



THE COUNTY OF CHESTER



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MEMO

Date: August 8, 2023

To: Mila Carter, Director of Planning & Zoning/Assistant Township Manager

From: Paul Farkas, Senior Review Planner *Paul Farkas*

Re: Conditional Use Application, Stokes Estate, Westtown Township

As requested, we offer you the following comments for the Conditional Use Plan entitled “Stokes Estate,” prepared by Howell Engineering, and dated April 14, 2023 and last revised June 15, 2023. These comments focus primarily upon design and procedural-related issues and concerns to assist the Township in its review of this proposal.

PROJECT SUMMARY:

Location:	east side of Shiloh Road, south of Little Shiloh Road
Site Acreage:	81.04
Lots/Units:	4 existing lots; 85 proposed lots
Proposed Land Use:	Single Family Residential
Municipal Land Use Designation:	Open Space, and Neighborhood Conservation
UPI#:	67-2-23, 67-2-7.1, 67-2-8, 67-2-9

PROPOSAL:

The Overall Site Plan (Sheet 1) depicts the proposed creation of 85 residential lots, and 47.62 acres of open space. Existing dwellings will remain on Lots 67, 76 and 85. Vehicular access to the site will be provided from two entrances on Shiloh Road, at its intersection with Oakbourne Road and Hunt Drive. The project site, which will be served by public water and public sewer, is located in the R-1 Residential zoning district, and is being developed under the standards set forth in Article IX-Flexible Development Procedure of the Township Zoning Ordinance.

We also note that the conditional use plan includes two alternative site plans:

- Sheet 37: A possible alternative plan in order to save an existing historic home (while the location of this building is not labeled on Sheet 37, this sheet appears to indicate that the existing farmhouse will remain on Lot 27. The other two buildings on UPI# 67-2-23, which includes an accessory barn, will be removed).
- Sheet 38: An alternative site plan in which there are no individual proposed single family lots.

We note that the overall layout of both of these alternative plans is generally identical to the overall site plan provided on Sheet 1.

BACKGROUND:

1. The County Planning Commission previously reviewed an unofficial sketch plan submission for UPI# 67-2-23, which addressed the creation of 62 single family residential lots, and 35.97 acres of open space, from this 65.10 acre parcel, with vehicular access provided from Shiloh Road and Shiloh Hill Drive (CCPC# SD-12-20-16556, dated January 6, 2021). It is our understanding that the prior sketch plan submission is still pending due to litigation.

We note that vehicular access for the current conditional use plan will be provided from two driveway entrances on Shiloh Road (vehicular access will not be provided from Shiloh Hill Drive). We also note that, while the prior sketch plan proposed to retain an existing dwelling and accessory barn on UPI# 67-2-23, the current conditional use plan indicates that these buildings will be removed (this issue is further discussed in comment #6).

LANDSCAPES:

2. The project site is located within the **Suburban Landscape** and **Natural Landscape** designations of [Landscapes3](#), the 2018 County Comprehensive Plan. The vision for the **Suburban Landscape** is predominantly residential communities with locally-oriented commercial uses and facilities, accommodating growth at a medium density that retains a focus on residential neighborhoods, with enhancements in housing diversity and affordability. Additionally, roads, sidewalks and paths with convenient access to parks and community facilities should be provided. As an overlay of all other landscapes, the county's **Natural Landscapes** consist of a network of streams, wetlands, floodplains, and forests that are protected by regulations or should be subject to limited disturbance. Conservation practices should protect and restore these natural resources. While single family residential development in accordance with the Township's Flexible Development standards is an appropriate use in a **Suburban Landscape** designation, careful consideration of any development activity on this site is required due to its physical, environmental and historic characteristics, particularly the transmission pipelines that traverse the central portion of the site.

Additionally, the Future Land Use map in the Township's 2019 Comprehensive Plan indicates that UPI# 67-2-23 (65.10 acres), the largest of the four parcels that comprises the project site, is located in an Open Space category, while the other parcels are located in a Neighborhood Conservation category. It is identified on page 11-11 of the Township Comprehensive Plan that the key issues for open space are: permanency of open space; economic viability of private open space; sustainable use of open space; and interconnection of open spaces. The key issues for Neighborhood Conservation category, as noted on page 11-8 and 11-9, include the following: provision for pedestrian and bicycle interconnections; open space access; and historic preservation.

WATERSHEDS:

3. **Watersheds**, the water resources component of [Landscapes3](#), indicates the proposed development is located within the East Branch subbasin of the Chester Creek watershed. **Watersheds'** highest priority land use objectives within this watershed are: reduce stormwater runoff, restore water quality of "impaired" streams, and protect vegetated riparian corridors. **Watersheds** can be accessed at www.chesco.org/water.

PRIMARY ISSUES:

4. While we acknowledge that three additional parcels have been added to the project site (with 23 additional residential lots proposed by the applicant), we suggest that the applicant and Township consider revisions to the site plan, as discussed in comment #8 of our previous sketch plan review letter (CCPC# SD-12-20-16556), that limit new housing near the pipelines, provides more interconnected open space, and protects the spatial integrity of the existing house grounds on UPI# 67-2-23.
5. For clarity purposes, the applicant should clearly identify on the site plan which buildings will remain, and which buildings will be removed from the project site.
6. The Township Historic Resources Map, last revised February 1, 2021, identifies UPI# 67-2-23 and UPI# 67-2-9 as sites of local historic value. While it appears that the existing buildings on UPI# 67-2-23, including the existing farmhouse and barn, will be removed, Sheet 37 provides an alternative layout that appears to preserve the farmhouse on Lot 27. We also note that an April 26, 2023 Pennsylvania State Historic Preservation Office report addresses the Briner House on UPI# 67-2-8, which was built in 1953 and will remain, along with the Miles House and Miles Barn on UPI# 67-2-9. This document indicates that the Miles House, which was built in 1834 and enlarged in 1879, will remain. However, it is identified on page 10 of this document that the Miles Barn, which will be removed, has been highly compromised and does not retain its historic appearance.

