



**NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS  
BUSINESS MEETING AGENDA  
March 18, 2024  
New Garden Twp. Board Room  
299 Starr Rd.  
Landenberg, PA 19350**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

**4. PUBLIC COMMENT (3-minute time limit)**

**5. PUBLIC COMMENT ON AGENDA ITEMS**

**6. PUBLIC HEARING**

**7. RECOGNITIONS**

**8. PRESENTATIONS**

- a. None

**9. MINUTES:**

- a. Approval of Meeting Minutes from 2/26/2024.

**10. TREASURER'S REPORT:**

- a. Approval of paid invoices \$58,152.53 and unpaid invoices \$152,386.23 totaling \$210,538.76.

**11. PUBLIC SAFETY REPORT**

- a. Avondale Fire Company - None  
b. Southern Chester County Regional Police Department - None

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS:**

a. **Final Land Development 156 & 162 Bancroft Rd.** – motion to approve the final land development plan and Resolution No.2024-006 for Rouse Chamberlin – Copperleaf Ridge.

b. **Comprehensive Zoning Ordinance Consultant** – motion to approve the proposal from Michael Baker International for Comprehensive Zoning Ordinance consultant services at a cost not to exceed \$99,308.00 and authorize Township Manager to sign the final agreement pending final review by Township Solicitor.

c. **Smedley Master Plan** – motion to adopt the Smedley Master Plan as presented by Natural Lands Trust.

- d. **Hartefeld Road Condition Issue** – presentation on the road condition issues in the Hartefeld Subdivision.
- e. **Carry In Carry Out Trash Policy** – motion to approve Ordinance No. 24-001.
- f. **OSRB Land Appraisal** – motion to authorize the appraisal of the property located at 498 Line Rd (Tax Parcel No. 60-1-41) at a cost not to exceed \$3,400.00.
- g. **Purolite Land Development Extension** – motion to approve the extension of the recording of the plan for Purolite LLC via Resolution No.2024-0005.
- h. **Special Exception Application 1421 Broad Run Rd.** – summary action by the Zoning Hearing Board regarding a Special Exception Application @ 1421 Broad Run Rd.
- i. **Purchase of Snap-Tite Stormwater Materials** – motion to authorize the Township Manager to approve the purchase of the Snap-Tite and ductile iron pipe from LB Water, a Co-Stars vendor, in an amount not to exceed \$24,396.00.
- j. **Spring Cleanup** – presentation of the annual Spring Clean Up Event.

**14. LEGISLATION:**

- a. **Resolutions**
  - i. 2024-005 – Purolite Recording Extension of final land development plan
  - ii. 2024-006 – Land Development Plan\_Rouse Chamberlin Copperleaf Ridge
- b. **Ordinances**
  - i. 2024-001 – Carry In Carry Out Ordinance

**NOTICES:**

<b>March 21 –</b>	<b>New Garden Air Quality Study</b>	<b>7:00 p.m.</b>
<b>March 27 –</b>	<b>Planning Commission Meeting</b>	<b>7:00 p.m.</b>
<b>March 29 –</b>	<b>Good Friday - Township Offices Closed</b>	
<b>March 30 –</b>	<b>Easter Egg Hunt</b>	<b>1:00 p.m.</b>
<b>April 3 -</b>	<b>Historical Commission Meeting</b>	<b>7:30 p.m.</b>
<b>April 9 -</b>	<b>Parks &amp; Rec Board Meeting</b>	<b>5:30 p.m.</b>
<b>April 11 -</b>	<b>Public Safety Commission Meeting</b>	<b>7:00 p.m.</b>
<b>April 14 -</b>	<b>Earth Day/Health &amp; Wellness Hike</b>	<b>1:00 – 3:00 p.m.</b>



**NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
February 26, 2024**

**ATTENDING  
BOARD OF SUPERVISORS**

David Unger, Chairman  
Stephen Allaband  
Ted Gallivan  
Troy Wildrick  
Kristie Brodowski

**TOWNSHIP PERSONNEL**

Chris Himes – Township Manager  
James Brown – Dir. Of Finance  
Kristina Molnar – Asst. Finance Dir.  
Robert Weer – Dir. Comm. Dev. & Safety  
John Gibson – Codes Enforcement  
Charlie Owens – Fire Marshal  
Ahtziri Romo – Receptionist/Communications  
Benjamin Brown – Sargent  
Kenny Reed – Public Works Director  
Mike Buck – Parks & Open Space Superintendent  
Matt Littlejohn – Asst. Dir. Comm. Dev. & Safety

**1. CALLED TO ORDER**

Chairman David Unger called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Pledge of allegiance was recited.

**3. ANNOUNCEMENT OF EXECUTIVE SESSION**

No Executive session was held.

**4. PUBLIC COMMENT (3 minute time limit)**

- Pete Mrozinski – asking the Board not to support the Aqua Sewer Advisory Committee.

**5. PUBLIC COMMENT ON AGENDA ITEMS**

**6. PUBLIC HEARING**

**7. MINUTES**

- Approval 1/22/24 Meeting Minutes

**Action:** Motion to approve made by Mr. Gallivan, seconded by Mr. Allaband. No discussion. All Ayes.

**8. TREASURER'S REPORT**

- Approval of paid and unpaid invoices totaling \$353,383.91.

**Action:** Motion to approve made by Mr. Gallivan, seconded by Mr. Allaband. No discussion. All Ayes (Mr. Allaband abstaining from approval of Crossan invoices).

## 9. RECOGNITIONS & APPOINTMENTS

- a. Frank Zagorskie – presentation of gift by Avondale Borough Mayor Susan Rzucidlo.
- b. Appointment of Matt Littlejohn, Assistant Community Development Director as Assistant Zoning Officer.  
**Action:** motion to approve made by Mr. Allaband, seconded by Mr. Wildrick. No discussion. All ayes.

## 10. PRESENTATIONS

- a. Historical Commission – Isaac Jackson Grandfather Clock
- b. Bowman Engineering – Baltimore Pike & Newark Rd. Intersection Update
- c. Bowman Engineering – US Rte. 1 & Newark Rd. Interchange Update

## 11. PUBLIC SAFETY REPORT

- a. Avondale Fire Co.
- b. Southern Chester County Regional Police

## 12. UNFINISHED BUSINESS

## 13. NEW BUSINESS

- a. **Aqua Sewer Advisory Committee** – *motion to advertise the New Garden Twp. Sewer Advisory Committee with Aqua.*  
**Action:** *motion to table item made by Ms. Brodowszki seconded by Mr. Allaband. No discussion. All Ayes.*
- b. **Act 209 Traffic Impact Fee Study** – *i. consideration to approve the proposal by McMahon in support of Act 209 traffic engineering services at a cost not to exceed \$87,000. ii. Motion to approve Resolution #24-0003.*  
**Action:** *Motion to approve proposal by McMahon and Resolution #24-0003 made by Mr. Allaband, seconded by Mr. Gallivan. No Discussion. All Ayes.*
- c. **Final Financial Security Release No. 1 – 144 Sharp Rd.**– *Motion to approve a reduction of the financial security for property @ 144 Sharp Rd. identified as Tax Parcel #6004 00570000 in the amount of \$22,320.23 leaving a balance of \$8,187.69.*  
**Action:** *Motion to approve made by Mr. Gallivan, seconded by Mr. Wildrick. No Discussion. All Ayes.*
- d. **Zoning Hearing Board Special Exception for 1421 Broad Run Rd.** – *consideration to take no action for the Zoning Hearing Board special exception application for the property @ 1421 Broad Run Rd.*  
**Action:** *Motion to approve no action made by Ms. Brodowski, seconded by Mr. Allaband. No Discussion. All Ayes.*
- e. **Parks & Open Space Carry In, Carry Out Trash Policy**– *consideration to create a Carry In, Carry Out Trash Ordinance for all Township parks, trails and open space.*  
**Action:** *Motion to move forward and create an ordinance made by Mr. Allaband, seconded by Ms. Brodowski. No discussion. All Ayes*
- f. **Smedley Preserve Parking Update** – *presentation by Parks & Open Space regarding temporary parking and park rules @ Smedley Preserve.*

**Action:**            *Presentation only. No Action Taken.*

- g. **2024 Parks & Recreation Event Calendar** – *motion to approve Parks & Recreation 2024 Event Calendar.*  
**Action:**            *No action taken.*
- h. **Waiver of Permit Fee** – *consideration to approve waiving the \$100.00 annual permit fees for vendor truck/non-permanent restaurant permit for food vendors @ the 6<sup>th</sup> Annual Brandywine Backyard BBQ Festival.*  
**Action:**            *Motion to approve made by Mr. Allaband, seconded by Ms. Brodowski. No discussion. All Ayes.*
- i. **Waiver of Alcohol Ordinance** - *consideration to approve waiving the township alcohol ordinance for the 6<sup>th</sup> Annual Brandywine Backyard BBQ Festival.*  
**Action:**            *Motion to approve made by Ms. Brodowski, seconded by Mr. Allaband. No discussion. All Ayes.*
- j. **KAU Site Improvements** *consideration to approve the KAU site improvements to Field 2 located at New Garden Park.*  
**Action:**            *Motion to approve made by Ms. Brodowski, seconded by Mr. Gallivan. No discussion. All Ayes.*
- k. **Town Hall Roof Project** – *presentation on the FY24 Town Hall Roof Replacement project.*  
**Action:**            *No Action. Presentation only.*
- l. **Economic Impact Study** – *consideration to approve the proposal by Neumann & Assoc., LLC to conduct an economic impact analysis at a cost not to exceed \$15,000.00.*  
**Action:**            *Motion to approve proposal made by Mr. Gallivan, seconded by Ms. Brodowski. No discussion. All Ayes.*

**14. LEGISLATION:**

- 24-003 – Act 209 Impact Fee Study** – *Motion to approve made by Mr. Allaband, seconded by Mr. Gallivan.*
- 24-004 – TASA Reimbursement** – *Motion to approve made by Ms. Brodowski, seconded by Mr. Allaband. No Discussion. All Ayes.*

**ADJOURNMENT**

- Motion to adjourn the meeting @ 9:17 p.m. made by Mr. Allaband, seconded by Mr. Wildrick. No discussion. All Ayes.

**The next Board of Supervisor’s Meeting will be held on Monday, March 18 @ 7:00 p.m.**

**NEW GARDEN TOWNSHIP  
 LANDENBERG, PA  
 WORKSHEET - SUMMARY OF INVOICES REPORT - BY FUND**

**DATE: MARCH 18, 2024**

<b>FUND</b>	<b>UNPAID INVOICES TOTALS</b>	<b>PAID INVOICES TOTALS</b>	<b>INVOICES TOTALS</b>
01 - GENERAL	\$84,500.01	\$33,713.78	\$118,213.79
02 - STREET LIGHT	\$0.00	\$0.00	\$0.00
03 - FIRE	\$0.00	\$0.00	\$0.00
04 - PARK & RECREATION	\$0.00	\$0.00	\$0.00
05 - ST ANTHONY'S IN THE HILLS	\$0.00	\$0.00	\$0.00
08 - SEWER	\$0.00	\$0.00	\$0.00
09 - AIRPORT	\$31,059.20	\$24,438.75	\$55,497.95
20 - SINKING (DEBT SERVICE)	\$0.00	\$0.00	\$0.00
30 - CAPITAL	\$3,479.50	\$0.00	\$3,479.50
31 - OPEN SPACE	\$2,597.98	\$0.00	\$2,597.98
32 - SEWER CAPITAL FUND	\$0.00	\$0.00	\$0.00
33 - AIRPORT CAPITAL FUND	\$30,749.54	\$0.00	\$30,749.54
34 - CAPITAL RESERVE FUND	\$0.00	\$0.00	\$0.00
35 - STATE LIQUID FUELS	\$0.00	\$0.00	\$0.00
<b>TOTALS</b>	<b>\$152,386.23</b>	<b>\$58,152.53</b>	<b>\$210,538.76</b>

Report Criteria:

Invoice.Invoice Number = {<>} "3817449"  
[Report].Invoice Number = {<>} "3829982"

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
<b>01</b>									
<b>1351 CCATO</b>									
2024-03	1	2024 CCATO Dues	Invoice	03/01/2024	03/31/2024	350.00		350.00	01-400-420
<b>8165 The Hartford</b>									
6694621389	2	LIFE; AD&D; STD; LTD - Admin	Invoice	03/01/2024	03/15/2024	97.02		97.02	01-401-158
<b>2001 Delaware Valley Health Trust</b>									
26671	5	Medical/Rx & Dental - Finance	Invoice	03/01/2024	03/31/2024	3,970.64		3,970.64	01-402-156
<b>8165 The Hartford</b>									
6694621389	4	LIFE; AD&D; STD; LTD - Finance	Invoice	03/01/2024	03/15/2024	222.73		222.73	01-402-158
<b>9891 Brown, James P</b>									
022824	1	GFOA Closing Event	Invoice	02/28/2024	03/31/2024	50.00		50.00	01-402-460
<b>4495 Lamb McErlane, PC</b>									
242993	1	Acct #130174-0001 General Administra	Invoice	02/29/2024	03/31/2024	7,790.00		7,790.00	01-404-314
<b>2001 Delaware Valley Health Trust</b>									
26671	6	Medical/Rx & Dental - General	Invoice	03/01/2024	03/31/2024	2,740.33		2,740.33	01-406-156
<b>8165 The Hartford</b>									
6694621389	5	LIFE; AD&D; STD; LTD - General	Invoice	03/01/2024	03/15/2024	114.55		114.55	01-406-158
<b>1950 21st Century Media</b>									
2571109	1	Ad #2571109 - Notice of Meeting	Invoice	02/16/2024	03/16/2024	204.61		204.61	01-406-341
<b>9627 U.S. Bank Equipment Finance</b>									
524042371	1	Contract #500-0639672-000	Invoice	03/05/2024	03/29/2024	387.81		387.81	01-406-383
<b>4236 Kencor, Inc.</b>									
88184	1	Maintenance Contract quarterly invoice	Invoice	02/01/2024	02/29/2024	125.51		125.51	01-406-450
<b>1680 COMCAST CABLE</b>									
194879320	1	Admin Business Voice Acct 905954294	Invoice	02/15/2024	03/15/2024	181.88		181.88	01-407-321
<b>9707 AT&amp;T Mobility, LLC</b>									
2873138497	1	Foundation Account - 60915817	Invoice	03/01/2024	03/24/2024	278.10		278.10	01-407-324
<b>7010 PC Solutions, Inc.</b>									
CW118790	1	SOPHOS MSP Agreement New Garden	Invoice	02/27/2024	03/08/2024	362.95		362.95	01-407-452
CW118861	2	Maintenance Agreement	Invoice	03/11/2024	03/25/2024	583.52		583.52	01-407-452
CW118926	1	Microsoft 365	Invoice	03/11/2024	03/25/2024	403.80		403.80	01-407-452
<b>9281 Pennoni Associates, Inc</b>									
0001211571	1	NGTP0157 Hawk's Glen, Bentley Home	Invoice	02/22/2024	03/22/2024	1,053.75		1,053.75	01-408-312
0001211574	1	NGTWP00158 Copperleaf Ridge	Invoice	02/22/2024	03/22/2024	420.75		420.75	01-408-312
0001211575	1	NGTWP00170 Pleasantville Farm	Invoice	02/22/2024	03/22/2024	40.25		40.25	01-408-312
0001211576	1	NGTWP00173 DE Storage, 710 Newar	Invoice	02/22/2024	03/22/2024	40.25		40.25	01-408-312
0001211577	1	NGTWP07010 Laurel Valley Farms Exp	Invoice	02/22/2024	03/22/2024	270.75		270.75	01-408-312
0001211578	1	NGTWP21012 Buttonwood Rd Culvert (	Invoice	02/22/2024	03/22/2024	3,253.25		3,253.25	01-408-312
<b>4975 Bowman Consulting Group, Ltd</b>									
419791	1	Project 310647-01-001 Main St & Newa	Invoice	02/29/2024	03/31/2024	800.00		800.00	01-408-313
421089	1	Project 313674-01-001 Act 209 Study	Invoice	02/29/2024	03/31/2024	600.00		600.00	01-408-313
421439	1	Project 310010-01-001 General Consult	Invoice	02/29/2024	03/31/2024	4,372.50		4,372.50	01-408-313
421444	1	Project 310698-01-001 156 & 162 Banc	Invoice	02/29/2024	03/31/2024	2,172.50		2,172.50	01-408-313
<b>9281 Pennoni Associates, Inc</b>									
0001211572	1	NGTWP00000 General	Invoice	02/22/2024	03/22/2024	322.00		322.00	01-408-313
0001211573	1	NGTWP00101 White Clay Point	Invoice	02/22/2024	03/22/2024	40.25		40.25	01-408-313
<b>2109 Ready Refresh by Nestle</b>									
14C0436228	1	Bottled Water	Invoice	03/06/2024	03/26/2024	111.25		111.25	01-409-240
14C0436228	2	Water cooler rental	Invoice	03/06/2024	03/26/2024	15.96		15.96	01-409-240
<b>6090 PECO ENERGY CO.</b>									
4414911222-	3	1843918000 Township Building	Invoice	03/07/2024	03/23/2024	1,546.48		1,546.48	01-409-360
4414911222-	7	3527657000 Sign Shop	Invoice	03/07/2024	03/23/2024	20.28		20.28	01-409-360

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
4414911222-	12	5871166000 Street Lights	Invoice	03/07/2024	03/23/2024	1,548.29		1,548.29	01-409-360
4414911222-	14	8742762222 Public Works	Invoice	03/07/2024	03/23/2024	829.97		829.97	01-409-360
4414911222-	16	9519743000 Lites	Invoice	03/07/2024	03/23/2024	74.86		74.86	01-409-360
4414911222-	1	1643497000 NG Hills Shop	Invoice	03/07/2024	03/23/2024	74.64		74.64	01-409-361
4414911222-	2	1678601111 NG Park	Invoice	03/07/2024	03/23/2024	148.42		148.42	01-409-361
4414911222-	4	1879281222 Ampitheater	Invoice	03/07/2024	03/23/2024	64.23		64.23	01-409-361
4414911222-	5	1880815000 Barn	Invoice	03/07/2024	03/23/2024	339.68		339.68	01-409-361
4414911222-	6	3075856000 NG Park	Invoice	03/07/2024	03/23/2024	52.03		52.03	01-409-361
4414911222-	8	4515992000 NG Park Pavillion	Invoice	03/07/2024	03/23/2024	49.33		49.33	01-409-361
4414911222-	9	4618038000 Quonset Hut	Invoice	03/07/2024	03/23/2024	82.96		82.96	01-409-361
4414911222-	10	5620985000 NG Hills Pool	Invoice	03/07/2024	03/23/2024	38.58		38.58	01-409-361
4414911222-	11	5737084000 NG Hills Barn	Invoice	03/07/2024	03/23/2024	35.59		35.59	01-409-361
4414911222-	13	7677741222 Lamborne House	Invoice	03/07/2024	03/23/2024	178.64		178.64	01-409-361
4414911222-	15	9435935000 NG Park Restrooms	Invoice	03/07/2024	03/23/2024	464.51		464.51	01-409-361
<b>1510 Chester Water Authority</b>									
4460509	1	Acct #02575078989 8938 Gap Newport	Invoice	03/05/2024	04/15/2024	563.20		563.20	01-409-366
4460517	1	Acct #02580000299 - 299 Starr Road	Invoice	03/05/2024	04/15/2024	102.34		102.34	01-409-366
4460522	1	Acct #02580079055 299 Starr Road Fir	Invoice	03/05/2024	04/15/2024	281.49		281.49	01-409-366
<b>1810 Cook's Service Company, Inc</b>									
114897	1	Invoice # 114897	Invoice	02/01/2024	03/02/2024	1,270.00		1,270.00	01-409-373
114898	1	Invoice # 114898	Invoice	02/02/2024	03/05/2024	2,935.00		2,935.00	01-409-373
<b>4236 Kencor, Inc.</b>									
86910	1	Repair Elevator "Install new packing on the head of the	Invoice	12/31/2023	01/31/2024	6,132.32		6,132.32	01-409-373
<b>1330 Chesco Security Inc.</b>									
942325	1	standard 1 man service call	Invoice	02/07/2024	02/29/2024	208.75		208.75	01-409-374
942765	1	Quarterly alarm system monitoring	Invoice	03/01/2024	03/31/2024	89.85		89.85	01-409-450
<b>5150 Mike Singleton's Superior</b>									
022924	1	Vole & Pest Township Bldng	Invoice	02/29/2024	03/29/2024	180.00		180.00	01-409-450
<b>2217 Dixie Land Energy, LLC</b>									
641371	1	1,000 gallons of diesel fuel	Invoice	03/09/2024	03/31/2024	3,119.11		3,119.11	01-411-235
<b>5228 Morris, John R. III</b>									
2023	1	20% Rebate of 2023 Real Estate Tax -	Invoice	02/29/2024	03/31/2024	60.33		60.33	01-411-450
<b>2001 Delaware Valley Health Trust</b>									
26671	4	Medical/Rx & Dental - Codes	Invoice	03/01/2024	03/31/2024	4,422.66		4,422.66	01-413-156
<b>8165 The Hartford</b>									
6694621389	3	LIFE; AD&D; STD; LTD - Codes	Invoice	03/01/2024	03/15/2024	273.41		273.41	01-413-158
<b>1120 Building Inspection</b>									
0100-0150-0	1	Inv 010766: Building Inspections	Invoice	02/29/2024	03/31/2024	1,241.00		1,241.00	01-413-451
0100-0150-0	1	Inv 010767: Plumbing Inspections	Invoice	02/29/2024	03/31/2024	150.00		150.00	01-413-451
0100-0150-0	1	Inv 010768: Electrical Inspections	Invoice	02/29/2024	03/15/2024	650.00		650.00	01-413-451
0100-0150-0	1	Inv 010769: Mechanical Inspections	Invoice	02/29/2024	03/31/2024	230.00		230.00	01-413-451
<b>9295 Unruh,Turner,Burke &amp; Frees,PC</b>									
211604	1	Inv 211604 General	Invoice	02/26/2024	03/26/2024	41.00		41.00	01-414-314
211606	1	Inv 211606 Flores-Ortiz	Invoice	02/26/2024	03/26/2024	61.50		61.50	01-414-314
211607	1	Inv 211607 Hoffman	Invoice	02/22/2024	03/22/2024	369.00		369.00	01-414-314
211608	1	Inv 211608 Pagoda Holdings LP	Invoice	02/22/2024	03/22/2024	246.00		246.00	01-414-314
211609	1	Inv 211609 Rodriguez	Invoice	02/22/2024	03/22/2024	676.50		676.50	01-414-314
211611	1	Inv 211611 Taylor	Invoice	02/22/2024	03/22/2024	717.50		717.50	01-414-314
<b>8570 AECOM Technical Services, Inc.</b>									
2000865094	1	New Garden Elementary - Project 6070	Invoice	03/07/2024	04/06/2024	1,668.36		1,668.36	01-414-450
<b>181 Republic Services #319</b>									
0319-000991	1	Refuse Twp Bldng	Invoice	02/20/2024	03/11/2024	26.09		26.09	01-426-450
0319-000991	2	Recycling Twp Bldng	Invoice	02/20/2024	03/11/2024	22.03		22.03	01-426-450
0319-000991	3	Refuse PW	Invoice	02/20/2024	03/11/2024	160.00		160.00	01-426-450
0319-000991	4	Recycling PW	Invoice	02/20/2024	03/11/2024	288.36		288.36	01-426-450
<b>3110 Government Specialists, Inc.</b>									
2402601	1	Inv 2402601- Project #601	Invoice	02/17/2024	03/17/2024	218.18		218.18	01-429-310

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
2402687	1	Inv 2402687 - Project #687	Invoice	02/17/2024	03/17/2024	905.68		905.68	01-429-310
2403601	1	Project #601 - General	Invoice	03/04/2024	04/04/2024	1,218.18		1,218.18	01-429-310
<b>2001 Delaware Valley Health Trust</b>									
26671	8	Medical/Rx & Dental - Public Works	Invoice	03/01/2024	03/31/2024	9,159.94		9,159.94	01-430-156
<b>8165 The Hartford</b>									
6694621389	7	LIFE; AD&D; STD; LTD - Public Works	Invoice	03/01/2024	03/15/2024	400.95		400.95	01-430-158
<b>6895 Reed, Kenneth</b>									
2703474728	1	Adobe Pro subscription (2024)	Invoice	03/07/2024	03/31/2024	239.88		239.88	01-430-210
<b>5540 CINTAS CORPORATION #100</b>									
4184668101	1	Weekly uniforms (2/27)	Invoice	02/27/2024	03/15/2024	289.44		289.44	01-430-238
4185423441	1	Weekly uniforms (3/05)	Invoice	03/05/2024	03/20/2024	293.44		293.44	01-430-238
4186065900	1	Weekly Uniforms (3/12)	Invoice	03/12/2024	03/27/2024	295.44		295.44	01-430-238
<b>4290 NAPA AUTO PARTS</b>									
7010-097406	1	Box of rags	Invoice	03/06/2024	03/31/2024	73.24		73.24	01-430-250
<b>4474 L &amp; L Carquest</b>									
9577-167159	1	Window switch for 2005 F-250	Invoice	03/05/2024	03/31/2024	19.19		19.19	01-430-250
<b>6895 Reed, Kenneth</b>									
9047634143	1	Four sets of hearing protection for helm	Invoice	03/07/2024	03/31/2024	178.60		178.60	01-430-261
<b>2885 G &amp; E Welding Supply</b>									
228676	1	Tank Rental (February)	Invoice	02/29/2024	03/31/2024	33.75		33.75	01-430-374
753722	1	Misc. welding supplies	Invoice	02/20/2024	03/20/2024	324.68		324.68	01-430-374
<b>4474 L &amp; L Carquest</b>									
9577-167217	1	Nozzle and swivel for diesel pump	Invoice	03/06/2024	03/31/2024	291.98		291.98	01-430-374
<b>6650 PSATS CDL PROGRAM</b>									
INV-149985-	1	Meara Jr, Joseph - CDL Alcohol	Invoice	02/28/2024	03/31/2024	51.00		51.00	01-430-450
<b>5824 PA One Call System Inc.</b>									
0001042521	1	Monthly notifications (February)	Invoice	02/29/2024	03/31/2024	128.26		128.26	01-436-450
<b>6391 Pipe Data View</b>									
23007	1	Video inspection for pipes on Glenfield	Invoice	03/01/2024	03/31/2024	785.00		785.00	01-436-450
<b>6338 Petty Cash - Public Works/James Brown</b>									
013024	1	Toll for cold patch pick up	Invoice	01/30/2024	02/29/2024	15.00		15.00	01-438-245
<b>2001 Delaware Valley Health Trust</b>									
26671	7	Medical/Rx & Dental - Parks	Invoice	03/01/2024	03/31/2024	609.33		609.33	01-454-156
<b>8165 The Hartford</b>									
6694621389	6	LIFE; AD&D; STD; LTD - Parks	Invoice	03/01/2024	03/15/2024	52.08		52.08	01-454-158
<b>1810 Cook's Service Company, Inc</b>									
114976	1	circuit breaker service call at NGH	Invoice	02/16/2024	03/16/2024	130.00		130.00	01-454-373
<b>9529 Solitude Lake Management LLC</b>									
PSI051269	1	Pond maintenance NGH	Invoice	03/01/2024	03/31/2024	454.57		454.57	01-454-375
<b>1810 Cook's Service Company, Inc</b>									
114568	1	Shop light for Quonset Hut	Invoice	03/04/2024	04/03/2024	291.00		291.00	01-454-732
<b>10053 JRJ Construction, Inc</b>									
2285	1	Bathroom ceiling repairs - NGP	Invoice	03/01/2024	03/31/2024	4,930.00		4,930.00	01-454-732
Total 01:						84,500.01	.00	84,500.01	
<b>09</b>									
<b>2001 Delaware Valley Health Trust</b>									
26671	2	Medical/Rx & Dental - Airport Admin	Invoice	03/01/2024	03/31/2024	1,985.32		1,985.32	09-440-156
<b>8165 The Hartford</b>									
6694621389	8	LIFE; AD&D; STD; LTD - Airport Admin	Invoice	03/01/2024	03/15/2024	189.12		189.12	09-440-158
<b>7210 SAFEGUARD BUSINESS SYS., INC.</b>									
9004136461	1	Airport Fund - Deposit Tickets	Invoice	03/09/2024	04/07/2024	130.48		130.48	09-440-210
<b>6090 PECO ENERGY CO.</b>									
022024	1	Acct 3424923333 bill date 2/20 - meter	Invoice	02/20/2024	03/07/2024	432.20		432.20	09-440-360
022324	2	Acct 0024481222 bill date 2/23 Meter 0	Invoice	02/23/2024	03/11/2024	213.25		213.25	09-440-360
022324	3	Acct 1988301111 bill date 2/23 Meter 0	Invoice	02/23/2024	03/11/2024	216.01		216.01	09-440-360

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
<b>9929 Invoice Cloud, Inc</b>									
3063-2023_1	1	Inv 3063-2023_10 Invoicecloud biller po	Invoice	12/31/2023	01/31/2024	92.80		92.80	09-440-420
3063-2023_1	1	Inv 3063-2023_11 invoicecloud biller po	Invoice	12/31/2023	01/31/2024	42.00		42.00	09-440-420
3063-2023_7	1	Inv 3063-2023_7 Invoicecloud biller por	Invoice	12/31/2023	01/31/2024	37.60		37.60	09-440-420
3063-2023_8	1	Inv 3063-2023_8 Invoice cloud biller po	Invoice	12/31/2023	01/31/2024	105.40		105.40	09-440-420
3063-2023_9	1	Inv 3063-2023_9 Invoicecloud biller por	Invoice	12/31/2023	01/31/2024	36.00		36.00	09-440-420
3063-2024_1	1	Inv 3063-2024_1 invoicecloud biller port	Invoice	01/31/2024	02/29/2024	64.40		64.40	09-440-420
3063-2024_2	1	Inv 3063-2024_2 Biller Portal, paperles	Invoice	02/29/2024	03/31/2024	92.80		92.80	09-440-420
3603-2023_1	1	Inv 3063-2023_12 invoicecloud biller po	Invoice	12/31/2023	01/31/2024	62.40		62.40	09-440-420
<b>181 Republic Services #319</b>									
0319-000991	1	Inv 3-0319-7200175 Airport waste cont	Invoice	02/20/2024	03/11/2024	306.39		306.39	09-440-450
0319-000991	2	Inv 0319-000991907 Waste container pi	Invoice	02/20/2024	03/11/2024	306.39		306.39	09-440-450
0319-000991		Chk No: 5450 (1)	Calculated	02/26/2024				306.39-	09-200200
<b>2409 EcoClean By Design</b>									
1537	1	Inv 1537 - Weekly Airport Cleaning for F	Invoice	02/29/2024	03/31/2024	420.00		420.00	09-440-450
<b>3305 Health Mats Company</b>									
13816	1	Inv 13816 - Monthly Floor mat service	Invoice	03/01/2024	03/31/2024	70.61		70.61	09-440-450
<b>5150 Mike Singleton's Superior</b>									
022924	2	Airport Service	Invoice	02/29/2024	03/29/2024	190.00		190.00	09-440-450
<b>7010 PC Solutions, Inc.</b>									
CW118861	1	Maintenance Agreement	Invoice	03/11/2024	03/25/2024	111.48		111.48	09-440-450
<b>9050 Wm. P. McGovern, Inc.</b>									
162866	1	Inv 162866 (3) Regular Ports units and	Invoice	02/29/2024	03/29/2024	2,685.00		2,685.00	09-440-450
<b>2325 Dunn, Courtland</b>									
040124	1	Flight School Transfer Installment - April	Invoice	03/31/2024	04/01/2024	2,700.00		2,700.00	09-441-450
<b>9918 Blue Heron Equity LLC</b>									
N611GG-022	1	N611GG leaseback hours for Feb. 2024	Invoice	02/29/2024	03/31/2024	2,675.20		2,675.20	09-441-450
<b>10011 L &amp; C Aviation, LLC</b>									
N150LJ-0224	1	N150LJ Revenue flights for Feb. 2024	Invoice	02/29/2024	03/31/2024	2,487.10		2,487.10	09-441-450
<b>2001 Delaware Valley Health Trust</b>									
26671	3	Medical/Rx & Dental - Airport Maint	Invoice	03/01/2024	03/31/2024	11,582.30		11,582.30	09-447-156
<b>8165 The Hartford</b>									
6694621389	9	LIFE; AD&D; STD; LTD - Airport Maint	Invoice	03/01/2024	03/15/2024	231.93		231.93	09-447-158
<b>95 Aero Performance</b>									
3099999	1	Inv 3099999 (N28117) R-ST-483 Lyc Te	Invoice	01/24/2024	02/24/2024	3,166.72		3,166.72	09-447-251
3099999	2	Credit Memo 9037686 to Inv 3099999	Invoice	01/24/2024	02/24/2024	3,026.40-		3,026.40-	09-447-251
3099999	3	Inv 3099999 - balance owed from R-ST	Invoice	01/24/2024	02/24/2024	1,308.98		1,308.98	09-447-251
3099999		Chk No: 5427 (1)	Calculated	02/26/2024				3,166.72-	09-200200
3099999		Chk No: 5427 (1)	Calculated	02/26/2024				3,026.40	09-200200
5536700	1	Inv 5536700 (44M/84W) CA3112-G Tri	Invoice	02/08/2024	03/08/2024	750.50		750.50	09-447-251
5551911	1	Inv 5551911 (JJ warranty) RG-35AXC s	Invoice	03/04/2024	03/31/2024	453.10		453.10	09-447-251
7650038	1	Inv 7650038 (N8644M) CCA-1550 Dra	Invoice	03/04/2024	03/31/2024	122.72		122.72	09-447-251
<b>4232 Keen Compressed Gas Co.</b>									
0072066756	1	Inv 0072066756 Lease 200 CF Nitroge	Invoice	02/29/2024	03/31/2024	67.00		67.00	09-447-450
<b>9050 Wm. P. McGovern, Inc.</b>									
162557	1	Inv 162557 - Past Due Balance charge	Invoice	02/23/2024	03/23/2024	134.85		134.85	09-447-450
<b>9616 Coburn, Christopher M.</b>									
1120	1	Inv 1120 - contracted labor on N931D b	Invoice	02/23/2024	03/23/2024	510.00		510.00	09-447-450
1121	1	Inv 1121 - contracted labor on Fairchild	Invoice	03/01/2024	03/31/2024	360.00		360.00	09-447-450
<b>9628 Safety-Kleen Systems, Inc.</b>									
93771052	1	Inv 93771052. - Parts washer cleaning	Invoice	02/22/2024	03/22/2024	192.26		192.26	09-447-450
Total 09:						31,505.91	.00	31,059.20	
<b>30</b>									
<b>1810 Cook's Service Company, Inc</b>									
114728	1	114728 - 2 lobby lights	Invoice	01/25/2024	02/25/2024	2,000.00		2,000.00	30-406-701

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
<b>10063 Blue Raster LLC</b>									
8234	1	Contract: SOW 1	Invoice	03/07/2024	04/06/2024	745.00		745.00	30-406-701
<b>9281 Pennoni Associates, Inc</b>									
0001211579	1	NGTWP21013 Quonset Hut Restoratio	Invoice	02/22/2024	03/22/2024	734.50		734.50	30-454-700
Total 30:						3,479.50	.00	3,479.50	
<b>31</b>									
<b>9195 CHESTER COUNTY TREASURER</b>									
M6023A0000	1	Loch Nairn #6001_00010400 1.1 acre l	Invoice	02/01/2023	03/01/2023	50.23		50.23	31-461-431
M6023A0000	2	Loch Nairn #6001_00010400 1.1 acre l	Adjustmen	02/01/2023	03/01/2023	50.23-		50.23-	31-461-431
M6023A0000		Chk No: 1452 (1)	Calculated	05/31/2023				50.23-	31-200200
<b>1810 Cook's Service Company, Inc</b>									
113645	1	light replacement at Smedley Preserve	Invoice	03/06/2024	04/05/2024	1,928.00		1,928.00	31-461-451
<b>2001 Delaware Valley Health Trust</b>									
26671	1	Medical/Rx & Dental	Invoice	03/01/2024	03/31/2024	609.33		609.33	31-461-451
<b>6090 PECO ENERGY CO.</b>									
022324	1	7644501111 McCue Road	Invoice	02/23/2024	03/11/2024	58.82		58.82	31-461-451
<b>8165 The Hartford</b>									
6694621389	1	LIFE; AD&D; STD; LTD	Invoice	03/01/2024	03/15/2024	52.06		52.06	31-461-451
Total 31:						2,648.21	.00	2,597.98	
<b>33</b>									
<b>4610 Lenni Electric Corp.</b>									
APP #4	1	Pay App#4 Electrical work period date 2	Invoice	02/29/2024	03/31/2024	11,849.54		11,849.54	33-440-706
<b>9967 F.W. Houder, Inc.</b>									
APP#4 PLU	1	Pay App #4 Plumbing for Terminal buildi	Invoice	03/01/2024	03/31/2024	18,900.00		18,900.00	33-440-706
Total 33:						30,749.54	.00	30,749.54	
Total :						152,883.17	.00	152,386.23	
Grand Totals:						152,883.17	.00	152,386.23	

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
01-400-420	350.00	.00	350.00
01-401-158	97.02	.00	97.02
01-402-156	3,970.64	.00	3,970.64
01-402-158	222.73	.00	222.73
01-402-460	50.00	.00	50.00
01-404-314	7,790.00	.00	7,790.00
01-406-156	2,740.33	.00	2,740.33
01-406-158	114.55	.00	114.55
01-406-341	204.61	.00	204.61
01-406-383	387.81	.00	387.81
01-406-450	125.51	.00	125.51
01-407-321	181.88	.00	181.88
01-407-324	278.10	.00	278.10
01-407-452	1,350.27	.00	1,350.27
01-408-312	5,079.00	.00	5,079.00

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
01-408-313	8,307.25	.00	8,307.25
01-409-240	127.21	.00	127.21
01-409-360	4,019.88	.00	4,019.88
01-409-361	1,528.61	.00	1,528.61
01-409-366	947.03	.00	947.03
01-409-373	10,337.32	.00	10,337.32
01-409-374	208.75	.00	208.75
01-409-450	269.85	.00	269.85
01-411-235	3,119.11	.00	3,119.11
01-411-450	60.33	.00	60.33
01-413-156	4,422.66	.00	4,422.66
01-413-158	273.41	.00	273.41
01-413-451	2,271.00	.00	2,271.00
01-414-314	2,111.50	.00	2,111.50
01-414-450	1,668.36	.00	1,668.36
01-426-450	496.48	.00	496.48
01-429-310	2,342.04	.00	2,342.04
01-430-156	9,159.94	.00	9,159.94
01-430-158	400.95	.00	400.95
01-430-210	239.88	.00	239.88
01-430-238	878.32	.00	878.32
01-430-250	92.43	.00	92.43
01-430-261	178.60	.00	178.60
01-430-374	650.41	.00	650.41
01-430-450	51.00	.00	51.00
01-436-450	913.26	.00	913.26
01-438-245	15.00	.00	15.00
01-454-156	609.33	.00	609.33
01-454-158	52.08	.00	52.08
01-454-373	130.00	.00	130.00
01-454-375	454.57	.00	454.57
01-454-732	5,221.00	.00	5,221.00
09-200200	3,026.40	3,473.11-	446.71-
09-440-156	1,985.32	.00	1,985.32
09-440-158	189.12	.00	189.12
09-440-210	130.48	.00	130.48
09-440-360	861.46	.00	861.46
09-440-420	533.40	.00	533.40
09-440-450	4,089.87	.00	4,089.87
09-441-450	7,862.30	.00	7,862.30
09-447-156	11,582.30	.00	11,582.30
09-447-158	231.93	.00	231.93
09-447-251	5,802.02	3,026.40-	2,775.62
09-447-450	1,264.11	.00	1,264.11
30-406-701	2,745.00	.00	2,745.00
30-454-700	734.50	.00	734.50
31-200200	.00	50.23-	50.23-
31-461-431	50.23	50.23-	.00
31-461-451	2,648.21	.00	2,648.21
33-440-706	30,749.54	.00	30,749.54
Grand Totals:	<u>158,986.20</u>	<u>6,599.97-</u>	<u>152,386.23</u>

Summary by General Ledger Posting Period

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GL Posting Period	Debit	Credit	Net
02/23	50.23	.00	50.23
05/23	.00	50.23-	50.23-
12/23	6,508.52	50.23-	6,458.29
01/24	6,555.10	3,026.40-	3,528.70
02/24	61,063.46	3,473.11-	57,590.35
03/24	84,808.89	.00	84,808.89
Grand Totals:	<u>158,986.20</u>	<u>6,599.97-</u>	<u>152,386.23</u>

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Report Criteria:

Invoice.Invoice Number = {<->} "3817449"  
[Report].Invoice Number = {<->} "3829982"

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Report Criteria:  
 Summary report type printed

Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
<b>01248197</b>									
10050	Davis, Kyle Frankel	02272024	Escrow Release #1 - balan	02/28/2024	22,320.23	.00	22,320.23	31086	02/28/2024
Total 01248197:					22,320.23	.00	22,320.23		
<b>01406141</b>									
9714	Molnar, Raleigh	03052024	Office assistant/filing - 10 h	03/05/2024	160.00	.00	160.00	31087	03/05/2024
Total 01406141:					160.00	.00	160.00		
<b>01407321</b>									
1680	COMCAST CABLE	194903291	Landline for PW (January)	02/15/2024	111.26	.00	111.26	31085	02/27/2024
Total 01407321:					111.26	.00	111.26		
<b>01409373</b>									
1810	Cook's Service Company, I	114884/899/6	Invoice# 114884 HVAC # 5 & 6 - \$6600.00 114899 HVAC # 7 - \$3380.00	12/31/2023	11,067.50	.00	11,067.50	31084	02/27/2024
Total 01409373:					11,067.50	.00	11,067.50		
<b>01430321</b>									
1680	COMCAST CABLE	190018161	Landline for PW (Decembe	12/31/2023	54.79	.00	54.79	31085	02/27/2024
Total 01430321:					54.79	.00	54.79		
<b>09440420</b>									
7550	Southern Chester County	46202	Inv 46202 - Renewing Me	01/01/2024	215.00	.00	215.00	5456	02/27/2024
Total 09440420:					215.00	.00	215.00		
<b>09447253</b>									
9826	Garmin International, Inc	180850821	Ord 180850821 Garmin Eq	03/12/2024	12,759.75	.00	12,759.75	7671242	03/13/2024
Total 09447253:					12,759.75	.00	12,759.75		
<b>09447751</b>									
10051	Aero Express, Inc	PRO39051	1811NG Barfeild 101-0117	02/29/2024	11,464.00	.00	11,464.00	7586942	03/01/2024
Total 09447751:					11,464.00	.00	11,464.00		
Grand Totals:					58,152.53	.00	58,152.53		

**NEW GARDEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2024-006**

**WHEREAS**, Modern Mushroom Farms, Inc. is the owner of property located at 157 and 162 Bancroft Road, located on the east side of Bancroft Road (T454) approximately 1500 feet south of the intersection with Pemberton Road and which is further identified as UPI Nos. 60-1-87 and 60-1-88, consisting of approximately 26.1 gross acres more or less, on which currently exists a mushroom growing operation; and

**WHEREAS**, the property is located in the R2 Residential Zoning District and the plan prepared for Rouse Chamberlin Limited, Applicant, is designed in accordance with the standards contained in the New Garden Township Zoning Ordinance and the New Garden Township Land Development and Subdivision Ordinance; and

**WHEREAS**, the Applicant is proposing to develop the property with the construction of 98 townhome units with associated roads, parking, stormwater management, landscaping and lighting; and

**WHEREAS**, the site shall be serviced by public water and public sewer at the sole cost and expense of the applicant; and

**WHEREAS**, the site is currently being used for a mushroom growing and composting operation; and

**WHEREAS**, Rouse Chamberlin was granted conditional use approval by Decision and Order dated February 22, 2022 for this project with condition 9 of the conditional use decision no longer applicable since the applicant intends to have the roads remain private. The Decision and order is attached hereto as Exhibit A and is incorporated herein by reference as though set out in full; and

**WHEREAS**, the applicant received a variance from the New Garden Township Zoning Hearing Board via a Decision and Order dated January 22, 2024 from Section 200-106.B(1) to allow the installation of 15 lighting fixtures instead of the required 56. The Decision and order is attached hereto as Exhibit B and is incorporated herein by reference as though set out in full; and

**WHEREAS**, the applicant was granted the 4 waivers by the Board of Supervisors on April 17, 2023, specifically: from Section 170-27.A(1) requiring a minimum of 24 feet where no street parking is allowed for Road C only and not for other roads requested and from Section 170-20.A(1) and Section 170-25.J requiring the widening of Bancroft road along the frontage to 12 feet and from Section 170-30.C(1) requiring a minimum site distance for a minor street of 200 feet for speed limits of 37 miles per hour on all side curbs and from Section 170-43.B(2) requiring minimum buffer planting to be installed;

**WHEREAS**, the property will be developed pursuant to a final land development plan for Rouse Chamberlin Limited prepared by EB Walsh Associates dated November 18, 2022, last revised February 1, 2024, consisting of 23 sheets (the plans) which are incorporated herein by reference and expressly made a part hereof (the project) and thereby providing for the above-captioned development; and

**WHEREAS**, Pennoni Associates, Inc. by and through Natham M. Cline, PE, has issued a final review letter, which letter identifies certain matters, issues and conditions as open and which open matters, whether set out in this Resolution individually or identified in said letter, are expressly made conditions of this approval, said Pennoni letter dated originally February 28, 2024 and revised March 11, 2024, is incorporated herein by reference as though set out in full and is attached hereto as Exhibit C; and

**WHEREAS**, McMahon, a Bowman Company, by and through Christopher J. Williams, PE, has issued a Traffic Engineering Review Letter dated February 20, 2024, which letter identifies certain matters, issues and conditions in conjunction with the traffic matters and the Subdivision and Land Development Ordinance and which open matters whether set out in this Resolution individually or identified in said letter are expressly made conditions of this approval and said McMahon Letter dated February 20, 2024 is incorporated herein by reference as though set out in full and attached hereto as Exhibit D; and

**WHEREAS**, a contribution to the municipal stormwater control and BMP Operational Maintenance Fund will be required prior to recording, said amount to be set in accordance with Township regulations; and

**WHEREAS**, the Applicant and/or successors under the provisions of § 170-46(b) of the New Garden Township Subdivision and Land Development Ordinance has elected to pay a recreational fee in lieu, the calculated amount of which is \$77,290.73, said funds shall be paid to the Township at the time financial security is deposited with the Township. The release of fee in lieu of funds shall be paid to New Garden Township from the escrow in an amount calculated by the number of building permits issued. This shall occur at the same time that Applicant requests release from financial security in general for the completion of various improvements on the site.

**WHEREAS**, the Developer desires to obtain Final Land Development approval of the plans from the New Garden Township Board of Supervisors in accordance with §508 of the Pennsylvania Municipalities Planning Code.

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the New Garden Township Board of Supervisors that New Garden Township hereby grants Final approval of the Land Development Application as noted above subject to the following conditions:

1. The WHEREAS clauses are incorporated herein by reference as though set out in full and are part of the official action of the Board of Supervisors of New Garden Township.

