



Policy Briefing Summary

Board of Supervisors

**RE: Lot 1, McFarlan Park Land Development
580 Rosedale Road**

Date Presented: December 15, 2021

Prepared By: Diane Hicks, Director of Planning and Zoning

The project proposes to construct an office building with associated improvements on UPI No. 62-4-218.2B (2.623 acres) located at 580 Rosedale Road. The project parcel, located in the LI – Limited Industrial Zoning District, is located on the south side of Rosedale Road (T-628) at the intersection with McFarlan Road (T-420). Access to the proposed building is to be provided through an existing access drive via Rosedale Road. Per the plan, the site is to be serviced through public water and sewer service.

The project site is known as Lot 1 as depicted on the Final Land Development Plan entitled Flex Space/Office Park, prepared by Gladnick Wright Salameda Ltd, dated April 12, 2001 and last revised June 6, 2001 (Approved Plan). The Approved Plan was signed by the Township and recorded in 2003. The bulk grading and stormwater management for the entire park was approved under NPDES Permit # PAR10-G411, which was issued in 2001. The parcel was previously graded as part of the Approved Plan. The NPDES permit has expired.

The owner of the property was granted an extension to the Approved Plan by the Board of Supervisors on August 18, 2021 until January 15, 2022. This extension was conditioned on the Applicant submitting a plan documenting the proposed construction, deviations from the original land development plan, and compliance with the current Township ordinance standards governing stormwater management, grading, and retaining walls for any such deviation unless the Applicant proves, in the sole discretion of the Township Engineer that strict compliance with current standards will make construction of the building as originally proposed unfeasible and hence appropriate relief would be supported. The plan shall be submitted on or before November 15, 2021 via the Township's Grading, Drainage and Erosion Control permit process to assist the Board with understanding the impacts and acceptability of any further extension.

The applicant has satisfied the initial request proposed at the time of the plan extension. The Applicant has requested approval of the following waivers from the Kennett Township Stormwater Ordinance:

1. §199-305.A requires the post construction total runoff volume to not exceed the predevelopment total runoff volume for all storms equal to or less than the five-year storm event. The Applicant is requesting a waiver to reduce the infiltration volume requirement to the runoff volume difference for the 2year storm event. The original stormwater design did not include infiltration.

2. §199-306.B states that the required infiltration volume shall be as required by §199-305 for all regulated activities involving new development or redevelopment. A waiver is being requested to reduce the required infiltration volume to the difference in runoff for the 2-year storm event.
3. §199-307.A requires the peak flow rate of the post-construction two-year storm to be reduced to the predevelopment peak flow rate for the one-year storm for regulated activities involving new development with one or more acres of earth disturbance. A waiver is requested from this section to allow the peak flow for the 2-year post construction storm event to be reduced to the predevelopment peak flow rate for the two-year storm event.
4. §199-308.A requires post-construction peak flow rates from any regulated activity to not exceed the predevelopment peak rates. The Applicant is requesting a waiver to allow the peak rates for the post development 2-year and 5-year storm events to be reduced to the 2-year and 5-year predevelopment peak rates, respectively.
5. §199-309.D.3.e requires all areas to be disturbed during construction and subsequently returned to open space/pervious area to be assumed to be reduced by one hydrologic soil group level for post-development runoff calculations. The Applicant is requesting a waiver from this requirement due to prior disturbance of the site.

The Township engineer has provided a December 9, 2021 memorandum which notes the current plan submission to be compliant with the conditions for extension of the Approved plan and which supports the requested Stormwater Management Ordinance waivers.

Motion: Move to grant approval of the requested waivers from sections 199-305.A , 199-306.B, 199-307.A, 199-308.A and 199-309.D.3.e of the Kennett Township Stormwater Management Ordinance.



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MEMORANDUM

Date: December 9, 2021

To: Diane Hicks, Kennett Township Planning & Zoning Director

From: Stan Corbett

Subject: **580 Rosedale Road
Requested Stormwater Management Ordinance Waivers**

A plan for proposed construction of a commercial building at 580 Rosedale Road was initially submitted to the Township pursuant to an application for a grading, drainage and erosion control permit on September 8, 2021 and a revised plan was submitted on November 2, 2021. Review of the most recent submission was provided by AECOM letter dated November 22, 2021. Although some open items remain, most technical issues have been resolved.

The above noted submissions were pursuant to a land development plan extension granted by the Board of Supervisors on August 18, 2021 until January 15, 2022. The original land development plan was signed by the Township and recorded in 2003.

