



Herbert, Rowland & Grubic, Inc.
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October 13, 2023

Mr. Robert Zienkowski
Township Manager
East Vincent Township
262 Ridge Road
Spring City, PA 18475

**Re: Artisan Construction Group, LLC (Benson Tract)
446 Stony Run Road and 1241 W. Bridge Street
Preliminary Major Subdivision/Land Development Plans
Sanitary Sewer Design (5th Review)**

Dear Mr. Zienkowski:

Herbert, Rowland and Grubic, Inc. (HRG) is in receipt of the revised Conditional Use and Preliminary Major Subdivision/Land Development Plans for the above-referenced project. The plans have been prepared by Edward B. Walsh Associates, Inc. (EBW) on behalf of the Artisan Construction Group, LLC and consist of sixty-five (65) sheets dated June 24, 2022, last revised September 8, 2023.

The plans propose an 86-lot subdivision which includes the construction of eighty-five (85) single-family detached dwellings and one (1) existing farmhouse and its accessory structures (Lot 86), open space areas, stormwater management areas, and associated infrastructure. Sanitary service is proposed through a new gravity collection system which is to flow to a proposed on-site sewage pumping station. The sewage pumping station's associated force main will extend through the development site and Stony Run Road and tie into the Township's existing sanitary sewer located in the intersection of Stony Run Road and W. Bridge Street.

CKS Engineers prepared a sanitary sewer comment letter dated October 11, 2022, for the initial plan submission, and HRG prepared a sanitary sewer comments letter dated January 13, 2023, March 29, 2023, and June 16, 2023, for the revised plan submissions.

No response to the comments written by HRG in the June 16, 2023, letter have been received for the proposed 86-lot subdivision. Therefore, the comments as written in HRG's letter dated June 16, 2023, remain and are incorporated by reference into this letter.

HRG has reviewed the comments presented within the EB Walsh & Associates letter dated September 11, 2023 to CKS Engineers. HRG offers the following comments in response to the references to public sewer presented within comment #2 of that letter:

Exhibit #69, the Conditional Use Order (CUO) for the "Jones Motor Tract" with East Vincent Development Company, LP, includes paragraph 6.j. which reads as follows:

"Township and Applicant shall enter into a mutually acceptable agreement for the crediting of the costs of the Wastewater Treatment Plant upgrade against the tapping fees for the Proposed Development and the reimbursement for the excess capacity from future users of the Wastewater Treatment Plant."

The township and Jones Motor Tract have not finalized this agreement. One of the items to be resolved is the calculation of the reimbursement amount to be paid by future users. This reimbursement amount will be paid by all future users in addition to the township's tapping fee during the reimbursement period.

This agreement is exclusively between only two parties, the township and East Vincent Development Company (Jones Motor). No capacity for any other projects, sites or owners will be allocated within that agreement.

If an agreement is reached between the township and East Vincent Development Company for construction of a third SBR at the Veterans Center Wastewater Treatment Plant, there will be excess sewer capacity available within the township at the time the construction of all facilities is completed. The township will establish as part of the Act 537 Planning process how it chooses to allocate that excess capacity.

The PADEP's November 25, 2009, approval letter of the 2009 East Vincent Township Act 537 Plan states the following:

"1. The Plan establishes a public sewer service area that will be served by the Southeast Veterans Center Wastewater Treatment Facility as depicted in Exhibit 1-1 of the Plan. Capacity in the existing plant is allocated to the Soltys-Buckwalter Road Subdivision (includes Eadie Tract), the Soltys-Seven Stars Road Subdivision, and the Soltys-Schuylkill Road Subdivision, as referenced on page 29 of the Plan. Any development beyond the Cutler developments referenced above or individual lots that need public sewer service will need to complete planning to expand the Southeast Veterans Center Wastewater Treatment Facility, as stated in Section 5-1-2 of the Plan.

3. The Plan provides for the removal of the Brown Drive area, the Schuylkill Road area, the McFarland Project, the Keen Road Subdivision (Silvi Project), the remaining portions of the Ruth Tract Farm (Vanderbilt Subdivision) and the remaining portions of the industrial zoned area along Enterprise Parkway (East Vincent Business Park Phases 1B and 2) from the sewer service areas delineated in the 1998 Act 537 plan update."

A complete Planning Module was never completed by the applicant for this project, nor adopted by the township, nor submitted to PADEP, nor reviewed by PADEP, nor commented on by PADEP. Exhibit #25 is a partially completed Planning Module. Section J is not completed nor signed by the township. Section P identifies that the Planning Module must be published in a newspaper of general circulation, which did not occur to HRG's knowledge. The township did not adopt the Planning Module via Resolution. In short, this is an incomplete

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Planning Module. The Planning Module was never reviewed by PADEP. Exhibit #101 is a Component 4B reviewed by the Chester County Planning Commission, not by PADEP. It is unclear why the County Planning Commission provided a review and comment of an incomplete Planning Module that did not include a completed Section J.

The above represents our comments on the proposed plan. A cover letter which addresses each of the June 16, 2023, comments from HRG for the 86-lot subdivision, by number, should be included when the Applicant resubmits the plan. If you have any questions or require any additional information on this matter, please do not hesitate to contact me.

Please contact me at wbrown@hrg-inc.com or on my cell phone at (215) 407-7506 if you have any questions or concerns regarding the comments presented above.

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in blue ink that reads "William A. Brown II". The signature is written in a cursive style with a large initial "W".

William A. Brown II, P.E.
Senior Project Manager

WAB
009388.0427.001