



**Recommendation**  
*Board of Supervisors*

**RE: Proposed Waiver Requests**

**Date Presented:** August 5, 2020

**Prepared By:** Diane Hicks, Director of Planning and Zoning

**The Following waiver requests have been reviewed and are supported by the Township Engineer (AECOM) and the Director of Planning and Zoning:**

**1. 823 STARVEGUT LANE – Grading and Erosion Control Permit**

**Applicant:** Rose Hill, LLC

**Presented By:** Chris Dailey, PE, DL Howell & Associates

**Overview:**

The applicant is seeking a grading and erosion control permit to reconstruct portions of an existing house which will also involve construction of a new building addition, deck, patio, porch and concrete pad. The work would result in a total of 1,382 S.F. of new Proposed Impervious Surface (which includes replacement impervious area per the Ordinance definition) with a 550 S.F. net increase in impervious coverage in consideration of the existing coverage to be removed as part of this project on the property. In conjunction with that request, the applicant is requesting waivers from the Stormwater Management Ordinance.

Waivers are requested from Sections 199-301, 199-304 through 199-310, and Articles IV through VII of the Stormwater Management Ordinance. Table 199-106.1 provides the thresholds for regulated activities exempt from chapter provisions, and the requested waivers address ordinance requirements applicable for projects which propose greater than 1,000 S.F. of Proposed Impervious Surface. All sections listed in the requested waiver are exempt as justified/explained in the attached DL Howell correspondence.

**Motion:** Motion to approve requested waivers from Sections 199-30, 199-304 through 199-310, and Articles IV through VII of the Stormwater Management Ordinance.

**2. 320 Kennett Pike, Chadds Ford, PA**

**Applicant:** Mattock School of Music

**Presented By:** Register Associates, Inc.

**Overview:**

The applicant is seeking a grading and erosion control permit for his referenced project, which involves building modifications, a walkway, and a 6-space parking lot. A waiver is requested from Section 199 - 106.B of the Stormwater Management Ordinance requiring that exemptions involve less than 5,000 square feet of earth disturbance. A temporary earth disturbance during

construction will result in an excess of the required limits. The proposed design will reduce the impervious coverage from 3,061 square feet to 1,413 square feet based upon the use of pervious paving for the parking lot. Although soil limitations do not allow for pervious paving in accordance with DEP standards, the use of a modified pervious paving design is proposed to address stormwater runoff to the greatest extent practicable for the site. Stormwater infiltration for other potential methods of stormwater management has proved infeasible due to soils.

**Motion:** Motion to approve requested waivers from Sections 199-106.B of the Stormwater Management Ordinance.



AECOM 302.781.5900 tel  
Sabre Building, Suite 300 302.781.5901 fax  
4051 Ogletown Road  
Newark, DE 19713

July 13, 2020

Ms. Amy Ferris, Permit Coordinator  
Kennett Township  
801 Burrows Run Road  
Chadds Ford, PA 19317

**Re: 823 Starvegut Lane  
Grading, Drainage and Erosion Control**

Dear Ms. Ferris:

We received the following information for the above noted project on June 30, 2020:

- Kennett Township Grading/Drainage/Erosion Control Permit Application; and
- Grading and E&S Plan – 823 Starvegut Lane – Home Addition, prepared by D.L. Howell & Associates, Inc., dated May 22, 2020 (2 sheets).

The plans propose the demolition of a building addition (322 S.F.), a concrete walk/pad (256 S.F.) and a deck (254 S.F.). Construction is proposed to include a dwelling addition (550 S.F.), a concrete pad (57 S.F), a deck (316 S.F.), a covered patio (244 S.F.) and porch (215 S.F.). The proposed improvements are located on UPI No. 62-4-297.7 at 823 Starvegut Lane (7.93 acres) in the R-1 Zoning District. Access to the site will continue to be provided through Starvegut Lane (private street) via Bayard Road. Currently the parcel contains an existing house. The site is serviced through an existing on-lot well and septic system.

We have reviewed this submission in accordance with the Kennett Township Zoning and Stormwater Management Ordinances and have the following comments:

**Zoning Ordinance**

1. §240-402 provides the area and bulk regulations for the BP Zoning District. A table has been provided on the plan stating the existing requirements. The table should be updated to include the proposed dimensions/percentages.

**Stormwater Management Ordinance**

1. §199-106.B allows an exemption from certain requirements of the Kennett Township Stormwater Management Ordinance (as listed in Table 199-106.21) for regulated activities that involve less than 1,000 square feet (SF) of Proposed Impervious Surface and less than 5,000 SF of earth disturbance. The plan proposes to construct 1,382 SF of impervious surface area, including 316 SF of open slat decking surface. A total earth disturbance of 4,850 SF is proposed. A waiver is required to allow the use of this exemption. AECOM would have no objection to this waiver request since the Proposed Impervious Surface will substantially replace existing impervious surface and the net increase would be 550 SF.
2. §199-303.A.(1).(c) requires an erosion and sediment control plan to be approved by the Township. A plan has been provided. The construction sequence should note that the Township shall be notified a minimum of three working days in advance of the commencement of any construction or installation of any facility or utility required by the approved plan in order for provisions to be made for inspection by the Township. The construction or installation of all improvements shall at all times be subject to inspection by representatives of the Township.

Please contact our office should you have any questions.

