



Engineering LLC

106 Schubert Drive
Downingtown, PA 19335
Phone: (484) 880-7342
Email: admin@jmrengineering.com

September 29, 2023

West Bradford Township
Attn. Mr. Justin V. Yaich
1385 Campus Drive
Downingtown, PA 19335

**Re: Chestnut Lane Pump Station Improvements
Community Utilities of Pennsylvania, Inc.
Final Land Development Plan – Review #1
JMR Project No. 1640-46**

Dear Mr. Yaich:

In accordance with West Bradford Township's request, I have reviewed the above-referenced Land Development Plan for the parcel located on the southwest corner of the intersection of Broad Run Road (T-383) and Chestnut Lane (T-381). The Applicant is proposing to enhance the property by replacing the existing pump station on tax UPI No. 50-4-60.1A at 1802 Chestnut Lane. The site is situated within the R-5 Residential Zoning District, as such, the application shall comply with the applicable sections of the Township Zoning, Subdivision & Land Development (SALDO), Driveway, and the Stormwater Management Ordinances. The project received relief from the Zoning Hearing Board on May 19, 2023 to allow for decreased front and side yard setbacks along with allowing proposed structures within the floodplain.

BACKGROUND:

Community Utilities of Pennsylvania, Inc. is proposing to reconstruct an existing pump station that dates back to at least the 1980s. The proposed improvements include the upgraded pump station with new technology, increased pump size, and a new driveway layout to more safely access Chestnut Lane. The Applicant is proposing to relocate a portion of its facilities outside of the floodplain by shifting all structures toward Chestnut Lane. The site is currently accessed via a driveway connection to Chestnut Lane that requires operators to back out onto the roadway. The updated layout will be a horseshoe shape with some asphalt paving which will allow operators to pull directly out onto Chestnut Lane. The site is located within the floodplain and floodway of Broad Run. Stormwater Management for the site will be handled by two (2) proposed infiltration trenches, to be located between the pump station area and Broad Run.

The following items were submitted for review:

- Final Land Development Plans titled Community Utilities of Pennsylvania, Inc., Chestnut Lane Pump Station Improvements, containing twelve (12) sheets, dated August 23, 2023, prepared by GHD, Inc. of Bloomsburg, PA.
- Simplified Approach Worksheets for Community Utilities of Pennsylvania, dated July 25, 2023

REGISTERED PROFESSIONAL ENGINEERS
Pennsylvania & Delaware
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- Soils Report for Utilities Inc. – Chestnut Lane Pump Station dated September 7, 2021
- Property Deed

Additional information relative to this plan application:

- Township Subdivision and Land Development Final application with appropriate fees
- Act 247 County Referral review application
- Act 537 Sewage Facilities Planning Letter from DEP dated August 15, 2022
- Adjoiner Notification Letters
- Email from Chester County Conservation District regarding an NPDES permit dated July 31, 2023
- Email from PADEP regarding a Water Obstruction and Encroachment Permit dated January 31, 2023
- Township Stormwater Best Management Practice and Conveyances Operation and Maintenance Agreement for Small Projects (Simplified Approach)
- Township Improvements Agreement
- Township Application for Road Occupancy Permit dated August 28, 2023
- Township Permit Application
- PADEP Water Quality Management Permit dated December 5, 2022

We offer the following comments for your consideration:

ZONING ORDINANCE (CHAPTER 450):

1. §450-36.A – The site is situated within the R-5 Residential Zoning District and as such the existing municipal use is a use permitted by right.
2. §450-37 – Additional information shall be added to the plans related to the required and proposed area and bulk regulations for this project.
3. §450-38.A(3) – Relief was obtained from the Zoning Hearing Board on May 19, 2023 to permit a front yard setback of three (3) feet where twenty-five (25) feet is required.
4. §450-38.B – Relief was obtained from the Zoning Hearing Board on May 19, 2023 to permit a side yard setback of eight (8) feet where twenty (20) feet is required.
5. §450-59 – Relief was obtained from the Zoning Hearing Board on May 19, 2023 to permit structures to be located within the floodplain.
6. §450-59.B(4)(c)[3] – The Applicant shall provide the required information to the satisfaction of the floodplain administrator prior to a permit being issued for the proposed construction.
7. §450-59.C(2)(a)[1] – Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. The Applicant has received a variance to permit the development within the floodplain but shall provide appropriate documentation to address this requirement.
8. §450-59.C(2)(a)[2] – Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection regional office.

