

RESOLUTION NO. 791

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MALVERN, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE WALKING PATH REQUIRED THROUGH THE LAND DEVELOPMENT APPROVAL GRANTED TO MALVERN PREPATORY SCHOOL BY RESOLUTION NO. 737.

WHEREAS, the Borough Council (“Council”) of the Borough of Malvern (“Borough”) adopted Resolution No. 737, granting land development approval to Malvern Preparatory School (the “Applicant”) for the development of certain property pursuant to the Malvern Borough Subdivision & Land Development Ordinance of 2006, as amended (“Land Development Ordinance”); and

WHEREAS, the approved plan proposed the construction of two new buildings on its campus, specifically the construction of a new middle school building to be located between the existing Duffy Arts Center and Dougherty Hall and a STEAM expansion to connect the existing Carney Hall and Sullivan Hall; and

WHEREAS, the Applicant was required to submit to the Planning Commission a plan, acceptable to Borough Council, for the location, design, and construction of a walking path sufficient to ensure accessible foot travel to and from the existing public sidewalk network of the Borough of Malvern; and

WHEREAS, the Applicant has submitted a plan that was reviewed by the Planning Commission at their meeting on June 20, 2019 and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, the Borough Council of the Borough Malvern approves the plan for the required walking path based on the plan signed and seal by James P. Bannon, Jr., P.E., Registered Professional Engineer, dated September 24, 2018, last revised June 25, 2019.

NOW, THEREFORE, BE IT FURTHER RESOLVED, this approval shall be subject to the following conditions:

1. The trail surface shall be constructed as an asphalt walking trail.
2. The trail location is to be entirely within the current fifty-foot right-of-way along Warren Avenue.
3. The trail is to be maintained in accordance with the Borough’s standards for snow and ice removal as outlined in Chapter 179, Article V, Section 179-28 of the Malvern Borough Code of Ordinances.
4. The plans for the trail shall be recorded with Chester County.

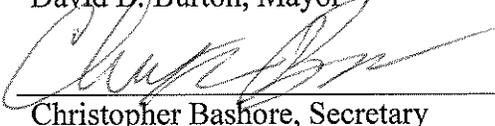
NOW, THEREFORE, BE IT FURTHER RESOLVED, all additional conditions outlined in Resolution No. 737 remain in full force and effect.

Passed by Borough Council,
this 2 day of July, 2019. 

Jamie S. Grossman, President

Approved by the Mayor,
this 2 day of July, 2019. 

David B. Burton, Mayor

Enacted,
this 2 day of July, 2019. 

Christopher Bashore, Secretary