The extension was conditioned on the Applicant submitting a plan documenting the proposed construction, deviations from the original land development plan, and compliance with the current Township ordinance standards governing stormwater management, grading, and retaining walls for any such deviation unless the Applicant proves, in the sole discretion of the Township Engineer, that strict compliance with current standards will make construction of the building as originally proposed unfeasible and hence appropriate relief would be supported. The plan was to be submitted on or before November 15, 2021 via the Township's Grading, Drainage and Erosion Control permit process to assist the Board with understanding the impacts and acceptability of any further extension.

We believe the current plan as submitted to the Township is compliant with the conditions of the land development plan extension. The layout remains substantially per the 2003 plan and a subsequent Zoning Hearing Board approval for a child day care use, although significant engineering changes were needed to address current requirements, most notably those related to stormwater management.

The September 8, 2021 plan submission included a letter requesting five waivers from the Kennett Township Stormwater Management Ordinance. An updated waiver request letter prepared by Hillcrest Associates with a revision date of December 6, 2021 was submitted to the Township on December 6, 2021. The updated letter was provided to more accurately reflect the current plan submission.

We acknowledge the needed waiver requests and agree with the justifications for each as presented in the December 6th Hillcrest Associates letter. All waiver requests relate to Township standards which are more stringent than DEP standards and which may constrain feasibility of building construction consistent with prior Township approvals. AECOM has no objection to the waiver requests.

Waiver Justification

Revised December 6, 2021

In accordance with Section 199-111 and Section 199-301.I of the Kennett Township Stormwater Management Ordinance, the following waivers are requested for 580 Rosedale Road – McFarlan Park Lot 1 (UPI#62-4-218.2B):

1. *Section 199-305.A: A waiver is being requested to infiltrate the runoff volume increase of the two-year 24-hour duration design storm, where Section 199-305.A requires infiltration of the five-year 24-hour duration design storm unless modified by the Township per Section 199-305.B.*

A waiver is being requested from Section 199-305.A in accordance with 199-305.B. The stormwater design for McFarlan Park in 2001 did not provide infiltration for the lots, as it was not required at the time, and there are limited areas of suitable soils on Lot 1 for infiltration, as evidenced by soil testing conducted in June 2021, as previously shared with the Township. Note that NPDES General Permits only require infiltration of the two-year 24-hour storm, which is provided within the limited space available.

2. *Section 199-306.B: A waiver is being requested to infiltrate the runoff volume increase of the two-year 24-hour duration design storm, where Section 199-306.B requires infiltration per 199-305.A, which references the five-year storm.*

A waiver is being requested from this section for the same reasons as 199-305.A stated above.

3. *Section 199-307.A: A waiver is being requested to manage peak flow rate of the post-construction two-year design storm to the predevelopment two-year design storm, where Section 199-307.A requires management to the predevelopment one-year design storm.*

A waiver is being requested from this section. Although Lot 1 was approved under the McFarlan Park plans approved in 2001, it does not qualify as “Redevelopment” per the definitions in the Kennett Township Stormwater Management Ordinance and would therefore require management of the two-year storm to the one-year predevelopment peak rates as required for “New Development” projects. The stormwater basins for McFarlan Park approved in 2001 manage the two-year storm to the two-year predevelopment peak rates, as required at the time. Note that NPDES General Permits only require management of the 2-, 10-, 50-, and 100-year/24-hour storm events to preconstruction rates, which is provided.

4. *Section 199-308.A: A waiver is being requested to manage peak flow rate of the post-construction two-year design storm to the predevelopment two-year design storm, where Section 199-308.A requires management to the predevelopment one-year design storm for new development.*

A waiver is being requested from this section for the same reasons as 199-307.A stated above.

5. *Section 199-309.D.3.e: A waiver is being requested to assume no change in hydrologic soil group, where Section 199-309.D.3.e requires disturbed areas to be reduced one hydrologic soil group level for post-development runoff calculations.*

A waiver is being requested from this section, as the site was disturbed prior to this ordinance.



