

AGENDA

East Brandywine Township/Downingtown Area School District

Weaver Tract Site Meeting

Wednesday, September 30, 2009

3:30 PM

Goal: Establish a clear, written agreement between East Brandywine Township and Downingtown Area School District in regard to any and all site work to be completed on the Weaver Tract.

1. Sewage
 - A) Treatment Plant Construction
 - B) Pump Station B Upgrade
 - C) Treatment Plant Operating Costs
 - D) EDU Requirement
 - E) Absorption Fields
 - 1) Design
 - 2) Construction
 - F) Connecting Neighbors to the Sewer System
2. Traffic Improvements
 - A) Review of Traffic Study
 - 1) Agreement with Pulte for Work at 322/Bollinger
 - 2) Widening of Bollinger
 - B) Traffic Impact Fee
3. Recreation Fee
4. East Brandywine Township Access Drive
5. East Brandywine Township Composting Area
6. DASD Cinder Sharing
7. Solar Farm

Memorandum Of Discussion Of Agenda Items Between
East Brandywine Township/Downingtown Area School District
Weaver Tract Site Meeting
Wednesday, September 30, 2009
3:30 PM

I wanted to get my thoughts down on paper in bold while they were fresh in my mind regarding this afternoon's 2+ hour meeting with the Township. This is a skeletal outline.

1. Sewage

- A) Treatment Plant Construction – KHOV agreed to 14.9% of construction and engineering cost – Township discussed Pulte's estimated construction and completion timing. It was noted that the projected timeline for the plant to be operational was the spring of 2011. The estimate of DASD share is \$1.8M (could be more or less, depending on the overall cost). Discussion was to replace existing KHOV agreement with agreement directly between Township and DASD to address these items.
- B) Pump Station B Upgrade – may be no need for this upgrade – if direct tie in to adjacent Applecross feasible, this is an expense DASD may not need to incur.
- C) Treatment Plant Operating Costs – no discussion of personnel expenses; discussion revolved around quarterly billings (user fees) to DASD. Fee has not yet been calculated. Discussion appeared to be favorable to DASD paying only for the gallons sent to the plant for treatment (estimated daily usage of approximately 6000/gpd). This may be an area spelled out more clearly in an agreement directly between Township and DASD.
- D) EDU Requirement- Discussion is to get away from the EDU concept and focus on gallons per day (DASD to reserve a maximum capacity of 8000/gpd). There was some discussion regarding final approval from DEP, and DASD would need to supply actual historical data from the other two middle schools. Township seemed amenable to discussing actual usage.
- E) Absorption Fields – Township focused more on preservation of the fields, rather than actual construction.
 - 1) Design – Not an issue at this point and there was some discussion of trying to preserve the frontage at the corner to accommodate a Sheetz/Wawa type use (which is characterized as an asset of the tax payers).
 - 2) Construction - Township amenable to staged construction – DASD only building what it needs for immediate use of the school and perhaps reserving the right to new users in the future to pay for construction of the beds needed for other uses.
- F) Connecting Neighbors to the Sewer System – Township has "sympathy" for DASD's preference not to have to do this. It does not make sense and the Township sees that.

2. Traffic Improvements – After much meandering and leaderless discussion (involving the need for and obligation to do certain traffic improvements), the parties agreed to leave the meat of the traffic issues to another meeting with Lee, Scott Piersol and the traffic engineers.

- A) Review of Traffic Study – Lee outlined Chris William's draft. Township's primary concerns appeared to be left-hand turn lane west bound on Horseshoe Pike onto Bollinger and a traffic signal.
 - 1) Agreement with Pulte for Work at 322/Bollinger – Township is still working with Pulte on this. There is still much uncertainty, which is being left to a future conversation.

2) Widening of Bollinger – This is going to involve Pulte and it appears that the Township is concerned about the run-off issue and the curbing of portions of Bollinger Road, and the absence of any right-of-way in front of the four homes along Bollinger. It seems to me that the Township may force Pulte to shift road to the west to accommodate the widening. Scott Piersol recommended that DASD and East Brandywine Township meet with Pulte to discuss work on Bollinger Road. There is also an issue involving curbing along the road and prevention of parking. This looks like a land development issue to me but it was important to one of the Supervisors so we should address it now.

B) Traffic Impact Fee – The Township is willing to negotiate.

3. Recreation Fee – The Township is willing to negotiate this and will await a suggestion from the DASD. They said “Make a proposal.” We discussed “preferred nation status” with the Township for filed use or continuation of a trail (like at SMES in Wallace).
4. East Brandywine Township Access Drive - DASD conveyed it did not want to have to do this. “How about just the easement, then” was the question.
5. East Brandywine Township Composting Area – Some permission to do this on 4 or 5 acres was discussed. I offered that I really did not see an issue – I did not see why some type of license could not be worked out. Scott Piersol raised an issue involving the DEP approvals.
6. DASD Cinder Sharing – Discussed briefly. Discussion of details left for later. There are some logistical questions
7. Solar Farm – Everyone agreed it seemed interesting and may be worth exploring – that’s about it.
8. New item – Fire Company – the interest of the fire company acquiring some land along Horseshoe Pike was raised again. Still very preliminary and we informed them that because it appeared to be an afterthought, we had not really addressed it with the Board.

