



WILLISTOWN TOWNSHIP
Planning Commission Meeting
Wednesday, March 4, 2026
7:00 p.m.

Agenda

A. CALL TO ORDER

B. APPROVAL OF MINUTES

1. Approve the Minutes for the regular meeting on February 18, 2026

C. SUBMITTED APPLICATIONS

1. Applicant: Friedman, Z-01-26
Address: 13 Fox Chase Rd
Type: Variance (ZHB)
Description: variance to permit the construction of a pool pavilion within the side yard setback
2. Applicant: Yashin, Z-02-26
Address: 130 Jaffrey Rd
Type: Variance (ZHB)
Description: variance to permit the construction of a pool and pool patio within Zone 2 of the Riparian Buffer Area (RBA)
3. Applicant: Garrett Mill Farm, LLC, Z-03-26
Address: 978 Garrett Mill Rd
Type: Special Exception, Determination and/or Variance (ZHB)
Description: Special exception to permit the expansion of a nonconforming structure within the front yard setback, and determination and possible variance from "area and height" regulations related to setbacks

D. ANNOUNCEMENTS

E. PUBLIC COMMENT

F. ADJOURNMENT

Next Meeting: March 18, 2026 – Township Administration Building



WILLISTOWN TOWNSHIP
Planning Commission Meeting
Wednesday, February 18, 2026
7:00 p.m.

Minutes

LOCATION: Willistown Township Building, 688 Sugartown Rd, Malvern, PA 19355

Members Present:

Cathy Rubenstone, Chair; George McHugh, Vice Chair; Warren Claytor; Erik Hetzel; Ted Leisenring; William Shoemaker

Members Absent:

Philip Foret

Township Representatives Present:

Caroline O'Connor, Director of Planning & Zoning; Mike Conrad, Yerkes Associates; John Gaadt, Gaadt Perspectives; James Powell, HRG; Mark Thompson, Esq., Lamb McErlane

A. CALL TO ORDER

Ms. Rubenstone called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

B. APPROVAL OF MINUTES

MOTION: To approve the Minutes for the regular Planning Commission meeting held on February 4, 2026. (McHugh/Claytor)

COMMENTS: None

ACTION: Passed, 6-0

C. SUBMITTED APPLICATIONS

1. Applicant: JCL Sterling LP & HK Industrial Blvd LLC, Z-14-24

Address: 14 Industrial Blvd

Type: Variance (ZHB)

Description: validity challenge of the Environmental Protection Ordinance and/or variances related to tree removal and replanting to construct an age restricted apartment development (ARAD)

Present: Dr. Galib (owner), Tom Kessler (HK Industrial LLC), Julie Bernstein, Esq. (attorney), Amanda Schneider (Howell Engineering)

Ms. Bernstein presented modifications to the prior ARAD plan that resulted in a reduction in density to 34 units. The presentation included information about the reduced scope of the variances requested from the Environmental Protection Ordinance and provided more information regarding the significant engineering work that was being planned for stormwater management facilities. It was noted that the applicant retained arborist John Hosback to evaluate the health of the existing woodland on the lot. Mr. Hosback concluded that the woods are in poor condition, with 60-65% of the trees either dead or dying. The Planning Commission

recognized that the entire property is wooded, and that there are significant existing stormwater challenges due to the property receiving off-site stormwater runoff from adjacent properties. Mr. Conrad noted that the construction of stormwater management facilities in steep slope areas would require a variance, and that disturbance of the Riparian Buffer Area would require a management plan. Mr. Shoemaker indicated willingness to recommend variances from the Environmental Protection Ordinance because of acceptable replacement percentages given that the entire lot is wooded; Mr. Shoemaker also noted stormwater challenges and that the revised stormwater management facilities will need to comply with codes. Mr. Thompson asked the Applicant to clarify the amendment to the application regarding the validity challenge. Ms. Bernstein stated that the substantive validity challenge is being “held in abeyance” pending the outcome of the variance application and is not being discussed “at this time.”

MOTION: To make a recommendation to approve the variance application as presented on the plan dated 01/26/2026, only as it relates to requests regarding the removal and replanting of trees on the lot. (Shoemaker/McHugh)

COMMENTS:

Keith Parsons, 117 Spruce Ln

Mr. Parsons asked if the trees would still be able to be removed if the development was not constructed. He also asked for clarification regarding permeable pavers/pavement.

Cindi Myers, 735 Hillview Rd

Ms. Myers expressed her concern over the removal of the significant number of trees on the lot, and the likelihood of the remaining trees being subject to being “blown down” because of the removal of the tree network. She also wondered if granting a variance for this property would set a precedent.

ACTION: Passed, 6-0

D. DISCUSSION/ACTION ITEMS

1. Code Amendments

- a. Ms. O’Connor and Mr. Gaadt presented the final version of the “backyard chicken” Ordinance amendment for recommendation to the Board of Supervisors.

MOTION: To recommend to the Board of Supervisors that the Ordinance pertaining to the keeping of backyard chickens be authorized for advertisement and adoption. (McHugh/Claytor)

COMMENTS: None

ACTION: Passed, 5-0 (Shoemaker abstained)

- b. Ms. O’Connor and Mr. Gaadt presented “Omnibus” Ordinance amendments related to sign provisions, use provisions in the Industrial District, parcel yield calculations, conservation plan requirements, and Appendix C, the stormwater management agreement for recommendation to the Board of Supervisors.

MOTION: To recommend to the Board of Supervisors that the “Omnibus” Ordinance amendments be authorized for advertisement and adoption. (McHugh/Claytor)

COMMENTS: None

ACTION: Passed, 5-0 (Shoemaker abstained)

E. ANNOUNCEMENTS – None

F. PUBLIC COMMENT – None

G. ADJOURNMENT

Seeing no further business, the meeting adjourned at 8:28 p.m.

Next Meeting: Wednesday, March 4, 2026, 7:00 p.m., at the Township Administration Building

Respectfully submitted,

Erik Hetzel

DRAFT



Willistown Township

688 Sugartown Road, Malvern, PA 19355
Phone 610.647.5300 | www.willistown.pa.us

MEMORANDUM

Date: March 2, 2026

To: Planning Commission

From: Caroline O'Connor, Zoning Officer

Re: **Application: Z-01-26**
Address: 13 Fox Chase Road (UPI: 54-4-40)
Applicant: Friedman

REQUEST:

Variance of §139-13.C(2) to permit the construction of a pool pavilion which will have a side yard setback of 20ft where 40ft is required, and §139-94.B to permit an accessory structure with a footprint larger than 150sqft to be located within the required yards, where otherwise is not permitted.

EXISTING CONDITIONS:

Zoning District: RU Rural District
Lot Area: 2 acres – per ChescoViews
Use: residential

The property is located on the north side of Fox Chase Road, in the RU zoning district. The property is generally rectangular in shape, with angled side property lines which make the front yard wider than the rear yard. (see ChescoViews aerial attached). Aerial imagery shows the property to be improved with a single-family dwelling, deck/patio, pool, pool patio, accessory shed, fencing, walkways, and a driveway which connects to Fox Chase Road. There appear to be areas of slope on the property, which would need to be confirmed with an engineered plan, but the project area appears to be fairly level. The property also appears to contain several mature trees; a tree inventory would be necessary to confirm if the parcel meets the definition of Wooded Lot. Apart from potential slopes and woodlands, there do not appear to be any other Natural Resources on the property including floodplain, riparian buffer, or wetlands.

BACKGROUND:

The original subdivision of this street was recorded in 1965 under the White Horse Farms subdivision plan dated March 17, 1959, last revised July 9, 1963. The minimum lot size for the district at that time was 2 acres. Additional zoning requirements can be found on the Zoning Chart (attached). There was a previous Zoning Hearing Board decision for this property, detailed below.

Previous Zoning Decision:

Z-11-00: variance to construct a detached garage within the side yard setback, to be located 25' from the property line.
Decision: GRANTED (see Decision attached)

REQUEST:

The Applicant is requesting a variance from the Zoning Ordinance to permit the construction of a pool pavilion which will be located within the side yard setback. The proposed structure does not qualify for the “yard exception for accessory buildings.” To qualify for the yard exception, the structure is required to be located 50ft behind the rearmost portion of the principal building and be no more than 150sqft in area and 9ft in height. The proposed pavilion is only setback approximately 12ft from the rearmost portion of the principal buildings and is approximately 444.5sqft in area and 10.75ft in height. The proposed structure will be located 20ft from the east side property line.

ADDITIONAL COMMENTS:

The existing pool is not centered in the backyard. Based on the Applicant’s plot plan, the pool is located approximately 45ft from the east side property line. There is an existing fence that encloses the pool, with established vegetation all along the western boundary for the pool. There is an existing accessory building in the project area which has a 220sqft footprint and is proposed to be removed.

Zoning Chart

Zoning District: RU, Rural District

The data shown below is based upon information provided by the applicant, supplemented with information from Chester County and confirmed by staff. Nonconforming aspects are shown in *italicized bold-faced* type.

Zoning Data: RU District	1965 Zoning (not RU)	Required	Existing	Proposed
Lot Size	2 ac.	4 ac. ¹	2 ac.	No change
Building Coverage	12% max.	10% max.	2,867 sqft. (3.3%)	3,092 sqft. (3.6%)
Total Impervious Coverage	-	13% max.	XX sqft. (%)	8,649 sqft. (9.9%)
Lot Width at Building Line	200 ft. min.	300 ft. min.	ft.	No change
Front Yard	75 ft. min.	75 ft. min.	100 ft.	No change
Rear Yard	40 ft. min.	40 ft. min. ²	300 ft.	No change
Side Yard	40 ft. min.	40 ft. min. ²	80 ft. (E) 94 ft. (W)	20 ft. (E) No change (W)
Building Height	35 ft. max	35 ft. max.	<35 ft.	No change

¹ Developable acreage, which excludes the areas of road and utility rights-of-way and any other easement similarly restricting the owner’s right of use.

² Except that any yard which abuts a street shall be not less than 75 ft. in width.

*The existing pool patio area was not provided. Regardless, the coverage requirement is compliant.

*This figure should be measured to the pool edge. Regardless, the setback requirement is compliant.

*Subject of variance request.

13 FOX CHASE ROAD



COUNTY OF CHESTER
PENNSYLVANIA



Find Address Information

PARID: 5404 00400000
UPI: 54-4-40
Owner1: FRIEDMAN EDWARD P &
Owner2: CARSON BARBARA J
Mail Address 1: 13 FOX CHASE RD
Mail Address 2: MALVERN PA
Mail Address 3:
ZIP Code: 19355
Deed Book: 3624
Deed Page: 1
Deed Recorded Date: 09/01/1993
Legal Desc 1: NS FOX CHASE RD
Legal Desc 2: 2 AC DWG & POOL LT 29
Acres: 2
LUC: R-10
Lot Assessment: 114130
Property Assessment: 296620
Total Assessment: 410750
Assessment Date: 12/12/2025 9:23:31 AM
Property Address: 13 FOX CHASE RD
Municipality: WILLISTOWN
School District: Great Valley

Map Created:
Tuesday, February 24, 2026

County of Chester

Limitations of Liability and Use:
County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources visit the GIS Services page listed at www.chesco.org/gis.

IN RE: : BEFORE THE ZONING HEARING BOARD
APPLICATION OF : OF WILLISTOWN TOWNSHIP
EDWARD FRIEDMAN : CHESTER COUNTY, PENNSYLVANIA
: NO. Z-11-00

DECISION

Edward Friedman (hereinafter "Applicant") has filed an application with the Zoning Hearing Board of Willistown Township (hereinafter "Board") by which variance relief is sought to permit the construction of a 1-story detached garage on his property at 13 Fox Chase Road in the RU Rural District of the Township, which regulations require a minimum side yard of 40 feet. Mr. Friedman proposes to reduce the side yard from 40 feet to 25 feet.

The hearing on the application was convened at the Willistown Township Building on Wednesday, September 27, 2000, at 8:00 p.m. Chairman, Donald A. Thompson, and Richard H. Thompson heard the application for the Board. Robert F. Adams, Esquire appeared as the Board's solicitor. Evidence was presented by Mr. Friedman on his own behalf.

After receiving the evidence presented by the Applicant, and having reviewed the same, the Board makes the following:

Findings of Fact

1. Notice of the hearing was duly published in the Daily Local News, posted at the Township Building and on the subject premises, and was mailed to those persons and entities listed in Exhibit B-3 at the hearing.

2. The hearing was duly convened, and the Applicant presented evidence in support of the application.

3. The subject property is located at 13 Fox Chase Road in the RU Rural District of the Township.

4. Attached to the application, Exhibit B-1, is a summary of the proposed garage specifications. It will be located on the southwest side of the property over the existing driveway parking area. It will be a side-loaded garage which will face the existing garage which is attached to the Friedman residence. The garage will consist of 1 story, being approximately 20 feet deep and 40 feet wide and will have 3 bays, as depicted in the sketch attached to Exhibit B-1.

5. The doors of the proposed garage would face the existing Friedman garage. One bay of the existing 2-car garage was converted to a laundry room by a prior owner.

6. The Applicant currently stores a boat and vehicles out of doors and wants a garage for this purpose. He has concluded that the best place is the existing parking area.

7. The property immediately adjacent to the Friedman lot is the only neighboring property which would be impacted by the proposed construction. The Applicant showed a series of photographs which depicted a wooded buffer between the Friedman property and the adjacent property.

8. Between the proposed garage and the adjacent property line would be a 25-foot wooded area. Beyond that, there is additional 30 feet to the neighbors' driveway.

9. The Applicant considered an alternative location further to the rear of his property. He concluded that the topography which slopes off to the rear would preclude the construction of a garage at that location without a great deal of fill material and a large foundation. Further, the alternative location would result in additional tree removal and would have a greater impact upon the neighbors' pool.

10. No additional impervious surface is proposed in connection with the construction of the garage.

11. Under the terms of §139-94 of the Zoning Ordinance, the proposed garage could be placed as close as 3 feet to the neighbors' property line, provided it was situated 10 feet further back from the street line than the rearmost portion of the existing building. Mr. Friedman concluded this would be a worse impact on the neighbors' property.

Discussion

In order to grant the subject application, the Board must make the determination under §139-125.E of the Zoning Ordinance that: (1) unique physical circumstances or conditions peculiar to the property create an unnecessary hardship justifying the variance; (2) such physical circumstances or conditions prevent the property from being developed in strict conformity with the Zoning Ordinance, and a variance is necessary to enable the reasonable use of the property; (3) the hardship has not been created by the Applicant; (4) the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property and will not be detrimental to the public welfare; and (5) the variance, if authorized, will

present the minimum variance to afford the relief requested and represent the least modification possible of the regulation in issue.

The Applicant has demonstrated that there are physical circumstances characterizing the property which create an unnecessary hardship justifying this variance. The existing dwelling is placed on the lot in a manner which precludes the convenient location of a detached garage in accordance with the side yard requirements of §139-13.C(2) which requires a side yard of not less than 40 feet along each property line in the RU Rural District. The Board finds that the proposed location of the garage is the most practical and convenient and the least impacting on the neighbors' property. There will be no additional impervious surface, and the existing trees will be preserved to the maximum extent possible. If the alternative location toward the rear of the parking area were selected, additional trees would be removed, and that location would create a greater impact on the neighbors' pool.

Further, we note that §139-94 of the Zoning Ordinance would permit the construction of a garage as close as 3 feet to the side property line provided it was located at least 10 feet behind the rearmost wall of the existing structure. Mr. Friedman feels that such a location would be impractical and more intrusive on the neighbors, and we agree. The existing driveway parking area does not provide sufficient width to allow the Applicant to comply with the 40-foot side yard width, but we consider the 25 feet to be sufficient in view of the minimal impact upon the neighbors' property at that location and the most logical location in terms of the utilization of the proposed structure and its communication with the existing Friedman residence. Accordingly, the variance will be granted.

Conclusions of Law

1. The hearing was duly advertised, all required notices were given, and the hearing was duly convened.
2. The Board has jurisdiction in this matter.
3. The Applicant has demonstrated that the property is subject to hardship caused by the physical constraints on the property which justify the variance relief to construct the proposed garage in the location depicted on the exhibits attached to the application (Exhibit B-1).

The Board, therefore, enters the following:

ORDER

AND NOW, this 1st day of November, 2000, upon consideration of the application of Edward Friedman for a variance to permit the construction of a 3-bay 1-story garage on his property at 13 Fox Chase Road, which will result in the reduction of the required side yard from 40 feet to 25 feet, and having considered the evidence presented in support of the application, IT IS HEREBY ORDERED that the requested variance relief is granted to permit the construction of the garage in the manner proposed. The foregoing relief shall be subject to the following conditions:

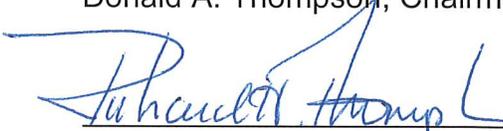
1. The proposed construction of the garage shall be substantially in accordance with the testimony and exhibits presented to the Board. The maximum encroachment into the side yard shall be such that the side yard shall not be reduced below 25 feet and shall be located as depicted in the sketch plan attached to the application and also in Exhibit A-2.

2. This approval shall not be construed to be a waiver of any other provision of the Willistown Township Zoning Ordinance, Subdivision and Land Development Ordinance or any other ordinance or requirement, it being the intention of the Board that the use of the subject property and the proposed construction of the garage shall comply with all applicable Township ordinances and requirements, except to the extent modified hereby.

WILLISTOWN TOWNSHIP
ZONING HEARING BOARD



Donald A. Thompson, Chairman



Richard H. Thompson

APPLICATION

To: Caroline O'Connor, Planning & Zoning Willistown Township
CC: Office @ dutchiesstoneworks.com
Subject: 13 Fox Chase Rd: Building Permit Application Variance Request

We are seeking variance relief to permit the construction of a pool pavilion at 13 Fox Chase Rd.

The plan is to construct the pavilion adjacent to the pool and next to a heavily wooded area that runs along the property line. This plan is part of a larger project that includes pool repair and renovation to replace tile, coping and the existing pool deck which sustained damage from a downed tree. Three previously existing 10' x 12' sheds in the proposed location have been removed. The plan will not impact the allowable impervious surface area.

The property at 15 Fox Chase Rd, immediately adjacent to our lot is the only neighboring property which would be impacted by the proposed construction. We have shared the plan with our neighbors and they support the plan. The rear of the property is adjacent to a horse pasture and the proposed structure is approximately 240 feet from the rear property line.

The layout is such that the Northeast corner of the structure will encroach approximately 18 feet into the side yard setback, where a minimum side yard setback of 40 feet is otherwise required. This request will result in adjusting the aggregate side yard setback from 40 feet to approximately 20 feet.

Due to the unique shape of the property, the East side property line tapers in towards the rear of the property and the back yard slopes down towards the rear property line. Considering that, and the location of the pool, there is no other reasonable way to position the structure.

RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP

To: Caroline O'Connor, Planning & Zoning Willistown Township
CC: Office @ dutchiesstoneworks.com
Subject: 13 Fox Chase Rd: Building Permit Application

We have spoken to our neighbors, the Friedmans, and understand their plan to build a Pool Pavilion on their property at 13 Fox Chase Road as part of a project to repair and renovate their existing pool.

We are their direct neighbors at 15 Fox Chase Road, Willistown Township. Currently there is a 40' setback. The Friedman's pavilion requires a 20' setback at the Northern rear corner of the structure. They have our permission to utilize a 20' variance to accommodate the pavilion.

Thank you for your consideration in this matter.
If we can provide additional information, please let us know.

Thank You,
Bill and Kara McCrossan
215-796-4541



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JAN 29 2026

WILLISTOWN TOWNSHIP



717-702-6498

Project Info

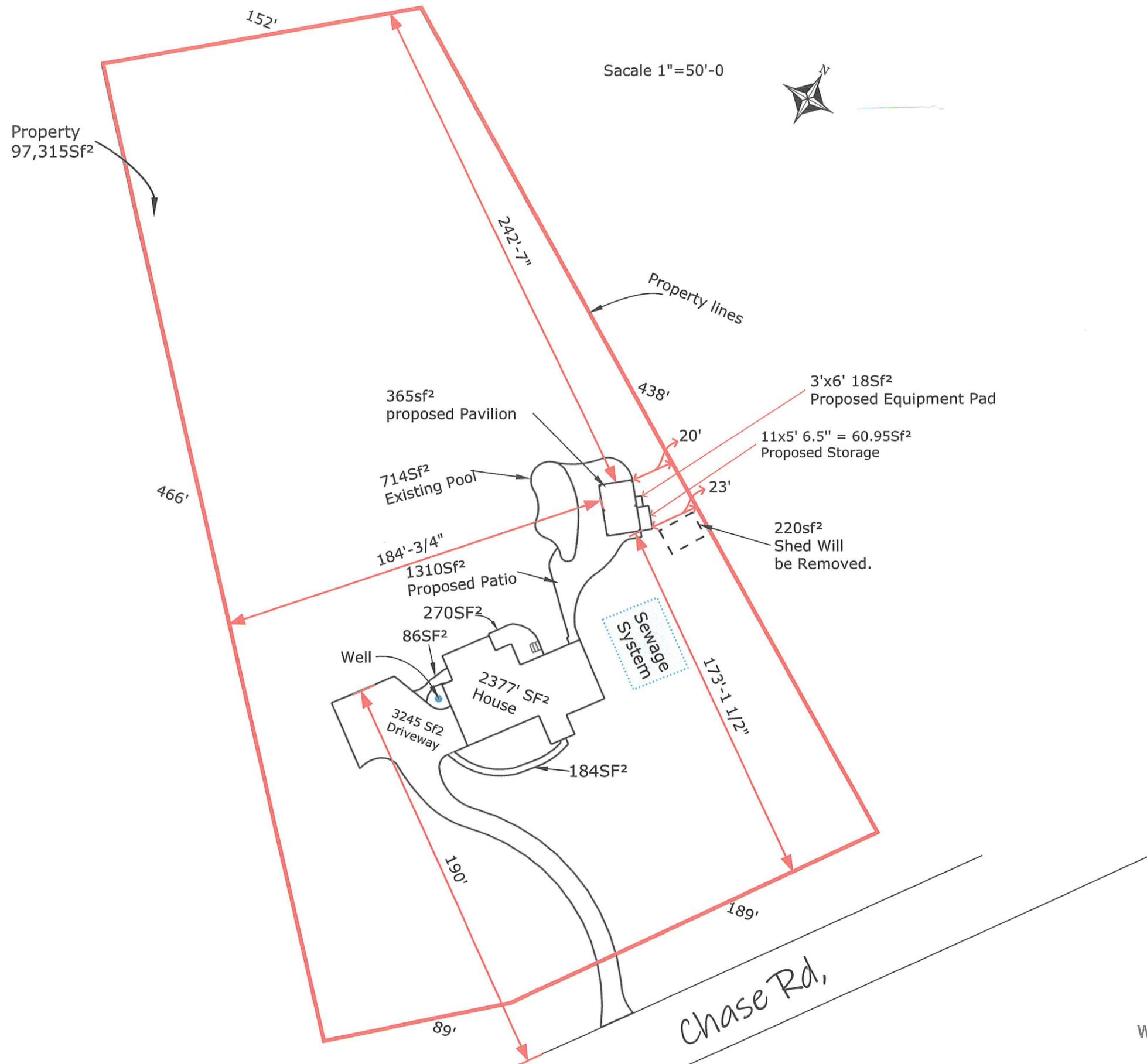
Friedman
Teddy & Barb

13 Fox Chase Rd,
Malvern, PA 19355

Date:
12/22/2025

Scale:
1" = 50'-0"

Notes



A1

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JAN 29 2026
WILLISTOWN TOWNSHIP



717-702-6498

Project Info

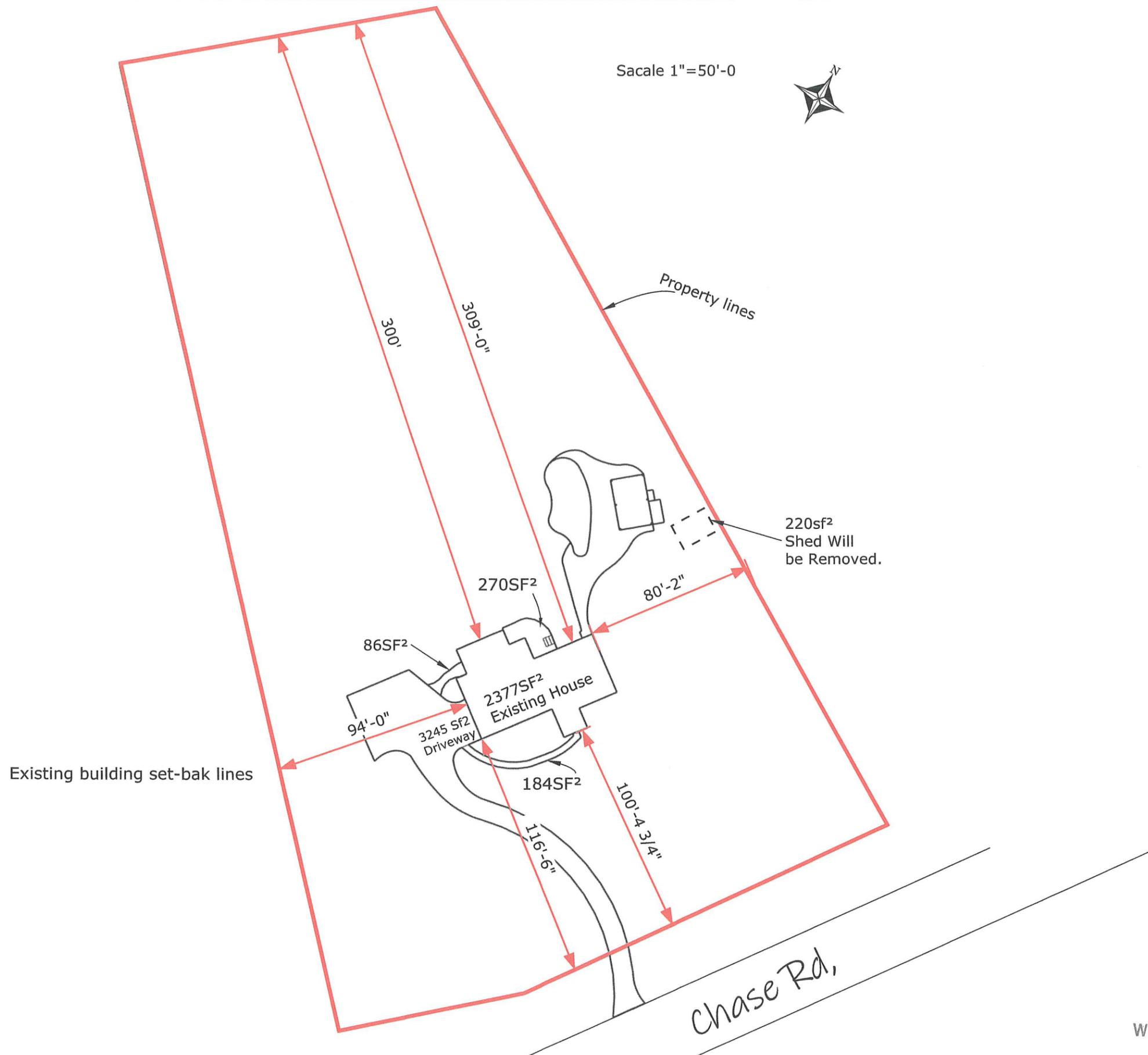
Friedman
Teddy & Barb

13 Fox Chase Rd,
Malvern, PA 19355

Date:
12/22/2025

Scale:
1" = 10'-0"

Notes



A2

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JAN 29 2026

WILLISTOWN TOWNSHIP



717-702-6498

Project Info

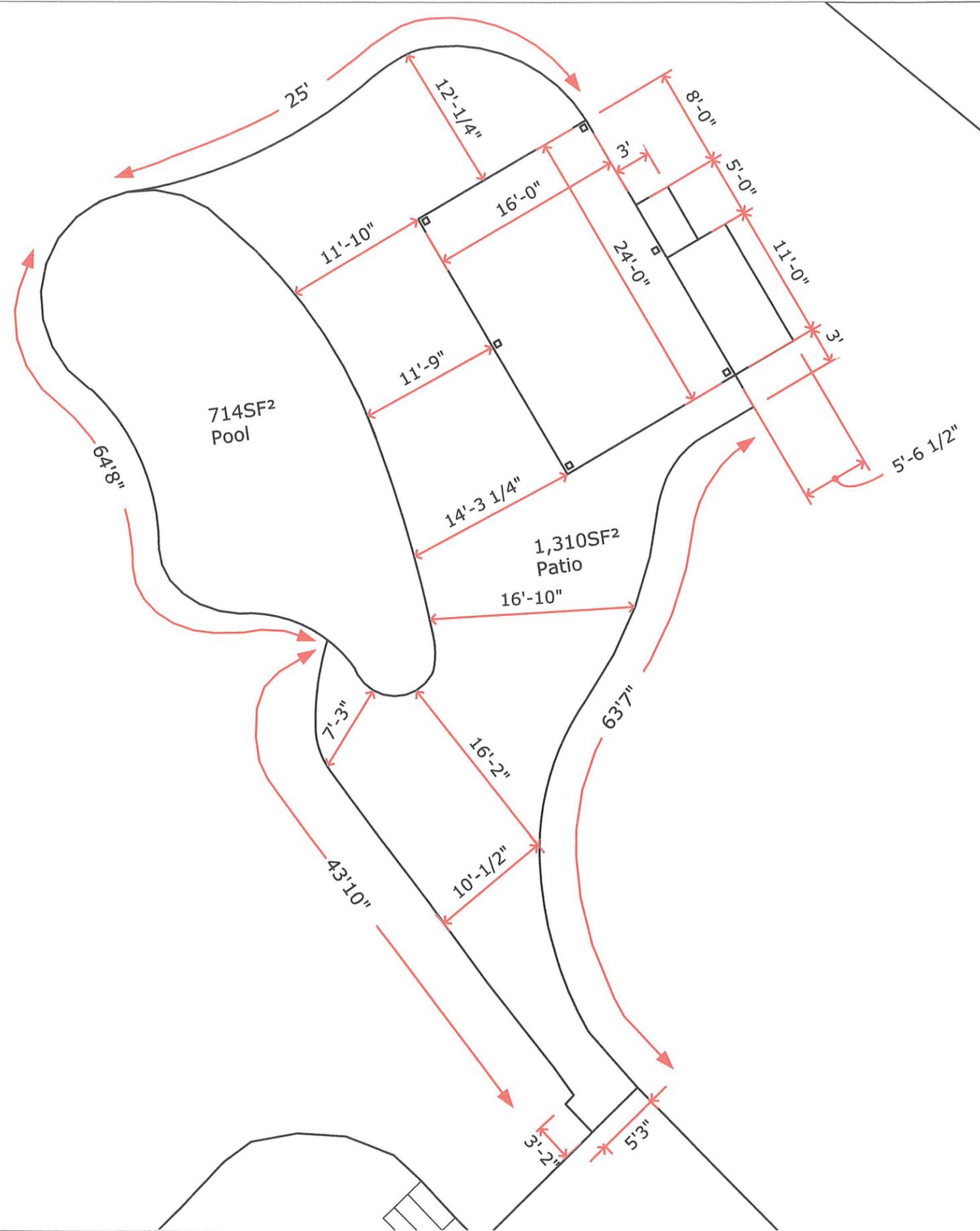
Friedman
Teddy & Barb

13 Fox Chase Rd,
Malvern, PA 19355

Date:
12/22/2025

Scale:
1" = 10'-0"