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November 22, 2021

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

**Re: 580 Rosedale Road – McFarlan Park – Lot 1
Grading, Drainage and Erosion Control Permit Application**

Dear Ms. Ferris:

We received the following information for the above noted project on November 2, 2021:

- Response letter to AECOM's September 29, 2021 review letter, prepared by Hillcrest Associates, Inc., dated November 1, 2021.
- Grading/ PCSM/ O&M Plan – 580 Rosedale Road – McFarlan Park Lot 1, prepared by Hillcrest Associates, Inc., dated July 1, 2021, last revised October 20, 2021 (10 sheets).
- PCSM Report for 580 Rosedale Road – McFarlan Park Lot 1, prepared by Hillcrest Associates, Inc., dated October 2021 with no revision noted (72 pages).
- Stormwater Management Report for Defazio/McGrory Flex Space/Office Park, prepared by Gladnick Wright Salameda Ltd., dated September 19, 2000, last revised January 19, 2001 (341 pages).
- Drainage Area Plans for Defazio/McGrory Flex Space/Office Park, prepared by Gladnick Wright Salameda Ltd, dated November 15, 2000, last revised January 19, 2001 (3 sheets).
- Response letter to Chester County Conservation District's September 23, 2021 review letter, prepared by Hillcrest Associates, Inc., dated November 1, 2021.

The project proposes to construct an office building with associated improvements on UPI No. 62-4-218.2B (2.623 acres) located at 580 Rosedale Road. The project parcel, located in the LI – Limited Industrial Zoning District, is located on the on the south side of Rosedale Road (T-628) at the intersection with McFarlan Road (T-420). Access to the proposed building is to be provided through an existing access drive via Rosedale Road. Per the plan, the site is to be serviced through public water and sewer service.

The project site is known as Lot 1 as depicted on the Final Land Development Plan entitled Flex Space/Office Park, prepared by Gladnick Wright Salameda Ltd, dated April 12, 2001 and last revised June 6, 2001 (Approved Plan). The Approved Plan was signed by the Township and recorded in 2003. The bulk grading and stormwater management for the entire park was approved under NPDES Permit # PAR10-G411, which was issued in 2001. The parcel was previously graded as part of the Approved Plan. The NPDES permit has expired.

The owner of the property was granted an extension to the Approved Plan by the Board of Supervisors on August 18, 2021 until January 15, 2022. This extension was conditioned on the Applicant submitting a plan documenting the proposed construction, deviations from the original land development plan, and compliance with the current Township ordinance standards governing stormwater management, grading, and retaining walls for any such deviation unless the Applicant proves, in the sole discretion of the Township Engineer that strict compliance with current standards will make construction of the building as originally proposed unfeasible and hence appropriate relief

would be supported. The plan shall be submitted on or before November 15, 2021 via the Township's Grading, Drainage and Erosion Control permit process to assist the Board with understanding the impacts and acceptability of any further extension.

We have reviewed this submission as a Grading, Drainage and Erosion Control permit Application for conformance with the Kennett Township Stormwater Management and Zoning Ordinances consistent with the conditions for land development plan extension noted above. Comments from our September 29, 2021 letter follow, with new or modified comments indicated by bold italic font.

Requested Waivers to the Kennett Township Stormwater Management Ordinance

The following waivers requests are listed on the cover sheet as well as in a waiver justification letter.

1. §199-305.A requires the post construction total runoff volume to not exceed the predevelopment total runoff volume for all storms equal to or less than the five-year storm event. The water quality and runoff volume is to be captured and permanently retained or infiltrated on the site. Permanent retention options may include, but are not limited to, reuse, evaporation, transpiration, and infiltration. Infiltration shall be the preferred method of volume control. The Applicant is requesting a waiver to reduce the infiltration volume requirement to the runoff volume difference for the 2-year storm event. The original stormwater design did not include infiltration.

AECOM Comment: The Applicant states that the soil testing conducted in June 2021 noted limited areas of suitable soils for infiltration on Lot 1. Due to this, the Applicant is requesting a waiver to allow the required infiltration volume to be reduced to the difference in runoff volume for the 2-year storm event. This is in accordance with the infiltration requirements for NPDES General permits. Since the site has been previously disturbed and the results of the infiltration testing limit infiltration bed area, AECOM would have no objection to this waiver request.

2. §199-306.B states that the required infiltration volume shall be as required by §199-305 for all regulated activities involving new development or redevelopment. A waiver is being requested to reduce the required infiltration volume to the difference in runoff for the 2-year storm event.

AECOM Comment: See response to waiver request 1 above.

3. §199-307.A requires the peak flow rate of the post-construction two-year storm to be reduced to the predevelopment peak flow rate for the one-year storm for regulated activities involving new development with one or more acres of earth disturbance. A waiver is requested from this section to allow the peak flow for the 2-year post construction storm event to be reduced to the predevelopment peak flow rate for the two-year storm event.