At the end of the meeting the Township recommitted to assisting the DASD making its August 2012 opening possible. Lee informed them that we would like to get our applications into the Township in the November time-frame.



THE COUNTY OF CHESTER



COMMISSIONERS

Terence Farrell
Carol Aichele
Kathi Cozzone

RONALD T. BAILEY, AICP
Executive Director

PLANNING COMMISSION

Government Services Center, Suite 270
601 Westtown Road
P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610)

December 15, 2009

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Scott Piersol, Manager
East Brandywine Township
1214 Horseshoe Pike
Downingtown, PA 19335

Re: Preliminary/Final Land Development – Downingtown Area School District, Third Middle School
12177-2 – East Brandywine Township

Dear Mr. Piersol:

A preliminary/final land development plan entitled “Downingtown Area School District, Third Middle School,” prepared by Nave Newell, Inc., and dated November 11, 2009, was received by this office on November 17, 2009. A copy of the Traffic Impact Study, prepared by McMahon Transportation Engineers and Planners, and dated October 2, 2009, was received on November 23, 2009. The land development is situated on the north side of East Reeceville Road, the east side of Bollinger Road and the southwest side of Route 322 and involves the construction of a 169,742 square foot middle school building, six outdoor athletic fields, and 472 parking spaces, on a portion of a 140.14 acre site (UPI #30-5-3). It is identified on page ES-1 of the Traffic Impact Study that the design capacity of the proposed school building, which will have an initial enrollment of 900 students when open in 2012, is for 1,350 students. The project site, which will be served by public water and sewer, is located in the R-2 and R-3 Residential zoning districts.

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 the Township. We offer the following comments on the proposed land development for your consideration:

BACKGROUND:

1. The Chester County Planning Commission has previously reviewed a final subdivision/land development proposal for this site. That review, CCPC# 12177 (“Weaver Tract”), dated March 19, 2007, addressed the creation of 274 residential lots, and 66.9 acres of open space. According to our records, this prior submission has not been granted final plan approval by the Township.

LANDSCAPES:

2. 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

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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**. The **Natural Landscape** exists throughout the county, and reflects the important network of natural resources needing specific protection. The five **Protection Areas of National Significance** are the Brandywine Battlefield National Landmark, the Hopewell Big Woods, the Nottingham Serpentine Barrens National Natural Landmark, the Schuylkill River Heritage Area, and the Valley Forge National Historical Park.

According to the *Livable Landscapes* map, the proposed land development is designated as occurring in the **Suburban Landscape** and the **Natural Landscape Overlay**, to the immediate west of the Village of Guthriesville. 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 urbanized areas and nearby areas with planned 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** includes Chester County's network of natural resources. It is identified by stream corridors, steep slopes and forests, and these resources 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 this land development proposal is consistent with 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 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.

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:

Zoning:

4. On November 24, 2009, the County Planning Commission received a public notice from the Township Zoning Hearing Board pertaining to this land development submission. The public notice states that special exception approval is required for this project, pertaining to the construction of a school in the R-2 and R-3 Residential zoning districts. The public notice also states that the applicant is requesting a variance from the maximum building height requirements of the zoning ordinance. The Township should not grant final plan approval prior to the Zoning Hearing Board granting any special exception or variance requests. The Township should verify

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that the plan conforms to the decision issued by the Township Zoning Hearing Board. The final plan should accurately note the Zoning Hearing Board's decision, including any conditions of approval issued by the Board.

Access and Circulation:

5. Vehicular access to the site is provided from two driveway entrances on Bollinger Road, with left-turn lanes on southbound Bollinger Road provided for both entrances. It is identified on page 28 of the traffic impact study that the northern Bollinger Road access (Road B on the current plan submission) is designated for parent pick-up/drop-off activity and all parking other than for faculty/staff, while the southern (Road A) entrance is designated for bus traffic and faculty/staff parking areas. The traffic impact study (page 6) also identifies the following recommended improvements, in conjunction with the Applecross development situated on the southwest side of Route 322 and the west side of Bollinger Road:

- The installation of a traffic signal at the Route 322/Bollinger Road intersection, as well as widening northbound Bollinger Road and westbound Route 322 for separate left-turn lanes, and widening eastbound Route 322 for a separate right-turn lane;
- The installation of a traffic signal, when warranted, at the Bondsville Road/East Reeceville Road intersection; and
- The widening of Route 322 at the Hopewell Road/Bondsville Road intersection to provide a second westbound through lane, and modify the existing traffic signal timings.

The applicant should be aware that the Township's 2009 Comprehensive Plan identifies a "conceptual roundabout intersection" for the Bondsville Road/East Reeceville Road intersection.

The Township should confirm that the proposed circulation plan meets Township Ordinance requirements, and also verify that the proposed driveway entrances on Bollinger Road are in conformance with the Township Subdivision and Land Development Ordinance with regard to grade and sight distance. Both the Township Engineer and PennDOT should review the findings in the traffic impact study. We suggest that the Township evaluate the feasibility of installing a pedestrian crossing of Route 322 at the Hopewell Road/Bondsville Road intersection.