Notes



A3

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JAN 29 2026

WILLISTOWN TOWNSHIP



717-702-6498

Project Info

Friedman
Teddy & Barb

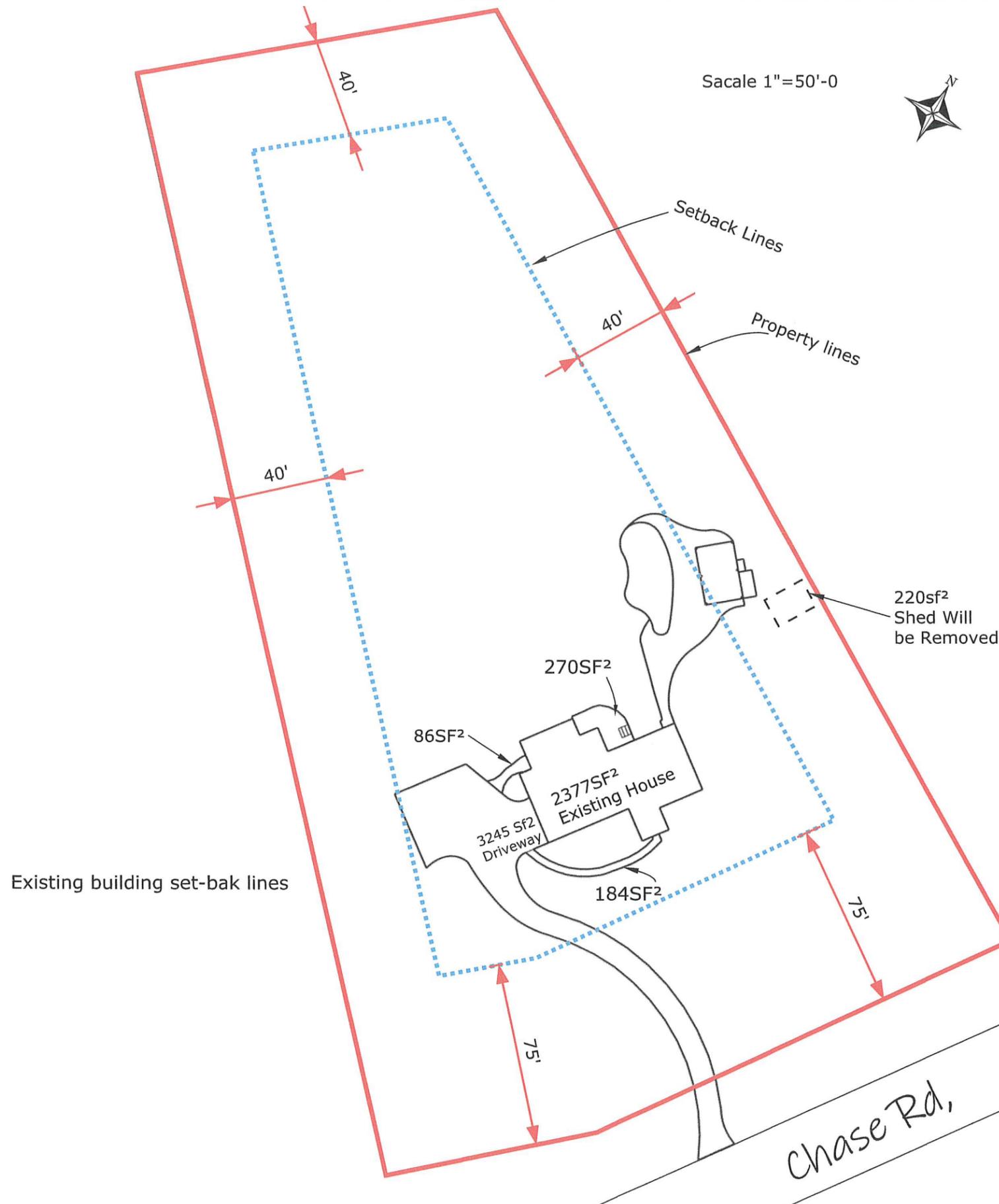
13 Fox Chase Rd,
Malvern, PA 19355

Date:
01/28/2026

Scale:
1" = 10'-0"

Notes

Setback area



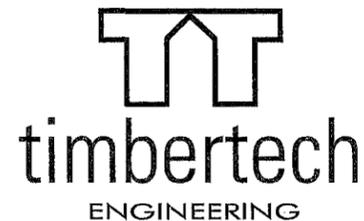
A4

RECEIVED
JAN 29 2026
WILLISTOWN TOWNSHIP

16'x24' Vinyl A-Frame Pavilion

Teddy and Barb Friedman
13 Fox Chase Road
Malvern, PA 19355

DESIGN ENGINEER:



East: 22 Denver Road, Suite B Denver, PA 17517
717.335.2750 Fax: 717.335.2753

West: 406 S Main Street, PO Box 509 Kouts, IN 46347
219.766.2499 Fax: 219.766.2394

www.timbertecheng.com

a creative engineering firm, providing solutions
and building relationships

Drawing Index

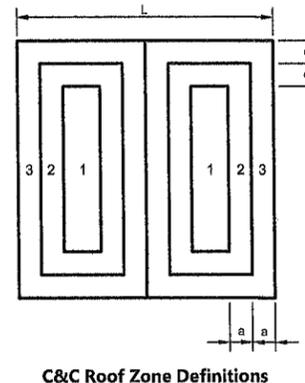
Cover Page	Notes
1	Elevations
2	Post Layout Plan
3	Roof Framing Plan
4	Cross Section A/A, Cross Section B/B, Detail A-A/4
5	Detail B-B/5
6	Detail C-C/6, Detail D-D/6, Detail E-E/6, Detail F-F/6, Base Angle Detail
7	Detail G-G/7, Angle "A2"
8	View 1 Detail G-G/7, View 2 Detail G-G/7, Plate "P2"
9	Detail H-H/9, Detail J-J/9, Detail K-K/9
10	Notes
F1	Foundation Plan
F2	Foundation Details
F3	Foundation Details
F4	Foundation Notes

GENERAL NOTES

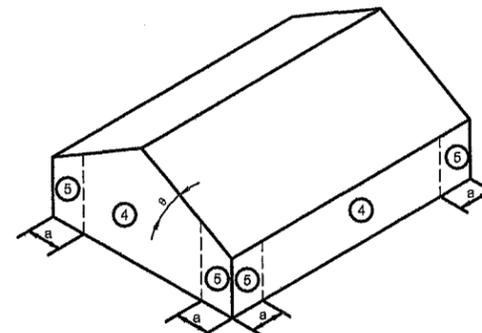
All notes do not necessarily apply due to different requirements on each project. This plan is intended to reflect only the structural design of this building. The contractor shall review all applicable local, state, and federal building codes prior to the start of construction to ensure building conformance. Timber Tech Engineering, LLC is not responsible for information pertaining to this project if not shown on drawings or listed below. Revisions to the plans shall be approved by engineer of record.

DESIGN REQUIREMENTS

- Governing Code:
Including, not limited to: IBC 2018 with state amendments
- Risk Category II
- Dead Loads:
 - A. Roof 10 psf
 - B. Floor n/a psf
- Live Loads:
 - A. Roof (See also note #5) 25 psf
 - B. Floor n/a psf
- Snow Loads:
 - A. Design Roof Snow Load (ASD) 25 psf
 - B. Ground Snow (P_g ASD) 30 psf
 - C. Flat Roof Snow (P_f ASD) 25 psf
 - D. Snow Exposure Factor (C_e) 1.0
 - E. Thermal Factor (C_t) 1.2
 - F. Slope Factor (C_s) 1.0
 - G. Snow Load Risk Factor (I) 1.0
 - H. Drift Surcharge Load (P_d) n/a
 - I. Drift Surcharge Width (W) n/a
 - J. Unbalanced snow loads have been considered
- Wind Loads (ASCE 7-22)
 - A. Basic Wind Speed (V) 115 mph
 - B. ASD Wind Speed ($V_{ASD} = V \cdot 0.8$) 89 mph
 - C. Wind Exposure Category C
 - D. Internal Pressure Coefficient (GC_{PI}) 0
 - E. Component & Cladding (C&C) Wind Load
 - i. Roof Zone 1, 2e +18, -41 psf
 - ii. Roof Zone 2n, 2r, 3e +18, -65 psf
 - iii. Roof Zone 3r +18, -78 psf
 - iv. Wall Zone 4 +28, -30 psf
 - v. Wall Zone 5 +28, -37 psf
 - vi. Dimension a 3'
- Earthquake Design Data:
 - A. Analysis based on equivalent lateral force procedure
 - B. Cantilevered Column: Timber Frame
 - C. Mapped and Design Spectral Response Acceleration
 - iv. S_s 0.185
 - ii. S_1 0.048
 - iii. S_{DS} 0.197
 - iv. S_{D1} 0.077
 - D. Occupancy Risk Factor, I_e 1.0
 - E. Site Class D
 - F. Seismic Design Category B
 - G. Response Modification Factor (R) 1.5
 - H. Deflection Amplification Factor (C_d) 1.5
 - I. Seismic Response Coefficient (C_s) 0.13
 - J. Design Seismic Base Shear (V) 560 lb
- Roof Rain Load
 - A. Rain Intensity (I) n/a in/hr



C&C Roof Zone Definitions



C&C Wall Zones for Enclosed, Partially Enclosed, or Fully Enclosed Buildings

RECEIVED

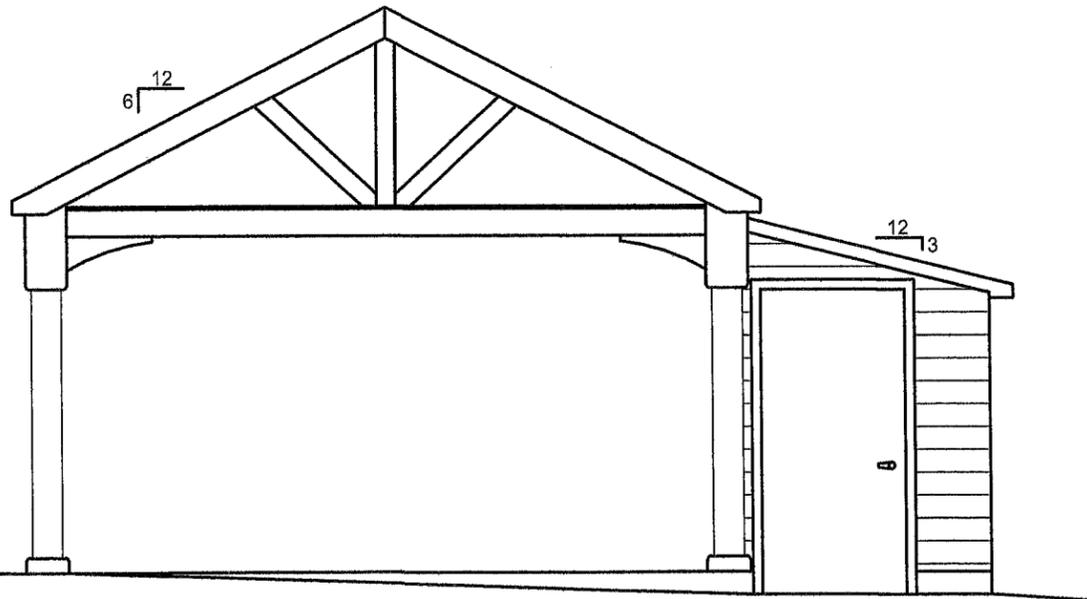
JAN 29 2026

WILLISTOWN TOWNSHIP

TTE DRAWING NUMBER: E413-25

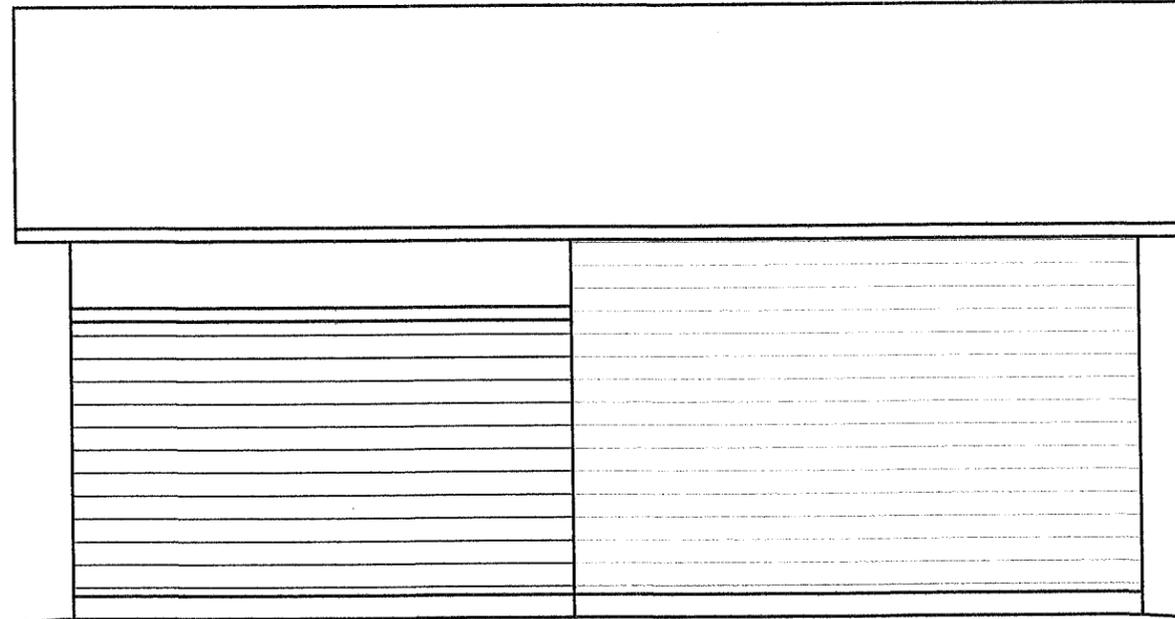


Timothy R. Royer, P.E. PA Eng. # 38662
Expiration Date: 09/30/2027



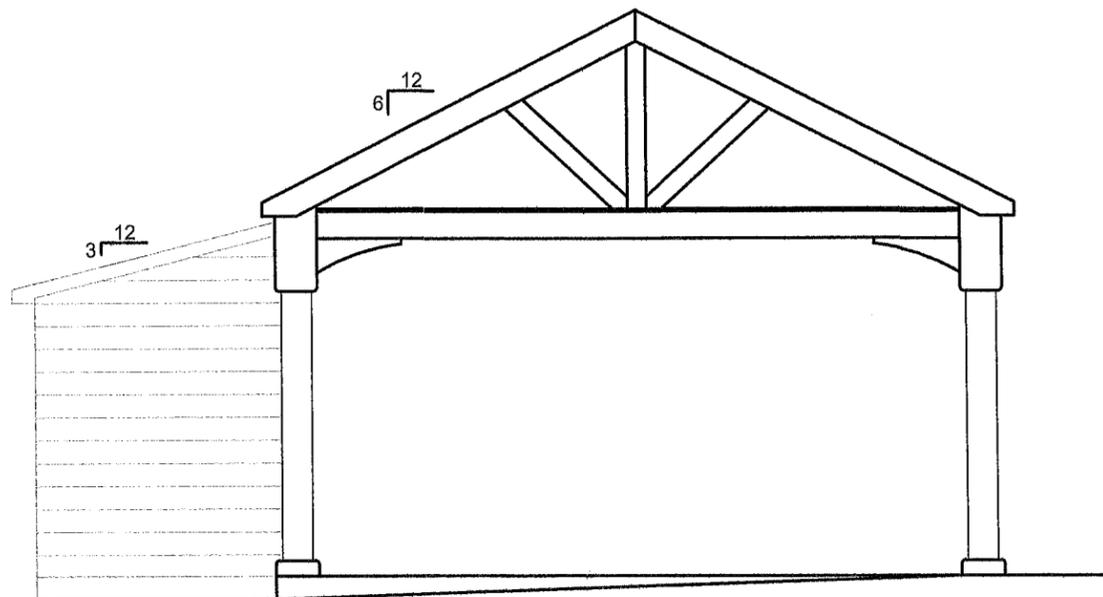
Left Elevation

Scale 1/4" = 1'-0"



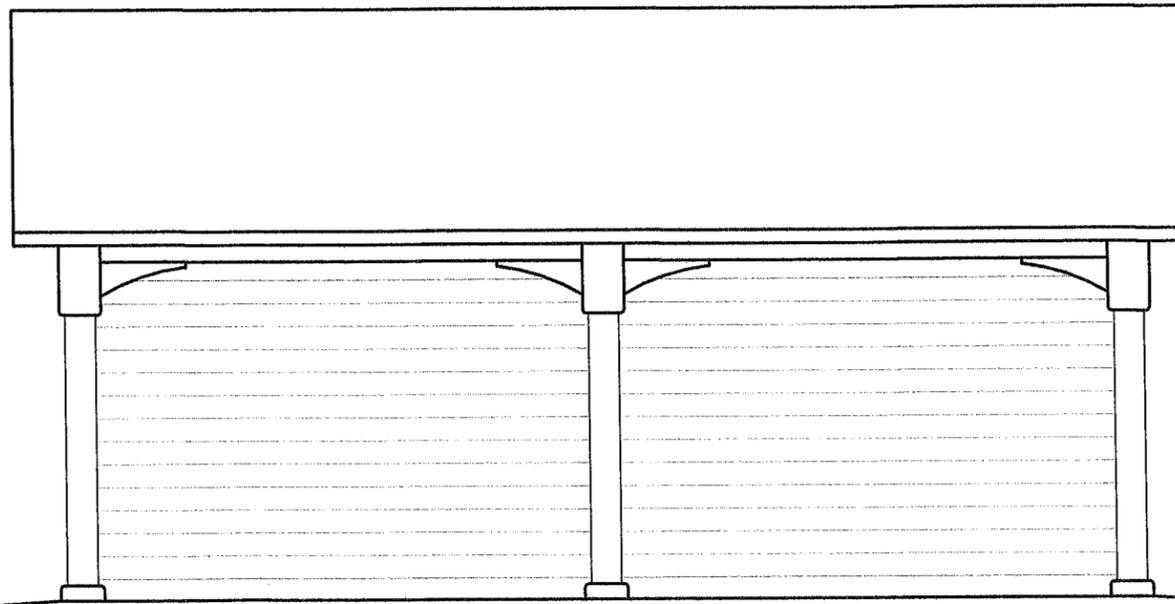
Front Elevation

Scale 1/4" = 1'-0"



Right Elevation

Scale 1/4" = 1'-0"



Back Elevation

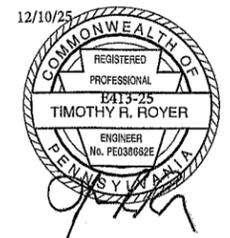
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Expiration Date: 09-30-2027

Contractor:
Country Lane Woodworking
540 Hollander Road
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PH: (717) 351-9250

Drawing Title:
Elevations

Project:
16'x24' Vinyl A-Frame Pavilion for
Teddy and Barb Friedman
13 Fox Chase Road
Malvern, PA 19355

Revisions:	Date:	By:

Drawing Number: E413-25 Page: 1 of 10
Engineered By: D. Reznik Start Date: 11/20/25
Drafted By: K. Salver Certified Date: 12/10/25



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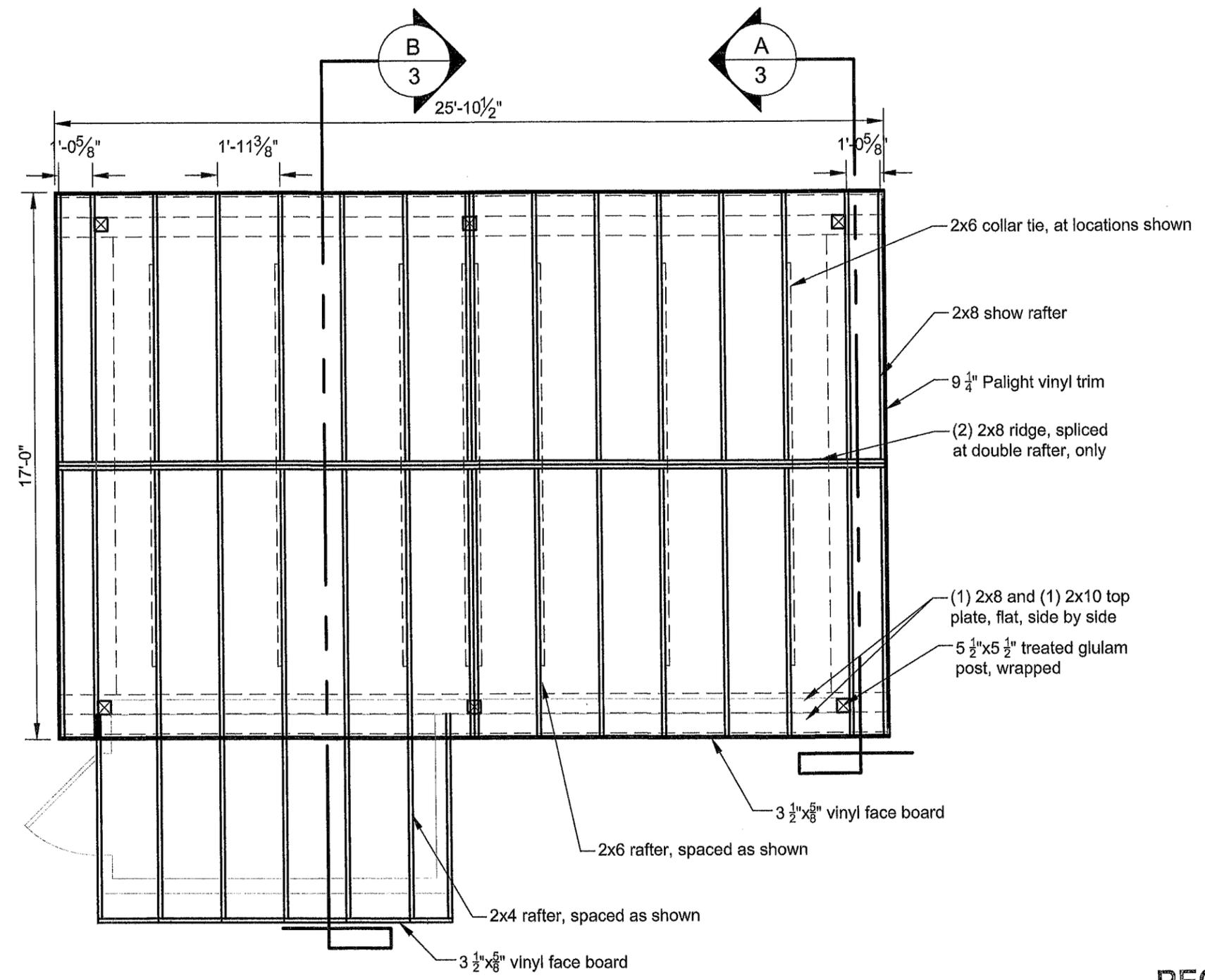
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 Expiration Date: 09-30-2027

Contractor:
 Country Lane Woodworking
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Drawing Title:
 Roof Framing Plan

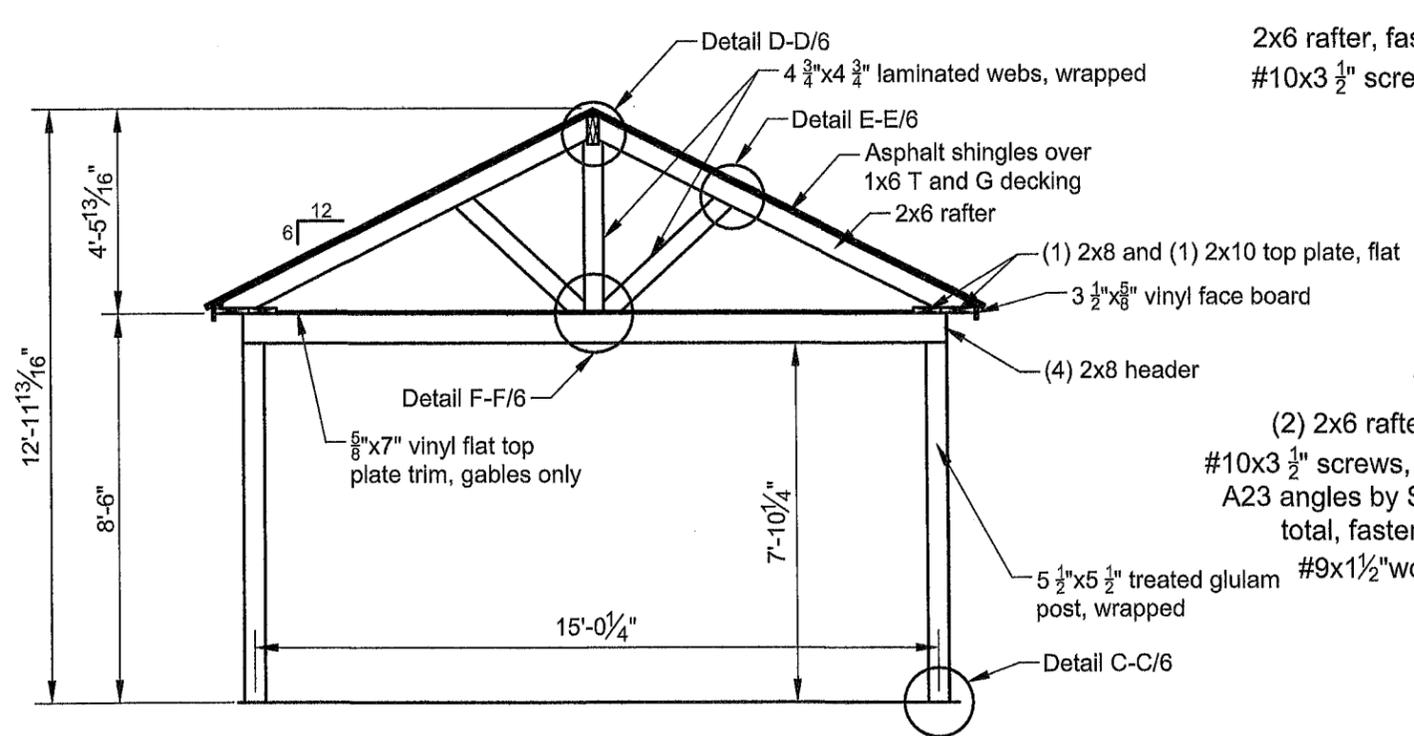
Project:
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 Teddy and Barb Friedman
 13 Fox Chase Road
 Malvern, PA 19355

Revisions:	Date:	By:
Drawing Number: E413-25	Page: 3 of 10	
Engineered By: D. Reznik	Start Date: 11/20/25	
Drafted By: K. Salyer	Certified Date: 12/10/25	

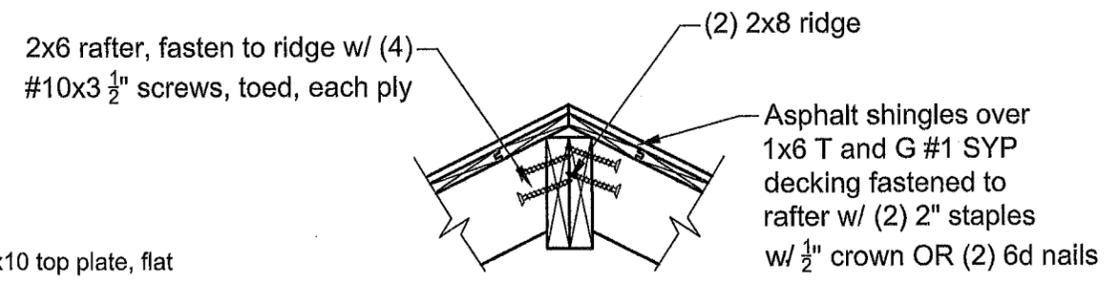


Roof Framing Plan Scale 1/4" = 1'-0"

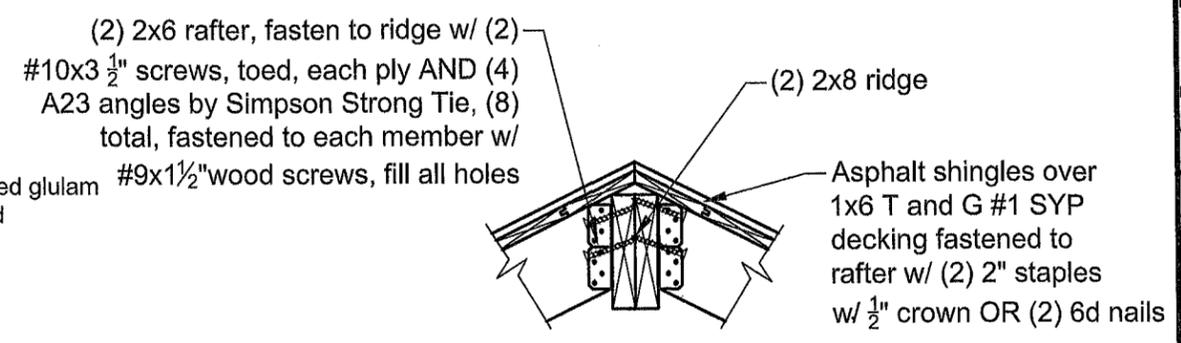
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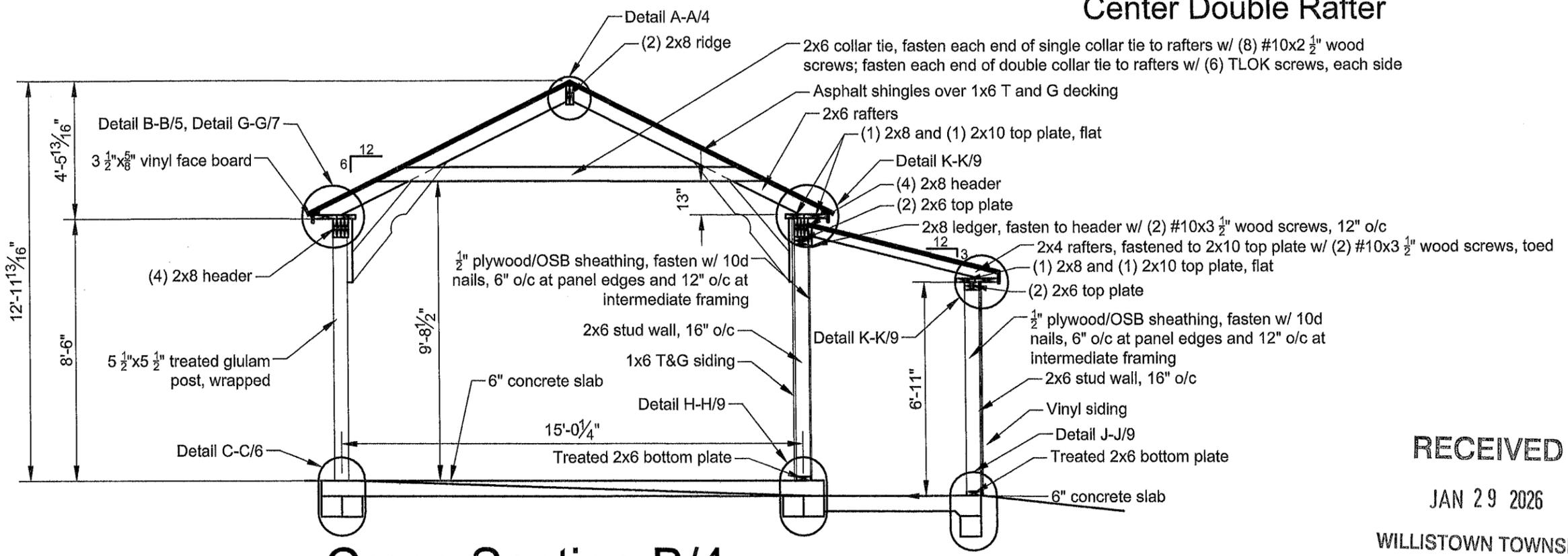
Cross Section A/4 Scale 1/4" = 1'-0"



Detail A-A/4 Scale 1" = 1'-0"



Detail A-A/4 Center Double Rafter Scale 1" = 1'-0"

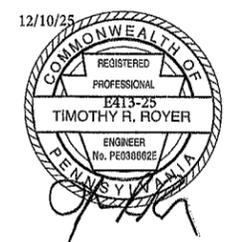


Cross Section B/4 Scale 1/4" = 1'-0"

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Drawing Title:
 Cross Section A/4
 Cross Section B/4
 Detail A-A/4

Project:
 16'x24' Vinyl A-Frame Pavilion for
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 13 Fox Chase Road
 Malvern, PA 19355

Revisions:	Date:	By:
Drawing Number: E413-25	Page: 4 of 10	
Engineered By: D. Reznik	Start Date: 11/20/25	
Drafted By: K. Salyer	Certified Date: 12/10/25	

Asphalt shingles over 1x6 T and G #1 SYP decking fastened to rafter w/ (2) 2" staples w/ 1/2" crown OR (2) 6d nails

(1) 2x8 and (1) 2x10 top plate, flat, fasten 2x8 to header w/ (3) 3/8"Øx4 1/2" lag screws, (2) close to rafter (1 each side of rafter), and (1) centered between rafters

3 1/2"x5/8" vinyl trim

3 1/2"x5/8" vinyl face board fasten to top plate w/ 2" wood screws

2x6 rafter, fasten to 2x8 top plate w/ (2) #10x3 1/2" screws, toed

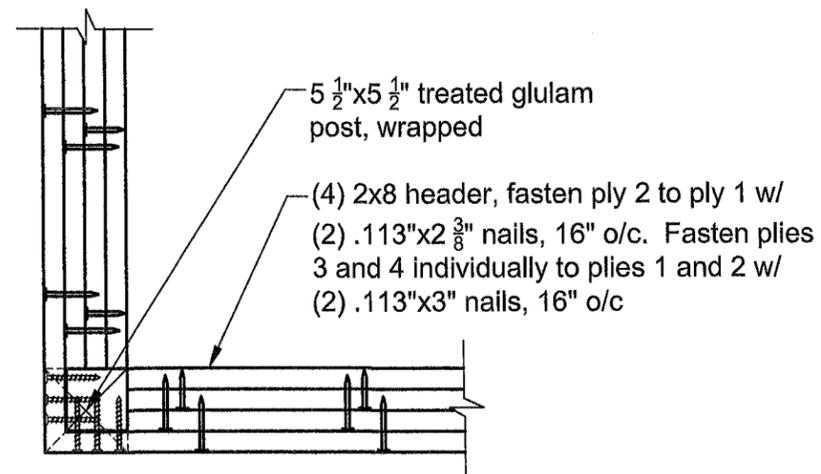
(4) 2x8 header, fasten ply 2 to ply 1 w/ (2) .113"x2 3/8" nails, 16" o/c. Fasten plies 3 and 4 individually to plies 1 and 2 w/ (2) .113"x3" nails, 16" o/c

7 1/8"x5/8" vinyl trim

5 1/2"x5 1/2" treated glulam post, wrapped

Detail B-B/5

Scale 1" = 1'-0"



View 2 Detail B-B/5

Scale 1" = 1'-0"

Fasten outside ply of 2x8 header to post w/ (8) TLOK04 screws

2x6 rafter

2x8 show rafter

2x6 rafter

2x6 rafter

9 1/4" Palight vinyl trim

(1) 2x8 and (1) 2x10 top plate, flat, fasten 2x8 to header w/ (3) 3/8"Øx4 1/2" lag screws, (2) close to rafter (1 each side of rafter), and (1) centered between rafters

(4) 2x8 header, fasten ply 2 to ply 1 w/ (2) .113"x2 3/8" nails, 16" o/c. Fasten plies 3 and 4 individually to plies 1 and 2 w/ (2) .113"x3" nails, 16" o/c.

