

**RESOLUTION NO. 863-2025
LONDON GROVE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LONDON GROVE TOWNSHIP GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY/FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN FOR A SHEETZ CONVENIENCE STORE LOCATED AT 1204 GAP NEWPORT PIKE, LONDON GROVE TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, CHESTER COUNTY TAX PARCEL NO. 59-5-120.4.

The Board of Supervisors of London Grove Township (the "Board") approves this Resolution granting conditional approval of the Preliminary/Final Land Development Plan for a 6,139 square foot convenience store with drive-through lanes, outdoor and indoor seating and six fueling stations (the "Proposed Development") to be developed on a 3.58 acre parcel owned by Nancy Truitt located at 1204 Gap Newport Pike, London Grove Township, identified as Chester County Tax Parcel No. 59-5-120.4 (the "Property"). The Board's approval of the Plan is subject to certain conditions more fully set forth below.

RECITALS

Sheetz, Inc., ("Applicant") is the equitable owner of a 3.58 acre parcel of property located at the intersection of Gap Newport Pike and Moxley Lane in the C-Commercial District. Applicant seeks preliminary/final land development approval to develop the Property with the Proposed Development in accordance with plans titled, "Preliminary/Final Land Development Plan for Convenience Store w/ Drive Thru", prepared by Landcore Engineering Consultants, P.C., dated February 10, 2025, last revised November 4, 2025, consisting of 34 sheets (the "Plans").

Applicant proposes to connect the Proposed Development to public sewer owned by the London Grove Township Municipal Authority (the "Authority") by connecting to a lateral that will be constructed in Moxley Lane by RJM Yeatman P.O., LLC, the proposed developer of the property at 1218 Glen Willow Road in London Grove Township, identified as Chester County Tax Parcel No. 59-5-126 (the "Yeatman Tract").

Applicant proposes to connect the Proposed Development to public water owned by the London Grove Township Municipal Authority by connecting to a lateral that will be constructed in Moxley Lane by RJM Yeatman P.O., LLC, the proposed developer of the Yeatman Tract.

Applicant has not submitted an application for any proposed signs so this Resolution does not approve any signs and Applicant will have to apply for and receive sign permits for all signs it proposes to install.

Applicant seeks the following waivers from the following sections of the Township's Subdivision and Land Development Ordinance ("SALDO")

1. Section 22-402(B)(2) to allow the plans to be approved as preliminary/final subdivision and land development plans;
2. Section 22-502.9.H(1) to not be required to install street trees along Moxley Road due to the safety concerns raised by the Pennsylvania State Police; and
3. Section 22-502.9.H.(2) to allow the planting of five (5) street trees along Gap-Newport Pike where nine (9) are required and zero (0) street trees along Moxley Road where fifteen (15) are required due to the safety concerns raised by the Pennsylvania State Police.

Various Township and Authority consultants reviewed the Plans and issued the following review letters:

- Edward B. Walsh & Associates, Inc.- Township Engineer review letter dated November 11, 2025.
- Carroll Engineering Corporation- Township Traffic Engineer- review letter dated April 18, 2025.
- Hydraterra Professionals, LLC- Authority sewer engineer- review letter dated November 11, 2025.
- Carroll Engineering Corporation- Authority water engineer- review letter dated November 12, 2025.

At its meeting on August 27, 2025, the Township Planning Commission recommended that the Board grant approval of the Plans subject to Applicant complying with all outstanding issues in the various Township and Authority consultant review letters and providing all necessary legal documents for approval by the Solicitor.

DECISION

AND NOW, this 12th day of November 2025, the London Grove Township Board of Supervisors hereby GRANTS conditional preliminary/final approval of the Plans and waivers from Sections 22-402(B)(2), 22-502.9.H(1), and 22-502.9.H.(2) outlined above.