6. It is identified on page 4 of the applicant's November 11, 2009 cover letter that the "applicant will discuss trail locations with the Township as the application is being reviewed." The Guthriesville Master Plan map (Map #17) in the Township's 2009 Comprehensive Plan indicates this project site adjoins the Guthriesville Village area. The Parks, Recreation and Trails Map (Map #15) depicts the location of the "future trail system" in Village of Guthriesville, which extend to this project site. The Parks, Recreation and Trails Map also depicts the location of the trail system of the Applecross development, situated on the west side of Bollinger Road and the southwest side of Route 322.

Public trails should be provided on this site, which would provide pedestrian access from the Applecross development to the Village of Guthriesville. Pedestrian crosswalk area(s) should be provided on Bollinger Road. The applicant and Township should consider utilizing all-weather materials in the construction of the trail corridor(s) constructed on the site, which will accommodate a wider variety of uses, and be handicapped-accessible.

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7. Sheet 3 depicts the approximate location of the “Route 322 Guthriesville By-pass” (a.k.a. “Route 322 Loop Road Corridor”) on the project site. The information provided on Sheet 3 appears to be consistent with the conceptual bypass location depicted on the Roads and Circulation Map (Map 12) and the Guthriesville Master Plan Map (Map 17) in the Township’s 2009 Comprehensive Plan, and the “322 Loop Road and Widening Concept Plan” in the Township’s 2003 Act 209 Capital Improvements Plan.
8. The plan appears to depict a 40 foot wide right-of-way on the south side of Route 322. The 2004 Road Functional Classification Technical Memorandum by the Chester County Planning Commission classifies Route 322 as a major arterial road. The memorandum recommends an 80 to 120 foot-wide right-of-way for minor arterial roads to accommodate future road improvement. The applicant should contact PennDOT to determine the appropriate right-of-way for this section of Route 322, which would accommodate the recommended improvements identified in the applicant’s traffic impact study.

Design Issues:

9. A plan note on Sheet 3 states that a 12.99 acre portion of the project site, situated on the south side of Route 322 east of Bollinger Road and containing the existing farmstead, is to be retained by the owner. The applicant should clearly identify whether this 12.99 acre “parcel” is proposed to be subdivided from the remainder of the parent tract. No indication was made on the Act 247 County Referral Form that the applicant also proposes the subdivision of the 140.14 acre project site.
10. The Township should verify that the design of the proposed outdoor lighting plan (as depicted on Sheets 14 and 15) conforms to Township ordinance requirements. The illumination should be directed inward from the periphery of the site and be oriented to reduce glare and visual impact on the adjoining roadways and land uses. The applicant should clearly identify whether event lighting will be provided for any of the outdoor athletic fields.
11. The Township should verify that the proposed landscaping plan (as depicted on Sheets 10 through 13) conforms to Township Ordinance landscape and screening requirements.
12. The plan depicts the location of a 33 foot wide easement across the eastern boundary of the project site, for the benefit of the Township (the site adjoins the East Brandywine Township municipal complex). The details of this easement should be incorporated into the deeds of the appropriate parcels.

Natural Features Protection:

13. The site contains areas of hydric (wet) soils (CaB Califon, EdB Edgemont, GdA GdB Gladstone, ToA Towhey) which have limitations to development. These limitations include drainage problems due to low permeability, low runoff rates and sub-surface saturation. When construction takes place on these soils, it interferes with the natural drainage of the land. If construction occurs on this site, on-site alterations to existing drainage patterns should be carefully inspected by the Township Engineer to insure that off-site drainage conditions are not negatively affected.
14. 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

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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.

OTHER CONSIDERATIONS:

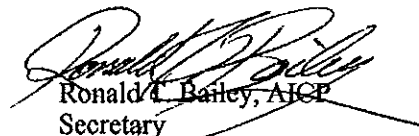
15. The Township Engineer should verify that the design and capacity of the proposed stormwater facilities conforms to ordinance provisions.
16. The applicant is requesting one waiver from Section 305 of the Township Code of Ordinances, pertaining to storm drain system requirements. Waiver requests should 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.
17. The Township Fire Marshal should verify the design and location of all proposed fire-protection facilities.

ADMINISTRATIVE NOTES:

18. The item on the attached checklist should be addressed and reflected in the proposed land development.
19. 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, particularly the access and circulation issues referenced in comments #5 through #8, and the design issues referenced in comments #9 through #12, and all Township requirements be satisfied before action is taken on this plan.

Sincerely,


Ronald C. Bailey, AICP
Secretary

RTB/PF

Attachment

cc: Downingtown Area School District
Nave Newell Inc.
Hudson L. Voltz, Esq., Board of Supervisors Chair
Mary Beth Smedley, Township Secretary
Bruce Rawlings, Planning Commission Chair
Rich Avicolti, District Permits Manager, PennDOT
Francis J. Hanney, P.E., PennDOT
Chester County Conservation District
Chester County Tax Assessment Office

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 Brandywine Township

CCPC FILE # 12177-2

DATE December 15, 2009

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.