It is our understanding that this proposal has been reviewed by the Township's Historical Commission, and that the Township Historical Commission recommends that the applicant shall preserve the Briner House, the Miles House, and the Stokes Farmhouse at 1013 Shiloh Road, all of which shall remain in their existing location and conveyed to the homeowner's association for adaptive reuse as community facilities or for residential use unless the applicant procures another third-party entity who wishes to own and maintain these historic resources as private residences.

The applicant and Township should continue to work together to preserve the existing historic buildings (including the Stokes Farmhouse and barn) and surrounding context on the project site, for residential use. "Appreciate" Objective A of *Landscapes3*, the 2018 County Comprehensive Plan, is to preserve historic resources in their context while supporting appropriate reuse as a vital part of our community infrastructure and character. Additional information on this issue is available online at:

www.chescoplanning.org/Landscapes3/1c-Appreciate.cfm.

7. The project site is traversed by two hazardous liquid transmission pipelines. Applicants should be aware that the actual location of the pipeline may not always be within the center of the easement or right-of-way. To minimize risks before and during construction, the project designer should contact the Pennsylvania One Call Center at 811 or <http://www.palcall.org>, consistent with the provisions of Section 4(2) of Act 287 (Underground Utility Protection Act), prior to finalizing the design. The PA One Call Center should also be contacted at least 3 business days, but not more than 10 days, prior to any excavation. More information about pipeline safety can be found at the Chester County Pipeline Information Center at: <http://www.chescoplanning.org/pic/introduction.cfm>.
8. While we acknowledge, and endorse, that sidewalks are provided along the frontage of many of the proposed residential lots, we recommend that direct pedestrian access be provided to all proposed lots, and we also recommend that the proposed sidewalk network be extended to the adjoining parcels to the north and to the south along Shiloh Road. Sidewalks are an essential design element in the Suburban Landscape.

9. The Parks and Open Space map in the Township's 2019 Comprehensive Plan indicates the project site adjoins the Plumly Farm municipal open space area to the south. We acknowledge, and endorse, that the Open Space Plan (Sheet 6) depicts the location of potential future naturalized trail locations in the design of the proposed open space plan, including a potential future trail connection to the adjoining Plumly Farm site, and a separate potential connection to the adjoining parcel to the east. We recommend that the applicant and Township consider utilizing all-weather materials in the construction of all trail corridors, which will accommodate a wider variety of uses, and be handicapped-accessible.
10. We recommend that, due to the topography of the area, the applicant and Township consider providing landscaping/buffering that exceeds the minimum requirements in the Township Code. In particular, there should be significant areas of landscaping provided between the proposed development and the neighboring properties in the vicinity of Shiloh Road, the Hawthorne subdivision, and Shippen Lane.
11. The site contains land within the 100 year flood plain. Although it does not appear that any development activity will encroach into the floodplain, we note that the County Planning Commission does not support development in the floodplain, and the Federal Emergency Management Agency and Pennsylvania Department of Environmental Protection regulate filling or development in the floodplain. Development within a floodplain can increase the magnitude and frequency of normally minor floods, and present health and safety problems.
12. 2013 soils data indicates that the project site contains areas of predominantly hydric (wet) soils (Ba Baile, and Ha Hatboro) 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 ensure that off-site drainage conditions are not negatively affected
13. The plan and 2023 aerial photography indicate that a portion of the site is wooded. Mature trees and shrubs reduce the volume and impacts of stormwater runoff by intercepting precipitation, increasing evapotranspiration, and stabilizing soil through root growth. If development or earth disturbance is going to encroach upon existing woodlands, the removal of trees should be limited to the minimum area needed for the dwelling(s) and support facilities. The limits of tree removal should be clearly shown on the plan and "limits of disturbance" should be delineated to protect all trees that are intended to remain. Orange construction fencing should be placed at the "limit of disturbance" to prevent unintended intrusion into woodland areas by construction equipment. This fencing should be placed at the drip line of any trees that are intended to remain to limit inadvertent impacts from construction equipment to root zones and long-term tree health. Additional native trees and shrubs should be incorporated into the landscaping plans to replace and mitigate the loss of removed trees.
14. The plan indicates that the project site contains precautionary slope (15-25 percent) and prohibitive slope (25 percent and greater) areas. The Township should verify that the design of the slopes is consistent with all ordinance requirements related to permitted grades, the design and specifications of retaining walls and slope stabilization. Areas of steep and moderate slopes should be protected from disturbance that may cause erosion and flooding, as well as negatively impact water quality, wildlife habitat, slope stability, and scenic views.

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15. UPI# 67-2-23 is located within an agricultural security area adopted by the Township in accordance with the Agricultural Security Area Act (Act 43). Adoption of an agricultural security area is a public policy statement for the preservation of agriculture.

Approval of this conditional use does not imply approval of the proposed subdivision/land development plan, nor release the requirement of the applicant to submit a subdivision/land development plan under other Township ordinances and the Pennsylvania Municipalities Planning Code.