# THE COUNTY OF CHESTER

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May 3, 2011

RECEIVED
MAY 05 2011
BY: DM

Barbara Henry, Secretary
East Fallowfield Township
2264 Strasburg Road
East Fallowfield, PA 19320-4426

Re: Final Subdivision - Ridgecrest Subdivision
# SD-4-11-3896 - East Fallowfield Township

Dear Ms. Henry:

A preliminary/final subdivision plan entitled "Ridgecrest Subdivision," prepared by Edward B. Walsh and Associates, Inc., and dated March 25, 2011, was received by this office on April 5, 2011. The subdivision is situated on the east side of South Caln Road and the south side of West Chester Road and involves the creation of 72 residential lots, 4,000 linear feet of public roadway, and 83 acres of private open space, from a 119.74 acre site (UPI #47-6-10). There are existing residences on Lots 71 and 72. The project site, which will be served by public water and sewer, is located in the R-1 Low Density Residential zoning district.

This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code (MPC). This report does not review the plan for compliance to all aspects of your ordinance, as this is more appropriately done by agents of East Fallowfield Township. We offer the following comments on the proposed subdivision for your consideration:

BACKGROUND:

1. The Chester County Planning Commission previously reviewed an earlier version of this subdivision plan proposal for this site. CCPC# 4886-4, dated March 12, 2004, addressed the creation of 72 residential lots, 4,800 linear feet of roadway and 83.57 acres of open space. According to our records, this previous subdivision plan submission has not been granted final plan approval by the Township.

***LANDSCAPES:***

1. The updated Chester County Comprehensive Plan, ***Landscapes2***, was adopted in November 9, 2009. ***Landscapes2*** includes the concept of "*livable landscapes*," which provides a framework and vision for resource protection and growth strategies within Chester County. ***Landscapes2*** contains a *Livable Landscapes* map that represents a guide for accommodating expected growth while maintaining the quality of life in the County, as detailed in Chapter 4. The *Livable Landscapes* map is divided into two core areas as prescribed by the Pennsylvania Municipalities Planning Code: growth areas and rural resource areas. Growth areas consist of the **Urban Landscape**, the **Suburban Landscape**, and **Suburban Centers**. Rural resource areas consist of the **Agricultural Landscape**, the **Rural Landscape** and **Rural Centers**. ***Landscapes2*** also includes overlay features that define the **Natural Landscape,** and five **Protection Areas of National Significance.**

According to the *Livable Landscapes* map, the proposed subdivision is located in both the **Suburban Landscape** and the **Natural Landscape. The Suburban Landscape** is dominated by the built environment and is largely served by public sewer and water systems and an auto-dominated transportation network. This Landscape includes developed areas and nearby areas that are planned for additional future development. It is typically characterized by residential subdivisions containing primarily single-family housing. This landscape also contains concentrations of non-residential land uses and the largest employment centers in the county. **The Natural Landscape Overlay** encompasses Chester County's network of natural resources. It is identified by stream corridors, steep slopes and forests, which are essential elements of the physical environment. While this designation does not preclude development or agricultural operations, it indicates major areas of natural resources that should be protected and be subject to only limited disturbance. The location of the proposed subdivision is consistent with the guidelines of the **Suburban Landscape.**

WATERSHEDS:

3. ***Watersheds,*** *An Integrated Water Resources Plan for Chester County and Its Watersheds,* was adopted in 2002 as the water resources component of ***Landscapes***. ***Watersheds*** indicates that the proposed development activity is located within the Valley Run and West Branch subbasins of the Brandywine Creek watershed. The highest priority management objectives identified in ***Watersheds*** for consideration in land development and land use planning within the Brandywine Creek watershed include: reduce stormwater runoff, restore water quality of "impaired" streams, and protect vegetated riparian corridors. Additionally, the portion of the site situated in the West Branch subbasin drains to a stream designated as EV (Exceptional Value) or HQ (High Quality), which is further discussed in comment #15.