AECOM Comment: The Applicant states that the stormwater basins for McFarlan Park approved in 2001 manage the peak flows for the 2-year post development storm event to the 2-year predevelopment conditions. In addition, the NPDES General permit only requires management of the 2-, 10-, 50- and 100- year storm events to preconstruction rates. AECOM has no objection to this waiver request provided adequate documentation is provided for the original design. See comments provided in the Stormwater Management Ordinance comments section. ***A copy of the approved stormwater management report from 2001 has been included with this submission. The original design provided peak rate control. AECOM would have no objection to this waiver request.***

4. §199-308.A requires post-construction peak flow rates from any regulated activity to not exceed the predevelopment peak rates. For new development regulated activities, the peak rate for the post development 2-year storm event is to be reduced to the 1-year predevelopment peak rate and the peak rate for the post development 5-year storm event is to be reduced to the 2-year predevelopment peak rate. The Applicant is requesting a waiver to allow the peak rates for the post development 2-year and 5-year storm events to be reduced to the 2-year and 5-year predevelopment peak rates, respectively.

AECOM Comment: See response to waiver request 3 above.

5. §199-309.D.3.e requires all areas to be disturbed during construction and subsequently returned to open space/pervious area to be assumed to be reduced by one hydrologic soil group level for post-development runoff calculations. The Applicant is requesting a waiver from this requirement due to prior disturbance of the site.

AECOM Comment: AECOM has no objection to this waiver request.

Zoning

1. §240-1201.A states the uses permitted by right in the LI-Limited Industrial Zoning District. The proposed use(s) for Building 1 should be noted on the plan. ***The proposed uses are listed in the parking tabulation, including 14,000 SF for use as office space and the remainder for use as a child day-care facility. The office is a use by right per §240-1201.A. and §240-1921 (supplemental use standards for industrial parks) and the child day-care facility is a special exception use which was approved by a Zoning Hearing Board decision dated September 4, 2020. A plan note should be added memorializing the special exception use approval.***
2. §240-1203.E requires utility lines to be underground unless otherwise approved at the discretion of the Board of Supervisors. This should be noted on the plan. ***A note has been provided on the plan. This item is resolved.***
3. §240-1203.F requires evidence of adequate water supply and sewerage service for the proposed use(s) to be provided to the Township. When the Approved Plan was approved there was apparently public sewage capacity available to serve this project. There is very limited capacity available at this time to serve the proposed building. Based upon AECOM coordination with DEP, an office use with a maximum flow of 1 EDU (200 gallons per day) may be served at this time on the project parcel. The plan should memorialize this use and occupancy limitation to be applicable until sewerage system upgrades are completed to provide additional capacity and the Applicant has secured Township and DEP approval for additional sewage flows. Said plan note(s) should also state the Township does not assume any obligation to provide additional public sewer capacity for this project. ***General Note 12 has been added to the plan resolving the requested plan note. Kennett Square Borough has recently indicated concerns with additional Township sewer connections which flow to their system, however, and Borough approval for the 1 EDU office use should be documented prior to plan approval.***
- 3A. ***§240-1910 provides the requirements for child/adult day-care facilities. The requirements of this section should be addressed or stated on the plans.***
4. §240-2003 provides the nonresidential off-street parking standards. Calculations should be provided regarding the required number of parking spaces to ensure adequate parking is provided

for the proposed use(s). **Parking space calculations have been added to the plan with the proposed uses. The following items regarding the calculations should be addressed:**

