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April 1, 2019

Ms. Lisa Moore, Manager
Kennett Township
801 Burrows Run Road
Chadds Ford, PA 19317

**Re: Rick Avello Property
Preliminary Land Development Plan Review**

Dear Ms. Moore:

We are in receipt of the following information for the above noted project:

- Rick Avello Property Preliminary Land Development Plan Set prepared by Register Associates, Inc. dated March 8, 2019 with no revisions noted (14 Sheets);
- Stormwater Drainage Report, dated March 8, 2019 (no preparer listed, 10 Pages);
- Drainage Area Plan for Rick Avello Property prepared by Register Associates, Inc. dated March 8, 2019 (1 Sheet);
- Kennett Township Application for Approval of Subdivision of Lands Under Kennett Township Subdivision Regulations (dated March 8, 2019);
- Cover letter prepared by Register Associates, Inc., dated March 11, 2019;
- Act 247 County Referral Application to Chester County Planning Commission (no date);
- Chester County Subdivision/Land Development Information Form (no date);
- Copy of Notification letters to Contiguous Property Owners prepared by Register Associates, Inc., dated March 7, 2019 (with certified mail receipts); and
- PA DEP Mailer Package, prepared by HILBEC Engineering & Geosciences, LLC, dated March 8, 2019.

The Plan proposes to construct a 2-floor residential multi-family dwelling building (consisting of 6 apartments) on UPI # 62-4-204.3, located in the SA – Specialized Agricultural Zoning District and containing 1.371 acres. The site currently contains an existing building, which is proposed to remain. The existing/proposed use for this building is not indicated on the plan; however, the PA DEP Mailer Narrative indicates that this building is currently used for cold storage and no public sewer service is provided to this building. The plan also indicates an existing mushroom house located on the site that has already been razed. The 6 proposed apartments are to be serviced through public water and sewer.

The project parcel is located at 556 Creek Road. Access to the site will continue to be provided to the site via Creek Road (S.R. 0082). A new driveway is proposed to access the site. It appears that access will continue to be provided through an existing driveway as well.

AECOM has reviewed this submission as a Preliminary Subdivision and Land Development Plan in accordance with the Kennett Township Zoning, Subdivision and Land Development and Stormwater Management Ordinances. Our comments are listed below.

Requested Waivers to the Subdivision and Land Development and Stormwater Management Ordinances

The following waivers are listed on Sheet 1 – Title Sheet of the plan set. A waiver request letter should be submitted to the Township.

1. §206-514.C.(1) requires concrete monuments to be placed at the intersection of all lines forming angles in the perimeter boundary of the property being subdivided.

AECOM Comment – AECOM has no objection to this waiver request; however, we note that a waiver does not appear to be necessary since no subdivision is proposed.

2. §199-106.B allows for an exemption from certain sections of the Kennett Township Stormwater Management Ordinance, as listed in the Table 199-106.1, for regulated activities that involve less than 1,000 square feet of proposed impervious surfaces and less than 5,000 square feet of proposed earth disturbance. The Applicant states on Sheet 1 that since the lot coverage has been reduced and the earth disturbance is only temporary, a waiver is requested to allow the use of the general exemption.

AECOM Comment – The Plan proposes a reduction in the overall impervious surface by 9,493 in consideration of the previously razed building; however, §199-106.B allows a maximum of 1,000 square feet of proposed impervious surface to be exempted from sections of the Stormwater Ordinance. Per the definition provided in Article II, proposed impervious surface is defined as all new, additional and replacement impervious surfaces. This definition was a mandatory component of the Stormwater Ordinance per PA Act 167 requirements.

The Plan proposes to construct the new apartment dwellings and to regrade/repave the remaining impervious cover (which totals substantially more than 1,000 square feet). Per the definition, the new pavement and building would be considered “proposed impervious surface”. Per Sheet 7 – Grading and Erosion & Sediment Control Plan, the proposed limit of earth disturbance is 0.90 acres. Although there is ultimately a reduction in impervious coverage, there is still a substantial amount of proposed impervious surface and earth disturbance compared to the maximum limits for the general exemption provided in §199-306.B. We also note that the project is within the regulated MS4 area of the Township, and granting a waiver from the requirement to comply with all Stormwater Ordinance standards could ultimately exacerbate the Township’s efforts to comply with these DEP regulations. We recommend that the Applicant address all Stormwater Ordinance requirements as applicable to redevelopment in lieu of the requested waiver.