   It is recommended that these concerns and conditions be taken into consideration in final site design decisions. Specific strategies for implementation to effectively address these items can be found in Part 8 of ***Watersheds***. A more detailed listing of water resources management needs and resources to be protected within the Brandywine Creek watershed can be found in Part 10 of ***Watersheds***.

PRIMARY ISSUES:

4. General Note 8 states that the project site is being developed under the Open Space Design Option, which requires conditional use approval, and it is our understanding that conditional use approval has been granted for this project. The final plan should accurately note the date of the conditional use decision, and any conditions set as part of the conditional use approval.

5. The plan depicts a 30 foot wide ultimate right-of-way on the south side of West Chester Road, which, according to General Note 29, is being offered for dedication to the Township. The 2004 Road Functional Classification Technical Memorandum by the Chester County Planning Commission classifies West Chester Road as a minor collector road. The memorandum recommends a 60 to 80 foot-wide right-of-way for minor collector roads to accommodate future road improvement. The proposed right-of-way is appropriate for a local distributor road.

6. The plan depicts a 30 foot wide ultimate right-of-way on the east side of South Caln Road, which, according to General Note 29, is being offered for dedication to the Township. The 2004 Road Functional Classification Technical Memorandum by the Chester County Planning Commission classifies South Caln Road as a local distributor road. The memorandum recommends a 33 to 50 foot-wide right-of-way for local distributor roads to accommodate future road improvement. The proposed right-of-way is appropriate for a local distributor road.

7. We acknowledge, and endorse, that sidewalks will be provided on both sides of the proposed roadways. Sidewalks are considered an essential element for new construction in the **Suburban Landscape.**

8. The plan depicts the location of both four and six foot wide paved trails and a six foot wide grass trail. We recommend that all trails be constructed prior to the Township issuing any building occupancy permits for this development. We also recommend that the applicant and Township consider utilizing all-weather materials in the construction of all trails, which will accommodate a wider variety of uses, and be handicapped-accessible.

9. The plan indicates that a portion of the proposed paved trail will cross PECO easements which traverse the southern portion of the tract. The applicant should contact PECO to obtain use and design restrictions associated with these easements. The details of the location of these easements should be incorporated into the deeds of the affected parcels. The applicant should provide the Township with appropriate documentation that PECO has reviewed and approved the proposed development activity within the easements.

10. We acknowledge, and endorse, General Note 16 that states the proposed common open space will be deed restricted from further subdivision.

OTHER CONSIDERATIONS:

11. The applicant is requesting four waivers from the provisions of the Township Subdivision and Land Development Ordinance, including two waivers from Part 6-Design Standards. Waiver requests should only be considered following the determination that the proposed project either meets the purpose of these requirements or does not create the impacts that these provisions are intended to manage.

12. The plan and 2005 aerial photography indicate that a portion of the site is wooded. The removal of trees should be limited to the minimum area needed for the dwellings and support facilities. Avoiding grading within the area of the dripline (the perimeter of the tree's branches) of the trees to be preserved can reduce the possibility of tree damage.

13. The site contains delineated wetlands. Although it does not appear that any development activity will encroach into the delineated wetland area, the applicant should be aware that placement of fill in wetlands is regulated by the Corps of Engineers in accordance with Section 404 of the Clean Water Act (1977) and the Department of Environmental Protection under Chapter 105 Rules and Regulations for the Bureau of Dams and Waterway Management.

14. According to County Tax Assessment records, the land of the proposed subdivision appears to be subject to an Act 319 (Clean and Green) covenant. We advise the applicant to contact the Chester County Tax Assessment Office (telephone #610-344-6105) regarding this subdivision.

15. The site is located in an area designated by the Pennsylvania Department of Environmental Protection (DEP) as a Special Protection Watershed. Special Protection Watersheds are important because Chester County's High Quality and Exceptional Value Watersheds may be especially sensitive to degradation and pollution that could result from development. The DEP may impose stricter limitations on proposed wastewater and stormwater discharges in these watersheds, and DEP also encourages that special care be exercised in the design and construction of stormwater control facilities in these areas.