- a. **The parking space calculations provide 4 spaces per 1,000 SF of gross floor area, with 14,000 SF being proposed for office space use. Per §240-2003.D, there shall be sufficient spaces provided for each use so that there is a minimum of one parking space per one and one-half employees, based upon maximum project employees at any one time. §240-2003.E, states that parking in addition to that specified in §240-2003.A-D, shall be provided as noted by activity or use. In addition to the requirements of §240-2003.D, four (4) spaces per 1,000 square feet of GLFA shall be provided for office buildings. The parking calculations for the proposed office space use should be updated to include 1 and ½ parking spaces per the maximum number of employees.**
 - b. **Per §240-2003.E, the required parking for child day-care centers should be provided in accordance with §240-1910. §240-1910.D.(3) states that there shall be a minimum of one off-street parking space provided for each employee and, additionally, a minimum of one safe passenger unloading space measuring a minimum of 10 feet by 20 feet in size for each ten children that the center is licensed to accommodate. The parking space calculations note that 25 parking spaces are provided for the child day-care facility for 25 employees. No calculations or parking spaces have been provided to address the unloading spaces required by this section. It is our understanding that parking for the day care use may have been addressed within the special exception use hearing, although AECOM does not have the associated documentation. If a deviation from the parking standards was approved, this should be documented by plan note.**
5. §240-2004 provides the parking lot standards. Per §240-2004.D, aisles within parking lots shall be a minimum of 25 feet in width for two-way traffic. The plan proposes 24' wide aiseways. While we recognize that the 24' wide aiseways are consistent with the Approved Plan recorded in 2003, we note the current Zoning Ordinance requires parking spaces to be a minimum of 9.5' x 17.5' wide. The proposed spaces are 9.5' x 20'. The extra parking space length could instead be used for additional aisleway width if preferred by the Applicant. **The parking lots have been revised to include 25-foot aisleways with 9.5' x 17.5' parking spaces. This portion of the comment has been addressed. §240-1910.D.(3) requires one unloading space per every 10 children that the day care center is licensed to accommodate, with minimum dimensions of 10 feet by 20 feet. The parking areas should be revised to address the required unloading spaces.**
6. §240-2010 provides the landscaping standards. The landscape screening surrounding Building 1 as proposed on the Approved Plan was previously installed. The provided plan proposes to increase the FF elev. for Building 1 by 2 feet (from elevation 336 to elevation 338). All landscaping deviations from the 2001 Approved Plan should be addressed per the standards of this Section , including:
- a. The proposed retaining wall on the north side of Building 1 (parallel to Rosedale Road) is proposed to be up to 8 feet in height with the existing landscape buffer on the lower side of the retaining wall. It is unclear if the existing buffer will provide adequate screening for the proposed building. Additionally, it is unclear if the proposed retaining wall will disturb the dripline of the existing buffer. **General Note 9 on Sheet 1A states that "on-lot landscaping for Lot 1 to be in accordance with the Final Land Development Plan Set approved by Kennett Township on May 21, 2001 titled "Flex Space Office Park" prepared by Gladnick Wright Salameda Ltd. Dated 4/12/01, last revised 6/6/01". In addition, a label has been**

added to Sheet 1B – Existing Conditions (pointing to 3 existing trees located adjacent to the sidewalk for McFarlan Road as well as one tree on the southern side of the property) noting that all existing trees damaged in construction shall be replaced in kind.

- b. Grading is proposed along the southern property line. Aerial mapping indicates existing landscaping and fencing along the southern property line. The proposed grading would affect the existing landscaping and fencing. The plan proposes to lower the existing grades at the property line up to 6 feet. **Sheet 1B – Existing Conditions notes that all existing trees and fence damaged by construction shall be replaced in kind.**
- c. The plan includes grading along the existing sidewalk for McFarlan Road. This would disturb the existing landscape buffer along the eastern side of the property. **General Note 9 on Sheet 1A states that “on-lot landscaping for Lot 1 to be in accordance with the Final Land Development Plan Set approved by Kennett Township on May 21, 2001 titled “Flex Space Office Park” prepared by Gladnick Wright Salameda Ltd. Dated 4/12/01, last revised 6/6/01”. In addition, a label has been added to Sheet 1B – Existing Conditions (pointing to 3 existing trees located adjacent to the sidewalk for McFarlan Road as well as one tree on the southern side of the property) noting that all existing trees damaged in construction shall be replaced in kind.**

We recommend review by the Township Landscape Architect to verify adequacy of the 2001 landscaping plan information relative to proposed plan changes as noted in comments 6.a through 6.c above. Proposed plan changes include lowering the elevations along the southern property line by 6 feet, locating plantings and fencing in steeper slopes than previously approved, street trees adjacent to a proposed retaining wall, a revised building footprint (with this submission) to include a fenced in outdoor area and a proposed boulder retaining wall along McFarlan Road.