Subdivision and Land Development Ordinance

1. §206-403.B.(1).(a).[5] requires the phone number of the landowner. This should be provided on Sheet 1 – Title Plan.
2. §206-403.B.(1).(b) states the requirements for the location map. The following comments regarding the location map should be addressed:
 - A. The location map includes a cross-hatch within the area of the project parcel. A label should be provided labeling the project site location.
 - B. The watercourse/Flood Hazard District has been indicated on the plan. The name of the adjacent watercourse should be indicated.

3. §206-403.B.(2).(f) requires all existing facilities to be indicated on the plan, including but not limited to wells, septic fields, underground tanks, etc. Some existing facilities are shown which should be clarified: per the Township Public Works Director, the structure labelled existing sanitary manhole in the northeast corner of the parcel is a holding tank and the structure labelled vault at the north side of the parcel and adjacent to existing concrete is believed to be a well. The Applicant should verify and correct these features as applicable. The plan should provide for removal of any holding tank and abandonment of any existing wells.
4. §206-403.F.(3) requires clear sight triangles at all proposed intersections, as required by §206-502.G. Multiple uses, including 22 dwelling units per Township records, on a total of four lots utilize the eastern access drive proposed to serve the project. This constitutes a private street per §206-505.A and the clear sight triangle requirement should be addressed.
5. §206-403.F.(9) requires the location of easements or rights-of-way for any purpose. It is our understanding that existing sewers and water supply lines traverse the project parcel to serve uses on multiple other parcels. These facilities must be located and easements defined. The access drive to the west serves a dwelling on another parcel which should also be addressed via easement. As previously noted, the access drive to the east constitutes a private street and associated ownership and maintenance agreement requirements should consequently be addressed per the requirements of §206-502.I.
6. §206-403.G.(2) requires submission of a Sewage Facilities Planning Module. A Sewage Facilities Planning Module Application Mailer with supporting information has been submitted to address this requirement. This submission requests capacity certifications from the Township and Kennett Square Borough to support a request to DEP for a planning module exemption. Six equivalent dwelling units are proposed, sewage from which would convey through the Township's Creek Road pump station to the Kennett Square Borough sewerage system. Based upon 2018 Chapter 94 report flow data for the Creek Road pump station, and considering additional connections which the Township had previously considered, adequate capacity appears to exist in the Creek Road pump station to serve this project.

We have no objection to Township completion of the requested capacity certification, but note that the Applicant may need to address concerns with the Borough's East South Street pump station, which would receive flows from this project. In response to previous Township planning which proposed additional connections to the Creek Road pump station, the Borough had concluded in 2013 that there was an overload in a short section of sewer from MH S-10 to the East South Street pump station which would require improvements to be completed. The Applicant should verify a current Borough determination.

7. §206-403.G.(3) requires that the location and size of all proposed water service facilities be shown on the plan. No water supply information is provided except for indication of portions of an existing water supply line. It is our understanding that water supply lines may traverse the project parcel to serve uses on other parcels. All existing water supply facilities on the project parcel should be shown, including service connections to the proposed residences.
8. §206-403.G.(6) requires inclusion of proposed sanitary sewage facilities, including laterals, on the plan. It is our understanding that the gravity sewer on the project parcel also conveys flows from several other parcels. The location, depth, and materials for all such facilities on the project parcel, as well as the proposed lateral connections, should be shown on the plan.

9. §206-403.I states the required elements of the Stormwater Management and Erosion and Sediment Control Plan. The following comments regarding Sheet 8 – Post Construction Stormwater Management Plan should be addressed:
 - A. Per §206-403.I.(3), the plan should contain the proposed drainage areas for the project site.
 - B. Per §206-403.I.(8) requires a description of the current and proposed ground cover and land use. The total area and percent impervious cover should be noted. The limits of proposed pavement and grass cover should be clearly identified on the plan. The limits of the pervious areas are not clearly defined.
10. §206-503.A states the Board of Supervisors may require sidewalks to be provided along collector streets. The Township should consider whether provision of sidewalks is required.
11. §206-505.A states if more than three existing or potential lots will use a common driveway, a public or private road shall be created which shall meet all of the requirements for such a road, as specified in this chapter. The plan should address private street requirements as applicable to the western access way, since this currently serves four lots.
12. §206-505.I requires driveway entrances to comply with the minimum sight distance requirements currently recommended by PennDOT. The plan should demonstrate compliance with said PennDOT requirements. A PennDOT Highway Occupancy Permit will also be required.
13. §206-510.A requires all utilities, including electric, gas, telephone, etc., to be placed underground. This should be noted on the plans.
14. §206-518.B.(12) requires concrete wheel stops that are anchored to prevent vehicle encroachment onto sidewalks.

