

- **Phase II-** Construction of 69 townhomes consisting of Units 132-200, Catelyn Way, Ayra Way, Obery Lane and a portion of Snow Lane. See Sheet PO1.2.
- **Phase III-** Construction of 77 townhomes consisting of Units 55-131, Lyanna Way, the remaining portion of Snow Lane and converting Basin 1 to a permanent basin. See Sheet PO1.3.
- **Phase IV-** Construction of 54 townhomes consisting of Units 1-54, the portion of Tryion Lane within Lot 2, a portion of the sewer main and rough grade installation of the emergency access driveway. See Sheet PO1.4.
- **Phase V-** all 200 apartments, portion of Tryion Lane within Lot 1, Davos Court, the community facilities on Lot 1, converting Basin 2 to a permanent basin and Basins 3 and 4. See Sheet PO1.5.

35. The timing of the start of construction of each phase of construction is a voluntary projection and subject to change by Applicant dependent on market conditions. The projected start of construction is shown on Sheet 8, Overall Phasing Plan, Drawing No. C01.8. For purposes of clarification, the 5-year vesting period in which to substantially complete the improvements shown on the Final PRD Plan as referenced in Section 711(d) and Section 508(4) of the Pennsylvania Municipalities Planning Code shall commence as of the date of this Decision and Order.

36. The Final PRD Plans depict two fifty foot (50') wide access and utility easements (the "Access Easements") which lead to Parcel 30-6-39 owned by Applicant and located in East Brandywine. Applicant does not propose any improvements in the Access Easements and did not include in the design of the stormwater management facilities for the PRD any impervious surfaces in these easements. If Applicant or its successors and assigns intend to install any improvements in the Access Easements in

order to connect the roads in the PRD into a future development on Parcel 30-6-39, it must file an amended Final PRD Plan and obtain the Board's approval of same.

37. In addition to the waivers that were granted in the Tentative Plan Decision, the Board hereby APPROVES the following waivers pursuant to the authority in Section 155-199 of the Ordinance:

- A waiver from Section 135-311.D of the Stormwater Ordinance to allow storm sewer piping to exceed 7% for certain specified pipes described in Applicant's waiver letter dated December 16, 2019.
- A waiver from Section 137-43.A of the SALDO to not require the installation of sidewalks on both sides of the Boulevard. Sidewalks are proposed on only one side of the Boulevard in order to reduce impact to steep slopes and reduce overall impervious cover.
- A waiver from Section 135-311.A(2) of the Stormwater Ordinance to allow the stormwater management design to be based on actual impervious cover proposed by the Final PRD Plans as opposed to the maximum allowed by the Ordinance. The Board granted the corresponding waiver from the SALDO in the Tentative Plan Decision.
- A waiver from Section 135-311.J(3) of the Stormwater Ordinance to allow the bottom of the infiltration basins to be less than 2%. The Board granted the corresponding waiver from the SALDO in the Tentative Plan Decision.
- A waiver from Section 135-311.J(13) of the Stormwater Ordinance to allow a detention basin to be within 50 feet of a property line or right of way line. The Board granted the corresponding waiver from the SALDO in the Tentative Plan Decision.

38. Within thirty (30) days of receipt of this Decision, Applicant shall send a letter to the Township advising if it accepts the conditions imposed herein. If Applicant does not accept the conditions imposed herein, the Application for Final PRD Plan approval shall be deemed DENIED.