2x4, flat, fasten to brace w/ (2) #10x3 1/2" wood screws and fasten to bottom of header w/ (6) TLOK04 screws

Post notched at top to accept outside ply of header from each direction

1'-5 13/16"

4x6, fasten to post w/ (2) TLOK010 screws, (2) TLOK08 screws and (2) TLOK06 screws, ensure 3" min. penetration into column; fasten to header w/ (4) TLOK06 screws and (2) TLOK08 screws, ensure 3" min. penetration into header

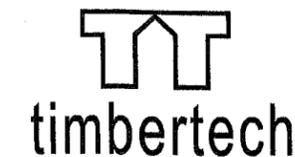
5 1/2"x5 1/2" treated glulam post, wrapped

5/8" APA rated plywood sheathing on outside and inside face, fasten each around perimeter w/ #10x2 1/2" wood screws OR 10d nails, 3" o/c

2x4 stud, fasten to brace w/ (2) #10x3 1/2" wood screws and fasten to column w/ (2) TLOK04 screws

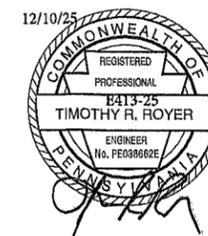
View 1 Detail B-B/5

Scale 1" = 1'-0"



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Drawing Title:
Detail B-B/5

Project:
16'x24' Vinyl A-Frame Pavilion for
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13 Fox Chase Road
Malvern, PA 19355

Revisions:	Date:	By:
Drawing Number: E413-25	Page: 5 of 10	
Engineered By: D. Reznik	Start Date: 11/20/25	
Drafted By: K. Salver	Certified Date: 12/10/25	

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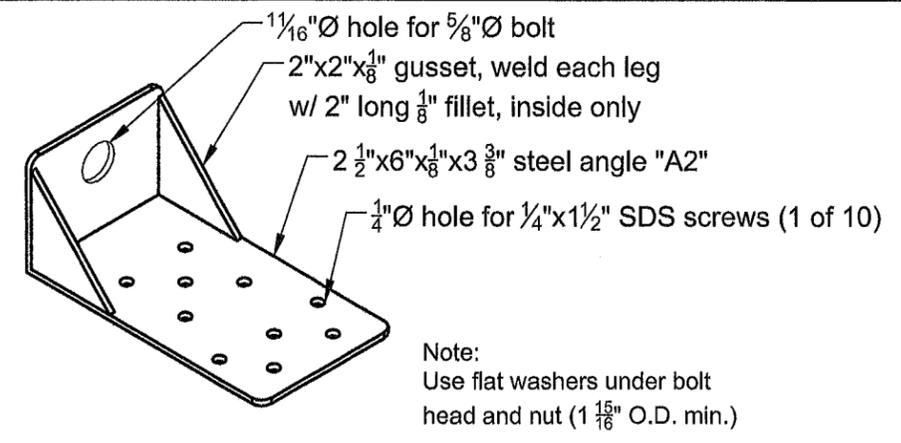
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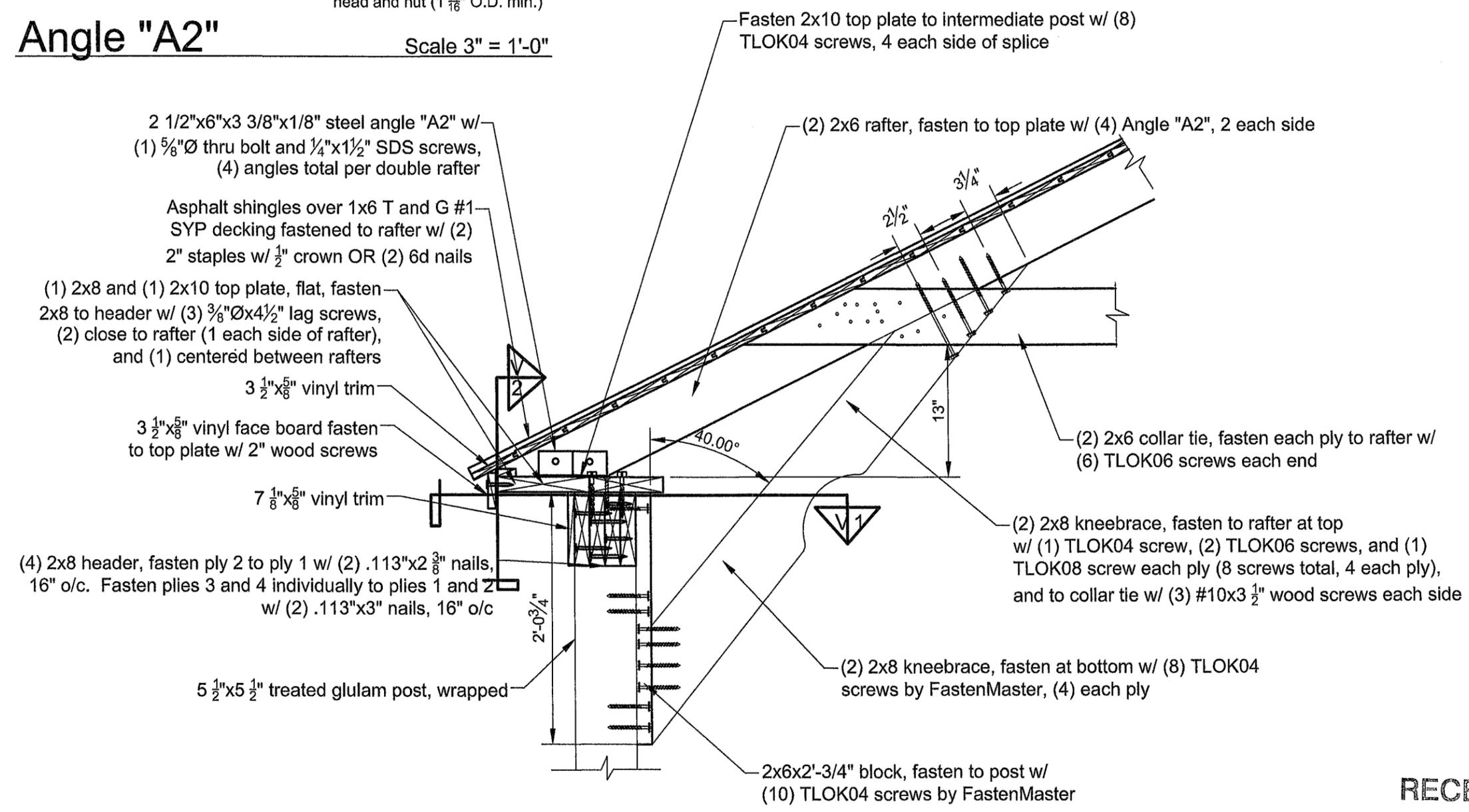
Drawing Title:
Detail G-G/7
Angle "A2"

Project:
16'x24' Vinyl A-Frame Pavilion for
Teddy and Barb Friedman
13 Fox Chase Road
Malvern, PA 19355

Revisions:	Date:	By:
Drawing Number: E413-25	Page: 7 of 10	
Engineered By: D. Reznik	Start Date: 11/20/25	
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Angle "A2" Scale 3" = 1'-0"



Detail G-G/7
Center Double Rafter Scale 1" = 1'-0"

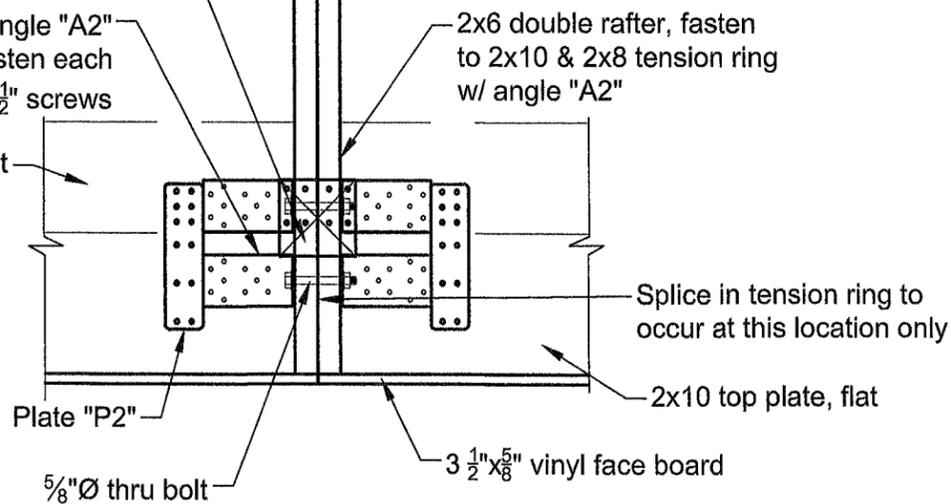
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Fasten 2x10 top plate to intermediate post w/
(8) TLOK04 screws, 4 each side of splice

(2) 2 1/2"x6"x3 3/8"x1/8" steel angle "A2"
each side of double rafter, fasten each
to top plate w/ (10) #10x1 1/2" screws

2x8 top plate, flat



View 1 Detail G-G/7 Scale 1" = 1'-0"

2 1/2"x9 1/2"x 10 gauge steel plate "P2"
w/ (12) 1/4"Ø holes for #10x1 1/2" screws,
(6) into each top plate member

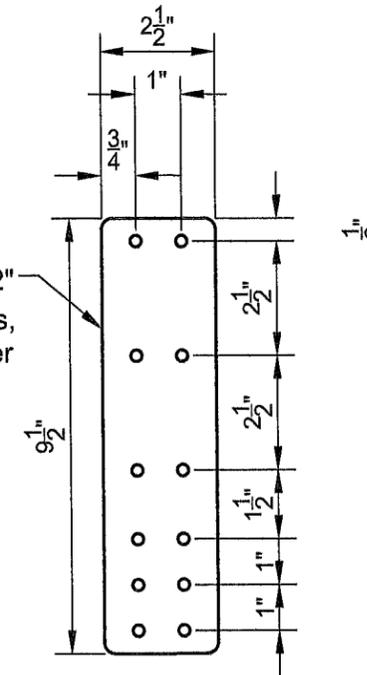
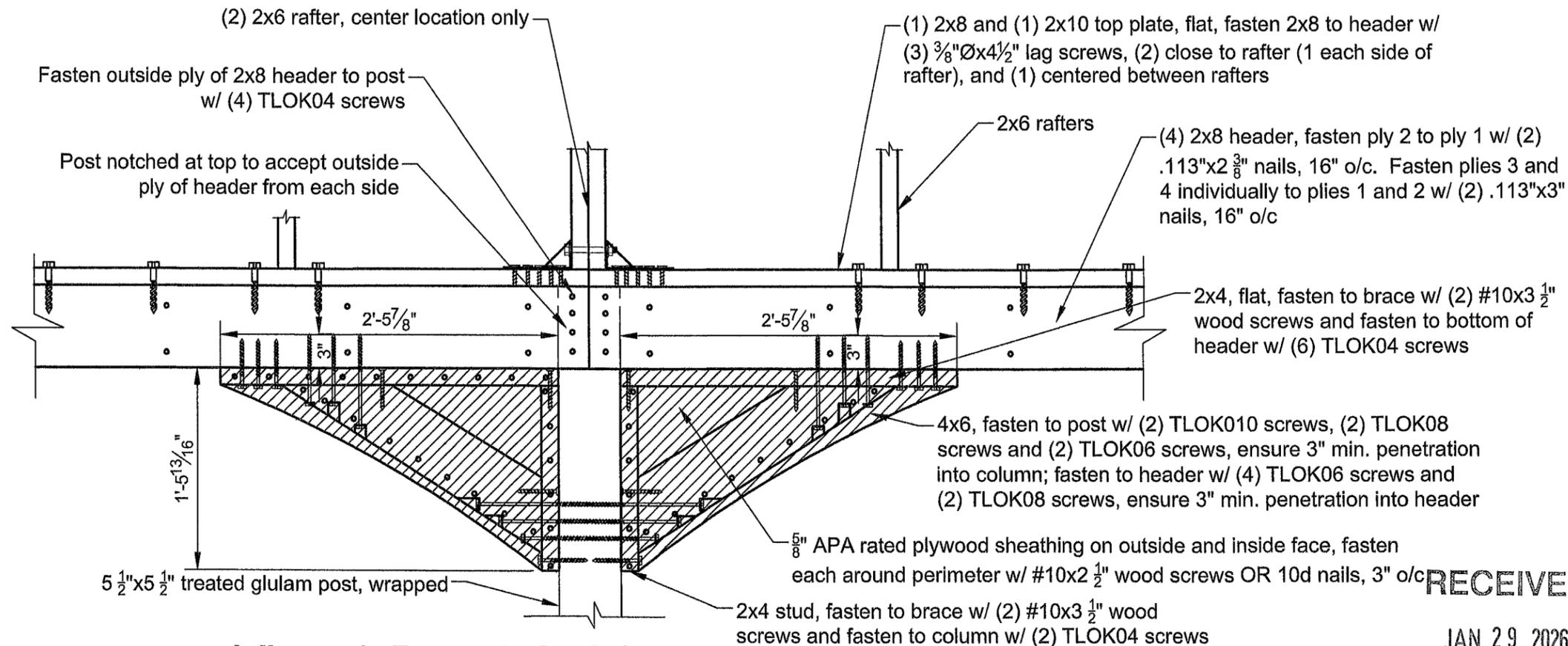


Plate "P2" Scale 3" = 1'-0"

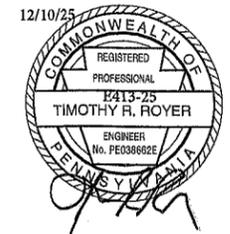


View 2 Detail G-G/7 Scale 1" = 1'-0"



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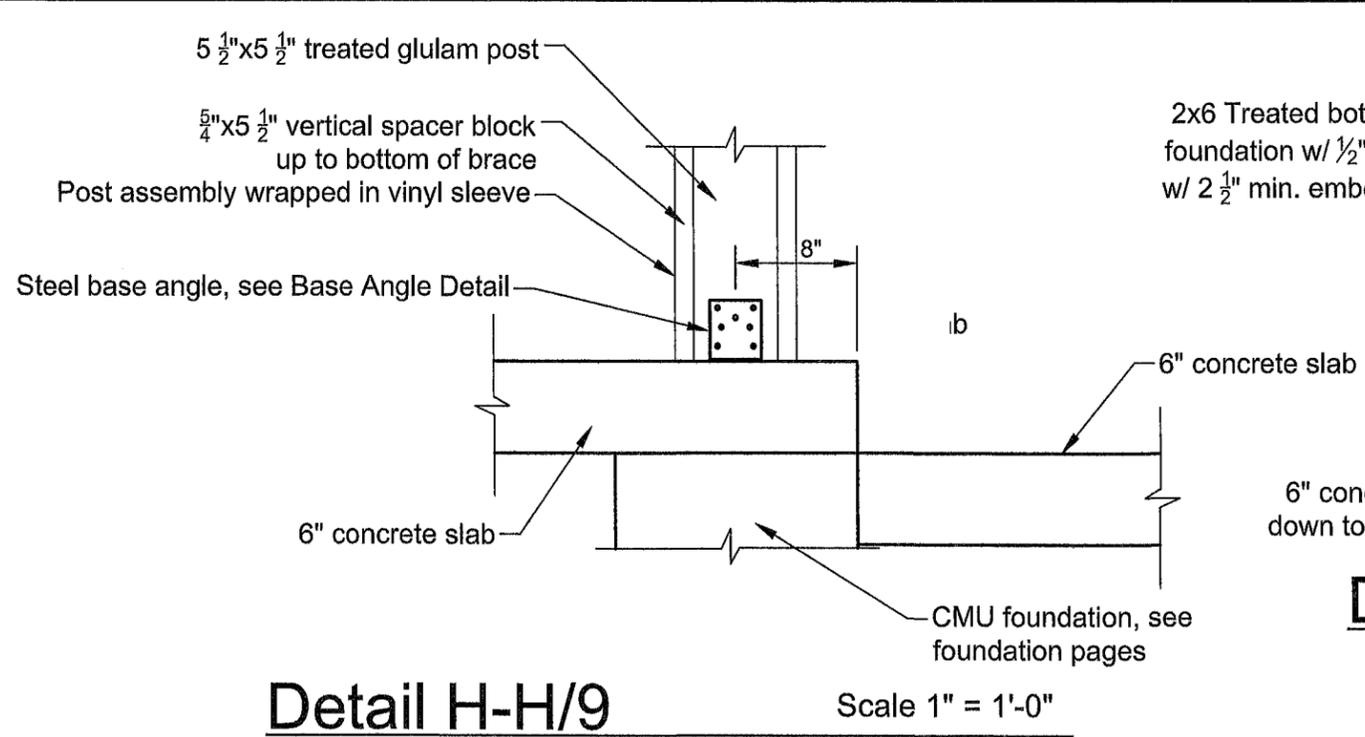
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Drawing Title:
View 1 Detail G-G/7
View 2 Detail G-G/7
Plate "P2"

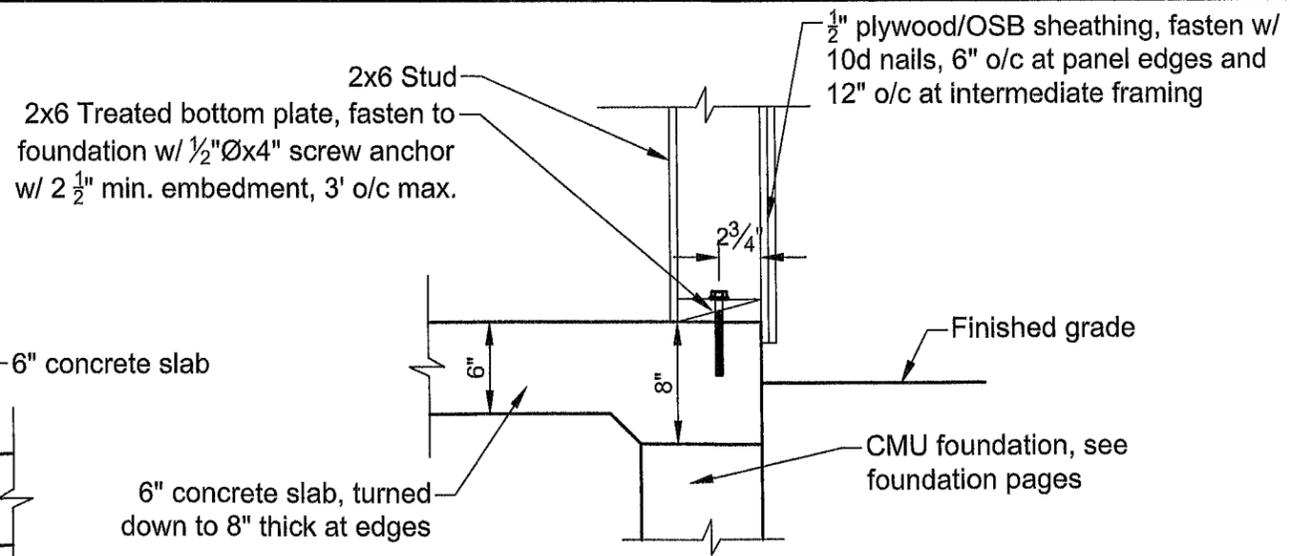
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Revisions:	Date:	By:
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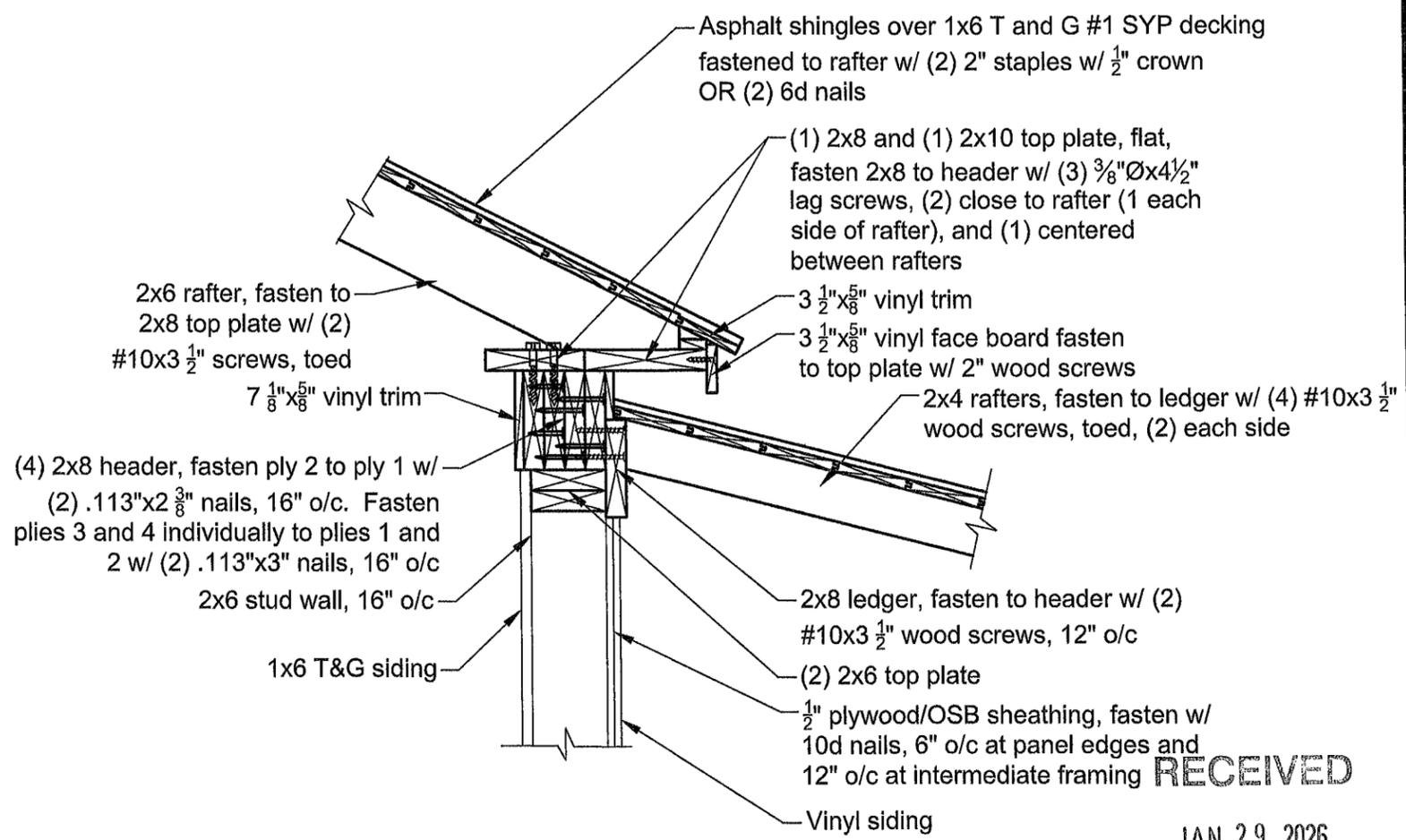
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Detail H-H/9



Detail J-J/9



Detail K-K/9

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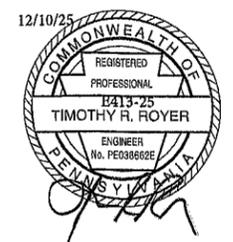
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Drawing Title:
Detail H-H/9
Detail J-J/9
Detail K-K/9

Project:
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Malvern, PA 19355

Revisions:	Date:	By:

Drawing Number: E413-25 Page: 9 of 10
Engineered By: D. Reznik Start Date: 11/20/25
Drafted By: K. Salyer Certified Date: 12/10/25

WOOD

1. General Requirements

- A. Structural wood members and connections shall be of sufficient size or capacity to carry all design loads without exceeding the allowable design values specified in "The National Design specification for Wood Construction" (NDS), and its "Supplement" by the American Wood Council (AWC).
- B. Wood members used for load supporting purposes shall have the grade mark of a lumber grading agency certified by the American Lumber Standards Committee.

2. Heavy Timbers

- A. Structural solid sawn timbers shall be designed, fabricated and installed in accordance with the NDS by AWC.
- B. Structural glued laminated soft wood timbers shall conform with the "American National Standard or Structural Glued Laminated Timber", (ANSI/AITC 190.1).
- C. Structural decking shall conform to the NDS.
- D. Glued laminated columns shall be manufactured with laminating combinations that will provide a minimum design value of 1,850 psi for compressive stress (Fc), and 2,200 psi for bending stress (Fb).

3. Dimension Lumber

- A. All lumber species, graded visually or mechanically, shall comply with the NDS by AWC, and the "American Softwood Lumber Standard" (PS 20) by the U.S. Department of Commerce.
- B. The minimum grade and species for posts, beams, headers, and other primary structural members shall be Dense Select Structural Southern Pine, unless specified otherwise.
- C. Lumber used for secondary framing shall be #1 Southern Yellow Pine (SYP) or better.
- D. Mechanically laminated columns shall conform with ANSI/ASAE EP 559.

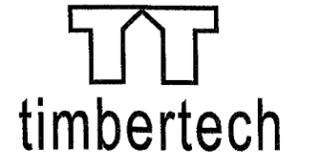
4. Pressure Preservative Treatment (PPT)

- A. Pressure treatment to be performed according to the American Wood Preservers' Association (AWPA) standards.
 - B. Pressure treated members shall have the inspection mark of an agency accredited by the American Lumber Standards Committee.
 - C. Preservative: Ammonia Copper Quaternary ammonia (ACQ) or Copper Boron Azole (CBA)
 - D. Minimum waterborne treatment retention shall be 0.4 pcf for members above ground, and 0.6 pcf for members in contact with earth.
 - E. Treat indicated items and the following:
 - 1. Wood members exposed to weather or insect infestation.
 - 2. Wood members in direct contact with earth or concrete.
 - 3. Wood members exposed to high moisture content (>19% for dimension lumber, >16% for glued laminated timber).
 - 4. Wood members less than 12 inches above grade.
 - F. Field treat newly exposed wood where cutting, drilling or notching pressure treated lumber.
 - G. Metal connectors used in treated wood shall be hot-dip galvanized as per ASTM A153.
5. Connections shall be designed and constructed according to the NDS by AWC and shall conform to the following:
- A. The minimum connection shall be two #10x3 1/2" wood screws, or as detailed on the drawings.
 - B. Other connections as per standard construction practice.

