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4051 Ogletown Road
Newark, DE 19713

March 12, 2021

Ms. Diane Hicks
Director of Planning and Zoning
Kennett Township
801 Burrows Run Road
Chadds Ford, PA 19317

**Re: 455 & 459 Bayard Road
Lots 2 & 3 of Final Subdivision Plan for Dewson Construction Company, Inc.
Waiver Requests**

Dear Ms. Hicks:

We received a waiver request letter prepared by Hillcrest Associates dated March 1, 2021 and last revised March 11, 2021 for the above noted project. The Applicant is requesting three waivers from the requirements of the Stormwater Management Ordinance.

Stormwater Management Ordinance Waiver Requests

1. §199-308.A (Table 199-308.1) requires peak flow rates for the post-construction 5-year and 2-year design storms be reduced to the peak flow rate of the predevelopment 2-year and 1-year design storms, respectively. The Applicant is requesting a waiver to manage the peak flow rate of the same design storms due to the peculiar conditions of existing grades and already constructed improvements from the 2006 plan approval.

AECOM Comment: We would have no objection to this request if an effort is made to control as much of the disturbed area as possible and the peak runoff rate is exceeded due to runoff from any bypass areas.

2. §199-309.D.(3).(e) requires areas to be disturbed and returned to open space/pervious area to be reduced by one hydrologic soil group level for post development runoff calculations. The Applicant is requesting a waiver from this requirement, stating that an unknown portion of the site was disturbed during construction improvements in 2006.

AECOM Comment: The calculations provided with the latest submission do not address this requirement. This requirement is unique to Kennett Township and is not a requirement of the Pennsylvania Stormwater BMP Manual Worksheet 4. We would have no objection to a waiver from this requirement since a portion of the site has been previously graded.

3. §199-311.A.(1).(c).[2] requires interior slopes of basins to not exceed one foot vertical in four feet horizontal, except with approval of the Township and including the following requirements:

[a] where maximum water depth will not exceed two feet,
[b] where a two-inch rainfall in one hour will not exceed the capacity of the basin in one hour, and
[c] where concrete, stone or brick retaining walls with an exposed height of 24 inches or greater are proposed, the basin shall be fenced by a permanent fence 42 inches in height. A stable access for maintenance shall be provided.

The Applicant is requesting a waiver to allow 3:1 slopes within the basin due to the existing slopes adjacent to the basin, which are close to 4:1. Compliance with this requirement would require additional disturbance to match the existing slope.

AECOM Comment: We would have no objection to this waiver request provided calculations are provided to ensure the proposed basin meets the requirements noted above.

Please contact our office should you have any questions.

Sincerely,

AECOM



Stan Corbett
Associate Vice President, Municipal Department

cc: Dewson Construction, Owner/Contractor
Colin Kraucunas, PE, Hillcrest Associates
Eden Ratliff, Kennett Township Manager
Heather Dorsey, PE, AECOM



March 1, 2021
Revised March 11, 2021

Mr. Stan Corbett, AECOM (Township Engineer)
c/o Mr. Eden Ratliff, Township Manager
Kennett Township
801 Burrows Run Road
Chadds Ford, PA 19317

Re: 455 & 459 Bayard Road
Lots 2 & 3 of Final Subdivision Plan for Dewson Construction Company, Inc.
Stormwater Waivers

Dear Stan:

As discussed with the township, subdivision plans for Lot 2 and Lot 3 at 455 & 459 Bayard Road were recorded in 2006 under Record Plan Number 18022. Construction of the house and drywell on Lot 1, and the shared access driveway on Lot 2, was completed a few years later.

Your February 16, 2021 comment letter states you have reviewed our recent plan submission in accordance with current Kennett Township Stormwater Management and Zoning Ordinances, and that “ordinances in place at the time the subdivision plan was approved (2006) are no longer applicable.”

As discussed in subsequent telephone conversations, literal enforcement of the current Stormwater Management Ordinance will exact undue hardship because of the peculiar conditions pertaining to the partially constructed site. We are hereby requesting your support that the Board of Supervisors waive or modify the requirements of one or more provisions of the Ordinance in accordance with §199-111.B as follows:

1. §199-308.A Table 199-308.1 requires peak flow rate of the post-construction 5-year and 2-year design storms be reduced to the peak flow rate of the predevelopment 2-year and 1-year design storms, respectively. Due to the peculiar conditions of existing grades and already constructed improvements from the 2006 plan approval, as well as the locations of the DEP approved septic areas which flow off-site unmanaged, we request a waiver to manage the peak flow rate of all post-construction design storms to not exceed the predevelopment peak flow rate of the same design storms in accordance with state code (PA Title 25 §102.8.(g)(3)).
2. §199-309.D.(3)(e) requires areas to be disturbed and returned to open space/pervious area shall be reduced one hydrologic soil group level for post-development runoff calculations. A unknown portion of the site was disturbed during construction of improvements in 2006. Due

to the peculiar conditions on site we request a waiver to use the same hydrologic soil group for post-development runoff calculations.

3. §199-311.A.(1)(c)[2] requires interior slopes of the basin shall not exceed one foot vertical in four feet horizontal except with approval of the Township. Due to the existing slopes adjacent to the basin, which are close to 4:1 and would require a large increase in disturbance to match the proposed slope, we request a waiver to allow 3:1 slopes within the basin.

If you have any questions or need additional information, please feel free to contact me by phone at (610) 274-8613 or by email at Colin@HillcrestAssoc.com.

Sincerely,



Colin Kraucunas, P.E.
Project Manager

- C. Woody Dries – Dewson Construction Company
HC#4626