2. The project shall be constructed in strict accordance with the plans, the comments and details of the plans, the reports, the terms and conditions of this Resolution, the terms and conditions of the Conditional Use Decision and Zoning Hearing Board Decision attached as

Exhibits A and B, the Pennoni letter attached as Exhibit C, the Bowman letter attached as Exhibit D and the following Agreements to be approved by the Township Solicitor:

- A. Stormwater Management Agreement;
- B. Financial Security Agreement; and
- C. Land Development Agreement.
- D. Hydrant Agreement

3. The development shall be constructed in strict accordance with all of the above which identifies specific conditions applicable to this project and which are necessary to accomplish the objectives of the ordinances and regulations of the Township and which the Developer has previously agreed to satisfy and complete in accordance with the Township's reasonable direction regarding compliance.

4. Developer shall comply with all applicable Township, County, Federal Rules, Regulations, Codes, Ordinances and Statutes.

5. The Applicant shall provide financial security in the form acceptable to the Township Solicitor and in an amount approved by the Township Engineer for any and all improvements shown on the plans and required as a condition for final approval including stormwater management.

6. The Applicant shall pay a recreational fee in lieu, the calculated amount of which is \$77,290.73, said funds shall be paid to the Township at the time financial security is deposited with the Township. The release of fee in lieu of funds shall be paid to New Garden Township from the escrow in an amount calculated by the number of building permits issued. This shall occur at the same time that Applicant requests release from financial security in general for the completion of various improvements on the site.

7. The Developer shall comply with all conditions set forth in the review letter of the Township Engineer dated February 28, 2024 and revised March 11, 2024, attached as Exhibit C and the Traffic Engineering Review Letter of Bowman, McMahon Company dated February 20, 2024, attached as Exhibit D.

8. Developer shall obtain all required approvals from various agencies having jurisdiction over the project, including, but not limited to, the Pennsylvania Department of Environmental Protection, the Chester County Health Department, the Chester County Conservation District and the Pennsylvania Department of Labor and Industry.

9. The cost of accomplishing, satisfying, meeting all of the terms, conditions and requirements of the plans, notes to the plans and the agreements shall be borne entirely by the Developer at no cost to the Township.

10. Consistent with §509.B of the Pennsylvania Municipalities Planning Code, as amended, the payment of all applicable fees and the fundings of all financial security under the Land Development Agreement and the Financial Security Agreement and as required by the New Garden Township Code of Ordinances must be accomplished within ninety (90) days of the days of this granted approval unless a written extension is granted by New Garden Township. Said

written extension shall only be granted by a written request by the Developer for an extension to grant additional time. Until such time as the applicable fees and contributions have been paid, the escrow is fully funded, financial security provided and the Land Development Financial Security Agreement executed and all other agreements are executed, the final plan shall not be signed or released for recording by New Garden Township. In the event that the fees have not been paid and the financial security has not been funded within ninety (90) days of this grant of final plan approval or any written extension is granted this final land development subdivision approval shall expired and be deemed to have been revoked.

11. The Plans will not be released to the Developer for recording until all of the above conditions identified as required before release of the plans and including, but not limited to, specifically putting in place of the satisfactory financial security for the items identified above and on the plans.

When all conditions are met the plans may be signed by the Board of Supervisors and Planning Commission outside a public meeting.

This Resolution adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the Board of Supervisors.

**ATTEST:**

\_\_\_\_\_

**SUPERVISORS:**

\_\_\_\_\_  
David Unger, Chairman

\_\_\_\_\_  
Ted Gallivan, Vice Chairman

\_\_\_\_\_  
Stephen Allaband, Member

\_\_\_\_\_  
Kristie Brodowski, Member

\_\_\_\_\_  
Troy Wildrick, Member

**THE BOARD OF SUPERVISORS OF NEW GARDEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

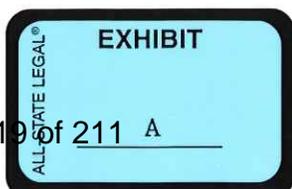
**IN RE:  
APPLICATION OF ROUSE/CHAMBERLIN, LTD:  
For Conditional Use Approval**

**156 and 162 BANCROFT ROAD, NEW GARDEN TOWNSHIP  
TAX PARCEL 60-1-87 and 60-1-88**

**DECISION**

Rouse/Chamberlin LTD (the “Applicant”) submitted a Conditional Use Application, Number CU-2021-02, to the New Garden Township Board of Supervisors on August 26, 2021 (the “Application”), for property located at 156 and 162 Bancroft Road, New Garden Township, Pennsylvania and further identified as Tax Parcels 60-1-87 and 60-1-88 (the “Property”). The Property is owned by Modern Mushroom Farm, Inc. (the “Owners”), is located in an R-2 High Density Residential Zoning District, consists of 26.08 acres, and is currently utilized as a soil composting area for a neighboring farm with an existing pump house for a retention pond. The Applicant seeks conditional use approval pursuant to Section 200-22.C(1) of the New Garden Township Zoning Ordinance (the “Zoning Ordinance”), in order to construct a townhouse development on the Property consisting of single family attached dwellings.

A hearing on this matter was held on December 20, 2021, at 6:30 PM before Chairman J. Patrick Little, Vice Chairman Michael Loftus, and Members Stephen Allaband, Kristie Brodowski, and David Unger, as well as on January 12, 2022 before Chairman Stephen Allaband, Vice Chairwoman Kristie Brodowski, and Members David Unger, Ted Gallivan, and Troy Wildrick. William R. Christman III, Solicitor for New Garden Township, was present for both hearings and acted as hearing officer. The hearing was duly advertised and all required notices were sent. The Applicant was represented by Alyson Zarro, Esquire, with John Penders, Daniel Daley, and Greg



Richardson testifying on behalf of the Applicant. Peter Brady of 100 Hillside Lane, Barbara Innezeli of 408 Highland Court, Mary Sproat of 200 Bancroft Road, Kadra Mull of 320 Crestview Drive, and Jerry Poe of 448 Pemberton Road were granted party status. The case consisted of sworn testimony, as well as documentary exhibits presented at the hearing.

At the conclusion of the evidentiary hearing on January 12, 2022, the record was closed. The record consists of the transcribed Notes of Testimony prepared by Mark A. Hagerty , Official Court Reporter, together with the documentary exhibits marked for identification and admitted into the record by the Board. This Decision and Order are rendered in accordance with Municipalities Planning Code § 603(c)(2), 53 P.S. § 10603(c)(3), and Zoning Ordinance Section 200-152.

These Findings of Fact and Conclusions of Law are in support of this Decision.

#### **FINDINGS OF FACT**

1. The Applicant is Rouse/Chamberlin, LTD, with a mailing address of 500 Exton Commons, Exton, Pennsylvania 19341, on behalf of the record owner of the Property, Modern Mushroom Farms, Inc. The Property is identified as Tax Parcels 60-1-87 and 60-1-88, which are located at 156 and 162 Bancroft Road, New Garden Township, Pennsylvania. The Property consists of approximately 26.08 acres in the R-2 High Density Residential Zoning District.

2. The Applicant seeks conditional use approval pursuant to § 200-22.C(1) of the New Garden Township Zoning Ordinance in order to construct a townhouse development on the Property consisting of 98 single family attached dwellings/townhouses (the “Development”).

3. The Property is currently utilized as a soil composting area for a neighboring farm with an existing pump house for a retention pond.

4. During the hearing, the following exhibits were presented into the record:

- B-1 New Garden Township Zoning Ordinance and Map (by reference)
- B-2 Conditional Use Application dated August 26, 2021
- B-3 Form of Public Notice of Public Hearing
- B-4 Proofs of Publication (December 1 & December 8, 2021)
- B-5 Zoning Officer Conditional Use Application Zoning Review dated September 1, 2021
- B-6 Fire Marshall's review email dated September 1, 2021
- B-7 McMahon review letter dated September 13, 2021
- B-8 EB Walsh Letter dated October 12, 2021, regarding revised plans
- B-9 Revised Conditional Use plans dated October 12, 2021
- B-10 Alternate Road Access Layout 1 Sketch Plan dated October 12, 2021
- B-11 Alternate Road Access Layout 2 Sketch Plan dated October 12, 2021
- B-12 Traffic Planning & Design, Inc., Transportation Impact Study dated October 13, 2021
- B-13 Fire Marshall's review email dated October 15, 2021
- B-14 Email from Alyson Zarro to Bill Christman dated September 20, 2021, granting an extension to hold the first hearing in this matter to December 22, 2021
- B-15 Minutes of the New Garden Township Planning Commission dated October 22, 2021
- B-16 Pennoni review letter dated October 26, 2021
- B-17 McMahon review letter dated December 10, 2021
  
- A-1 Conditional Use Application and cover letter dated August 26, 2021, with Conditional Use Plan prepared by Edward B. Walsh & Associates, Inc. dated August 25, 2021, consisting of three sheets, and Conditional Use Resubmission letter dated October 13, 2021
- A-2 New Garden Township Zoning Ordinance, as amended (*incorporated by reference*)
- A-3 Affidavit of Notice
- A-4 Redacted Agreement of Sale between Modern Mushroom Farms, Inc. and Rouse/Chamberlin Ltd. dated May 27, 2021
- A-5 Conditional Use Plan prepared by Edward B. Walsh & Associates, Inc. dated August 25, 2021 and last revised October 12, 2021, consisting of three (3) sheets
- A-6 Conditional Use Plan prepared by Edward B. Walsh & Associates, Inc. dated August 25, 2021 and last revised December 17, 2021, consisting of three (3) sheets
  - Sheet 1, Layout Plan
  - Sheet 2, Existing Features Plan
  - Sheet 3, Site Context Plan
- A-7 Rouse/Chamberlin Homes Information
  - (a) Information Sheet
  - (b) Prestley Elevation and Floor Plan
  - (c) Prestley Grand Elevation and Floor Plan
  - (d) Sutton Elevation and Floor Plan
  - (e) Sutton Grand Elevation and Floor Plan
  - (f) Exterior and Interior Examples

- A-8 C.V. of Dan Daley, P.E.
- A-9 Will Serve Letter from Chester Water Authority dated July 29, 2021
- A-10 Alternate Road Access Layout 3 Sketch Plan
- A-11 C.V. of Greg Richardson, P.E.
- A-12 Traffic Impact Study prepared by Traffic Planning and Design, Inc. dated October 13, 2021

5. The following individuals were granted party status by the Board of Supervisors during the hearing:

- a. Peter Brady – 100 Hillside Lane
- b. Barbara Innezeli – 408 Highland Court
- c. Mary Sproat – 200 Bancroft Road
- d. Kaydra Mull – 220 Crestview Drive
- e. Jerry Poe – 448 Pemberton Road

6. The Applicant is a privately held home builder and developer headquartered in Exton, Chester County, Pennsylvania.

7. The Applicant anticipates the townhouses to range from 1,800 square feet to 2,100 square feet with a footprint of approximately 24 feet wide by 50 to 60 feet deep.

8. The townhouses will be two stories with in ground basements and will include a two car garage, three bedrooms and a minimum of two and a half bathrooms.

9. Parking will be handled by garages, driveways, and overflow spaces located in the proposed development in accordance with the New Garden Township Zoning Ordinance (the “Zoning Ordinance”).

10. The Applicant submitted the testimony of Daniel Daley, P.E. of Edward B. Walsh and Associates, who was recognized as an expert in civil engineering.

11. Mr. Daley testified that the Property is bounded to the east and south by homeowner’s association open space and residential dwellings, to the north by residential dwellings and vacant land, and to the west (across Bancroft Road) by agricultural lands.

12. The western portion of the Property contains wetland areas and steep slopes, as well

as a lagoon for a large basin area that is used for the existing mushroom composting facility, the center portion of the Property contains a mushroom composting facility, and the perimeter of the Property contains existing woodland areas and steep slopes located on the south and west sides.

13. Exhibit A-6 depicts the Applicants original proposed layout for the Development, which contains a single access point on Bancroft Road located in the approximate location of the existing driveway on the Property, with an internal loop road and a cul-de-sac serving the proposed townhouses.

14. Exhibit A-6 also includes an emergency access drive extending from the proposed loop road across the southern portion of the Property to Bancroft Road (the "Proposed Emergency Access").

15. The proposed layout on Exhibit A-6 contains various proposed trails along the north and east portions of the Property, as well as a proposed "tot lot" area within the internal portion of the proposed loop road. These improvements would be owned and maintained by a homeowner's association (the "HOA").

16. Mr. Daley testified that the proposed Development complies with the Zoning Ordinance's area and bulk regulations.

17. The Development proposes approximately 62% of the property to be designated as open space.

18. In addition to parking in individual driveways, Exhibit A-6 proposes an additional 37 off-street, perpendicular parking spaces that are scattered throughout the development.

19. Refuse for the Development will be handled by the HOA and all trash bins will be stored indoors or outdoors with appropriate screening. These requirements will be included in the required HOA documents.

20. Because of its natural contours, the Property typically drains from east to west into wetlands adjacent to Bancroft Road.

21. The Applicant will manage stormwater in accordance with the Township's regulations.

22. In addition to the proposed walking trails throughout the Property, the Applicant will construct sidewalks in accordance with the Zoning Ordinance and the New Garden Township Subdivision and Land Development Ordinance (the "SALDO").

23. The Applicant is willing to work with the Township to locate trails on the Property so as to promote off-site connectivity, as contemplated by the New Garden Township Trail Prioritization Plan.

24. The Development is designed so that there are only 2 or 3 residential buildings existing on one visual plane (i.e. on straight portions of the proposed roads).

25. The arrangement of the proposed buildings will contain "bump outs" and "offsets" so as to create a visual and physical distinction in the lines and facades of the dwellings and rooves.

26. The Development will include landscaping and vegetative screening in accordance with the Zoning Ordinance and SALDO.

27. The Applicant has already obtained "will serve" letters from the Chester Water Authority for the provision of public water to the Development, as well as from Aqua Pennsylvania Wastewater, Inc., for the provision of public sewer.

28. The configuration of the Development as depicted on Exhibit A-6 would require, among other things, a waiver from the SALDO provisions regulating single access streets.

29. Should the Board of Supervisors deny the Applicant's waiver request regarding single access streets during the land development process, the Applicant supplied an alternative

configuration: Exhibit A-10 depicts the Development with a second access point from Bancroft Road along the northern portion of the Property.

30. The Applicant had concerns regarding the ability to convert the Proposed Emergency Access to a full access for the Development, in lieu of using the configuration depicted on A-10.

31. These concerns related to sight distances and the required width of the cartway, as well as disturbances to wetland areas and steep slopes.

32. The Proposed Emergency Access, however, would also need to be graded and constructed to meet the SALDO and Zoning Ordinance provisions relating to accessways, just like a normal accessway.

33. Although further engineering analysis is required, a full access road may be possible in the general location of the Proposed Emergency Access location with the understanding the location may need to be shifted based on more engineering information during land development.

34. The Applicant is willing to perform all required improvements to Bancroft Road along the Property's frontage.

35. The Applicant will likely request a waiver from the SALDO provision regulating the number of lots containing access along the turn-around portion of a cul-de-sac street.

36. The Applicant will offer the roads in the Development for dedication to the Township.

37. The Applicant will submit a lighting plan in accordance with the Zoning Ordinance.

38. According to Mr. Daley, the proposed Development complies with the Township's environmental and natural resource protection regulations.

39. Because the area of disturbance exceeds one acre, the Applicant will be required to obtain an NPDES permit from the Pennsylvania Department of Environmental Protection.

40. The Applicant also submitted the testimony of Robert (Greg) Richardson, P.E. of Traffic Planning and Design, Inc., who was recognized as an expert in traffic planning and engineering.

41. Mr. Richardson prepared a transportation impact study (the "Traffic Study"), which was admitted into the record as Exhibit A-12.

42. The Traffic Study evaluated four (4) intersections near the Development: Baltimore Pike and Bancroft Road, Bancroft Road and the existing Modern Mushroom driveway on the Property, Pemberton Road and the driveway to Bancroft Elementary, and Line Road and Bancroft Road.

43. The Traffic Study was completed while school was in session.

44. Based upon the number of proposed dwellings, the Traffic Study indicated that the Development would generate 53 new trips during the one hour peak time period in the morning and 63 new trips during the one hour peak time period in the evening.

45. Although the Development will increase traffic in the immediate area, the Traffic Study indicated that the increase is not significant and would not change the level of service at any of the evaluated intersections.

46. According to Mr. Richardson, each of the evaluated intersections would continue to operate at an appropriate level of service.

47. Mr. Richardson testified that the sight distance for the main proposed entrance to the Development meets or exceeds the sight distances required by the Township and the Pennsylvania Department of Transportation.

48. Party Kaydra Mull testified that she objected to the proposed trails leading into Bancroft Woods.

49. Party Barbara Innezeli testified that she objected to an emergency accessway coming from Highland Court

50. The proposed use would not be adverse to the general welfare and the public health and safety of the Township.

51. The proposed use is consistent with the goals and objections of the 2018 Comprehensive Plan.

52. The size, scope, intent, and character of the proposed use is consistent with the spirit, purpose, and intent of the Zoning Ordinance.

53. The proposed use takes into consideration the character and type of development in the area surrounding the tract.

54. The proposed use would not injure or detract from the uses surrounding the Property or from the character of the neighborhood.

### DISCUSSION

The Applicant, Rouse/Chamberlin LTD, through its witnesses, testified to its desire to construct a townhouse development on the Property consisting of ninety eight (98) single family attached dwellings. Accordingly, the Applicant seeks conditional use approval pursuant to § 200-22.C(1) of the Zoning Ordinance to permit single family attached dwellings on the Property. The criteria for the grant of conditional use relief are specified in Section 913.2 of the MPC, 53 P.S. §109103.2, and § 200-152 of the New Garden Township Zoning Ordinance.

The New Garden Township Board of Supervisors has made the decision to grant the Application for conditional use relief, subject to the conditions specified within the Order. The

additional conditions described in the Order below are imposed and attached pursuant to the authority of the MPC § 603(c) and Zoning Ordinance Section 200-152.F and are subject to the following general principles. Unless a different mechanism is expressly required, compliance with these conditions shall ordinarily be established in the context of subsequent applications for building and use and occupancy permits and approvals. All conditions shall be complied with to the satisfaction of the Township. Any aspect of the said application or any revision thereto materially inconsistent with these conditions will require re-application to, and re-hearing by, the Board prior to such approval. Any violation of the conditions during or following construction will be treated as a violation of the Zoning Ordinance, subject to the enforcement mechanisms specifically specified in MPC §§ 511 and 616-617, 53 P.S. §§ 10511 and 10616-10617.

Most fundamentally, this Decision and Order grants only conditional use approval in accordance with the express terms for the development as described in the Application and by the testimony and exhibits. Nothing contained in this Decision and Order shall be construed to abrogate or limit the obligation of the Applicant to comply with the applicable requirements of all of the Township's ordinances. Except as expressly augmented and clarified by these conditions, the use shall be in accordance with all of the otherwise applicable standards, specifications, and regulations of the Township and of all other agencies with jurisdiction over the Property, the development, or any aspect thereof. Any proposed development or use of the Property which would deviate from any condition imposed pursuant to this Decision and Order or from the Applicant's testimony and exhibits as presented at the Hearing will require an additional conditional use application to and approval from the Board.

### CONCLUSIONS OF LAW

1. The Applicant has standing.
2. This matter is properly before the Board, which has jurisdiction.
3. The hearing in this matter was properly advertised and noticed.
3. The Applicant has satisfied the criteria as set forth in Section 200-152 of the Zoning Ordinance and Section 913.2 of the MPC for a grant of conditional use relief.
4. The Application is granted, subject to strict compliance with the conditions contained within the Order.

**THE BOARD OF SUPERVISORS OF NEW GARDEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**IN RE:  
APPLICATION OF ROUSE/CHAMBERLIN, LTD:  
For Conditional Use Approval**

**156 and 162 BANCROFT ROAD, NEW GARDEN TOWNSHIP  
TAX PARCEL 60-1-87 and 60-1-88**

**ORDER**

AND NOW, this 22<sup>nd</sup> day of February, 2022, the New Garden Township Board of Supervisors hereby orders the following:

1. The Applicant's request for conditional use approval pursuant to Section 200-22.C(1) of the Zoning Ordinance in order to construct a townhouse development on the Property consisting of 98 single family attached dwellings, as depicted on Exhibit A-6, is hereby granted, subject to the conditions hereinafter enumerated.

2. The Applicant shall comply, to the satisfaction of the Township, with the comments set forth in the letter of October 26, 2021, from Nathan M. Cline, P.E., of Pennoni Associates.

3. The Applicant shall comply, to the satisfaction of the Township, with the comments set forth in the letter of December 10, 2021, from Christopher J. Williams, P.E., of McMahon Associates, Inc.

4. During land development, the Applicant shall evaluate the feasibility of converting the Proposed Emergency Access to a full accessway. If, in the discretion of the Township, such a conversion is not possible, the Applicant shall request a waiver from the required provisions of Section 170-26 of the SALDO regulating single access streets or will negotiate with the Township another mutually agreeable alternative.

5. The Development shall be serviced by public water and public sewer, at the sole cost and expense of the Applicant. If necessary, the Applicant shall seek and obtain sewage planning module approval under Act 537 as part of the land development process.

6. The Applicant shall offer for dedication a 50-foot wide right-of-way over the Property in order to potentially connect the Road A cul-de-sac with the Highland Court cul-de-sac in the future.

7. During land development, the Applicant shall make all improvements to Bancroft Road that are required by the Township's SALDO and Zoning Ordinance, unless waived by the Township. Such improvements shall include, but are not limited to, repairs to the culverts located along the Property's frontage.

8. The Applicant shall work with the Township to determine the most appropriate location for the proposed trails traversing the Property, including connectivity to trails on adjacent properties.

9. If the Applicant desires to dedicate the roads within the Development to the Township, it should consider widening the roads to permit parallel, on-street parking. The Township, however, is under no obligation to accept dedication of any of the proposed roads.

10. The subdivision and land development of the Property shall comply with the provisions of the New Garden Township Subdivision and Land Development Ordinance.

11. The Development and use of the Property shall be in substantial conformity with the Applicant's plan and the testimony and exhibits presented at the hearing on the Application, as determined by the Township.

12. The Development must meet all of the off-street parking regulations as found in §§ 200-108 and 200-109 of the New Garden Township Zoning Ordinance. No Use and Occupancy

Permits shall be granted unless the standards of these provisions are met to the satisfaction of the Township.

13. The Development shall be subject to compliance with all terms and provisions of the Zoning Ordinance and all other Township Ordinances and Regulations.

14. Upon compliance with all of the foregoing, the filing of proper applications, and the payment of the appropriate fees, the Zoning Officer is authorized to issue permits for the building and the use and occupancy of the Property as proposed in substantial conformity to the Applicant's plan and in strict conformity with all of the terms and conditions of this Order and representations made at the hearing upon this application.

15. Any future change to the property, other than what is set forth in the exhibits made part of the record and this Decision and Order, shall require further approval as may be required by the applicable New Garden Township Zoning Ordinance provisions.

16. The attached Decision, Findings of Fact, Discussion, and Conclusions of Law are incorporated into this Order.

17. The Applicant and/or owner of the Property shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the Property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County no later than 30 days from the date of this Decision and Order.

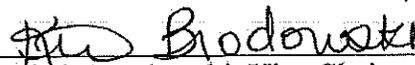
18. Within 30 days of receipt of an invoice from the Township, the Applicant and/or owners of the Property shall pay in full all fees charged and properly invoiced by Township consultants for review of the Conditional Use Application, public hearing, and preparation of this Decision and Order.

19. The Applicant shall express to the Board in writing, delivered to the Township Office within 15 days of the Owners' receipt of this Decision, their full and complete consent to the conditions specified herein above or the Application for conditional use approval is denied; the Board expressly finding and concluding that the Application, in the absence of compliance with the said conditions, is inconsistent with the standards, criteria, purposes and policies codified in Code §200-152.E.

NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS



Stephen Allaband, Chairman



Kristie Brodowski, Vice Chairwoman



David Unger, Member



Ted Gallivan, Member

Troy Wildrick, Member

**IN RE: APPLICATION OF** :  
**ROUSE CHAMBERLIN, LTD** : **BEFORE THE ZONING HEARING BOARD**  
**156 & 162 BANCROFT ROAD** : **OF NEW GARDEN TOWNSHIP**  
**KENNETT SQUARE, PA 19348** : **CHESTER COUNTY, PENNSYLVANIA**  
**TAX PARCEL I.D. NO.: 60-1-87** :

**DECISION**

The Zoning Hearing Board of New Garden Township, Chester County, Pennsylvania (“Board”), after proper advertisement, met at 7 p.m. on Monday, December 11, 2023 to hear evidence on the Application of Rouse Chamberlin, LTD (“Applicant”).

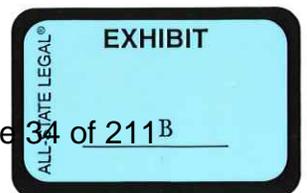
Applicant Rouse Chamberlin, LTD desires to convert an existing mushroom compost facility at the property into a residential townhome development. In doing so, Applicant requires a variance from New Garden Township Zoning Ordinance Section 200-106.B.(1), pertaining to lighting design for pedestrian walkways (for the construction and placement of 15 lighting fixtures on the property (as opposed to 56)), whereby footcandles must otherwise be maintained at a 0.5 average, and an average minimum uniformity ratio of 5:1, as well as any other such zoning relief as the Zoning Hearing Board may deem just and appropriate to permit the proposed lighting design.

The Subject Property is located at 156 and 162 Bancroft Road, Kennett Square, Pennsylvania 19348, identified as Tax Parcel I.D. No.: 60-1-87 (“Property”). The Property is located in the Township’s R-2 (High-Density Residential) Zoning District.

Present at the December 11, 2023 Hearing (“Hearing”) were Zoning Hearing Board Vice Chairman Ronald Dungy and Alternate Member David Trexler<sup>1</sup>. Also present at the Hearing were Township Building & Zoning Official Robert Weer, Board Solicitor Ryan M. Jennings, Esquire, and Official Court Reporter Mark A. Hagerty.

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<sup>1</sup> Board Chairman Seth Reidenberg was present at the outset of the Hearing, but recused and excused himself prior to any substantive proceedings, in light of a potential conflict of interest.



Applicant was represented at the Hearing by Alyson M. Zarro, Esquire. Jonathan Penders and Dan Daley, P.E. appeared and testified on Applicant's behalf at the Hearing in support of the Application. One individual, Paul Mullin of 412 Highland Court, requested and was granted party status.

The Hearing record was closed at the conclusion of the December 11, 2023 Hearing. By motion, second, and a 2-0 vote of the Board, the Application was conditionally granted, with said decision having been verbally articulated to the Applicant. The Board now issues the following Findings of Fact, Discussion, Conclusions of Law, and Order memorializing the Board's decision:

### **I. FINDINGS OF FACT**

1. The following Exhibits were presented and accepted into evidence at the Hearing:

#### **Board's Exhibits:**

- B-1 Zoning Application, with supporting documentation;
- B-2 Proof of Publication (published in the *Daily Local News* on November 22 and November 29, 2023);
- B-3 Certificate of Mailing on November 17, 2023;
- B-4 Affidavit of Posting, dated November 22, 2023 (with accompanying photographs);
- B-5 Township Planning Commission recommendation, dated November 16, 2023; and
- B-6 Correspondence, dated November 27, 2023, from Winifred M. Sebastian, Township Solicitor, regarding the Board of Supervisors' position on the Application.

The New Garden Township Zoning Ordinance and Township Zoning Map were also incorporated into the Hearing record by specified, verbal reference.

#### **Applicant's Exhibit:**

- A-1 Zoning Hearing Board Application, Narrative, Listing of Property Owners, and Cover Letter, dated October 23, 2023;

- A-2 New Garden Township Zoning Ordinance, as amended (*incorporated by reference*);
- A-3 Agreement of Sale (*redacted*) between Modern Mushroom Farms, Inc. (Seller) and Rouse-Chamberlain Ltd. (Buyer), dated May 27, 2021;
- A-4 Site Context Map, prepared by E.B. Walsh & Associates, Inc., dated November 18, 2022, last revised March 7, 2023;
- A-5 C.V. of Dan Daley, P.E.;
- A-6 Existing Lighting Plan, prepared by E.B. Walsh & Associates, Inc., dated November 18, 2022, last revised March 7, 2023; and
- A-7 Alternate Lighting Plan, prepared by E.B. Walsh & Associates, Inc., dated October 20, 2023, last revised December 8, 2023.

2. The Property, owned by Modern Mushroom Farms, Inc., is located on Bancroft Road, Kennett Square, New Garden Township, Chester County, Pennsylvania 19348 (Tax Parcel I.D. No.: 60-1-88).

3. The Property is comprised of two (2) parcels, totaling approximately 26 acres.

4. Applicant is the equitable owner of the Property. See Exhibit A-3.

5. The Property is located in the Township’s R-2 (High-Density Residential) Zoning District.

6. Applicant proposes to redevelop the Property into a residential townhome development, comprised of 98 attached dwelling units (townhomes).

7. As of the Hearing, Applicant had obtained conditional use approval and preliminary land development approval from the Township Board of Supervisors for the proposed, residential redevelopment.

8. The Applicant seeks dimensional variance relief from the Ordinance’s lighting requirements for pedestrian walkways, which in this instance, related to the townhome community’s sidewalks.

9. Jonathan Penders, President of Rouse/Chamberlin, LTD., testified first on behalf of the Applicant.

10. The majority of the Property is surrounded by an adjacent residential subdivision, Bancroft Woods.

11. Applicant now proposes an alternative lighting plan (Exhibit A-7), last revised on December 8, 2023.

12. Aside from the specified, requisite zoning relief, the lighting plan would otherwise be compliant with all Township lighting requirements.

13. Applicant proposes the reduced lighting to improve the lifestyle of future residents, including existing neighboring property owners.

14. Dan Daley, P.E. testified next on behalf of the Applicant and in support of the Application.

15. Mr. Daley was offered and accepted as an expert in the field of civil engineering.

16. Mr. Daley testified that the amount of illumination featured on the original, Code-compliant lighting plan (Exhibit A-6) is more than necessary, and that it would contribute to unwanted light pollution to both the future residents of this Property, as well as surrounding neighbors.

17. The alternate lighting plan (Exhibit A-7) proposed 15 light fixtures (instead of 56).

18. 13 of the 15 are proposed at a 14-foot height, while the other two (2) are proposed at an 18-foot height.

19. Lighting will be placed at various parking areas, intersections, and the recreational tot-lot area.

20. The LED lighting will be hard-wired (as opposed to solar powered).

21. Applicant's civil engineering expert recommended against a previously-discussed 20-foot height because it would result in spillover onto the opposite of Bancroft Road.

22. Accordingly, the alternative 18-foot height for two (2) light fixtures is proposed.

23. Mr. Daley testified that a full illumination of pedestrian walkways in a residential community (as the Ordinance presently requires) is not standard, nor is it necessary.

24. In essence, Applicant proposes not to maintain the otherwise required .5 footcandle average, with the absence of an associated uniformity ratio.

25. Applicant has garnered support for the Application, including four (4) nearby property owners, including: Anthony Innezeli (408 Highland Court); Nathaniel Knorr (200 Crestview Drive); Nick Popovich (205 Hillside Lane); and Mike King (420 Highland Court).

26. Applicant is unaware of any neighbor opposition to his Application.

27. Applicant believes the proposed lighting represents the most reasonable and feasible use of the Property, while allowing Applicant to seek the minimum variance that would afford zoning relief.

28. The Township Planning Commission supports the Application. See Exhibit B-5.

29. The Township Board of Supervisors took no position with regard to the Application. See Exhibit B-6.

30. The Township took no formal position with regard to the requested zoning relief.

31. Additionally, Applicant does not believe (and the Board agrees) that the alternate lighting design will adversely affect neighboring properties, the R-2 Zoning District or the Township, nor adversely affect the public health, safety, morals or general welfare.

32. The Board, sitting as factfinder, found Applicant's Representatives' testimony to be credible.

33. At the close of the evidentiary proceeding, the Board met in executive session with its Solicitor to discuss the legal issues presented by the Application and to deliberate.

34. Following discussion and deliberation, the Board publicly reconvened the Hearing and, by a 2-0 vote, approved a motion to conditionally grant the requested zoning relief.

## II. DISCUSSION

The determination and decision regarding the requested zoning relief (comprised of dimensional variance relief) is not only based on the factual record, but also applicable Pennsylvania law. Applicant's mere desire to provide a modified lighting design for pedestrian walkways (for the construction and placement of 15 lighting fixtures on the property (as opposed to 56)), whereby footcandles must otherwise be maintained at a 0.5 average, and an average minimum uniformity ratio of 5:1, is alone not a sound basis nor sufficient justification for the Board's grant of requisite zoning relief. Instead, the Hearing record, coupled with the Township Zoning Ordinance, as well as the law of the Commonwealth of Pennsylvania, governs the Board's decision-making process as to whether the requested zoning relief could and should be granted.

Ordinance Section 200-162, consistent with Pennsylvania Municipalities Planning Code ("MPC") Section 910.2 (53 P.S. § 10910.2), empowers the Board to grant variances from the terms of the Ordinance. The MPC and existing case law provide that variances from a zoning ordinance may be granted owing to any physical circumstance or condition of the property which causes unnecessary hardship, and which hardship is not self-created. "An applicant seeking a variance must prove that unnecessary hardship will result if the variance is denied and that the proposed use is not contrary to the public interest." Liberties Lofts LLC v. Zoning Bd. of Adjustment, 182 A.3d 513, 529 (Pa. Cmwlth. 2018) (citing Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637 (Pa. 1983)).

The Ordinance (pursuant to Section 200-162), consistent with PA MPC Section 910.2 (53 P.S. § 10910.2)), sets forth standards for the grant of variance relief as follows:

- A. Unique or irregular conditions. The site shall have unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property. An unnecessary hardship must be created by such conditions, and not the circumstances or conditions generally created by the provisions of the chapter in the district in which the property is located.
- B. Strict conformity cannot occur. Because of the physical circumstances or conditions described in Subsection A, there is no possibility that the property can be developed in strict conformity with the applicable provisions of this chapter so the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- C. Liability of the applicant. Such unnecessary hardship described in Subsection A has not been created by the applicant, subsequent to the adoption of this chapter, or prior ordinances, and strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land, structure or building.
- D. Impact of variance on district. The variance, if authorized, will not alter the essential character of the applicable zoning district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor impact negatively on buildings or districts of historical or architectural significance, nor be detrimental to the public welfare.
- E. Minimum variance. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.

Ordinance § 200-162.

Here, Applicant Rouse Chamberlin, LTD desires to convert an existing mushroom compost facility at the property into a residential townhome development. In doing so, Applicant requires a variance from New Garden Township Zoning Ordinance Section 200-106.B.(1), pertaining to lighting design for pedestrian walkways (for the construction and placement of 15 lighting fixtures

on the property (as opposed to 56)), whereby footcandles must otherwise be maintained at a 0.5 average, and an average minimum uniformity ratio of 5:1.

At the Hearing, Applicant provided testimony and documentary evidence to meet Applicant's burden of establishing the requisite variance criteria under MPC Section 910.2(a), as well as Ordinance Section 200-162, respectively, to the Board's satisfaction. The Board finds that the requested variance relief will not adversely impact public policy. The Board further believes that Applicant's proposed lighting design will represent an appropriate and suitable configuration for the proposed residential use of the Property, given existing conditions and circumstances.

Furthermore, the Board expects that the proposed lighting at the Property will have no practical effect on the neighboring properties, nor negatively impact or affect the public health, safety, welfare or morals. Furthermore, the proposed lighting design for pedestrian walkways within the residential development is expected to be in keeping with the characteristics of its surroundings and similar, residential development. Moreover, the Board does not believe the proposed lighting design will otherwise alter the essential character of the surrounding neighborhood, nor the Township's R-2 (High-Density Residential) Zoning District. Thus, Applicant has established entitlement to the requested dimensional variance zoning relief.

Moreover, neighboring property owners (within 500 feet of the Property) were properly notified of the Hearing (see Exhibits B-2, B-3, and B-4), and no one attended the Hearing for purposes of voicing express opposition or objection to the Application. Paul Mullin (412 Highland Court), who was granted party status, asked questions of the Applicant's witnesses, but ultimately supported the Application. Therefore, no adverse proof was proffered in this matter. Furthermore, the Application was further supported by members of the public in attendance at the Hearing, including: Anthony Innezeli (408 Highland Court); Nathaniel Knorr (200 Crestview Drive); Nick Popovich (205 Hillside Lane); and Mike King (420 Highland Court). In the absence of opposition

and concern, coupled with the legal analysis provided above, including support from the community, the Board finds it appropriate to grant the Applicant's requested, dimensional-based variance relief.

Based on the foregoing Findings of Fact and Discussion, the Board has determined that the Applicant has presented the necessary proofs to warrant the grant of the requested zoning relief.

### **III. CONCLUSIONS OF LAW**

1. The Applicant, as equitable owner of the Property (pursuant to Exhibit A-3), has standing to file and pursue the Application.

2. Pursuant to MPC Section 909.1(a)(6) and Ordinance Section 200-159(C), the Board has jurisdiction to hear the request for variance relief.

3. The Hearing was duly advertised and the Property sufficiently posted in accordance with notice requirements set forth in the Ordinance and PA MPC.

4. This Decision & Order on the Application were timely rendered by the Board in accordance with the requirements of the PA MPC.

5. Pursuant to Township Ordinance, the Board may grant variance zoning relief, provided that certain findings are made in a given case.

6. Here, the Applicant has sufficiently established entitlement to variance-based zoning relief to provide a modified lighting design for pedestrian walkways (for the construction and placement of 15 lighting fixtures on the property (as opposed to 56)), whereby footcandles must otherwise be maintained at a 0.5 average, and an average minimum uniformity ratio of 5:1, having adequately satisfied applicable standards enumerated within the Ordinance.

Accordingly, based upon the above Findings of Fact, Discussion, and Conclusions of Law, the Board enters the following:

## ORDER

AND NOW, this 22<sup>nd</sup> day of January, 2024, upon consideration of the Application of Rouse Chamberlin, LTD, for property located at 156 and 162 Bancroft Road, Kennett Square, Pennsylvania 19348, to convert an existing mushroom compost facility at the property into a residential townhome development. In proposing to do so, Applicant requires dimensional variance relief from New Garden Township Zoning Ordinance Section 200-106.B.(1), pertaining to lighting design for pedestrian walkways, for the construction and placement of 15 lighting fixtures on the property, as opposed to the required 56, whereby footcandles must otherwise be maintained at a 0.5 average, and an average minimum uniformity ratio of 5:1, as well as any other such zoning relief as the Zoning Hearing Board may deem just and appropriate to permit the proposed lighting design. The requested zoning relief is as more particularly described and depicted within the Application materials and Hearing Exhibits (namely, B-1 through B-6 and A-1 through A-7), and as described through Hearing testimony and evidence. **NOW, THEREFORE, IT IS HEREBY ORDERED** that the requested zoning relief is unanimously **GRANTED** (by a 2-0 vote), expressly subject to the Applicant's compliance with each of the following five (5) conditions:

1. The dimensions and specifications of the Proposed Lighting shall not exceed the dimensions or specifications set forth in the Application, Plans, and depictions made part of the Hearing record, and the placement and appearance of the Proposed Lighting shall be substantially as set forth in the Application materials, and as described during the Applicant's Representatives' Hearing testimony;

2. Applicant shall comply with any and all other requirements and design standards for lighting, except for the specified, limited zoning relief granted herein;

3. Applicant shall comply with any and all applicable Federal, State, and Local laws and ordinances, and obtain all governmental approvals and permits necessary to erect, install, construct, and utilize the Proposed Lighting;

4. Applicant shall install additional vegetative buffer, should the Township Zoning Officer determine, in his or her discretion, that Proposed Lighting is problematic; and

5. Applicant is strongly encouraged to explore the potential for additional, alternative lighting options to provide minimally-invasive, yet safer lighting for the community's sidewalks.

**ATTEST:**

*Robert Weer*  
\_\_\_\_\_  
Robert Weer  
Township Zoning & Building Official

**NEW GARDEN TOWNSHIP  
ZONING HEARING BOARD**

Abstained
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\_\_\_\_\_  
Seth Reidenberg, Chairman  
*Ronald Dungy*  
\_\_\_\_\_  
Ronald Dungy, Vice Chairman  
*David Trexler*  
\_\_\_\_\_  
David Trexler, Alternate Member



February 28, 2024

Revised March 11, 2024

NGTWP00158

Attn: Robert Weer, Director of Community Development & Safety  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350

RE: **Copperleaf Ridge (formerly Rouse Chamberlain) – 156 & 162 Bancroft Road  
Final Subdivision and Land Development Plans**

Dear Robert:

As requested, we have reviewed the following, prepared by E.B. Walsh Associates, Inc., regarding the referenced submission:

- "Final Subdivision/Land Development Plans for Copperleaf Ridge" (23 sheets) dated November 18, 2022, **last revised February 1, 2024;**
- "Stormwater Management Report for Bancroft-Rouse Chamberlin" dated November 18, 2023, **last revised January 29, 2024;**
- Application and supporting documents.

The applicant, Rouse/Chamberlin, Ltd, on behalf of the owner, Modern Mushroom Farms, Inc., proposes to construct ninety-eight (98) townhome units with associated roads, parking, stormwater management, landscaping and lighting on UPIs 60-1-87 and 60-1-88 (±26.1 gross acres). The project is located on the east side of Bancroft Road (T-454), approximately 1,500 feet south of the intersection with Pemberton Road within the R-2 Residential District. Both public water and sanitary sewer are proposed.

The applicant received Conditional Use Approval on February 22, 2022 per §200-22.C(1) allowing single family attached dwellings; see conditions below.

Preliminary plan approval and the following four (4) waivers were granted by the Board of Supervisors on April 17, 2023:

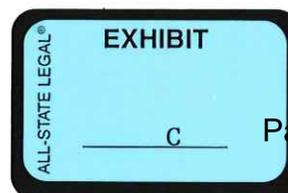
1. From §170-27.A(1) - requiring a minimum of 24 feet where no street parking is allowed **for Road C only;**
2. From §170-20.A(1) & §170-25.J - requiring the widening of Bancroft Road along the frontage to 12 feet;
3. From §170-30.C(1) - requiring a minimum site distance for minor street of 200 feet for speed limits of 37 MPH on all sag curves; and
4. From §170-43.B(2) - requiring minimum buffer plantings to be installed.

The applicant received the following variance from the Zoning Hearing Board via a Decision and Order dated January 22, 2024:

1. From §200-106.B(1) to allow the installation of 15 lighting fixtures instead of the required 56.

**VARIANCE DECISION AND ORDER**

1. *The dimensions and specifications of the proposed lighting shall not exceed the dimensions or specifications set forth in the application, and depictions made part of the hearing record, and the placement and appearance of*



*the proposed lighting shall be substantially as set forth in the application materials, and as described during the applicant's representatives hearing testimony.*

**Resolved.**

2. *Applicant shall comply with any and all other requirements and design standards for lighting, except for the specified, limited zoning relief granted herein.*

**Resolved. We have no outstanding lighting comments.**

3. *Applicant shall comply with any and all applicable federal, state, and local laws and ordinances, and obtain all governmental approvals and permits necessary to erect, install, construct, and utilize the proposed lighting.*

**No action necessary.**

4. *Applicant shall install additional vegetative buffer, should the Township zoning officer determine, in his or her discretion, that proposed lighting is problematic.*

**Pending. Defer to Township Zoning Officer; we have no objections to the proposed landscaping other than noted below.**

5. *Applicant is strongly encouraged to explore the potential for additional, alternative lighting options to provide minimally-invasive, yet safer lighting for the community's sidewalks.*

**Pending.**

#### **CONDITIONAL USE DECISION AND ORDER**

**Note previously addressed comments have been removed.**

2. *The Applicant shall comply, to the satisfaction of the Township, with the comments set forth in letter of October 26, 2021, from Nathan M. Cline, P.E., of Pennoni Associates.*

**Pending. Any outstanding comments from the October 26, 2021 letter has been incorporated into this review letter.**

3. *The Applicant shall comply, to the satisfaction of the Township, with the comments set forth in the letter of December 10, 2021, from Christopher J. Williams, P.E., of McMahon Associates, Inc.*

**Pending. Please see updated correspondence from Bowman.**

5. *The Development shall be serviced by public water and public sewer, at the sole cost and expense of the Applicant. If necessary, the Applicant shall seek and obtain sewage planning module approval under Act 537 as part of the land development process.*

**Pending. Sewage facilities planning approval is in process.**

6. *The Development shall offer for dedication a 50-foot-wide right-of-way over the Property in order to potentially connect Road A cul-de-sac with the Highland Court cul-de-sac in the future.*

**Resolved. This has been indicated on the plans.**

7. *During land development, the Applicant shall make improvements to Bancroft Road that are required by the Township's SALDO and Zoning Ordinance, unless waived by the Township. Such improvements shall include, but are not limited to, repairs to the culverts located along the Property's frontage.*

**Pending. Defer to Bowman.**

8. *The Applicant shall work with the Township to determine the most appropriate location for the proposed trails traversing the Property, including to trails on adjacent properties.*

**Resolved. No trails are proposed, consistent with preliminary plan approval.**

13. *The Development shall be subject to compliance with all terms and conditions of the Zoning Ordinance and all other Township Ordinances and Regulations.*

**Pending. See pending/outstanding comments herein or under separate cover.**

17. *The Applicant and/or owner of the Property shall execute and provide to the Township a recordable, notarized, notarized copy of a memorandum containing a metes and bounds description of the Property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County no later than 30 days from the date of this Decision and Order.*

**Pending. A memorandum has been provided; it is unclear if this document has been recorded.**

18. *Within 30 days of receipt of an invoice from the Township, the Applicant and/or owners of the Property shall pay in full all fees charged and properly invoiced by Township consultants for review of the Conditional Use Application, public hearing, and preparation of this Decision and Order.*

**Pending. Defer to Township.**

**We offer the following comments (note previously addressed comments have been removed):**

**SUBDIVISION/LAND DEVELOPMENT (§170)**

7. Regarding the preliminary plan requirements (§170-20):
- General Note 9 on Sheet 2 states a Homeowner's Associations will be created for the maintenance of roads and open space in the development. A community association document shall be provided with the application that includes all requirements of §170-20.B(12).

**Pending. The applicant has indicated this will be provided at the time of final plan submission.**

- Homeowners Association documents shall be provided for review by the Township Solicitor to confirm conformance with §170-20.B(12).

**Pending. The applicant has indicated this will be provided at the time of final plan submission.**

11. A community recreation area or fee-in-lieu is required. (§170-46) The applicant shall work with the Township Solicitor to determine the credit the tot lot will have and remaining fee-in-lieu. Per §170-45.C(1), a minimum of 10% of the gross tract area is required for a recreation area.

**Pending. The applicant has indicated that they will coordinate with the Township regarding a fee-in-lieu.**

**STORMWATER MANAGEMENT (§165)**

13. An NPDES permit will be required. (§165-17.A(1)(b))

**Resolved. NPDES PAC150355 has been issued.**

14. A minimum depth of 24 inches between the bottom of the BMP and the top of the limiting zone is required. BMP 1 does not appear to have the required separation. Please provide soils information to two (2) feet below the bottom of the proposed BMP. (§165-20.J)

***Pending. The design engineer has indicated further infiltration and limiting zone testing will be performed at the footprint of BMP #1.***

27. A contribution to the *Municipal Stormwater Control and BMP Operation and Maintenance Fund* will be required. (§165-41)

***Pending.***

33. Calculations for the proposed culverts under Road A and Road C have been provided and are subject to Conservation District/DEP permitting. The calculations appear to be adequate; however, due to the high discharge velocities, please provide adequate energy dissipation/scour protection.

