halted due to the weather. Work will be completed on or before May 30, 2021.
2. As pertains to the timing for the left-turn lane for the traffic signal at Phoenixville Pike and Greenhill Road West, the Amended Conditional Use Decision dated October 9, 2013 required the traffic signal to be installed prior to issuance of the 200th U&O Permit. That signal has already been installed well ahead of schedule. That same Decision did not require installation of the left-turn lane until issuance of the 350th U&O Permit. The Developer has submitted an email exchange dated February 24, 2021 between PennDOT and Developer's traffic consultant, Matt Hammond, affirming PennDOT's earlier decision that the left-turn lane will be completed prior to issuance of the 200th U&O Permit.
3. Condition 29(a) of the Conditional Use Decision and Condition 15 of the Final Development Plan Approval reference dam embankment reconstruction prior to issuance of the 50th U&O. While embankment reconstruction occurred last year, the Developer inspected the area upstream of the dam with the Township Engineer on March 16, 2021 and has submitted plans to repair any erosion which has since occurred. Those plans will also be included with the April 6, 2021 Phase 3 Record Plans submission. The approved stabilization measures will be completed by April 30, 2021.
4. Existing culverts and bridges on the property were required to be rehabilitated 12 months from the date of recording of the Phase 1 Plans. Except for the bridge which is needed to build the emergency access driveway from Rt. 322 to Aram Avenue, bridge and culvert restoration will be completed prior to dedication of open space to West Goshen Township and prior to the release of the financial security already posted for this restoration work.
5. Finally, trails depicted in open space to be dedicated to West Goshen Township were to have been constructed prior to issuance of the 50th Use & Occupancy Permit. These trails are under various stages of construction (paused for the winter months) with portions of construction delayed, to again allow for the movement of heavy construction vehicles associated with dam reconstruction and other site improvements. All trails required to be constructed within the Township open space area will be completed prior to dedication of open space to West Goshen Township and prior to the release of the financial security already posted for this trail work.

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I trust that this correspondence accurately reflects the discussion which occurred between the Township staff and our client last week. If not, please advise. I request that the Township Board of Supervisors act on amending the timing of scheduled Greystone improvements as set forth in this correspondence at its meeting on April 20, 2021. To that end, if there are any additional questions or details that our client needs to provide to facilitate that action, please do not hesitate to call.

On behalf of Reiser Land Development, I would like to thank the Township for its input and cooperation.

Very truly yours,

Louis J. Colagreco, Jr.

LOUIS J. COLAGRECO, JR.

LJC,JR./kch

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