9. §450-59.D(2)(b)[4] – Within any identified floodplain area, any new construction or substantial improvements shall be prohibited unless allowed as a permitted use, by special exception or by variance. For any such allowed new construction or substantial improvements in the identified floodplain area, the elevation and floodproofing requirements of this section apply. The Applicant has received a variance to permit the development within the floodplain but shall submit documentation to satisfy these requirements.
10. §450-59.D(3)(c) – The Applicant shall provide documentation regarding the design of the new system is compliant with this section.
11. §450-59.D(3)(f) – The Applicant shall provide information related to the storage of materials on site. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in the subsequent section entitled "Development which may endanger human life," shall be stored at or above the regulatory flood elevation or floodproofed to the maximum extent possible.
12. §450-59.D(3)(k)[1] – Electrical distribution panels shall be at least three feet above the base flood elevation.
13. §450-60.1 – The Applicant shall delineate any existing wetlands on site and to the extent necessary apply for all applicable permits from the required governmental entity.
14. §450-60.2.C – The West Bradford Township riparian buffer of 100' from the edge of the water body shall be delineated on the plan.
15. §450-60.3 – There does not appear to be any woodland or hedgerow disturbance with the proposed improvements, however the Applicant shall provide verification.
16. §450-62.A(1)(c) – Where any proposed enlargement of any existing nonresidential use abuts an existing residential use or residential district, except where natural or physical man-made barriers exist. The existing nonresidential use abuts an existing residential use and requires vegetative screening as specified in §385-70.A of the West Bradford Township Subdivision and Land Development Ordinance.
17. §450-62.B – All storage shall be completely screened from view from any public right-of-way and any residential district which abuts the district. All organic rubbish or storage shall be contained in airtight, vermin proof containers which shall also be screened from view from any public right-of-way or abutting residential district.
18. §450-62.K(3) – The Applicant shall review the performance standards and discuss the anticipated impacts with the Planning Commission including but not limited to noise and odors.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (CHAPTER 385):

1. §385-16.A(3) – A copy of the plan must be submitted in either a .DXF or. DWG electronic format. The data must contain all layers shown on the paper plats.
2. §385-21 – The plans shall be titled "Preliminary / Final".
3. §385-21.D – The boundary line of the subdivision shall be shown as a solid heavy line. Border is showed in a dashed line.

4. §385-21.F(2) – The name, address, telephone number, and e-mail address (if available) of the Applicant or of his authorized agent, if any, and of the developer shall be added to the plan.
5. §385-21.F(6)(a) – Contour lines shall be based on information derived from a topographic survey for the property, evidence of which shall be submitted, including the date and source of the contours. Datum to which contour elevations refer and references to known established bench marks and elevations shall be included on the plan. The Township elevations are based on the 1983 NAD. All contours and elevations shown on plans submitted to the Township must be based on this system. The plans shall be updated to include the source of the survey and additional topographic data provided to the area on the western side of the site boundary and within the roadway.
6. §385-21.F(6)(c) – The existing stream name and designation shall be added to the plan.
7. §385-21.F(6)(d) – Wetlands, steep slopes, prohibitive slopes, and forested riparian buffers shall be delineated on the plans.
8. §385-21.F(6)(e) – A soils table shall be added to the plans.
9. §385-21.F(6)(g) – Any portion of the tract identified as a Pennsylvania Natural Diversity Inventory (PNDI) site shall be added to the plans.
10. §385-21.F(7) – The proposed land use shall be added to the plans.
11. §385-21.F(8) – The total acreage of the tract shall be added to the plans.
12. §385-21.F(10) – As a plan note or table, existing Township zoning regulations applicable to the tract, including district designation, lot area, building setback lines, dimensional requirements, and average proposed lot size.
13. §385-21.F(12) – The plans shall be updated to show any identified greenways, trails and/or parkland must be shown on the plan as indicated in the Township's Comprehensive Plan and its Open Space, Recreation and Environmental Protection and Greenways, Trails, Gateways component plans.
14. §385-21.F(15) – The full plan of the development shall show the required names, locations, and dimensions of existing features in proximity to the project site.
15. §385-21.F(14)(a) – The names of adjacent property owners on Broad Run Road and Chestnut Lane should be noted on the plans.
16. §385-21.F(14)(b) – The existing uses on the adjoining properties should be noted on the plans.
17. §385-21.G(2) – The applicant shall note a tentative timetable for the proposed development.
18. §385-21.G(17) – All waiver requests shall be provided in a letter per this section.
19. §385-22.A – The final plan shall be submitted on either black-and-white or blue-and-white prints, clearly identified as a "preliminary plan," and drawn to a scale of 50 feet to the inch. The sheet size shall be 22 inches by 24 inches (or ANSI D) or 34 inches by 44 inches (or ANSI E). The plans were submitted were 30" x 42" which is not an acceptable format.