***Pending. The scour protection will be designed as part of the PADEP General permit package and submitted to the Township upon approval. We have no objection to this being addressed separately, following final approvals.***

### **LANDSCAPING & LIGHTING**

34. Screening shall be required in certain circumstances to reduce possible light, sound, and visual intrusions caused by some permitted uses that would otherwise impact upon neighboring properties (§200-100.A). The existing use of the property as a mushroom composting/staging/stockpiling area likely necessitated the installation of landscape screening around property to screen the adjoining residential properties. The proposed design indicates the removal of ±48 mature evergreens that currently screen the residential properties on Hillside Lane. Removal of these evergreen trees may reduce this viability of this existing screening. Please revisit the proposed grading to determine if additional existing evergreen trees could be maintained. (§200-101.C.(5))

***Resolved. The design engineer indicated that the proposed layout requires the installation of the retaining wall and removal of evergreen trees. Landscape screening is proposed to replace the evergreen trees.***

39. The *Landscape Plans* shall be signed by a Landscape Architect licensed by the Commonwealth of Pennsylvania.

***Pending. The plans will be signed and sealed at the time of recording.***

41. Note, per §200-106.A(8), the Board of Supervisors may require additional lighting for personal security and safety reasons.

***Resolved. Lighting was approved as part of a Zoning Hearing Board Decision and Order dated December 11, 2023.***

### **GENERAL**

44. The sanitary main from manhole 7 to manhole 8 and the main between manhole 14 and manhole 15 cross under the existing stream. Additional permitting and concrete encasement may be required; defer to Aqua/AECOM.

***Pending. Defer to AECOM.***

45. The sanitary main from manhole 10 to manhole 11 cross under the 48-inch culvert pipes. Concrete encasement may be required; defer to Aqua/AECOM.

***Pending. Defer to AECOM.***

46. The sanitary main on the Grading/Utility/PCSM plan stops at manhole 11 while the profile continues to the existing manhole. Please indicate the entire sanitary main on the plan and include this area in the Limit of Disturbance.

***Outstanding. It's unclear why the utility installations are not included within the limit of disturbance.***

48. It is unclear if the School District will utilize private roads for school busses. It may be appropriate to contact the School District to discuss and provide areas for pick up/drop off as needed. If pick up/drop off will be on Bancroft Road, the develop should ensure there is a safe area for vehicles and/or students to wait and appropriate signage.

***Outstanding. Further discussion regarding this may be warranted with the School District and/or Township.***

49. Please see separate correspondence from:

***Bowman – February 20, 2024***  
***Fire Marshall – Updated correspondence pending***  
***AECOM/Aqua – Updated correspondence pending***  
***AECOM/Twp. – Updated correspondence pending***

51. The applicant is claiming volume credit for 173 deciduous trees and 158 evergreen trees. These trees should be indicated on the PCSM plan as they are part of the volume control and shall be maintained as such. Alternatively, the applicant can reference the landscape plan to be part of the PCSM plan.

***Resolved. The Landscape plan has been referenced as part of the PCSM plan.***

Should you have any questions or comments, please contact the undersigned.

Sincerely,

**PENNONI ASSOCIATES INC.**



Nathan M. Cline, PE  
Township Engineer

cc (via e-mail): Chris Himes, Township Manager  
Kenny Reed, Roadmaster  
Winnie Sebastian, Township Solicitor  
Charlie Owens, Fire Marshal  
Chris Williams, PE, Township Traffic Engineer  
Dan Daley, PE, E.B. Walsh & Associates  
Jonathan Penders, Rouse Chamberlin LTD  
Alyson Zarro, Riley, Ripen, Hollin and Colagreco  
Stan Corbett, PE, AECOM

# Bowman

February 20, 2024

Mr. Christopher Himes, Township Manager  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350

RE: Traffic Engineering Review  
Copperleaf Ridge Residential Development (formerly Bancroft-Rouse Chamberlin – 156 and  
162 Bancroft Road)  
New Garden Township, Chester County  
Bowman Project No. 310698-01-001

Dear Mr. Himes:

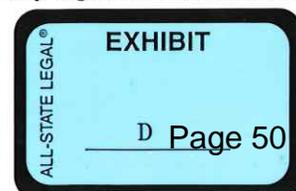
As requested, Bowman completed a traffic review of the proposed 98-unit townhome development located on the east side of Bancroft Road, north Baltimore Pike. Access to the site is proposed via two new private road accesses along Bancroft Road. Our review is based on the following document.

- *Final Subdivision/Land Development Plan for Copperleaf Ridge*, prepared by Edward B. Walsh & Associates, Inc., revised February 1, 2024.

Based on our review of the plans, we offer the following comments.

## Conditions of Approval

1. Condition 4 – Swaynes Way is proposed as a one-way (enter only) access and is no longer proposed as an emergency only access. As such, this condition is satisfied.
2. Condition 6 – The plans show a 50-foot wide right-of-way for a future connection between the Tullow Hill Drive cul-de-sac and Highland Court (within the neighboring residential community). As such, this condition is satisfied.
3. Condition 7 – This condition requires the applicant to make improvements to Bancroft Road as required by the Township's ordinances. Per the plans, the applicant proposes to widen Bancroft Road to provide a 22-foot cartway width from just south of the Bancroft Elementary School to just north of the existing stream crossing south of Swaynes Way. However, since this condition requires the applicant to make improvements to Bancroft Road, we continue to recommend the applicant add a note on Sheet 21 which reads as follows: "Prior to the



Bancroft Road mill and overlay, provide base repair in areas where mutually agreed to be necessary, subject to verification by the applicant and the Township”.

4. Condition 9 – The applicant is not requesting the Township to take dedication of the internal roads. However, if the applicant were to request the Township to take dedication of any of the roads within the development, these roads should be modified to accommodate on-street, parallel parking. This condition is satisfied on the basis that it is not applicable at this time since the roads are proposed to remain private.

### **Land Development Plans**

5. SALDO Section 170-31.C – Please verify the dimension of the required sight distance of 252 feet for traffic exiting Tullow Hill Road looking to the left along Bancroft Road. Also, please revise the sight line for left-turn vehicles entering Swaynes Way looking ahead so that it is dimensioned from the centerline of the Swaynes Way intersection to a point 262 feet to the south along Bancroft Road.
6. SALDO Section 170-34 – Since receiving the current land development plan submission, the applicant’s engineer contacted our office to review the internal sidewalk ADA ramp design, and based on this meeting, we understand the following items will be addressed by the applicant as part of a future plan submission.
  - a. Provide detailed ADA curb ramp designs, which include spot elevations at all grade break points, all slope dimensions, and curb ramp type labels.
  - b. The plans should be revised to provide a separate curb ramp for each pedestrian crossing. As such the plans should be revised to provide two curb ramps on the southwest corners of both the eastern and western Tullow Hill Drive/Foragers Lane intersections, as well as on the southwest corner of the Foragers Lane/Swaynes Way intersection.
7. Based on coordination with the applicant’s engineer, it is our understanding the Bancroft Road mill and overlay limits will be shown on a future land development submission, which will show full-width mill and overlay along the site frontage and to the north, and half-width mill and overlay south of the site within the northbound lane of Bancroft Road as part of the proposed sewer line work. Our office will review the mill and overlay limits as part of the future plan submission.
8. Note 22 on Sheet 3 indicates the Township shall be permitted to install trails in specific locations within the open space in the future if desired by the Township. At the Township’s discretion, future multimodal facilities should be considered through the Aqua Property on

the west side of Bancroft Road, along Bancroft Road, and through the subject property to connect to the adjacent community along Highland Court, as outlined in the Township's 2018 Comprehensive Plan, the 2019 Official Map, and the 2019 Trail Prioritization Plan.

Upon resubmission, the applicant's engineer should compose a response letter that describes how each comment has been addressed and where any plan are located. Additional comments may follow upon receipt of future submissions.

If there are any questions or if additional information is requested regarding the above comments, please do not hesitate to contact our office.

Sincerely,



Christopher J. Williams, P.E.  
Vice President & Regional Manager – Mid-Atlantic

CJW/JDG

cc: Kenny Reed, New Garden Township, Director of Public Works  
Robert Weer, Director of Community Development and Safety  
Winifred M. Sebastian, Lamb McErlane, PC  
Nate Cline, P.E., Pennoni Associates, Inc.  
Johnathan Penders, Rouse/Chamberlin, Ltd.  
Alyson Zarro, Riley Riper Hollin & Colagreco  
Dan Daley, P.E., Edward B. Walsh & Associates, Inc.

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## **NEW GARDEN TOWNSHIP - STAFF REPORT/RECOMMENDATION**

**REQUESTING DEPARTMENT:** Township Manager

**MEETING DATE:** March 18, 2024

**SUBJECT/TOPIC:** Comprehensive Zoning Ordinance Consultant

**BACKGROUND:** After approval by the Board of Supervisors in December 2023, the Township posted a Request for Proposal to solicit Zoning and Subdivision and Land Development Ordinance (SALDO) services to help address the need to modernize the Township's land use doctrine which has had a compounding effect in establishing unrealistic land use expectations, numerous existing non-conforming uses, and a heavy reliance on conditional use hearings and zoning hearing boards for special exceptions and variances.

The Township received significant interest in the project from seven (7) well-qualified organizations, and staff conducted proposal evaluations immediately following the January 31<sup>st</sup> submission deadline.

In all, the proposals went through four (4) phases of evaluation:

- Phase 1 – Individual staff review
- Phase 2 – Group consensus; create a shortlist of three (3) finalists
- Phase 3 – Finalist interviews; individual assessment
- Phase 4 – Group consensus; final scoring

Phase 1 scoring was based on the list of requirements in the Evaluation Criteria portion of the RFP, broken down as follows:

- Overall Experience – 30%
  - Introduction – 10%
  - Minimum Criteria – 10%
  - References – 10%
- Overall Project Response – 40%
- Project Familiarity & Modern Best Practices – 20%
- GIS Experience – 10%

Of note, while cost was an important factor it was not officially scored but heavily considered while evaluating the responses to the RFP.

Phase 3 scoring was only conducted for the shortlist of three (3) finalists, and was primarily based on responsiveness to staff questions about the scope of work and project management capacity, broken down as follows:

- Final Interview – 10%

Based on the highest final score of 110 points, the Township identified Michael Baker International (score of 93 points) as the recommended consultant at a cost not to exceed \$99,308.00. There is an optional SALDO update proposal at an additional cost of \$29,996.00 as a supplementary project, bringing the total cost to \$129,304.00.

The FY24 Capital budget for the “Zoning Map & Ordinance Update” project is \$100,000.00; however, the Township is awaiting feedback by May 8<sup>th</sup>, 2024 from the Chester County Planning Commission Vision Partnership Program regarding the requested cash grant award maximum of \$50,000.00 which will be leveraged to support the project. Of note, the cash grant award is a reimbursement program, so the budgeted funds from the Township will be fully expended and reimbursed based on approved milestones throughout the project.

Finally, the staff recommendation is to separate the projects into two phases, Zoning & SALDO, where a secondary approval can be conducted at a future Board meeting as the SALDO scope of work is likely to occur in FY25.

<b>FINANCIAL IMPACT:</b> <b>Total:</b> FY24 – \$99,308.00	Budgeted:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	Amount Budgeted:	\$100,000.00
	Amount Spent:	\$0.00
	Amount Requested:	\$100,000.00
	Budget Line Item:	Not applicable

**STAFF RECOMMENDATION:** That the Board of Supervisors approves the proposal from Michael Baker International for Comprehensive Zoning Ordinance consultant services at a cost not to exceed \$99,308.00 and authorizes the Township Manager to sign the final agreement, pending final review by the Township Solicitor.

<b>TOWNSHIP MANAGER APPROVAL:</b> Required: <input checked="" type="checkbox"/> Not Required: <input type="checkbox"/>	 _____ Christopher Himes, Township Manager
<b>TOWNSHIP SOLICITOR APPROVAL:</b> Required: <input type="checkbox"/> Not Required: <input checked="" type="checkbox"/>	_____ Winifred Sebastian, Township Solicitor

**ATTACHMENTS:**

- 1) Comprehensive Zoning Ordinance and Map Update RFP
- 2) Comprehensive Zoning Ordinance and Map Update RFP Proposal – Michael Baker Intl.
- 3) Zoning Proposal Evaluation Matrix



**New Garden Township**  
299 Starr Rd. Landenberg, PA 19350  
(610)-268-2915; [www.newgarden.org](http://www.newgarden.org)

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**Request for Proposals  
Comprehensive Zoning Ordinance and Map Update  
for New Garden Township**

New Garden Township, Chester County, Pennsylvania is seeking professional consultants to submit proposals for a Comprehensive Zoning Ordinance and Map Review and Update. Proposals are due to the Township by Wednesday, January 31, 2024, at 4:00 p.m. Any questions may be directed to Christopher Himes, Township Manager at 610-268-2915 or [chimes@newgarden.org](mailto:chimes@newgarden.org).

**Overview**

The existing Township ordinance and map will be used as a basis for this comprehensive ordinance update. The ordinance update shall be consistent with the Township's adopted Comprehensive Plan (2018), Village of Toughkenamon Streetscape and Transportation Improvement Plan (2020), and Official Map (2019). The final product shall be responsive to input from the Board of Supervisors, Township Staff, and other stakeholders who will be engaged during the public outreach process. The updated Zoning Ordinance and Map will be a tool to support the implementation of previous planning efforts and shall comply with the applicable provisions and content requirements for a Zoning Ordinance, as prescribed by the Pennsylvania Municipalities Planning Code.

**Request for Proposals**

This solicitation is a Request for Proposals (RFP) by qualified firms. Proposals will be reviewed by Township Staff and the Board of Supervisors, who will evaluate each proposal according to relevant selection criteria. Interviews may be requested with one or more firms responding to the RFP. The award of this contract, if any, will be to the firm deemed best qualified to perform the services outlined in this RFP. New Garden Township may also utilize funds to support the project through the Chester County Planning Commission (CCPC) Vision Partnership Program (VPP) via the Landscapes 3 grant, meaning any prospective consultant should have experience with preparing municipal ordinances and coordinating this level of effort in collaboration with the CCPC.

The Township is open to considering consultant suggestions for alterations to the Scope of Work that would be in the best interest of the Township and not detract from the essential goals and objectives outlined in the RFP. Pricing, while an important factor, will be only one criterion used to evaluate the responses to the RFP.

New Garden Township reserves the right to reject all proposals submitted, to cancel the

solicitation request under this notice, and/or re-request proposals for this work and services.

### **Issues with the Current Zoning Ordinance**

The state of the current Zoning Ordinance and Map is not unusual for municipalities of this size, pattern of development, and diversity of land uses. The Consultant will work with Township Staff to prepare a diagnosis of existing issues and prepare a strategy for reviewing and addressing the issues. The primary issues with the current ordinance include:

- Unrealistic land use expectations based on Zoning Map overlay throughout the Township, leading to an excessive amount of:
  - Existing non-conforming use
  - “By right” use of agricultural facilities, specifically in Residential districts
  - Reliance on Conditional Use Hearings
  - Reliance on the Zoning Hearing Board for Special Exceptions and Variances
- Lack of flexibility in terms of adaptive re-implementation of modern revitalization efforts within specific zoning districts
- Constraints within low and medium density Residential districts (R-1, R-2, R-3) to achieve the Township’s Missing Middle Housing initiatives
- Lack of designated Agricultural districts to define and buffer areas of industrial-grade agricultural production from other land uses, specifically residential
- Lack of mixed-use, planned-use, and other blended-use zoning districts to permit developers to implement innovative approaches to modern revitalization
- Burdensome and/or inflexible Subdivision and Land Development Ordinance (SALDO) that restricts design requirement flexibility, leading to an overreliance on the Zoning Hearing Board for Special Exceptions and Variances
- Zoning misalignment with existing and future infrastructure (streets, stormwater, and sewer)
- Numerous amendments

### **Scope of Work**

With assistance from Township Staff, the selected consultant will conduct a public process to develop an updated Zoning Ordinance that takes into consideration the Township’s remaining potential development corridors and current “built-out” suburban environment, as well as the need for updated design standards to guide future development and redevelopment. The general Scope of Work includes, but may not be limited to, the following:

- **Review of Previous Planning Initiatives** – the consultant will review and identify plan goals, objectives, and recommendations to ensure that the new ordinance will be consistent with recent planning documents, including the Comprehensive Plan (2018), Village of Toughkenamon Streetscape and Transportation Improvement Plan (2020), and Official Map (2019).

- **Current Zoning Ordinance Diagnosis** – the consultant will work closely with Township Staff in producing a diagnosis of the existing code and identifying opportunities for improvement.
- **Evaluation of Existing Neighborhoods, Commercial Corridors, Agricultural Areas, and Zoning Districts** – the Township contains large areas of like-zoned land, as well as the permissive use within residential areas for agricultural facilities, that will warrant context-sensitive regulations. Township Staff will work with the consultant to identify these areas and develop strategies to address existing and future issues.
- **Public Outreach** – the consultant will develop a public outreach strategy designed to inform the community, solicit meaningful input, and build consensus among key stakeholders, including but not limited to the Board of Supervisors, Planning Commission, Open Space Review Board, Historic Commission, Business and Non-profit Community, and Township Residents. At a minimum, the consultant will provide the following engagements:
  - Eighteen (18) Township Staff Meetings (Monthly)
  - Four (4) Public Outreach Meetings
  - Two (2) Public Meetings with the New Garden Township Planning Commission
  - Two (2) Public Hearings with the New Garden Township Board of Supervisors
- **Drafting the Document** – the consultant will prepare drafts of the zoning ordinance, including graphics as needed, for review by Township Staff culminating in a final version to be acted upon by the Planning Commission and Board of Supervisors. In addition to drafting the ordinance, the consultant will provide an updated version of the official zoning map that is reflective of the revised ordinance, legible, and user-friendly.
- **Adoption Process** – the consultant will be responsible for the final codification and integration of all adopted changes into the Township code and will coordinate with Township Staff and Solicitor to initiate the review and adoption of final the ordinance per applicable timelines, including review by the County Planning Commission and other entities.

### **Primary Focus Areas**

In addition to the Zoning Ordinance and Map review and structural modifications, the following focus areas must be addressed throughout the ordinance process. The successful candidate shall demonstrate experience in analyzing information, communicating issues, and drafting ordinances addressing the following critical areas:

- Development and Redevelopment along Route 41 and Baltimore Pike
- Residential Development, including “Missing Middle” and Multifamily Dwelling Types within all applicable residential density districts to include:
  - Accessory Dwelling Units (ADUs)
  - Single-Family Housing Conversions
  - Side by Side Twins

- Side by Side, Stacked, and Back-to-Back Townhouses
- Stacked Duplexes
- Stacked Triplexes
- Stacked Quadplexes
- Multiplexes
- Live-Work Units
- Adaptive Reuse
- Implementation of mixed-use, planned-use, and other blended-use zoning districts within feasible development corridors with existing infrastructure capacity (streets, stormwater, sewer)
- Adaptive use and re-use for zoned Agricultural areas to include:
  - Implementation of Agricultural Districts that are buffered from other designated uses to include Open Space
  - Definitions of uses such as Controlled Environment Agriculture, Secondary Farm Businesses, and Agritainment
- Redevelopment within the Airport Development Zone and existing Business Park Zoning District
- Cohesive design Guidelines for overall Site Development and existing Subdivision and Land Development Ordinance (SALDO) that are consistent with the Township's historic and rural character while maintaining flexibility for future development
- Accessory Structure & Supplemental Use Standards for Commercial, Industrial, and Residential Districts
- Special Event & Temporary Use Regulations
- Branding and signage for all wayfinding corridors that route to the Township's public facilities and common areas
- Practical Lighting and Illumination Standards
- Natural and Environmental Resource Protection
- Sustainability (including accommodations for Alternative Energy, Electric Vehicles, etc.)
- Acclimation with existing Historic Resources as defined in the Historic Resource Atlas
- Implementing Modern and Revising Existing Zoning Definitions
- Zoning Administration and Regulatory Procedures for the Township's Community Development function
- Management of Non-Conformities
- Review of Existing Permitted Uses and Recommendation of Additional or Missing Uses
- Supplemental Use Regulations for Specific Uses (such as setbacks, buffering, screening, etc.)

### **Project Coordination**

The consultant shall designate a principal planner who will be responsible for all aspects of the project including attending all meetings as required by New Garden Township. Township Staff will serve as the principal liaison between the consultant and the Board of Supervisors, Planning

Commission, community stakeholders, businesses, and residents to facilitate the reporting of all project milestones and public engagement activities.

The consultant team is required to facilitate all public meetings in coordination with Township Staff, including the setting of an agenda, facilitating discussions, recording meeting minutes, and producing review materials in advance of the meeting. The frequency and duration of these meetings shall be determined by the needs of the project in consultation with Township Staff and the Board of Supervisors.

### **Proposal Requirements**

Proposals shall contain the following information for review by the Township:

- Introduction to the company, consultant, and/or consultant team – including professional qualifications, resumes, and summary of relevant experience for key members of the consultant team.
- Minimum criteria for the consultant to be a certified planner (AICP) with at least 10 years of professional planning experience and has authored at least 10 separate Zoning Ordinance projects for municipalities within the Commonwealth of Pennsylvania.
- References from similar projects completed by the company, consultant, and/or consultant team – including the name, address, phone number, and email of the contact person for whom the project was completed. New Garden Township reserves the right to contact these references to discuss their experience with the project.
- Responses to the proposed Scope of Work (outlined above) that demonstrate a clear understanding and ability to accomplish each task.
- Demonstrated experience with GIS mapping and ability to produce useful graphics and identify any enhancements of existing layer problems to better amplify land use information.
- Schedule of billable rates, fees, and other relevant expenses.
- Comprehensive calendar of all project activities and milestones, including the final completion of the new proposed zoning ordinance and map with all deliverables within the Township's preferred 18-month implementation timeline.
- Summary of the proposed public outreach strategy.
- Summary of the proposed approach to the project.
- Anticipated start date and approximate project schedule.
- Electronic submission and one (1) hard copy delivered to the Township Building.

### **Evaluation Criteria**

Pricing, while an important factor, will be only one criterion used to evaluate the responses to the RFP. The proposals will be evaluated by the Township based on the following criteria:

- Quality of responses to the RFP and Scope of Work outlined above (40%)
- Demonstrated experience on similar projects involving the integration of previous land use planning documents and public outreach initiatives to draft ordinances for municipal clients

(30%)

- Demonstrated experience and familiarity with the Primary Focus Areas as outlined above, including general knowledge of current planning issues and modern best practices (20%)
- Demonstrated experience with GIS mapping and production of graphics (10%)

### **Anticipated Project Schedule**

- Issuance of RFP: December 19, 2023
- Pre-Proposal Meeting: January 10, 2024, at 11:00 a.m.
- Due to Township: January 31, 2024, by 4:00 p.m.
- Interviews: To Be Determined
- Consultant Selection: To Be Determined
- Project Kick-Off: April of 2024
- Project Completion: October of 2025 (18-month timeline)

**All consultants interested in attending the Pre-Proposal Meeting on January 10<sup>th</sup>, 2024 at 11:00 a.m., please submit an email to [chimes@newgarden.org](mailto:chimes@newgarden.org) to be invited.**

Proposals are due to the Township by Wednesday, January 31, 2024, by 4:00 p.m

Any questions may be directed to Christopher Himes, Township Manager at 610-268-2915 or [chimes@newgarden.org](mailto:chimes@newgarden.org).

# NEW GARDEN TOWNSHIP ZONING ORDINANCE & MAP UPDATE

47  
WINERY  
CIDER  
UNSATISFACTORY  
UNSATISFACTORY  
WHO  
BYLAND USA  
ADDITIONAL PARKING IN REAR OF BUILDING

SUBMITTED BY

**Michael Baker**

**I N T E R N A T I O N A L**

1818 MARKET STREET #3110  
PHILADELPHIA, PA 19103  
[WWW.MBAKERINTL.COM](http://WWW.MBAKERINTL.COM)

Christopher Himes  
Township Manager  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350

**RE: Request for Proposal for Comprehensive Zoning Ordinance and Map Update for New Garden Township**

Dear Mr. Himes,

It is with great enthusiasm that Michael Baker International (Michael Baker) submits our proposal in response to the Request for Proposal for a Comprehensive Zoning Ordinance and Map Update for New Garden Township.

The Michael Baker team brings together zoning specialists, planners, engineers, urban designers, and GIS professionals ready to support the Township in implementing the goals and intent of the Comprehensive Plan, the Toughkenamon Streetscape and Transportation Improvement Plan, and Official Map through sound land use regulations.

Our team provides unparalleled expertise rooted in local knowledge and experience. Our access to the multi-disciplinary Michael Baker network also lets us bring in best practices from across the Commonwealth. **Project Manager Samantha McLean, AICP**, will manage our team that collectively brings over 40 years of experience in land development regulations, land use planning, and urban design. Samantha will be joined by colleagues Seth Koons, as the zoning lead, and Troy Truax, AICP as the zoning advisor. Troy has over 10 years of experience working on zoning ordinances, having completed 10 zoning ordinance updates in Pennsylvania just within the last five years. They will be supported by Peter Quintanilla who provides expertise in form-based codes and visualizing the zoning code and Gabriella Sabwa who brings experience in GIS and community engagement.

The Michael Baker team has developed innovative zoning and land development ordinances for municipalities throughout the region, each tailored to suit the local needs and existing land use patterns. We recognize that existing development patterns impact the applicability of realistic codes. We have successfully created hybrid codes that address each municipality's needs in different ways to preserve community character, promote sustainable development, address housing needs, and foster economic opportunity.

Our core team for this project works together regularly and has provided municipalities across the Commonwealth with clear, concise, and progressive land development regulations. We are also familiar with the Chester County Planning Commission Vision Partnerships Program (VPP) Landscapes3 Grant requirements as we are working on the Downingtown Borough Comprehensive Plan funded by VPP. Michael Baker looks forward to working with New Garden Township on this exciting project and we welcome any questions you may have on our response to the Township's RFP. If you have any questions, please contact Samantha McLean at 484-781-6318 or Samantha.McLean@mbakerintl.com.

We look forward to the opportunity of working with you.  
Sincerely,

**MICHAEL BAKER INTERNATIONAL, INC.**  
1818 Market Street #3110, Philadelphia, PA 19103



Samantha McLean, AICP, LEED Green Associate  
Project Manager | Senior Community Planner  
Samantha.McLean@mbakerintl.com  
484-781-6318



Lydia Grose  
Principal-In-Charge  
Lydia.Grose@mbakerintl.com  
215-430-5502

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# 1

# INTRODUCTION

## MICHAEL BAKER FIRM PROFILE

For over 80 years, Michael Baker has provided exceptional community planning, economic development, and engineering expertise to public and private sector clients across the nation. Michael Baker has a rich legacy as a Pennsylvania-based, full-service planning and engineering firm. Founded in 1940 in Pittsburgh, the company has experienced continued growth and expansion throughout the US. With close to 100 offices in over 30 states and almost 4,000 employees, the firm specializes in all aspects of community and land use planning, transportation, environmental planning, engineering design, and traffic and operations engineering, and is committed to a culture of innovation, collaboration and technological advancement to help solve challenges for clients and communities throughout the country.

### PLANNING PRACTICE

Michael Baker's Pennsylvania Planning Practice consists of our Allentown, Fort Washington, Philadelphia, Harrisburg, and Pittsburgh offices, with over 14 American Institute of Certified Planners (AICP) within the Practice. Our team specializes in land use and community planning, comprehensive and strategic plans, multimodal planning and design, equitable engagement strategies, climate action and resilience planning, and urban design.

### DESIGN HUB

Design Hub by Michael Baker is a specialty service within our Planning Practice. It convenes our in-house expertise in community planning, urban design, landscape architecture, resource management, public engagement, and project facilitation supported by graphics, web tools, and apps to deliver innovative and integrated solutions that build more livable communities. Design Hub is staffed by a team with substantial experience working in towns, neighborhoods, and communities to help them build upon their local assets and history, and find the tools to thrive. Design Hub uses a visual and illustrative approach to help municipalities, their residents, and stakeholders



visualize opportunities for investment and establish community support for and ownership of the outcome.

### PHILOSOPHY AND METHODS

Michael Baker's Planning Practice has led the way in developing innovative products in community planning. Our approach to zoning is not a one size-fits-all solution. We individually tailor zoning codes to each community to address local land use patterns and the form and function the communities desire as they grow. Understanding the wider implications of land use and zoning requirements on quality of life, economic viability, affordability, and sustainability can be difficult to convey to a general audience. Our approach walks participants through organizing their community into form and character zones that translate zoning language into easily communicated and visual concepts.

Zoning is the mechanism that actualizes a community's comprehensive plan. By extension, it echoes the plan's need to address the community's key issues, establish a measurable vision for the future, represent local "buy-in," and set forth momentum toward implementation. We have a proven methodology for facilitating the planning process that we will apply to executing New Garden Township's zoning update. Our hybrid form-based codes have effectively

respected existing development patterns established under Euclidean zoning while providing form-based guidelines that bridge existing context with future visions and equip our clients with the tools to guide their growth.

Our engagement and communications techniques have been successful at keeping projects on-schedule and on-message. We provide engagement techniques that are accessible, creative, and flexible to ensure participation from residents and stakeholders.

Michael Baker excels at innovative solutions and creative thinking. Our team delivers customized ideas, strategies, and design products for each of our projects. We look forward to bringing our process and creativity to work for New Garden Township.



Our team’s proposed approach and methods will be grounded in the Comprehensive Plan as well as the Village of Toughkenamon Streetscape and Transportation Improvement Plan, and Official Map, in addition to the Board of Supervisor’s priorities. We look forward to collaborating with Township staff, the Board of Supervisors, the Solicitor, Planning Commission, business owners, other identified stakeholders, and the wider community, through a transparent and inclusive process to the critical areas of commercial, residential, mixed-use, and agricultural development and land use regulations identified by the Township.

The existing Zoning Ordinance was written in 1997 and has since been amended based on need; however, based on changing needs and trends, such as the need for diverse housing types, agricultural operations’ location, desire for mixed-use neighborhoods, commercial growth along Route 41 and Baltimore Pike, and need to reimagine areas zoned for business park and airport development, it is time for a comprehensive update. A complete rewrite will help the Township address current and future needs and implement the Comprehensive Plan’s vision. The Zoning Ordinance rewrite will focus on integrating the most up-to-date standards and definitions based on regional and national best practices and case law and ensuring consistency with the Pennsylvania Municipalities Planning Code (MPC). There will be specific emphasis on sustainable development, including missing middle housing, mixed-use neighborhoods, and accommodations for clean energy transition, agricultural and historic preservation, commercial and redevelopment opportunities, and lighting. Using a hybrid or form-based approach, we will apply urban design principles to the rewrite, creating a cohesive vision for neighborhood character. Additionally, we offer an optional rewrite of the SALDO which would create more cohesive design guidelines that provide flexibility to achieve the Township’s development goals.

The new zoning ordinance will be written to reflect the unique context of New Garden Township, including its varied landscape which brings together agricultural and natural resources with suburban, corridor, and village development.

## OUR TEAM

Our team offers a holistic and comprehensive approach to successfully prepare a new zoning ordinance and map for New Garden Township. The Michael Baker Team brings:



### DEEP LOCAL KNOWLEDGE, WITH A NATIONAL REACH

Our team has experience throughout the Commonwealth and specifically in eastern Pennsylvania. We are currently working on a Chester County Planning Commission Vision Partnerships Program grant project in Downingtown Borough. We pair local knowledge with access to our nationwide network of planners, engineers, and designers who bring unparalleled expertise and knowledge of best practices.



### PROVEN TRACK RECORD

We have supported the successful adoption of zoning ordinances and SALDOs for communities across the Commonwealth. We understand how to incorporate guiding goals, development principles, and local context into an accessible, concise, and graphics-based document.



### INNOVATIVE COLLABORATION

Our team will bring innovative approaches to work in collaboration with the Township and the community to implement the goals in the Comprehensive Plan, plan for growth along corridors, permit missing middle housing types, accommodate for agricultural uses and impacts, and preserve community character.

# TEAM QUALIFICATIONS & EXPERIENCE

Michael Baker has assigned and dedicated a uniquely qualified staff to successfully perform and deliver New Garden Township's Comprehensive Zoning Ordinance and Map Update. The following summarizes the qualifications and responsibilities of the project staff and the supporting organization chart illustrates the team's project management approach.



**PROJECT MANAGER**

## SAMANTHA MCLEAN, AICP, LEED GREEN ASSOCIATE

Samantha is a certified planner with extensive experience designing and facilitating public engagement processes for planning efforts, zoning amendments, site-specific development proposals, and policy initiatives. As a former city planner with the City of Cincinnati, she had hands-on experience interpreting, amending, and implementing land use regulation, including Zoning Ordinance text and map amendments and subdivision reviews. At Michael Baker, she leads Zoning Ordinance and SALDO rewrites and comprehensive plan updates for municipalities of varying sizes. In these roles, she thrives in making transparency and accessibility paramount. Samantha is also skilled at research design and methodologies. As a Fulbright grantee, she conducted fieldwork and published a book chapter focused on historic preservation and climate change adaptation in Saint-Louis, Senegal. No matter the type of work or project, she believes earnestly in intentional and meaningful collaboration to achieve better outcomes and more substantial processes.

**Responsibilities:** Project Management, Zoning Ordinance Rewrite, Public Engagement



**TECHNICAL LEAD**

## SETH KOONS

Seth has nearly 10 years of experience as a public-sector planner and a consultant preparing, reviewing, and administering Zoning Ordinance and Subdivision and Land Development Ordinance (SALDO) regulations. He has worked on multiple full-fledged rewrites of Sign Ordinance regulations to be fully content-neutral compliant and has led countless targeted and comprehensive Zoning and SALDO amendments to address a spectrum of issues that communities face on a consistent basis. Prior to his time with Michael Baker, Seth served as the Planning Director for Peters Township, PA where he guided several high-level revisions to their hybrid form-based code to ensure the goals and objectives of the Township and its leadership were being achieved.

**Responsibilities:** Zoning Ordinance Rewrite



**ZONING ADVISOR**

## TROY TRUAX, AICP

Troy Truax is a certified planner with over 27 years professional experience specializing in land use and zoning, multimodal transportation planning, economic development, urban revitalization, transit-oriented development, public funding, hazard mitigation, and emergency and incident management. Troy provides Michael Baker's municipal and private clients with unique community planning and economic development technical skills that includes leveraging his years of public funding and government relations expertise to ensure projects are well-positioned for successful implementation. In addition to his professional planning experience, Troy has continuously served on his local municipal zoning hearing board and planning commission for over 20 years. This includes serving three years on the Zoning Hearing Board in the Borough of Carlisle, Cumberland County, PA and 18 years on the Planning Commission in South Middleton Township, Cumberland County, PA.

**Responsibilities:** Zoning Ordinance Review



## GABRIELLA SABWA

Gabriella (Gabby) is a planner with a progressive and growing portfolio of project experience. She has been involved with a number of comprehensive plans making her excel at communication, data analysis, and technical writing. Through these experiences, she has also proven well-versed with ArcGIS Pro and other associated ESRI applications. Gabby has also aided a number of community engagement efforts by developing community surveys, participating in public and steering committee meetings, and conducting various stakeholder interviews. She wholeheartedly believes in meaningful and diverse collaboration in order to maximize value added to any and all implementable processes.

**GIS/MAPPING LEAD** Responsibilities: GIS/Mapping, Public Engagement



## NICK SISCO, AICP, GISP

Nick’s experience as an urban designer and planner spans the public, private, and federal sectors. He has worked with municipal governments, developers, the Environmental Protection Agency, Department of Energy, and Department of Defense on planning efforts across the US, Pennsylvania and abroad in Germany. Nick has a breadth of experience in the areas of urban design, zoning, resiliency, green infrastructure, transit/multi-modal, master planning, and comprehensive plans.

Specializing in urban design, GIS, cartography, and graphic design, Nick uses a minimalist style to communicate complex concepts, datasets, and maps to all people.

**Responsibilities:** GIS/Mapping Support; Visualization Support

**GIS/MAPPING  
ADVISOR**



## PETER QUINTANILLA

Peter is Michael Baker’s Design Hub Lead and has over 21 years of urban design experience both nationally and internationally. He specializes in master planning, zoning ordinances and form-based codes, community participation workshops, and design illustrations.

Peter lead the urban design components of the Susquehanna Township, PA, zoning ordinance rewrite, and has supported similar efforts in the City of Martinsburg, WV and the Walnut Bottom (South Middletown), PA rezoning project. His visualization helps bolster community engagement meetings by helping community members see their vision. Before joining Michael Baker in 2017, Peter held key leadership roles serving as the Director of Design, Theory, and Networks for The Prince’s Foundation for Building Communities in England and Designer for the New Urbanist consulting firm Duany Plater-Zyberk.

**Responsibilities:** Form-based code, Visualization

**VISUALIZATION  
LEAD**



An optional Subdivision and Land Development Ordinance (SALDO) update is included as an optional scope of work task based on New Garden Township identifying challenges with the existing SALDO. Should the Township decide to pursue a SALDO update, the following Michael Baker staff will work on the SALDO rewrite in addition to the Project Manager, Samantha McLean, and Visualization Lead, Peter Quintanilla.



### OPTIONAL SALDO TECHNICAL LEAD

#### KATHY WYROSDICK, AICP

Kathy is a professional planner with experience as a public-sector director and a private-sector principal planner. Her work across multiple states has provided her with a unique depth of knowledge about community planning within a diverse range of local governments. She has managed county and municipal planning departments, as well as helped develop new programs to address issues of blighted properties. She has worked closely with code enforcement, land banks, and local redevelopment authorities to address disinvestment within communities. Her experience in the private sector has focused on downtown revitalization plans, smart growth projects, zoning, and site plan development regulations. Kathy's diverse knowledge working as both a private consultant and public-sector planner has given her the skills and abilities to understand how to actualize planning recommendations into sustainable policies and programs.

**Responsibilities:** Optional SALDO Rewrite



### OPTIONAL SALDO TECHNICAL SUPPORT

#### MIKE BARTON, PE, PTOE

Mike is an experienced civil engineer serving the Greater Philadelphia region. His focus has been on highway and traffic projects including signal design, traffic control, and other roadway analysis. Mike is familiar with software programs including MicroStation and Synchro/SimTraffic. He has worked on projects for public and private clients including PennDOT, Pennsylvania Turnpike Commission, and the City of Philadelphia as well as the City of Allentown and Montgomery County. Mike would apply his transportation experience in reviewing and updating New Garden Township's SALDO transportation design and improvement standards.

**Responsibilities:** Optional SALDO Technical Support - Transportation Design and Improvements Standards



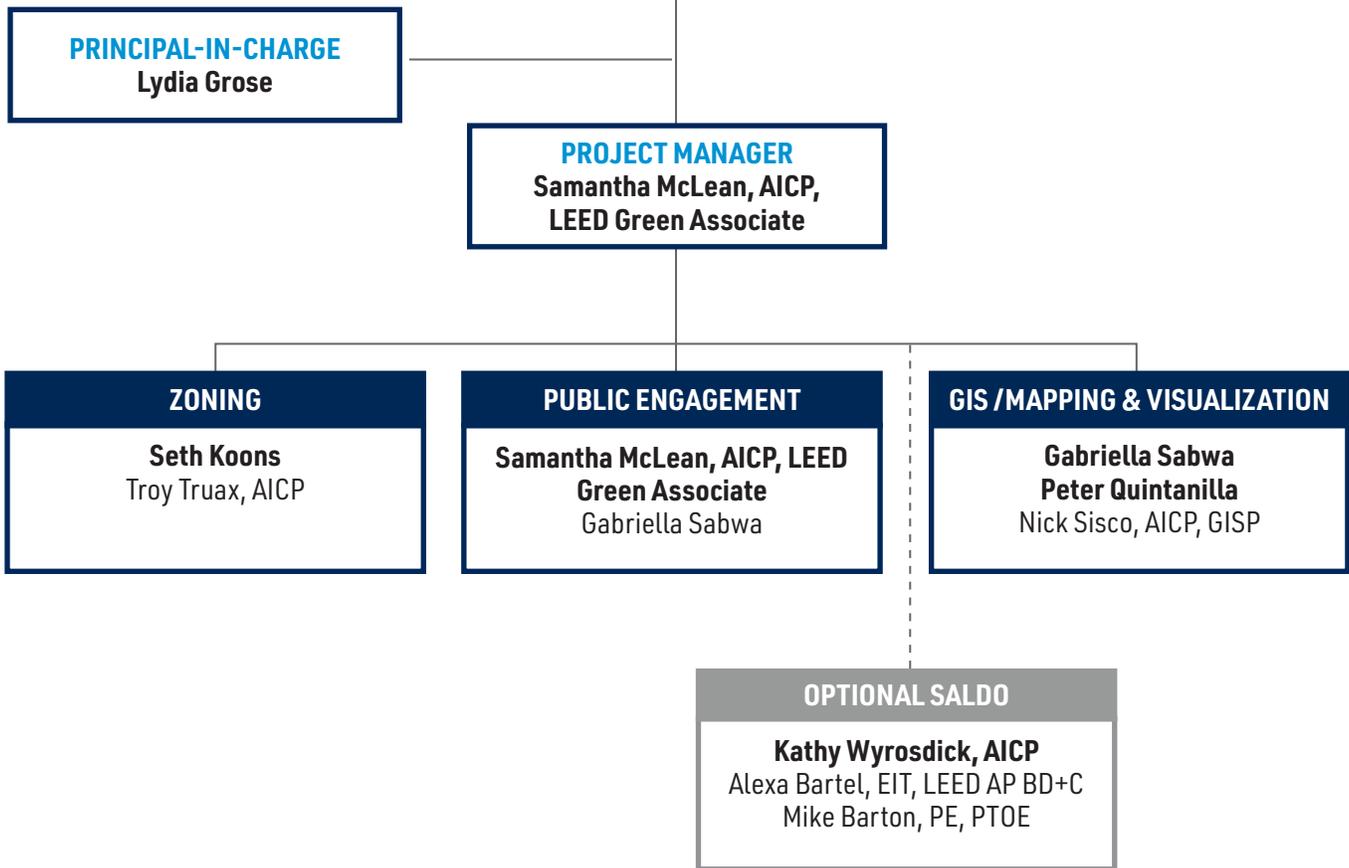
### OPTIONAL SALDO TECHNICAL SUPPORT

#### ALEXA BARTEL, EIT, LEED AP BD+C

Alexa is a civil associate whose strengths lie in her attention to detail, understanding of natural and manmade systems, and technical skills. She has experience providing engineering support services on various scales of land development projects, particularly in the areas of utility design, stormwater management, and permitting. Alexa's key technical skills include proficiencies in site development, subdivision and land development plan reviews, hydraulic and hydrologic modeling, green infrastructure, and AutoCAD Civil3D. Alexa would apply her experience in reviewing and updating New Garden Township's SALDO stormwater management and site-specific design and improvement standards.

**Responsibilities:** SALDO Technical Support - Stormwater Management and Site-Specific Design and Improvement Standards

# ORGANIZATIONAL CHART



# 2

# MINIMUM CRITERIA FOR CONSULTANT

Our team exceeds the minimum criteria for the consultant to be a certified planner (AICP) with at least 10 years of professional planning experience and 10 separate Zoning Ordinance projects for Pennsylvania municipalities.

**Troy Truax, AICP, Zoning Advisor**, brings over 27 years of professional experience in planning. He is actively leading a zoning ordinance rewrite in Gettysburg, PA, and has lead over 10 zoning ordinance rewrites in Pennsylvania in the last five years alone. In addition to his professional planning experience, Troy has continuously served on his local municipal zoning hearing board and planning commission for over 20 years. This includes serving three years on the Zoning Hearing Board in the Borough of Carlisle, Cumberland County, PA and 18 years on the Planning Commission in South Middleton Township, Cumberland County, PA.

**Seth Koons, Zoning Lead**, brings a decade of experience in the public sector, having served previously as the Planning Director in Peter's Township, PA. In this role, he authored updates to the zoning ordinance and SALDO and reviewed proposed developments. He understands how zoning ordinances can be updated to address existing challenges and achieve community development goals. He is currently working on the update to Indiana Borough, PA's zoning ordinance.

**Samantha McLean, AICP, Project Manager**, is currently leading a zoning ordinance and SALDO update for Upper Macungie Township, PA, and supporting the development of a Unified Development Ordinance in Sykesville, MD, and zoning ordinance and map update in Gettysburg, PA. She has over 10 years of planning experience in the public, nonprofit, and private sectors.

## Pennsylvania Municipality Zoning Ordinances Authored by Troy Truax, AICP since 2018 with Support by Project Team

- In Progress Gettysburg Borough (Adams County), PA Zoning Ordinance Rewrite
- Middlesex Township Zoning Ordinance Rewrite and Official Map Creation
- Monroe Township Zoning Ordinance Rewrite and Official Map Creation
- Newburg Borough (Cumberland County), PA Zoning Ordinance Rewrite
- Newville Borough (Cumberland County), PA Zoning Ordinance Rewrite
- Pine Township (Allegheny County), PA Zoning Ordinance Update
- South Middleton Township (Cumberland County), PA Town Center Zoning District Creation
- Susquehanna Township (Dauphin County), PA Zoning Ordinance Rewrite and Official Map Creation
- West Hanover Township (Cumberland County), PA Zoning Ordinance Rewrite
- West Pennsboro Township (Cumberland County), PA Zoning Ordinance Rewrite



# 3

# RESPONSE TO SCOPE OF WORK

The proposed scope is based on the RFP Scope of Work, in addition to our experience updating zoning ordinances and maps and our understanding of the Township's goals.

The comprehensive zoning ordinance and map update will be consistent with the Township's Comprehensive Plan, Village of Toughkenamon Streetscape and Transportation Improvement Plan, and Official Map, and comply with Pennsylvania's Municipal Planning Code (MPC).

The following section outlines Michael Baker's approach and methods to successfully perform and deliver the Township's new zoning ordinance and map. The proposed approach and methods may be further refined to achieve a scope of work and budget that best addresses the Township's project needs and objectives.

Additionally, an optional task to update the Subdivision and Land Development Ordinance (SALDO) is included. Based on challenges and goals included in the RFP, Michael Baker believes a parallel update to the Township's SALDO would help achieve cohesive design guideline goals and address the existing inflexible and burdensome SALDO requirements. Together, the updated zoning ordinance and SALDO would work together as a set of land use regulations to support the Township's housing and economic development goals.

## TASK 1 REVIEW OF PREVIOUS PLANNING INITIATIVES & CURRENT ZONING ORDINANCE DIAGNOSIS

Michael Baker will conduct a thorough review of the Township's relevant planning documents and policies to establish a foundation for the zoning ordinance rewrite and zoning map update. At the end of this task, Michael Baker will produce a memo outlining key findings and considerations for updating the ordinances. The memo will also include key takeaways from the identified plans and site tour.