Polyvinyl Chloride Compound (PVC)

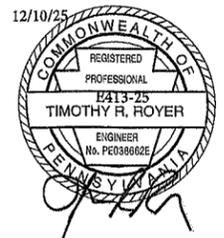
1. General Requirements

- A. PVC sleeve material used to wrap wood members to be supplied according to Certainteed corporation specifications or equivalent.
- B. PVC sleeve material to be 0.160" thick for posts, and 0.105" thick for other structural members



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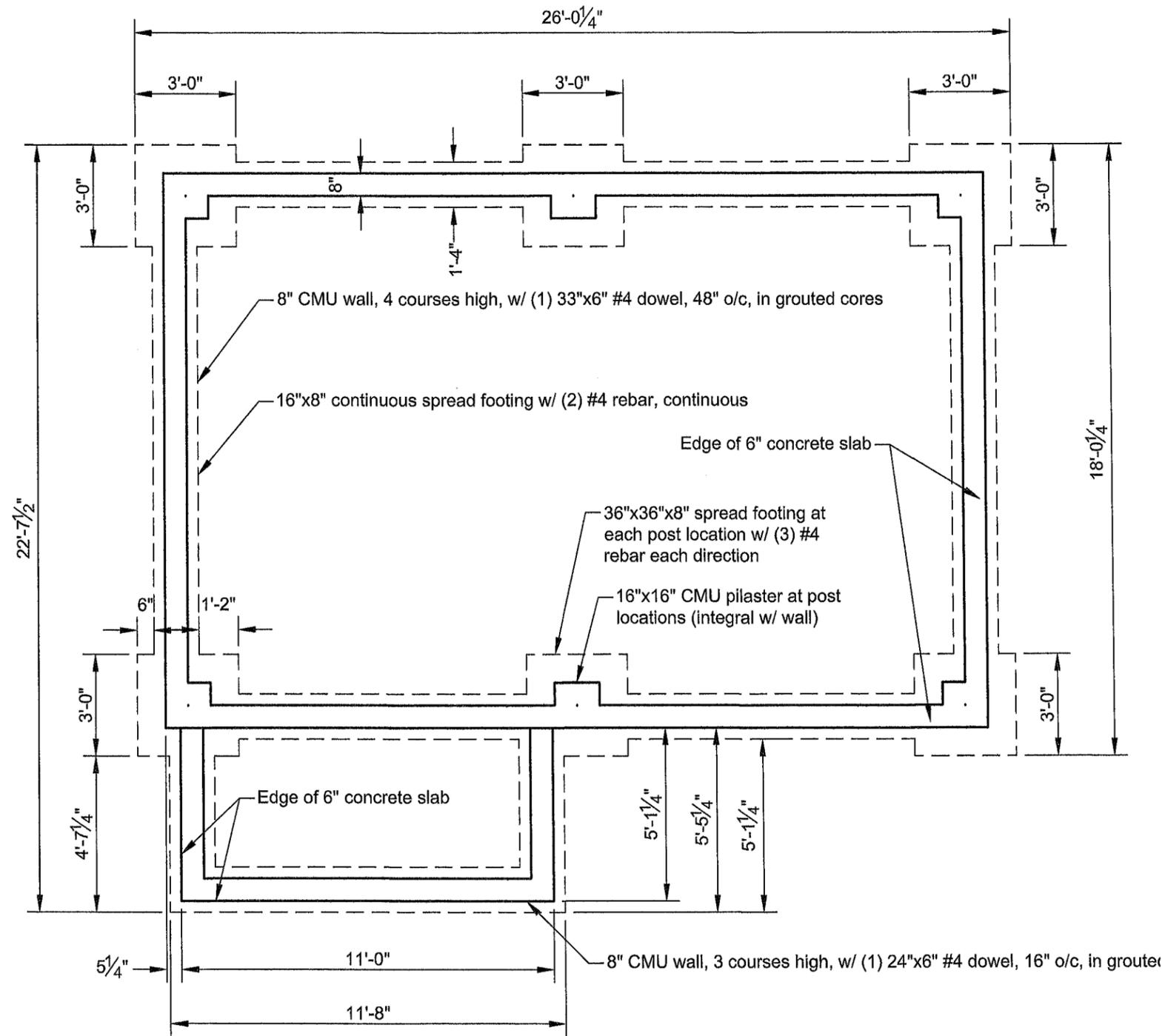
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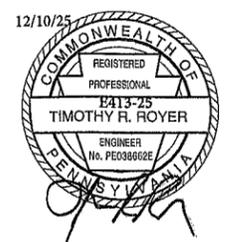
Foundation Plan

Scale 1/4" = 1'-0"



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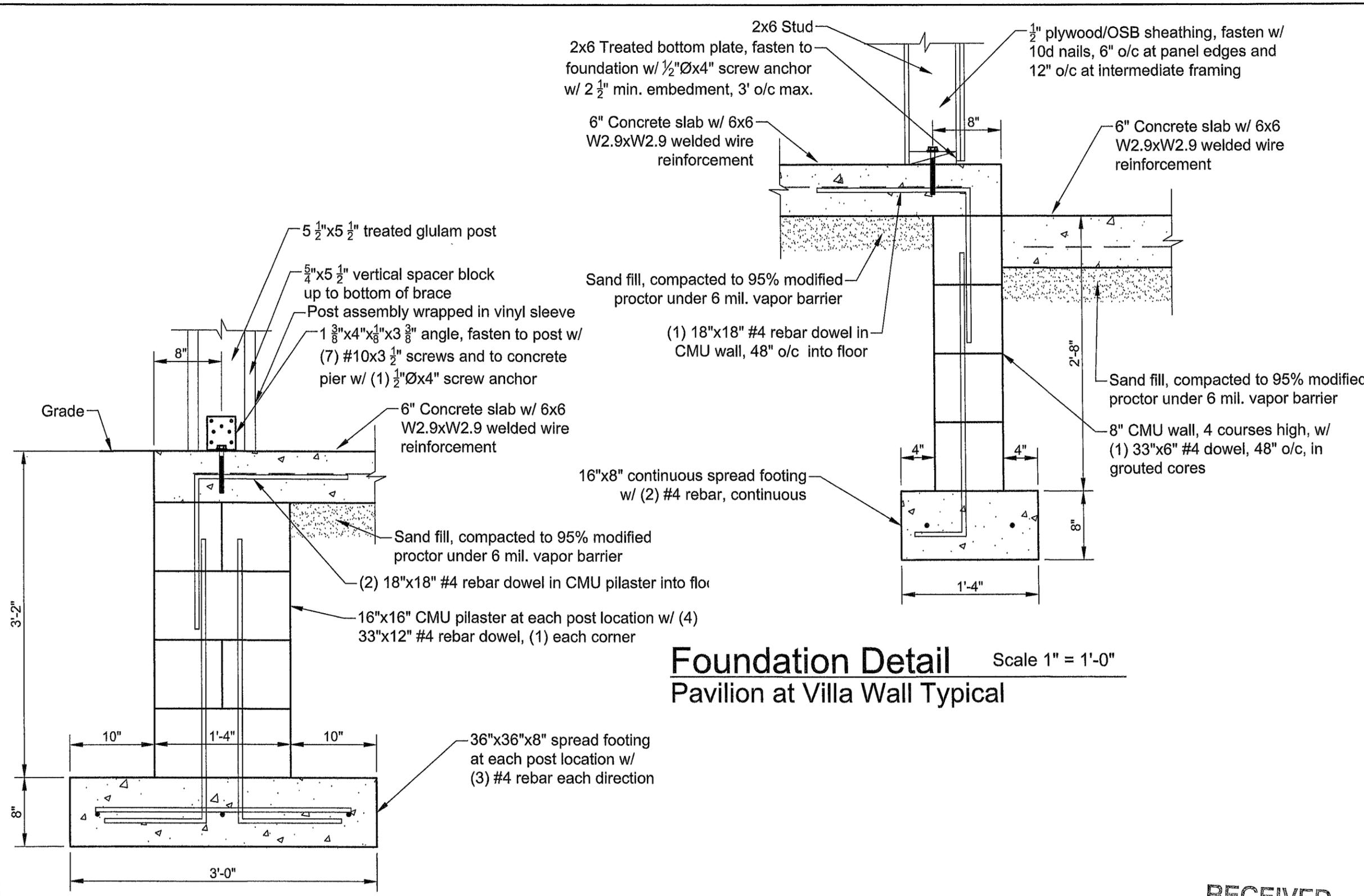
Drawing Title:
 Foundation Plan

Project:
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Revisions:	Date:	By:

Drawing Number: E413-25 Page: F1
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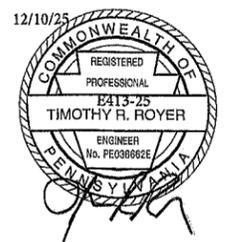
Foundation Detail Scale 1" = 1'-0"
Pavilion

Foundation Detail Scale 1" = 1'-0"
Pavilion at Villa Wall Typical



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Timothy R. Royer P.E. PA Cert # 38662
 Expiration Date: 09-30-2027

Contractor:
 Country Lane Woodworking
 540 Hollander Road
 New Holland, PA 17557
 PH: (717) 351-9250

Drawing Title:
 Foundation Details

Project:
 16'x24' Vinyl A-Frame Pavilion for
 Teddy and Barb Friedman
 13 Fox Chase Road
 Malvern, PA 19355

Revisions:	Date:	By:
Drawing Number: E413-25	Page: F2	
Engineered By: D. Reznik	Start Date: 11/20/25	
Drafted By: K. Salyer	Certified Date: 12/10/25	

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 WILLISTOWN TOWNSHIP



ENGINEERING
 East: 22 Denver Road, Suite B Denver, PA 17617
 Ph: 717-336-2750 Fax: 717-336-2753
 West: 406 S Main Street, PO Box 509 Kouts, IN 46347
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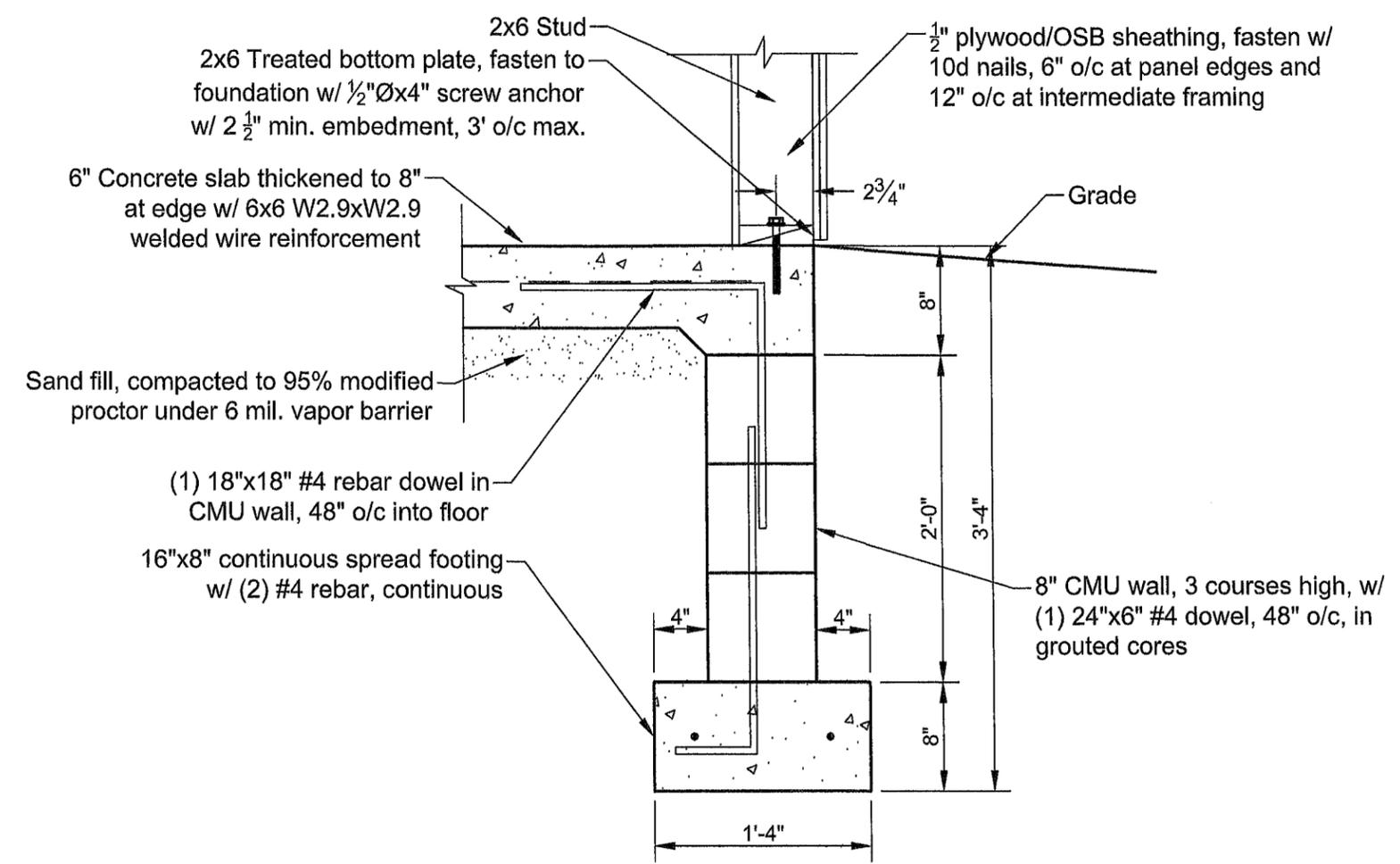
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Foundation Detail Scale 1" = 1'-0"
 Lean-To Villa Wall Typical

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EARTHWORK

1. Requirements
 - A. Provide a construction grade extending ten feet beyond building exterior walls or an alternative method per Section 1804 of the IBC.
 - B. Excavate for foundations to subgrade elevations regardless of character of materials and obstructions encountered, unless otherwise approved by the structural engineer.
 - C. Perform excavation work in compliance with applicable requirements of authorities having jurisdiction.
 2. Materials
 - A. Satisfactory soil: ASTM D2487 unified soil classification groups GW, GP, GM, SW, SP, and SM; free of rock or gravel larger than two inches in any dimension, debris, waste, frozen materials, vegetation, or other deleterious matter.
 - B. Unsatisfactory soil: ASTM D2487 unified soil classification groups GC, SC, ML, MH, CL, CH, OL, OH, and PT.
 - C. Backfill and fill: satisfactory soil materials.
 3. Execution
 - A. Footings have been designed for an assumed allowable loadbearing pressure of 2,000 psf. (No increases permitted.) The contractor shall verify this assumption, and shall immediately notify the structural engineer in writing of any deficiency.
 - B. Place backfill and fill in layers not more than eight inches in loose depth at optimum moisture content. Compact each layer under footings and slabs to a dry density of at least 95 percent of maximum dry density as determined by ASTM D1557.
 - C. Bottom of exterior footings shall be a minimum of 36 inches below finished grade, unless noted otherwise
- Masonry**
1. Concrete masonry units (C.M.U.) and brick shall conform to the following specifications:
 - A. Building Code Requirements/Specifications for Masonry Structures"(TMS-402) by the Masonry Society (TMS).
 - B. "Building Code Requirements for Concrete Masonry Structures" (ACI 530).
 - C. "Specifications for Masonry Structures" (ACI 530.1).
 2. C.M.U. shall have a minimum compressive strength (f'm) of 1,500 psi.
 3. Brick shall have a minimum compressive strength (f'm) of 1,250 psi.
 4. Mortar shall have materials and mix proportions according to ASTM C270.
 - A. Use type M mortar for C.M.U. below grade or in contact with earth.
 - B. Use type S mortar for all other masonry.
 5. Grout for filling cores of masonry units shall conform to TMS 602 / ACI 530.1 and have a minimum compressive strength of 2,500 psi.
 6. Horizontal joint reinforcement shall conform to TMS 602 / ACI 530.1 and the following:
 - A. Use truss or ladder type, standard class, single wythe "Dur-o-wall", or approved equal, joint reinforcement, zinc coated after fabrication.
 - B. Vertical spacing at 16" on center or as indicated on the drawings.
 7. Horizontal bond beam reinforcement shall conform to ASTM A615/A615M, grade 60, and shall have a minimum splice lap of 48 bar diameters.
 8. Vertical reinforcement shall conform to ASTM A615/A615M, grade 60 and the following:
 - A. Provide reinforcement of size and spacing as indicated on the drawings.
 - B. Place reinforcement in center of wall or as indicated on the drawings with a minimum tension lap splice of 48 bar diameters. Hold in position top and bottom at intervals of 200 bar diameters.
 - C. Grout all cells having bars, unless noted otherwise.
 9. Provide special shapes as required for lintels, corners, jambs, sash, control joints headers, bonding and other special conditions.

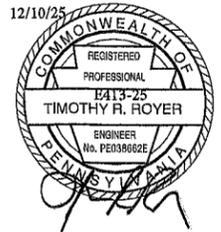
CAST-IN-PLACE CONCRETE

1. Concrete work shall conform to the following specifications by The American Concrete Institute (ACI).
 - A. "Building Code Requirements for Structural Concrete" (ACI 318).
 - B. "Hot Weather Concreting" (ACI 318).
 - C. "Cold Weather Concreting" (ACI 318).
 2. Materials used shall adhere to the following:
 - A. Portland Cement: ASTM C150, type 1.
 - B. Fly Ash: ACI 318.
 - C. Aggregates: ASTM C33, maximum aggregate size is one inch.
 - D. Fiberglass reinforcement: PCI MNL 128 Standard.
 - E. Air-entraining admixture: ACI 318.
 - F. Chemical admixtures: ASTM C494, water reducing. All concrete, except footings, shall contain a water reducing admixture. No admixtures containing calcium chloride are permitted. All other additives shall not be used without prior approval of the structural engineer.
 - G. Vapor retarder: Clear 8-mil thick polyethylene.
 3. Proportion normal-weight (145 pcf) concrete mixes to provide the following properties:
 - A. Compressive strength: 3,000 psi at 28 days (unless noted otherwise).
 - B. Slump limit: 4 inches (3 inches for slab-on-grade) at point of placement.
 - C. Water-cement ratio: 0.45 maximum at point of placement.
 - D. Air content: 5 to 7 percent for concrete exposed to freezing and thawing, 2 to 4 percent elsewhere.
 4. Reinforcing steel shall be fabricated, detailed and placed in accordance with the ACI 318, and shall conform to the following:
 - A. Deformed reinforcing bars: ASTM A615/A 615M with a minimum yield strength of 60,000 psi (grade 60).
 - B. Welded wire fabric (WWF): ASTM A1064, flat sheets, not rolls.
 - C. Ties/Stirrups: ASTM A615/A615M, grade 40.
 5. Concrete work shall be executed according to the following:
 - A. Maintain tolerances and surface irregularities within ACI 117 limits of class A for concrete exposed to view, and class C for other concrete surfaces. Floor slabs shall be screeded, floated and steel troweled to a smooth, dense and plane surface.
 - B. Accurately position, support, and secure reinforcement.
 1. Reinforcing bars shall lap 48 bar diameters at splices in concrete unless otherwise noted.
 2. Provide corner bars to match all continuous reinforcing in concrete and masonry.
 3. Reinforcing bar hooks shall be ACI standard.
 4. WWF shall have ends lapped one full mesh, and shall extend onto supporting walls.
 5. Chairs, bolsters, bar supports, and spacers shall be sized and shaped for strength and support of reinforcement during concrete placement.
 - C. Provide minimum concrete cover on reinforcing bars as follows:
 1. Cast against earth.....3"
 2. Exposed to earth or weather (#5 or smaller)...1 1/2"
 3. Exposed to earth or weather (#6 or larger).....2"
 4. Slabs and walls not exposed.....3/4"
 - D. The contractor shall be responsible for stability and integrity of all excavations and existing structures.
- Structural Steel**
1. Connections shall be designed and constructed according to AISC, and shall conform to the following:
 - A. Screw Anchors (exterior applications): Use screw anchors of the diameter and length indicated on the drawings as manufactured by Red Head or approved equal. Use LDT Stainless Steel bolts, or LDT bolts with EnvireX coating in concrete and CMU. Fill CMU cells at all bolt locations.
 - B. Connections exposed to weather or high relative humidity shall be hot-dip galvanized per ASTM A153 / A153M.



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JAN 29 2026

WILLISTOWN TOWNSHIP



Willistown Township
688 Sugartown Road, Malvern, PA 19355
Phone 610.647.5300 www.willistown.pa.us

MEMORANDUM

Date: February 25, 2026
To: Planning Commission
From: Caroline O'Connor, Zoning Officer
Re: **Application: Z-02-26**
Address: 130 Jaffrey Road (UPI: 54-3-306)
Applicant: Yashin

REQUEST:

Variance of §73-62.B(1) to permit the construction of an in-ground pool and pool patio within Zone 2 of the Riparian Buffer Area (RBA).

EXISTING CONDITIONS:

Zoning District: RA Residence District
Lot Area: 4.192 acres – per Recorded Subdivision Plan
Use: residential

The property is located on the north side of Jaffrey Road, in the RA zoning district. The property is defined in §123-6 as an interior lot, “a lot which does not adjoin a street but is connected thereto by an access strip”, more commonly called a “flag lot.” The main part of the parcel does not conform to a traditional geometric shape but rather looks like an “L” with the vertical portion being very short, and the horizontal portion being very wide (see ChescoViews aerial attached). Aerial imagery shows the property to be improved with a single-family dwelling, deck/patio areas, two accessory buildings, walkways, and a driveway which connects to Jaffrey Road. An unnamed tributary to Crum Creek flows along the northwest side of the property, and a pond/mini lake comprises much of the central interior of the lot. As such, there are significant areas of floodplain, riparian buffer, and wetlands comprising much of the lot area (see Riparian Buffer Area Plan attached). Steep slopes encumber the southeastern part of the main part of the parcel. Finally, the property also appears to contain several mature trees, though it does not appear to meet the definition of Wooded Lot.

BACKGROUND:

The original subdivision of this property was recorded in 1995 under a subdivision plan dated August 26, 1991, last revised December 15, 1994. The plan was for a 3-lot subdivision, with existing improvements on Lot 1 (128 Jaffrey Rd: 54-3-306.4), including water and sewer facilities. The plans indicate the creation of two new, unimproved lots, Lot 2 (134 Jaffrey Rd: 54-3-306.5) and Lot 3 (130 Jaffrey Rd: 54-3-306), the latter being the subject property. The plan shows improvements on Lot 3 to be installed for the benefit of Lot 2. As such, there are utility and drainage easements that navigate through the edges and interior of Lot 3, the subject parcel (see Annotated Subdivision Plan attached). The details of the easements include a sanitary sewer easement which is approximately 740ft in length and 20ft in width, and a stormwater drainage easement which is approximately 290ft in length and 20ft in width.

REQUEST:

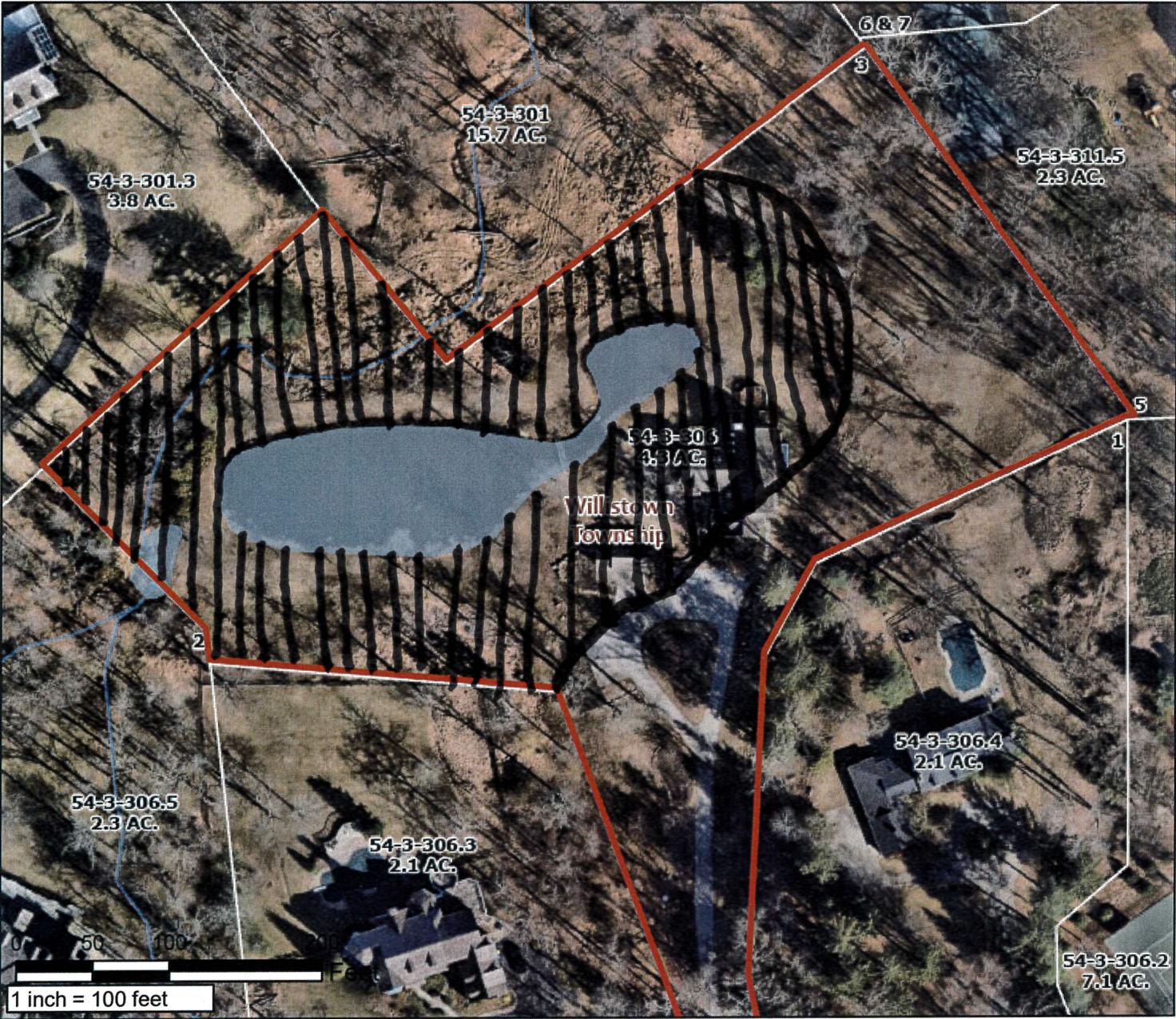
The Applicant is requesting a variance from the Environmental Protection Ordinance to permit the construction of an in-ground pool and pool patio within Zone 2 of the RBA where such use is not otherwise permitted. The Applicant states that the proposed improvements consist of a 640sqft in-ground pool, 140sqft "tanning shelf," 80sqft spa/hot tub, and 800sqft pool patio; totaling an impervious coverage increase of 1,660sqft for the entire project. The in-ground pool, tanning shelf, and spa/hot tub are exempt from stormwater management planning.

ADDITIONAL COMMENTS:

A significant portion of the buildable area of the lot is constrained by either Natural Resources or existing improvements and easements. Currently, almost the entirety of all existing structures on the lot are located within the RBA. The area of unconstrained/developable land on this lot is extremely minimal.

RIPARIAN BUFFER AREA PLAN

130 JAFFREY RD



COUNTY OF CHESTER
PENNSYLVANIA



Find Address Information

PARID: 5403 03060000
 UPI: 54-3-306
 Owner1: YASHIN DMITRY
 Owner2: YASHIN NINA
 Mail Address 1: 130 JAFFREY RD
 Mail Address 2: MALVERN PA
 Mail Address 3:
 ZIP Code: 19355
 Deed Book: 11380
 Deed Page: 1398
 Deed Recorded Date: 05/15/2025
 Legal Desc 1: NS JAFFREY RD
 Legal Desc 2: 4.3 AC DWG & GAR LOT 3
 Acres: 4.3
 LUC: R-10
 Lot Assessment: 136480
 Property Assessment: 465520
 Total Assessment: 602000
 Assessment Date: 12/12/2025 9:23:31 AM
 Property Address: 130 JAFFREY RD
 Municipality: WILLISTOWN
 School District: Great Valley



Map Created:
 Wednesday, February 25, 2026

County of Chester

Limitations of Liability and Use:
 County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources visit the GIS Services page listed at www.chesco.org/gis.

ANNOTATED SUBDIVISION PLAN

GENERAL NOTES:

1. Outline data and topographic information from the following plans prepared by Chester Valley Engineers.
 - A. Plan of Subdivision for Frederick C. Fuchs dated 7/6/89, last revised 9/21/89.
 - B. Plan of Subdivision for Adale K. Sullivan dated 12/12/89, last revised 3/21/90.
 - C. Lot Line Change Plan for Frederick C. Fuchs and Marvin S. Cadwell dated 1/28/90 and last revised 3/21/90.
2. Soils plotted from Soil Survey of Chester and Delaware Counties, Pa. prepared by Soil Conservation Service, United States Department of Agriculture dated 1963.
3. Iron Pins shall be placed on all lot corners not placed heretofore.
4. Existing sewage and water facilities serve Lot 1.
5. Individual on-site sewage and water facilities are proposed for Lots 2 & 3.
6. Wetlands were delineated on-site (by others) per Federal Manual for Identifying and Delineating Jurisdictional Wetlands, January 1989. Location thereof surveyed by Chester Valley Engineers, Inc. and supplemented with information taken from plan provided by Frederick C. Fuchs, P.E. dated 4-27-92. Ref. Note 19.D.
7. Permanent monuments shall replace the iron pins located at the points of easement along Jaffrey Road right-of-way. Malver is hereby requested for perimeter monuments off the road right of way as required by S.L.D.O. Sect. 502.B.3.d.
8. Flood Plain indicated taken from calculations by Chester Valley Engineers, Inc.
9. Percolation test sites have been or are in the process of being tested where indicated (see legend).
10. On-site sanitary sewage easements:
 - A. 20' Wide permanent pipeline easements on Lot #3 in favor of Lot #2 and on Lot #1 in favor of Lot #3 as shown.
 - B. Septic system drainage area easements indicated have been positioned and sized to accommodate the locations acceptable to the Chester County Health Department. They are subject to possible deletion or relocation to meet Chester County Health Department requirements at the time of Sewage Permit issuance.
 - C. The cost for construction and maintenance of pipelines and septic system drainage facilities on Lot #3 shall be borne by the user of said improvements. Lot #2 shall be entitled to use only two of the above septic system drainage facilities. Once said improvements have been installed the maintenance and use of the land containing said improvements shall remain with the owner of said land provided that said maintenance and use is not prohibited by the requirements of the Chester County Health Department.
 - D. Sewage Drainage Easement Areas taken from plan dated 4-27-92 in the files of Chester County Health Department.
 - E. No grading or filling shall be permitted in the areas of sewage drainage easements except as required by construction of the septic system and/or as provided by law.
11. No new construction is proposed by this plan. A Conservation Plan in accordance with S.L.D.O. Sect. 123-17.B(3) must be submitted prior to the issuance of building permits for any lot.
12. All possible future construction must naturally be in compliance with local, state and federal regulations applicable thereto. Where any possible future construction encroaches on a regulated area, i.e. flood plains or wetlands, review and permit from the appropriate agency must be secured.
13. The owner of Lot #3 shall be restricted, on the southern property line, from erecting a fence no more than 5'0" (4) feet high and no more than 20' closed.
14. Project Bench Mark is railroad spike set in PECO Pole #067 (Lots 1 & 3 Jaffrey Road) Datum taken from Topographical Map made for Joseph B. Ryan dated 8-15-30 by Milton R. Yerkes, C.E. Ryan New, Pa.
15. Proposed driveways as provided for on this plan shall be paved to a minimum of 20 feet outside the right of way of Jaffrey Road.

DESCRIPTION OF CENTERLINE OF SANITARY 20 FEET WIDE SEWER EASEMENT

Beginning at a point in East line of Lot 2 said point being 4016' feet along said line from a point in the center of Jaffrey Road. (T-387), fifty foot wide, thence from the point of beginning through Lot 3 of which this is a part, the following six (6) courses and distances:

- (1) South 82 degrees 16 minutes 00 seconds East 307 feet more or less to a point (2) North 32 degrees 57 minutes 30 seconds East 162 feet more or less to the approximate center of a 38 feet by 88 feet septic system drainage area which bears North 14 degrees 45 minutes East, (3) continuing the last course 114 feet more or less to a point in the western portion of a 28 feet by 78 feet septic system drainage area which bears North 60 degrees 40 minutes East and terminates 10' from the easterly boundary of Lot 3 (4) continuing the last course 48 feet more or less to a point (5) North 29 degrees 20 minutes 00 seconds west 40 feet more or less to the approximate center of a 19 feet by 67 feet septic system drainage area which bears North 36 degrees 30 minutes East and terminates 10' from the easterly boundary of Lot 3, (6) continuing to last course 35 feet more or less to the point of termination which is 40' from the northerly boundary of Lot 3.