20. §385-22.G(7) – The final plans shall be updated with accurate boundary lines, with dimensions and bearings, which provide a survey of the tract, closing with an error of not more than one foot in 10,000 feet.
21. §385-22.G(14) – The final plans shall be updated with clear sight triangles of 75 feet at all street intersections.
22. §385-22.G(18) – The required certifications shall be added to the plans.
23. §385-38.A – Broad Run Road is considered a Minor Collector Road, with a required right-of-way width of 60' and required cartway width of 28'. Chestnut Lane is considered a Primary Local Distributor without curb, with a required right-of-way width of 50' and required cartway width of 22'. The Applicant shall discuss these requirements with the Township.
24. §385-44 – Standards for driveway construction are included in §166-7, Standards, of the Code of the Township of West Bradford. Please see comments in this letter regarding the existing and proposed driveways.
25. §385-46.D – Where a subdivision or land development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement, conforming substantially with the line of such watercourse, drainageway, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a stormwater sewer.
26. §385-47.A & §385-47.C – Sidewalks and/or trails shall be required in any subdivision or land development where it is desirable, in the opinion of the Board of Supervisors, to provide access to community facilities (schools, shopping areas, recreation areas, etc.) or to continue sidewalks or trails that are existing in adjacent developments or to ensure the safety of pedestrians in unusual or peculiar conditions with respect to prospective traffic or where proposed sidewalks and trails are shown on the Township's Official Map or Greenways, Trails and Gateways Plan. Sidewalks have not been proposed with this submission. The West Bradford Township Greenway, Trails and Gateways Plan shows this area to be a focus for potential sidewalks/trails. The Board of Supervisors should consider requiring sidewalks/trails and crossing improvements for this project.
27. §385-49 – Property corners shall be placed along the boundary where they are missing, in accordance with this section.
28. §385-51.E(2) – If located adjacent to a stream within a watershed classified as high quality or exceptional value, as designated by Pennsylvania Code Title 25, Chapter 93, Water Quality Standards, as amended, all graded surfaces shall be stabilized, whether temporary or permanent, within two days of the initial groundbreaking and, weather permitting, shall be watered, tended and maintained until growth is well-established.
29. §385-59.E(7) & (8) – A delineated drainage easement shall be provided around all existing and proposed stormwater management facilities. The easement shall include maintenance and access area.
30. §385-66 – The Applicant shall request a waiver of complying with the water supply requirements based on the existing and proposed use of the property.

31. §385-70.A(1) – A completely planted visual barrier or landscape screen shall be provided and continually maintained where required by Article XII of the Zoning Ordinance. The Applicant shall discuss the existing and proposed vegetation with the Township. The proposed shrubs should be specified on the plans.
32. §385-70.A(2) – Screening shall consist of a planted buffer, an existing mass of desirable vegetation, or a combination thereof, to the satisfaction of the Zoning Officer, or his/her designee, and consistent with the requirements detailed in this section and provided in Appendix E.2, West Bradford Township List of Approved Plants, of this chapter. The Applicant shall discuss the existing and proposed vegetation with the Township. There appears to be existing invasive species that should be removed to the greatest extent possible.
33. §385-70.A(6)(a)[2] – Where a proposed nonresidential use adjoins a residential use, the requirements of Screen 3 (S-3) apply. The plans should indicate compliance with this requirement. The Applicant shall discuss the existing and proposed vegetation with the Township.
34. §385-79 – Prior to final plan approval, the Supervisors shall require the applicant to install all improvements, both public and private, or to furnish the Township financial security to cover the costs and guarantee the installation of all improvements. Improvements shall be developed in conformance with the final plan and all applicable Township ordinances and regulations and in accordance with applicable state and federal laws. The applicant shall not be released from all or portions of the guarantee until all improvements or portions thereof are inspected and found to be properly installed and properly functioning in compliance with Township, state and federal laws and ordinances, as determined by the Township Engineer.

DRIVEWAYS ORDINANCE (CHAPTER 166):

1. §166-7.C – The first 25' of a proposed driveway shall not exceed 5%. Additional proposed and existing spot elevations shall be added to the plan to confirm this requirement.
2. §166-7.J – Driveway entrances into all nonresidential single-use properties shall be no less than 20 feet in width and shall not exceed 36 feet in width at the street line.
3. §166-7.K – The curbs of nonresidential driveway entrances at the street shall be rounded with a minimum radius of 20 feet where they intersect a street. The design shall be revised or a waiver requested.
4. §166-7.O – Sight distances for nonresidential driveways shall adhere to the PennDOT standards for nonresidential driveways. No sight distance or specification of PennDOT standards is offered. The required sight distance looking left out of the western driveway appears to be deficient. Additional topography within Chestnut Lane shall be provided to confirm the assumed 2% roadway grade.