### TASK 1.1 Literature & Data Review

The review will include an evaluation and understanding of the following:

- Comprehensive Plan (2018)

- Village of Toughkenamon Streetscape and Transportation Improvement Plan (2020)
- Official Map (2019)
- Current zoning ordinance and map (including text and map amendments)
- Past Zoning Hearing Board cases and decisions
- Other relevant data and information as identified by the Township

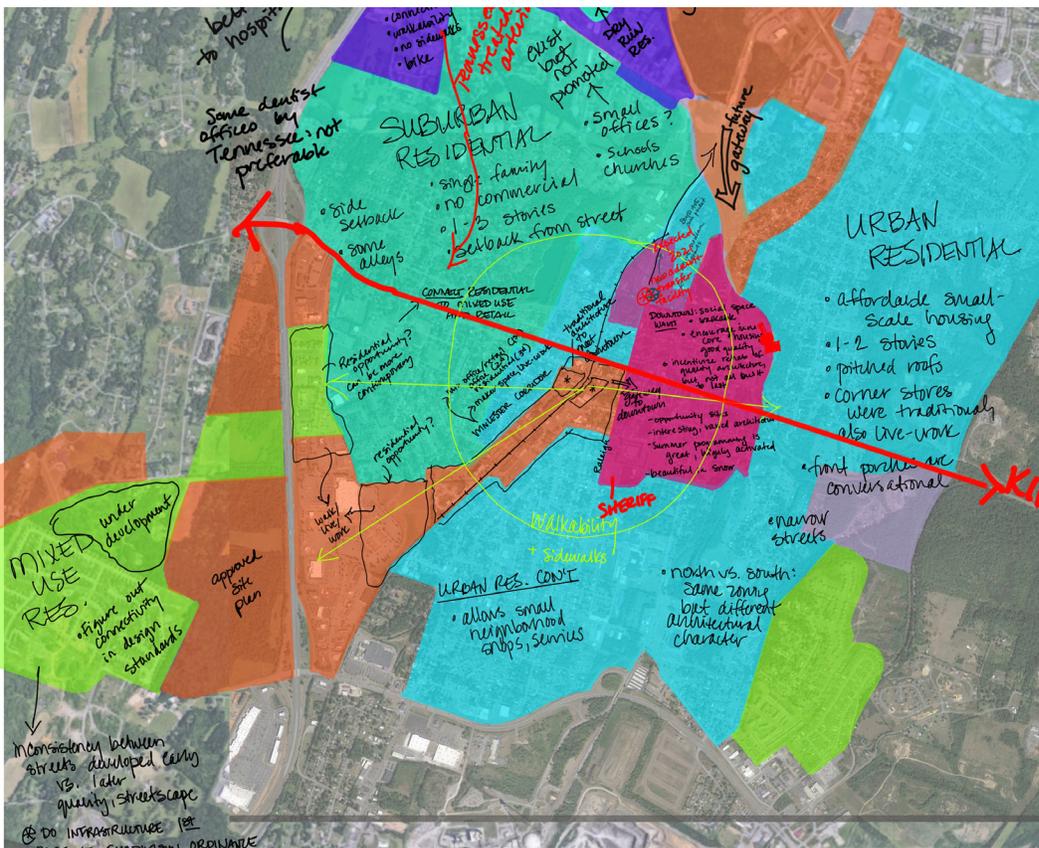
Michael Baker will coordinate the review with the Township to ensure our understanding is in proper context with the rewrite processes. One of the monthly meetings with the Township (see **Task 3**) at the beginning of the process will be reserved for an interactive code diagnosis workshop.

### TASK 1.2 Site Tour

To supplement the interviews and literature and data review, the Michael Baker team will conduct a site tour of the Township according to the zoning districts delineated in the zoning map to obtain a first-hand understanding of the zoning ordinance's permitted uses and dimensional applications. The site tour will be conducted with participants identified by the Township, including staff and other relevant representatives and entities. The knowledge gained from the site tour will help provide additional context and understanding of the Township's existing land use, development composition, agricultural areas, corridors, and zoning districts. Our team understands that the current zoning map may not be congruent with the goals of long-term development in the Township, and therefore the site tour will include notation of potential discrepancies and inconsistencies between the current zoning map and land uses, and community goals as stated in the Comprehensive Plan.

### TASK 1 Deliverables

- Collection and evaluation of relevant planning and ordinance documents, including accessing the current ordinances through Municode, and review of the Comprehensive Plan
- Township Site Tour
- Zoning Ordinance Diagnosis Memo



Neighborhood Character Areas Map Used in a Workshop

and revitalization. The mapping exercise will be informed by the Township's goals for encouraging mixed-use development in some areas, accommodating growth along major corridors, addressing the impact of agricultural uses on nearby residential areas, designating principal agricultural uses, and promoting housing diversity. Neighborhood character zones will consider how or where these goals fit into each character zone. Although this discussion will not be prescriptive, the exercise will help craft zoning districts that reflect the Township's current constraints, values, and visions.

### TASK 2.2 Form-Based Map

A form-based map will be created for New Garden Township that will illustrate the Township's built environment hierarchies based on density, building form, and building placement. This is a valuable illustrative tool that our team has used repeatedly to help communities understand the physical impact of

zoning on future development. The form-based transect builds upon the neighborhood character zones map and visually organizes proposed districts by scale. This is a powerful graphic aid that helps communities quantify the impact of their visions on actual form and density, and helps move the conversation forward towards establishing clear consensus on the proposed zoning districts.

### TASK 2.3 Draft Zoning Map

A draft zoning map will then be created for initial review and comment by Township staff and the public (see Task 3). Michael Baker will work with and rely upon the Township's and Chester County's GIS datasets to prepare the new zoning map. The County's tax parcel data will be used as the base mapping layer to delineate the zoning districts along parcel boundaries. The zoning district's color-coding scheme will conform to an acceptable industry standard such as the American Planning Association's Land-Based Classification Standards (LBCS).

## TASK 2 EVALUATION OF EXISTING NEIGHBORHOODS, COMMERCIAL CORRIDORS, AGRICULTURAL AREAS, & ZONING DISTRICTS

Based on Task 1, public outreach, and the sub-tasks below, Michael Baker will identify where to preserve or alter the existing zoning districts and where to create new districts.

We recognize that New Garden Township has many unique areas and our team will work collaboratively with the Township to create context-sensitive regulations.

The Township's zoning district boundaries will be developed using a three-step approach that incorporates the existing character with the community's future goals following the model of zoning districts that prioritize character first and uses second.

### TASK 2.1 Neighborhood Character Zones

The past development patterns of the Township will be assessed through a mapping exercise that will define the Township's neighborhood character zones. These will include areas of the Township that have experienced significant new development or redevelopment, areas of perceived community significance, areas desired for preservation of character, environmentally sensitive areas, and areas potentially in need of reinvestment

### TASK 2 Deliverables

- Neighborhood character zones map
- Form-based transect map
- Draft zoning map

# TASK 3

## PUBLIC OUTREACH

The Michael Baker Team will work collaboratively with Township staff, the Planning Commission, the Zoning Hearing Board, the Board of Supervisors, and the community to facilitate an open and transparent engagement process. Michael Baker will develop a clear process that will inform community stakeholders and provide multiple opportunities for feedback and discussion.

### TASK 3.1 Monthly Township Staff Meetings

Michael Baker's Project Manager, Samantha McLean, AICP, LEED Green Associate, will serve as the Township's main point of contact throughout the project performance period. Samantha will focus on maintaining open lines of communication and fostering coordination between the Township and the Michael Baker team to guide the rewrite process. Michael Baker will schedule and facilitate timely meetings with the Township to obtain relevant information and data, review draft work products, and identify and address issues or concerns that may impact the project's progress and successful execution.

Michael Baker will schedule a kickoff meeting with Township staff and other key stakeholders such as the Board of Supervisors and the Planning Commission to initiate the project, set up milestones, and establish points of contact to ensure a quick turnaround of information and data collection.

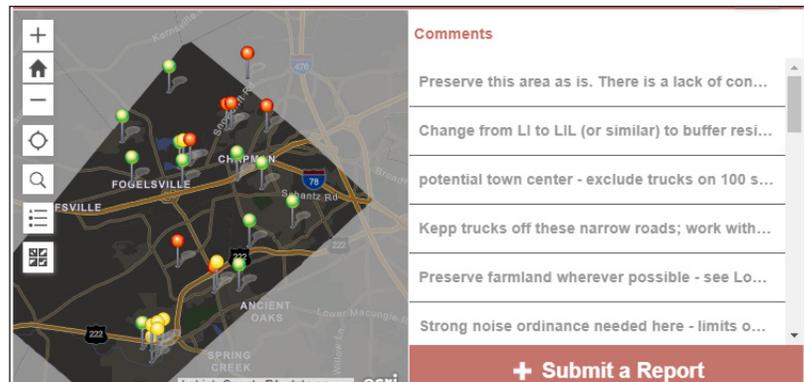
At this meeting, we will accomplish the following:

- **Review and refine** the project scope of work (SOW) and milestone schedule for draft and final work products.
- **Establish** a meeting schedule that aligns with the milestone schedule.
- **Identify and discuss** challenges/ issues with the current Zoning Ordinance and Zoning Map, including obtaining an inventory of associated text amendments, variances and waivers.
- **Discuss** expectations for team communication and status updates at specific project milestones.
- **Identify** information needs and data collection efforts.
- **Coordinate** with general code representatives to ensure the ordinance update process aligns with the Municode online publishing requirements.

Following the kickoff meeting, 17 additional meetings will be held with Township staff on a monthly basis. An agenda and materials will be distributed one week prior to the meeting to allow staff review time. Meetings will be designed and facilitated to be interactive and productive work meetings.

### TASK 3.2 Online ArcHub/StoryMap Website

To support public awareness and education about the process of updating the land use regulations, our team proposes establishing an online ArcHub/StoryMap website at the initiation of the public outreach process. The StoryMap will be a hub for information and updates on the project as well as a tool in helping to promote both online and in-person engagement. The StoryMap will feature materials and online versions of activities from the community meetings, so those who could not attend will be able to add their perspectives. Finally, the StoryMap can serve as an accessible and understandable platform to highlight the updates to the zoning ordinance and provide online tutorials on how to use these documents.



Screenshots from a Zoning & SALDO Update StoryMap. The top image shows an interactive activity used in the beginning of the process, whereas the bottom image shows the visualization of draft zoning districts later on in the process.



### TASK 3.3 Public Outreach Meetings

We propose hosting four public outreach meetings to garner feedback from community members and stakeholders. The public outreach meetings will be followed with an online counterpart component, on the website, to give all a chance to interact with the material.

Michael Baker uses visual engagement techniques throughout the development of the zoning ordinance to aid in communication of concepts and applications with the stakeholders and public. Zoning codes are traditionally text-heavy, and it can be difficult for the community to understand the implications of each regulation or topic. Our team brings a form-based approach not only to the product but to the process itself. Using illustrated 3D sketches, projected or shared-screen note taking, and 3D concept modeling, we illustrate the impact of zoning regulations on the built form. This visual approach helps communities to translate numbers such as density and coverage into understanding of how the neighborhood could change or be preserved.

The benefits of our visual participation process are to educate, communicate, and collaborate. Interactive discussions provide participants with the language and tools to understand zoning and express their input without requiring technical knowledge. Communication is stronger and flows easily between the consultant team and community participants when everyone can see, understand, and respond to the content being discussed. By ensuring that everyone is empowered and equipped to participate in shaping the outcome, our process is proven to build strong community consensus.

To help the Township get the word out about the public outreach meetings, Michael Baker will design flyers, posters, handouts, or social media engagement materials as agreed on by the Township. The public outreach meeting schedule is proposed as follows:

**Public Outreach Meeting #1:** The first public outreach meeting will be Town Hall-style. The Michael Baker Team will introduce the project approach, major milestones, and expected timeline. The consultant team will provide a high-level presentation introducing key concepts and provide an overview on what the process will mean for the community and how they can get involved. Live polling will be conducted to understand the community's perspective on zoning challenges, opportunities, and general understanding. It is expected that this meeting will take place during **Task 1**.

**Public Outreach Meeting #2:** The second public outreach meeting will be a workshop-style open house held in parallel with the review of existing neighborhoods, corridors, agricultural areas, and zoning districts in **Task 2**. Interactive activities will be designed to garner feedback on the draft zoning districts. Additionally, there will be an educational component to the meeting with information on

zoning based on questions/feedback from the first public outreach meeting.

**Public Outreach Meeting #3:** At the third public outreach meeting, an open house style event – potentially held in conjunction with a community event, the consultant team will bring initial concepts and proposed updates to the public in an accessible and understandable format. The team will utilize live polling and/or surveying tools to receive feedback as well as have station-based Q&A.

**Public Outreach Meeting #4:** The fourth public outreach meeting will be designed as a Town Hall-style meeting to present the zoning ordinance and map updates, review the process for identifying the updates, and share the adoption process timeline with the public.

### TASK 3.4 Adoption Process Public Meetings & Hearings

In addition to the public outreach, there will be public meetings and public hearings which will provide more opportunities to inform the public of the new zoning ordinance and provide opportunities for questions and answers during the adoption process. Michael Baker will provide presentations and be available to answer questions at two Planning Commission meetings and two Board of Supervisors hearings during the adoption process.

Through the public meetings and hearings with the Planning Commission and Board of Supervisors, the public will have the opportunity to comment and provide feedback during the 45-day public comment period for the ordinance. The team will present high-level overviews of the final drafts and provide a mechanism for public questions and feedback.

#### TASK 3 Deliverables

- 18 meetings with Township staff (5 in-person; 13 virtual)
- ArcHub/StoryMap Website
- Four (4) Public Outreach Meetings
- Four (4) outreach designs for advertising the Public Outreach Meetings
- Two (2) Public Meetings with the Planning Commission
- Two (2) Public Hearings with the Board of Supervisors
- Monthly status reports written to be shared with stakeholders and Townships staff

# TASK 4

## DRAFTING THE DOCUMENT

The zoning ordinance update will be conducted across a shared timeline alongside **Task 3 - Public Outreach** and the **Optional Task 6 - SALDO Update**. These tasks will each inform one another and Michael Baker will regularly communicate with the Township and amongst our team to ensure that concepts are understood and community support is achieved. Throughout **Task 4** as the ordinance text is drafted, we anticipate releasing the draft in incremental segments, accompanied by short summaries and/or graphic examples to describe new concepts or key changes. Zoning ordinances are typically information-heavy and Michael Baker will endeavor to present the draft in simplified and digestible stages.

The zoning ordinance rewrite process has the following steps:

**Step 1:** Develop an outline of articles for the new zoning ordinance based on the Township's unique circumstances and needs and the Pennsylvania Municipalities Planning Code (MPC), Act of 1968, P.L.805, No.2 47 as reenacted and amended. The outline will consider the current zoning ordinance, zoning best practices, case law, and MPC requirements as applicable to New Garden Township, in addition to the Comprehensive Plan goals. Some of the best practices to be considered are mixed use districts and corridors, form-based design standards, adaptive reuse, missing middle zoning, and specific agricultural uses and regulations.

**Step 2a:** Once the outline in Step 1 is approved by Township staff, we will draft each section. Drafts of individual articles or sets of articles will be shared with Township staff for review and comment according to an agreed-upon milestone completion schedule. The drafts will include text, tables, and graphics to create clear, consistent, and simple regulations.

**Step 2b:** Identify existing and new uses according to their respective zoning districts as part of the article drafting process. This will include the development of a simplified matrix that cross-references the uses and zoning districts by the level of use permission (i.e., permitted use, special exceptions, conditional use). To the greatest extent possible, the uses and their descriptions will incorporate industry standard nomenclature.

**Step 3:** Develop a draft list of terms to define based on the drafts developed under Step 2a. Create definitions for each term using text with graphics where applicable.

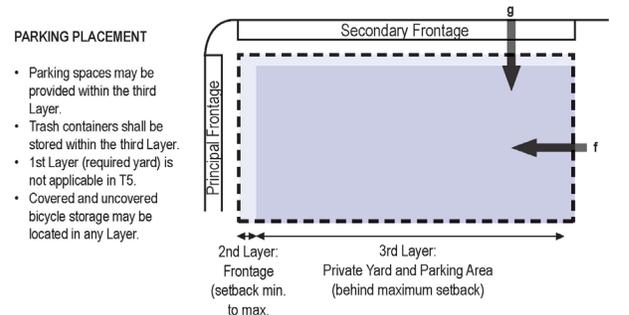
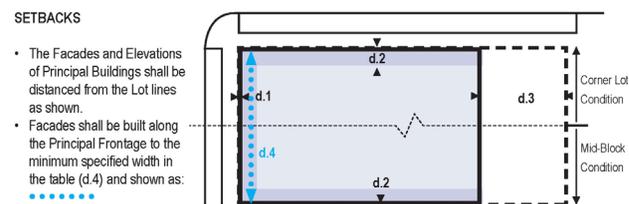
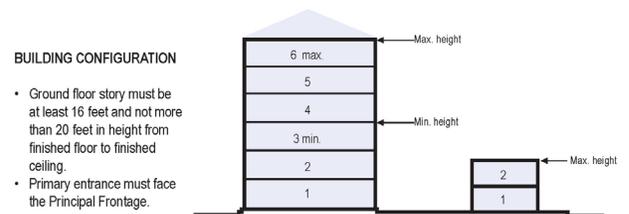
**Step 4:** Compile the draft sections into a single draft zoning ordinance that is searchable in a Microsoft Word format, and link the zoning ordinance and zoning map products by

zoning district. A comprehensive QA/QC of the draft Zoning Ordinance will be conducted..

The Michael Baker Team, working with the Township, will engage representatives from the Chester County Planning Commission to review and discuss the draft ordinance.

Working alongside the Township, the consultant team will facilitate a review of the draft zoning ordinance with the the Township Solicitor prior to proceeding with the zoning ordinance adoption process pursuant to the MPC. This approach will also help familiarize and inform the Township Solicitor in the ordinance's administration and enforcement.

**Note:** Michael Baker also recommends that an independent legal review of the draft Zoning Ordinance be completed by the Township solicitor or solicitor specializing in land use with a thorough knowledge of the MPC.



Example of graphics that accompany the bulk and area regulations for each of the zoning districts. Graphics aid accessibility and comprehension of the regulatory concepts.

## TASK 4 Deliverables

- Draft and final zoning ordinance and zoning map, plus adopting resolution
- Draft Zoning Map (see Task 2)

## TASK 5 ADOPTION PROCESS

Michael Baker will incorporate comments received on the draft ordinance into a final zoning ordinance and map and then work with Township staff and the Township solicitor to initiate the adoption process. The zoning ordinance will be enacted pursuant to MPC Section 607, Preparation of Proposed Zoning Ordinance, and Section 608, Enactment of Zoning Ordinance. The enacted ordinance will repeal and replace the Township's existing zoning ordinance. The enactment process will include two public meetings of the Planning Commission and two public hearings by the Board of Supervisors pursuant to MPC Sections 607 and 608. More details regarding these meetings are covered in **Task 3 - Public Outreach**.

## TASK 5 Deliverables

- One complete electronic copy of the final Ordinance in Microsoft Word
- GIS shapefiles of a proposed updated Zoning Map
- Bound copies of the final zoning ordinance (if requested by Township)
- Electronic copies (in an editable format) of all materials, research, data, GIS shapefiles, etc., developed or collected over the course of the ordinance development

## OPTIONAL TASK 6 SALDO UPDATE & ADOPTION

The RFP identified a burdensome and inflexible SALDO that restricts design flexibility. This leads to an over reliance on the Zoning Hearing Board for Special Exceptions and Variances. The Township also identifies the need for cohesive design guidelines for site development and a SALDO that allows for innovative approaches to accomplish identified goals while preserving existing community character.

Based on these challenges and goals, Michael Baker proposes an update to the SALDO, in addition to the zoning

ordinance and map, to ensure these land use regulations are in alignment and work together to accomplish the Township's development intent.

If the Township decides to pursue this task, no change to the 18-month timeline is anticipated. Updates and workshopping the SALDO update will be integrated into the planned monthly meetings with Township staff and public outreach meetings. The SALDO would be updated along a parallel timeline with zoning ordinance.

### TASK 6.1 SALDO Diagnosis

Following a similar approach as outlined in **Task 1**, the consultant team will conduct a thorough review of the existing SALDO and work with the Township staff to understand the major challenges with the ordinance.

### TASK 6.2 SALDO Update & Adoption

The SALDO will be developed as follows:

**Step 1:** Develop an outline for the new SALDO based on MPC Section 503 (Contents of SALDO) applicable articles based on the current Land Development Ordinance, plus other applicable sections deemed necessary by the Michael Baker Team in consultation with Township staff. The outline will consider both the current SALDO, plus best practices research that will identify other recently adopted SALDOs pursuant to the MPC.

**Step 2:** Draft each section based on the approved outline and share each drafted section(s) with Township staff for review and comment according to an established milestone completion schedule (note, similar to the zoning ordinance rewrite, the goal is to submit individual draft SALDO articles or sets of draft articles to the Township for review instead of the entire draft ordinance at one time to manage workload and review schedules).

The drafting process will include text, tables, and graphical depictions/illustrations (e.g., Standard Design Details for roadway, sidewalks, and trails) to simplify the regulatory requirements and standards for the Township's administration and enforcement responsibilities, and interpretation and application by users. Additionally, the draft SALDO will incorporate relevant form-based standards included in the zoning ordinance and integrate current stormwater management regulations to support sustainable and green development. All requirements, standards and objectives will be consistent with PEMA and FEMA regulatory guidance. The draft SALDO will include provisions that encourage the adaption and reuse of abandoned and/or underutilized commercial and industrial properties through flexible standards for adaptive redevelopment.

**Step 3:** Develop a draft list of terms that need to be defined based on the draft SALDO sections developed under Step

2. Definitions will then be developed for each term in text format and supporting graphics will be included where applicable.

**Step 4:** Compile the draft sections into a single draft SALDO that is searchable and bookmarked in Microsoft Word. A comprehensive QA/QC of the draft SALDO will be conducted to ensure the ordinance is free of spelling and grammatical errors.

As in the zoning update process, Michael Baker will work alongside the Township to facilitate a review of the draft SALDO with Township staff to proceeding with the SALDO adoption process pursuant to the MPC. This approach will also help familiarize and inform the Township in the ordinance's administration and enforcement.

**Note:** Michael Baker also recommends that an independent legal review of the draft SALDO be completed by the Township solicitor or solicitor specializing in land use with a thorough knowledge of the MPC.

**Step 5:** Enact the draft SALDO pursuant to MPC Section 504, Enactment of SALDO, and Section 506, Publication, Advertisement and Availability of Ordinance. The enacted ordinance will repeal and replace the Township's existing SALDO.

### TASK 6.3 SALDO Public Outreach

Information about the SALDO update will be integrated into the four public outreach meetings. An additional Planning Commission meeting and Board of Supervisors hearing can be scheduled for the SALDO adoption process; however, the zoning ordinance and SALDO update can be presented during the same Planning Commission and Board of Supervisors meetings based on the Township's preferred approach.

#### OPTIONAL TASK 6 Deliverables

- SALDO Diagnosis Memo
- Draft and final SALDO
- Attendance at Planning Commission meeting and Board of Supervisors hearing relative to the enactment process
- One complete electronic copy of the final ordinance, in Microsoft Word
- Bound copies of the final SALDO (if requested by Township)
- Electronic copies (in an editable format) of all materials, research, data, GIS shapefiles, etc., developed or collected over the course of the Ordinance development



# 4

# REFERENCES

The talented professionals we have assembled for the New Garden Township Comprehensive Zoning Ordinance and Map Update have worked together on multiple projects across the Commonwealth in the past few years, including successful Implementable Comprehensive Plans, Long-Range Planning, corridor plans, and zoning ordinances that utilize a hybrid approach and form-based regulations, and subdivision and land development ordinances. Included below are project references and work examples.

Project Name	Client Reference	Status
Complete Zoning and Land Development Ordinance and Official Map for the Town of McCandless	RJ Susko, Planning and Development Administrator Town of McCandless, Allegheny County, PA rsusko@townofmccandless.org 412-364-0616 Ext. 121	Adopted
Susquehanna Township (Hybrid) Zoning Ordinance and SALDO Rewrites and Official Map and Ordinance Development and Comprehensive Plan Sustainable Susquehanna 2030	Elizabeth (Betsy) Logan, AICP, Assistant Township Manager Susquehanna Township, Dauphin County, PA blogan@susquehannatwp.com 717-901-6050	Adopted
Walnut Bottom Corridor Master Plan and (Hybrid) Mixed-Use Zoning	Cory S. Adams, Township Manager South Middleton Township, Cumberland County, PA cadams@smiddleton.com 717-258-5324	Adopted
West Hanover Township Ordinance Rewrites	Michael H. Gossert, Township Manager West Hanover Township, Dauphin County, PA mgossert@westhanover.com 717-652-4841 Ext. 108	Adopted (Zoning) In progress (SALDO)
Marshall Township Ordinance Rewrites	Nicole Hanson, Township Planning Director/Zoning Officer Marshall Township, Allegheny County, PA nhanson@twp.marshall.pa.us 724-935-3090	In progress
Downingtown Comprehensive Plan (funded through Chester County Vision Partnerships Program)	Jeff Smith, Borough Manager Downingtown Borough, Chester County, PA jsmith@downingtown.org 610-269-0344 Ext. 203	In progress

# PROJECT EXAMPLE

## COMPLETE ZONING AND SALDO MODERNIZATION

TOWN OF MCCANDLESS, PA

Michael Baker updated the Zoning Ordinance and SALDO for the Town of McCandless. The former ordinances were first adopted in the 1970s with amendments added in over the years resulting in a complex ordinance that blurs the line between zoning and land development. Michael Baker worked with staff, a Task Force, and the Planning Commission to write new ordinances that are clear, consistent, easy-to-use, and provide the town with the tools they need to encourage the growth they want to see.

The new ordinances are grounded in the town's Comprehensive Plan adopted in 2019 and plain language best practices.

### McCandless Zoning

#### Legend

#### Boundary



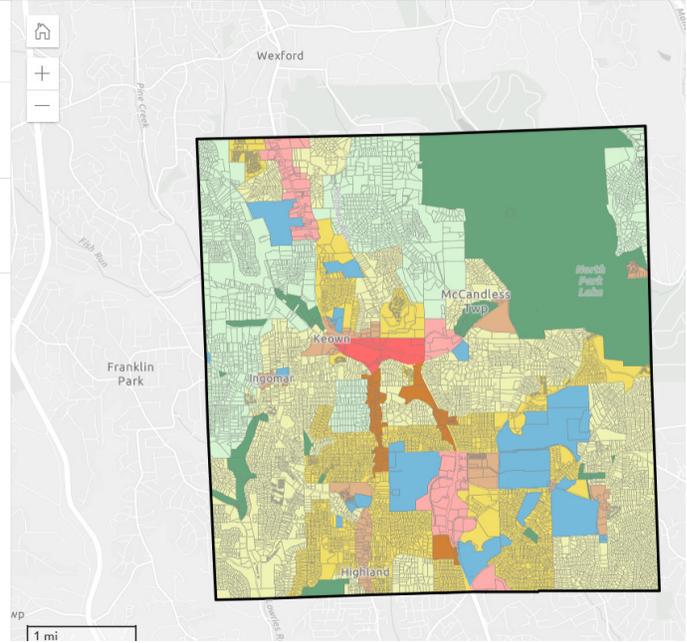
#### McCandless Parcels



#### McCandless\_Zoning

##### Zoning Color

- CD: Civic District
- R-VL: Very Low Density Neighborhood
- R-L: Low Density Neighborhood
- R-M: Moderate Density Neighborhood
- M-U: Urban District
- M-C: Corridor District
- M-N: Neighborhood Center
- TC: Town Center
- SD: Special District



Digitized Zoning Map

Comprehensive Plan goals were incorporated in the new ordinances to:

- Get people where they want without out a car. We updated single-use commercial districts to mixed-use commercial districts and incorporating incentives and design standards that deprioritize cars.
- Increase housing options. We added accessory dwelling units to residential districts and allowing a variety of housing options in the new mixed-use districts.

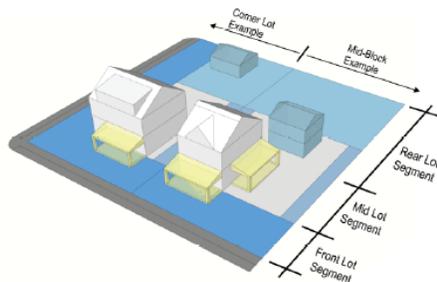
- Focus on redevelopment of deteriorating commercial areas. We designed mixed-use districts that encourage growth and development

The town's new zoning and subdivision and land development ordinances achieve the following project objectives:

- Flexible - The Zoning Ordinance's hybrid approach places emphasis on form and function and provides flexibility that is necessary in a dynamic development environment.
- Simple - Easy to navigate with a limited number of steps to research the regulations impacting parcel(s).
- Clear and Concise - Written in a clear and concise manner that minimizes ambiguity and technical language and is supported by graphical illustrations and photos to effectively communicate the ordinance requirements.
- Searchable and Maintainable - The ordinances are published in a format that is searchable and navigable.
- Online GIS-based Zoning Map - The zoning map is published online via ESRI ArcGIS to allow for easy and searchable access.

#### BUILDING FORM

The following diagram illustrates the Principal and Accessory Building configuration, Build-to Area and Setback, Private Frontages, and parking placement standards in the table (B, C, D, E, & F).



- C.1 & 2 Front & Secondary Street Setback
- C.3 Side Setback
- C.4 Rear Setback
- E. Private Frontages
- Buildable Area

Building Form Visualization for Residential District

# PROJECT EXAMPLE

## SUSQUEHANNA TOWNSHIP COMPREHENSIVE PLAN, OFFICIAL MAP AND ORDINANCE REWRITES

SUSQUEHANNA TOWNSHIP, PA

Michael Baker International (Michael Baker) assisted Susquehanna Township with preparing its new implementable comprehensive plan, Sustainable Susquehanna 2030, that was adopted by the Township Board of Commissioners in 2019. The comprehensive plan's priority issues were identified through an extensive public engagement process that included recurring meetings with a Citizens Advisory Committee (CAC), stakeholder focus groups, a public survey, and a series of neighborhood-based urban design workshops that created design illustrations for the Township's priority corridors needing reinvestment and revitalization. The plan included identified community development goals and objectives that were supported by a detailed policy action and implementation plan identifying partnerships, time frames, cost estimates, and potential sources of funding required for the plan's successful implementation.

Among other implementation steps, the Township immediately embarked on a comprehensive rewrite of its zoning and subdivision and land development codes, plus the creation and adoption of its very first Official Map. The Township selected Michael Baker to assist with these critical policy implementation needs.

Using the comprehensive plan and the urban design illustrations, the zoning ordinance rewrite was achieved using the rural-to-urban transect and Smart Code form-based approach as a basis to redefine the Township's zoning districts and articulate new building form standards for each new district. The ordinance rewrite also consolidated and streamlined the ordinance from its original 26 zoning code sections down to six. This approach consolidated all general administrative requirements into a single section and streamlined all district and use standards to include a standardized and defined list of permissible, accessory, and temporary uses. The uses were further defined by a single, easy-to-read, use matrix cross-referencing each use by either permitted by right or by special exception (Susquehanna Township does not use a Conditional Use process). Furthermore, the zoning ordinance included a new content-neutral sign code. The Township's subdivision and land development ordinance was then rewritten to be consistent with the new zoning ordinance.

Top Image: Graphics that accompany the bulk and area regulations for each zoning district.

Bottom Image: Visualization of how the zoning districts evolved from the transect map.

### MASSING

- Vertical articulation and massing must delineate a base, middle, and top level.
- Articulation may use changes in plane, material, or color; horizontal banding; or other design features.

ARTICULATION AT 30' MAX. INTERVALS

- Storefront Articulation Area requires signage and wall-mounted lighting, and is shown as:

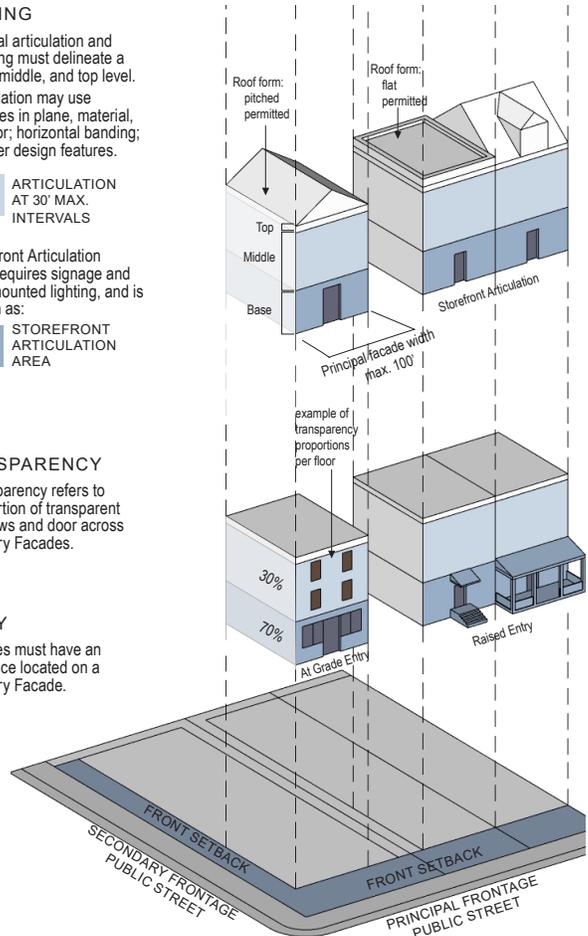
STOREFRONT ARTICULATION AREA

### TRANSPARENCY

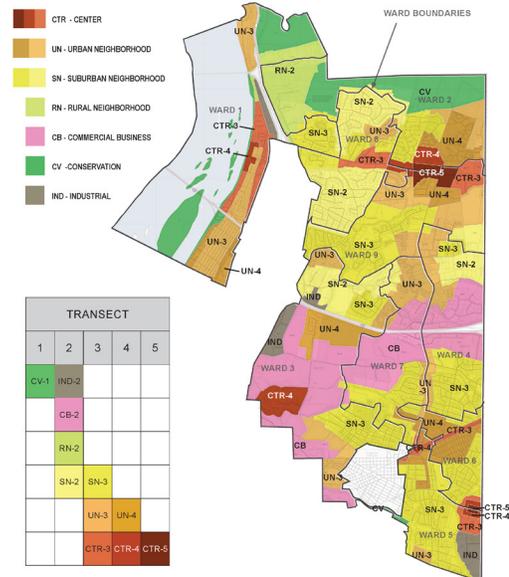
- Transparency refers to proportion of transparent windows and door across Primary Facades.

### ENTRY

- All uses must have an entrance located on a Primary Facade.



### ZONING DISTRICTS BY TRANSECT



# PROJECT EXAMPLE WALNUT BOTTOM MASTER PLAN AND ZONING UPDATE

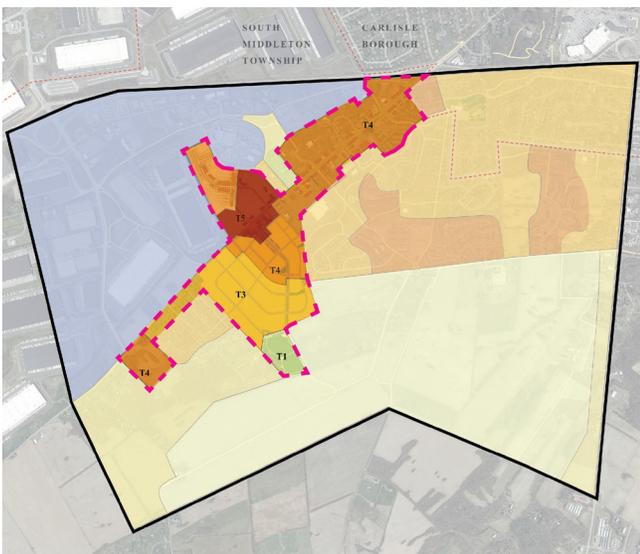
SOUTH MIDDLETON TOWNSHIP, PA

Michael Baker assisted South Middleton Township with preparing the Walnut Bottom Corridor Master Plan, which provides a stakeholder-driven revitalization and investment strategy for this suburban strip corridor near Carlisle, Pennsylvania. The project created an integrated urban design and multimodal connectivity strategy across three adjoining properties totaling nearly 200 acres that included a former K-Mart Shopping Plaza, a former United Telephone Office Building, and a vacant parcel. The master plan successfully coordinated the owners/proprietors of the three properties and developed a new form-based Mixed-Use Zoning District to advance the owners' respective development projects. Specific focus was placed on Complete Streets and trail access and expansion to achieve better community-wide connectivity.

The vision of the Walnut Bottom Corridor Master Plan is to embrace sustainable growth. Implementation of the goals and recommendations will transform the corridor into a well-designed and more accessible destination that is well connected to the Township of Carlisle and neighborhoods located in the northwestern portion of South Middleton Township. By leveraging both public and private investments, the Master Plan outlines a strategy for truly transforming the Walnut Bottom corridor into a vibrant place.



Visualization of Corridor (Before and After)



Draft Zoning Map

### Transects



T2 does not occur in the Mixed Use District.

Visualization of Transects Used as Basis for Zoning Map

# PROJECT EXAMPLE

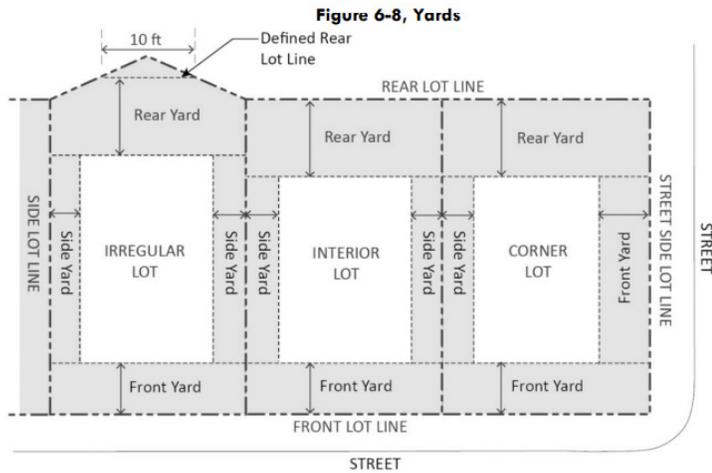
## WEST HANOVER TOWNSHIP ORDINANCE REWRITES

WEST HANOVER TOWNSHIP, PA

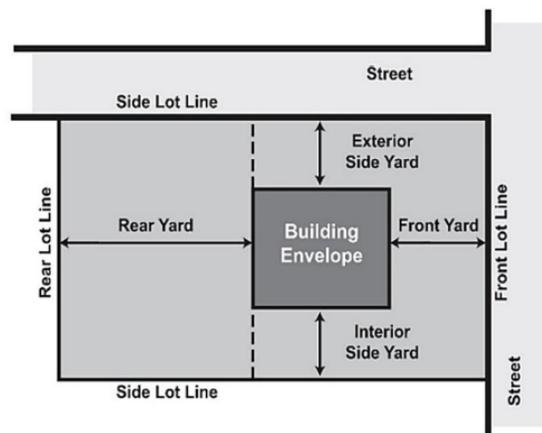
Michael Baker International was selected by the West Hanover Township Board of Commissioners to complete a comprehensive rewrite of the Township's Zoning Ordinance and SALDO.

The Zoning Ordinance, which was enacted in November 2023, was rewritten to be consistent with the recent comprehensive plan update and provide a modernized, streamlined approach to its administration. The new ordinance and Zoning Map includes two new Mixed-Use Zones, an Institutional Zone, and a Light Industrial Zone. The Township's new Zoning Ordinance consolidates the current Zoning Code's 29 articles into 6 concise articles: General Zoning Provisions, Zoning Districts, Zoning Uses, Supplemental Regulations, Signs, and Definitions. This provides a more streamlined approach to the Township's zoning enforcement and administration and increases its readability and comprehension by the developers and residents of the Township.

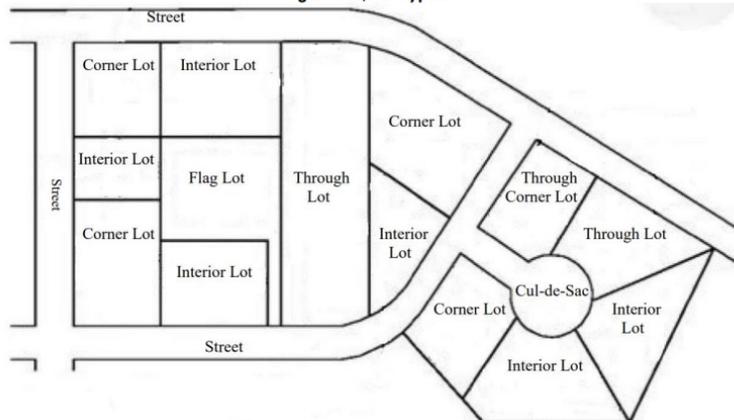
The SALDO rewrite is currently underway and will focus on incorporating text amendments, updating design standards and applicable standard detail drawings, and ensuring consistency with the newly enacted Zoning Ordinance.



**Figure 6-3, Building Envelope**



**Figure 6-7, Lot Types**



*Examples of visuals used in the West Hanover Township Zoning Ordinance to visually depict definitions.*

# PROJECT EXAMPLE

## MARSHALL TOWNSHIP ZONING ORDINANCE UPDATE

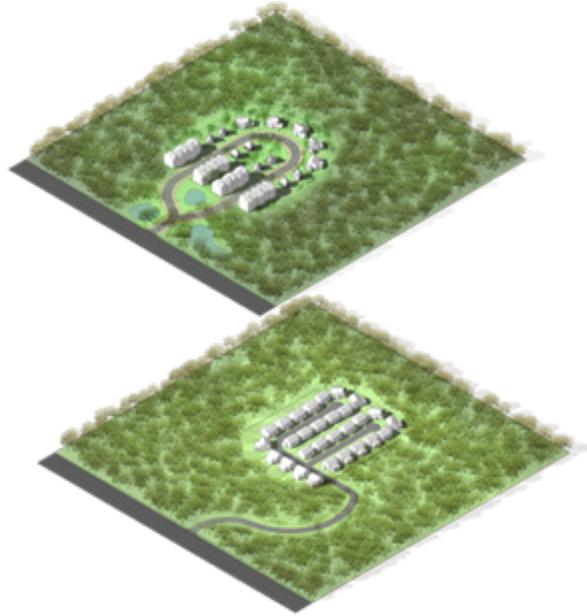
MARSHALL TOWNSHIP, PA

Michael Baker International was selected by the Marshall Township Board of Supervisors to complete a comprehensive rewrite of the Township's Zoning Ordinance and SALDO. The Zoning Ordinance is being rewritten to be consistent with the recent comprehensive plan update and provide a modernized, streamlined approach to its administration.

The new ordinance and Zoning Map includes a new Route 910 Overlay District to address the impact of a newly constructed access ramp off of I-79 and an overhaul of the Conservation Subdivision District.

The Township's new Zoning Ordinance consolidates the current Zoning Code's 29 articles into 9 concise articles: General Zoning Provisions, Zoning Districts, Overlay Districts, Zoning Uses, General Regulations, Signs, Non-Conformities, Procedures and Administration, and Definitions. This provides a more streamlined approach to the Township's zoning enforcement and administration and increases its readability and comprehension by the developers and residents of the Township.

The SALDO will focus on incorporating text amendments, updating design standards and applicable standard detail drawings, and ensuring consistency with the newly enacted Zoning Ordinance.



*Examples of visuals used in the Marshall ordinance rewrites.*

# 5

# GIS MAPPING & GRAPHICS EXPERIENCE

We understand the power of visuals to communicate complicated ideas and inspire vision for the future. Visualization is built into our approach throughout the planning process and embedded in each of the tasks. Our visual approach creates a shared understanding of the zoning ordinance and map's intent and makes them accessible to all stakeholders.

Visuals and mapping are incorporated into our approach in the following ways:

- A team with mapping and urban design experts. Nick Sisco, AICP, GISP (GIS/Mapping Advisor) and Gabriella Sabwa (GIS/Mapping Lead) are skilled in the ArcGIS Suite (ArcPro, ArcHub, ArcOnline, Storymap, etc.). Peter Quintanilla brings decades of urban design experience that he applies to visualizing the form-based zoning ordinances.
- Live sketching during work sessions and public meetings.
- 3D models and 2D diagrams incorporated throughout the ordinance to communicate concepts.
- Interactive, online mapping for public engagement.

The project examples included in the previous section demonstrate how we integrate a highly visual approach to our zoning ordinance update process.

**uses of a property**  
zoning regulates uses on private property

Zoning regulates what uses are permitted on the property. Use regulations are based on zoning district. Uses are regulated for principal uses (the primary uses for which the property is used) and accessory uses (smaller, subordinate uses supporting the principal use) such as fences, parking, sheds, and porches.

**zoning's purpose**  
a local ordinance to protect health, safety, & welfare

Zoning can help create communities we want or it can create barriers to our big visions set forth in the Comprehensive Plan. Zoning, in conjunction with SALDO, are the regulations that support the Comprehensive Plan's vision.

**how zoning works**

**districts**  
districts divide the Township into areas with similar goals and characteristics

Zoning regulations are applied to zoning districts. Each district has its own standards for uses (what can be on the property), as well dimensions for height of structures and where structures can be placed.

**setbacks**  
a density regulation based on spacing

Setbacks are the distance between the property line and the exterior edge of the structure. Setback regulations dictate where on the site a building can be placed. There are setback regulations for principal and accessory structures.

there are four common types:  
• front  
• rear  
• side  
• secondary street (ex. corner lot)

Educational poster designed for a public meeting.

# 6

# BILLABLE RATES & FEES

Included below are price proposals for the comprehensive zoning ordinance and map update and the optional SALDO update. The price proposals include detailed cost estimates for the tasks defined in the scope of work, as well as ODC expenses. ODC expenses include travel, meeting material production, display boards, and printing. The hourly rates and number of hours for each of the key personnel are also included. A menu of cost per additional services is also provided. The total fee for the Zoning Ordinance is \$99,308. The total fee for the optional SALDO is \$29,996.