Form B Malver Note

As of the date of this plot plan recording, the subdivision described herein is and shall be dedicated for the express purpose of residential use. No portion of this subdivision has been approved by Willistown Township or the Department of Environmental Resources for the installation of sewage disposal facilities. No sewage permit will be issued for the installation, construction, connection to or use of any sewage collection, conveyance, treatment or disposal system within Willistown Township or DEB have both approved sewage facilities planning for the subdivision described herein in accordance with the Pennsylvania Sewage Facilities Act (35 P.S. Sections 750.1 et seq.) and regulations promulgated thereunder. Prior to signing, executing, implementing or recording any sales contract or subdivision plan, any purchaser or subdivisor of any portion of this property should contact appropriate officials of Willistown Township, which is charged with administering the Sewage Facilities Act to determine what sewage facilities planning is required and the procedure and requirements for obtaining appropriate permits or approvals.

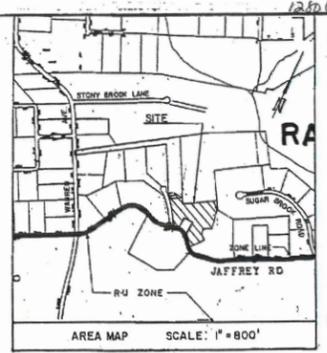
ZONING REQUIREMENTS

RU - RESIDENTIAL DISTRICT

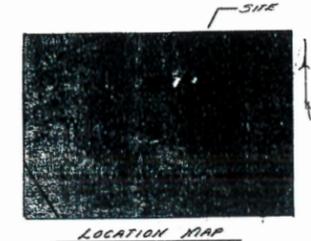
Area	2 Acres
Width	200' to Building Line
Front Yard	25'
Side Yard	40'
Rear Yard	40'

AREA TABULATION

LOT	TOTAL	NET
1	2.125 Ac.	2.010 Ac.
2	2.308 Ac.	2.172 Ac.
3	4.255 Ac.	4.125 Ac.
OVERALL	8.796 Ac.	8.377 Ac.



RECORDED BY DEEDS
FILED TOWNSHIP PA
95 JAN 18 AM 9:00



COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CHESTER

On this _____ day of _____ A.D. 19____ before me, the subscriber, a Notary Public in and for the Commonwealth of Pennsylvania, residing in _____ personally appeared _____ who acknowledged this plan to be the official plan of highway and property shown thereon, situated in the Township of _____ Chester County, Pennsylvania, and that he is the owner or equitable owner of designated land and that improvements shown hereon have been endorsed and will be constructed. Witness my hand and notarial seal the day and year aforesaid.

Notary Public: _____
My Commission Expires: _____

- PROPERTY LINE
- SANITARY SEWER EASEMENT
- STORM DRAINAGE EASEMENT
- FLOODPLAIN / WETLANDS
- SETBACK LINE
- STEEP SLOPES

REVIEWED by the Planning Commission of Willistown Township, Chester County, Pa. this _____ day of _____

APPROVED by the Board of Supervisors of Willistown Township, Chester County, Pa. this _____ day of _____

REVIEWED by the Chester County Planning Commission this _____ day of _____

Recorded in the Office of the Recorder of Deeds of Chester County at West Chester, Pennsylvania in Plan Book _____ Page _____ on the _____ day of _____ 19____

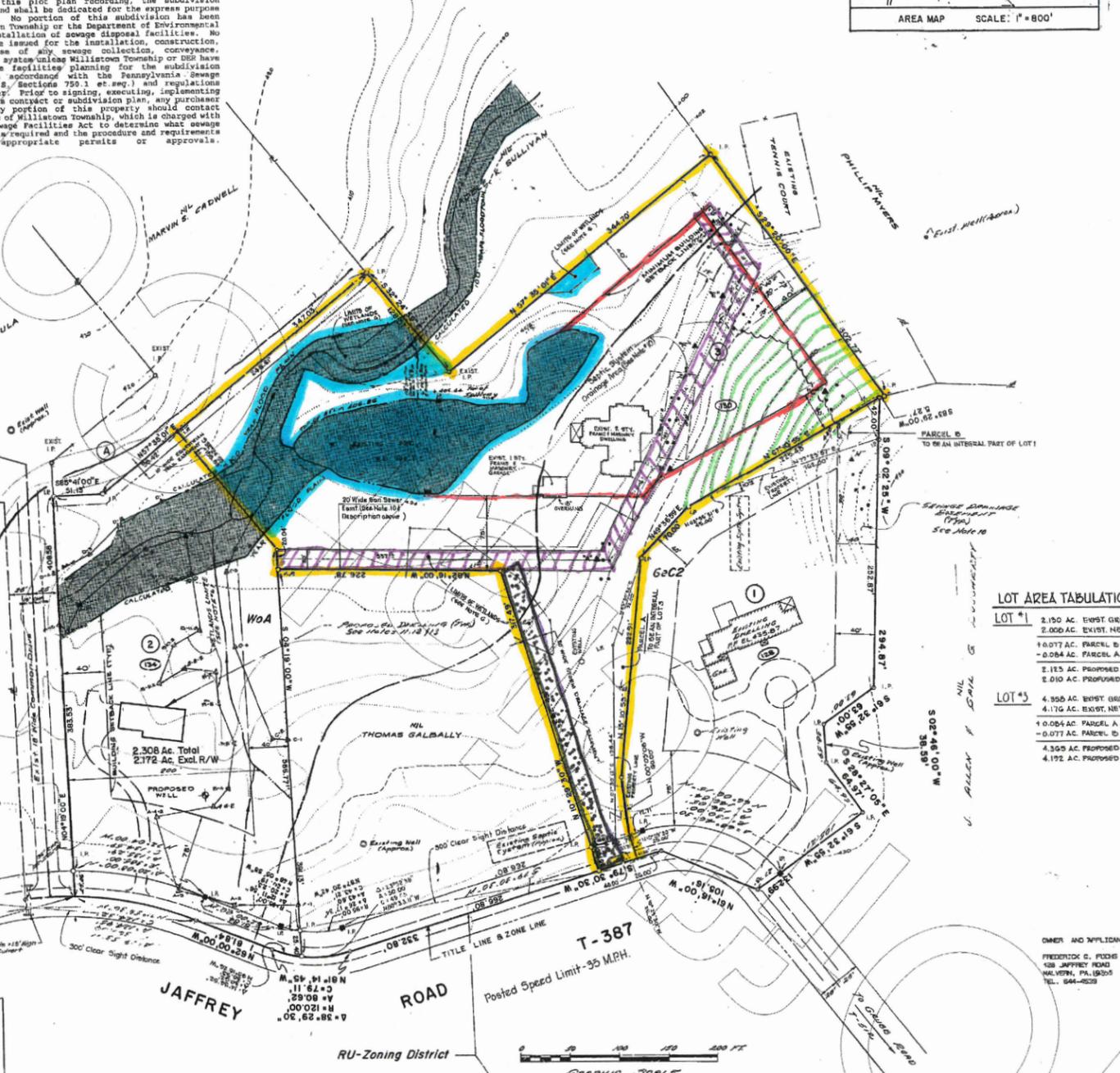
(Deputy) Recorder of Deeds

SOILS CLASSIFICATION

SYMBOL	DESCRIPTION
CdB2	Chester silt loam, 3 to 8% slopes moderately eroded.
CdC3	Chester silt loam, 8 to 15% slopes, severely eroded.
GcB2	Glenely channery silt loam, 3 to 8% slopes, moderately eroded.
GcC2	Glenely channery silt loam, 8 to 15% slopes, moderately eroded.
WoA	Worsham silt loam, 0 to 3% slopes.

LEGEND

	PROPOSED WELL
	SOIL TEST
	PERCOLATION TEST HOLES
	HOUSE NUMBER
	PROPOSED MONUMENT



LOT AREA TABULATION

LOT #	2.150 AC. EXIST. GROSS	2.000 AC. EXIST. NET	1.077 AC. PARCEL B	0.084 AC. PARCEL A	2.125 AC. PROPOSED GROSS	2.010 AC. PROPOSED NET
LOT #3	4.955 AC. EXIST. GROSS	4.176 AC. EXIST. NET	1.004 AC. PARCEL A	0.077 AC. PARCEL C	4.595 AC. PROPOSED GROSS	4.192 AC. PROPOSED NET

OWNER AND APPLICANT:
FREDERICK C. FUCHS
109 JAFFREY ROAD
HALVETON, PA. 19325
TEL. 944-8239

Rec. in Chester Co. Pa. in
12866

14 12-15-94	PER HEALTH DEPT. NOTE
15 11-29-94	PER TWP ENGR COMMENTS
16 10-29-94	LOT LINE CHANGE - LOT #4 LOT #5
17 7-27-92	LOT LINES ADJUSTED
18 6-5-92	PER TWP ENGR & PLANNING COMMISSION
19 5-31-92	PER TWP ENGR & PLANNING COMMISSION
20 5-28-92	NOTED AS CORRECTED
21 5-28-92	ADDED PERMITS
22 4-27-92	NOTED AS CORRECTED
23 4-27-92	ADDED PERMITS
24 4-17-92	ADDED PERMITS
25 3-9-92	PER ENGR LETTER 3-4-92 F PLAN COMM.
26 2-27-92	PER ENGR LETTER 2-27-92 PER PLAN COMM.
27 1-11-92	LOT CONFIGURATION DATA ADDED
28 1-11-92	REVISED

SUBDIVISION PLAN
FREDERICK C. FUCHS

WILLISTOWN TOWNSHIP • CHESTER COUNTY • PA.

Chester Valley Engineers, Inc. PROJECT NO. 12647
100 WEST LANCASTER AVENUE
PAOLI, PA. 19371
TEL. 944-8239

DATE: DEC 15 1994

ASSESSMENT MAP 34-3, PARCEL 306

APPLICATION

Dmitry Yashin
130 Jaffrey Rd
Malvern, PA 19355
D_yashin@hotmail.com
484-433-8081
November 17th, 2025

Willistown Township Planning & Zoning Department
668 Sugartown Rd
Malvern, PA 19355

Re: Request for Relief to Construct a Residential Pool Within the Riparian Buffer Area

Parcel Number: 54-3-306

To Whom It May Concern:

I am writing to respectfully request consideration for relief from the Riparian Buffer Area (RBA) requirements to allow the construction of a residential swimming pool on my property located at 130 Jaffrey Rd in Willistown Township.

Due to the unique physical and environmental constraints of the lot, there is no feasible location to situate a pool outside of the RBA that would be in reasonable proximity to the home. The hardship conditions present on the property significantly restrict buildable area, and are summarized as follows:

1. The existing pond is centrally located on the lot, creating a substantial Riparian Boundary Area that encompasses much of the property.
2. The subject property is an interior lot, that effectively removes some of the lot's buildable area.
3. Multiple easements—including for stormwater management, an underground sewer pipe, and septic drain fields—further limit usable land and prevent construction in several areas.

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WILLISTOWN TOWNSHIP

4. The property relies on an on-site septic system, requiring strict separation distances that eliminate additional buildable zones.
5. Steep slopes located directly behind the house make construction in that area structurally challenging, potentially unsafe, and financially prohibitive.
6. The home was placed within what is now defined as the RBA prior to current code development, resulting in a nonconforming condition not created by the current owner.
7. A stream passes through the lot, contributing additional buffer restrictions and further reducing suitable areas for improvements.

Collectively, these constraints leave only one practical and reasonable location for a pool — the area for which we are requesting relief from the RBA code. We are committed to implementing any mitigation measures the Township deems appropriate to protect natural resources, including erosion controls, native plantings, or other best management practices.

Given that these hardships are inherent to the property and were not self-created, we respectfully request the Township's favorable consideration of this application. Approval will allow us to make reasonable residential use of our property while adhering to all environmental protections required by the Township.

Thank you for your time and attention to this matter. We would be pleased to provide plans, surveys, or any additional information needed for your review.

Sincerely,



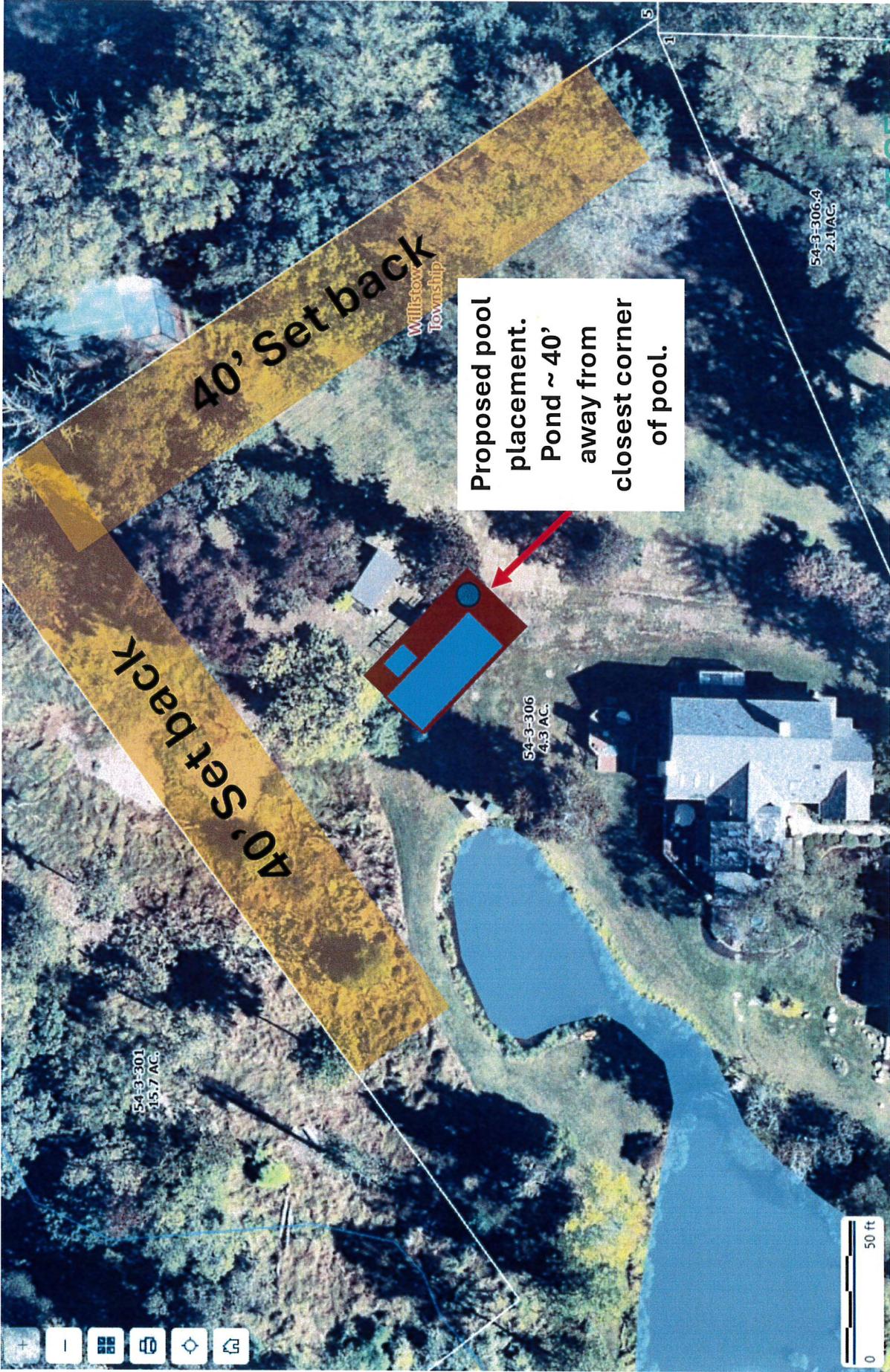
1/23/26

Dmitry Yashin

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WILLOWTOWN TOWNSHIP



40' Set back

40' Set back

Proposed pool placement.
Pond ~ 40'
away from
closest corner
of pool.

54-3-301
15.7 AC.

54-3-306
4.3 AC.

54-3-306.4
2.1 AC.



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WILLISTOWN TOWNSHIP

Aerial Imagery showing following hardships:

- (1) Centrally located pond
- (2) Interior lot
- (6) Home located within Riparian Buffer Area
- (7) Stream on right side of lot

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CV4_Letter_Landscape

**COUNTY OF CHESTER
PENNSYLVANIA**

Field Address Information

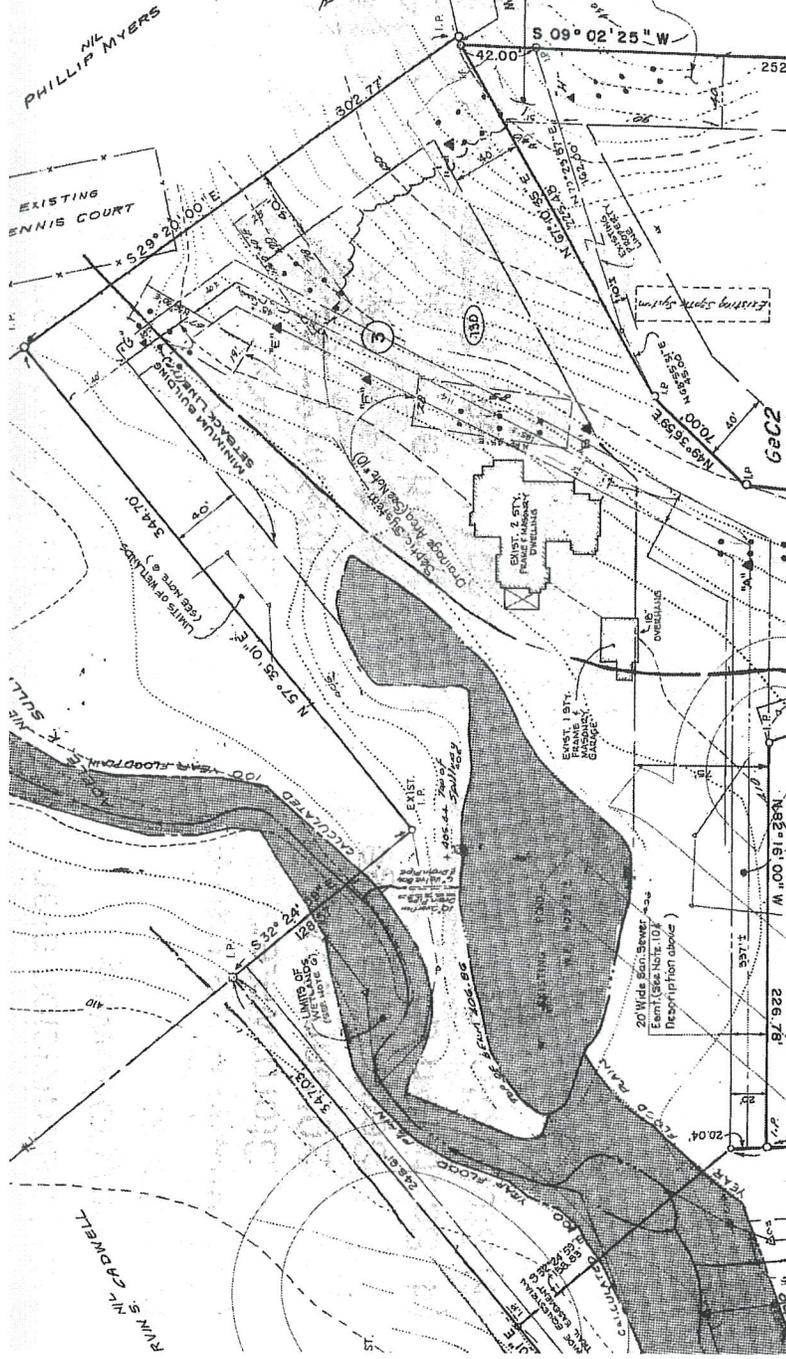
PARID: 6403 03060000
 LPT: 54-3-306
 Owner: YASHIN DMITRY
 Owner: YASHIN NINA
 Mail Address 1: 130 JAFFREY RD
 Mail Address 2: MALVERN PA
 Mail Address 3:
 ZIP Code: 19355
 Deed Book: 11380
 Deed Page: 1398
 Deed Recorded: 05/15/2005
 Legal Desc: 4.3 AC DWG & GAR LOT 3
 Area: 4.3
 LUC: R-10
 Lot Assessment: 136480
 Property Assessment: 465520
 Total Assessment: 602000
 Assessment Date: 12/12/2025 9:23:31 AM
 Property Address: 130 JAFFREY RD
 Municipality: WILLISTOWN
 School District: Great Valley

Map Created:
 Friday, January 23, 2026
 County of Chester

Limitations of Liability and Use:
 County of Chester, Pennsylvania makes no claims to the accuracy or completeness of the information contained herein and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are we responsible for any errors or omissions that may appear hereon. For information on data sources visit the GIS Services page listed at www.chester.org/gis.

1994 Subdivision plan
 showing following
 hardships:

- (3) Multiple Easements
 Stormwater
 20' San Sewer
- (4) Septic Areas
- (5) Steep Slopes



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Note 10 from 1994 subdivision plan

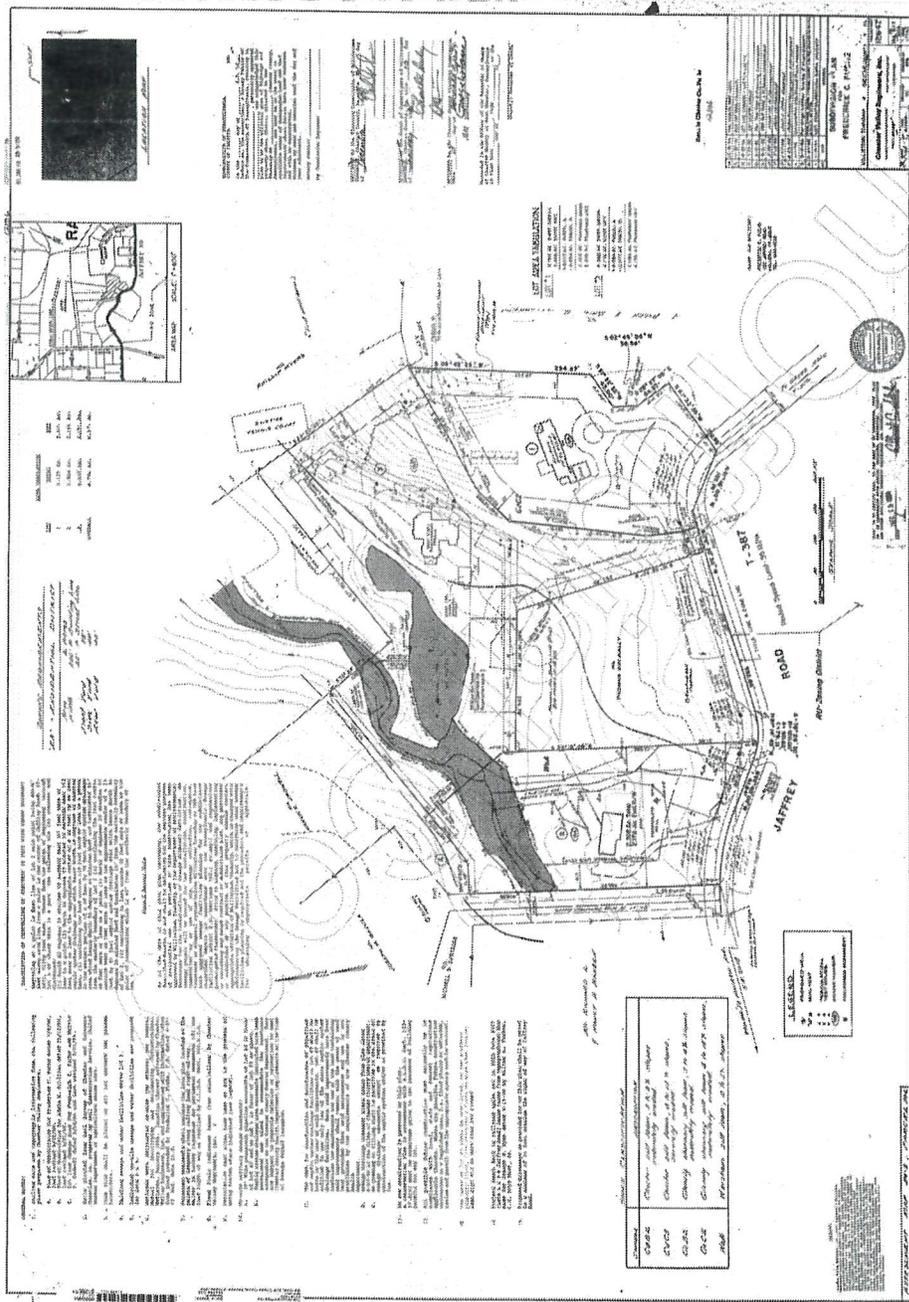
10. On-site sanitary sewage easements:
- A. 20' Wide permanent pipeline easements on Lot #3 in favor of Lot #2 and on Lot 1 in favor of Lot #3 as shown.
 - B. Septic system drainage area easements indicated have been positioned and sized to accommodate the locations acceptable to the Chester County Health Department. They are subject to possible deletion or relocation to meet Chester County Health Department requirements at the time of Sewage Permit issuance.
 - C. The cost for construction and maintenance of pipelines and septic system drainage facilities on Lot #3 shall be borne by the user of said improvements. Lot #2 shall be entitled to use only two of the above septic system drainage facilities. Once said improvements have been installed the maintenance and use of the land containing said improvements shall remain with the owner of said land provided that said maintenance and use is not prohibited by the requirements of the Chester County Health Department.
 - D. Sewage Drainage Easement Areas taken from plan dated 4-27-92 in the files of Chester County Health Department.
 - E. No grading or filling shall be permitted in the areas of sewage drainage easements except as required by construction of the septic systems and/or as provided by law.

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WILLISTOWN TOWNSHIP

1994 subdivision plan for reference



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WILLISTOWN TOWNSHIP

DECLARATION OF EASEMENTS

This Declaration of Easements is made this 8th day of September, 1992, by Frederick C. Fuchs, 128 Jaffrey Road, Malvern, Pennsylvania 19355 ("Declarant").

WHEREAS, Declarant is the owner of certain real property ("Property") located in Willistown Township, Chester County, Pennsylvania, being Lots 1, 2 and 3 as shown on a certain plan of subdivision prepared for Declarant by Chester Valley Engineers, Inc., dated August 26, 1991, last revised 7/27/92, conditionally approved by the Board of Supervisors of Willistown Township on 9-8-, 1992, and recorded in Chester County, Pennsylvania in the office of the Recorder of Deeds as Plan No. _____ ("Subdivision Plan"); and

WHEREAS, Declarant desires, upon the terms and conditions herein contained, to set forth various easements in connection with the ownership, development and use of the Property in accordance with the Subdivision Plan.

NOW, THEREFORE, in consideration of the foregoing, and of the mutual covenants and agreements herein contained, and for other good and valuable consideration, Declarant does, for himself and his heirs and successors in interest, grantees, mortgagees and assigns, declares, covenants, agrees and provides as follows:

1. Declarant hereby declares, grants and conveys for the benefit of Lot No. 2, a twenty (20') foot wide permanent pipeline easement as shown on the Subdivision Plan and as more fully described in Exhibit "A" attached hereto ("Pipeline Easement") for the purpose of construction, maintenance and repair of a sanitary sewer pipeline to

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WILLISTOWN TOWNSHIP

service one (1) single-family dwelling. Further, Declarant hereby declares, grants and conveys for the benefit of Lot No. 2, three drainage area easements over and on Lot No. 3 as depicted on the Subdivision Plan and described as "Septic System Drainage Area" ("Lot 2 Drainage Easement"). Lot No. 2 shall be entitled to use only two of the three described and depicted Lot 2 Drainage Easements, which shall be subject to relocation and change in size to accommodate requirements of the Chester County Health Department.

2. Declarant hereby declares, grants and conveys for the benefit of Lot 3, a sewage drainage area easement over Lot 1 as depicted on the Subdivision Plan in the northeast corner of Lot 1, described on the Subdivision Plan as "Sewage Drainage Easement" ("Lot 3 Drainage Easement"). The Lot 3 Drainage Easement shall be subject to relocation and change in size to accommodate requirements of the Chester County Health Department.

3. The cost of construction, maintenance and repair of the pipeline and all sanitary sewer drainage facilities to be located in the Pipeline Easement, in the Lot 2 Drainage Easement and in the Lot 3 Drainage Easement shall be borne by the owner of the lot which benefits from said pipeline and facilities.

4. No grading or filling shall be permitted in the Lot 2 Drainage Easement and the Lot 3 Drainage Easement except as required by construction of the septic system and/or as provided by law.

5. The cost for construction and maintenance of pipelines and septic system drainage facilities on Lot #3 shall be borne by the user of said improvements. Lot #2 shall be entitled to use only two of the above septic system drainage facilities. Once said improvements have been

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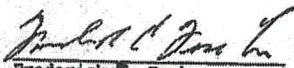
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WILLISTOWN TOWNSHIP

installed, the maintenance and use of the land containing said improvements shall remain with the owner of said land provided that said maintenance and use is not prohibited by the requirements of the Chester County Health Department.

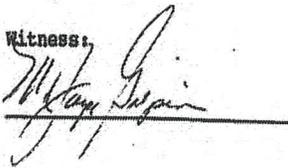
6. The easements set forth in this Declaration shall be construed as both covenants and conditions, and they shall run with the land and shall be binding upon and affirmatively enforceable against the Property, Declarant, and any grantees, personal representative, heir, successor, mortgagee and assignee thereof, and shall continue to be easements, servitudes and encumbrances appertaining to and upon, and covenants benefitting, binding and running with the land and the Property, and any improvements now or later existing within the Property or until public sewers are supplied at which time Lot #2 and Lot #3 will be required to connect to the public sewer.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written, intending to be legally bound hereby.

DECLARANT:


Frederick E. Fuchs

Witness:



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WILLISTOWN TOWNSHIP

DESCRIPTION OF CENTERLINE
OF SANITARY 20 FEET WIDE SEWER EASEMENT

Beginning at a point in East line of lot 2 said point being 395.82 feet along said line from a point in the center of Jaffrey Road. (T-387), fifty feet wide. Thence from the point of beginning through Lot 3 of which this is a part the following six (6) courses and distances:

(1) South 82 degrees 16 minutes 00 seconds East 362 feet more or less to a point (2) North 32 degrees 57 minutes 30 seconds East 162 feet more or less to the approximate center of a 28 feet by 88 feet septic system drainage area which bears North 14 degrees 45 minutes East, (3) continuing the last course 114 feet more or less to a point in the western portion of a 28 feet by 78 feet septic system drainage area which bears North 60 degrees 40 minutes East and terminates 10' from the easterly boundary of Lot 3 (4) continuing the last course 48 feet more or less to a point (5) North 29 degrees 20 minutes 00 seconds west 40 feet more or less to the approximate center of a 19 feet by 67 feet septic system drainage area which bears North 36 degrees 30 minutes East and terminates 10' from the easterly boundary of Lot 3, (6) continuing to last course 35 feet more or less to the point of termination which is 40' from the northerly boundary of Lot 3.

EXHIBIT "A"

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WILLOTTOWN TOWNSHIP

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CHESTER : SS

On the 8th day of September, 1992, before me, the undersigned Officer, personally appeared Frederick B. Fuchs, known to me (or satisfactorily proven) to be the persons, whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes contained therein.