7. §240-2012 provides the outdoor storage standards. The purpose of the fenced area in the parking lot near the southwest corner of Building 1 should be clarified. If this area is to be used as a trash enclosure for Building 1, it is unclear if this area would be accessible by sanitation removal trucks. In addition, an inlet is proposed within this area. In addition, no sidewalk access is provided to the area. The Applicant should review this area for water quality purposes. **The Applicant notes that the dumpster enclosure was moved to the northeast corner of the lot for better access. The area drains to the StormTech Isolator Row stormwater system. The plan includes two squares with a D indicated in the northeast corner of the site. The following items should be addressed:**
 - a. **The plan should label the proposed dumpster area.**
 - b. **It is unclear if a sanitation vehicle will be able to access the area to empty the proposed dumpster.**
 - c. **The plan should clarify what the two squares indicate.**
 - d. **The screening requirements of §240-2012.A should be addressed.**
8. §240-2013 provides the lighting requirements and design standards. A lighting plan should be provided in accordance with the requirements of this section, or applicable reference to lighting design information per the 2001 Approved Plan memorialized by plan note. **General Note 10 has**

been added to Sheet 1A stating that the site lighting for Lot 1 is to be in accordance with the Final Land Development Plan Set approved by Kennett Township on May 21, 2001 titled "Flex Space Office Park" prepared by Gladnick Wright Salameda Ltd. Dated 4/12/01, last revised 6/6/01. The plan submission has been revised to include a fenced outdoor area. The plan should address proposed lighting changes.

Stormwater Management

The project parcel was part of an Approved Plan with an NPDES permit. The site was rough graded and a portion of the landscaping was installed as part of the construction of the Approved Plan. The NPDES permit has expired and current CCCD/DEP regulations must be addressed via a new NPDES permit application. The plan proposes the use of a new subsurface infiltration facility and an existing detention basin to address the requirements of the Kennett Township Stormwater Management Ordinance and the CCCD. The following comments should be addressed:

1. §199-301.A requires a Stormwater Management Site Plan (SWM Site Plan) to be submitted to the Township for review and approval. The following §199-402 requirements regarding the Stormwater Management Plan should be addressed:
 - a. §199-402.A.(2) requires a list of all regulatory approvals to be provided on the plan. Any required approvals should be noted on the plan. **A list of the regulatory approvals has been added to Sheet 1A. This item is resolved.**
 - b. §199-402.B.(2) requires the phone number of the owner to be provided on the plan. **The phone number of the owner has been added to the plan. This item is resolved.**
 - c. §199-402.B.(15) requires the location of all existing and proposed utilities to be noted on the plan, including sanitary sewers and water supply lines within the site and within 50 feet beyond the proposed limits of earth disturbance. **This information has been provided on the plan. This item is resolved.**
 - d. §199-402.B.(18).(b) requires the delineation of the area draining to a BMP or conveyance. The drainage areas for the subsurface infiltration facility and existing basin should be indicated on the plan. **This information has been provided on the plan. This item is resolved.**
 - e. §199-402.B.(18).(c) requires easements/notes to grant the municipality the right to access all BMPs and conveyances for the purposes of inspection and enforcement of the requirements. This should be provided for both the existing basin and the subsurface infiltration facility. **A note has been added to Sheet 1A. This item is resolved.**
2. §199-303.A.(1).(b) requires an NPDES construction activities permit. A new NPDES permit is required as the previously approved permit has expired. The Applicant states that the CCCD has requested that the previously approved stormwater management report be provided to ensure that rate control was provided as part of the development. Infiltration of the increase in the 2-year storm event runoff volume is required for the proposed improvements for Lot 1. The CCCD has requested that the Township provide a concurrence letter that the existing stormwater basins were designed and constructed to manage peak rates for the proposed improvements. The Applicant should address the stormwater comments provided in this letter to facilitate Township consideration of the CCCD request. **The original stormwater management report has been provided documenting peak rate control and we have no objection to Township issuance of**

the letter previously requested by CCCD. A copy of the new NPDES permit should be provided prior to plan approval.