## ZONING ORDINANCE PRICE PROPOSAL - LABOR & ODCS

Task Description	Hours	Cost
Task 1 - Review of Previous Planning Initiatives & Current Zoning Ordinance Diagnosis	86	\$10,410
Task 2 - Evaluation of Existing Zoning District	80	\$10,408
Task 3 - Public Outreach	355	\$44,486
Task 4 - Drafting the Ordinance	202	\$25,982
Task 5 - Adoption Process	28	\$3,204
<b>Total</b>	<b>751</b>	<b>\$96,308</b>
<b>Expenses</b>		
<b>ODCs (Travel, material costs, and printing)</b>		<b>\$3,000</b>
<b>Total Cost (Labor + ODCs)</b>		<b>\$99,308</b>

## ZONING ORDINANCE PRICE PROPOSAL - PERSONNEL RATES & HOURS

Personnel Rate	Hours	Hourly Rate
S. Koons, Zoning Lead	202	\$136
S. McLean, Project Manager	297	\$134
P. Quintanilla, Visualization Lead	32	\$236
G. Sabwa, GIS/Mapping Lead	206	\$92
N. Sisco, GIS/Mapping Advisor	8	\$130
T. Truax	6	\$249

	Koons	McLean	Quintanilla	Sabwa	Sisco	Truax	Task Totals
<b>Task 1</b>	48	12	0	24	0	2	86
<b>Task 2</b>	10	12	12	40	4	2	80
<b>Task 3</b>	48	173	20	114	0	0	355
<b>Task 4</b>	92	92	0	16	0	2	202
<b>Task 5</b>	4	8	0	12	4	0	28
<b>Labor Totals</b>	<b>202</b>	<b>297</b>	<b>32</b>	<b>206</b>	<b>8</b>	<b>6</b>	<b>751</b>
<b>Cost Total</b>	<b>\$27,472</b>	<b>\$39,798</b>	<b>\$7,552</b>	<b>\$18,952</b>	<b>\$1,040</b>	<b>\$1,494</b>	<b>\$96,308</b>
<b>ODC</b>							<b>\$3,000</b>
<b>TOTAL</b>							<b>\$99,308</b>

## SALDO PRICE PROPOSAL - LABOR & ODCS

Task Description	Hours	Cost
Optional Task 6 - SALDO Total	168	\$29,496
<b>Expenses</b>		
<b>ODCs (Travel, material costs, and printing)</b>		<b>\$500</b>
<b>Total Cost (Labor + ODCs)</b>		<b>\$29,996</b>

## SALDO PRICE PROPOSAL - PERSONNEL RATES & HOURS

Personnel Rate	Hours	Hourly Rate
A. Bartel, Civil Engineer	12	\$132
M. Barton, Civil Engineer	12	\$158
S. McLean, Project Manager	16	\$134
G. Sabwa, GIS/Mapping Lead	16	\$92
K. Wyrosdick, SALDO Lead	112	\$200

	Bartel	Barton	McLean	Sabwa	Wyrosdick	Task Totals
SALDO Labor Totals	12	12	16	16	112	168
Cost Total	\$1,584	\$1,896	\$2,144	\$1,471	\$22,400	\$29,496
ODC						\$500
<b>TOTAL</b>						<b>\$29,996</b>

Below is a list of additional services that can be added based on the Township's needs:

## ADDITIONAL SERVICES

Service	Rate
Ordinance printing and binding	\$75-100/copy based on # of pages
Additional Meeting with Staff	\$810 (inclusive of preparation, meeting participation of two MBI staff members, meeting facilitation, and summary of meeting action items)
Virtual Public Outreach Meeting	\$1,200 (inclusive of preparation, meeting outreach graphic, meeting facilitation, and meeting summary)
Additional In-Person Public Outreach Meeting	\$1,800 (inclusive of travel, preparation, meeting outreach graphic, meeting facilitation, and meeting summary)

# 7

# SCHEDULE

Michael Baker has demonstrated our ability to complete a variety of planning projects with defined timelines while maintaining the quality of deliverables. We will finalize the project schedule at the kick-off meeting and develop a detailed timeline that accounts for preparation time, needed review periods, timing of regularly scheduled meetings.

We propose a 18-month timeline:

	2024									2025								
Tasks	Apr*	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Task 1 - Zoning Diagnosis																		
Task 2 - Evaluation of Existing Zoning																		
Task 3 - Public Outreach	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
			○			○					○			○	○	○	○	○
Task 4 - Drafting the Document																		
Task 5 - Adoption Process																		
Optional Task 6 - SALDO Update															○		○	
Project Completion																		✓

## LEGEND

\* Start date contingent on contract execution and notice to proceed.

- MEETINGS WITH TOWNSHIP STAFF
- PUBLIC OUTREACH MEETING  
(INCLUSIVE OF BOTH ZONING & SALDO OUTREACH IF OPTIONAL TASK 6 IS PURSUED)
- PUBLIC MEETING/HEARING
- ✓ PROJECT COMPLETION
- SOW DELIVERABLES TIMELINES

# 8

# SUMMARY OF PUBLIC OUTREACH

We center our work on meaningful, intentionally inclusive public engagement, as developing exceptional places requires respect and understanding for the context, history, environment and people involved. We create community conversations to cultivate ideas, visions and initiatives and contribute expertise in building local capacity and support to bring them to life.

Our public outreach approach is presented in detail in **Task 3 - Public Outreach in the Scope of Work**. It includes the following components:

- An interactive ArcGIS StoryMap/Hub website to share information about the process and engage stakeholders.
- 4 public outreach meetings designed to effectively engage residents and a variety of stakeholders.
- Public outreach flyers and social media graphics for use in advertising the public outreach meetings.
- 4 public meetings/hearings associated with the adoption process (2 Planning Commission meetings and 2 Board of Supervisors hearings).

These components respond to both the Township’s public outreach requests and our experience conducting effective engagement for land use regulation update processes.



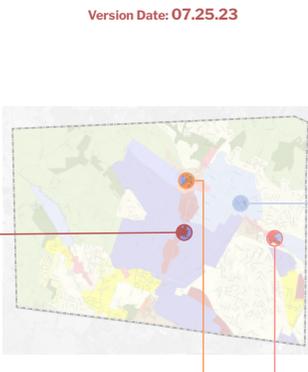
## VISUALIZE THE ZONING ORDINANCE

**A Mixed Use Corridor**

Version Date: 07.25.23

**How does Zoning enable this?**

- Mixed uses permitted
- Increased height and bulk permitted along major corridor
- Rear parking



**A Reimagined Industrial District**

**How does Zoning enable this?**

- Buffering standards
- Flexibility of uses
- Smaller footprints permitted
- Rear parking

*Example of a public meeting poster that uses visuals to engage and explain concepts.*

**A Walkable Village Center**

**How does Zoning enable this?**

- Mixed uses permitted allowing ground floor retail and upper floor residential or office
- Rear parking reinforces walkable streetscape
- Higher heights permitted

**Commercial Gateways**

**How does Zoning enable this?**

- Mixed uses permitted
- Buildings situated closer to street
- Rear parking
- Higher heights permitted
- Ground floor design standards

# 9

# SUMMARY OF APPROACH TO PROJECT

New Garden Township's zoning ordinance will uphold the values of the Comprehensive Plan and codify visions into clear, enforceable policies to guide development and maintenance. Updates to the ordinance and map will modernize the regulations to achieve the desired goals of sustainable development that respects the varying landscapes of the Township - from agricultural to village center. Our approach to updating the zoning ordinance and map is grounded in:

## AN ORDINANCE SPELLED OUT IN PLAIN LANGUAGE

We envision updating the ordinance with plain language. By that we mean language that is easily understood by people on both sides of the development application desk, crafted precisely to eliminate gray areas and leave little to interpretation. This language will be supplemented by graphics that provide further clarification to challenging concepts. We envision a code that is structured to respond to future preservation and growth in the Township.



## MODERNIZING THE ORDINANCES' FUNCTIONALITY

As a legal document, zoning ordinances are generally dependent on definitions and complex language to be enforceable: it thus requires a clear, concise, and consistent approach to make it more accessible and user-friendly. Michael Baker uses graphics extensively throughout working meetings, public communications, and final products to illustrate definitions, concepts, and impacts of various regulations in a format that's easy to follow.

Our AICP accredited planners ensure our products are



Municipalities Planning Code (MPC) code complaint, thorough, and grounded in realistic applicability. From clear and concise technical writing to consistent and attractive visual representation, we prepare zoning ordinances that are user-friendly and easy to interpret.

Michael Baker offers website development both for education and outreach throughout the process, as well as plan and map presentation. Our ESRI Storymap and ArcHub websites provide interactive mapping and make zoning maps highly accessible and fun to explore.

Legible documents and navigable online presentation of maps and key changes or new concepts will make new ordinances easy for residents to understand, facilitate adoption, and provide clear guidelines for enforcement.

## TAILORED HYBRID CODES

Our hybrid codes are tried, tested, and true in a variety of places and settings. Each municipality is unique and has distinct qualities to maintain: a form-based code can be an excellent tool for neighborhood preservation in some places, a driver of economic growth in others, or both. Much like overlay districts, it can apply to specific character areas or extend along transportation corridors to support smart growth patterns. Working with Township staff, our team will determine whether, how, and where such creative strategies could be a benefit to New Garden Township. Michael Baker has worked with municipalities across the Commonwealth to prepare ordinances that address changing residential trends, desire for mixed-use neighborhoods, growth along corridors, agricultural and historic preservation, and adaptive reuse of business and industrial parks. We will bring this experience along

with learned best practices and engage the Township in exploring the preferred and appropriate solutions.

### **BUILDING UPON NEW GARDEN'S FOUNDATION**

We commend New Garden's proactive planning efforts and subsequent plans, such as the Comprehensive Plan, Official Map, and Village of Toughkenamon Streetscape and Transportation Improvement Plan. The vision and strategies set forth in these planning tools set a solid foundation for updating the zoning ordinance and map. Additionally, it is evident that Township staff, the Board of Supervisors, and Planning Commission have been thinking critically about the challenges in the existing ordinance and opportunities for improvements, as outlined in the RFP.

The ordinance update will specifically address the following priority areas based on the plans and identified challenges and priorities, as well as integrate Michael Baker's nationally and regionally-vetted best practices:

- **Housing Diversity:** Missing middle housing types and multi-family housing within appropriate districts.
- **Corridor and Mixed-Use Development:** Mixed-use development along corridors, accommodating growth along Baltimore Pike and Route 41.
- **Agricultural Preservation and Adaptation:** Mitigating impacts of agricultural uses through buffering, agricultural use definitions and regulations, and adaptive reuse.
- **Redevelopment Opportunities:** Re-imagining the Airport Development Zone and Business Park Zoning District
- **Preserving Community Character:** Design standards and historic resource preservation.
- **Sustainable Development and Protection:** Natural resource protection and planning for the clean energy transition.
- **A Comprehensive Set of Regulations:** Special events/temporary use regulations, accessory use regulations, lighting and illumination standards, non-conforming use regulations, and a clear administrative process.

The comprehensive zoning ordinance and map update will achieve the following objectives:



**Simple:** Easy to navigate with a limited number of steps to research the regulations impacting a parcel.



**Clear and Concise:** Written in a clear and concise manner that minimizes ambiguity and technical language and is supported by graphical illustrations and photos to effectively communicate the ordinance requirements.



**Searchable and Maintainable:** The ordinance and map will be published in a digital format that is linked and cross-referenced. The Michael Baker Team will support the publishing of the zoning map online via ArcGIS Online for easy and searchable access by the public.



**Flexible:** The ordinance will consider form-based zoning approaches to place emphasis on form and function and to provide the flexibility that is necessary in a dynamic development environment.

# 10 ANTICIPATED START DATE

Our team is prepared to start the project soon after the March 18, 2024 selection date upon execution of the contract or notice to proceed. As outlined in the project schedule, we are prepared to complete the comprehensive zoning ordinance and map update, and optional SALDO update, within an 18-month timeline.





# APPENDIX: TEAM RESUMES

# SAMANTHA MCLEAN, AICP, LEED GREEN ASSOCIATE



## RELEVANT EXPERIENCE

### UPPER MACUNGIE TOWNSHIP ZONING, SALDO AND OFFICIAL MAP.

*Upper Macungie Township, PA*

*Project Manager*

Leads the Zoning Ordinance and SALDO update process to align with the goals of the 2019 comprehensive plan including managing and encouraging growth and development across the wide-variety of land uses and needs including agricultural, warehousing, logistics, trucking, residential, community gathering, and historical neighborhood commercial core uses. Creates accessible educational and engagement materials for online and in-person community engagement opportunities.

### BOROUGH OF GETTYSBURG ZONING UPDATE

*Borough of Gettysburg, PA*

*Senior Planner*

Leads development of the future zoning map and zoning district. Conducted an analysis of existing character and form, creating an existing character map and form map based on the urban-rural transect. Created a future zoning map and districts based on analysis and community goals. Drafting bulk and area regulations for zoning districts.

### INNOVATIVE HOUSING ANALYSIS

*Montgomery County, MD*

*Zoning Analysis Lead*

Analyzing exiting zoning code and proposed zoning amendments for their impact on the development of duplexes, triplexes, quadplexes, and cottage court. Identifying recommendations to address key barriers to creating missing-middle housing.

### SPRINGFIELD TOWNSHIP COMPREHENSIVE PLAN

*Springfield Township (Bucks County), PA*

*Senior Planner*

Supports aspects of comprehensive plan development inclusive of stakeholder engagement, public engagement, research and analysis, plan drafting, and final plan adoption. Supports monthly Steering Committee meetings.

### NON-MICHAEL BAKER PROJECT EXPERIENCE

#### ACCESSORY DWELLING UNIT REGULATORY FRAMEWORK

*Cincinnati, OH*

*Senior City Planner*

Wrote a regulatory framework for a proposed accessory dwelling units (ADUs) zoning code text amendment. The project consisted of case study research, identification of potential challenges and benefits of ADUs in the Cincinnati context, engagement with stakeholders, collaborating with the Law Department, and writing the framework.

#### TRANSIT-ORIENTED DEVELOPMENT OVERLAY DISTRICT REPORT

*Cincinnati, OH*

*Senior City Planner*

Initially collaborated, as an advisor, during an Urban Land Institute Technical Assistance Panel (TAP) focused on transit-oriented development (TOD), then wrote a report evaluating recommendations from the panel. The report included an analysis of the zoning and land use along seven transit corridors, case study research, findings from interviews with other municipalities, and recommendations on appropriate components of a transit overlay zoning code text amendment.

#### KENNEDY HEIGHTS NEIGHBORHOOD PLAN

*Cincinnati, OH*

*Project Manager*

Managed a neighborhood planning processes from kick-off to City Planning Commission approval. The process included creating a work plan, recruiting and leading stakeholder working groups, designing and facilitating vision, goal setting, and feedback workshops, conducting demographic, housing, and economic analyses to establish existing conditions, compiling feedback into a planning document, and designing the plan format.

## PROJECT MANAGER

### REGISTRATIONS

*American Institute of Certified Planners (AICP)*

*LEED Green Associate*

### EDUCATION

*Master of Community Planning, University of Cincinnati, DAAP*

*Bachelor of Arts in International Affairs, George Washington University*

### YEARS OF EXPERIENCE

*6 Years*

### AFFILIATIONS

*American Planning Association (APA)*

*U.S. Green Building Council*

# SETH KOONS

## RELEVANT EXPERIENCE

### INDIANA BOROUGH ZONING ORDINANCE UPDATE

*Indiana Borough, PA*

*Senior Community Planner*

Responsibilities include performing duties as a Senior Community Planner and Zoning Specialist on the project, including participating in and guiding discussions around necessary Zoning Ordinance updates, drafting and reviewing the new Zoning Ordinance, and preparing deliverables to provide to the Borough. The Design Hub is working with Indiana Borough on a new Zoning Ordinance that utilized the Smart Code Transect approach in coordination with their Comprehensive Plan to address ongoing issues in the Borough and to properly plan for future development.

### BEAVER COUNTY COMPREHENSIVE PLAN

*Beaver County*

*Senior Community Planner*

Responsibilities include performing duties as a Senior Community Planner on the project team, assisting with public engagement effort and project management. The Design Hub is assisting Beaver County with the update of their Comprehensive Plan – Beaver County FOCUS. Utilizing the PA DCED Implementable Plan Framework, the comprehensive plan update will serve as a 'living document' for the County providing clear, actionable, and measurable priorities to support a more connected, vibrant, and equitable Beaver County.

### NON-MICHAEL BAKER PROJECT EXPERIENCE

### PLANNING DIRECTOR (MARCH - SEP. 2023)

*Peter's Township, PA*

- Directly oversee all functions of the Township's Planning, Zoning, and Building activities
- Performed the technical work on all proposed updates to the Township's Zoning Ordinance and Subdivision and Land Development Ordinance.
- Attend meetings and provide professional opinions on items before the Township Planning Commission, Zoning Hearing

Board, and Township Council

- Participate and lead high-level meetings regarding residential and commercial projects in the Township

### ASSISTANT PLANNING DIRECTOR (2018-2023)

*Peter's Township, PA*

- Reviewed proposed subdivisions and commercial developments for consistency with the Township Zoning and Subdivision Ordinances
- Provided Township staff's opinions on items before the Township Planning Commission and the Zoning Hearing Board
- Assisted residents and stakeholders throughout the Township with questions regarding their property, properties they're interested in, and ongoing projects in the Township
- Served as an administrator during the implementation and daily use of a cloud-based permit and project tracking software with integrated GIS functionality
- Implemented various improvements to the Planning Department's processes and workflows

### PLANNING COORDINATOR (2017-2018)

*Westmoreland County, PA*

- Reviewed and provided input on draft documents and processes during the county's update of its Comprehensive Plan
- Responded to citizen concerns and questions regarding county-wide planning efforts, land developments, and zoning inquiries
- Utilized planning best practices in the courtesy review of proposed subdivisions and land development for 33 of the county's municipalities
- Provided graphics and GIS mapping services within the planning department, for sister departments, and for municipalities throughout the county



## TECHNICAL LEAD

### REGISTRATIONS

*American Institute of Certified Planners (AICP)*

### EDUCATION

*B.A., Urban Planning and Development, Ball State University*

### YEARS OF EXPERIENCE

*10 Years*

### AFFILIATIONS

*American Planning Association*

*Strong Towns*

*Congress for the New Urbanism*

*Urban Land Institute*

# TROY TRUAX, AICP

## RELEVANT EXPERIENCE

### CITY OF MARTINSBURG ORDINANCE REWRITES

*City of Martinsburg, WV*

*Project Manager*

Responsible for leading a multi-disciplinary team of land use planners and urban designers to prepare a new Zoning Ordinance and Subdivision and Land Development Ordinance, and digitizing the new Zoning Map, to be consistent with the City's Comprehensive Plan. The Zoning Ordinance was developed using the urban transect and form-based approach. Both the Zoning Ordinance and Subdivision and Land Development Ordinances provide the City with regulations that are simplified, clear and concise, and provide the long-term adaptability necessary in a dynamic development environment.

### INCLUSIONARY HOUSING ORDINANCE

*State College, PA*

*Project Manager*

Responsible for the preparation of the Borough of State College's Inclusionary Housing Ordinance. The ordinance encourages mitigates the impact of over-inflated housing prices driven by the Penn State University student housing market by requiring the development of working-class-oriented homes as part of larger residential and mixed-use development projects.

### MIDDLESEX TOWNSHIP ZONING ORDINANCE REWRITE AND OFFICIAL MAP CREATION

*Middlesex Township, PA*

*Project Manager and Technical Lead*

Responsible for managing and performing the professional consulting services to assist the Township Planning Commission and Board of Supervisors with completing a comprehensive rewrite of the Township's Zoning Ordinance and creating its first Official Map. The Zoning Ordinance rewrite process included revisions to the Township's Zoning Map to reflect the revised zoning districts that accommodated a new Agriculture District, two Mixed Use Zones, an Airport Hazard Overlay District, a Floodplain Overlay District, a Wellhead Protection Overlay District, and a Redevelopment Opportunity Overlay District for the Route 11 commercial and industrial corridor. This approach helps preserve the Township's protected agricul-

tural resources and scenic viewsheds, while accommodating and guiding new community and economic development initiatives. The new Zoning Ordinance is comprised of six succinct regulating articles that includes user-friendly tables, a standardized use matrix and use definitions, simplified sign regulations, defined terms with supporting graphic illustrations. In addition to the new Zoning Ordinance, Michael Baker lead the preparation of the Township's Official Map and adopting ordinance to identify future rights-of-way for the Township's potential acquisition for public use purposes.

### PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) PLANNING SERIES PUBLICATIONS UPDATE

*Harrisburg, PA*

*Project Manager*

Responsible for assisting DCED and the Pennsylvania Local Government Training Partnership to review and update each of the 10 Planning Series Publications. The update process seeks to incorporate differences in the overall planning viewpoint, offer up-to-date best practices, and reflect the latest changes in Pennsylvania Planning Law.

### SUSQUEHANNA TOWNSHIP ORDINANCE REWRITES AND OFFICIAL MAP DEVELOPMENT

*Susquehanna Township, PA*

*Project Manager*

Responsible for leading a multi-disciplinary team of land use planners and urban designers to prepare a new Zoning Ordinance and Subdivision and Land Development Ordinance, and digitizing the new Zoning Map, to be consistent with the Township's newly adopted implementable Comprehensive Plan. The Zoning Ordinance is being developed using the urban transect and form-based approach. Both the Zoning Ordinance and Subdivision and Land Development Ordinances will provide the Township with regulations that are simplified, clear and concise, and provide the long-term adaptability necessary in a dynamic development environment. In addition to the ordinance rewrites, Michael Baker prepared the Township's first-ever Official Map pursuant to the PA Municipalities Code requirements.



## ZONING ADVISOR

### REGISTRATIONS

*American Institute of Certified Planners (AICP)*

*GIS Professional (GISP)*

### EDUCATION

*M.S., 1996, Geography/ Environmental Studies, Shippensburg University*

*B.A., 1994, Geography and Urban Planning, Shippensburg University*

### YEARS OF EXPERIENCE

*27 Years*

### AFFILIATIONS

*American Institute of Certified Planners (AICP)*

*American Planning Association (APA)*

*Pennsylvania Planning Association (PPA)*

# PETER QUINTANILLA

## RELEVANT EXPERIENCE

### SUSQUEHANNA TOWNSHIP COMPREHENSIVE PLAN

*Susquehanna Township, Dauphin County, PA*

*Charrette Lead / Senior Designer*

Peter lead a two day public workshop to envision streetscape and connectivity improvements along a key retail corridor. Michael Baker provided urban design, public outreach, and visioning services for the development of the first comprehensive plan for Susquehanna Township in nearly 20 years. During its visioning and public outreach, Michael Baker identified six areas of focus for the townships, prioritizing the issues of redevelopment and creating a sense of place. Additionally, Michael Baker outlined recommendations for implementing a new form-based zoning rewrite, which aims to create a more predictably built environment with high-quality spaces.

### WALNUT BOTTOM CORRIDOR MASTER PLAN

*Carlisle, PA, South Middleton Township*

*Charrette Lead / Designer*

Michael Baker assisted South Middleton Township with preparing the Walnut Bottom Corridor Master Plan, which provides a stakeholder-driven revitalization and investment strategy for this suburban strip corridor near Carlisle, Pennsylvania. The project created an integrated urban design and multimodal connectivity strategy across three adjoining properties totaling nearly 200 acres that included a former K-Mart Shopping Plaza, a former United Telephone Office Building, and a vacant parcel. The master plan successfully coordinated the owners/proprietors of the three properties and developed a new form-based Mixed-Use Zoning District to advance the owners' respective development projects.

### MAIN STREET IMPERIAL REVITALIZATION

*Findlay Township, PA*

*Designer*

Michael Baker's Design Hub explored ideas to enhance trail connectivity, gateways and visibility to draw people into the town, and streetscape improvements to improve the experience of visitors and residents. Proposed strategies focused on activation and placemaking for short term revitalization, the conversion of a 1-way Main Street to 2-ways, and catalyst development sites to spur economic development.

Michael Baker provided a toolkit for implementation strategies to guide the Township through funding and next steps.

### ALLENTOWN HOSPITAL REUSE FEASIBILITY STUDY

*Lehigh Valley Economic Development Corporation, Allentown, PA*

*Charrette Lead / Senior Designer*

Michael Baker prepared the Allentown State Hospital Reuse Feasibility Study, funded through the USEPA's Brownfield Assessment Grant. This study included a detailed site conditions analysis; a market study; stakeholder engagement with employers, political representatives, and numerous organizations throughout the community; and the preparation of three development scenarios to test the site's capacity for redevelopment. Peter lead a series of virtual workshops and successfully achieved stakeholder engagement and consensus throughout the planning process. The three scenarios depict varying levels of investment in the site, which has substantial topography, as well as the capacity of different uses. The City will use this study as a roadmap for short term public investments and policy change and use the three scenarios to pursue partnership with a developer.

### FORBES AVENUE REGENERATION DESIGN

*Pittsburgh Downtown Partnership, Pittsburgh, PA*

*Designer*

Michael Baker led an effort to rethink Forbes Avenue, a historic significant street that bisects Market Square in downtown Pittsburgh. Forbes Avenue has been redeveloped with little attention to the historic significance and importance. Through this redesign effort, several alternatives were created that allowed the city of Pittsburgh to rethink the configuration of the street and create a more pedestrian-friendly atmosphere with more commercial and experiential focus. The new design will terminate on and complement Market Square, the historic hearth of the city of Pittsburgh.



## VISUALIZATION LEAD

## EDUCATION

*M.Arch., 2003, Architecture/Urban Design, University of Miami*

*B.A., 1999, Chemistry, University of Miami*

## YEARS OF EXPERIENCE

*22 Years*

## AFFILIATIONS

*Congress for the New Urbanism*

*Urban Land Institute*

*Association of Pedestrian and Bicycle Professionals*

*American Institute of Architects*

# GABRIELLA SABWA

## RELEVANT EXPERIENCE

### UPPER MACUNGIE TOWNSHIP ZONING, SALDO, AND OFFICIAL MAP

*Upper Macungie Township, PA*

*Community Planner*

Supports community engagement components of comprehensive plan and zoning update including developing interactive activities for community pop-up events and a community survey.

### UPPER MACUNGIE TOWNSHIP ZONING, SALDO, AND OFFICIAL MAP

*Upper Macungie Township, PA*

*Community Planner*

Assists the Zoning Ordinance update process through the drafting of the future zoning map using ArcGIS Pro along with the drafting of online components of the update for public and municipal use through the utilization of software including ESRI StoryMap, Living Atlas, and ArcGIS Online.

### SPRINGFIELD TOWNSHIP COMPREHENSIVE PLAN

*Springfield Township (Bucks County), PA*

*Community Planner*

Supports aspects of the comprehensive plan process through the drafting of report materials including the final report outline made using the Adobe Creative Cloud.

### DOWNINGTOWN BOROUGH COMPREHENSIVE PLAN

*Downingtown Borough, PA*

*Community Planner*

Supports aspects of the comprehensive planning process through public engagement initiatives including public event outreach, focus group meetings, and survey development and administration through the online software SurveyMonkey. Additionally, conducts existing condition analysis of pinpointed focus areas.

### BEAVER COUNTY COMPREHENSIVE PLAN

*Beaver County, PA*

*Community Planner*

Supports the public engagement piece of the comprehensive planning process by aiding in the conduction of initial stakeholder interviews.

### IMAGINE PIKE COUNTY 3025 COMPREHENSIVE PLAN

*Pike County, PA*

*Pike County, PA*

Assists comprehensive plan development through the synthesis of survey and existing conditions analysis and report drafting. Aids in public engagement initiatives including public event outreach and public material drafting using software such as ArcGIS Pro, ESRI StoryMap, and the Adobe Creative Cloud.



## GIS/MAPPING LEAD

### EDUCATION

*B.A., 2023, Geography and Urban Studies, Temple University*

### YEARS OF EXPERIENCE

*1 Year*

### AFFILIATIONS

*American Planning Association (APA)*

# NICK SISCO, AICP, GISP

## RELEVANT EXPERIENCE

### PLAN MARSHALL TOWNSHIP

*Marshall Township, PA*

*Planner: Engagement and Design | Pashek+MTR*

Responsible for document design, public engagement, and GIS analysis for the Implementable Comprehensive Plan for Marshall Township, a North Hills suburb of Pittsburgh. Key issues of this plan focused on preserving greenspace, revitalizing the community's town center through tactical pop-up incubators, establishing trail connection priorities, and providing zoning alternatives the areas surrounding a major highway interchange redesign.

### ASPINWALL IMPLEMENTABLE COMPREHENSIVE PLAN

*Aspinwall Borough, PA*

*Planner: Urban Design | Pashek+MTR*

Aspinwall is an affluent, Allegheny-riverside borough just outside of Pittsburgh that has a major PennDOT corridor splicing through it. Juxtaposed between a beautiful riverfront park and a historic neighbor, the wide, two-lane road creates a dangerous environment for pedestrians and cyclists. Responsibilities included designing traffic-calming, bike-friendly streetscape that would fit in the right of way and accentuate the character of the borough and other urban design renderings that depicted activated alleys for pedestrians.

### BRODHEAD ROAD CORRIDOR STUDY

*Beaver County, PA*

*Planner: Multimodal Planning and Design | Pashek+MTR*

This 11-mile corridor study began in Monaca and ended at the Allegheny County border. Tasks included establishing a bike and pedestrian network, identifying transit upgrades, and designing an interactive report that conveyed the study's findings in a succinct and aesthetic design.

### BETHEL PARK REDISTRICTING

*Bethel Park, PA*

*Project Manager and GIS Analyst | Pashek+MTR*

With the release of the 2020 census, the Municipality of Bethel Park required updated voting ward boundaries to balance populations and eliminate any gerrymandering. I analyzed the census data, redrew boundaries, conducted population and demographic analyses, and reported 4 possible alternatives to the Ward Redistricting Subcommittee at Bethel Park.

### PRT LONG-RANGE PLAN

*Allegheny County, PA*

*GIS Analyst, Cartographer, Public Engagement | Michael Baker International*

NEXTransit is a 25-year, long-range plan for the Port Authority of Allegheny County. Responsibilities include analyzing and visualizing transit origin/destination datasets, employment data, and other demographics, creating minimalist maps that could be easily understood by the public, and facilitating a public engagement campaign via online and paper surveys, online meetings, pop-up tents, press releases, and social media.



## GIS/MAPPING ADVISOR

### REGISTRATIONS

*American Institute of Certified Planners (AICP)*

*GIS Professional (GISP)*

### EDUCATION

*Master of Community Planning: University of Cincinnati, DAAP*

*Bachelor of Science in Geology and Environmental Science, Minor Geography (GIS), University of Tennessee, Knoxville*

*GIS Certificate*

### YEARS OF EXPERIENCE

*7 Years*

# KATHY WYROSDICK, AICP

## RELEVANT EXPERIENCE

### SUBDIVISION AND LAND DEVELOPMENT ORDINANCE UPDATES

- *McCandless Township, PA - SALDO*
- *Borough of Emmaus, PA - SALDO*
- *Marshall Township, PA - Zoning and SALDO*
- *Upper Macungie Township, PA - SALDO*

### COMPREHENSIVE PLAN AND SALDO

*Crawford County, PA*

*In-Progress*

Provided technical assistance to the County to update their Comprehensive Plan and develop a countywide SALDO.

### COMPREHENSIVE PLAN

*Franklin County, PA*

Developed a countywide Comprehensive Plan for Franklin County that created a countywide Character Area approach to future land use and development review.

### EAST BAYFRONT GREENWAY TRAIL PLAN

*Erie, PA*

*For the Redevelopment Authority of Erie*

Led a team of design professionals to develop a Plan that reimagined 50 blighted properties into a greenway trail system within a disadvantaged neighborhood in the heart of the City. The project concluded with a detailed plan for RACE to invest nearly \$1.5 million into the new East Bayfront greenway.

### ERNST TRAIL CONNECTION FACILITATION PROJECT

*Crawford County, PA*

*For the Economic Progress Alliance of Crawford County*

Working with the fiscal sponsor of a grant from the Mellon Foundation to complete a critical gap within the regional Ernst Trailway. This gap will help to connect the City of Meadville to the rest of the trail network and support their revitalization efforts.

### CUMBERLAND COUNTY LAND PARTNERSHIP PLAN

*Cumberland County, PA*

*In-progress.*

Worked with County Planning staff to update their Land Partnership Plan that sets countywide priorities for support and development of open space protection, parks, recreation, and natural resource preservation.

### NCPA CLEARFIELD-ELK

*North Central Pennsylvania Regional Planning and Development Commission*

*In-Progress*

Senior Advisor to creating a multi-county comprehensive plan in partnership with two rural counties in North Central Regional Planning and Development Commission's service area.

### NON-MICHAEL BAKER PROJECT EXPERIENCE

### DIRECTOR OF PLANNING AND NEIGHBORHOOD RESOURCES

*Erie, PA*

Oversaw the bureau of zoning, code enforcement, permitting, building inspection, planning, and historic preservation. Implemented multiple plans including the City's Comprehensive Plan, Active Erie Plan, Historic Preservation Program, ARPA funding, and neighborhood strategic plan. Developed and funded a robust digital and technology initiative for the City.

### ERIE COUNTY DIRECTOR OF PLANNING

*Erie, PA*

Oversaw the Erie County Department of Planning which administered various programs including SALDO review, CDBG, Farmland Preservation, Solid Waste Plan and Recycling, GIS, CZM and MS4 Assistance, and Cultural Heritage Planning.

### DIRECTOR OF PLANNING AND ZONING

*Fairmount, WV*

Oversaw the planning and zoning functions for the City of Fairmount. Developed revitalization plans, rewrote and administered the City's Zoning and SALDO ordinances, reviewed and approved development plans, researched and supported initiative such as landbanks, historic preservation programs, and park planning.



## SALDO TECHNICAL LEAD

### REGISTRATIONS

*American Institute of Certified Planners (AICP)*

### EDUCATION

*Master of Urban Planning, University of Michigan, 1998*

*Bachelor of Business Administration, Marshall University*

### YEARS OF EXPERIENCE

*25 Years*

# ALEXA BARTEL, EIT, LEED AP BD+C

## RELEVANT EXPERIENCE

### GENERAL ENGINEERING SERVICES

#### *Chippewa Township, PA*

##### *Civil Associate*

Provided engineering support to the Township by reviewing proposed subdivision and land development projects against local codes and ordinances and providing written responses detailing plan deficiencies. Responded as needed to miscellaneous on-call requests for small projects in the Township.

### GENERAL ENGINEERING SERVICES

#### *Darlington Township, PA*

##### *Civil Associate*

Provided engineering support to the Township by reviewing proposed subdivision and land development projects against local codes and ordinances and providing written responses detailing plan deficiencies. Assisted in design, bid, and permitting processes for a new waterline in the Beaver Falls Industrial Park.

### GENERAL ENGINEERING SERVICES

#### *Fallston Borough, PA*

##### *Civil Associate*

Supported the Borough in their participation in the Beaver County Community Development Block Grant program for a curb and sidewalk restoration project on Beaver Street. Produced existing conditions mapping and proposed curb and sidewalk designs to improve drainage and pedestrian facilities.

### GENERAL ENGINEERING SERVICES

#### *Findlay Township, PA*

##### *Civil Associate*

Assisted the Township in the resolution of a PADEP compliance issue during the termination of an NPDES permit for the Imperial Fire Department. Produced drainage models, maps, and supporting reports for coordination with the local Conservation District to achieve a mutually agreeable resolution within budgetary constraints.

### GENERAL ENGINEERING SERVICES

#### *Bradys Run Sanitary Authority*

##### *Civil Associate*

Responsibilities included performing technical reviews of water and sewer systems for proposed developments in the Bradys Run Sanitary Authority service area, as well as producing the Chapter 94 Municipal Wasteload Management Annual Report.

### SEPTA GENERAL ENGINEERING CONSTRUCTION MANAGEMENT AGREEMENT

#### *SEPTA*

##### *Civil Associate*

Provided full-time augmented staff support to SEPTA's Civil Engineering design department, including designs to bring existing facilities to ADA compliance. Coordinated with local agencies, utility companies, and other stakeholders to resolve complaints through collaborative engineering solutions.

### NON-MICHAEL BAKER PROJECT EXPERIENCE

### LEHIGH VALLEY HOSPITAL, HECKTOWN OAKS

#### *Lehigh Valley Health Network*

##### *Project Engineer*

Contributed to land development planning and design for major new hospital campus, starting from due diligence documentation and zoning ordinance modifications. Developed site layout, grading, utility plans, stormwater management controls, and NPDES permitting. Conducted flow rate monitoring study to identify pipe leaks and blockages in receiving sewer system, informing potential solutions to increase capacity for incoming sanitary sewage flows from new campus.



## SALDO TECHNICAL SUPPORT

### LICENSES/CERTIFICATIONS

*Engineer-In-Training, Vermont, 2015, 017.0111266*

*LEED Accredited Professional BD+C, 2019, 11214219-AP-BD+C*

### EDUCATION

*M.S.C.E., 2022, Civil Engineering, Temple University*

*B.S., 2016, Environmental Engineering, University of Vermont*

### YEARS OF EXPERIENCE

*6 Years*

# MICHAEL P. BARTON, PE, PTOE

## RELEVANT EXPERIENCE

### JORDAN CREEK GREENWAY TRAIL

Allentown, PA

*Civil Associate*

Responsible for developing a pedestrian scale lighting plan as part of the proposed bike/ pedestrian trail construction in the City of Allentown. Michael Baker provided planning, preliminary engineering, final design, permitting, and other services for the city, including the Jordan Creek Greenway Trail. This one-and-a-half-mile urban greenway connected the on-street bike network in Center City to Jordan Meadows Recreation Area, several residential neighborhoods, and Jordan Park. Key features of the project included custom gateways and wayfinding signage; rectangular rapid flashing beacon warning signals at trail crossings; infiltration trenches, bioswales, and other storm-water management features; and landscaping with street trees and warm-season grasses.

### EAST STATION AVENUE STREETSCAPE PROJECT

Coopersburg Borough, PA

*Civil Associate*

Responsible for helping to develop lighting plans along with details and wiring diagrams. Michael Baker completed final design plans for a 0.5 mile long streetscape, bicycle, and pedestrian improvement project that includes curb and sidewalk replacement, colorized/ textured crosswalks, new ADA curb ramps at all intersections, shared lane markings, and pedestrian scale ornamental lighting along East Station Avenue.

### COOPERSBURG STREETSCAPE PHASES 3, 4, 5, AND 7

Coopersburg Borough, PA

*Civil Associate*

Responsible for developing a pedestrian scale lighting plan as part of the streetscape improvements in Coopersburg Borough. Michael Baker provided final design plans for a 0.9-mile-long streetscape and pedestrian improvement project that includes curb and sidewalk replacement, colorized and textured crosswalks, new ADA curb ramps at all intersections, and pedestrian-scale ornamental lighting along multiple sections of Main Street and West State Street.

### NEWTOWN RAIL TRAIL DESIGN AND ENGINEERING SERVICES

Upper Southampton Township, PA

*Civil Associate*

Responsible for developing traffic signal plan at the intersection of S.R. 0232 (Second Street Pike) and Knowles Avenue. The intersection was altered to ensure connectivity with the Newtown Rail Trail, which crosses S.R. 0232. Michael Baker provided final design engineering services, environmental clearance, required permits, construction plans, specifications, and estimates (PS&E), and PennDOT approvals to construct the 2.55-acre Newtown Rail Trail along the former SEPTA right-of-way from County Line Road to Bristol Road.

### S.R. 222/73 INTERSECTION IMPROVEMENTS PRELIMINARY AND FINAL DESIGN

Maidencreek Township, PA

*Civil Associate*

Responsible for various traffic tasks and development of traffic plans for S.R. 222 Section 22S. Worked to design maintenance/ protection of traffic (MPT) plans and associated detour routes. Developed signing and pavement marking plans. Michael Baker provided preliminary and final design for intersection improvements developed to address existing traffic and safety issues. The improvements include capacity enhancements, turn lanes on the intersection approaches, two multilane roundabouts, and widening of S.R. 0222 to a five-lane cross section with two lanes in each direction with a center turn lane. Michael Baker developed designs for roadway geometry and drainage, signing and pavement marking, traffic control, highway lighting, erosion and sediment (E&S)/stormwater management (SWM) plans, final bid documents, cost estimate, and project specifications.

### HIGHLAND AVENUE TRAIL

For PA Environmental Council

*Civil Engineer*

Designed the traffic control plans for the Highland Avenue bike/pedestrian trail in Chester, Pennsylvania. Also assisted with the signing and pavement marking plans for the project.



## SALDO TECHNICAL SUPPORT

### LICENSES

*Professional Engineer, Pennsylvania, 2021, PE092233*  
*Professional Traffic Operations Engineer, 2023*

### EDUCATION

*B.S.C.E., 2015, Civil Engineering - Transportation Emphasis, The Pennsylvania State University*

### YEARS OF EXPERIENCE

8 Years

### AFFILIATIONS

*Institute of Transportation Engineers (ITE)*



**Michael Baker**

INTERNATIONAL





# Natural Lands

# Project Team

**Mike Buck, CPRP, CPSI**

*Parks & Open Space Superintendent  
New Garden Township*

**Rick Trailies, RLA**

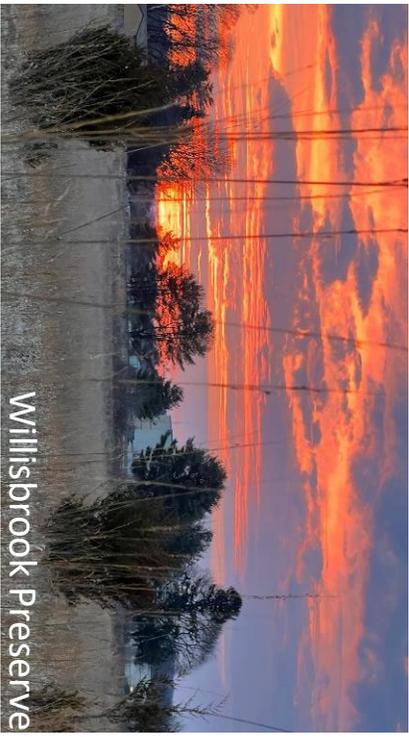
*Senior Director of Landscape Planning  
Natural Lands  
rtrialies@natlands.org*

**Kate Raman, AICP**

*Conservation Project Manager  
Natural Lands  
kraman@natlands.org*



Peacedale Preserve



Willisbrook Preserve



Gwynedd Wildlife Preserve



Fulshaw Craeg



Hildacy Farm Preserve



Stroud Preserve

# Scope of Work

- Preparation of Base Maps – Historic Aerials, Soils, Hydrology, Topography, Land Cover
- Site visits
- Site analysis
- Preliminary Site Planning: *Parking, trail systems, pavilions/gathering areas, land management strategies, miscellaneous site features & site furniture*
- Site Plans
- Landscape Plan
- Narrative Report
- Landscape and Land Management Rough Cost Estimates
- Public Participation & Meetings
  - *1<sup>st</sup> Committee Meeting (Completed – March 27<sup>th</sup>, 2023)*
  - *Public Meeting (Completed - July 18<sup>th</sup>, 2023)*
  - *5 Key person interviews (Completed)*
  - *1 Focus Group Meeting (Completed Site Walk – August 10<sup>th</sup>, 2023)*
  - ***1 Presentation to the Board of Supervisors (Tonight!)***

## Funding for this plan has been provided by:

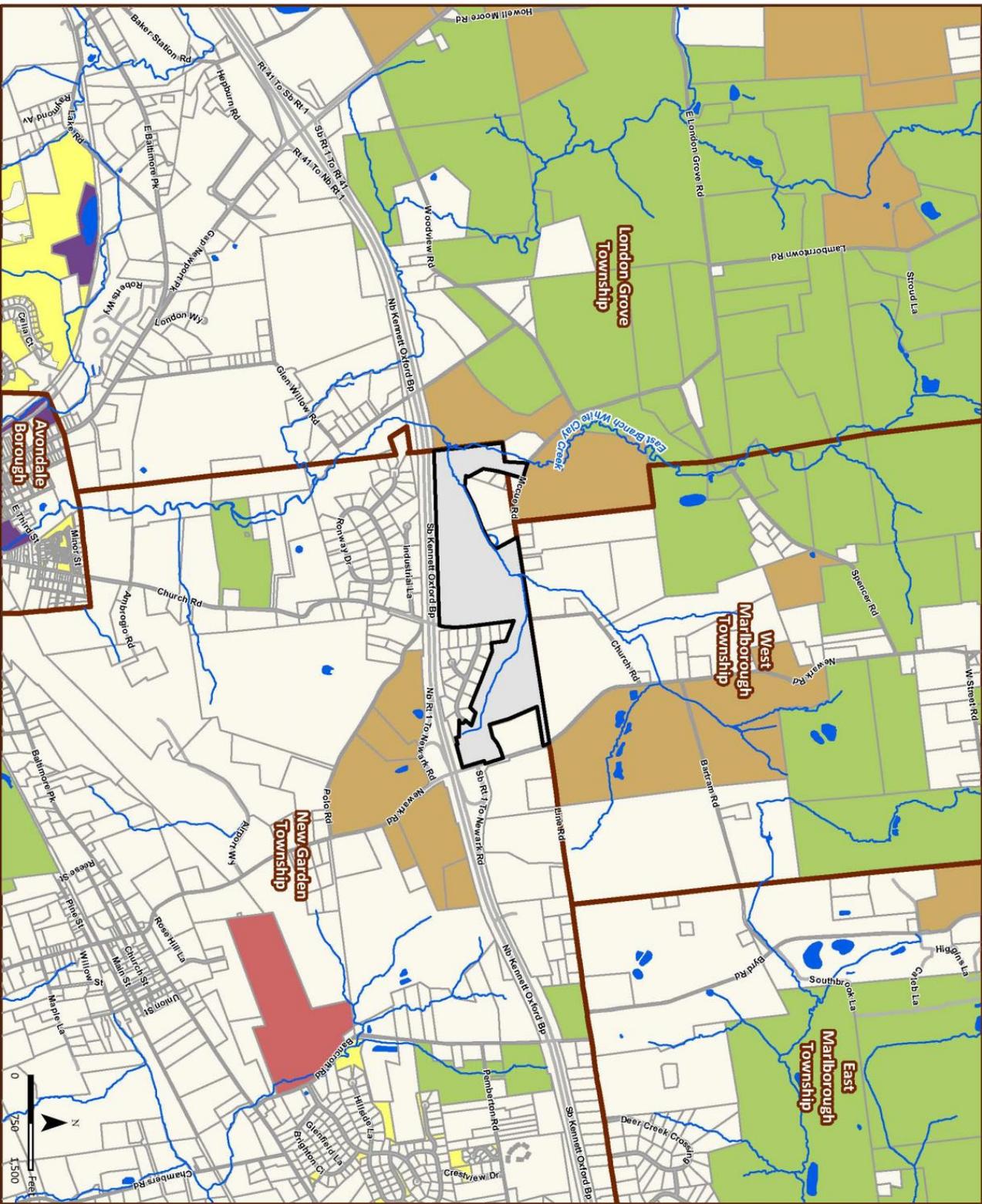
- Planning
  - White Clay Wild and Scenic Partnership (\$2,500)
  - Delaware River Watershed Initiative Brandywine Christina Cluster (\$10,000)
  - Anonymous Donor (\$2,500)
- Acquisition
  - PA Department of Conservation and Natural Resources (\$582,000)
  - Chester County (\$863,700)
  - Virginia Cretella Mars Foundation (\$15,000)
  - White Clay Wild & Scenic River Program (\$15,000)
  - Smedley Family donation of value

# Tonight's Goals

- Summarize comments
  - Scorecard Results
  - Open House
  - Site Walk
  - Other Updates
- Review the updated draft master plan
- Request that Board of Supervisors adopt the plan



# Location



## Location

### SMEDLEY PRESERVE

Tax ID: 59-6-10, 60-1-1, 60-1-1.4, 60-1-1.7, 60-1-37  
 60-1-37.16, p/o 60-1-1.2, and p/o 60-1-1.3  
 New Garden Township, Chester County, PA

-  Municipal Boundaries
-  Smedley Preserve (+/- 106 acres)
-  Parcel Boundaries
-  Waterways
-  Public and Protected Lands
-  Agricultural Easements
-  Conservation Easements
-  HOA Open Space
-  Municipal Open Space/Recreation
-  Municipal Purchase of Development Rights

**Natural Lands**  
 1037 Palmers Mill Road, Media, PA 19063  
 610-353-5587 | [nallands.org](http://nallands.org)

1. Property boundaries from Register Associates, Inc. and municipal boundaries from Chester County.  
 Compiled by: MBE 11/26/2022

Disclaimer: This map is not a survey. The information depicted with this map is meant to assist Natural Lands Trust, Inc. in describing the placement of certain retained, reserved, or excluded rights and to calculate acreage figures. Property boundaries were approximated, were established using the best available information, and are not guaranteed. Natural Lands Trust, Inc. makes no representation as to the accuracy of said property lines (or any other lines), and no liability is assumed by reason of reliance thereon. Use of this map by other than its intended purpose requires the written consent of Natural Lands Trust, Inc.