In Witness Whereof, I hereunto set my hand and official seal.

Eileen D. Thompson
Notary Public
My Commission Expires:

NOTARIAL SEAL
EILEEN D. THOMPSON, Notary Public
Willistown Township, Chester County
My Commission Expires April 8, 1993

3K 3194 PG4 00

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WILLISTOWN TOWNSHIP

036283

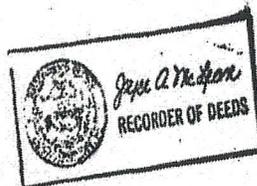
RECORDER OF DEEDS
CHESTER COUNTY, PA.

92 SEP 11 AM 9: 32

N36283	
MISC	15.00
WRIT TAX	0.50
SUBDIV PLN	45.00
SUBDIV PLN	45.00
SUBTL	105.50
TOTAL	105.50
CHECK	75.00
CATEND	40.00
CHANGE	9.50
ITEM 4	
09-11-92 FRI NO	DEBBIE 9196 09:30TH

RETURN TO

Soyce Guerin
Willistown Twp
688 Sugartown Rd
Malvern, Pa. 19355



Jim
15.80

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WILLISTOWN TOWNSHIP



Willistown Township

688 Sugartown Road, Malvern, PA 19355
Phone: 610.647.5300 | www.willistown.pa.us

MEMORANDUM

Date: March 3, 2026

To: Planning Commission

From: Caroline O'Connor, Zoning Officer

Re: **Application: Z-03-26**
Address: 978 Garrett Mill Road (UPI: 54-8-11)
Applicant: Garrett Mill Farm, LLC

REQUEST:

Special exception pursuant to §139-90.B(2) to permit the extension of an existing nonconforming structure. Also seeking a determination as to the applicability of §139-90.B(2)(c) if setbacks are included in "area and height" regulations, or, alternatively, a variance from §139-90.B(2)(c) to permit the new addition to encroach into the front yard setback.

EXISTING CONDITIONS:

Zoning District: RU Rural District

Lot Area: 32 acres – per Applicant's Narrative

Use: residential and agricultural

The property is located on the west side of Garrett Mill Road, in the RU zoning district. The property is very amorphous in shape, with many vertices of lot line direction changes (see ChescoViews aerial attached). Aerial imagery shows the property to be improved with two single-family dwelling units, one large barn which includes an apartment, a pool, pool patio, several agricultural accessory structures, walkways, parking areas, and two driveways which connect to Garrett Mill Road. On the southern property boundary, there is a private road that provides access to one of the dwelling units on the subject property. Ridley Creek flows along the northern, western, and southern property lines. The 2017 FEMA Flood Insurance Rate Map (FIRM) panel indicates large areas of Zone A, AE Floodplain on the property (see National Flood Hazard Layer FIRMette attached). There appear to be areas of slope on the property, but the project area appears to be fairly level. The property also appears to contain several mature trees; however, it does not look like the parcel meets the definition of Wooded Lot. Per the Township's Historic Resource Inventory, there are two historic resources on the lot, being O-18: William Garrett House, and O-18.1: Garrett Paper Mill. Based on the Applicant's narrative, and our records, the property "is subject to a conservation easement in favor of Willistown Conservation Trust." The parcel is also located within the Township's Agricultural Security Area and is a part of Chester County's Act 319: "Clean and Green" program.

BACKGROUND:

The boundaries of this parcel were created through a series of subdivision plans detailed below:

2005: Final Plan of Minor Subdivision (dated 05/27/2005, last revised 09/27/2005) – Subdivision of approximately 80-acre tract into 5 Lots; Lot 1 being the subject property.

- 2007: Final Plan of Minor Subdivision (dated 05/21/2007, last revised 07/10/2007) – Lot line changes that eliminated Lot 2 and merged a portion of the land into Lot 1 and the other portion of land into Lot 3.
- 2014: Final Plan of Minor Subdivision Lot Line Change (dated 12/05/2013, no revisions) – Minor lot line changes between Lot 1 and Lot 6 (an adjacent lot, not previously mentioned); no change in gross lot area for either parcel.
- 2015: Final Plan of Minor Subdivision Lot Line Change (dated 02/05/2015, last revised 04/24/2015) – Lot consolidation of Lot 1 and Lot 5.

As noted above, a large portion of property is indicated to be located within the FEMA floodplain. In 2013, a Letter of Map Amendment (LOMA) was granted by FEMA, removing the “Property” from the Special Flood Hazard Area (SFHA). In 2017, FEMA published the 2017 FIRM panel, which superseded the 2013 determination and reinstated the floodplain boundary on the property. Subsequently, in 2021, a second LOMA was granted by FEMA, which removed the “Structure” from the SFHA (see Letter of Map Amendment Determination Document attached). Based on the definitions, designations, and interpretations of boundaries, the dwelling unit on this parcel is not subject to the floodplain or Riparian Buffer Area regulations in the Environmental Protection Ordinance.

PREVIOUS DECISIONS:

- C-06-05: conditional use to authorize a subdivision for conventional development rather than pursuant to the open space conservation district regulations.
Decision: GRANTED (see Decision attached)
- Z-07-05: variance from the Zoning Ordinance requiring a lot area of not less than 4 acres for every principal building erected on a lot for a 5-lot subdivision which will create a 4-acre lot (Lot 2) which will not meet the Ordinance definition of the term, in that it is to be divided by a private road.
Decision: GRANTED (see Decision attached)

REQUEST:

The Applicant is requesting a special exception to extend a nonconforming structure, the William Garrett House, which is presently located within the front yard setback. They are also requesting a determination from the Zoning Hearing Board if the “area and height” regulations include setbacks. If so, then a variance of the front yard setback is requested, as part of the new addition will be located within the setback area. It should be noted that while the addition will be located within the setback, it is not encroaching further into the setback than the extent of the existing structure.

ADDITIONAL COMMENTS:

The Applicant has provided a previous Zoning Hearing Board decision as Exhibit C of their application package. This 1993 Decision is for a separate property located at 47 Green Lane. The Zoning Hearing Board determined that “...under §139-90.B(2)(c), the proposed extension of the building does conform to all of the area and height regulations of the RU Rural District.” The Applicant is proposing that *setbacks* are not included in “area and height” regulations. The setback requirements for the RU zoning district are found in §139-13 **Area and height** regulations (emphasis added). As such, it is my opinion that setbacks are included in the requirements for nonconforming structures provided in §139-90.B(2)(c), and this application requires a variance of this provision.

The proposed addition will be attached to an existing Historic Resource. The Applicant presented their plan to the Historical Commission on October 7, 2025, where it was unanimously recommended for approval, with one abstention (see Historical Commission Minutes attached).

978 GARRETT MILL ROAD



COUNTY OF CHESTER
PENNSYLVANIA



Find Address Information

PARID: 5408 00110000
UPI: 54-8-11
Owner1: GARRETT MILL FARM LLC
Owner2:
Mail Address 1: 978 GARRETT MILL RD
Mail Address 2: NEWTOWN SQUARE PA
Mail Address 3:
ZIP Code: 19073
Deed Book: 10521
Deed Page: 2048
Deed Recorded Date: 04/27/2021
Legal Desc 1: WS GARRETT MILL RD
Legal Desc 2: 32 AC FARM LOT 1
Acres: 32.06
LUC: F-20
Lot Assessment: 38340
Property Assessment: 538240
Total Assessment: 576580
Assessment Date: 12/12/2025 9:23:31 AM
Property Address: 978 GARRETT MILL RD
Municipality: WILLISTOWN
School District: Great Valley

Map Created:
Tuesday, March 3, 2026

County of Chester

Limitations of Liability and Use:
County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources visit the GIS Services page listed at www.chesco.org/gis.

National Flood Hazard Layer FIRMette



75°29'53"W 39°58'37"N



1:6,000

75°29'15"W 39°58'9"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/3/2026 at 7:51 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWNSHIP OF WILLISTOWN, CHESTER COUNTY, PENNSYLVANIA	Lot 1, as shown on the Final Plan of Minor Subdivision Lot Line Change recorded as Document No. 11406766 in Book 19764, Page 1, in the Office of the Recorder of Deeds, Chester County, Pennsylvania
	COMMUNITY NO: 422282	
AFFECTED MAP PANEL	NUMBER: 42029C0220G DATE: 9/29/2017	
FLOODING SOURCE: RIDLEY CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 39.973128, -75.492788 SOURCE OF LAT & LONG: GPS DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
1	--	--	978 Garrett Mill Road	Structure	X (unshaded)	--	256.3 feet	--

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

PORTIONS REMAIN IN THE SFHA/FLOODWAY
ZONE A
eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Structure Removal:

The following considerations may or may not apply to the determination for your Structure:

ZONE A - The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA and/or FLOODWAY - Portions of this property, but not the subject of the Determination document, may remain in the Special Flood Hazard Area (SFHA) and/or the regulatory floodway for the flooding source indicated on the Determination Document. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <https://www.fema.gov/regional-contact-information>

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

A handwritten signature in black ink, appearing to read "Rick Sacbibit".

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

A handwritten signature in black ink, appearing to read "Rick Sacbibit".

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures. Additional information on the PRP and how a property owner can qualify for this type of policy may be obtained by calling the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.

✓

**BEFORE THE BOARD OF SUPERVISORS OF
WILLISTOWN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA**

In Re:

Application of Purna Partners, L.P. : No. C - 6 - 05
for Conditional Use Approval :

DECISION AND ORDER

AND NOW, this 12th day of September, 2005, the Board of Supervisors of Willistown Township hereby grants, subject to the conditions specified hereinbelow, the Application of Purna Partners, L.P., for conditional use approval to authorize the subdivision of certain lands known as Garrett Mill Farm located on Garrett Mill Road for conventional development rather than pursuant to the open space conservation district regulations, made pursuant to Sections 139-152.B. and 139-118.1 of the Willistown Township Zoning Ordinance of 1981, as amended (the "Zoning Ordinance"), and enters the following factual findings, conclusions and discussions of reasoning in support of the grant of the Application.

I. Background of the Application

By written Application (the "Application"), Purna Partners, L.P. (the "Applicant") requested approval by the Board of Supervisors of Willistown Township (the "Board" and the "Township" respectively) for conditional use approval to permit the subdivision of the property consisting of 81.27 acres located on Garrett Mill Road, into four residential lots and a fifth

conservation lot with no development rights, consistent with the requirements of the underlying RU Rural Residential Zoning District.

Thereafter, notice of the scheduling of a public hearing for August 22, 2005, was published in the Daily Local News, a newspaper of general circulation in the Township, on August 1, 2005 and August 8, 2005, and the hearing was commenced and conducted as advertised. The Applicant's case in support of the Application consisted of the Conservation Easement between W. Anthony and Lynda K. Hitschler and Willistown Conservation Trust dated March 30, 2004 and recorded in the Office of Recorder of Deeds at Book 6114, page 38 (the "Conservation Easement"), and the Final Plan of Minor Subdivision for Purna Partnership, L.P., prepared by Chester Valley Engineers, Inc., dated May 27, 2005 (the "Plan"). Timothy Barnard, Esquire, represented the Applicant; its Solicitor, Vincent M. Pompo, Esquire of the firm of Lamb McErlane PC, represented the Board.

The record in this matter consists of the transcribed notes of testimony taken at the public hearing conducted on August 22, 2005, together with the documentary exhibits marked for identification and admitted into the record by the Board. This Decision and Order is promulgated pursuant to Zoning Ordinance §139-118.1 and the enabling provisions of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, as amended, 53 P.S. §10101 et seq.

II. Findings of Fact

1. The property that is the subject of the Application is located in the Township of Willistown on Garrett Mill Road, also known as tax parcel number 54-8-11 (the "Property").

2. The Property consists of 81.27 acres, and is located within the RU Rural Residence Zoning District, and since the property consists of more than 15 acres, is also entirely within the Open Space Conservation District overlay district.

3. The entire Property is subject to the Conservation Easement, which permits three primary residences and three secondary residences on the Property.

4. The Plan shows five lots. Lot 2, however, must be owned in common by the owner of lot 1 or lot 5. Lot 5 has no building rights and must be owned in common by an adjoining property owner.

III. Conclusions of Law

1. The hearing was duly advertised, all required notices were given, and the hearing was duly convened.

2. The Board has jurisdiction of this Application for conditional use approval.

3. The Property is located in the Open Space Conservation zoning district in which conventional development in accordance with the underlying RU Rural Residential zoning district regulations is permitted when authorized by the Board as a conditional use.

4. The grant of this conditional use will in no way be injurious to the public interest, health, safety or general welfare of the community.

5. Approval of the Application as conditioned hereinbelow is consistent with the evidence of record and the criteria and standards specified in Sections 139-152.B. and 139-118.1 of the Zoning Ordinance.

IV. Discussion

Section 139-152.B. of the Zoning Ordinance permits conventional development within the Open Space Conservation District where the proposed development otherwise meets the goals of and is consistent with open space conservation. The Conservation Easement on the Property which limits development to three primary residences and three secondary residences, and which protects from development key natural and scenic features of the Property, amply justifies conventional development pursuant to the underlying zoning regulations.

V. Order

Therefore, the Board finds and concludes that the Applicant will have met the requirements of the Zoning Ordinance if, and only if, the Application is amended and supplemented in accordance with the conditions specified hereinbelow. In granting the Application, the Board has relied upon the testimony, plans and exhibits presented by the Applicant in this proceeding and said testimony, plans, exhibits and documentary evidence are hereby incorporated as additional conditions of approval, the Applicant being strictly bound by all the representations made in the testimony, plans, and exhibits and documentary evidence.

The additional conditions described below are imposed and attached subject to the following general principles. Unless a different mechanism is expressly required, compliance with these conditions shall ordinarily be established in the context of the subsequent submissions for final subdivision plan approvals. Any aspect of the said plan submissions or any revision thereto materially inconsistent with these conditions will require reapplication to and rehearing by the Board prior to subdivision approval.

Most fundamentally, this Decision and Order grant only zoning, conditional use approval in accordance with their express terms. Nothing contained in this Decision and Order shall be construed to abrogate or limit the obligation of the Applicant to submit and to seek approvals of suitable final plans of subdivision and land development in accordance with the Township's Subdivision and Land Development Ordinance. Except as expressly augmented and clarified by these conditions, review of the said submission for final subdivision plan approvals shall be in accordance with all of the otherwise applicable standards, specifications, and regulations of the

Township and of all other agencies with jurisdiction over the Property, the Development, or any aspect thereof.

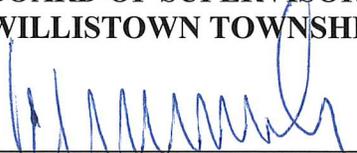
The following conditions are imposed and attached pursuant to Section 603 (c)(2) of the Municipalities Planning Code and Zoning Ordinance Section 139-118.1.E. For the purpose of this Decision and Order, and specifically the following conditions, the term "Applicant" shall include the Applicant's successors and assigns and interests with respect to the Property and the Application:

1. Any amendment to the Conservation Easement on the Property changing the permitted number of primary or secondary residences, shall require a new conditional use approval.
2. Any further subdivision of the Property shall require a new conditional use approval.
3. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County within thirty (30) days following expiration of the appeal period.

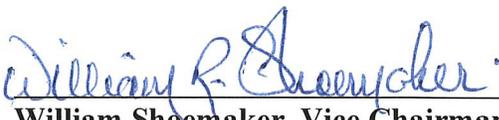
4. Nothing contained in this decision and Order shall be construed to abrogate or limit the obligation of the Applicant to seek and obtain building and use and occupancy permits or any other necessary permits and approvals for construction and occupancy on the Property.

ADOPTED and ORDERED this 12th day of **September, 2005.**

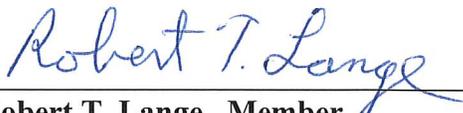
**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**



David W. Rawson, Chairman



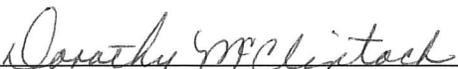
William Shoemaker, Vice Chairman



Robert T. Lange, Member

(Township Seal)

ATTEST:



Dorothy McClintock, Secretary

IN RE: : BEFORE THE ZONING HEARING BOARD
APPLICATION OF : OF WILLISTOWN TOWNSHIP
PURNA PARTNERS, L.P. : CHESTER COUNTY, PENNSYLVANIA
: NO. Z-7-05

DECISION

Purna Partners, L.P. (hereinafter "Applicant") has filed an application with the Willistown Township Zoning Hearing Board (hereinafter "Board") to obtain a variance from the terms of §139-13.A of the Willistown Township Zoning Ordinance requiring a lot area of not less than 4 acres for every principal building erected on a lot. The applicant is seeking a 5-lot subdivision of a 80-acre tract located on Garrett Mill Road in the RU-Rural District, in which subdivision the Applicant seeks permission to create a 4-acre lot to accommodate a small cottage, which lot will not meet the ordinance definition of the term, in that it is to be divided by a private road.

The hearing on the application was convened at the Willistown Township building on Wednesday, August 3, 2005, at approximately 9:40 p.m. Chairman Donald A. Thompson, Richard A. Thompson and Donald A. Mancini heard the application for the Board. Robert F. Adams, Esquire, appeared as the Board's solicitor. The Applicant was represented by John J. Mezzanotte, Jr., Esquire. There were no other parties to the proceeding. Mr. Mezzanotte provided a recitation of all the relevant facts for the Board which were verified on the record by Tony Hitschler, one of the limited partners of the Applicant.

FINDINGS OF FACT

After receiving the evidence presented by the Applicant, and having reviewed the same, the Board makes the following:

1. Notice of the hearing was duly published in the Daily Local News, posted at the Township building and on the subject premises, and was mailed to those persons and entities listed in Exhibit B-4 at the hearing.

2. The Applicant has requested from the Township a 5-lot subdivision of an 80-acre tract to implement a conservation easement previously restricting the development of the property. It was noted in the record by the solicitor that the Willistown Township Planning Commission has recommended the granting of the relief from the zoning ordinance to accomplish the 5-lot subdivision and the implementation of the conservation easement that is proposed (Exhibit B-5).

3. Adjacent to Garrett Mill Road, there are 3 structures in reasonably close proximity to one another: on the northeast side of the tract are a house and barn which comprise a defined living unit; and to the south of them along the road is a small cottage sandwiched between the Ridley Creek and an existing low volume private road.

4. The Willistown Township Planning Commission has acknowledged that the private road is placed at the most appropriate location for traffic management. The private road and the improvements referred to above appear on the final plan of minor subdivision for Purna Partners, L.P., marked Exhibit A-1 at the hearing.

5. The lot which is the subject of the variance request is lot 2, which has a gross area of 5.031 acres and a net area of 4.00 acres. It is crossed by an existing private road which is designated on the subdivision plan as a 50-foot wide private road.

6. The definition of the term "lot" in §139-6 of the Willistown Township Zoning Ordinance includes the requirement that it be "...undivided by any street or private road or dedicated street right-of-way..." The 4-acre lot 2 does not meet the definition of "lot" as set forth in the Zoning Ordinance.

7. The small cottage on lot 2 is located between the private road and the northerly property line of the property. If the northerly property line of lot 2 were extended further to the north, it would create area and bulk compliance issues with respect to the existing barn shown on lot 1.

8. A lot cannot be provided between the private road and the barn and comply with lot width without encroaching in the required yard area for the barn. Ridley Creek is also a natural constraint to creating a lot line for lot 2 which is north of the lot line proposed on Exhibit A-1.

9. Ownership of the private road will be in the individual lot owners. The private road will be a very low volume road and will be governed by a private road agreement to be put in place.

DISCUSSION

The standards for the granting of a variance are set forth in §139-125.E(1) through (5) of the zoning ordinance. We are satisfied that due to the presence of the existing

private road, the location of Ridley Creek and the close proximity of the buildings on the tract to one another, that there are unique physical circumstances and conditions creating hardship justifying the variance, and it is our opinion that because of these physical circumstances, the Applicant cannot make reasonable use of the property without obtaining this relief.

We find that this hardship has not been created by the Applicant and that permitting the creation of lot 2 divided by the private road will not alter the essential character of the neighborhood nor substantially nor permanently impair the use or development of adjacent property. We consider this to be the minimum variance that will afford relief to the Applicant. The testimony demonstrated that other lot configurations would result in more significant variations from the terms of the zoning ordinance. Because of the close proximity of the buildings intended to be placed on separate lots and the location of Ridley Creek and the road, we believe that a variance is appropriate and that the application should be granted. Further, we find that this application is consistent with the corresponding variance standards of §910.2 of the Pennsylvania Municipalities Planning Code.

CONCLUSIONS OF LAW

1. The hearing was duly advertised, all required notices were given, and the hearing was duly convened.
2. The Board has jurisdiction over this matter.

3. The Applicant has demonstrated its entitlement to the variance relief sought.

The Board, therefore, enters the following:

ORDER

AND NOW, this 3rd day of August, 2005, upon consideration of the application of Purna Partners, L.P. for variance relief from the requirement of §139-13.A, that a lot area of not less than 4 acres per family shall be provided for every principal building; AND having found that the Applicant has demonstrated the required hardship to permit the 4-acre lot to be divided by the 50-foot private road, as shown on Exhibit A-1, it is hereby ordered that the requested variance relief is granted, subject to the following conditions:

1. The proposed lot layout, as shown on Exhibit A-1, shall remain substantially as depicted thereon, and the development of the property shall be accomplished in accordance with the testimony and exhibits presented to the Board.

2. This approval shall not be construed in any way to be a waiver of any other provisions of the Willistown Township Zoning Ordinance or Subdivision and Land Development Ordinance, or any other ordinance or requirement of the Township, it being the intention of the Board that the use of the subject property for a single-family residence in accordance with the proposed plan shall comply with all applicable Township ordinances and requirements, except to the extent modified hereby.

WILLISTOWN TOWNSHIP
ZONING HEARING BOARD



Donald A. Thompson



Richard H. Thompson

Donald A. Mancini



WILLISTOWN TOWNSHIP
Historical Commission Meeting
Tuesday, October 7, 2025
7:00 p.m.

Minutes

LOCATION: Willistown Township Building 688 Sugartown Rd, Malvern, PA 19355

Members Present:

Bart Van Valkenburgh (Chair), Warren Claytor (Vice-Chair), Mimi Quinn-Johnson (Secretary), Terry Kile, Greg Prichard, Jody Vandergrift

Members Absent:

Dave Hopkins, Sharon Sukonick

Township Representatives Present:

Caroline O'Connor (Director of Planning & Zoning), Jennifer Jacobs (Outreach and Recreation Program Coordinator)

A. CALL TO ORDER

Mr. Van Valkenburgh called the meeting to order at 7:00 p.m. followed by The Pledge of Allegiance.

B. ANNOUNCEMENTS

1. Mr. Van Valkenburg announced that on October 14 the Malvern Historic Commission will host a lecture entitled "1830-1940 Evolution" on historic persons from Willistown who impacted Malvern Borough.
2. Mr. Claytor announced that he will be speaking about the Whip's Cottage at the Institution of Classical Architecture and Art Fall Social which will be held on October 10 in the Benjamin Hibberd House at Radnor Hunt.

C. MINUTES

MOTION: To approve the minutes for the regular Historical Commission meetings held on May 6, 2025 and September 2, 2025. (Prichard/Kile)

COMMENTS: None

ACTION: Passed, 6-0

D. SUBMITTED APPLICATIONS

1. Address: 978 Garrett Mill Rd (54-8-11)

Applicant: Devin Wilkins & Kyle Wischer (owners) and Warren Claytor Architects

Historic Resource: #O-18 – William Garrett House (AofQ pages 171-178)

Project Description: application to construct an addition to the historic resource consisting of a family room, piano room, powder room, office, and expanded kitchen and pantry on the first floor and a primary bedroom, primary bathroom, walk-in closets, covered porch, and additional bathroom on the second floor.

Present: Warren Claytor (Warren Claytor Architects)

Mr. Claytor presented the application to the Historical Commission. He gave a brief history of the property and said the applicants have been good stewards of the house which they love and want to enlarge to better accommodate their family. The addition will go on the rear utilizing existing openings and will include a dormer with egress windows on the third floor to be used as an au pair suite. The house is presently non-conforming to the lot setbacks in the Township Ordinance. Mr. Prichard was curious about the mudroom with one entrance which Mr. Claytor believes was originally where animals were kept. The historical structure is not going to change. This plan was also presented to, and approved by, the Willistown Conservation Trust prior to this meeting. The Commission finds the proposed design and location for the addition is the most appropriate for the property.

MOTION: To recommend approval of the project as presented (Prichard/Vandergrift)

COMMENTS: None

ACTION: Passed, 5-0 (Claytor abstained)

E. DISCUSSION/ACTION ITEMS

1. 2026 Town Tours and Village Walks

There was discussion about the Chester County Planning Commission’s 32nd Annual Town Tours and Village Walks program. The title is “13 Tours for 13 Colonies,” preparing for the 250th anniversary of the Declaration of Independence and Chester County’s history over the past 250 years. This year the schedule is expanded to spring, summer, and fall 2026. The focus is on the prominent heritage themes in our region. The Commission members suggested that Willistown could be a tour location and highlight the Okehocking Preserve which was originally occupied by the Lenape tribe.

COMMENTS: None

2. America250 Planning

America 250 and Chester County 250 will aim to celebrate the breadth of our nation’s history and our county’s role in that history. Ms. Jacobs stated that the park parties, GO WilMa theme, and other events could use this theme for our events in 2026. Ms. O’Connor

suggested starting an annual Historic Preservation Award for those properties which had preservation work completed.

COMMENTS:

Cindi Myers, 735 Hillview Rd

Ms. Myers suggested that we could post information about historical Willistown properties on social media.

3. CCHPN Fall Workshop

Ms. O'Connor asked if any Commission members would like to attend the Fall Workshop on November 1, 2025. She will collect registration information for those interested in attending.

COMMENTS: None

4. Historic Trees

- a. Removal of Historic Tree on Grubb Road – Ms. O'Connor presented information about a potentially historic tree that was removed on Grubb Road. Trees, especially those along roadways, are susceptible to stress, salt, compaction, and climate change, that increases the risk of death. This tree was determined to be dead, and for safety reasons, had to be removed.
- b. Process for Updating List – Ms. O'Connor pointed out that there is a Historic Tree Inventory in the Comprehensive Plan. The Commission reviewed items in the list, and it was noted that the locations listed for the trees were either not accurate or unclear. Mr. Van Valkenburg also noted that there are some trees that have died since publication of the list and also more trees that would be considered historic that are not on the list. The Commission agreed that the Township should update the list of Historic Trees and identify them in some way to provide for some protection. Ms. Vandergrift suggested sending a letter to homeowners who have very old trees on their property informing them of this. Ms. O'Connor suggested that the Township's Parks and Preserves Steward would be able to assist in gathering information about known trees, but that the Commission would have to provide recommendations for additions. Ms. O'Connor suggested small plaques on each tree to help with identification and preservation.

COMMENTS:

Cindi Myers, 735 Hillview Rd

Ms. Myers stated that she had seen a plaque on three trees on her street and she thought it was a nice reminder about the significance of the trees. She was in support of adding new plaques to historic trees.

F. FOR THE GOOD OF THE ORDER

The Commission discussed ideas for the 2027 Town Tours & Village Walks. The local history tour will feature the colonial era and the American Revolution & Philadelphia Campaign of

1777 heritage theme. Willistown will work with Paoli Battlefield to include the Battle of Paoli in this theme.

Mr. Van Valkenburg stated that the stone work on Bartram Bridge is complete. In December they will continue work on the renovation and plan to replace some boards with historic oak wood.

G. PUBLIC COMMENT – None

H. ADJOURNMENT

Seeing no further business the meeting adjourned at 8:23 p.m.

Next Meeting: Tuesday, November 6, 2025 at the Willistown Township Administration Building

Respectfully submitted,

Marie Quinn-Johnson
Secretary

APPLICATION



Application # 2-03-24
Deemed Complete 2/6/26
Fee \$ 1000 ✓184

ZONING HEARING BOARD APPLICATION

RECEIVED

Willistown Township
688 Sugartown Road
Malvern, PA 19355

FEB 02 2026

Phone 610.647.5300 Fax 610.647.8156

WILLISTOWN TOWNSHIP

Property Address/Site Location:

Property Owner Garrett Mill Farm, LLC Telephone Number see attorney number
Address 978 Garrett Mill Road City Newtown Square State PA Zip 19073
E-Mail See attorney email Dervingwilkins@gmail.com
Zoning District RU-rural Tax Parcel(s) # 54-8-11

Applicant (if different) _____ Telephone Number _____
E-Mail _____
Address _____ City _____ State _____ Zip _____

Attorney Information:

Attorney for Applicant John J. Mezzanotte, Jr., Esquire Telephone Number 610-565-4055
Address 844 E. Street Road, P.O. Box 5 City Westtown State PA Zip 19395
E-Mail jmezzanotte@bmplaw.net

Relief Requested:

Variance Special Exception Appeal Decision of the Zoning Officer _____
Validity Challenge of Ordinance or Map _____

Articles and Sections of the Zoning Ordinance pertaining to the relief requested:

See attached narrative

Required Submittal Items

- 1. Attach narrative explaining your request in detail.
- 2. Submit two (2) sets of plans, one (1) electronic (PDF).
- 3. Check made out to "Willistown Township": \$1,000 (Residential) / \$1,500 (Non-Residential).

Property Owner's Signature [Signature] (Devin Wilkins - member) Date 2/2/2026
Print Property Owner's Name Garrett Mill Farm, LLC

PLANNING COMMISSION REVIEW IS REQUIRED – YOUR ATTENDANCE IS NECESSARY
Contact the Director of Planning & Zoning at 610.647.5300 to schedule your appearance.
No application will be considered or referred to the Zoning Hearing Board until the application fee has been paid and reviewed for completeness by the Zoning Officer.

ZONING APPLICATION NARRATIVE

WILLISTOWN TOWNSHIP

I. IDENTIFICATION OF PROPERTY AND APPLICANTS.

This application involves **978 Garrett Mill Road**, Chester County Tax Parcel No. 54-8-11. The property is owned by **Devin Wilkins and Kyle Wichser** through their entity, Garrett Mill Farm, LLC. It is their family’s home. The home is an historic farmhouse known as the William Garrett House (circa 1825 – Acres of Quakers pg 171-178). The property is 32 acres and is subject to a conservation easement in favor of Willistown Conservation Trust.

II. BRIEF SUMMARY OF RELIEF REQUESTED

Devin and Kyle wish to put an addition onto their residence. They require zoning relief because the residence is in the front yard setback and the addition would be too.

III. RELEVANT ZONING ORDINANCE PROVISIONS

The property is zoned RU Rural. That zoning district requires a 75-foot yard setback from any street line per **§ 139-13 C (1)**. The farmhouse residence is a pre-existing, non-conforming structure extending into the front yard 19 feet from Garrett Mill Road. The proposed addition would not extend that far into the front yard; but, to fit onto the existing structure, it would still be largely in the front yard. The positioning of the existing residence and contemplated addition are shown on the attached 7-page Exhibit “A”. The table below lists relevant dimensional information.