Sincerely,

**AECOM**



Stan Corbett  
Project Manager

cc: Gregory & Jennifer Matz, Owners, c/o Rosehill, LLC  
Kevin Hillsinger, Rosehill, LLC, Applicant via email [kevinhillsinger@gmail.com](mailto:kevinhillsinger@gmail.com)  
Christopher Daily, PE, DL Howell & Associates, Inc., via email [cdaily@dlhowell.com](mailto:cdaily@dlhowell.com)  
Diane Hicks, Kennett Township Zoning Officer via email [diane.hicks@kennett.pa.us](mailto:diane.hicks@kennett.pa.us)



AECOM 302.781.5900 tel  
Sabre Building, Suite 300 302.781.5901 fax  
4051 Ogletown Road  
Newark, DE 19713

July 23, 2020

Ms. Amy Ferris, Permit Coordinator  
Kennett Township  
801 Burrows Run Road  
Chadds Ford, PA 19317

**Re: 823 Starvegut Lane  
Grading, Drainage and Erosion Control**

Dear Ms. Ferris:

We received the following information for the above noted project on July 21, 2020:

- Grading and E&S Plan – 823 Starvegut Lane – Home Addition, prepared by D.L. Howell & Associates, Inc., dated May 22, 2020 and last revised July 21, 2020 (2 sheets);
- Response letter to AECOM's July 13, 2020 review letter, prepared by D.L. Howell & Associates, Inc., dated July 21, 2020 (2 pages); and
- Waiver Request Letter, prepared by D.L. Howell & Associates, Inc., dated July 21, 2020.

The plans propose the demolition of a building addition (322 S.F.), a concrete walk/pad (256 S.F.) and a deck (254 S.F.). Construction is proposed to include a dwelling addition (550 S.F.), a concrete pad (57 S.F.), a deck (316 S.F.), a covered patio (244 S.F.) and porch (215 S.F.). The proposed improvements are located on UPI No. 62-4-297.7 at 823 Starvegut Lane (7.93 acres) in the R-1 Zoning District. Access to the site will continue to be provided through Starvegut Lane (private street) via Bayard Road. Currently the parcel contains an existing house. The site is serviced through an existing on-lot well and septic system.

We have reviewed this submission in accordance with the Kennett Township Zoning and Stormwater Management Ordinances. All prior comments have been addressed. We have no objection to issuance of a Grading, Drainage and Erosion Control permit for this project subject to approval of the requested waiver by the Board of Supervisors and payment of all required Township fees. As previously noted, we have no objection to the requested waiver.

Please contact our office should you have any questions.

Sincerely,

**AECOM**

Stan Corbett  
Project Manager

cc: Gregory & Jennifer Matz, Owners, c/o Rosehill, LLC  
Kevin Hillsinger, Rosehill, LLC, Applicant via email [kevinhillsinger@gmail.com](mailto:kevinhillsinger@gmail.com)  
Christopher Daily, PE, DL Howell & Associates, Inc., via email [cdaily@dlhowell.com](mailto:cdaily@dlhowell.com)  
Diane Hicks, Kennett Township Zoning Officer via email [diane.hicks@kennett.pa.us](mailto:diane.hicks@kennett.pa.us)



# REGESTER ASSOCIATES, INC.

LAND SURVEYING & CIVIL ENGINEERING

www.regesterassociates.com

821 EAST BALTIMORE PIKE / P.O. BOX 408  
KENNETT SQUARE, PA 19348  
PHONE 610-444-5554  
FAX 610-444-6149

330 WEST STATE STREET  
QUARRYVILLE, PA 17666  
PHONE 717-786-8741  
FAX 717-786-8742

July 23, 2020

Kennett Township  
Attention: Ms. Diane Hicks, Zoning Officer  
801 Burrows Run Road  
Chadds Ford, PA 19317

Sent via U.S. Mail and via email: [diane.hicks@kennett.pa.us](mailto:diane.hicks@kennett.pa.us)

RE: David and Laura Mattock  
320 Kennett Pike  
Waiver Request/Justification Letter  
Kennett Township, Chester County, Pennsylvania

Dear Ms. Hicks:

In regards to the Building Permit Plan for David and Laura Mattock, dated October 3, 2019, revised April 30, 2020, a waiver is requested from the following section of the Kennett Township Stormwater Management Ordinance:

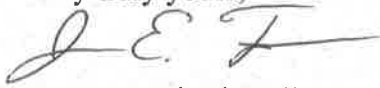
Section 106.B. Requiring that exemptions involve less than 5,000 square feet of earth disturbance.

In regards to the waiver request from Section 106.B. – Regester Associates, Inc. presents the following justification:

Based on the proposed design which reduces the impervious coverage on-site from 3,061 square feet to 1,413 square feet a waiver is requested from Section 106.B. requiring that exemptions from stormwater management involve less than 5,000 square feet of earth disturbance. This proposed earth disturbance of 12,618 square feet is only a temporary condition during construction and will be permanently stabilized once construction is complete. Also, based on soil testing performed by Willow Run Consulting, Inc. stormwater infiltration for this site is infeasible. This waiver request should not adversely affect the surrounding properties, nor should this waiver request adversely affect the health or welfare of the surrounding community.

If there are any questions or any additional information is required, please do not hesitate to contact me at (610) 444-5554.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J.E. Fritsch', with a long horizontal flourish extending to the right.

James E. Fritsch, P.E.

JEF/cjr

cc: David and Laura Mattock sent via email