# Master Plan: Public Meeting Comments

1. Layout/ Overall Design of the Preserve: Majority on Target (18 v. 5)
2. Restoration of Natural Areas: Majority on Target (21 v. 6)
3. Trails: Majority on Target (18 v. 10)
4. Neighboring Uses and Buffers: Majority on Target (19 v. 9)
5. Parking: Majority on Target (17 v. 9)
6. Amenities: Majority on Target (15 v. 9)
7. Name Suggestions
  - Loch Nairn Preserve – 9 votes
  - Sherwood Preserve – 4 votes
  - Smedley Preserve – 1 vote
  - A few options had one vote

The Loch Nairn site was selected for a PennDOT sediment remediation initiative.

# Master Plan Components & Scorecard

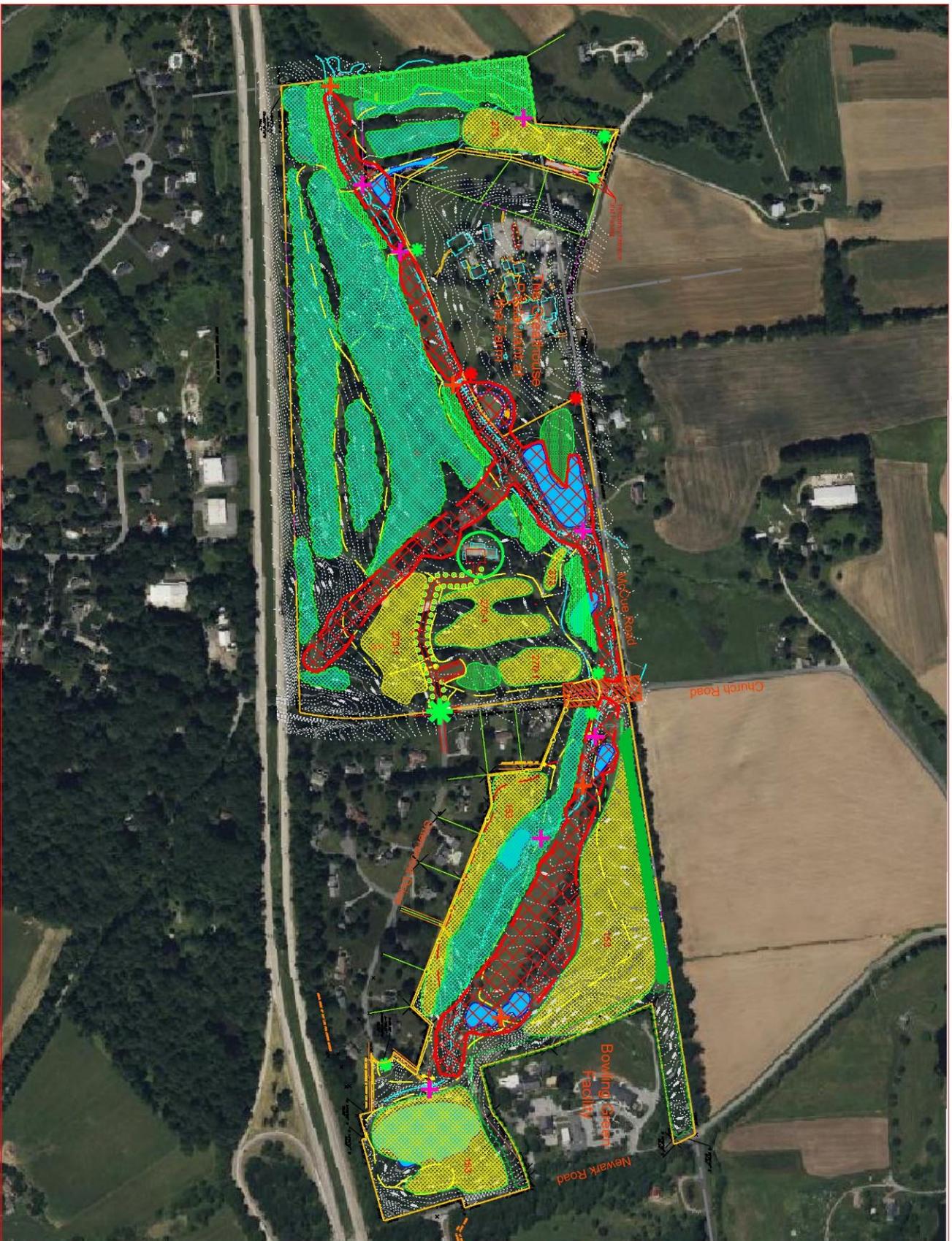
- Restoration
  - Stream Restoration
  - Riparian Buffers
  - Reforestation
  - Meadows
- Ponds
- Trails
- Neighboring Uses: Screening and Softening Buffers
- Access & Parking
- Other Amenities:
  - Signage
  - Benches
  - Community Garden

**Priorities are protection of natural resources, particularly water resources, and passive recreation.**

# Master Plan: Restoration



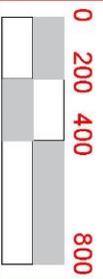
# Master Plan: Restoration



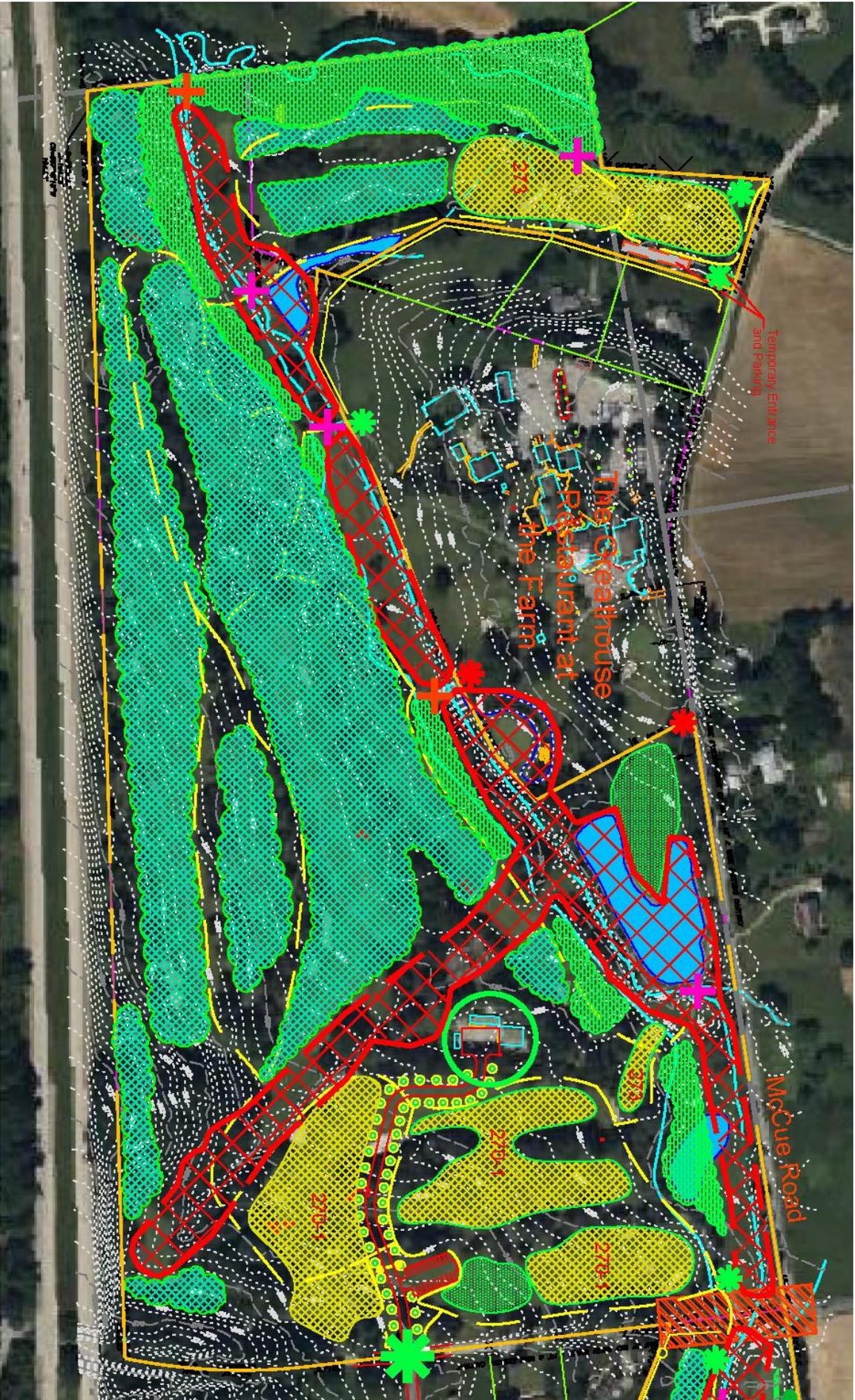
New Garden Twp., Park  
 DRAFT Master Plan  
 New Garden Township  
 Chester County, PA  
 March 2020  
 09/10/13  
 Total Area: 106 Ac +/-

**Key**

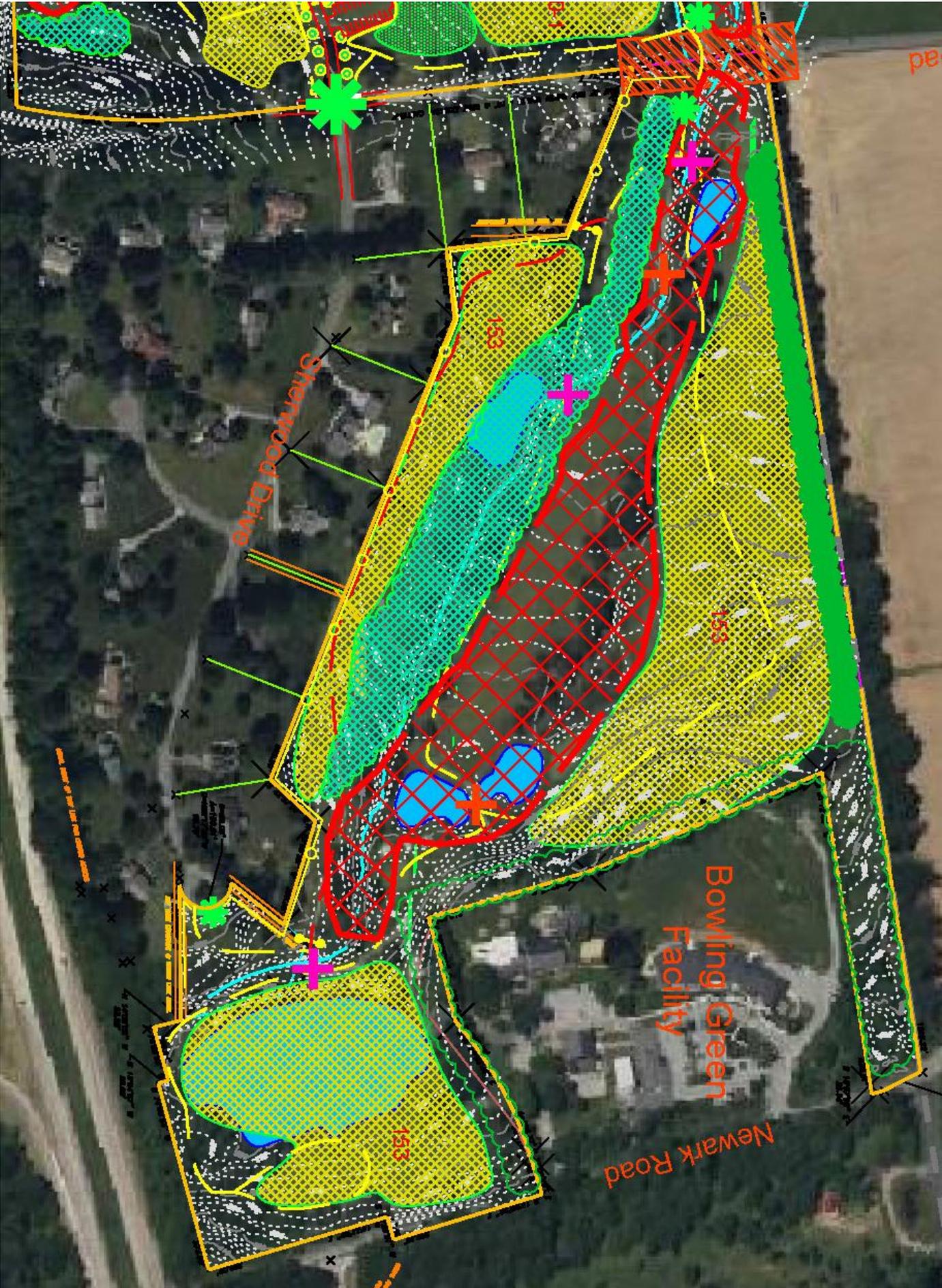
- Proposed Stream Restoration Area
- Existing Stream
- Existing Pond (TBR)
- Existing Boundary
- Proposed Riparian Buffer
- Proposed Screen
- Proposed Meadow
- Proposed Forest Plantings
- Entrances (Existing and Proposed)
- Entrances To Be Removed
- Traffic Study Area
- Proposed Trail
- Proposed Gate
- Existing Bridge To Be Removed
- Existing Bridge to Remain/Replaced



# Master Plan: Restoration West



# Master Plan: Restoration East



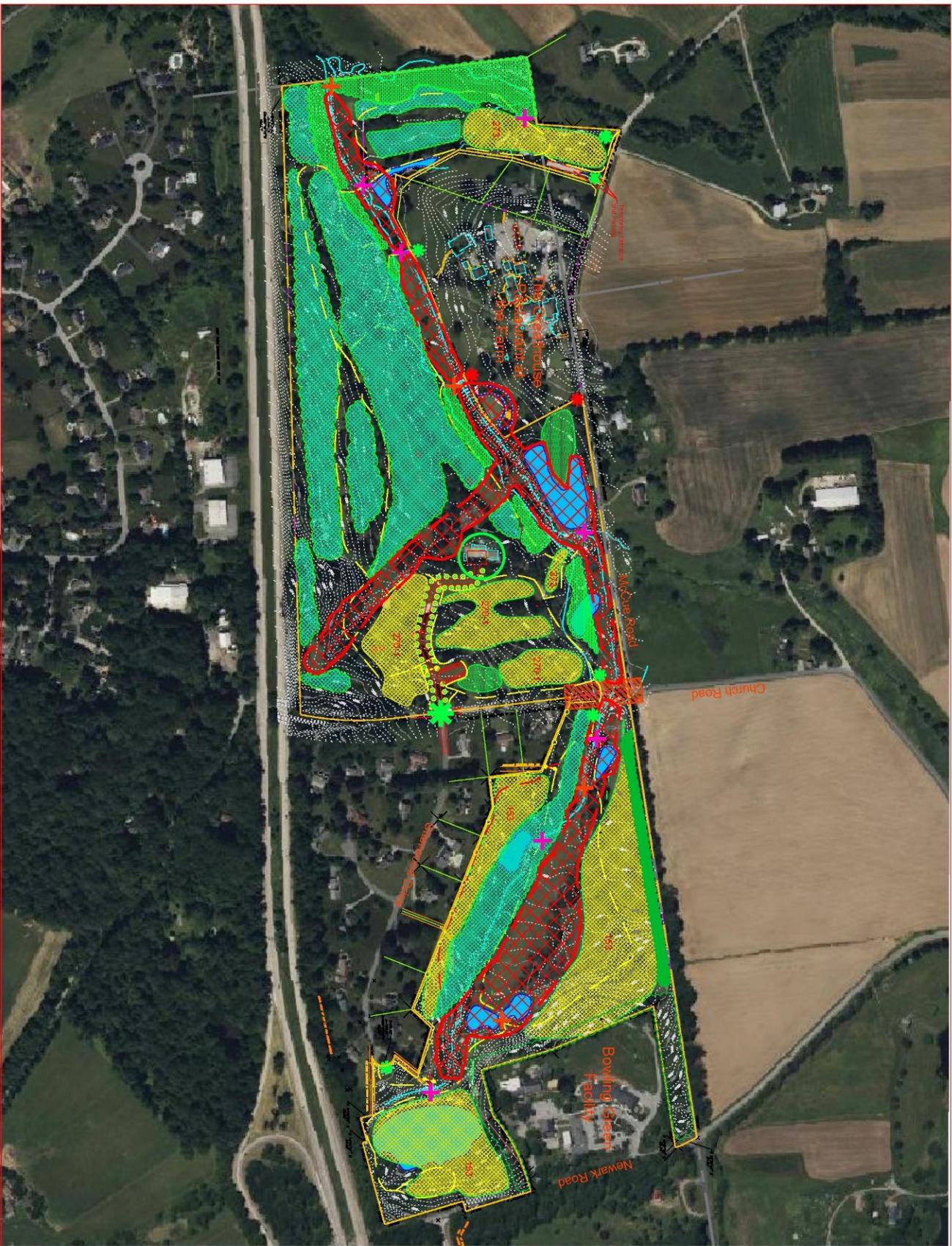
# Master Plan: Ponds



# Site Features – Ponds

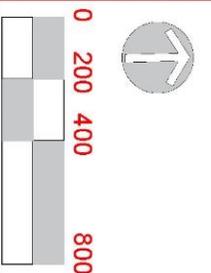


# Master Plan: Ponds



New Garden Twp., Park  
 DRAFT Master Plan  
 New Garden Township  
 Chester County, PA  
 March 2020  
 09/10/13  
 Total Area: 106 Ac. +/-

- Key**
- Proposed Stream Restoration Area
  - Existing Stream
  - Existing Pond (TBR)
  - Proposed Boundary
  - Proposed Riparian Buffer
  - Proposed Screen
  - Proposed Meadow
  - Proposed Forest Plantings
  - Entrances (Existing and Proposed)
  - Entrances To Be Removed
  - Traffic Study Area
  - Proposed Trail
  - Proposed Gate
  - Existing Bridge To Be Removed
  - Existing Bridge to Remain/Replaced

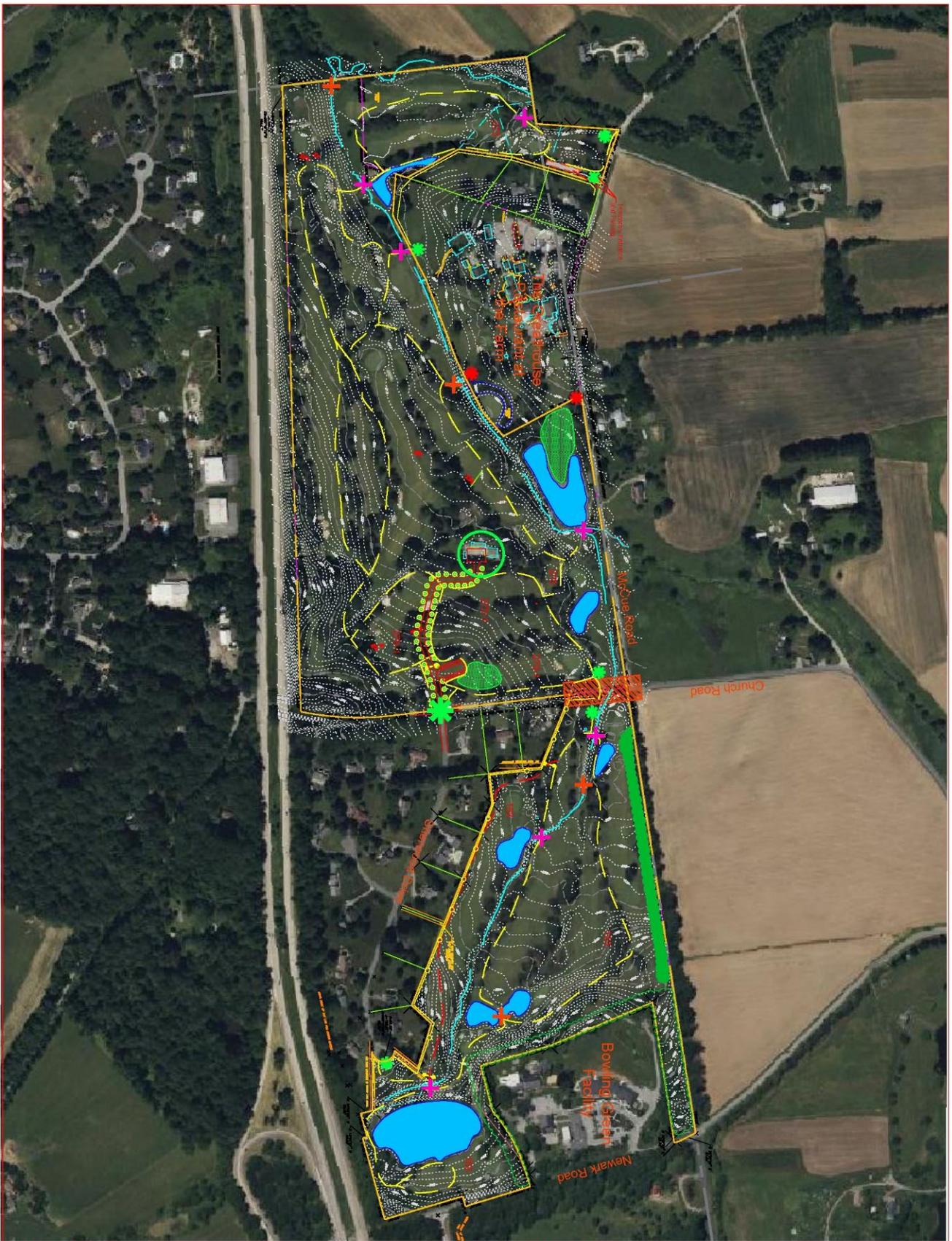




# Master Plan: Trails



# Master Plan: Trails

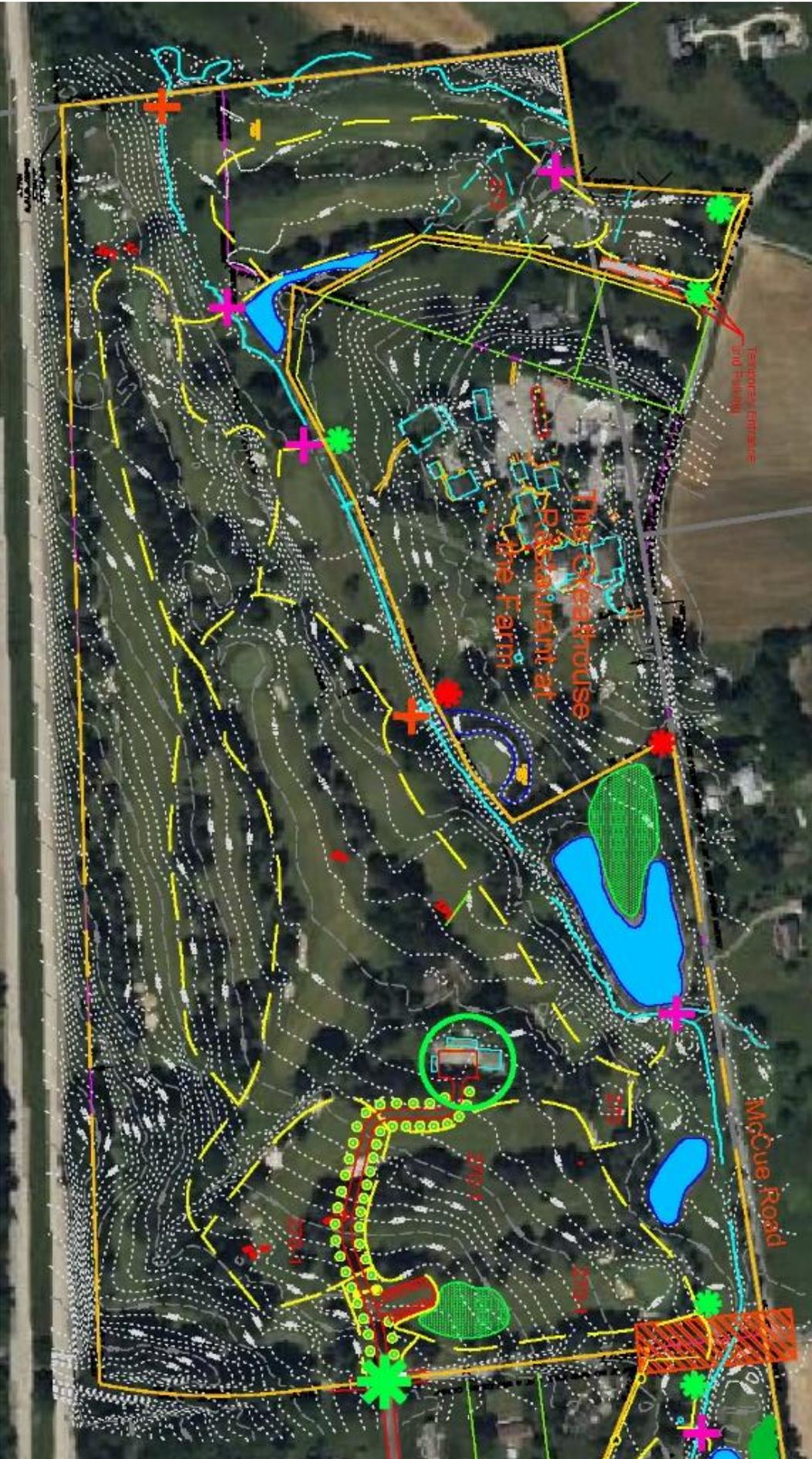


**New Garden Twp. Park**  
**DRAFT Master Plan**  
**New Garden Township**  
**Chester County, PA**  
 March 18, 2024  
 ORTON 1  
 Total Area: 106 Ac +/-

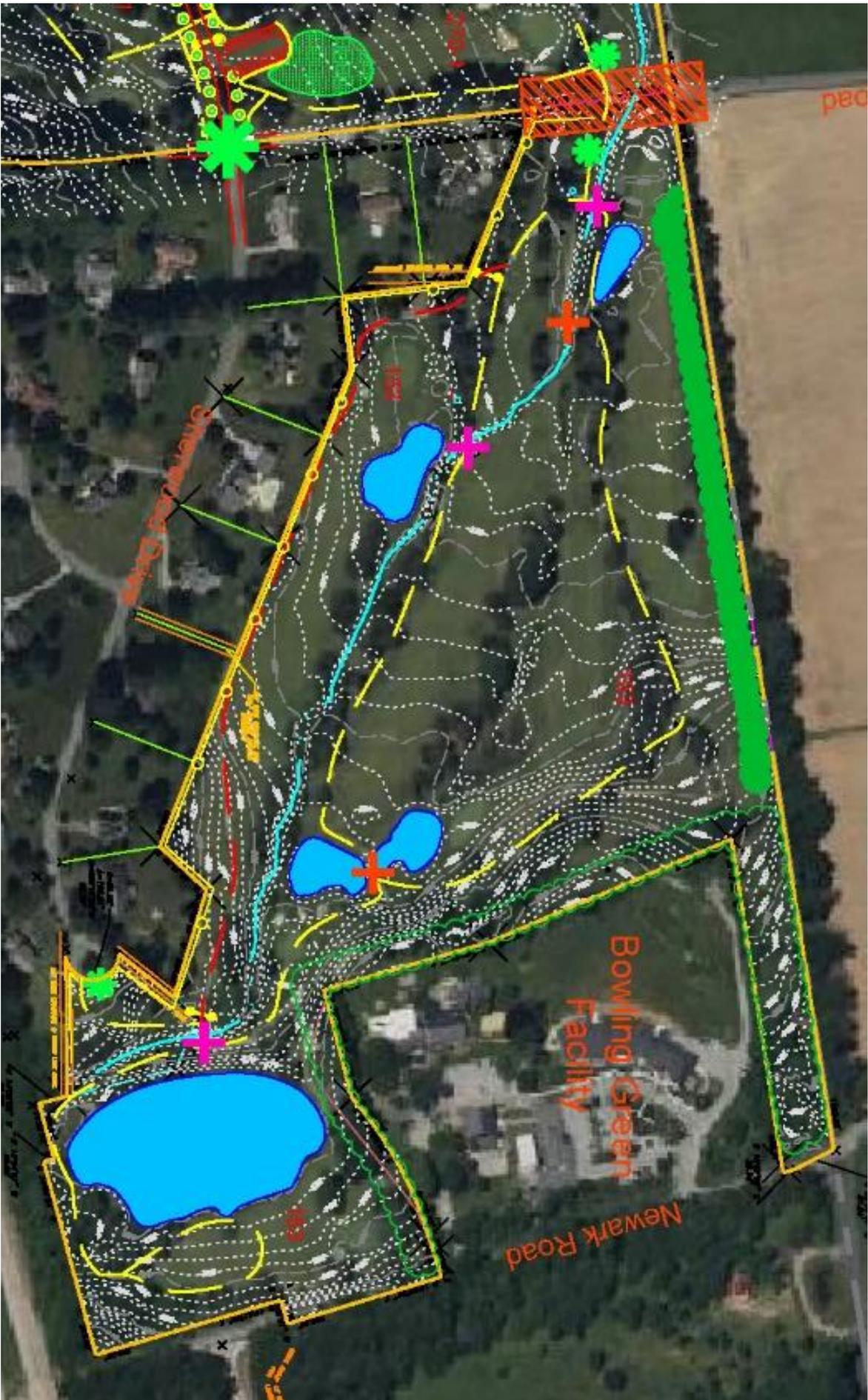
**Key**  
 Proposed Stream Restoration Area  
 Existing Stream  
 Existing Pond (TBR)  
 Existing Boundary  
 Proposed Riparian Buffer  
 Proposed Screen  
 Proposed Meadow  
 Proposed Forest Plantings  
 Entrances (Existing and Proposed)  
 Entrances To Be Removed  
 Traffic Study Area  
 Proposed Trail  
 Proposed Gate  
 Existing Bridge To Be Removed  
 Existing Bridge to Remain/Replaced

0 200 400 800

# Master Plan: Trails West



# Master Plan: Trails East



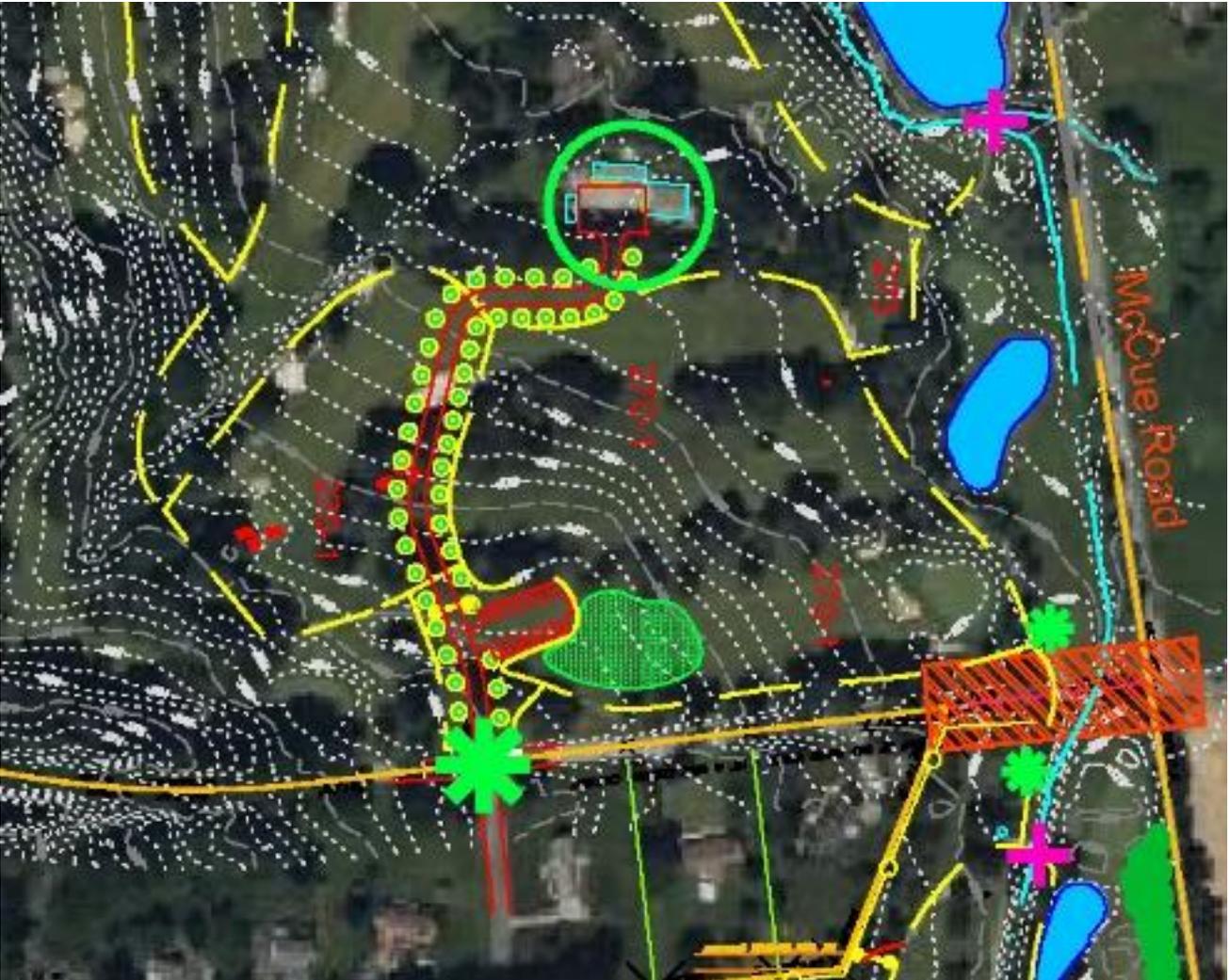
# Master Plan: Neighboring Uses & Buffers



# Master Plan: Parking



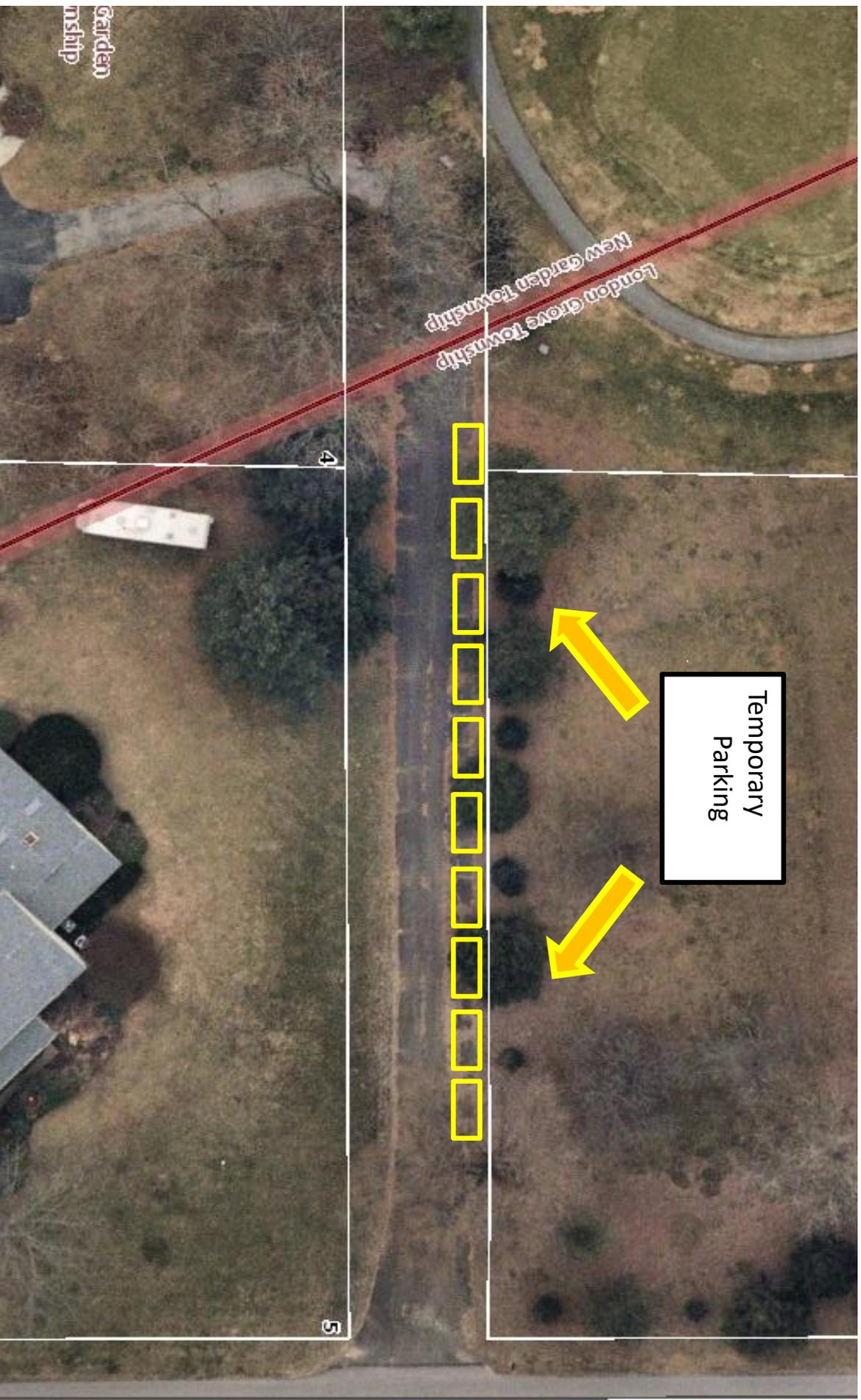
# Master Plan: Parking



# Master Plan: Temporary Parking



# Master Plan: Temporary Parking



# Master Plan: Temporary Parking



# Master Plan: Temporary Parking



# Master Plan: Church Road

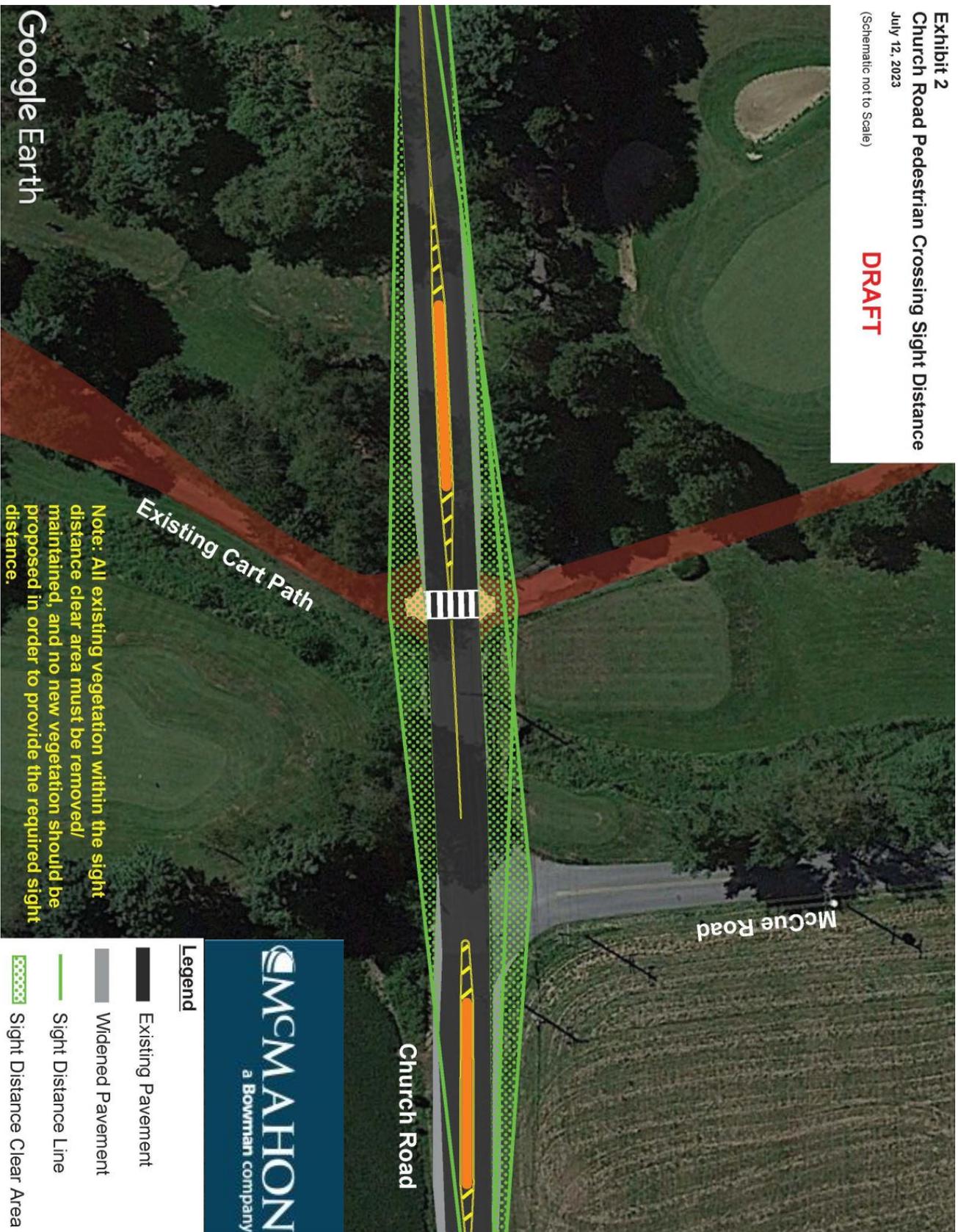




# Master Plan: Church Road

Exhibit 2  
Church Road Pedestrian Crossing Sight Distance  
July 12, 2023  
(Schematic not to Scale)

**DRAFT**



Google Earth

Existing Cart Path

McCue Road

Church Road

Note: All existing vegetation within the sight distance clear area must be removed/ maintained, and no new vegetation should be proposed in order to provide the required sight distance.

**McMAHON**  
a Bowman company

- Legend**
- Existing Pavement
  - Widened Pavement
  - Sight Distance Line
  - Sight Distance Clear Area

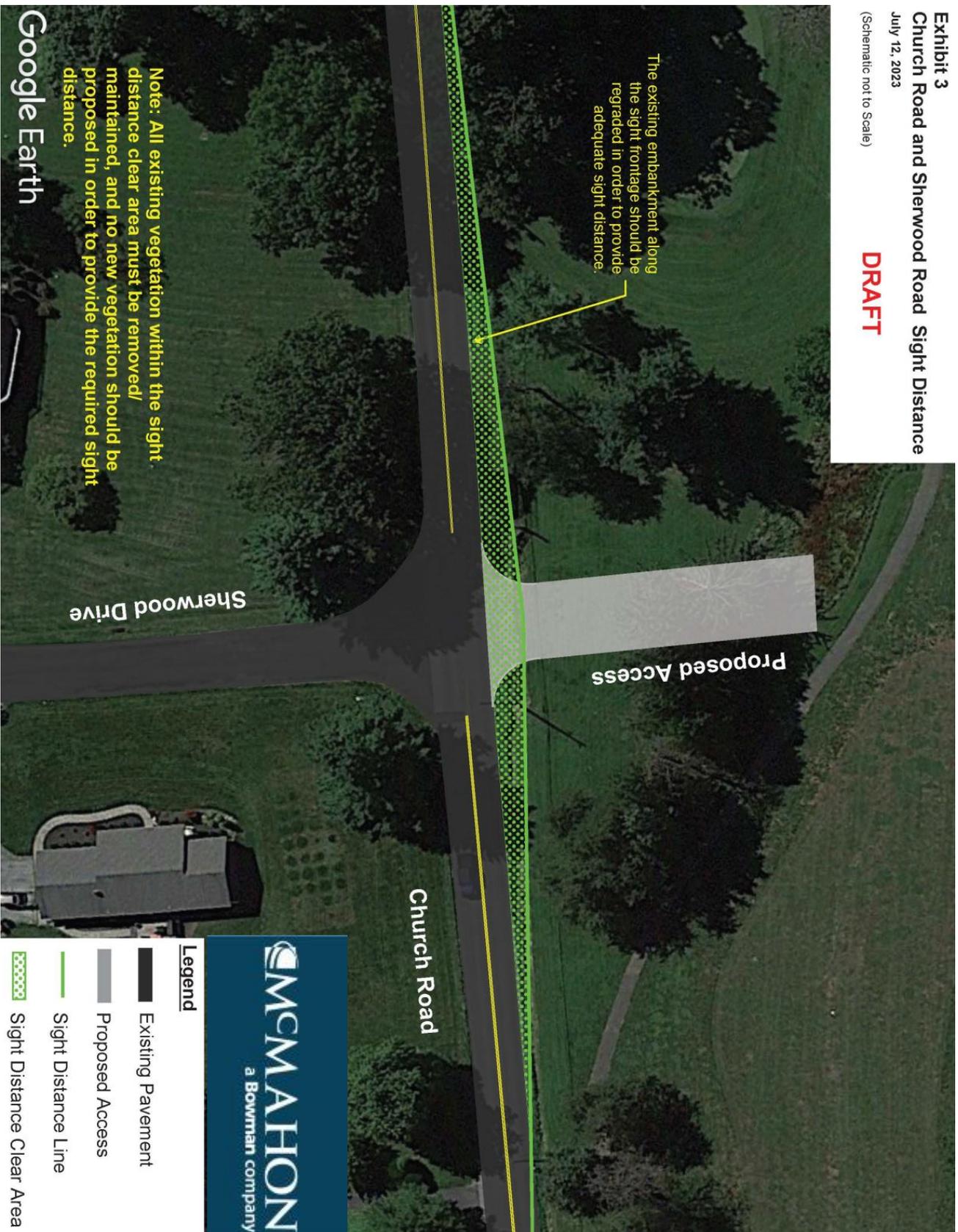
# Master Plan: Church Road

**Exhibit 3**  
**Church Road and Sherwood Road Sight Distance**  
July 12, 2023  
(Schematic not to Scale)

**DRAFT**

The existing embankment along the sight frontage should be regraded in order to provide adequate sight distance.

Note: All existing vegetation within the sight distance clear area must be removed/ maintained, and no new vegetation should be proposed in order to provide the required sight distance.



Google Earth

# Master Plan: Amenities



# Master Plan – Costs

## Costs

Pre-Construction (Design and Permitting)	\$402,500.00
Demo, Site Prep and Earth Work	\$366,852.30
Infrastructure	\$1,638,801.75
Furniture and Amenities	\$541,075.00
Plant Material, Entrance/Formal Areas	\$50,887.50
Plant Material for Bowling Green Buffer	\$165,600.00
Plant Material for Farm Buffer	\$70,725.00
Plant Material Conservation Tree Planting	\$790,625.00
Meadow Seeding	\$225,170.00
<b>TOTAL</b>	<b>\$4,252,236.55</b>

# Draft Master Plan – Grants

## Potential Funding Sources

Potential funding resources for design, and construction of trails and recreation facilities can be found through a variety of federal, state, and local grants. Each has specific requirements and is subject to certain limitations. These grant programs are almost universally competitive and are awarded based on the merits of individual proposed projects and on the quality of grant application submissions.