Zoning Ordinance

The Kennett Township Zoning Hearing Board granted a Use Variance from the provisions of §240-1101.A to convert an existing non-conforming building in the SA-Specialized Agricultural District into a residential multi-family dwelling. The Use Variance approval letter prepared by the Law Offices of Brendan P. Burke, LLC, dated June 15, 2018, indicates that “the existing cold storage building is to remain and the Applicant is to use best efforts to incorporate a buffer between the cold storage building and the multi-family homes to be built in the converted structure”.

1. §240-1928.D requires walkways to be provided from refuse collection areas to dwelling unit entrances. The plan should indicate the proposed refuse collection area for the proposed apartment dwellings.
2. No buffer has been provided between the cold storage building and the proposed apartments. The Applicant should address the Zoning Hearing Board statements regarding use of “best efforts” to incorporate such a buffer.

Stormwater Management Ordinance

The Applicant is requesting a waiver to allow for a General Exemption from the requirements of the Kennett Township Stormwater Management Ordinance in accordance with §199-106.B. The

Applicant is proposing to direct runoff from the site through a proposed inlet system. See comments above regarding the requested waiver.

Comments on the requirements of the sections listed as exempt in Table 199-106.1 for projects involving less than 1,000 SF of proposed impervious cover and less than 5,000 square feet of proposed disturbance have not been noted below. If the proposed waiver is not granted, the requirements of these sections should be addressed.

1. §199-302 requires any conveyance that discharges to a state highway right-of-way to be subject to approval by PennDOT. A PennDOT HOP will be required for the proposed improvements.
2. §199-303.A.(1).(c) requires an erosion and sediment control plan to be approved by Kennett Township. The following comments regarding Sheet 7 – Grading and Erosion & Sediment Control Plan should be addressed:
 - A. A rock construction entrance should be provided. The majority of the site is to be disturbed and runoff is directed towards the East Branch of the Brandywine Creek.
 - B. Inlet protection should be proposed for the existing inlet structure located along Creek Road.
3. The Stormwater Drainage Report includes the proposed inlet calculations. No information has been provided regarding who prepared the calculations. The name and signature/seal of the individual who prepared them should be included on the cover sheet of the report. Additionally, no information has been provided regarding the existing peak flows directed towards the inlet drainage system. Calculations should be provided to ensure that adequate capacity is available within the existing system.
4. Sheet 8 – Post Construction Stormwater Management Plan/Operation and Maintenance Plan should include the maintenance requirements for the proposed inlet system.

General

1. The Township Fire Marshal should review the Plan to verify adequacy for fire protection needs.
2. A list of the required agency approvals should be provided on the Cover Sheet.
3. A handicap parking space has been provided on the western side of the parking. It is recommended that the handicap space be provided in the middle of the spaces to provide closer access to all of the proposed apartment entrances.
4. A portion of the apron for the driveway located on the eastern side of the site is located on the adjacent property (UPI 62-4-203). The plan proposes new paving in this area. An easement should be provided.
5. The plan indicates two existing wells: one southeast of the proposed apartments and one along the property line abutting UPI 62-4-203. The former should be abandoned in accordance with the requirements of the Chester County Health Department, and the latter should be similarly abandoned if serving the project parcel or the use otherwise clarified.

6. The plan indicates an existing wall along the eastern access way "to be removed as required". This note should be clarified.

These comments should be addressed by the Applicant and a revised Plan and accompanying documents should be submitted for review. It should be noted that additional comments may be generated upon receipt of a revised submission.

Please contact our office should you have any questions.

Sincerely,

AECOM



Stan Corbett
Project Manager

cc: Michael O'Brien, Kennett Township