	EXISTING RESIDENCE	PLANNED ADDITION– INCLUDING TERRACES
Total Footprint of Structure	2,094 square feet	1,563 square feet
Footprint in Front Yard	1,097 square feet	1,131 square feet
Closest Structure Distance To The Street Line	19 feet 1 inch	35 feet 10 inches

IV. ZONING ORDINANCE SPECIAL EXCEPTION PROVISIONS

The zoning ordinance at **§ 139-90 B (2)** allows for the extension of a nonconforming building by special exception. In relevant part, the ordinance provides as follows:

FEB 02 2026

WILLISTOWN TOWNSHIP

§ 139-90 B (2) . . . a nonconforming building shall not be extended. . . unless the Zoning Hearing Board shall as a special exception authorize . . . the limited extension of a building on a lot, provided that: (a) It is clear that such extension is not materially detrimental to the character of the surrounding area or the interests of the Township. . . . (c) Any extension of a building shall conform to the area and height regulations of the district in which it is situated.

V. HOW THE APPLICATION MEETS ALL SPECIAL EXCEPTION REQUIREMENTS

The proposed addition satisfies the 2 special exception requirements of § 139-90 B because: **(i)** it is not materially detrimental to the character of the surrounding area or the interests of the Township; and **(ii)** it conforms to the area and height regulations of the district.

A. Not Materially Detrimental

That the addition is “not materially detrimental to the character of the surrounding area or the interests of the Township” is underscored by the fact that the applicant’s addition has been endorsed by their surrounding neighbors, by Willistown Conservation Trust, and by the Willistown Township Historical Commission (see Exhibit “B” – map of approving neighbors; neighbor letters of approval; Willistown Conservation Trust letter of approval; Historical Commission minutes of approval).

B. Conforms To Area and Height Regulations

Whether the addition would “conform to the area and height regulations of the district”, hinges on the fact that “yard” regulations are neither “area” nor “height” regulations. A “yard” requirement clearly has nothing to do with “height”. Further, the yard setback standard is purely a distance metric while the standards for “building area” and “lot area”, are gross space metrics. A distance is not an area. This is the case notwithstanding the fact that all those standards are grouped together in § 139-13 of the zoning ordinance under the heading: *Area and height regulations*. As noted immediately below, the ZHB has decided this way in the past.

And putting aside yard considerations, the addition would not conflict with any “area” or “height” regulations of the RU district (as set out in § 139-13). As to height, buildings cannot exceed 35 feet in height and the addition will not exceed that limitation. The addition will not raise impervious coverage to more than the allowed 13% of the lot area. Further, the addition will not result in more than the allowed 10% of the lot area being occupied by buildings. And finally, the lot will continue to have more than 4 acres per family for every principal building and will continue to have a lot width of at least 300 feet at the building line.

C. Past ZHB Precedent is that a “yard” is not an area or height standard.

In an earlier application virtually identical to this application, the Zoning Hearing Board recognized that yard requirements are not area or height regulations. In *In Re: Application of*

Elizabeth Moran ZHB No. 1-93 the Applicant had a non-conforming, RU-zoned, residence that was set-back only 57 feet from the road when the ordinance required a 75-foot setback (as it still does today). The applicant requested a special exception under § 139-90 B (2) to add an addition which would result in a shrunken setback of only 46.7 feet.

In deciding the Moran application, the ZHB considered the 2 special exception requirements of § 139-90 B which still apply today (no detriment to surrounding character; no non-conformity with area & height regulations). First, the ZHB found that the addition would not be “materially detrimental” to the character of the surrounding area. Then, notwithstanding that the building addition would extend an additional 10 feet into the front yard, the ZHB ruled that the “*proposed extension of the building does conform to all of the area and height regulations of the RU rural district.*” (emphasis added). That determination establishes that yard regulations do not constitute “area and height” regulations for purposes of § 139-90 B (2). Otherwise, if a “yard” regulation were an “area” regulation, the further intrusion of the Moran addition into the front yard would have necessarily failed to conform with an area regulation — and the Board would not have said that the addition “*does conform to all of the area and height regulations of the RU rural district.*” A copy of the Moran decision is attached as Exhibit “C”.

VI. VARIANCE APPLICATION IN THE ALTERNATIVE

To the extent the Zoning Hearing Board would deviate from its earlier Moran decision and treat “yard” regulations as “area” regulations, the applicant requests, as alternative and supplemental relief, that the Zoning Hearing Board grant a variance pursuant to zoning ordinance § 139-125, and the Municipalities Planning Code § 910.2, and grant a special exception/variance allowing the proposed building addition.

Variance relief is appropriate if the Zoning Hearing Board deviates from the Moran decision because the zoning ordinance provisions [§ 139-13 (C) and § 139-90 B (2)(c)] inflict unnecessary hardship upon the applicant due to unique physical circumstances or conditions peculiar to the property and the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

Because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the zoning ordinance and a variance is therefore necessary to enable the reasonable use of the property. The unnecessary hardship has not been created by the applicant. The variance will not alter the essential character of the neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. The variance requested represents the minimum variance that will afford relief and will represent the least modification possible of the Ordinance in issue.

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FEB 02 2026

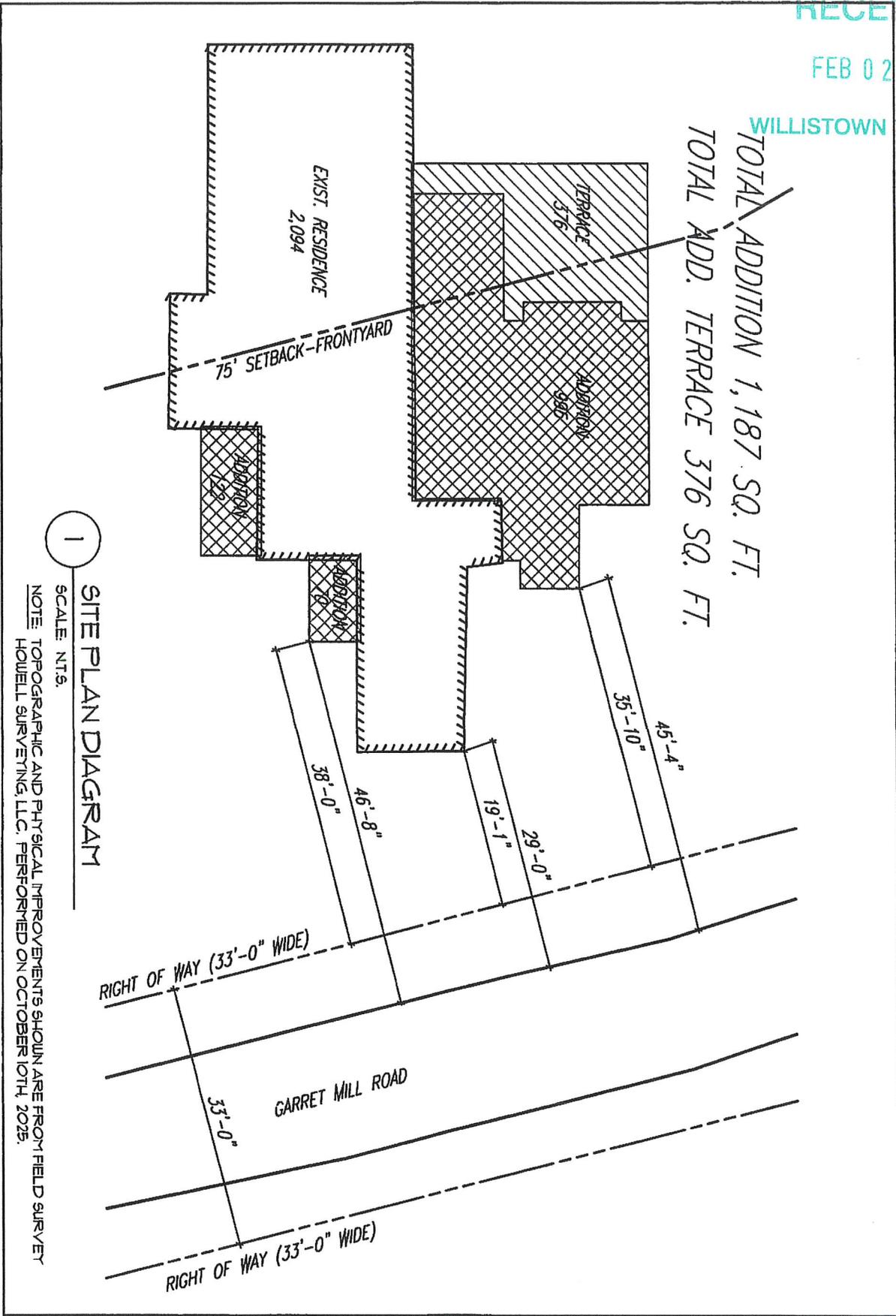
WILLISTOWN TOWNSHIP

EXHIBIT "A"

To

Application for 978 Garrett Mill Road, Chester County Tax Parcel No. 54-8-11

(Plans of Property & Proposed Addition)



1

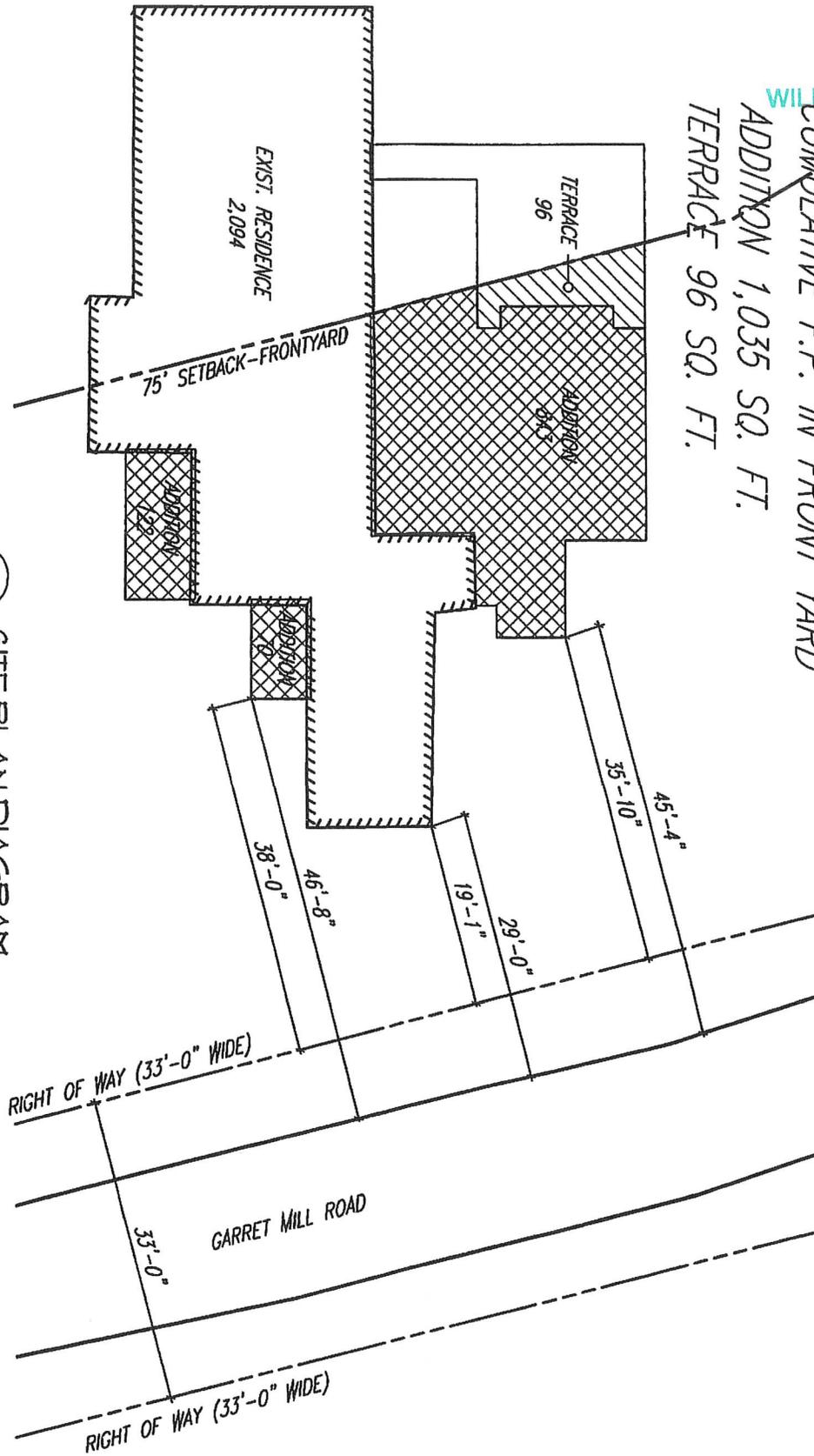
SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

<p>#1</p>	<p>SITE PLAN DIAGRAMS</p>	<p>RENOVATIONS + ADDITION TO WICHSER-WILKINS RESIDENCE 976 GARRET MILL ROAD, WILLISTOWN TOWNSHIP</p>	<p>WARREN CLAYTOR ARCHITECTS 114 NORTH WAYNE AVENUE P.O. BOX 350 WAYNE, PENNSYLVANIA 19387 TELEPHONE: 610-665-1244 FACSIMILE: 610-665-1743 WC@CLAYTOR.COM</p>	
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CUMULATIVE F.P. IN FRONT YARD
ADDITION 1,035 SQ. FT.
TERRACE 96 SQ. FT.



1

SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY
HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

#2

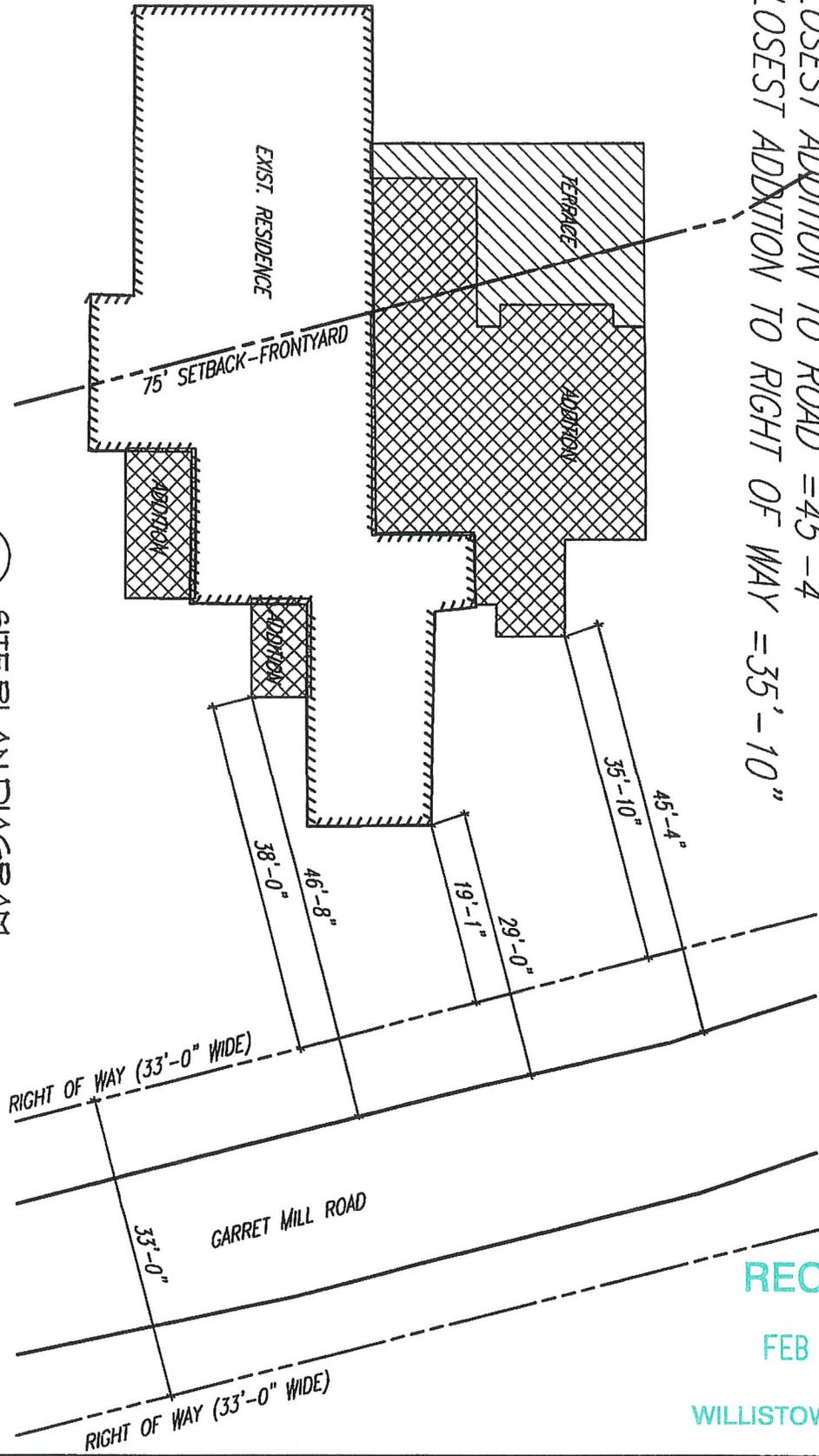
SITE PLAN
DIAGRAMS

RENOVATIONS & ADDITION TO
WICHSER-WILKINS
RESIDENCE
978 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP



WARREN CLAYTOR
ARCHITECTS
114 SOUTH WAVER AVENUE | P.O. BOX 260
WAYNE, PENNSYLVANIA 19087
TELEPHONE: 610-688-1244
FACSIMILE: 610-688-1243
WWW.WCA31GARCH.COM

CLOSEST ADDITION TO ROAD = 45'-4"
 CLOSEST ADDITION TO RIGHT OF WAY = 35'-10"



1

SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY
 HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

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WILLISTOWN TOWNSHIP

#3

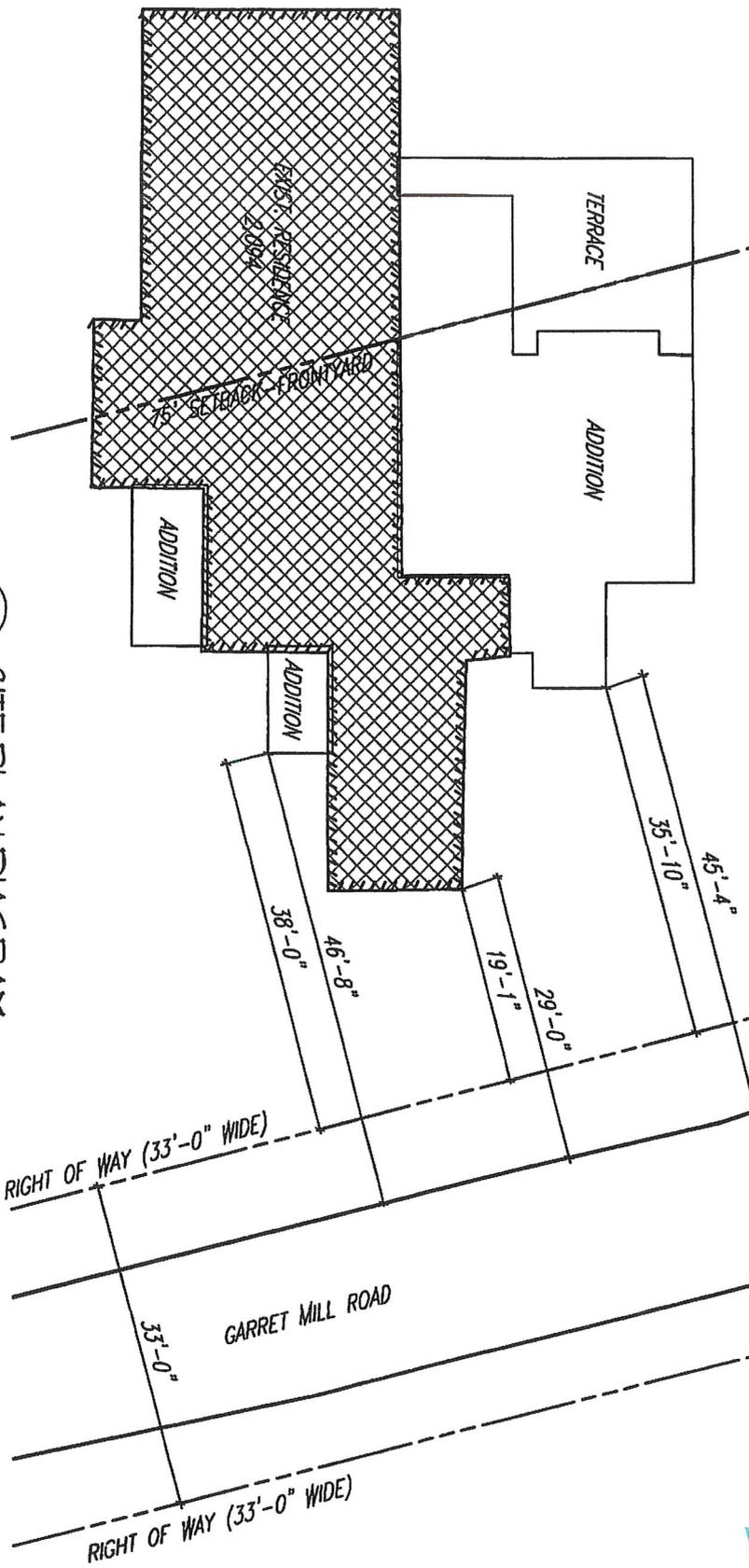
SITE PLAN
 DIAGRAMS

RENOVATIONS & ADDITION TO
 WICHSER-WILKINS
 RESIDENCE
 975 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP



WARREN CLAYTOR
 ARCHITECTS
 114 NORTH WAYNE AVENUE | P.O. BOX 366
 WAYNE, PENNSYLVANIA 19079
 TELEPHONE: 610-668-4744
 FACSIMILE: 610-668-1743
 WCLAY@GMAIL.COM

FOOTPRINT OF EXISTING RESIDENCE =
2,094 SQ. FT.



1

SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

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WILLISTOWN TOWNSHIP

#4

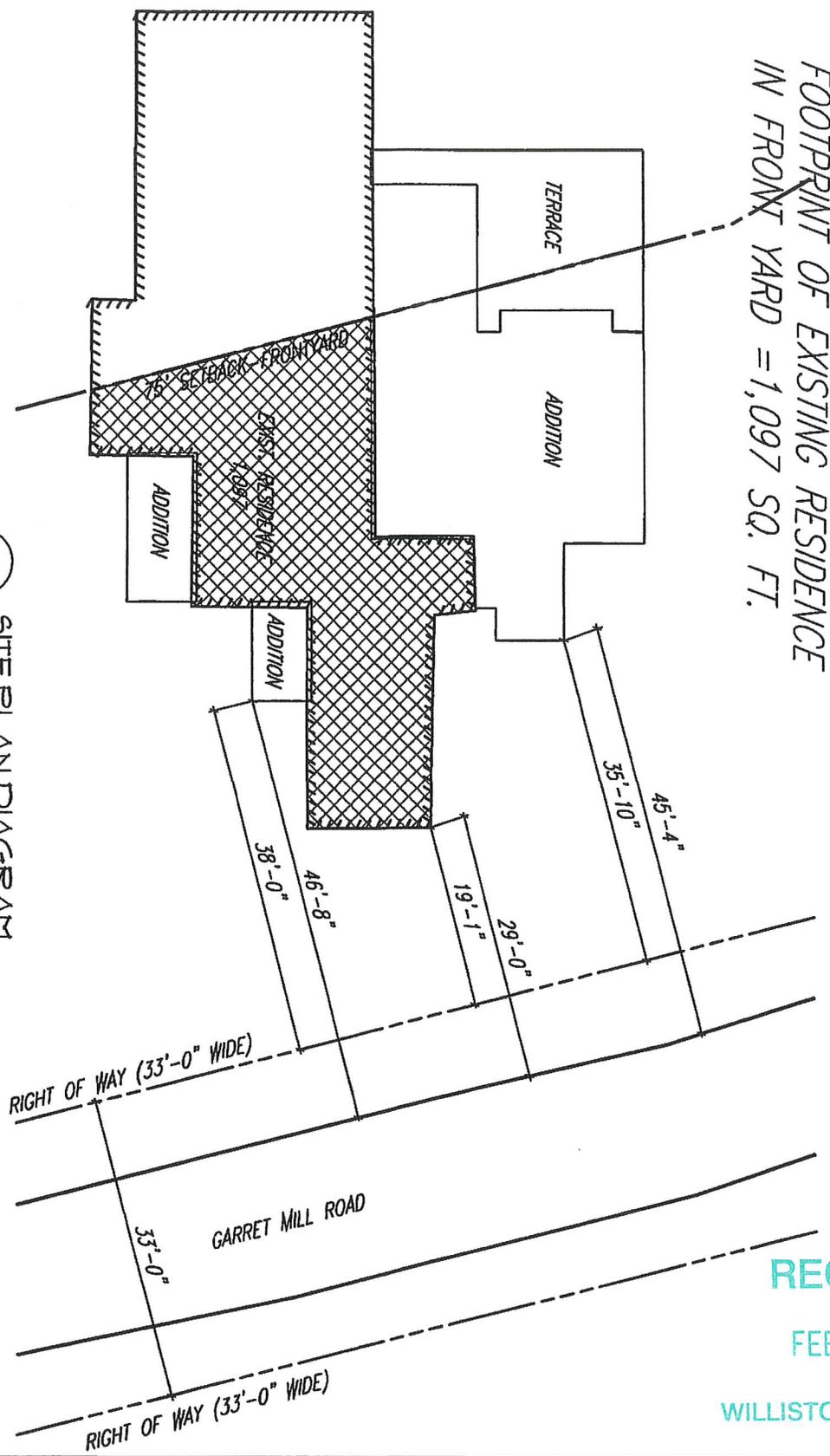
SITE PLAN
DIAGRAMS

RENOVATIONS + ADDITION TO
WICHSER-WILKINS
RESIDENCE
978 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP



WARREN CLAYTOR
ARCHITECTS
114 NORTH WAYNE AVENUE | P.O. BOX 505
WAYNE, PENNSYLVANIA 19387
TELEPHONE: 610-682-1744
FACSIMILE: 610-682-1743
WCLARCH@GMAIL.COM

FOOTPRINT OF EXISTING RESIDENCE
IN FRONT YARD = 1,097 SQ. FT.



1

SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY
HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

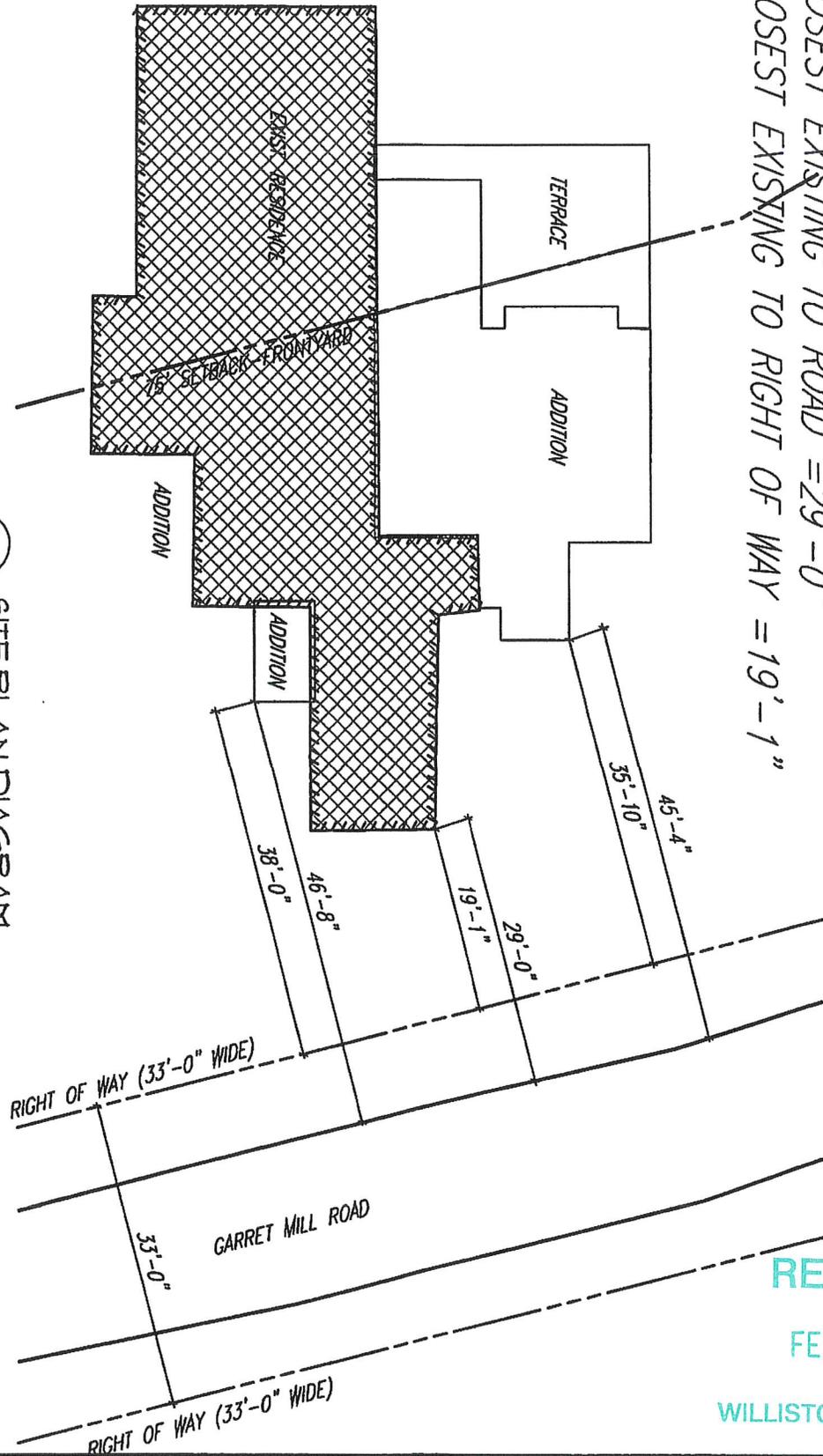
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FEB 02 2026

WILLISTOWN TOWNSHIP

#5	SITE PLAN DIAGRAMS	RENOVATIONS & ADDITION TO WICHSER-WILKINS RESIDENCE 976 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP	 WARREN CLAYTOR ARCHITECTS <small>114 BERTHI WAYNE AVENUE P.O. BOX 360 WAYNE, PENNSYLVANIA 19087 TELEPHONE: 610-663-1744 FACSIMILE: 610-663-1743 WC.ARLT@GMAIL.COM</small>	
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CLOSEST EXISTING TO ROAD = 29'-0"
 CLOSEST EXISTING TO RIGHT OF WAY = 19'-1"



1

SITE PLAN DIAGRAM

SCALE: N.T.S.

NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY
 HOWELL SURVEYING, LLC, PERFORMED ON OCTOBER 10TH, 2025.