3. §199-303.A requires the erosion and sediment control plans to be approved by the Township. The following comments regarding the E&S plan should be addressed:
 - a. The plan should indicate any trees proposed to be removed. ***The existing tree locations have been indicated on Sheet 3A – E&S plan. This item is resolved.***
 - b. Sheet 3A indicates the location of the proposed construction entrances. Per the detail on Sheet 3B, the rock construction entrances are to be a minimum of 50 feet long. The locations provided on Sheet 3A should be revised to include a minimum of 50 feet in length. ***The construction entrances have been revised. This item is resolved.***
 - c. ***The proposed inlets have been revised since the previous submission. The inlet protection locations should be adjusted to reflect the revised inlet locations.***
 - d. ***Sediment control protection should be provided for the existing headwall to ensure sediment-laden runoff is not directed towards the existing basin.***
4. §199-306.E requires a detailed soils evaluation to determine soil permeability and depth to any limiting zones. Soil testing information has been provided in Appendix A of the Post Construction Stormwater Management Report. Test pits TP#3 and TP#4 are located within the proposed footprint of the subsurface infiltration facility. The following comments regarding the soil testing should be addressed:
 - a. The log for TP#4 indicates a limiting zone due to redox at 54" below existing grade. Two infiltration tests were performed at 72" below existing grade. The Applicant should clarify the redox noted at 54" below existing grade. This is in conflict with the soil profile information. The noted limiting zone would impact the feasibility of the proposed subsurface infiltration facility. ***The Applicant states that an updated copy of the TP #4 results with the erroneous reference removed was provided by Evans Mill Associates and is included in the enclosed SWM report Appendix A; however, the log for TP #4 still includes the note stating redox was found at 54". Comment remains.***
 - b. Up to 14.5' of cut will be required to reach the bottom bed elevation on the southern end of the proposed infiltration facility. TP#3 was excavated to a depth of 108" (9 feet). It is unclear if the required 2-foot depth between the bottom bed elevation and any limiting zone will be provided on this side of the facility. ***A note has been added to the Infiltration Bed Installation notes stating that a test pit will be excavated below the deepest portion of the drywell to ensure no limiting zones are within 24 inches of the bottom elevation. This item is resolved.***
5. The stormwater management design proposes the use of an existing basin. The plan includes some survey data for the existing basin. The following comments regarding the existing basin should be addressed:
 - a. Per aerial pictures, the basin is/was entirely wooded. It is our understanding that significant vegetation removal has recently been addressed. Existing basin plantings should be verified in accordance with the 2001 Approved Plan. ***The Applicant states that basin plantings are maintained per recent inspection by the Township and Sheet C502 of the approved plan***

provides the required basin landscaping. Per discussion with the Township Public Works Director, a brief visual inspection was performed in September 2021 to check general status regarding vegetation removal. No evaluation of specific plantings or other aspects of the basin design was addressed. Given the extent of vegetation removal observed by the Township, however, we have no objection to verifying adequacy of the plantings pursuant to stormwater O&M agreement requirements after plan approval. This item is resolved.

- b. Page 4 of the narrative provided in the Post Construction Stormwater Management report includes a table with the peak flows and elevations from the approved SWM report. No information has been provided showing rate control has been provided for the site as part of the Approved Plan. A copy of the approved stormwater management report should be provided. ***A copy of the approved stormwater management report has been provided. This item is resolved.***
 - c. The outfall culvert is noted as buried. The Applicant's Engineer should provide an evaluation verifying that the existing facility is in acceptable condition and is functioning in accordance with the Approved Plan. This determination should also be memorialized by plan note. We note deficient conditions apart from above-noted vegetation concerns were observed in 2019 Township basin inspection reports (copies enclosed). ***The Applicant states that the outfall is not buried but the invert was unable to be accurately surveyed due to debris and the basin was more recently inspected by the Township. As noted above, this Township inspection was not intended to verify anything except general vegetation removal status; however, we note an off-site discharge analysis was provided in the stormwater report which modeled the as-built condition of the existing detention basin. This item is resolved.***
 - d. ***The drainage area to the existing headwall consists of the majority of the site as well as off-site areas. The sequence of construction should address when the existing headwall is to be replaced with an inlet to ensure runoff is directed towards the existing basin.***
 - e. ***The plan states that the limit of disturbance is 2.4 acres while the calculations on page 29 of the stormwater management report note a disturbance of 2.32 acres. The total limit of disturbance should be clarified.***
 - f. ***Pretreatment should be provided for runoff from proposed impervious areas that are not directed to the subsurface facility.***
6. The plans propose a subsurface infiltration facility to provide infiltration to address the requirements of the Kennett Township Stormwater Management Ordinance. §199-402.E requires stormwater runoff design computations and documentation, include BMP loading ratios to be consistent with the guidelines and criteria presented in the PA BMP Manual. Per page 2 of the narrative in the Post Construction Stormwater Management Report, the proposed infiltration facility has an overall loading ratio of 27:1 and an impervious loading ratio of 16:1. The Applicant notes that the loading ratios will be offset by the pretreatment provided in the StormTech isolator rows. Additional justification for exceeding PA BMP Manual loading ratios should be provided per the recommendations of the DEP white paper "A Risk-Based Approach to Sizing Stormwater Infiltration BMPs" by Domenic Rocco, PE, dated July 27, 2009. ***Additional justification for the increased loading ratios has been added to Appendix B of the stormwater management report. This item is resolved.***

