

Dmitry Yashin
130 Jaffrey Rd
Malvern, PA 19355

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.

RECEIVED

JAN 29 2026

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,



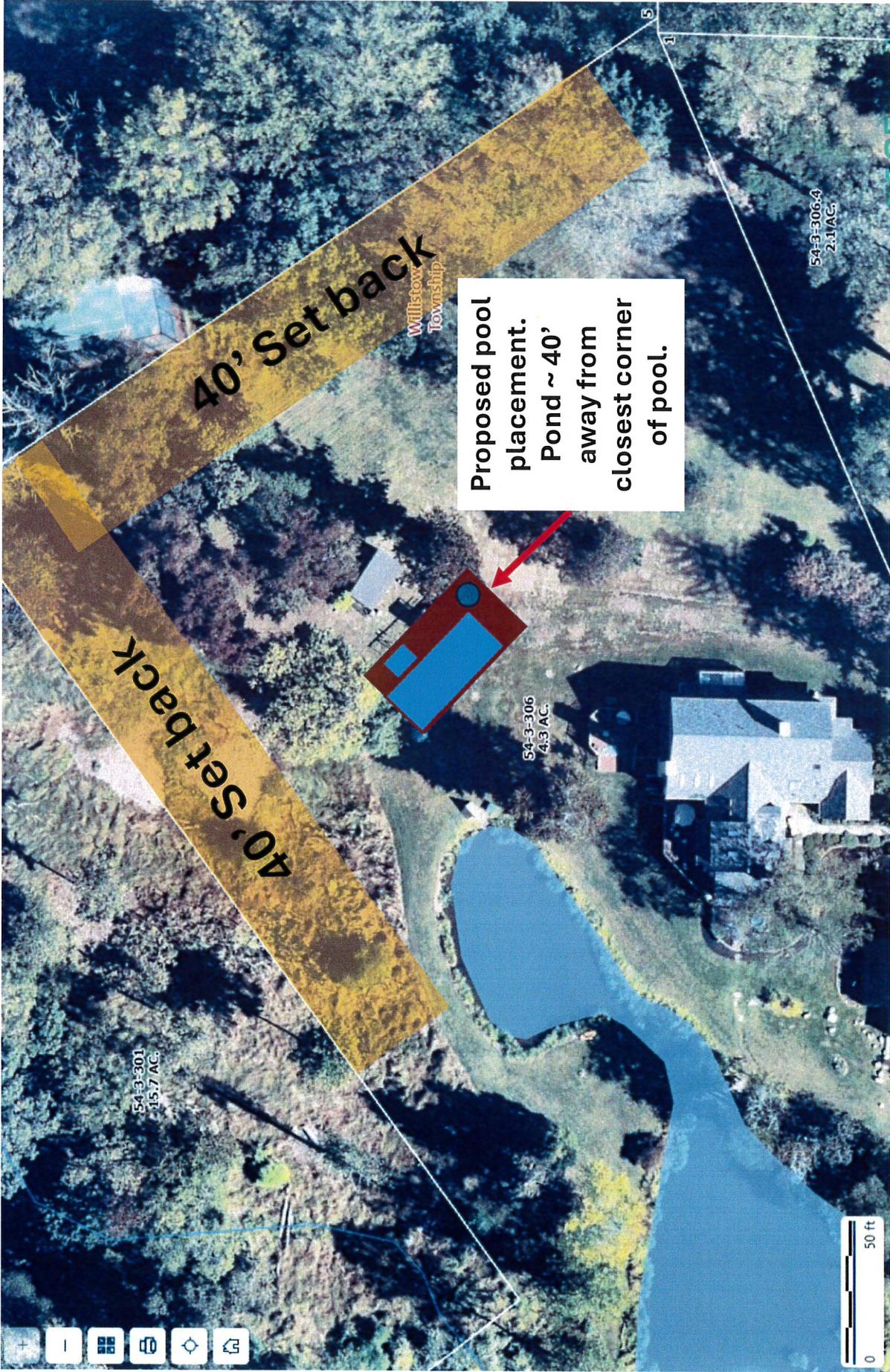
1/23/26

Dmitry Yashin

RECEIVED

JAN 29 2026

WILLOSTOWN 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.



RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP

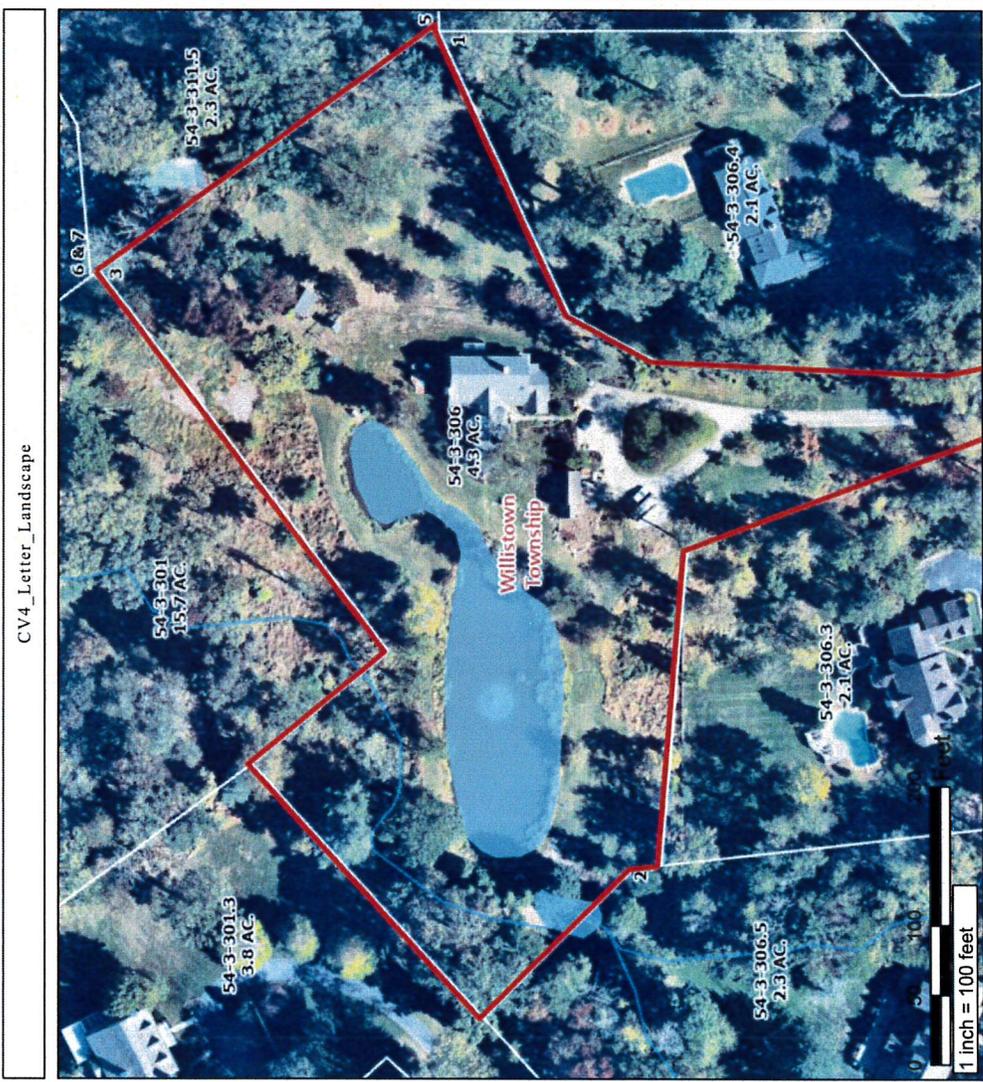
Aerial Imagery showing following hardships:

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

RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP



CV4_Letter_Landscape

**COUNTY OF CHESTER
PENNSYLVANIA**

Field Address Information

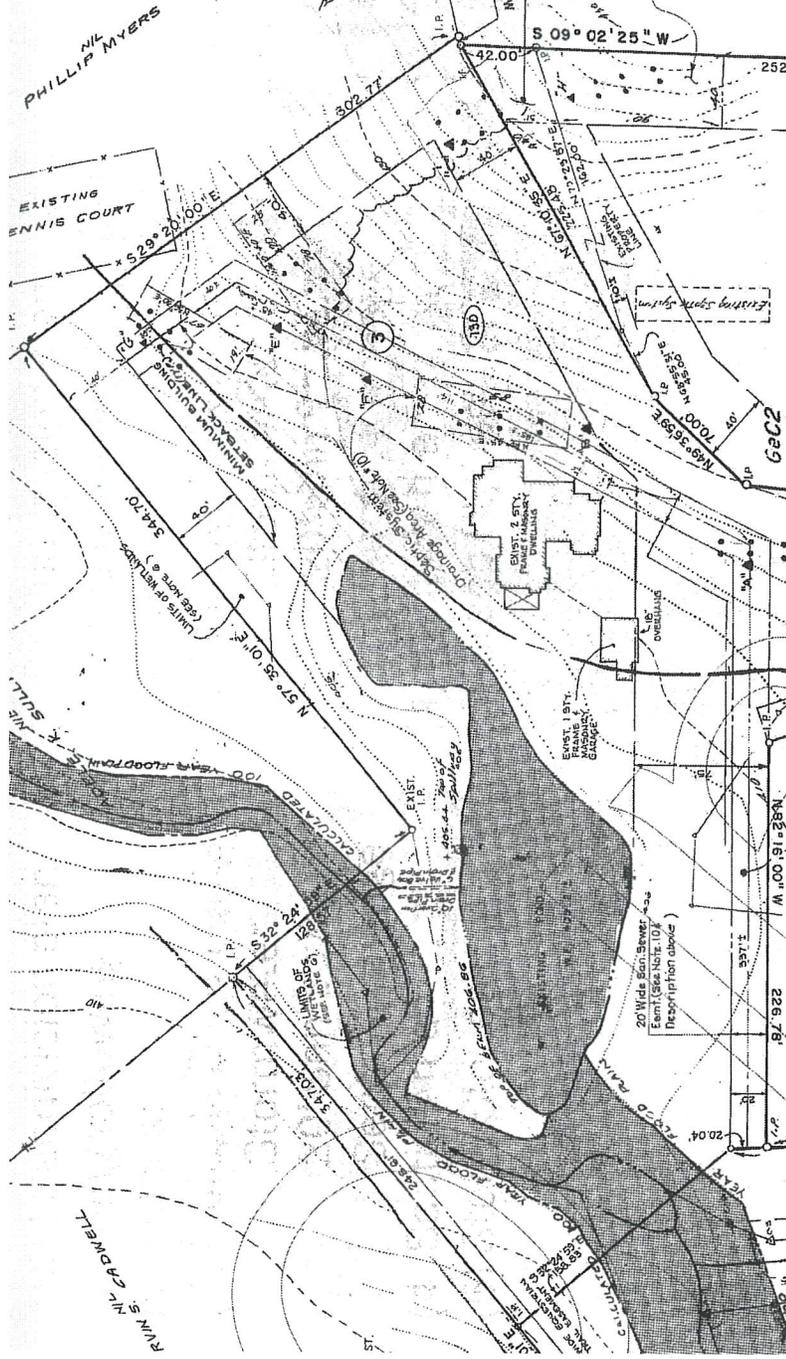
PARID: 6403 03060000
 LPT: 54-3-306
 Owner: YASHIN DMITRY
 Owner: YASHIN NINA
 Mail Address 1: 130 JAFFREY RD
 Mail Address 2: MALVERN PA
 Mail Address 3:
 ZIP Code: 19355
 Deed Book: 11380
 Deed Page: 1398
 Deed Recorded: 05/15/2005
 Legal Desc: 4.3 AC DWG & GAR LOT 3
 Legal Desc 2: 4.3 AC DWG & GAR 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.chestco.org/gis.