The Board's conditional approval of the preliminary/final plans is subject to Applicant's compliance with all Notes on the Plans and the following conditions:

1. The Proposed Development shall comply with all relevant terms and provisions of the Township Zoning Ordinance, SALDO, the Stormwater Management Ordinance and all other applicable regulations except for the three waivers of the SALDO which are identified above.
2. Prior to the release of the Plans for recording, Applicant shall comply with all comments and conditions outlined in the Township Engineer, Edward B. Walsh & Associates, Inc.'s November 11, 2025 review letter to the satisfaction of the Township.
3. Prior to the release of the Plans for recording, Applicant shall comply with all comments and conditions outlined in the Township Traffic Engineer, Carroll Engineering Corporation's April 18, 2025 review letter to the satisfaction of the Township.
4. The Proposed Development shall be serviced by public water from the Authority. Applicant shall satisfy all conditions imposed by the Authority to provide public water to the Proposed Development, including compliance with Carroll Engineering Corporation's letter dated November 12, 2025 which Applicant shall provide proof of same in writing to the Township prior to release of the Plans for recording. Applicant shall obtain all necessary permits and pay all necessary fees to the Authority in order to provide public water to the Proposed Development.
5. The Proposed Development shall be serviced by public sewer from the Authority. Applicant shall satisfy all conditions imposed by the Authority to provide public sewer to the Proposed Development, including compliance with Hydraterra Professionals LLC's letter dated November 11, 2025 which Applicant must provide proof of same in writing to the Township prior to release of the Plans for recording. Applicant shall obtain all necessary permits and pay all necessary fees to the Authority in order to provide public sewer to the Proposed Development.
6. Prior to the release of the Plans for recording, Applicant shall provide to the Township a fully executed and recordable easement agreement and/or other satisfactory agreement(s) (collectively "Easement Agreement") between Nancy E. Truitt ("Truitt"), as the owner of the adjacent property located at 2 Moxley Lane, identified as Chester County Tax Parcel No. 59-5-120 and Chester County Tax Parcel No. 59-5-120.4 (collectively "Truitt Property") and RJM Yeatman P.O., LLC, as developer of the Yeatman

Tract. The Easement Agreement shall provide RJM Yeatman P.O., LLC and/or Applicant with the following rights: (i) the necessary property interests to construct Moxley Road from Gap-Newport Pike to the entrance of the proposed residential development on the Yeatman Tract in the location and with the specifications and details required by the subdivision and land development plans for the proposed residential development of the Yeatman Tract (the "Yeatman Plans"); (ii) the necessary property interests to construct all traffic improvements at the intersection of Gap-Newport Pike and Moxley Road depicted on the Yeatman Plans and required by PennDOT for the issuance of the HOP; (iii) the right and obligation to modify the existing stormwater management facility located on the Truitt Property in accordance with specifications and details on the Yeatman Plans; (iv) a temporary construction easement (defined or blanket) that allows RJM Yeatman P.O., LLC to construct the Moxley Road improvements on the Truitt Property. The Easement Agreement must require Truitt or her successors and assigns to obtain final subdivision plan approval for Chester County Tax Parcel Nos. 59-5-120 and 59-5-120.4 to allow conveyance of Moxley Road to the Township in fee simple when deemed appropriate by the Township in its discretion. The Township must agree to accept the tender of the deed for Moxley Road. The terms of the Easement Agreement must be approved by the Township and the Township engineer to ensure that all necessary property interests that RJM Yeatman P.O., LLC requires to build the improvements on the Plans are memorialized and provided to RJM Yeatman P.O., LLC. The Easement Agreement must be perpetual (except the temporary construction easement).

