

RESOLUTION NO. 807

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSLYVANIA**

A Resolution of the Borough Council of the Borough of Malvern, Chester County, Commonwealth of Pennsylvania, approving, subject to conditions, the plan entitled "Preliminary/Final Subdivision Plan for Robert P. and Kristen M. Coughlin, 523 Monument Avenue, Malvern, PA 19355" prepared by Padula Engineering Co. dated October 21, 2019, last revised January 17, 2020, signed and sealed by Mark Joseph Padula, P.E., Registered Professional Engineer, proposing the subdivision an existing 38,975 sq. ft. lot (net) into two (2) lots and to construct one (1) new single-family detached dwelling unit (existing dwelling proposed to remain), pursuant to the Malvern Borough Subdivision & Land Development Ordinance of 2006 ("Land Development Ordinance") for the development of certain property ("Property") in the Borough of Malvern ("Borough"), Chester County, Pennsylvania, in the R-2 Residential District.

BACKGROUND

Robert & Kristen Coughlin (the "Applicants") have filed an application with the Borough for approval of a Preliminary/Final Land Development Plan prepared by Padula Engineering Company dated October 21, 2019, last revised January 17, 2020, consisting of seven (7) sheets (the "Plan"). This Resolution No. 807 is the Borough's written decision on the Application and Plan.

The Plan proposes the subdivision of an existing 38,975 sq. ft. lot at 523 Monument Avenue (UPI # 2-6-37) into two (2) lots with one (1) existing single-family dwelling to remain and one new lot with one (1) new single-family detached dwelling to be constructed. The subject property is located in the R-2 zoning district.

The Plan was reviewed by the Borough Engineer and the Planning Commission. At the Planning Commission meeting on February 6, 2020, the Planning Commission recommended that the Plan be approved as a preliminary/final plan conditioned upon compliance with the comments contained in the Borough Engineer's review letter dated January 31, 2020.

MATTERS RESOLVED

Borough Council hereby RESOLVES that the Plan is approved, as a Preliminary/final Plan, pursuant to the Land Development Ordinance and subject to the waiver relief and conditions set forth hereinbelow.

WAIVERS

Borough Council determines that the following waivers from the Land Development Ordinance are in the public interest and will, subject to the conditions imposed herein, substantially secure the objectives of the standards or requirements so modified:

1. **Section 181-300. C.** – To allow the plans to be submitted as Preliminary and Final Plan.

2. **Section 181-301.E.** – Waiving the requirement of the four-step design process.

This approval is also subject to the following conditions, which shall bind the Applicant, the property owners and their heirs, successors and assigns:

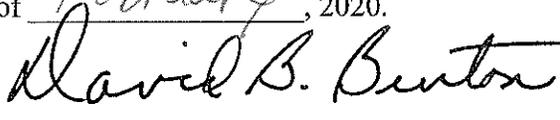
1. Compliance with the Borough Engineer's review letter dated January 31, 2020.
2. Compliance with the Borough Fire Marshal's review letter dated November 4, 2019.
3. Prior to Plan recordation, Applicant shall execute a Stormwater Controls and Best Management Practices Operations and Maintenance Agreement (which shall be recorded with evidence thereof provided to the Borough), a Developer's Agreement, and a Financial Security Agreement, together with the posting of adequate escrow to guarantee the required public improvements, in form satisfactory to the Borough Solicitor.
4. Applicant shall ensure recording of the final plan consisting of seven (7) plan sheets with evidence thereof provided to the Borough.

Passed by Borough Council this 18 day of February, 2020.



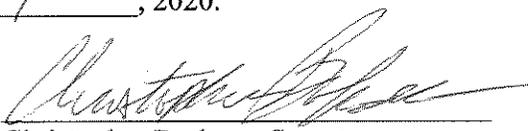
Amy Finkbiner, Ph.D., President

Approved by the Mayor, this 18 day of February, 2020.



David B. Burton, Mayor

Enacted, this 18 day of February, 2020.



Christopher Bashore, Secretary