1994 Subdivision plan
 showing following
 hardships:

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



RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP

Note 10 from 1994 subdivision plan

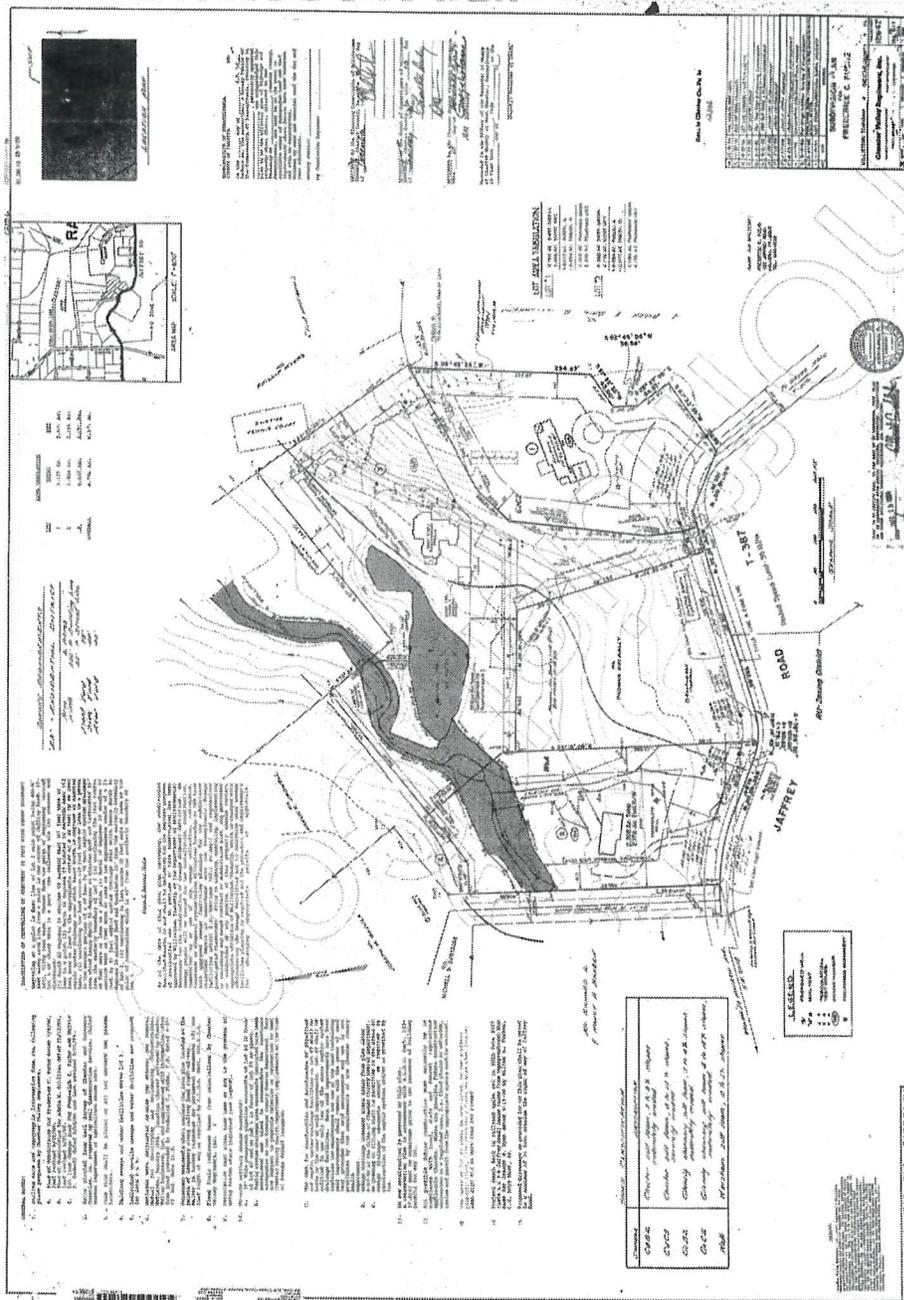
10. On-site sanitary sewage easements:
- A. 20' Wide permanent pipeline easements on Lot #3 in favor of Lot #2 and on Lot 1 in favor of Lot #3 as shown.
 - B. Septic system drainage area easements indicated have been positioned and sized to accommodate the locations acceptable to the Chester County Health 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.

RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP

1994 subdivision plan for reference



RECEIVED

JAN 29 2026

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

BK3194PG396

RECEIVED

JAN 29 2026

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

BK 3194 PG 397

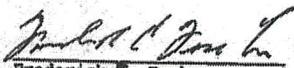
RECEIVED
JAN 29 2026
WILLISTOWN TOWNSHIP

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.

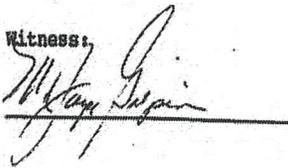
6. The easements set forth in this Declaration shall be construed as both covenants and conditions, and they shall run with the land and shall be binding upon and affirmatively enforceable against the Property, Declarant, and any grantees, personal representative, heir, successor, mortgagee and assignee 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:



BK 3194 PG 398

RECEIVED

JAN 29 2026

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"

BK 3194 PG 399

RECEIVED

JAN 29 2026

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

RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP

036283

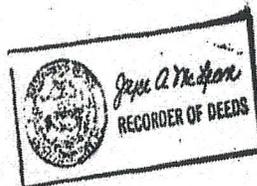
RECORDER OF DEEDS
CHESTER COUNTY, PA.

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

BK 3194 PG 401

RECEIVED

JAN 29 2026

WILLISTOWN TOWNSHIP