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WILLISTOWN TOWNSHIP

#6

SITE PLAN
 DIAGRAMS

RENOVATIONS & ADDITION TO
 WICHSER-WILKINS
 RESIDENCE

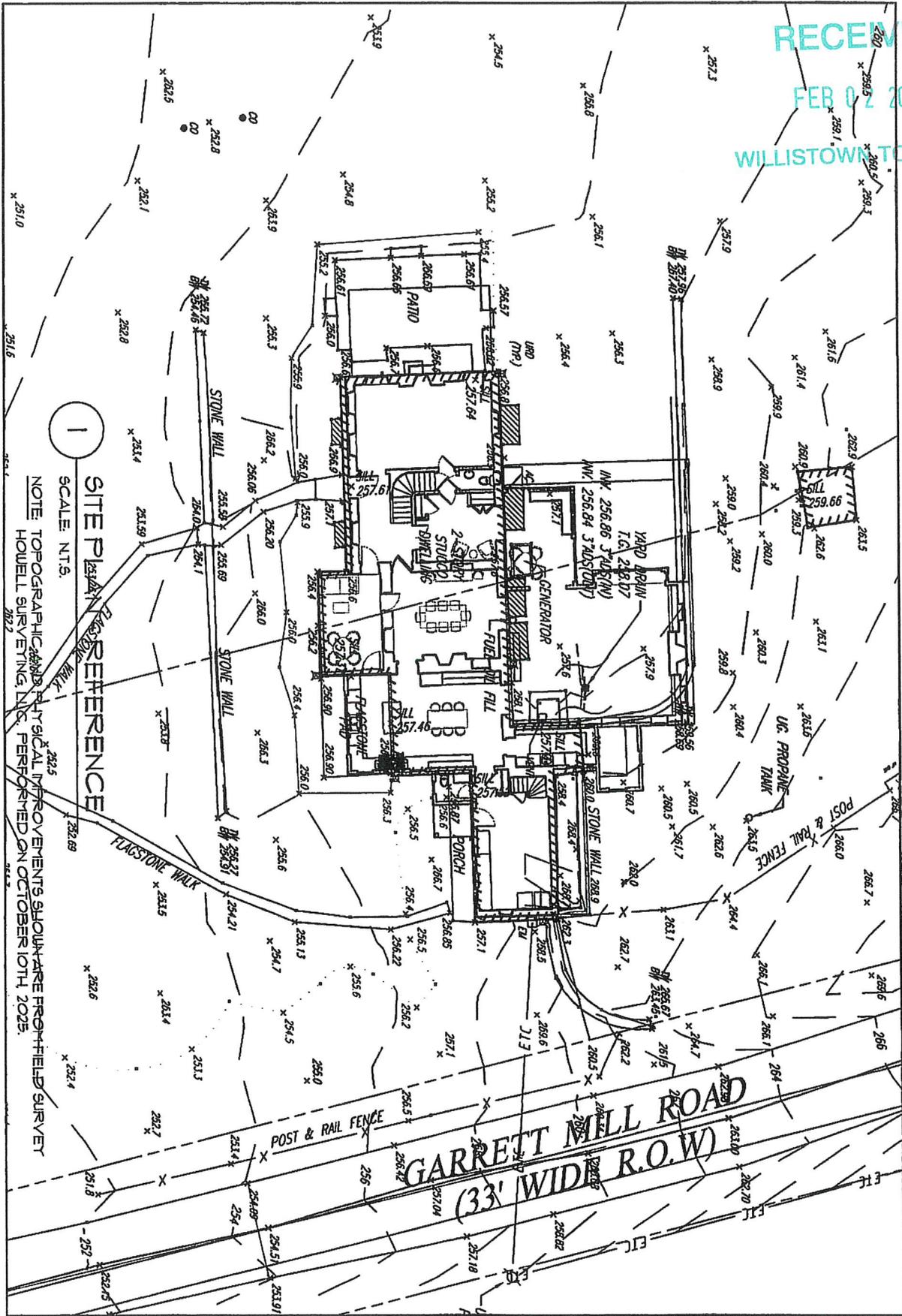
978 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP



WARREN CLAYTOR
 ARCHITECTS

114 NORTH MAINS AVENUE | P.O. BOX 266
 WAYNE, PENNSYLVANIA 19387
 TELEPHONE: 610-688-1744
 FACSIMILE: 610-688-1743
 WTCARCL19387-0314

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 FEB 02 2026
 WILLISTOWN TOWNSHIP



1 SITE PLAN REFERENCE
 SCALE: N.T.S.
 NOTE: TOPOGRAPHIC AND PHYSICAL IMPROVEMENTS SHOWN ARE FROM FIELD SURVEY
 HOWELL SURVEYING, INC. PERFORMED ON OCTOBER 10TH, 2025.

SP

SITE PLAN

RENOVATIONS & ADDITION TO
**WICHSER-WILKINS
 RESIDENCE**
 378 GARRETT MILL ROAD, WILLISTOWN TOWNSHIP



**WARREN CLAYTOR
 ARCHITECTS**
 111 NORTH WAYNE AVENUE | P.O. BOX 56
 WAYNE, PENNSYLVANIA 19081
 TELEPHONE: 610-688-1744
 FACSIMILE: 610-688-1742
 WWW.WARRENCLAYTOR.COM

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FEB 02 2026

WILLISTOWN TOWNSHIP

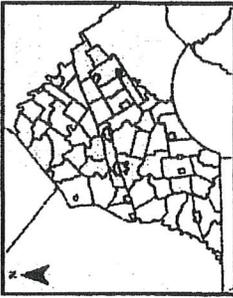
EXHIBIT “B”

To

Application for 978 Garrett Mill Road, Chester County Tax Parcel No. 54-8-11

- 1. Map of supporting neighbors*
- 2. Neighbor Letters of Support*
- 3. Willistown Conservation Trust, Inc. Approval Letter*
- 4. Historical Commission Minutes of Approval*

COUNTY OF CHESTER
PENNSYLVANIA



Find UPI Information

PARID: 5408 00110000

UPI: 54-8-11

Owner: GARRETT MILL FARM LLC

Mail Address 1: 978 GARRETT MILL RD
Mail Address 2: NEWTOWN SQUARE PA

Mail Address 3:

ZIP Code: 19073

Deed Book: 10521

Deed Page: 2048

Deed Recorded Date: 04/27/2021

Legal Desc: 1: WS GARRETT MILL RD

Legal Desc: 2: 32 AC FARM LOT 1

Acres: 33.06

LUC: F-20

Lot Assessment: 38340

Property Assessment: 538240

Total Assessment: 576580

Assessment Date: 12/13/2024 7:28:35 AM

Property Address: 978 GARRETT MILL RD

Municipality: WILLISTOWN

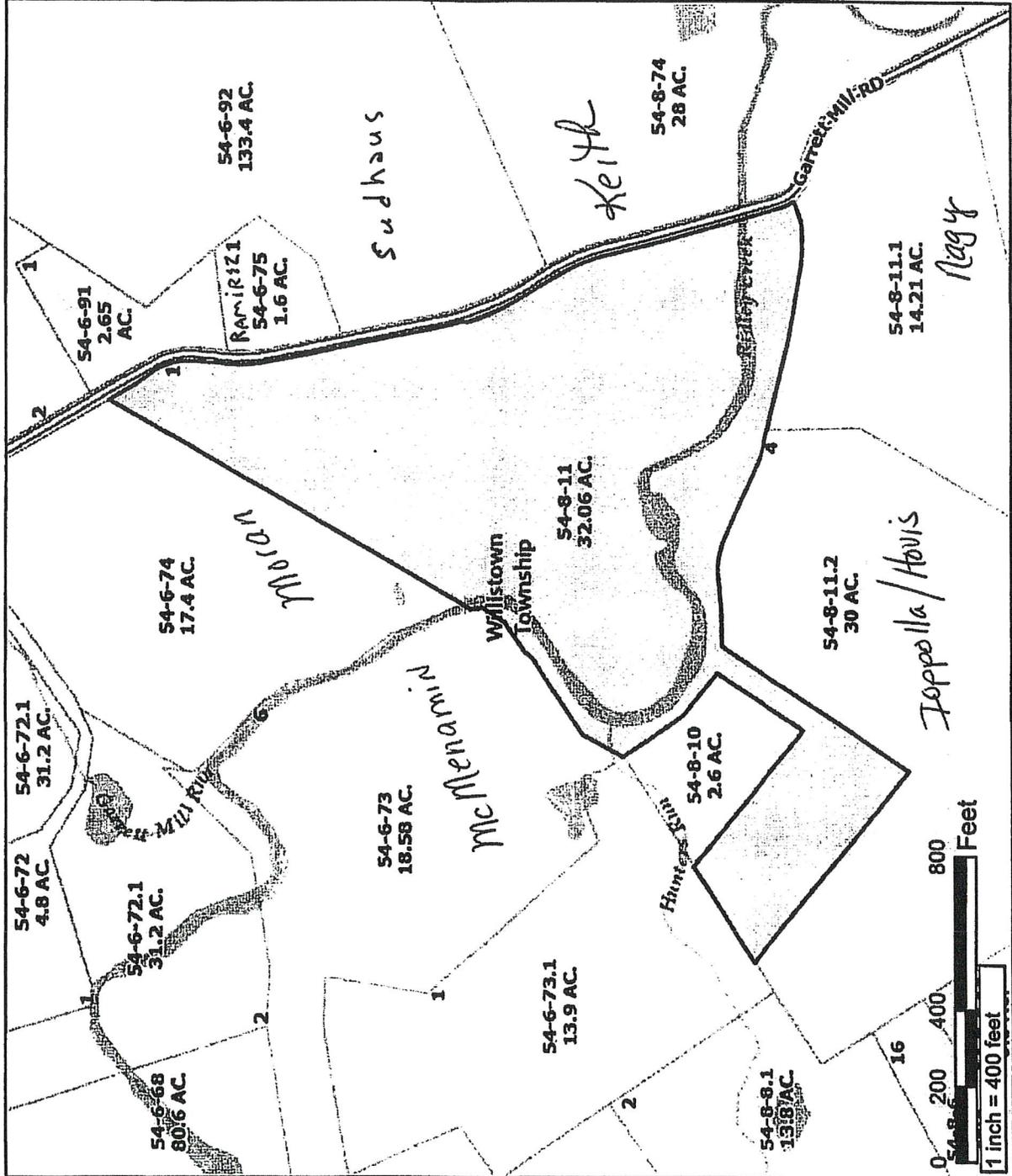
School District: Great Valley

Map Created:
Wednesday, December 10, 2025

County of Chester

Limitations of Liability and Use:
County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, for any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources visit the GIS Service page listed at www.chesco.org/gis.

CV4_Letter_Landscape



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FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

We, the undersigned neighbors and residents of Willistown Township, express our full support for the proposed 1,065 square foot addition to Kyle and Devin Wichser's home located at 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and understand that the proposed addition will be designed by **Warren Claytor Architects**, a respected local firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. The design will carefully preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

NAME

Christina Ritke

ADDRESS

978 Garrett Mill Rd

SIGNATURE



DATE

12/18/25

We have zero problems with this small, tasteful addition. The way historic homes are built up over the years are what makes them so interesting!

RECEIVED

FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

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We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

NAME

Robert Keith

ADDRESS

975 Garrett Mill Rd
Newtown Square, Pa. 19073

SIGNATURE

Robert Keith

DATE

9/22/25

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FEB 02 2026

WILLISTOWN TOWNSHIP

HAWTHORNE

955 Garrett Mill Road, Newtown Square, PA | 610.716.4593 |

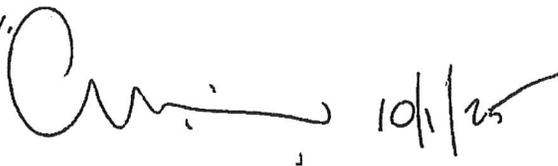
September 29, 2025

Ms. Shanna Lodge
Township Manager
Willistown Township
688 Sugartown Road
Malvern, PA 19355

Dear Ms. Shanna Lodge:

We are writing to lend our support for Devin Wilkins and Kyle Wichser's application to build an addition onto their historic home (William Garrett House) at Garrett Mill Farm on 978 Garrett Mill Road, Newtown Square. We have seen the latest design dated 1/31/2025 by Warren Claytor Architects, and feel that the proposed design complements the character of the home and is in keeping with the character of the community.

Sincerely,

A handwritten signature in black ink, followed by the date "10/1/25". The signature is cursive and appears to be "Chris".

Hawthorne

RECEIVED

FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

We, the undersigned neighbors and residents of Willistown Township, express our full support for the proposed 1,065 square foot addition to Kyle and Devin Wichser's home located at 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and understand that the proposed addition will be designed by **Warren Claytor Architects**, a respected local firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. The design will carefully preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

NAME

Toni Loppato
Todd Horis

ADDRESS

996 Garrett Mill Rd.
Newtown Square PA 19073.

SIGNATURE

Toni Loppato
Todd Horis

DATE

September 22, 2025

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FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

We, the undersigned neighbors and residents of Willistown Township, express our full support for the proposed 1,065 square foot addition to Kyle and Devin Wichser's home located at 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and understand that the proposed addition will be designed by **Warren Claytor Architects**, a respected local firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. The design will carefully preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

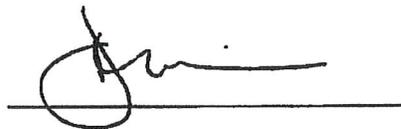
We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

Robert McMEnamin

988 Garrett Mill Road

Newtown Square, PA 19073



09/25/25

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FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

We, the undersigned neighbors and residents of Willistown Township, express our full support for the proposed 1,065 square foot addition to Kyle and Devin Wichser's home located at 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and understand that the proposed addition will be designed by **Warren Claytor Architects**, a respected local firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. The design will carefully preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

NAME

Ranney and Aleksandra Moran

ADDRESS

944 Garrett Mill Road, Newtown Square PA 19073

SIGNATURE

A handwritten signature in black ink, appearing to read "Ranney Moran", written in a cursive style.

DATE

10.13.25

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FEB 02 2026

WILLISTOWN TOWNSHIP

Neighbor Statement of Support

978 Garrett Mill Road, Newtown Square, PA 19073

54-8-11

We, the undersigned neighbors and residents of Willistown Township, express our full support for the proposed 1,065 square foot addition to Kyle and Devin Wichser's home located at 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and understand that the proposed addition will be designed by Warren Claytor Architects, a respected local firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. The design will carefully preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

We believe the addition is thoughtful, necessary, and will enhance the overall property.

Sincerely,

NAME *Pamela + Peter Nagy*

ADDRESS *980 Garrett Mill Rd
Newtown Square, PA 19073*

SIGNATURE *Pamela Nagy*
Peter A. Nagy

DATE *9/30/2025*

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FEB 02 2026

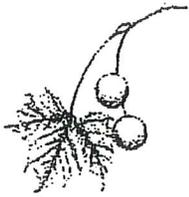
**Neighbor Statement of Support for the proposed addition/renovation for WILLISTOWN TOWNSHIP
978 Garrett Mill Road, Newtown Square, PA 19073 54-8-11**

We, the undersigned neighbors and residents of Willistown Township, express our support for the proposed 1,065 +/- square foot addition to Kyle and Devin Wichser's home located at "Garrett Mill Farm" 978 Garrett Mill Road, Newtown Square, PA 19073.

We have seen the plans and importantly understand that the proposed addition will be designed by **Warren Claytor Architects**, a recognised firm with deep experience in the sensitive restoration and enhancement of historic homes in our area. It is our understanding that the design will preserve the architectural integrity and historic character of the home, using appropriate materials and proportions that are consistent with the original structure and the surrounding neighborhood.

Sincerely,

Elsa A. Sudhaus



WILLISTOWN CONSERVATION TRUST

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September 15, 2025

FEB 02 2026

Mr. Kyle Wichser and Ms. Devin Wilkins
980 Garrett Mill Rd
Newtown Square, PA 19073

WILLISTOWN TOWNSHIP

Re: Review of Plans for Proposed Addition

Dear Kyle and Devin,

As you know, your property is subject to the terms of a conservation easement originally granted to Willistown Conservation Trust by Anthony and Lynda Hitschler, and reaffirmed thereafter by Purna Partners. Pursuant to paragraph 5A of the easement, I have reviewed the plans referenced above to confirm their compliance. For reference purposes, the plans utilized for this review are as follows:

- Wichser-Wilkins Residence Renovations and Addition Plans: Warren Claytor Architects; Sheets 1-6, print date January 31, 2025.

My comments follow. Please refer to Paragraph 1, *Definitions*, of the easement for complete descriptions of all capitalized terms.

1. **Proposed Addition as Permitted Improvement.** Paragraph 4(B) states that you have the right, subject to other provisions of this easement, to construct additions to the Primary Residences within the Conservation Easement Area. Therefore, the proposed Improvements are acceptable.
2. **Impervious Ground Surface Coverage.** According to Paragraph 4.F(ii) of the Amendment recorded March 15, 2019, your property is allotted with a total of 25,000 square feet of allowable Impervious Ground Surface Coverage (IGSC). According to the plans referenced above, this addition will add 1,614 square feet of IGSC. This Improvement will bring the total IGSC on the property, excluding driveways, to 13,847 and is therefore acceptable.
3. **Construction Methods.** Paragraph 5(C) of the easement addresses construction methods and states that all Improvements shall be constructed by methods which are attentive to minimizing disturbances to the environment. The Easement also states that the Trust may require the installation of stormwater management or waste treatment measures and erosion control measures where an Improvement or activity may impair the land, surface water or groundwater quality.

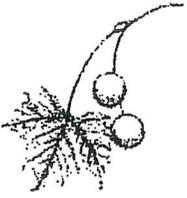
The documents submitted do not show any of the proposed stormwater management and soil erosion/sedimentation plans. Upon receiving Township approval for the Stormwater Management and Soil & Erosion Plans, please forward a copy to Willistown Conservation Trust for our records.



For the preservation of the natural resources, rural character, and cultural heritage of the Willistown area

925 Providence Road · Newtown Square, PA 19073 · tel: (610) 353-2562 · fax: (610) 325-0869 · www.wctrust.org

Willistown Conservation Trust is registered as a charitable organization. The official registration and financial information may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.



WILLISTOWN CONSERVATION TRUST

5. **Lighting.** Paragraph 4(E) of the easement outlines the restrictions related to lighting on the CEA, as follows:

- There shall be no upward lighting on the exterior facade of any structure;
- There shall be no upward lighting of trees or other vegetation;
- There shall be no lighting of outdoor, above ground Recreational Facilities;
- There shall be no lighting fixtures installed along the length of any Access Drive.

While the plans submitted to date do not include any information concerning lighting, the above restrictions shall apply to any lighting proposed in the future. If lighting is planned, please forward this information to us for review and approval.

The relevant information shown on the referenced plans satisfies the terms of your conservation easement, and the submitted plans are approved. Our approval is based solely on the information provided on the plans, and the correct implementation of this information during the construction phase is the responsibility of the landowner. In addition, our approval applies only to the terms of your conservation easement and does not relieve you from compliance with the applicable provisions of the Willistown Township Code. Again, please forward any stormwater management and soil & erosion plans to WCT.

We greatly appreciate your commitment to land conservation and efforts to develop this project within the framework of your conservation easement. Please do not hesitate to contact me with any questions concerning this letter or your easement at 610-353-2562, ext. 114.

With kind regards,

Mike Cranney
Director of Stewardship

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FEB 02 2026

WILLISTOWN TOWNSHIP

cc: Kate Etherington, WCT
Warren Claytor, A.I.A.



For the preservation of the natural resources, rural character, and cultural heritage of the Willistown area

925 Providence Road · Newtown Square, PA 19073 · tel: (610) 353-2562 · fax: (610) 325-0869 · www.wctrust.org

Willistown Conservation Trust is registered as a charitable organization. The official registration and financial information may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.

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WILLISTOWN TOWNSHIP



WILLISTOWN TOWNSHIP
Historical Commission Meeting
Tuesday, October 7, 2025
7:00 p.m.
Minutes

LOCATION: Willistown Township Building 688 Sugartown Rd, Malvern, PA 19355

Members Present:

Bart Van Valkenburgh (Chair), Warren Claytor (Vice-Chair), Mimi Quinn-Johnson (Secretary), Terry Kile, Greg Prichard, Jody Vandergrift

Members Absent:

Dave Hopkins, Sharon Sukonick

Township Representatives Present:

Caroline O'Connor (Director of Planning & Zoning), Jennifer Jacobs (Outreach and Recreation Program Coordinator)

A. CALL TO ORDER

Mr. Van Valkenburgh called the meeting to order at 7:00 p.m. followed by The Pledge of Allegiance.

B. ANNOUNCEMENTS

1. Mr. Van Valkenburg announced that on October 14 the Malvern Historic Commission will host a lecture entitled "1830-1940 Evolution" on historic persons from Willistown who impacted Malvern Borough.
2. Mr. Claytor announced that he will be speaking about the Whip's Cottage at the Institution of Classical Architecture and Art Fall Social which will be held on October 10 in the Benjamin Hibberd House at Radnor Hunt.

C. MINUTES

MOTION: To approve the minutes for the regular Historical Commission meetings held on May 6, 2025 and September 2, 2025. (Prichard/Kile)

COMMENTS: None

ACTION: Passed, 6-0

D. SUBMITTED APPLICATIONS

1. Address: 978 Garrett Mill Rd (54-8-11)

Applicant: Devin Wilkins & Kyle Wischer (owners) and Warren Claytor Architects

Historic Resource: #O-18 – William Garrett House (AofQ pages 171-178)

Project Description: application to construct an addition to the historic resource consisting of a family room, piano room, powder room, office, and expanded kitchen and pantry on the first floor and a primary bedroom, primary bathroom, walk-in closets, covered porch, and additional bathroom on the second floor.

Present: Warren Claytor (Warren Claytor Architects)

Mr. Claytor presented the application to the Historical Commission. He gave a brief history of the property and said the applicants have been good stewards of the house which they love and want to enlarge to better accommodate their family. The addition will go on the rear utilizing existing openings and will include a dormer with egress windows on the third floor to be used as an au pair suite. The house is presently non-conforming to the lot setbacks in the Township Ordinance. Mr. Prichard was curious about the mudroom with one entrance which Mr. Claytor believes was originally where animals were kept. The historical structure is not going to change. This plan was also presented to, and approved by, the Willistown Conservation Trust prior to this meeting. The Commission finds the proposed design and location for the addition is the most appropriate for the property.

MOTION: To recommend approval of the project as presented (Prichard/Vandergrift)

COMMENTS: None

ACTION: Passed, 5-0 (Claytor abstained)

E. DISCUSSION/ACTION ITEMS

1. 2026 Town Tours and Village Walks

There was discussion about the Chester County Planning Commission's 32nd Annual Town Tours and Village Walks program. The title is "13 Tours for 13 Colonies," preparing for the 250th anniversary of the Declaration of Independence and Chester County's history over the past 250 years. This year the schedule is expanded to spring, summer, and fall 2026. The focus is on the prominent heritage themes in our region. The Commission members suggested that Willistown could be a tour location and highlight the Okehocking Preserve which was originally occupied by the Lenape tribe.

COMMENTS: None

2. America250 Planning

America 250 and Chester County 250 will aim to celebrate the breadth of our nation's history and our county's role in that history. Ms. Jacobs stated that the park parties, GO WilMa theme, and other events could use this theme for our events in 2026. Ms. O'Connor

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suggested starting an annual Historic Preservation Award for those properties which had preservation work completed.

COMMENTS:

Cindi Myers, 735 Hillview Rd

Ms. Myers suggested that we could post information about historical Willistown properties on social media.

3. CCHPN Fall Workshop

Ms. O'Connor asked if any Commission members would like to attend the Fall Workshop on November 1, 2025. She will collect registration information for those interested in attending.

COMMENTS: None

4. Historic Trees

a. Removal of Historic Tree on Grubb Road – Ms. O'Connor presented information about a potentially historic tree that was removed on Grubb Road. Trees, especially those along roadways, are susceptible to stress, salt, compaction, and climate change, that increases the risk of death. This tree was determined to be dead, and for safety reasons, had to be removed.

b. Process for Updating List – Ms. O'Connor pointed out that there is a Historic Tree Inventory in the Comprehensive Plan. The Commission reviewed items in the list, and it was noted that the locations listed for the trees were either not accurate or unclear. Mr. Van Valkenburg also noted that there are some trees that have died since publication of the list and also more trees that would be considered historic that are not on the list. The Commission agreed that the Township should update the list of Historic Trees and identify them in some way to provide for some protection. Ms. Vandergrift suggested sending a letter to homeowners who have very old trees on their property informing them of this. Ms. O'Connor suggested that the Township's Parks and Preserves Steward would be able to assist in gathering information about known trees, but that the Commission would have to provide recommendations for additions. Ms. O'Connor suggested small plaques on each tree to help with identification and preservation.

COMMENTS:

Cindi Myers, 735 Hillview Rd

Ms. Myers stated that she had seen a plaque on three trees on her street and she thought it was a nice reminder about the significance of the trees. She was in support of adding new plaques to historic trees.

F. FOR THE GOOD OF THE ORDER

The Commission discussed ideas for the 2027 Town Tours & Village Walks. The local history tour will feature the colonial era and the American Revolution & Philadelphia Campaign of

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1777 heritage theme. Willistown will work with Paoli Battlefield to include the Battle of Paoli in this theme.

Mr. Van Valkenburg stated that the stone work on Bartram Bridge is complete. In December they will continue work on the renovation and plan to replace some boards with historic oak wood.

G. PUBLIC COMMENT – None

H. ADJOURNMENT

Seeing no further business the meeting adjourned at 8:23 p.m.

Next Meeting: Tuesday, November 6, 2025 at the Willistown Township Administration Building

Respectfully submitted,

Marie Quinn-Johnson
Secretary

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EXHIBIT “C”

To

Application for 978 Garrett Mill Road, Chester County Tax Parcel No. 54-8-11

(ZHB Decision in In Re: Application of Elizabeth Moran ZHB No. 1-93)

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IN RE: : BEFORE THE ZONING HEARING BOARD
APPLICATION OF : OF WILLISTOWN TOWNSHIP
ELIZABETH MORAN : CHESTER COUNTY, PENNSYLVANIA
: NO. 1-93

DECISION

Elizabeth Moran (hereinafter referred to as "Applicant") has filed an application with the Zoning Hearing Board by which she seeks a special exception under the provisions of §139.90.B(2) to permit the enlargement of a nonconforming residential structure located at 47 Green Lane in Willistown Township. The present structure is nonconforming as to front yard setback, and the nonconformity will be extended as a result of the proposed addition to the house.

The hearing was held at the Willistown Township Building on Thursday, February 4, 1993, commencing at 8:00 p.m. Richard H. Thompson, Donald A. Thompson and Joseph Neff Ewing, Jr. heard the application for the Zoning Hearing Board. Robert F. Adams, Esquire appeared as the Board's solicitor. Representing the Applicant was John C. Snyder, Esquire, who presented two witnesses in support of the application.

After receiving the evidence presented by the Applicant, and having reviewed the same, the Board makes the following:

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Findings of Fact

1. Notice of the hearing was duly published in the Daily Local News, posted at the Township and on the subject premises and was mailed to those persons and entities listed in Exhibit B-4 at the hearing.

2. The hearing was convened as scheduled, at which time the witnesses for the Applicant appeared and presented evidence in support of the Application.

3. The Applicant, Elizabeth Moran, is the agent for Anne Moran, owner of the property at 47 Green Lane.

4. The subject property is presently improved with a residential dwelling that was constructed prior to the effective date of the Willistown Township Zoning Ordinance, which is located on the south side of Green Lane.

5. The porch on the front of the residence which faces Green Lane is presently located 57.1 feet from the edge of the Green Lane right-of-way. The face of the existing residence, excluding the porch, is located 65 feet from the edge of the Green Lane right-of-way.

6. The Applicant proposes to construct an addition on the north side (front) of the existing building, which will have a dimension of approximately 18 feet by 16 feet. Another addition is proposed for the east end of the structure.

7. The proposed additions appear on plans prepared by John Milner, Architects, Inc., marked Exhibit A-3 at the hearing, and show the two-story addition on the front of the building and a

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smaller addition on the east end of the building, which extends the building approximately 8 feet on both the first and second floors.

8. The house is an old stone and wood frame, stucco-covered dwelling. John Milner, architect for the Applicant who specializes in additions to historic buildings, has designed the proposed additions to the structure in a manner which is most in keeping with the architectural character of the building and the neighborhood, and is also the most functional addition to the front of the structure.

9. As a result of the proposed addition to the front of the residence, the front yard will be reduced from the current 57.1 feet, as measured to the edge of the porch, to 46.7 feet.

10. The Applicant presented photographs showing the character of the neighborhood and the proximity of existing houses on Green Lane to the right-of-way of Green Lane, which showed that the only two houses on the south side of Green Lane and east of the Moran property are closer to the right-of-way than the Moran residence in its current configuration.

11. The photographs presented also indicate that there is a dense evergreen buffer between Green Lane and the structure which provides a visual screen between Green Lane and the house.

12. The proposed addition will be in conformity with all other area and height regulations of §139-13, applicable to the RU Rural District.

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Discussion

In the RU Rural District, §139-13.C(1) requires that a lot shall have a front yard of not less than 75 feet in depth. The existing front yard of the Moran property is nonconforming, as shown in Exhibit A-2, since the porch of the structure is 57.1 feet from the edge of the right-of-way. The proposed addition will increase this nonconformity by 10.4 feet. The new addition will result in a front yard of 46.7 feet in depth.

Section 139-90.B(2) allows the Zoning Hearing Board to authorize the extension of a nonconforming building on a lot provided that (a) it is clear that such extension is not materially detrimental to the character of the surrounding area or the interests of the Township; and (c) any extension of a building shall conform to the area and height regulations of the District in which it is situated.

Having reviewed the plans and the photographs of the subject property, and having listened to the testimony of John Milner concerning the architectural compatibility of the proposed addition to this house and to the neighborhood, the Board is satisfied that the proposed extension will not be materially detrimental to the character of the surrounding area or to the interests of the Township. The Board notes that no other Township residents appeared at the hearing to voice any opposition to this application. We note also that under §139-90.B(2)(c), the proposed extension of the building does conform to all of the area and height regulations of the RU Rural

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District. We have also reviewed the special exception application in light of the standards contained in §139-122 of the Zoning Ordinance and, having done so, we find no reason not to grant the requested relief.

Conclusions of Law

1. The hearing was duly advertised, all required notices were given, and the hearing was duly convened.
2. The Zoning Hearing Board has jurisdiction in this matter.
3. The residential structure on the property which is the subject of this application is presently nonconforming with respect to the front yard setback under the terms of the Willistown Township Zoning Ordinance.
4. The Applicant has established her entitlement to a special exception to construct the proposed addition on the north side of the structure in a manner which will increase the degree of its nonconformity to the required front yard regulations.

The Board, therefore, enters the following Order:

ORDER

AND NOW, this 4th day of February, 1993, upon the application of Elizabeth Moran for a special exception to construct an addition to property at 47 Green Lane in a manner which will reduce the front yard setback and increase nonconformity of the structure in this respect, and having found that the Applicant has provided sufficient evidence to support the granting of the relief sought, IT IS HEREBY ORDERED that the

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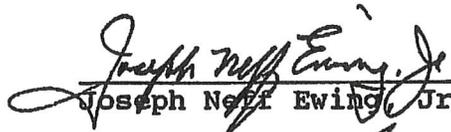
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special exception shall be allowed, subject to the following conditions and safeguards:

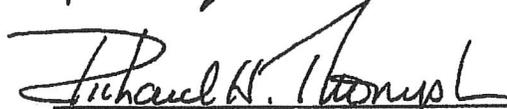
1. The proposed addition to the property shall conform in all respects with the testimony of the applicant and the evidence submitted to the Board, including specifically the testimony relating to the degree of additional encroachment of the structure into the front yard of the lot.

2. The approval of this special exception shall not be construed to be a waiver of any applicable provision of the Zoning Ordinance or any other ordinance or requirement, it being the intention of the Board that the use and construction of the addition to the residence shall strictly conform to all ordinances and regulations of the Township, except to the extent modified hereby.

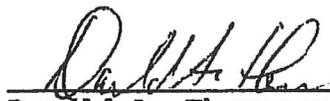
WILLISTOWN TOWNSHIP
ZONING HEARING BOARD



Joseph Neff Ewing, Jr., Chairman



Richard H. Thompson



Donald A. Thompson