7. If necessary, the Plans must be revised so that the location, configuration and specifications for the construction of Moxley Road are consistent with the Yeatman Plans and the subdivision plans for the Truitt Property.
8. The Plans shall be revised to add the following notes: (i) The Plans shall not be released by the Township and no party shall record the Plans until such time as Applicant has provided to the Township the necessary Easement Agreement and a written schedule or agreement between it, Truitt and RJM Yeatman P.O., LLC wherein the parties coordinate the construction of Moxley Road and the utilities within the road that are necessary for the Proposed Development; and (ii) the Township shall not allow any use and occupancy of the Proposed Development until Moxley Road and the utilities within the road that are necessary for the Proposed Development are constructed. If RJM Yeatman PO, LLC or Truitt do not construct Moxley Road as depicted on the Yeatman Plans and the Plans, Applicant shall be obligated to do the same.

9. Applicant shall demarcate the loading space that is depicted on the Plans with paint stripes so that it is clearly visible.
10. All proposed parking for the development, including the 19 spaces previously designated as "reserve" parking stalls, shall be constructed concurrently with the overall development of the Property. The Township does not permit parking spaces to be held in reserve under the provisions of the Zoning Ordinance, and the designation of such spaces for potential future construction is inconsistent with the applicable requirements.
11. The 8 parking spaces located to the south of the loading space shall be restricted and signed for employee parking only.
12. Applicant shall pay a fee in lieu of providing recreational land dedication in the amount of Six Thousand One Hundred Thirty- Nine Dollars (\$6,139.00).
13. Applicant shall execute and record contemporaneously with the Plans the Township's Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement in form and substance acceptable to the Township, the Township Engineer and the Township Solicitor prior to the Plans being released by the Board of Supervisors for recording. Such agreement shall be recorded with the Plans and a time-stamped copy provided to the Township.
14. Applicant shall execute an Operation and Maintenance Agreement which obligates it to perpetually maintain the storm drainage facilities located in Gap-Newport Pike that are required for the Proposed Development or Applicant's HOP in form and substance acceptable to the Township, the Township Engineer and the Township Solicitor prior to the Plans being released by the Board of Supervisors for recording. Such agreement shall be recorded with the Plans and a time-stamped copy provided to the Township.
15. Prior to the release of the Plans for recording, Applicant shall reimburse the Township for all outstanding engineering, administrative, legal and other review fees associated with the Township's review of the Plans for the Property.
16. Prior to the release of the Plans for recording, Applicant shall execute a Development Agreement and Financial Security Agreement and post financial security in an amount approved by the Township Engineer and in form and substance acceptable to the Township, the Township Engineer and the Township Solicitor.
17. Applicant shall obtain all necessary outside agency permits and approvals to develop the Proposed Improvements in accordance with the Plans, including but not limited to: (i) a highway occupancy permit from PennDOT for the driveway from Gap Newport Pike; (ii) a highway occupancy permit from PennDOT for any drainage facilities proposed to be installed in Gap

Newport Pike; (iii) NPDES permit from the PaDEP; (iv) approval from the Chester County Conservation District for erosion and sedimentation control measures; and (v) planning module approval from PaDEP for proposed sewer connection.

18. The Plans shall be recorded by the Township at the Chester County Recorder of Deeds at Applicant's expense.
19. To the extent that any of the above conditions are determined to be invalid, the invalid condition(s) are severable and the invalidity shall not affect the validity of the remaining conditions imposed.
20. This Decision and conditions contained herein are binding on Applicant, its successors and assigns, for the benefit of the Township.

RESOLVED AND ADOPTED this 12th day of November, 2025.

ATTEST:

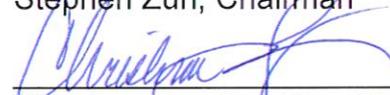


Rain Catoia, Secretary

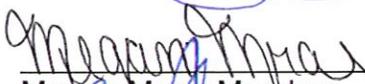
**BOARD OF SUPERVISORS OF
LONDON GROVE TOWNSHIP**

BY: 

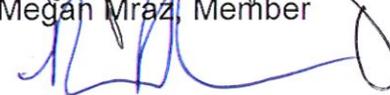
Stephen Zurl, Chairman



Christina Fanning, Vice Chair



Megan Mraz, Member



David Connors, Member



Michael Summerfield, Member