



## **RESOLUTION NO. 2018-21**

### **LOT LINE CHANGE APPROVAL CHESTER COUNTY TAX PARCEL NOS. 54-7-17.2 AND 54-7-18 (WAYLAND ROAD)**

**WHEREAS**, applicant is David W. Rawson, of 2690 Crum Creek Drive, Berwyn, Pennsylvania, on behalf of himself and Therese C. Rawson, individually and as husband and wife regarding a property on Wayland Road known as Chester County Tax Parcel No. 54-7-17.2, and regarding an adjacent property on Wayland Road known as Chester County Tax Parcel No. 54-7-18 on behalf of David W. Rawson and Therese C. Rawson as Trustees Under Declaration of Trust Dated September 23, 1999 of Gabrielle Casadesus and Carter C. Rawson;

**WHEREAS**, all of Parcel 54-7-18 is in Willistown Township and Parcel 54-7-17.2 straddles both Willistown Township and Newtown Township, such that the bulk of the property is in Willistown Township and a small part, wholly encompassed by the Wayland Road right of way (approximately 1.073 acres), is in Newtown Township;

**WHEREAS**, Applicants submitted plans dated November 30, 2017, last revised March 23, 2018, prepared by Chester Valley Engineers (hereinafter the "Plan") for a lot line change between the aforementioned lots, to increase the size of Parcel 54-7-18 from approximately 8.9 acres to 10 acres, with a corresponding decrease in Parcel 54-7-17.2, so that Parcel 54-7-18 will qualify for a reduced tax assessment under Act 319, the Pennsylvania Farmland and Forest Land Assessment Act;

**WHEREAS**, this property is only taxed by Chester County and Willistown, and there will be no tax consequence to Newtown Township or Delaware County with the lot line change;

**WHEREAS**, no existing right of ways or easements will be extinguished or vacated by the lot line change, and the continued right of way will be noted on the Plan;

**WHEREAS**, the application was forwarded to the Delaware County Planning Commission ("DCPD") for review, but it did not receive it to date and has not yet reviewed it;

**WHEREAS**, by letter dated April 5, 2018 Township Engineer Stantec Consulting Services, Inc., issued engineering review comments noting no objection the Plan;

**WHEREAS**, on March 22, 2018, the Newtown Township Planning Commission recommended approval of the lot line changes; and

**WHEREAS**, the applicant has requested waivers of Township Code Sections 148-12 and 148-22A(2) related to the submission of a preliminary plan and required plan size (so that the all affected properties can appear on one sheet.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Newtown Township as follows:

1. The lot line change set forth on the Plan is approved subject to:
  - (a) This approval is contingent upon and subject to DCPD review and approval, and Applicant's compliance with any DCPD comments or recommendations, unless waived in writing by the Township Board of Supervisors;
  - (b) Applicant will provide new legal descriptions for both parcels reflecting any easements and record new deeds reflecting same and provide copies to Newtown Township;
  - (c) Applicant will obtain approval from Willistown Township for the lot line change and provide proof of same to Newtown Township; and
  - (d) Payment of all outstanding fees, deposits, and costs owed to the Township by the applicants shall be made prior to recording of the lot line change plan.

In addition, the following waivers are granted:

- (a) Section 148.12 – the plan may be reviewed as a preliminary/final plan.
- (b) Sections 148.22A(2) – the scale of the Plan as submitted is acceptable.

**RESOLVED, this 9th day of April, 2018 at a public meeting of the Board of Supervisors.**



**BOARD OF SUPERVISORS  
TOWNSHIP OF NEWTOWN**

BY: \_\_\_\_\_

John A. Nawn, P.E. Chairman

**ATTEST**

Stephen M. Nease, Manager/Secretary