



September 8, 2023

Thomas J. Comitta, AICP, CNU-A, RLA
Erin L. Gross, AICP, RLA
Thomas Comitta Associates, INC.
Town Planners & Landscape Architects

STUART & ASSOCIATES, LLC.

P.O. Box 62286
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**RE: 446 STONY RUN (BECHTEL FARM AT STONY RUN) –
PRELIMINARY/CONDITIONAL USE SUBDIVISION AND LAND DEVELOPMENT
PLAN, DATED REVISED 9-8-2023, AND SUPPLEMENTAL MATERIALS**

Thomas & Erin,

We are in receipt of your Preliminary/ Conditional Use and Subdivision & Land Development review dated March 28, 2023, updated June 15, 2023. We offer the following responses for your consideration:

1. OVERVIEW, TDRs, AND OVERALL LAYOUT:

1.1: The Applicant is unclear why TCA still defers to the Township relative to the Transfer of Development Rights Sending Area, as per Resolution 2022-35 East Vincent Township already certified the number of TDR's available to send from the RC Sending Zone. Applicant's Exhibit #55, *East Vincent Township Resolution #2022-35 certifying the number of TDR's* as per above statement, has been entered into the Record in support of this comment being satisfied.

1.3: The applicant has resolved the request as it pertains to Conditional Use & Preliminary Plan Requirements and agrees to provide shop drawings with colors at Final Plan and prior to permit issuance. Sheet L8.50 provides amenity enlargement plan details that label proposed hardscape elements. On sheet L9.15, details have been provided for the proposed structures, seating, ground surfaces, etc. See detail 3/L9.15 for imagery of the design intent of the proposed covered shade structure. See detail 3.1/L9.15 for imagery of the proposed stone fines ground cover.

1.5: This comment has been resolved and it is unclear why TCA still defers to the Township relative to the TDR Sending Area Tract, Density Plan & consolidation Plan. As per Resolution 2022-35 East Vincent Township already certified the number of TDR's available to send from the RC Sending Zone. In addition, with its February 24, 2023 submission the applicant did include, as a courtesy, Sheet 1 of 1 at the back of the Plan Set Titled "TDR Sending Area Tract, Density Plan & Consolidation Plan dated 1/3/22 with a last revised date of 11/1/22 which includes a copy of Resolution 2022-35 depicted on the Plan. These Parcels are not part of the Conditional Use Application, Hearing, nor Plan Set. In reviewing the Toll/Solty's Tract Plan and its review letters to date, they received a recommendation of Approval and did not include this type of Plan within their submission, nor was it a requirement for them even though they are designing utilizing the Open Space Design Option and Transferable Development



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Right Zoning Ordinances. Applicant Exhibit #'s entered into the Record in support of this comment being satisfied: #35, 36, 48, 55, 80, 86.

2. SITE ANALYSIS AND ENVIRONMENTAL IMPACT STUDY:

2.1: Item has been resolved.

2.2: The applicant has now stated this three times: The Applicant is not proposing a trail in this location, nor is it required. If TCA wants to demand this naturalized trail be added, it must be listed in the Conditional Use Order. The neighboring Property is not part of the Preliminary Plan/Conditional Use Subdivision and Land Development Applications thus is not under review.

2.3: Item has been resolved.

2.4: The two tax parcels highlighted in red 21-5-83.1A and 21-5-83.1 are not part of the Subdivision and Land Development Applications, as enclosed. There are no Land Development requirements in Part 24 TDR Zoning Ordinance for the Sending Zone Parcels. If the Township Land Planner can provide the specific codes requiring such, please include in your review letter.

2.5: The two tax parcels highlighted in red 21-5-83.1A and 21-5-83.1 are not part of the Subdivision and Land Development Applications, as enclosed. There are no Land Development requirements in Part 24 TDR Zoning Ordinance for the Sending Zone Parcels. If the Township Land Planner can provide the specific codes requiring such, please include in your review letter.

4. OPEN SPACE DESIGN OPTION:

4.1: As per Section §27-905.5.2 no further action will be taken for this comment as the code reads as follows "It is not the intention of the Township to govern specific architectural design or to link conditional use approval to any specific architectural design criteria" However, the Applicant is agreeable to provide additional detail on top of what has already been supplied at the Final Plan stage. Applicants Exhibit #47, which contains sample home elevations, and Exhibit #66, additional sample elevations for the Development, have been entered into the Record in support of this comment being satisfied.

4.2: Open Space Management Plan will be provided at Final Plan, once the Open Space configuration is confirmed by Conditional Use Order / Preliminary Plan Approval. Since the Land Planner, TCA, is deferring to the Township Engineer and Solicitor the other portions of this comment should be removed as it is not under TCA's purview and will be included in the Solicitor and is already stated in numerous CKS review letters.

5. LANDSCAPE PLAN:

5.6: The edge of the continuously mulched planting bed and lawn areas are labeled on sheet L8.00, additional clarification added to legend for all proposed groundcover materials.



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5.7: Item has been resolved.

5.9.a.: Item has been resolved.

5.9.b.: Additional screening has been added for units 13,29,30,33 and 34 as well as seventy-one additional 1.5" caliper trees to the riparian buffer in lieu of the 670 shrubs.

5.10: No response required.

5.11: No response required.

6. PEDESTRIAN CIRCULATION:

6.9: Item has been resolved.

7. HISTORIC RESOURCES:

7.9: The Township did not confirm the Historic Resource classification nor did they give the Applicant any bonus density for any historic structure or resource. The Applicant has prepared a Historic Resource Analysis to satisfy the requirement.

8. WAIVER REQUESTS:

8.9, 8.11, & 8.12: Township to determine during the Preliminary Plan process and the Board of Supervisors will decide whether or not to grant the waivers. Applicant's Exhibit #86, the Plan Set last revised as of 2/22/23, and Exhibit #92, the waiver request letter dated 12/24/23, Have been entered into the Record in support of this comment being satisfied.

9. OTHER:

9.11: Item has been resolved.

9.12: This comment has been resolved and should be removed from the letter accordingly as it is legal and not a land planning issue. The Applicant will comply with HOA document requirements at the Final Plan stage. Applicant Exhibit #26, the Draft Homeowners Association Declaration, Exhibit #57, the Updated Homeowners Association Declaration & Exhibit #86, the Plan Set last revised as of 2/22/23, have been entered into the Record in support of this comment being satisfied.

9.15: The index on Sheet 1 has been updated along with all the sheet numbers.

9.16, 9.17 & 9.18: The Applicant will comply during Final Land Development, a note has been provided on the Plans. Please provide our office with the cut sheets.

10. CONCLUSION:

10.1: There are numerous comments that state in bold "still" defer this open comment to the Township. The Applicant requests TCA to advise who at the



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Township is responsible for rendering a decision. Please provide more specific information as to what Board, or Person, or what process these decisions are to be made by and/or under, for the Applicant to be able to resolve the comments and have them removed from the letter.

Very truly yours,

Patrick J. Stuart, RLA, MCRP, LLA

cc: Patrick McKenna, Esp., Township Solicitor
John Stine, Township Zoning Officer
Patrick P. DiGangi, P.E., Township Wastewater Engineer
Michael Schneider, P.E., Township Traffic Engineer
Adam Brower, P.E., Edward B. Walsh & Associates, Inc.
Cindy VanHise, P.E., CKS Engineers