### CFA-Local Share Account (LSA) Grant

The PA Race Horse Development and Gaming Act provides for distribution of gaming revenues through and Commonwealth Financing Authority to support projects in the public interest within the Commonwealth of Pennsylvania.

Grants are available for projects with a total eligible project cost of **\$25,000 or more and shall not exceed \$1,000,000** for any project.

No Match Required.

Application window opens 09/1/2024-closes 11/30/2024.

### Community Change Grant EPA

The community Change Grant will fund community-driven projects that address climate challenges and reduce pollution while strengthening communities through thoughtful implementation. This historic level of support will enable communities and their partners to overcome longstanding environmental challenges and implement meaningful solutions to meet community needs now and for generations to come. There will be two tracks of funding under this opportunity.

Track 1 will fund 150 large, transformational community-driven investment grants of \$10 million-\$20 million.

Track 2 will fund 20 meaningful engagement grants of **\$1 million-\$3 million**. Grants cannot exceed 3-years in duration. Examples of projects:

Green infrastructure and Nature based solutions, building climate resilience and carbon sequestration through tree planting, multi-benefit stormwater, public parks, and open space.

Application opens 11/21/2024

No Match required

\* Grant research provided by Linda Rivera, Grants Coordinator and Financial Analyst

### DCNR-PA Department of Conservation and Natural Resources

DCNR administers a range of grant programs to fund parks, recreation, and open space projects in local Pennsylvania communities. Most prominent among these programs are federally-funded Community Conservation Partnerships Program.

- The **Recreation Trails Program** is designed to develop recreational trails and trail related facilities for the trail users. Projects examples include development and rehabilitation of trailside and trailhead facilities and trail linkages and acquisition of easements of property for recreation trails. Grant maximum **\$300,000**, Match 20% required. Deadline 04/04/2024.

- The **Community Conservation Partnerships Program** is designed to provide grants for comprehensive recreation and park planning. Potential projects include development of public park and trail recreation facilities, acquiring land for park and conservation purposes, site development planning. Grant maximum **\$300,000**, Match Most projects require a 50% (\$1 for \$1) match, which can include a combination of Cash and/or Non-Cash values. Deadline 04/04/2024.

- The **Community and Watershed Forestry** is designed to provide riparian forest buffers, lawn conversion, and urban tree-planting and to design, implement, and establish those practices. DCNR will consider a variety of forest buffer project types, including conventional and multifunctional riparian forest buffers. More information about the multifunctional buffer concept is available in the grant application portal. All grants require 20% match from cash or non-cash sources. This grant program requires a minimum grant amount of **\$50,000**.

### DCED-Greenways, Trails and Recreation Program

The PA Department of Community and Economic Development administers this program, which allocates funds to the Commonwealth Financing Authority for planning, acquisition, development, rehabilitation, and repair of greenways, recreational trails, open space, and parks projects.

Deadline estimated: 05/30/2024

Grant shall not exceed: **\$250,000**

Match: 15% of total project cost is required

thank you





# Smedley Preserve

## Master Plan

**DRAFT**

# Smedley Preserve Master Plan

Prepared for  
New Garden Township



1031 Palmers Mill Road  
Media, PA 19063

## acknowledgements

This project was financed in part by a grant from the William Penn Foundation. Additional funds were provided by the White Clay Creek National Wild and Scenic River, and by an anonymous donor.



## stakeholder committee

- David Arcott
- Houston Baker
- Tom Baker
- Michael Braudt
- Cpl. Ben Brown
- Mike Buck
- Matt Ehrhart
- Ted Gallivan
- Chris Hines
- John Jackson
- Michelle McIver
- Chris Robinson
- Howard Rosentberg
- Robert Siegler
- Mark Wilcox
- David Unger



Wetland

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## open space in new garden: something for everyone

New Garden Township recognizes the importance of conserving open space, so residents have beautiful places to walk, run, ride, and connect to nature. The Township knows that conserved land can increase property values, beautify a community, soak up stormwater and reduce flooding, provide habitat and food for native animals, and clean the air we breathe. They know too that in order to protect and even improve water quality, the land must be carefully planted and stewarded.

New Garden's Open Space Review Board has worked to protect the Township's most significant open spaces. Until now, the Township had not preserved any open space north of the bypass. This exciting new addition will provide a more proximal open space for the residents that live further north, including residents from the more urban Kennett Square and Avondale. The Smedley site will contribute nearly four miles of walking trails to the Township trail system. The length of the trails is important to residents. Residents that completed the 2019 Trail Prioritization Plan questionnaire indicated that they would like longer trails that take more than an hour to complete. With four miles of trail configured in connected loops, residents can walk the route and length they wish.

The property is a 105-acre golf course that was established in 1979. This property is surrounded by protected open space to the north and the highway to the South. Two contiguous agricultural easements exist to the west, in the neighboring Township of London Grove. Conservations easements, held by the Brandwine Conservancy, lie further north. The views looking south on Church Road from West Marlborough towards the Smedley Preserve feature agricultural fields and stone walls. As the Township begins stewarding the site, a rural aesthetic can be enhanced, preserving the community character in this area.

The master plan will provide the outline for restoration, stewardship and public access and enjoyment. After restoration, the water flowing through Evans Brook will be cleaner when it reaches the White Clay Wild and Scenic River. This open space will form a corridor of green space with meadows, forests and a stream for New Garden's residents to enjoy.

### what is a master plan?

A master plan is a specific type of plan which typically shows ideas and concepts in general locations. Master plans are the first **graphic** step in designing a site. But the master plan drawing is not the first step in the whole design process. These plans have been informed by a robust process of public dialogue, which includes public meetings, a focus group, key person interviews and site visits with stakeholders. The plans are also based on the consultants' findings after reviewing maps of existing features, township plans and other published documents. Site visits and on the ground investigations have also played a crucial role in shaping the plans. All this research has allowed us to prepare plans which show the big ideas for how the site can be used, developed, conserved and stewarded.

Master plans do not typically include enough detail to guide construction. They set the groundwork for the next steps, further study, a more detailed concept or construction drawings. As an example, a master plan might show a bridge over a stream. But further studies may be required to determine where exactly the bridge should be placed, how long and wide the bridge needs to be, where exactly the footers should be set and how the bridge may affect the stream itself. Then, after so much more study, a detailed design would be prepared. This design would provide the answers to the questions above and include details for how to construct and install the bridge. It may also include a detailed cost estimate.

The example of a bridge on a master plan is particularly relevant, as the Smedley Preserve includes several bridges. But the master plans also include recommendations for landscaping, stewardship, trails,

parking areas, picnic areas and other amenities. All of these will require further study, design or specifications before they can be installed.

Furthermore, a master plan is a guide. While these plans have been thoroughly researched, carefully designed and vetted by the community, the recommendations they contain are not set in stone. New opportunities could arise which lead to even greater possibilities for implementation and stewardship. Or, unfortunately, economic influences, such as scarce grant funding, and labor and material shortages could make some of the

recommendations infeasible. Conditions today, as the plans are developed, may not be the same when the Township is ready to implement the plans.

Finally, as the master plans are guides, they should be vetted further. When the Township does embark on major improvements or expenditures, those projects should be considered in a public setting. The Board of Supervisors, Township Commissions and Committees and the public should continue to work together to implement the master plans as they see fit.



## the smedley preserve

The 106-acre property has been home to a golf course since 1979. The master plan seeks to restore the site to a more naturalized condition, featuring meadows, forests and a restored stream. The site is not appropriate for active recreation, as the underlying floodplains and hydric soils are too wet and the slopes are too steep to adequately host playing fields. Soon, the manicured lawns and human made ponds will be removed, replaced with native vegetation, which will provide food and habitat for birds and other animals, while drinking up stormwater and filtering and cleaning runoff that flows over land. The Smedley Preserve will be a beautiful place for residents to walk or run, watch birds, and generally enjoy nature in a calm and peaceful setting.

The site is in the northwestern corner of New Garden Township and borders London Grove Township and West Marlborough Township. Historic aerial photographs show the site in agriculture as early as 1946, with Church and McCue Roads already in existence. McCue Road provides the northern boundary of the site while Church Road splits it into eastern and western pieces. The site was still being used for agriculture when the Chester County Expressway/Route 1/Oxford Bypass was built in the 1960s, significantly altering the sites topography. The bypass provides the site's southern boundary.

## public review process

The residents, elected officials and municipal volunteers know their community and the site best, as they live, work and recreate here every day. They know what they and their neighbors need and want in their new public open space. The continued input from the public combined with their review and comments has led to a better master plan. The plan has benefited from the following public process:

- **Task Force Meeting, Draft Plan** – In March, 2023, the design team met with a Task Force, made up

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primarily of near neighbors. A very rough draft design was shared with them. They provided comments and critique, which informed revisions to the next draft.

- **Key Person Interviews** – Throughout July, 2023, members of the design team conducted key person interviews, collecting pointed input from residents, local subject matter experts and funders. These conversations helped the design team, in consultation with Township staff, to make some decisions about elements to be included and removed from the plan, as well as ensuring that the site would be a strong candidate for grant funding in the future.

• **Public Meeting, Open House** – In July, 2023, the Township held an open house style public meeting and invited the public to attend, review and critique the draft plan.

• **Focus Group/Site Walk** – In September, 2023, the design team, accompanied by Township staff, lead a focus group on a site walk around the entire property. The focus group was comprised of neighbors from the Sherwood Drive and Church Road neighborhood. The focus group brought out a different combination of neighbors than attended the Task Force Meeting, so different voices and perspectives were heard. The site walk allowed the group to provide comments on the entire site, rather than only focusing on the portion adjacent to their neighborhoods. Their comments allowed us to fine tune the draft, adding more landscaping at strategic locations, and to make other minor, but important revisions.

• **Board of Supervisors Meeting** – In March of 2024, the plan will go in front of the Board of Supervisors for adoption, at their regularly scheduled, advertised meeting. The public is encouraged to attend and provide final comments which can be incorporated at implementation or detailed design phases.

## existing features & site analysis

### eastern & western areas

Church Road divides the Smedley Preserve into eastern and western areas, which are referenced throughout this report. The western side of the preserve borders London Grove Township to the west and West Marlborough Township to the north. The eastern side of the preserve borders West Marlborough to the north.

The **western portion** of the preserve contains the following features:

- **The White Clay Creek:** The East Branch flows along the western boundary of the western area.
- **Evans Brook:** This tributary flows across the site, from east to west, until it meets the East Branch White Clay Creek near the preserves westernmost boundary.

• **Earthen Dam:** This small dam slows the flow of Evans Brook, causing it to widen and deepen along much of the boundary shared with the restaurant.

• **Ponds:** A total of six ponds and wetlands exist west of Church Road. Two large permanent ponds appear filled with diverted flow from Evans Brook, near McCue and Church Roads. Three smaller impoundments exist near the stream, closer to the westernmost boundary. These three appear to function more like wetlands, with variable water levels and plant growth. An additional, crescent shaped pond exists on the restaurant property.

• **Township Maintenance Facility & Access Road:** Three large structures front on a central, paved parking and storage area. One building is fully enclosed, resembles a barn, and is served by electricity and running water. The two other structures are lean-tos and have historically housed

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materials and equipment. The paved driveway provides access from the intersection of McCue and Church Roads to the maintenance complex.

• **Cart Paths:** The asphalt path system provides access to most of the site and includes approximately 2.3 miles of path, all of which is in fair to poor condition.

• **Six Bridges:** Crossing over Evans Brook, its tributaries and wetlands, these bridges provided access to golfers on foot or in carts, as well as maintenance vehicles. Many are in poor condition and need to be replaced.

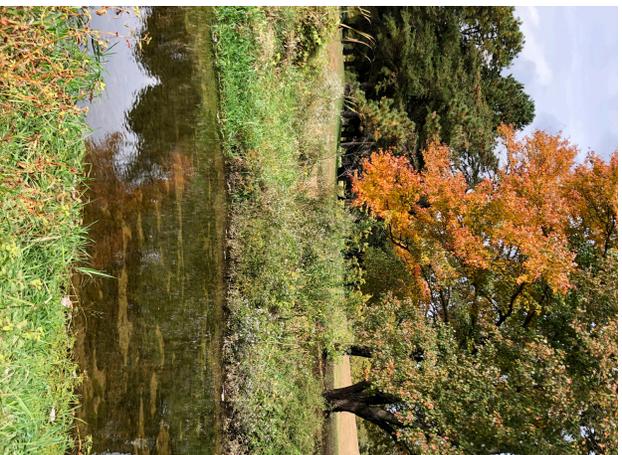
The **eastern portion** of the preserve contains the following features

• **Evans Brook:** The tributary's headwaters exist near the large pond and the Route 1 embankment, at the easternmost reach of the preserve. It flows from east to west, where it flows under Church Road, into the western portion of the preserve.

• **Five Ponds:** One large pond at the eastern end of the preserve has a surface area of over two acres and a depth over 15'. The others are much smaller, created simply as golf play hazards. One is impounded by a well crafted stone wall.

• **Cart Paths:** The asphalt path system provides access to most of this side of the site and includes approximately 1.6 miles of path, all of which is in fair to poor condition.

• **Four Bridges:** Crossing over Evans Brook, its tributaries and wetlands, these bridges provided access to golfers on foot or in carts, as well as maintenance vehicles. Many are in poor condition and need to be replaced.



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## surrounding uses

The **western portion** of the preserve is surrounded by the following uses:

- **Agriculture:** The property directly west of the preserve, sharing most of the western boundary line, is primarily in agriculture. The East Branch White Clay Creek meanders back and forth over this property line. More agriculture exists north of the preserve, across McCue Road.

- **Single Family Homes:** A handful of single-family homes have been carved out of the larger agricultural properties. One borders the property along part of the western boundary line. Others front on the northern side of McCue Road and face the preserve. More exist adjacent to the preserve, as they were subdivided off of the golf course property.

- **The Great House and Farmhouse Complex:** The 13+ acre property carved out of the golf course contains multiple restaurant buildings, a pro shop, and many other outbuildings traditionally used for storage and maintenance. The property is mostly separated from the preserve by Evans Brook.

- **Route One/ Oxford Bypass:** This major highway provides the southern boundary of the property.

- **Church Road:** This locally important, two lane road divides the preserve and is currently connected only by one cart path crossing, near the intersection with McCue Road. The crossing is poorly located and plagued by poor site distance.

The **eastern portion** of the preserve is surrounded by the following uses:

- **Single Family Homes:** The Sherwood Drive neighborhood includes 22 homes, 9 of which have backyards facing the preserve. Another three homes which front on Church Road also face the preserve from their rears.

- **Agriculture:** A 46 acre farm exists to the north, separated from the Preserve by only a thin row of evergreen trees.

- **Bowling Green Brandwine Treatment Center:** This voluntary inpatient facility faces Newark Road and is fenced off from the preserve from its rear and sides. However, residents frequently walk out the front of the facility and enter the preserve along Newark Road.

- **Route One/ Oxford Bypass:** This major highway provides the southern boundary of the property. An exit ramp also connects the bypass to Newark Road across from the Preserve.

- **Church Road:** This locally important, two lane road divides the preserve and is currently connected only by one cart path crossing, near the intersection with McCue Road. The crossing is poorly located and plagued by poor site distance.

- **Newark Road:** This busy two lane road and the bypass off ramp provides a stark boundary to this end of the preserve. The landscape slopes up to the road and is covered with a variety of shade trees, buffering the road slightly. Across the street, an underdeveloped commercial property currently features woodlands along its frontage, providing a thicker backdrop to views in the preserve.

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## existing access

Golfers traditionally entered the course from McCue Road, through the complex of buildings including the restaurants, pro shop and club house. They would park in the lot near the buildings, check in at the club house and depart via golf cart to make their way through the course. However, the buildings and parking lot have been included in a new lot, subdivided from the preserve and now under separate ownership. The township does not have rights to that point of access.

Another driveway into the preserve connects to Church Road and leads to the maintenance building complex. However, the driveway entrance is close to the intersection of McCue and Church Roads, too dangerous to be made into a main access.

## white clay creek and evans brook

Loch Nairn, as its name suggests, is a wet site...or at least it should be. With two major streams flowing through the property, it should be covered with their associated floodplains and wetlands. However, the construction of the golf course and the Route 1 Bypass have altered the nature of the site. Water flows down from the edge of the property along the bypass and eventually makes its way into one of the two streams. But the floodplains and wetlands have been removed. The streams have been realigned and put in new channels to meet the needs of the course. The natural features which typically help control flooding no longer exist. The trees which keep the water cool and solidify the banks have largely been removed.

Like most golf courses, Loch Nairn was covered with non-native turf grass, mowed short, which provides no environmental benefit, and is harmful to water quality. As stormwater flows across the grass, it picks up sediment bonded to any chemicals, such as fertilizers, herbicides and pesticides, and washes them into the streams. With no trees or thick vegetation to slow and filter the water, the pollutants and sediment find their way into the stream flow. Additionally, none of

the water is encouraged to infiltrate into the ground, leaving the streams too full and likely to erode their banks and flood over them.

## PNDI

The Pennsylvania Natural Diversity Inventory (PNDI) environmental review for the Smedley Preserve did not note any endangered species or species of special concern in the area. However, the U.S. Fish and Wildlife Service recommended the following conservation measures to conserve wetlands.

- In order to conserve wetland-dependent species of concern, protect wetlands along with their surface and groundwater recharge areas. In order to maintain or improve wetland water quality, conserve at least a 300-foot wide upland buffer around each wetland, as well as a 50-100 foot wide buffer on each side of waterways (perennial and intermittent rivers, streams, creeks, and tributaries).
- When adequately vegetated, this upland buffer will act to filter pollutants (e.g., sediment, fertilizers, pesticides, road salt, oil), and stabilize streambanks (preventing or minimizing erosion).
- Avoid any construction, earth disturbance, and chemical application (e.g., fertilizer, pesticide) in the wetland and upland buffer.

## views

As a former golf course, the Preserve features many long, internal views, which follow the former fairways, areas that would have been kept in mowed turf grass. These views are nice and lend some organization to the site, but none are spectacular. As they were designed with golf play in mind, none features any kind of designed visual terminus or point of interest – only the former greens, at times with some planted buffers behind them.

Views into and out of the site are mostly screened or at

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## ponds

least buffered. In order to minimize distractions to golfers, the edges of the site were planted to hide passing cars or activity at the neighboring homes. The existing plantings provide a nice sense of volume and enclosure, making the spaces feel more comfortable. The screening is also transparent enough to allow for some visibility into the site from the surrounding streets and yards, allowing neighbors, township staff or passing police to keep an eye on the site.

## cart paths & bridges

A little over four miles of cart path wind their way through the site, varying in width and condition. Most of the paths are between four to five feet wide, with some wider sections for turns and passing. The paths are designed for and primarily used by carts, so they are littered with pot holes and have worn down to gravel in many places. It does not appear that they have been maintained for quite some time. The paths are currently “adequate” for pedestrian use, but barely. They will need to be completely repaved in the near future.

The path system was designed to take golfers throughout the course, providing access to all eighteen holes. However, as the course becomes a nature preserve, less access is necessary. The existing cart path system is too extensive and intrusive for the preserve. Removal of some paths would decrease impervious surfaces and reconnect micro-habitats.

The site is wet with multiple streams and a system of manmade ponds and both created and natural wetlands. Many bridges have been installed to carry the golf carts and maintenance vehicles across these wet areas. The ten bridges are in varying states of repair. It's unclear whether it is safe to continue using them. Removal of some bridges would reduce long term maintenance costs and benefit stream flow and water quality. The proposed path system would result in four bridges being retained, but they should be assessed to determine whether they are still safe for pedestrian and/or vehicular use.

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## existing vegetation

The trees and shrubs at Loch Nairn are typical of most golf courses, as they are placed to affect or guide play, separate holes and limit views in and out of the course. The vegetation was not provided to create habitat, filter stormwater or provide other ecological benefits. Some of the trees are beautiful and placed well as focal points. But many are in decline and some are standing dead. Where the dead and declining trees are close to paths or other features, they could be hazardous to visitors and should be addressed. The species mix is also uninspiring, ranging from non-native and invasive, to native but basic or overused. White pines dominate the site, as they are a logical choice for a golf course, as they grow fast, provide screening year round and require little maintenance. However, they provide little benefit to wildlife, and many are in decline.

## master plan

Local golfers loved playing the Loch Nairn course, and other neighbors enjoyed eating and drinking at the Farm House and attending events at the Great House. As the site transforms from a golf course to a nature preserve, even more residents and neighbors will be able to enjoy the property. The master plan will transform Loch Nairn golf course into a nature preserve. The mowed grass fairways and moss greens will be replaced with native meadows and forests. The streams will be restored, allowed to escape the channelization maintained over the decades. The paths will be upgraded, welcoming visitors to walk, run, walk their dogs and enjoy nature. The newly transformed site will attract the golfers and neighbors who've always enjoyed the property, as well as those who never had a reason to visit.

## access & parking

Traditionally, golfers would arrive at the course, park near the restaurants and club house, hop into a golf cart and ride into the course. With the subdivision of the buildings, the preserve needs a new main entrance. A few locations were considered, but abandoned, including an entrance from Newark Road with parking south of Bowling Green; a new driveway from Church Road with parking on the east side near the northern boundary, and a driveway off of McCue Road on the far western end of the preserve. All of these locations were abandoned due to concerns regarding neighbors privacy, other conflicts with neighboring uses, damage to environmental features, site distance for driveways and other concerns.

A new tree-lined entrance driveway and parking lot are proposed with access from Church Road across from Sherwood Drive. This location is ideal, as it has good site distance and aligns well with the existing Sherwood Drive (from an engineering design perspective). The location is central to the entirety of the site. It connects to the existing maintenance complex without bringing the public all the way there.

The plan also shows a proposed parking lot containing 20 spaces, proposed within an open area, elongated along a fairway. Should the Township determine (immediately or in the future) that more parking is needed, it could easily be expanded farther down the open area. A drive is proposed to guide visitors into the parking area, rather than towards the maintenance complex. The parking area should also include connections to the proposed trail system. Gathering or resting areas, like benches, picnic tables or pergolas should also be installed here, so visitors have a nice place to wait for friends once they get out of their cars. A kiosk with maps and other information should also be installed here.

Pedestrian access is also proposed at the end of Sherwood Drive and from McCue Road at the far western end of the site. The western entrance should be simple, including only a trail and simple signage. This entrance would allow people walking on McCue Road to enter the preserve.

The entrance proposed at the end of Sherwood Drive requires more detailed design and study. This entrance is intended to serve the residents of this neighborhood, not to attract other visitors to park on Sherwood Drive. The end of the cul-de-sac is sloped and will require some grading before a trail can be installed. Fencing and signage may also be necessary to ensure that other Township residents don't park in the cul-de-sac and walk through private property. This area requires further, more detailed design, but it's essential to provide pedestrian access to the Sherwood Drive neighbors whose properties do not front on the preserve.

## temporary parking

While it may take some time to design, fund and install the proposed main parking lot off of Church Road, visitors will still need a place to park to enter the preserve. The Township has identified the right of way off of McCue Road, at the far western end of the site as an adequate location for temporary parking. The right-of-way was established as part of the six lot subdivision recorded in 1986. However, three of the lots remained as part of the golf course, two were sold and developed,



and one remains in the Smedley family's ownership. Therefore, the proposed cul-de-sac was never built. Only a driveway serving the two existing homes was installed within the right-of-way.

This leaves the remaining right-of-way and three other lots as ample space for temporary parking. The temporary parking lot would not require major improvements, aside from removal of a few small trees and potentially spreading some stone. Visitors would drive up the existing driveway, then pull off to the right hand side to park. They can then walk into the preserve and easily access a nearby cart path.

### trail system

The existing cart path which served the golf course provides some framework for a new trail system. Many of the existing paths can be retained, as they provide access to much of the site while still leaving the fairways undisturbed, allowing them to be converted to meadows and forests. Some sections of cart path are redundant when put in the context of a nature preserve. Paths that follow parallel fairways can be consolidated into fewer paths. Others, which were necessary for golf, are no longer needed, as the areas they served become buffers, meadows or forests. For instance, the area closest to Route 1 is one of the least desirable places to visit and will be transformed to forest, to buffer the highway. It's no longer necessary to provide cart path access there.

The proposed path system will provide visitors with many options for their route. The eastern side of the preserve, which is smaller and more compact, offers only one loop with a spur towards Newark Road. However, the western portion of the trail system is laid out in a series of connected loops. This layout allows visitors to experience different routes each visit and to vary the length of their journey.

The existing cart paths, with some modifications, provide a sensible layout. However, the existing crossing of Church Road near McCue is problematic. The existing site distance is not ideal. Cars and trucks travel

too fast along Church Road. The location is too close to the intersection. These factors combined lead to the necessity of redesigning the road crossing to make it safer. McMahon, a Bowman Company is the Township's appointed traffic engineer. They have provided a cursory review and conceptual design that proposes widening the road, removing some visual obstacles, providing safer pedestrian zones and moving the trail crossing slightly. Additional detailed study and design may be necessary, but it appears that with improvements, the trail crossing can be made safer.

### existing ponds

The ponds which exist across the site provide some visual interest and habitat for fish, ducks, frogs, turtles and geese. However, the ponds are human made and do more damage than good in terms of water quality and habitat. The plan recommends removal of all of the ponds, for the following reasons:

- **Restoration**—As previously noted, the ponds are not natural features. They were created to improve play on the golf course. Deep water ponds may provide some habitat for fish, birds and amphibians, but their removal, coupled with restoration of natural wetlands and floodplains, provide much greater benefit to more species of native animals.
- **Maintenance**— In order to keep ponds free of algae and oxygenated enough to support fish, they need almost constant motion and chemical testing. Aerators, which require electricity and maintenance are typically installed to keep the water moving. Without them, ponds frequently get covered in algae, which is unsightly and can often smell bad. Fish tend to die off without enough oxygen, again resulting in unsightly and smelly conditions. In many cases, the ongoing maintenance is not worth the time, effort and cost.

of Route 1 changed its hydrology, as massive regrading changed the flow of water over the land. The highway now contributes stormwater to the watershed as well as potentially carrying oil, gas and other automotive fluids in addition to sediment and salt. The golf course has kept the stream under its control, trapped in straight channels, dammed and impounded and rerouted into ponds and water hazards.

The Township is now working with a firm to redesign the stream, with the goal of allowing the stream to restore itself to its natural patterns and conditions. The detailed design is underway, so the exact plan is not yet known. However, the master plan shows the expected limits of disturbance as a red hatch. The plan proposes improvements outside of these limits. The restoration work will include final grading and plantings within the work corridor.

The stream restoration will only moderately affect the master plan. Most of the trails and other proposed improvements are outside of the work area. Many of the bridges within the work area are proposed to be removed permanently. The restoration work will result in draining many of the ponds, also recommended in the plan. However, the actual restoration work will affect use of the preserve, as heavy equipment will and earthmoving may make it unsafe to visit parts or all of the preserve while restoration is underway.

### conceptual planting plan

The master plan shows proposed landscaping at a conceptual level, using bubbles and hatches to indicate plant communities or planting areas. Master plans do not typically provide detailed planting plans with species or exact quantities. Detailed landscape plans should accompany further design of parking areas, pond removals and other improvements. However, the sections below provide samples of species and implementation methods which should guide creation of landscape plans, or allow the Township to skip formal landscape plans in some cases.

- **Prohibited Uses**— Neighbors have reported that people have already begun fishing in the large pond at the eastern end of the site. The large pond will continue to attract anglers, many of whom will be tempted to park at the end of Sherwood Drive. Fishing is not an ideal use at a nature preserve, as anglers sometimes leave trash and remnant fishing line. Lines get stuck in trees and vegetation. Other animals, such as birds and turtles can be injured or killed.

- **Safety**— Ponds often become attractive nuisances. People are drawn to water. They want to see fish, turtles and frogs. They want to see their reflections. They like to just watch and listen to waves and splashes. However, the draw to the ponds can result in people in the ponds, purposely or accidentally. The potential for someone to get hurt, or worse, due to the ponds is not a necessary risk.

While the ponds do provide some visual scenery and habitat, they don't fit into the overall concept of the preserve, nor into the township's future plans. Therefore, all of the ponds should be drained and restored to more naturalized conditions. They should be filled or regraded and planted in meadow or forest, according to the graphic plans. In some cases, they may remain wet. Over time, they will likely revert to a more naturalized state, either drying out or remaining wet depending on their location, underlying soil and proximity to the streams.

Additionally, more detailed study may be necessary to determine how the ponds are filled, whether they are connected and how best to drain them. It's possible that draining one pond will affect the others. It is critical to determine how the ponds are connected, as one pond remains on the restaurant parcel, which has no longer part of the preserve. If this pond is inadvertently drained, it could cause issues with the current owner.

### stream restoration

Over 50 years ago, Evans Brook was moved, channelized and altered to make way for the golf course. Construction

## meadows

The plan transforms the site from a golf course into a nature preserve. However, the nature preserve can still maintain some shadows of its former life. By transforming some fairways to meadows, the form of the golf course can be maintained. For returning golfers, the place will look different, but parts of it will still feel familiar. Mowed turf grass grown into meadows will keep the open feeling, while improving habitat, stormwater management and soil health.

The site conditions vary, as some areas are much wetter than others. Therefore, multiple seed mixes are necessary to encourage proper establishment. Meadow areas are labeled on the graphic plan with the following corresponding item numbers:

- **ERNMX-273: PA Coastal Plain Riparian Mix** – This mix is appropriate for the wettest areas, near streams, floodplains or wetlands. This mix, formulated for wet soils and prolonged moisture, is very diverse, with no single species comprising more than 15% of the mix. It's made up of grasses as well as flowering plants, such as milkweed, ironweed, asters and goldenrod.

- **ERNMX-153 : Showy Northeast Native Wildflower & Grass Mix** – This mix should be used in areas that may be wet at times but dry at others. It is currently



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proposed in the eastern end of the site. This showy mix uses little bluestem as a filler, complemented by a wide variety of native wildflowers, which will provide a pop of color in the summer into the fall.

- **ERNMX 270-1: PA Coastal Plain Province UPL Meadow Mix** – This mix contains approximately 60% little bluestem, a native grass growing to approximately 4' in height. Wild rye, comprising 20%, helps to fill out the meadow. The last 20% contains a mixture of wildflowers, which will add diversity and color to the meadow. This mix is appropriate for the driest parts of the site, mainly around the proposed parking area.

Once the meadows are established and the residents and visitors get used to their growth and maintenance patterns, they should come to accept, and even love them. However, meadow sites are typically ugly and a bit messy in their first few years as the plants are still getting established. The township should consider signs or other messaging to explain the process, to inform people that the meadows are being stewarded, but that they are a work in progress.

Typically, meadows require far less mowing than turf grass lawns. Once the mixes are specified and installed, the Township should follow any specific instructions provided by the seed manufacturer. The new meadows will likely require two mowings in the first year or two, followed only by a spring mowing in subsequent years.

## riparian buffers & reforestation

Tree planting is a major component to restoring the golf course to a more natural condition. Some of the fairways, especially those closest to streams, are proposed to be reforested. A mix of reforestation and meadow plantings will provide a more diverse variety of plant species and communities, making the site more beneficial to a wider variety of animals. It will also provide a variety of scenery, sun and shade and character to improve the visitors' experience.

Where trees are planted near streams, we call these new plantings riparian buffers. "Riparian" means related to or situated on the banks of a river. In this case, "buffer" means protection. The trees planted as a riparian buffer help to protect the streams. The roots hold soil together and drink up stormwater before it can flow into the streams. The trees also clean the water that they don't drink. Their roots, trunks and suckers act as obstacles to flowing water, which is then filtered by taller grasses or the trees themselves. As the water slows down, it also drops out sediment and pollutants, and is encouraged to infiltrate into the ground. Infiltration is important, as water then recharges the aquifer below, rather than overwhelming and flooding the streams.

Where reforestation or riparian buffer trees are proposed, it would be most economical to plant small (4-6' ht) restoration grade trees. They should be protected with tree tubes at least 6' in height, so deer can't destroy the saplings. The tubes should be topped with mesh to discourage bees and wasps from nesting in the tubes. Each tube should also be supported with a stake, to help keep the trees upright if deer or other animals rub the tubes. The trees should be spaced at least 10' on center, but potentially slightly more or less depending on the width of the mower to be used to mow between them.

The trees in tubes need to be maintained regularly for approximately 3-5 years. Once the trees reach approximately 10' in height, or outgrow the widths of the tubes, the tubes can be removed. Before then, the township must mow between the rows of tubes on a

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regular basis to discourage mice, voles and other small mammals from nesting and chewing on the roots. Voles frequently damage or kill young trees. Mowing can be alternated by direction every few weeks, leaving the grass in one direction to help reduce erosion, manage stormwater and provide some habitat.

## hazard trees

With so many trees already growing on the course as it reaches 50 years old, it's not surprising that some are dying. Where dead trees exist in the middle of an existing or proposed forest or meadow, they do not necessarily need to be removed or even addressed. They can be allowed to drop where they stand, with the dead wood acting as habitat and eventually rotting and replenishing the soil.

However, where dead or dying trees are near a path, parking lot, or other gathering area, they are considered hazard trees and should be addressed. Even these trees may not need to be completely removed- only the hazard needs to be eliminated. For instance, if a 50' wide tree is dying and the farthest reaches of its branches hang over a parking lot, the branches constitute a hazard. The branches should be removed, but a portion of the trunk may be able to be left as habitat. Every hazard tree is different and requires a different solution.

The Township should inspect trees close to paths, parking, buildings, and other places people use on a regular basis. A certified arborist or similar professional should conduct a formal inspection every three years. A professional may identify long term issues (such as emerald ash borer) before they become an emergency, allowing the Township to plan for remediation. The Township staff should also walk the site and look for potential hazards after major storm events.

## landscaping

Landscaping restoration will depend primarily on meadow installation and reforestation, both of which are planned on a large scale without details showing individual plants. However, some areas of the preserve would benefit from detailed design, to create beautiful and welcoming entrances, to screen out some neighboring uses and to help the preserve fit in the surrounding community.

- **Driveways & Entrances** – The proposed driveway should be landscaped with shade trees to create a welcoming entrance sequence. Traditionally used native species, like oaks and elms, should be used. As they grow, they will shade the driveway and evoke a traditional farmstead entry driveway. Trees and shrubs should also be planted at other entrances and places where trails intersect. These areas need to be dressed up with landscaping to be welcoming. Also, people frequently stop at trail intersections. It's nice to have some shade and beauty in these locations.

## screening & softening buffers

Views in and out of the preserve need to be well thought out to create a sense of enclosure and a comfortable space within the preserve, while still allowing visibility for security and safety. Every boundary is different and should be approached differently. The plan recommends the following buffers, in addition to reforestation and meadows:

- **Agriculture** – On the eastern side of the site, a large farm exists north of the preserve. Residents of Sherwood Drive report that the fields get dusty in dry seasons and the dust blows through the preserve and into their neighborhood. The existing row of white pines along the boundary provides some intermittent buffering, with many gaps and some trees in decline. A mix of more evergreens and lower growing flowering trees would provide more buffering from the dust, while better defining

the edge of the preserve. A variety of species would also provide more color, texture and interest.

- **Bowling Green Brandywine Treatment Center** – This neighboring use is already surrounded by a fence, but neighbors have reported that the fence by itself is insufficient to buffer the treatment site. Residents of the treatment center sometimes hang out near the fence, making preserve users wary. Additionally, the chain link fence and the rear of the treatment center do not blend well with the proposed character of the preserve. The western and southern boundaries should be buffered heavily with thick shrub and tree plantings to discourage residents from hanging out near the fence or climbing it. The buffer should also be designed to hide the treatment center as much as possible.

- **Sherwood Drive & Church Road Backyards** – The areas adjacent to these backyards is primarily planned to be planted in meadows and off limits to the public. An existing cartpath which follows the boundary will remain open for maintenance vehicles only. However, fencing these property lines will help define the boundary and help to avoid issues for both the Township and the neighbors. A fence should eliminate any accidental trespassing by visitors. It should also ensure that neighbors don't encroach on the preserve.

## amenities

The master plan doesn't show exact locations of amenities, as additional design and study may be necessary before placing them. But like any park or nature preserve, the site will need benches and signage. Picnic tables, arbors, trellises, and other seating areas or structures may also be appropriate.

- **Signs** – The preserve will need a unified signage system, preferably matching signage at other Township parks and open spaces, but at least consistent throughout this site. Site identification and information signs should welcome visitors at all entrances. The main entrance drive should feature a large, well crafted sign stating the name of the preserve, making it obvious that this is the main entrance and parking area. A kiosk or other informational sign should be placed near the parking lot along a main trail. The kiosk should be readable from the trail, but should be slightly away from the parking lot, so visitors reading the information aren't standing where cars may be trying to park. A kiosk could be coupled with a small shelter or other structure to signify it as a place for people to gather before they head into the preserve.

Similarly, temporary signage should be installed at the temporary parking area. The same information should be posted. Knowing that the entrance will only exist temporarily, the signs should be constructed and installed in a manner that is less costly and can be easily removed. For instance, a kiosk may be installed using compacted stone footers, rather than concrete. Signage and information sheets may be laminated printouts, rather than permanent, plastic signs.

As the site contains over 100 acres and four miles of trails, wayfinding signage will be important to guide visitors to the important features on site. The site and trail system are large enough that visitors may get turned around or temporarily lost, but it's not so big that anyone would be in danger. Therefore,

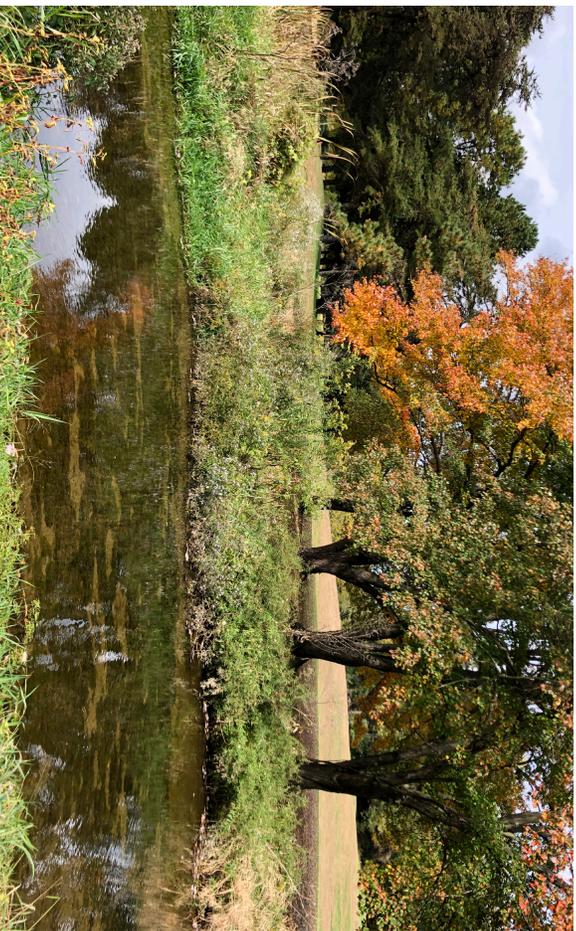
wayfinding signs can be kept to a minimum, placed at intersections and trailheads. They may be limited to simple directions, like "This Way to Church Road Parking."

- **Benches** – There is no commonly accepted standard for approximate distance between benches, but a quarter mile walk is commonly used to consider a location walkable. So the master plan recommends benches be placed roughly every quarter mile to allow visitors to sit and rest. However, greater consideration should be given to character of the location, rather than strictly placing benches by distance. Benches should take advantage of beautiful views, like long views along a fairway, or points of interest, such as wetlands or a significant tree. Benches also should be grouped, so more than two people can sit and interact with each other. Where multiple benches are placed together, they should be placed across from each other, or angled towards each other, so people on different benches can face and talk to each other comfortably.

## potential future uses

The preserve's primary function and goal should be to restore the golf course to nature and give residents a place to walk and enjoy nature. However, as the site contains over 100 acres, most of which have been disturbed, it does offer flexibility to incorporate other uses. The master plan has not explored the following options beyond conversations with the Township, but they could be considered for future implementation.

- **Community/Allotment Gardens** – Residents who wish to garden, but don't have proper space, may benefit from renting a plot in a community garden. However, these types of gardens do come with design challenges. They require sunshine and water. They also typically need mulch and soil delivery, so they need to be close to a driveway. Community gardens are also fairly unattractive for much of the year, so adjacent neighbors may not want them in view. The garden beds are typically barren from fall



through the early spring, or even worse, left with standing dead plants. These dead plants also end up in brush or compost piles, which contribute to the messy aesthetic. These are real challenges, but they can be addressed through good design and proper location.

Should a community garden be established at the preserve, it should be located close to the existing maintenance center compound. The maintenance center has water and electricity. It is also far enough from the road to hide the garden and it won't impact existing residents' views. A portion of the maintenance area could be designated for garden member use, to store tools and materials. The garden will also gain some security by being located close to the Township's center of activity at the preserve.

- **Parks & Volunteer Headquarters** – The existing maintenance center provides the Township

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with a place to store vehicles, materials, tools and equipment. It also provides a place for the Township to have a presence at the preserve. While employees won't be stationed there all the time, the maintenance area provides a center for Township activity. For now, just having these buildings and access to water and electricity is enough.

However, in the future, the Township could plan to do more with the space. While it should still function as storage and maintenance, the enclosed building could be revamped to act as headquarters for parks and recreation. It could be renovated to include offices, meeting rooms and gathering spaces, lockers, bathrooms and more. The building could host meetings, informational sessions, conferences and other educational programs. It could be a warm place for volunteers to meet up on project days. It can provide a permanent township presence at the preserve.

## implementation - phasing

The master plan provides guidance for transforming the site from a golf course into a nature preserve. The site is no longer used for golf, but it's not quite a nature preserve or park yet either. However, this in-between phase hasn't stopped residents from visiting. Neighbors are walking in where they can (which is ok). Some are parking on the road sides or at the restaurant (which is not ok). The Township can't implement the entire master plan at once, as it's likely cost prohibitive and there are more interim steps to take. But a simple phasing plan can help provide safer access soon while lessening the chances of conflicts and illicit uses. The plan (and other steps outside the plan) can be implemented in the following phases:

### Phase 1: Immediate Access

- Hazard tree assessment and removal/pruning per assessment.
- Permit neighbors to walk into the preserve and use the existing cart paths.
- Install temporary parking with signage.
- Conduct additional studies, such as traffic engineering, pond hydrology, Sherwood Drive trail design, detailed landscape design, etc.
- Conduct assessment of bridges to remain.
- Continue seasonal mowing, allowing fairways to grow into meadows.

### Phase 2: Stream Restoration

- Work with the consultant to determine the schedule and how much of the preserve will need to be closed at a time.
- Limit access to safe areas.

### Phase 3: Pond Remediation

- Remove large pond.
- Regrade to naturalized condition.
- Plant proposed meadows in the easternmost area.
- Drain shallow walled pond.
- Install wetland planting species.

### Phase 4: Permanent Access

- Install permanent entrance driveway.
- Install permanent parking area.
- Install heavy duty gate.
- Install identification and welcome signage.
- Install recommended improvements at Church Road Crossing.
- Grade and seed proposed lawn adjacent to parking.

- Remove temporary parking.
- Remove unnecessary cartpaths.

- Repave cartpaths to remain and install new paths.
- Replace bridges as necessary.

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## 02 the master plan

### Phase 5: Buffer Landscaping

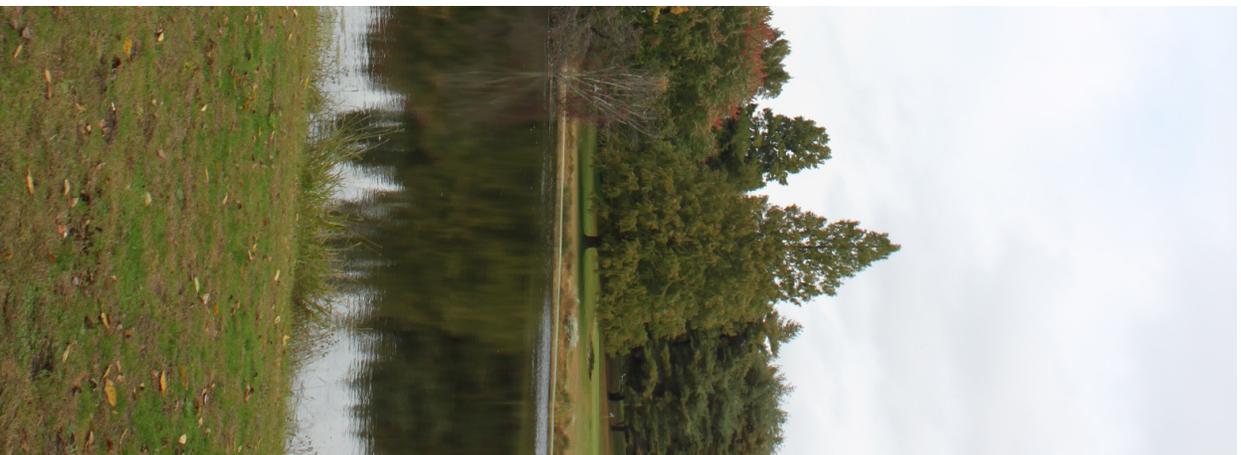
- A. Install screening and security buffer around Bowling Green Brandywine Treatment Center
- B. Install mixed buffer along northern boundary of eastern site.

### Phase 6: Restoration Landscaping

- A. Eastern Side
  - 1. Install restoration grade trees – can be performed by volunteers, staff or contractors (or combination)
  - 2. Install fencing along boundaries w/ Sherwood backyards.
  - 3. Install meadows.
- B. Western Side
  - 1. Install riparian buffers at westernmost boundary.
  - 2. Install riparian buffers along Evans Brook.
  - 3. Install reforestation trees throughout the remaining landscape.
  - 4. Install meadows surrounding entrance and at McCue Road frontage at western end.

### Phase 7: Finish Details

- A. Install Benches.
- B. Install wayfinding signage.
- C. Install any remaining buildings, covers, or structures.
- D. Final seeding/stabilization/cleanup



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## conclusion 03

The transformation of the Loch Nairn Golf Course into a nature preserve will begin to restore the site to its natural condition. Long before it was a golf course, the site was farmed, stripped of any trees, eroding the streams, polluting the water with sediment, and likely worse. As the reclamation proceeds, residents will begin to get a glimpse of what most of New Garden Township may have looked like hundreds of year ago-forested stream valleys amongst Chester County's rolling hills.

The form of the golf course, the fairways, some cart paths, maybe wetlands where there were once water

hazards, will still be recognizable for some time. Golfers may return to walk the site and enjoy memories from the course. Maybe they'll still eat or drink at the restaurant next door. They should have some new companions though, as reforestation and restoration should bring back meadow birds and forest creatures.

The site will be more welcome to the birds, mammals and amphibians, as well as to people. Once fully open, the preserve will welcome members of the public to come visit, walk the paths and enjoy nature. The new nature preserve will continue Loch Nairn's legacy of outdoor recreation, welcoming everyone.