STORMWATER MANAGEMENT ORDINANCE (CHAPTER 373):

1. §373-6.D – Only Regulated Activities that involve between 1,000 square feet and up to 2,000 square feet of proposed Impervious Surfaces and between 5,000 square feet and up to 10,000 square feet of proposed Earth Disturbance may apply the modified requirements. The project appears to meet the definition of small projects since 1,773 square feet of impervious surfaces and an approximately 8,276 square feet of earth disturbance are being proposed; therefore, the Simplified Approach can be utilized. We have no technical objections with the use of the Simplified Approach, however, the following comments related to the stormwater management design should be addressed:

- a) The Applicant shall revise the Table 4 document for the disturbance from earth disturbance to the nearest surface water.
 - b) There appears to be a conflict with an existing stormwater pipe and outfall. The design engineer should clarify the location of this existing pipe and impact on the proposed design.
 - c) The drainage area to the proposed infiltration trenches shall be added to the plans with the areas noted.
 - d) The impervious coverage and limit of disturbance shall be noted on the plans.
 - e) The lengths of the proposed infiltration trenches shall be added to the detail.
 - f) JMR recommends the following notes regarding the stormwater facility be added to the plan: The applicant / contractor must contact my office (phone number of 484-880-7342), a minimum of 48-hours prior to the start of work on the infiltration trench to schedule an inspection of the construction.
 - g) The infiltration trenches shall be protected from compaction during construction, the plans shall address in the construction sequence.
2. §373-17 – Erosion and Sediment Control Comments:
- a) The limit of disturbance shall be adjusted to include all grading and erosion and sedimentation controls.
 - b) The overall limit of disturbance shall be noted in square feet and acres.
 - c) A sequence of construction shall be added to the plans and document any specific provisions as required by other sections of Township Code.
 - d) Filter socks shall generally run parallel to the contours. Additional site topography shall be shown at the western limits to determine need for socks in this area.
3. §373-36-40 – A Stormwater Operation and Maintenance (O&M) Plan and Agreement must be submitted to the Township for review and approval in accordance with the Ordinance. The O&M Plan shall be attached to, incorporated within, and recorded as a public record along with a fully executed O&M Agreement, all of which shall be recorded as a restrictive covenant that runs with the land and shall be binding upon the Landowner and any heirs, administrators, successors in interest or assigns of the Landowner. The plan shall be revised to include the following: Operations and maintenance procedures for the proposed infiltration trench need to be added to the plan and included within the O&M Agreement that are consistent with the PA BMP Manual.
4. §373-40.B – The design engineer must add the following note to the plan: “The person responsible for the operation and maintenance of a BMP or conveyance shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least 15 years. These records shall be submitted to the municipality, if requested by the municipality.”
5. §373-45 – The Alteration of BMPs statements shall be added to the PCSWM plan.
6. §373-47 – A blanket easement shall be provided to the Township to inspect the implementation, condition, or operation and maintenance of all erosion and sediment controls and permanent stormwater BMPs, conveyances, or other stormwater management facilities both during and after completion of a regulated activity, or for compliance with any requirement of the Ordinance.

GENERAL COMMENTS:

1. In accordance with the MPC, this subdivision and land development application will require review and approval of the Chester County Planning Commission (CCPC). The applicant shall review the letter provided by CCPC with the Township Planning Commission.

2. Construction Access. Please note that a Road Opening Permit will be required for the construction entrance for the project. The property owner shall be responsible for any damages done to the road during construction activities. In addition, the project shall not contribute any dirt, mud, or sediment on the roadway.
3. The plans shall be reviewed by the Township for fire and life safety issues.
4. The existing watershed and designation shall be added to the plan.
5. A response letter should be provided with the resubmission detailing how each comment has been addressed.

If you should have any questions or need additional information, please feel free to contact me.

Very truly yours,
JMR Engineering, LLC

A handwritten signature in black ink, appearing to read "Matthew S. Bush", with a stylized flourish at the end.

Matthew S. Bush, P.E.

cc: Joe Antonelli, West Bradford Director of Planning & Zoning
Pam Henrichon, West Bradford Township Administrative Assistant
Chris Adamek, West Bradford Township Code Official/Assistant Zoning Officer
Kristin Camp, Township Solicitor, Buckley Brion
Emily Long, Applicant's Representative
Charles Amer, P.E., Applicant's Engineer, GHD