The DEP suggests that "Best Management Practices" (BMPs) be used for stormwater control, as recommended in *The Pennsylvania Stormwater Best Management Practices Manual.* This document is available from the Chester County Conservation District or directly from DEP via the web at: http://www.depweb.state.pa.us/watershedmgmt/cwp/view.asp?a=1437&q=518682, then select Best Management Practices (BMP) Manual. Toolbox # 32-1, in the *Landscapes* Community Planning Handbook Volume I, (CCPC, 1997) also contains an explanation of BMPs as well as a sample BMP ordinance. BMPs can be used to recreate pre-development conditions on all construction projects through the use of natural and manmade features such as retention and infiltration basins, pervious pavement, biofilters, grass swales, curbless streets, and other environmentally-sensitive design techniques. Project engineers are encouraged to examine these, as well as other BMPs. Addressing these issues in the initial plan submission should assist in expediting plan approval.

Additionally, the following map note should appear on all erosion and sediment pollution control plans:

> "The site is located in an area designated by the Pennsylvania Department of Environmental Protection as a Special Protection Watershed, and extreme care should be exercised in all disturbance activities to prevent degradation of the waters of the Commonwealth. All disturbed areas on which work has been, or will be stopped, must be promptly stabilized with appropriate temporary or permanent stabilization measures.

ADMINISTRATIVE NOTES:

16. The item on the attached checklist should be addressed and reflected in the proposed subdivision.

17. A minimum of four (4) copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, The Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds and the Assessment Office.

**RECOMMENDATION: The Commission recommends that the issues raised in this letter be addressed and all East Fallowfield Township requirements be satisfied before action is taken on this plan.**

Sincerely,

Ronald T. Bailey, AICP /DAW
Secretary

RTB/PF
Attachment
cc: T.R. Moser Builders, Inc.
Edward B. Walsh and Associates, Inc.
Chester County Conservation District
Chester County Tax Assessment Office
PECO

# THE COUNTY OF CHESTER

Chester County
Planning Commission
601 Westtown Road, Suite 270
P.O Box 2747
West Chester, PA 19380-0990

Board of
County Commissioners
Chester County, Pennsylvania

MUNICIPALITY East Fallowfield Township

CCPC FILE # SD-4-11-3896

DATE May 3, 2011

The following agencies should be contacted regarding this subdivision or land development:

☐ Pennsylvania Department of Transportation (PennDOT): A PennDOT permit is required for new or revised access and should be identified on the final plan as required by Section 508(6) of the Municipalities Planning Code.

☐ U.S. Army Corps of Engineers and Pennsylvania Department of Environmental Protection (DEP): Placement of fill in wetlands is regulated by the Corps of Engineers in accordance with Section 404 of the Clean Water Act (1977) with DEP under Chapter 105 Rules and Regulations for the Bureau of Dams and Waterway Management. The applicant should contact these agencies to determine if the proposed activity will require a permit and provide the municipality with documentation of this contact and of any subsequent permit(s) before action on this plan is taken.

☐ Pennsylvania Department of Environmental Protection (DEP): The applicant should contact DEP to determine whether a stream encroachment permit is necessary for the proposed road, driveway, or sanitary sewer line crossing in accordance with Section 205.293 of its rules and regulations and provide the municipality with documentation of this contact and the requirements of DEP before action on this plan is taken.

☐ Chester County Health Department (CCHD): A copy of the plan should be submitted to the CCHD for their review and comment on the proposed sewage disposal and/or water supply. The municipality from the appropriate authority and company prior to final plan approval, if applicable, should receive confirmation on the availability of sufficient sewer and water capacity.

☒ Chester County Conservation District (CCCD): The applicant should contact the office of the CCCD for information and clarification on erosion control measures. The provisions of the Commonwealth Erosion Control Regulations may apply to the project and may require an Earth Disturbance Permit or a National Pollutant Discharge Elimination System permit for discharge of stormwater from construction activities.