

**RESOLUTION #21-2023
EAST WHITELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**WAIVER OF LAND DEVELOPMENT
FOR COVENANT PRESBYTERIAN CHURCH
(PEOPLE'S PANTRY)**

WHEREAS, COVENANT PREBYTERIAN CHURCH (the "Applicant") is the titled owner of a parcel of ground situated at 384 Lancaster Avenue, Malvern, PA 19355 in East Whiteland Township, which is identified as Chester County Tax Parcel Number 42-4-304-E (the "Subject Property");

WHEREAS, the Subject Property consists of approximately 1.3 acres, located within the FC (Frontage Commercial) District and is currently improved with an existing food pantry facility;

WHEREAS, the Applicant proposes to construct 20' x 33' addition to the existing structure for a new glass vestibule entry and storage areas (the "Project");

WHEREAS, at a June 26, 2023 hearing, the East Whiteland Township Zoning Hearing Board granted a variance for a 5' district boundary line setback;

WHEREAS, at the June 28, 2023 Planning Commission Meeting, the East Whiteland Township Planning Commission reviewed the Project and recommended approval;

WHEREAS, the Applicant has requested a waiver of the Subdivision and Land Development Ordinance process for the site plan entitled "384 Lancaster Avenue, Malvern, PA 19355" prepared by James S. Carr AIA & Associates, LLC, dated June 16, 2023 (the "Plan");

WHEREAS, East Whiteland Township recognizes that the Project proposes a limited scope of improvements and involves the minor addition of less than 1,000 square feet with less than 5,000 square feet of disturbance, which, as such, requires only technical review by the Township consultants;

NOW, THEREFORE, BE IT RESOLVED, by the East Whiteland Township Board of Supervisors, Chester County, this 12th day of July, 2023, that said application to waive the processing of the Plan in strict accordance with the provisions of the Subdivision and Land Development Ordinance of East Whiteland Township is ***APPROVED WITH CONDITIONS***.

1. **CONDITIONS FOR PLAN APPROVAL**: The Plan is hereby approved subject to the following conditions:

- a) The Applicant shall seek Township approval for any and all future modifications or expansions of the Project.

- b) Prior to construction of the Project, the Applicant shall obtain any and all permits, including, but not limited to, stormwater management, erosion control, and building permits that may be required for the Project.
- c) Any outstanding fees and costs related to the Project, including but not limited to, all outstanding Township Engineer and Solicitor invoices and Township administrative costs associated with the Project shall be paid in full prior to recording of the Plan or issuing of any permits for the Project.
- d) The Applicant shall provide to the Township an as-built plan following construction of the proposed improvements. The Plan and/or as-built plan shall be recorded at the direction of the Township.
- e) The Applicant shall comply with the Zoning Hearing Board Decision and Order dated 7/17/2023, 2023.
- f) The Applicant shall comply with the recommendations discussed at the June 28, 2023 meeting of the East Whiteland Township Planning Commission.

2. **WAIVERS**: The Applicant has requested the following waiver from the Subdivision and Land Development Ordinance process:

- a) Due to the small size and limited scope of the proposed improvements, the Applicant's request to waive the processing of the Plan in strict accordance with the provisions of the Subdivision and Land Development Ordinance of East Whiteland Township is hereby **GRANTED**.

In the event that the Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Applicant does not accept these conditions, and approvals conditioned upon this acceptance are revoked, and the request shall be considered to be denied.

RESOLVED AND APPROVED this 12th day of July, 2023.

ATTEST:

**EAST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

By: Steven C. Brown
Steven Brown, Township Manager

By: Scott Lambert
Scott Lambert, Chairperson of
East Whiteland Township Board of Supervisors

ACCEPTANCE OF CONDITIONS:

I, _____, being the authorized agent of the Applicant, do hereby acknowledge and accept the Approval issued by the East Whiteland Township Board of Supervisors and accept the conditions contained therein as recited above.

APPLICANT: COVENANT PRESBYTERIAN CHURCH

ATTEST:

Donna Wikert

By: *Jim Carr*

Jim Carr

Printed Name of Authorized Agent

James S Carr, Clerk of Session

Title

7/13/2023

Date