7. §199-402.F states the inspections, operations, and maintenance (O&M) requirements. An O&M plan and agreement are required. The following O&M requirements should be addressed:
 - a. The O&M plan should address the responsibilities for all stormwater facilities to be utilized, including the responsibilities for both the Applicant and other land owners, if applicable. **Operations and Maintenance notes are provided on Sheets 2B & 2C. The approved landscaping for the existing basin should be indicated in the basin O&M plan notes to clarify maintenance needs.**
 - b. A signed and notarized O&M Agreement is required. The agreement will need to be completed to reference the required information as well as the final plan (once plan comments above have been resolved). Said plan with requisite signatures will need to be incorporated as Exhibit A of the agreement. **The Applicant states that a signed O&M agreement will be provided once plans are approved. Comment remains.**
 - c. Upon receipt of a complete O&M Agreement as noted above and the signed final plan, the Township should review and sign the Agreement if acceptable. **Comment remains.**
 - d. The Applicant must record the Agreement with the Chester County Recorder of Deeds, after completion and execution as noted above. In accordance with paragraph 14 of the Agreement and §199-703.A.(7), a permit may be issued upon delivery of a certified recorded copy of the Agreement to the Township. **Comment remains.**

General

1. The Township Fire Marshal should review the proposed layout for acceptability. **Comment remains.**
2. The plan notes that the proposed building will be connected to public sewer. The plan provides the location of an existing sewer manhole on Lot 1 and a partial sewer pipe. The plan should include information on how the sewer is connected to the sewer main within the public right of way. In addition, the proposed sewer lateral and cleanouts for the building should be indicated on the plan. **The plan has been updated to indicate the location of the existing sewer connection and the proposed sewer lateral. This item is resolved.**
3. The plan notes that the proposed building will be connected to public water. The location of the existing water service along with the proposed service to the building should be indicated on the plan. **The location of the existing and proposed water service have been added to the plan. This item is resolved.**
4. A 35' wide temporary grading easement is shown on UPI No. 62-4-218 on the southern side of the project parcel. The plan proposes to permanently grade a 3:1 slope on UPI No. 62-4-218. An easement agreement should be provided in a form acceptable to the Township Solicitor and memorialized by plan note. **The Applicant states that the draft agreement will be transmitted separately. Comment remains.**
5. Details should be provided for the proposed site improvements, including the proposed pavement section, curbing, sidewalks, ADA sidewalk ramps, storm drainage structures, sanitary sewer, manhole modifications and retaining wall. **Details for the noted items have been provided and this item is resolved.**

6. Fencing should be addressed for retaining wall and the proposed steep slope cut immediately adjacent to the sidewalk along McFarlan Road. **Fence is now indicated along the retaining wall and the slope adjacent to McFarlan Road. A fence detail should be provided.**
7. Design information and calculations addressing retaining wall structural adequacy must be addressed by signed and sealed PE submission prior to starting construction. This should be noted on the plan if not addressed directly by a revised plan submission. **A note has been provided regarding signed and sealed calculations being provided prior to construction. This item is resolved.**
8. The plan indicates two entrances on the southern side of the proposed building. The sidewalks for each of these entrances are directed towards the middle of a parking space. These sidewalks will be difficult to access when cars are parked in these spaces. **Sidewalks have been added to address this item. This item is resolved.**
9. The spot elevations along the south side of the southern parking area should be clarified. Top and bottom of curb elevations should be provided to ensure a maximum 3:1 slope is provided adjacent to the parking lot as well as positive drainage. **Spot elevations have been provided. This item is resolved.**
10. Runoff from the adjacent parcel (UPI No. 62-4-218) is directed across the proposed parking lot. The Applicant should consider collecting the runoff prior to entering the parking area. **The Applicant states that ¼ acres of off-site runoff is mostly grass and not concentrated at any one location and the grading of the parking lot is uphill to minimize off-site grading. The Applicant notes that they do not feel an inlet is needed. We have no objection to the Applicant's position and this item is resolved.**
11. It is our understanding that status of prior development agreements, improvements escrow and engineering inspections escrow for the 2001 Approved Plan is unclear. These should be resolved prior to any construction start. **Comment remains.**

Please contact our office should you have any questions.

Sincerely,

AECOM



Stan Corbett
Associated Vice President, Municipal Department

cc: Tim McGrory, Armstrong-Lloyd, LLC, Owner/Applicant
Colin Kraucunas, PE, Hillcrest Associates, Inc.
Thomas A. Schreier, RLA, Hillcrest Associates, Inc.
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Dave Sander, Esq., Kennett Township Solicitor
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