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site inventory & analysis maps



**Historical Aerial (1957/1958)**

**SMEDLEY PRESERVE**

Tax ID: 59-6-1-0, 60-1-1, 60-1-1-4, 60-1-1-7, 60-1-37,  
60-1-37-16, p/o 60-1-1-2, and p/o 60-1-1-3  
New Garden Township, Chester County, PA

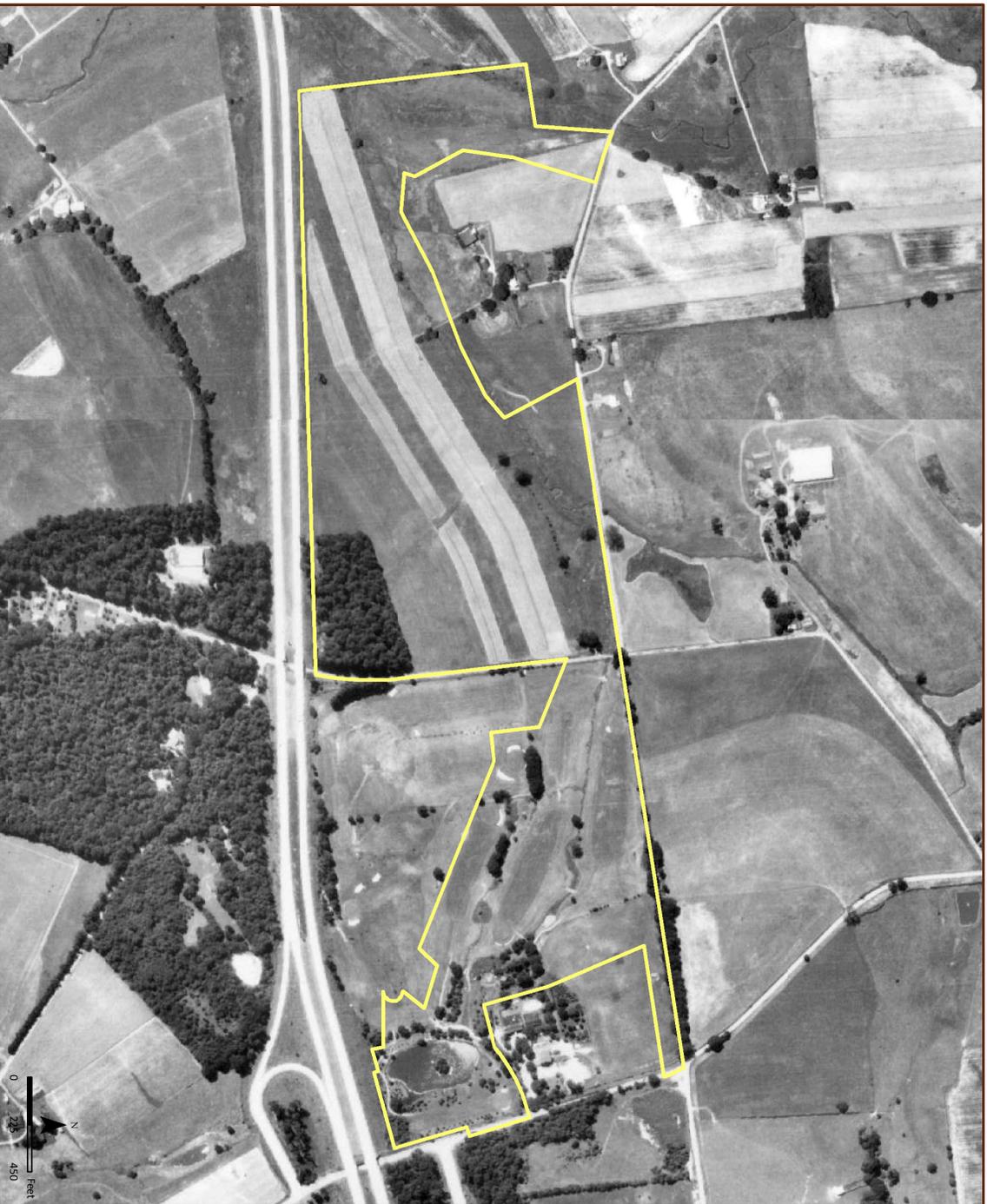
 Smedley Preserve (+/- 106 acres)

  
1037 Palmers Mill Road, Media, PA 19063  
610-553-5587 | natallands.org

1. Property boundary from Register Associates, Inc.  
Compiled by: MMB 11/18/2022

Disclaimer: This map is not a survey. The information reported with this map is meant to assist in the identification of property boundaries. It is not intended to be used as a legal document. The information on this map is based on the best available information, which may have included surveys, but maps, field mapping using GPS, and/or lines (or any other lines), and no liability is assumed by reason of reliance thereon. Used this map for other than its intended purpose requires the written consent of Natural Lands Trust, Inc.

site inventory & analysis maps



**Historical Aerial (1971)**

**SMEDLEY PRESERVE**

Tax ID: 59-6-10, 60-1-1, 60-1-1-4, 60-1-1-7, 60-1-37,  
60-1-37.16, p/o 60-1-1-2, and p/o 60-1-1.3  
New Garden Township, Chester County, PA

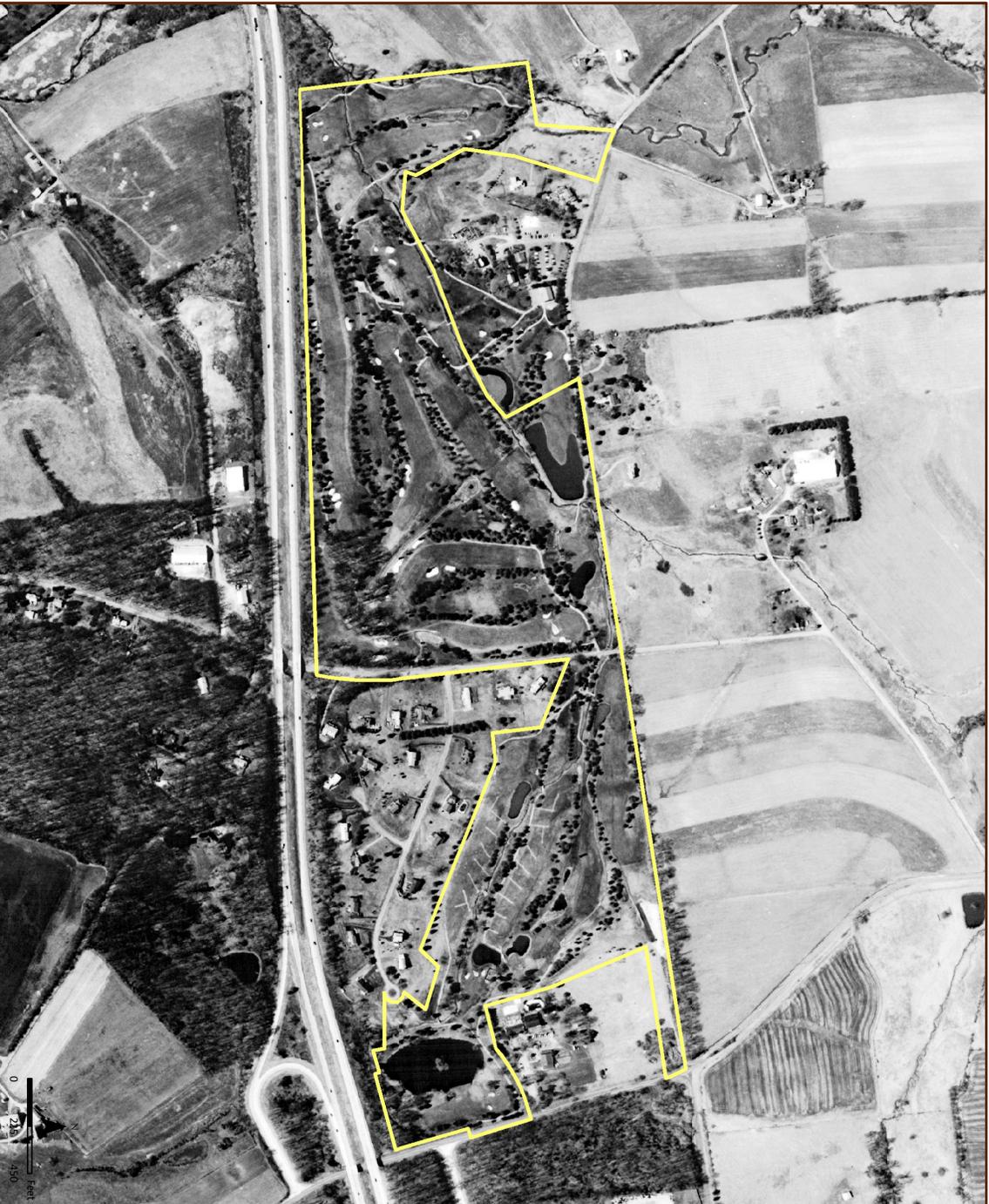
 Smedley Preserve (+/- 106 acres)

  
1037 Palmers Mill Road, Media, PA 19063  
610-553-5587 | natallands.org

1. Property boundary from Register Associates, Inc.  
2. Historical aerial imagery from PennState.edu  
Compiled by: MMB 12/18/2022

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site inventory & analysis maps



**Historical Aerial (1995)**

**SMEDLEY PRESERVE**

Tax ID: 59-6-10, 60-1-1, 60-1-1-4, 60-1-1-7, 60-1-37,  
60-1-37-16, p/o 60-1-1-2, and p/o 60-1-1-3  
New Garden Township, Chester County, PA

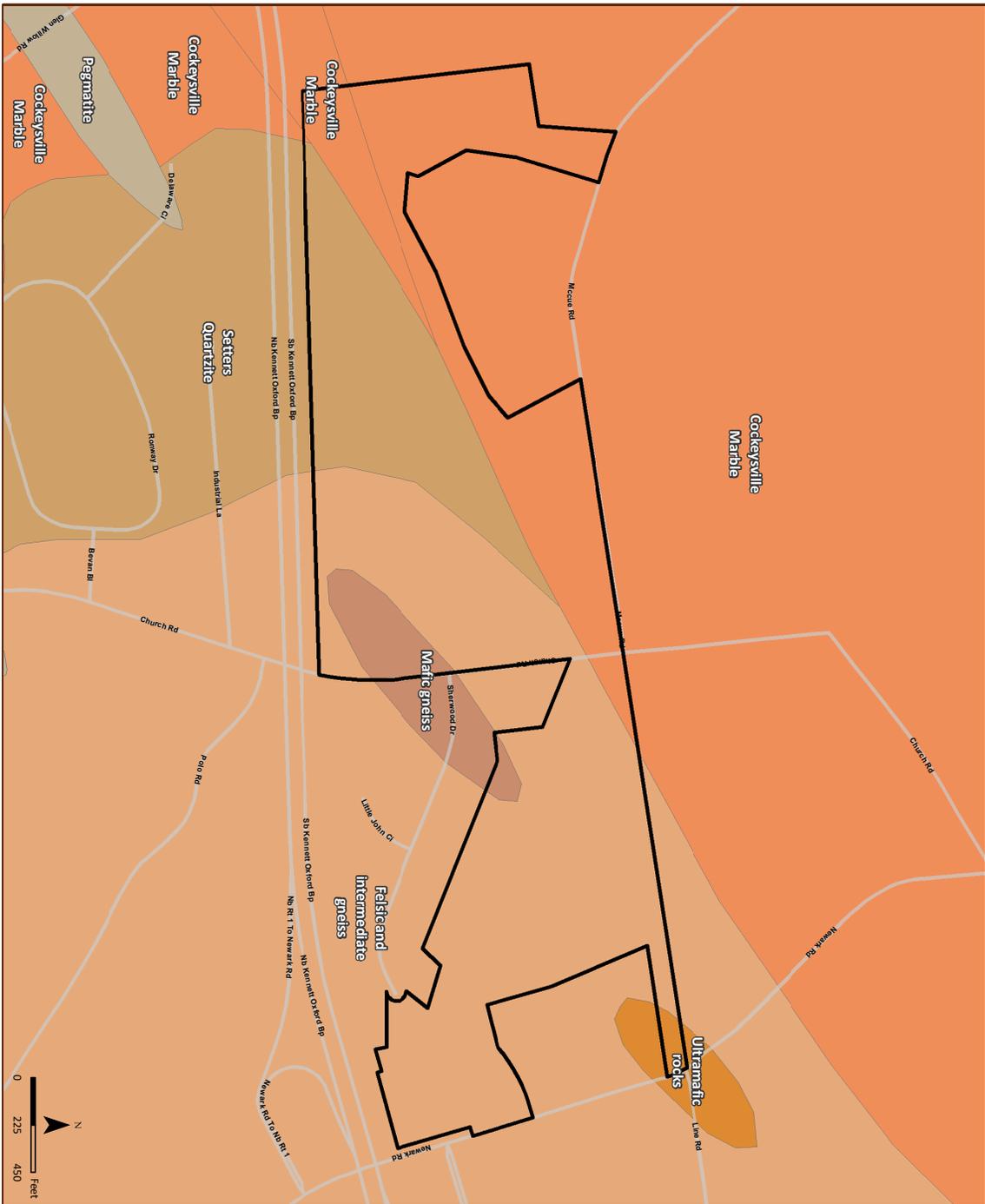
 Smedley Preserve (+/- 106 acres)

  
1037 Palmers Mill Road, Media, PA 19063  
610-553-5587 | natallands.org

1. Property boundary from Register Associates, Inc.  
Compiled by: MMB 12/18/2022
2. Historical aerial imagery from [www.janmillerphoto.com](http://www.janmillerphoto.com)

Disclaimer: This map is not a survey. The information reported with this map is meant to assist in understanding the location of the property. It is not intended to be used as a legal document. The information on this map is based on the best available information, which may have included surveys, but maps, field mapping using GPS, and/or lines (or any other lines), and no liability is assumed by reason of reliance thereon. Used this map for other than its intended purpose requires the written consent of Natural Lands Trust, Inc.





**Geology**

**SMEDLEY PRESERVE**  
 Tax ID: 59-6-10, 60-1-1, 60-1-1-4, 60-1-1-7, 60-1-37,  
 60-1-37-16, p/o 60-1-1-2, and p/o 60-1-1-3  
 New Garden Township, Chester County, PA

- Smedley Preserve (+/- 106 acres)
- Surface Geology**
- Cockeysville Marble
- Felsic and intermediate gneiss
- Mafic gneiss
- Pegmatite
- Setters Quartzite
- Ultramafic rocks

**Natural Lands**  
 1037 Palmers Mill Road, Media, PA 19063  
 610-555-5587 | natallands.org

1. Property boundary from Register Associates, Inc.  
 2. Geology from PA Geological Survey.  
 Compiled by: MMB 11/18/2012

Disclaimer: This map is not a survey. The information reported with this map is meant to assist in understanding the general geology of the area. It is not intended to be used as a legal document. The information on this map is based on the best available information, which may have included surveys, but maps, field mapping using GPS, and/or lines (or any other lines), and no liability is assumed by reason of reliance thereon. Use of this map for other than its intended purpose requires the written consent of Natural Lands Trust, Inc.







**Existing Cart Paths**

**SMEDLEY PRESERVE**

Tax ID: 59-6-10, 60-1-1, 60-1-1.4, 60-1-1.7, 60-1-37, 60-1-37.16, p/o 60-1-1.2, and p/o 60-1-1.3  
 New Garden Township, Chester County, PA

Smedley Preserve (+/- 106 acres)

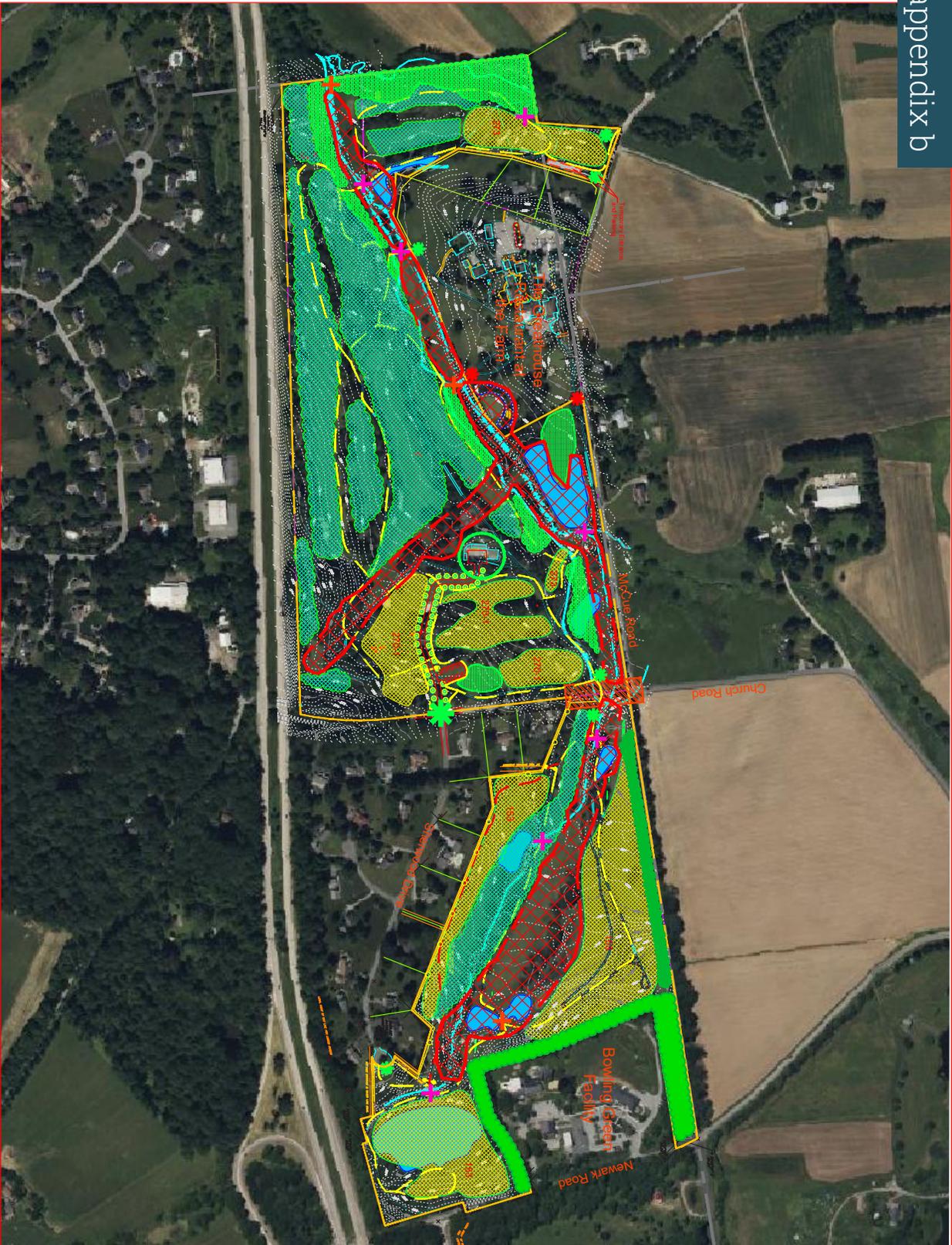
Waterways

Existing Cart Paths

**Natural Lands**  
 1037 Palmers Mill Road, Media, PA 19063  
 610-553-5587 | naturalands.org

1. Roadways and water ways from: Mon Chester County
  2. Property boundary and existing cart paths from Register Associates, Inc.
  3. Aerial imagery from FRAC.
- Compiled by: MAB 11/17/2022

Disclaimer: This map is not a survey. The information reported with this map is meant to assist in the understanding of the property boundaries and cart paths. It is not intended to be used as a legal document. The information reported with this map is based on the best available information, which may have included: surveys, tax maps, field mapping using GPS, and/or other information. The information is provided as a general reference only. The information is not intended to be used as a legal document. The information is provided as a general reference only. The information is not intended to be used as a legal document. Use of this map for other than its intended purpose requires the written consent of Natural Lands Trust, Inc.



**New Garden Twp. Park  
DRAFT Master Plan  
New Garden Township  
Chester County, PA  
March 18, 2024  
OPTION 1  
Total Area: 206 Ac +/-**

**Key**

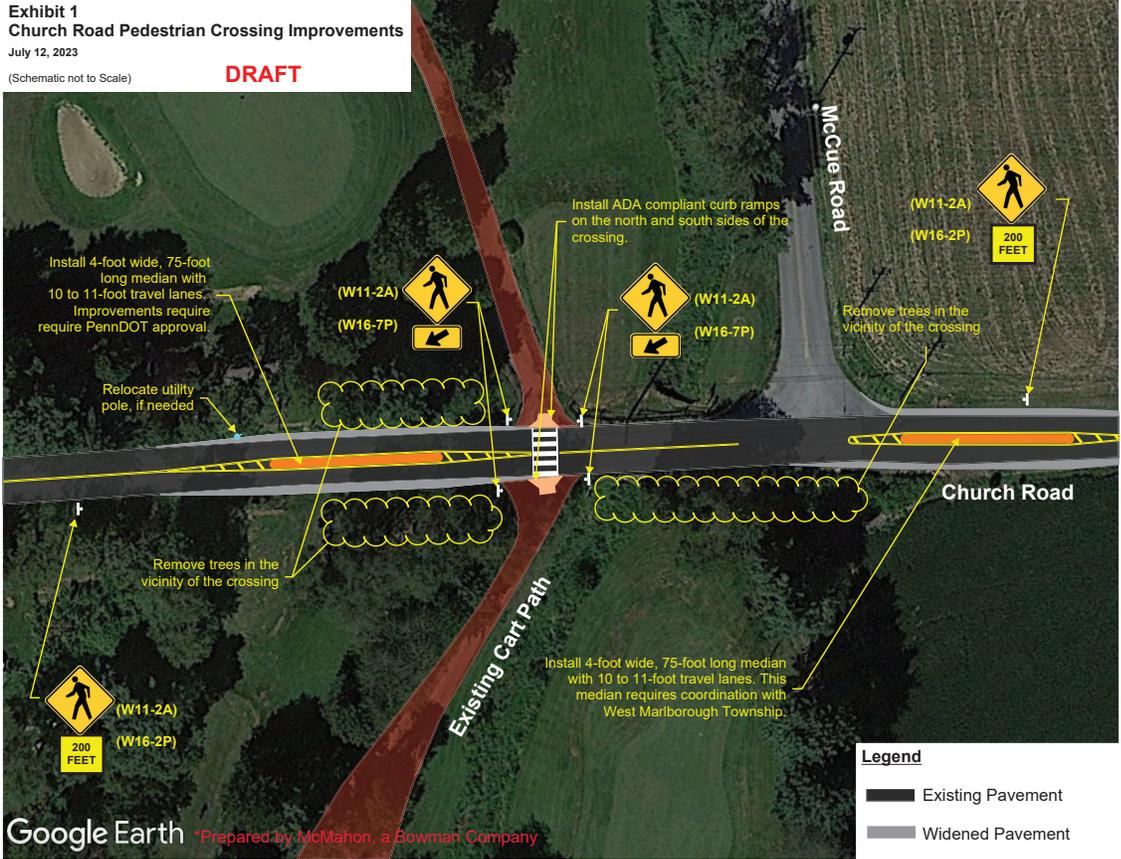
- Proposed Stream Restoration Area
- Existing Stream
- Existing Pond (TBR)
- Existing Boundary
- Proposed Riparian Buffer
- Proposed Screen
- Proposed Meadow
- Proposed Forest
- Proposed Plantings
- Entrances (Existing and Proposed)
- Entrances To Be Removed
- Traffic Study Area
- Proposed Trail
- Proposed Gate
- Existing Bridge To Be Removed
- Existing Bridge to Remain/Replaced

0 200 400 800

**Natural Lands**

**Exhibit 1**  
**Church Road Pedestrian Crossing Improvements**  
 July 12, 2023

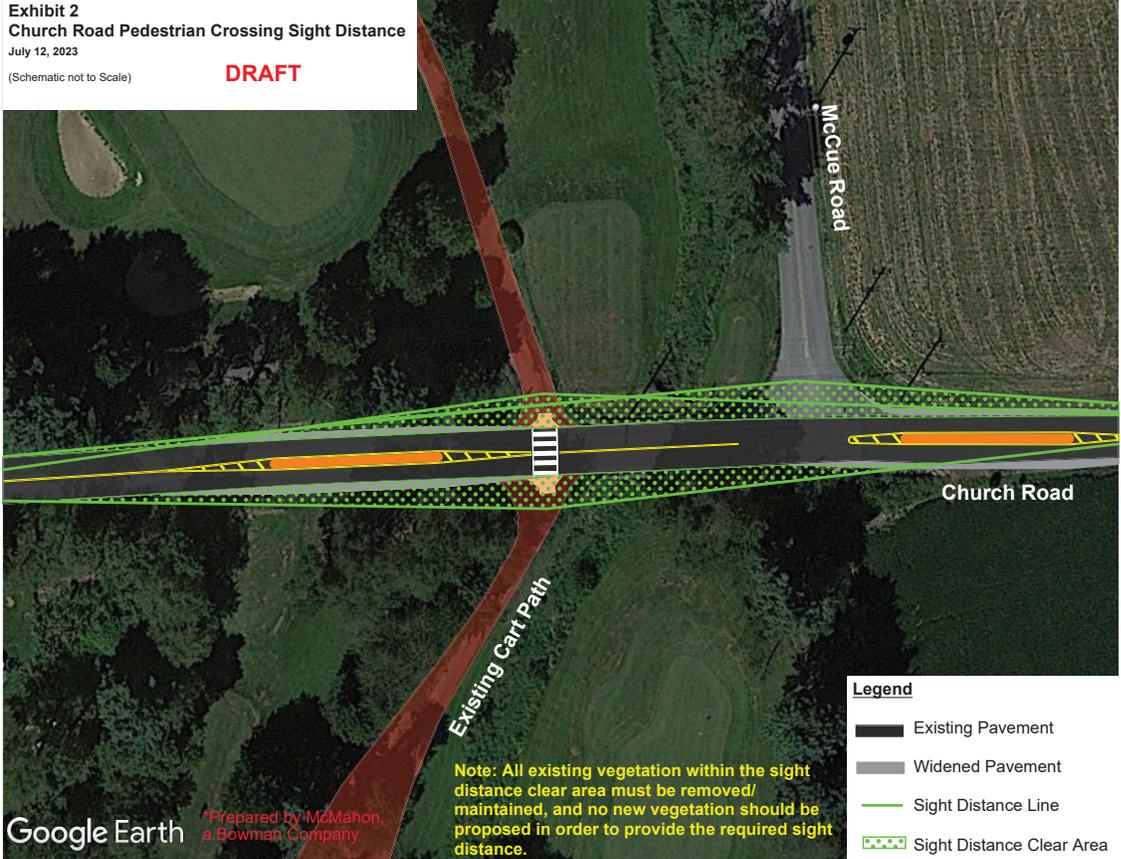
(Schematic not to Scale) **DRAFT**



Google Earth \*Prepared by McMahon, a Bowman Company

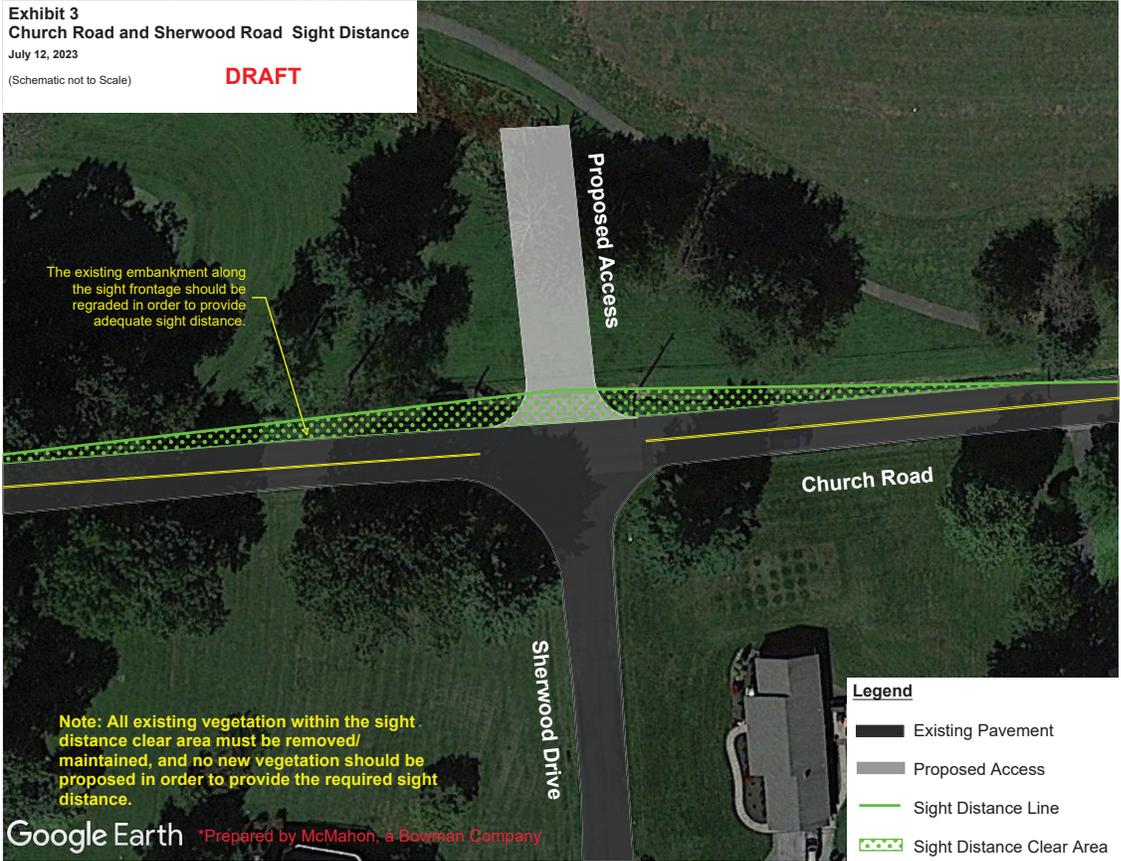
**Exhibit 2**  
**Church Road Pedestrian Crossing Sight Distance**  
 July 12, 2023

(Schematic not to Scale) **DRAFT**



Google Earth \*Prepared by McMahon, a Bowman Company

Exhibit 3  
Church Road and Sherwood Road Sight Distance  
July 12, 2023  
(Schematic not to Scale) **DRAFT**







**Ernst Conservation Seeds**  
8884 Mercer Pike  
Meadville, PA 16335  
(800) 873-3321 Fax (814) 336-5191  
www.ernstseed.com

Date: March 04, 2024

**Showy Northeast Native Wildflower & Grass Mix - ERNMW-153**

Botanical Name	Common Name	Price/Lb
27.90 % <i>Schizanthus scaberrimus</i> , Fort Indiantown Gap-PA Ecotype	Little Bluestem, Fort Indiantown Gap-PA Ecotype	14.61
20.00 % <i>Elymus virginicus</i> , Madison-NY Ecotype	Virginia Wildrye, Madison-NY Ecotype	10.45
11.20 % <i>Bouteloua curtipendula</i> , Baltimore	Sweeten Grass, Baltimore	24.76
10.70 % <i>Echinacea purpurea</i>	Purple Coneflower	49.20
4.00 % <i>Cnicus altissimus</i>	Lanceleaf Coreopsis	28.80
4.00 % <i>Rudbeckia hirta</i>	Black-eyed Susan	31.20
2.80 % <i>Penstemon digitalis</i> , PA Ecotype	Tall White Beardtongue, PA Ecotype	168.00
2.70 % <i>Helipopsis helianthoides</i> , PA Ecotype	Overset Sunflower, PA Ecotype	33.60
2.60 % <i>Asclepias tuberosa</i> , PA Ecotype	Butterfly Milkweed, PA Ecotype	312.00
2.00 % <i>Zizia aurea</i> , PA Ecotype	Golden Alexanders, PA Ecotype	72.00
1.30 % <i>Chamaecrista fasciculata</i> , PA Ecotype	Partridge Pea, PA Ecotype	17.00
1.20 % <i>Liatris spicata</i>	Marsh Blazing Star	252.00
1.00 % <i>Aster oblongifolius</i> , PA Ecotype	Aromatic Aster, PA Ecotype	336.00
1.00 % <i>Baptisia australis</i> , Southern WV Ecotype	Blue False Indigo, Southern WV Ecotype	96.00
1.00 % <i>Lespedeza capitata</i> , RI Ecotype	Roundleaf Lespedeza, RI Ecotype	115.20
0.80 % <i>Lespedeza virginica</i> , VA Ecotype	Slender Lespedeza, VA Ecotype	216.00
0.80 % <i>Eragrostis spectabilis</i> , RI Ecotype	Purple Lovegrass, RI Ecotype	192.00
0.80 % <i>Rudbeckia triloba</i> , WV Ecotype	Brown-eyed Susan, WV Ecotype	57.60
0.80 % <i>Senna hebecarpa</i> , VA & WV Ecotype	Wild Senna, VA & WV Ecotype	28.80
0.60 % <i>Aster laevis</i> , NY Ecotype	Smooth Blue Aster, NY Ecotype	336.00
0.40 % <i>Aster pilosus</i> , PA Ecotype	Heath Aster, PA Ecotype	264.00
0.40 % <i>Monarda fistulosa</i> , Fort Indiantown Gap-PA Ecotype	Wild Bergamot, Fort Indiantown Gap-PA Ecotype	96.00
0.40 % <i>Senna hebecarpa</i>	Maryland Senna	28.80
0.40 % <i>Solidago nemoralis</i> , PA Ecotype	Gray Goldenrod, PA Ecotype	264.00
0.20 % <i>Penstemon hispidus</i>	Hoary Beardtongue	480.00
0.20 % <i>Penstemon incarnum</i> , MD Ecotype	Hoary Mountainmint, MD Ecotype	432.00
0.20 % <i>Solidago bicolor</i> , PA Ecotype	White Goldenrod, PA Ecotype	240.00
0.20 % <i>Solidago juncea</i> , PA Ecotype	Early Goldenrod, PA Ecotype	336.00
0.20 % <i>Tradescantia ohiensis</i> , PA Ecotype	Ohio Spiderwort, PA Ecotype	252.00

**Seeding Rate:** 15 lbs/acre with 30 lbs/acre of a cover crop. For a cover crop use either grain oats (1 Jan to 31 Jul) or grain rye (1 Aug to 31 Dec).

Graasses & Grass-like Species - Herbaceous Perennial; Herbaceous Flowering Species - Herbaceous Perennial; Pollinator Favorites; Uplands & Meadows

The native wildflowers and some grasses provide a gorgeous display of color from spring to fall. Designed for upland sites with well-drained soils and full sun to semi-shaded areas; ideal for attracting butterflies and hummingbirds. Mix formulations are subject to change without notice depending on the availability of existing and new products. While the formula may change, the guiding philosophy and function of the mix will not.

**Price quotes guaranteed for 30 days.**  
All prices are FOB Meadville, PA.  
Please check our web site at [www.ernstseed.com](http://www.ernstseed.com)  
for current pricing when placing orders.

Botanical Name	Common Name	Price/Lb
62.10 % <i>Schizanthus scaberrimus</i> , Fort Indiantown Gap-PA Ecotype	Little Bluestem, Fort Indiantown Gap-PA Ecotype	14.61
20.00 % <i>Elymus virginicus</i> , Madison-NY Ecotype	Virginia Wildrye, Madison-NY Ecotype	10.45
3.00 % <i>Chamaecrista fasciculata</i> , PA Ecotype	Partridge Pea, PA Ecotype	12.00
2.60 % <i>Penstemon digitalis</i> , PA Ecotype	Tall White Beardtongue, PA Ecotype	168.00
2.50 % <i>Helipopsis helianthoides</i> , PA Ecotype	Helipopsis helianthoides, PA Ecotype	33.60
2.00 % <i>Rudbeckia triloba</i> , WV Ecotype	Brown-eyed Susan, WV Ecotype	57.60
2.00 % <i>Senna hebecarpa</i> , VA & WV Ecotype	Wild Senna, VA & WV Ecotype	28.80
1.00 % <i>Lespedeza capitata</i> , RI Ecotype	Roundleaf Lespedeza, RI Ecotype	115.20
0.90 % <i>Aster biflorus</i>	Calico Aster	336.00
0.90 % <i>Aster rupestris-virgatus</i> , PA Ecotype	New England Aster, PA Ecotype	336.00
0.50 % <i>Penstemon tenuifolium</i>	Narrowleaf Mountainmint	240.00
0.40 % <i>Monarda fistulosa</i> , Fort Indiantown Gap-PA Ecotype	Wild Bergamot, Fort Indiantown Gap-PA Ecotype	96.00
0.40 % <i>Solidago nemoralis</i> , PA Ecotype	Gray Goldenrod, PA Ecotype	264.00
0.30 % <i>Asclepias syriaca</i> , PA Ecotype	Common Milkweed, PA Ecotype	96.00
0.30 % <i>Oenothera fruticosa</i> var. <i>fruticosa</i>	Sundrops	360.00
0.30 % <i>Penstemon laevis</i> , PA Ecotype	Appalachian Beardtongue, PA Ecotype	336.00
0.30 % <i>Tradescantia virginiana</i> , Southeastern PA/Northern VA	Virginia Spiderwort, Southeastern PA/Northern VA	480.00
0.20 % <i>Aster pilosus</i> , PA Ecotype	Heath Aster, PA Ecotype	264.00
0.20 % <i>Solidago juncea</i> , PA Ecotype	Early Goldenrod, PA Ecotype	336.00
0.10 % <i>Solidago odora</i> , PA Ecotype	Lorice Scented Goldenrod, PA Ecotype	394.00

**Seeding Rate:** 20 lbs/acre with 30 lbs/acre of a cover crop. For a cover crop use either grain oats (1 Jan to 31 Jul) or grain rye (1 Aug to 31 Dec).

Graasses & Grass-like Species - Herbaceous Perennial; Herbaceous Flowering Species - Herbaceous Perennial; Pollinator Favorites; Uplands & Meadows

Mix formulations are subject to change without notice depending on the availability of existing and new products. While the formula may change, the guiding philosophy and function of the mix will not.

**Price quotes guaranteed for 30 days.**  
All prices are FOB Meadville, PA.  
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for current pricing when placing orders.



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www.ernstseed.com

Date: March 04, 2024

**PA Coastal Plain Province UPL Meadow Mix - ERNMW-270-1**



**Ernst Conservation Seeds**  
 8884 Mercer Pike  
 Meadville, PA 16335  
 (800) 873-3321 Fax (814) 336-5191  
[www.ernstseed.com](http://www.ernstseed.com)

Date: March 04, 2024

**PA Coastal Plain Province Riparian Mix - ERNMX-273**

Botanical Name	Common Name	Price/Lb
14.80 % <i>Schaefferium scaphinum</i> , Fort Indiantown Gap-PA Ecotype	Little Bluestem	14.61
14.50 % <i>Sorghastrum nutans</i> , NY Ecotype	Indiangrass, NY Ecotype	14.47
13.00 % <i>Panicum virgatum</i> , Habitat-70 Ecotype	Switchgrass, Habitat-70 Ecotype	12.81
12.00 % <i>Elymus virginicus</i> , Madison-NY Ecotype	Virginia Wildrye, Madison-NY Ecotype	10.45
11.00 % <i>Andropogon gerardii</i> , Niagara	Big Bluestem, Niagara	9.38
10.00 % <i>Elymus riparius</i> , PA Ecotype	Riverbank Wildrye, PA Ecotype	10.05
5.00 % <i>Carex vulpinoidea</i> , PA Ecotype	Fox Sedge, PA Ecotype	28.80
5.00 % <i>Panicum rigidulum</i> , PA Ecotype	Reedtop Pangrass, PA Ecotype	57.60
3.00 % <i>Chamaecrista fasciculata</i> , PA Ecotype	Partridge Pea, PA Ecotype	12.00
2.00 % <i>Helopsis helianthoides</i> , PA Ecotype	Oxeye Sunflower, PA Ecotype	33.60
2.00 % <i>Juncus effusus</i>	Soft Rush	48.00
2.00 % <i>Verticillium hastata</i> , PA Ecotype	Blue Vervain, PA Ecotype	38.40
1.90 % <i>Asclepias incarnata</i> , PA Ecotype	Swamp Milkweed, PA Ecotype	177.60
1.00 % <i>Senna hebecarpa</i> , VA & WV Ecotype	Wild Senna, VA & WV Ecotype	28.80
0.50 % <i>Eupatorium perfoliatum</i> , PA Ecotype	Boneset, PA Ecotype	192.00
0.50 % <i>Helianthus autumnale</i> , PA Ecotype	Common Sneezeweel, PA Ecotype	216.00
0.50 % <i>Helianthus novboracensis</i> , PA Ecotype	New York Ironweed, PA Ecotype	264.00
0.40 % <i>Monarda fistulosa</i> , Fort Indiantown Gap-PA Ecotype	Wild Bergamot, Fort Indiantown Gap-PA Ecotype	96.00
0.30 % <i>Eupatorium fistulosum</i> , PA Ecotype	Joe Pye Weed, PA Ecotype	273.60
0.20 % <i>Aster novae-angliae</i> , PA Ecotype	New England Aster, PA Ecotype	336.00
0.20 % <i>Aster prenanthoides</i> , PA Ecotype	Zigzag Aster, PA Ecotype	432.00
0.20 % <i>Solidago rugosa</i> , PA Ecotype	Winkleaf Goldenrod, PA Ecotype	264.00
<b>100.00 %</b>	<b>Mix Price/Lb Bulk:</b>	<b>\$26.59</b>

**Seeding Rate:** 20 lbs/acre with 30 lbs/acre of a cover crop. For a cover crop use either grain oats (1 Jan to 31 July) or grain rye (1 Aug to 31 Dec).

Graasses & Grass-like Species - Herbaceous Perennial; Herbaceous Flowering Species - Herbaceous Perennial; Riparian Sites

Mix formulations are subject to change without notice depending on the availability of existing and new products. While the formula may change, the guiding philosophy and function of the mix will not.

Price quotes guaranteed for 30 days.  
 All prices are FOB Meadville, PA.  
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 for current pricing when placing orders.



**DRAFT**  
Smedley Preserve  
Master Plan



New Garden Township, Pennsylvania  
March 2024

# Hartefeld Road Condition Issue

March 18, 2024



# Hartefeld Road Condition Issue

## Summary

- The Hartefeld community includes a network of 17 road segments that were dedicated to the Township to support ongoing operational services (i.e. plowing, light repairs) and larger-level capital maintenance projects such as paving.
- In the final land development approval, one of the adopted waivers was to permit the construction of 18-foot-wide roads throughout the community, which was 6 ft less than the Township's development ordinance of 24 feet, to alleviate site development costs, reduce the amount of stormwater management, and permit higher residential density
- The lack of curbing, storm inlets, and overreliance on bioswales to adequately route stormwater to the designated retention areas means that the non-imperVIOUS surfaces within the Township right away become heavily saturated after rain events and also erode over time due to the effect of runoff
- The constant usage by large commercial vehicles such as garbage trucks, school buses, and landscapers, that navigate the narrow streets and cul-de-sacs (as well as vehicles parking in the right of way) exacerbate the issue when driving off the road by creating large holes in the non-imperVIOUS areas of the right of way or physically damaging the edge of the road segment
- Previously, the Township has responded with spot fixes such as cold patches, and small widening projects (~12" of widening), which are temporary band-aids as they have no viability as a long-term solution given the above variables
- Even after the spot corrections where certain segments were slightly widened and repaired, vehicles still drive off the road in the same locations
- Given the lack of stormwater infrastructure, raised curbs, and road width capacity, this issue will persist





# Hartefeld Road Condition Issue

# Hartefeld Road Condition Issue



# Hartefeld Road Condition Issue



# Hartefeld Road Condition Issue

## Considerations

- Is the Township responsible for maintaining the general condition of the non-imperVIOUS area located within the right of way but outside of the paved area throughout the Township?
- Given the context of the adopted land development plan, is there a special consideration for Hartefeld due to the extent of 18-foot road segments, no curbing, and lack of adequate stormwater management?
- What is the best corrective action?
- What are the costs of the corrective actions?
- How does the cost of the corrective action fit as a priority issue to address within the Township's 5-year (and longer-term) Capital Improvement Plan?



# Hartefeld Road Condition Issue

## Corrective Actions

### Tactical

- Fill the impacted areas with available stone/dirt on an ad-hoc basis – nominal use of funds
  - **Pros** – cost-effective; quick
  - **Cons** – temporary solution; unsightly
- Continue patching (& widening) with surplus materials – \$196.71/linear foot (plus added cost of labor)
  - Ex: Hoylake Ct – Incrementally patched/widened 143 linear ft of inner cul-de-sac area – \$28,129.53
    - **Pros** – slightly less cost-effective (increased labor cost); quick
    - **Cons** – temporary solution; unsightly; expansion of impervious beyond the adopted site plan of 18-foot roadways

### Strategic

- Widen and pave Hartefeld roadways to the Township ordinance standard of 24 feet
  - Cost of widening - \$1.35M
  - Cost of paving - \$1.07M
    - Does not include stormwater and curbing which would be recommended as the runoff issues would persist
- **Pros** – high probability of limiting damage caused by vehicles; improved access capacity for public safety
- **Cons** – high cost; limited ROI; doesn't correct for stormwater erosion; high impact on property owners; precedent of liability for all Township road segments less than 24 feet with similar conditions

# Hartefeld Road Condition Issue

**Staff recommendation** – Fill the impacted areas with available stone/dirt on an ad-hoc basis

- By incrementally widening roads as “spot fixes”, the Township is accepting a larger burden to maintain a larger surface area of roadways in Hartefeld above the adopted land development plan.
- The Township recognizes that the 18-foot roads exacerbate the issue, but it should not come at the cost of expanding the roadway which is cost-prohibitive and the most intrusive option.
- If the fill areas are unsightly, it is the HOAs burden to re-landscape the impacted areas with additional sod or other materials such as bushes, rocks, etc. which may better define the roadway corridors within the community.
- While it is not the responsibility of the Township to maintain the non-imperVIOUS area of the right of way, there is a that large divots create a safety issue. By filling in the trenches with available fill, the safety issue is addressed (albeit temporarily) and it is then the responsibility of the HOA to address landscaping aesthetics



# Questions? / Next Steps



**ORDINANCE NO. 2024- 001**

**NEW GARDEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF NEW GARDEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING PART II, GENERAL LEGISLATION, CHAPTER 127 PARKS AND RECREATION AREAS, SECTION 127-3 DEFINITIONS AND 127-5 RULES AND REGULATIONS OF PARK LANDS, REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF IN CONFLICT THEREWITH; AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, New Garden Township, Chester County, Pennsylvania, hereinafter (the “Township”) is a Township of the Second Class, organized and existing under the laws of the Commonwealth of Pennsylvania; and

**WHEREAS**, The Pennsylvania Second Class Township Code, 53 P.S. §67203, grants the Board of Supervisors the authority to enact ordinances and regulations relating to park and recreation grounds owned by the Township; and

**WHEREAS**, Chapter 127 of the New Garden Township Code of Ordinances (the “Code”) established definitions, rules and regulations and violation and penalties for actions on New Garden Township park lands; and

**WHEREAS**, the New Garden Township Board of Supervisors has determined that amendments to the exiting Ordinance are required;

**NOW, THEREFORE**, be it and it is hereby ORDAINED and ENACTED by the Board of Supervisors of New Garden Township, Chester County, Pennsylvania as follows:

**SECTION I. AMENDMENT OF PART II, CHAPTER 127, SECTION 127-3**  
**DEFINITIONS**

Part II, Chapter 127, Section 127-3 Definitions is hereby amended to add the following new definitions:

**CARRY-IN CARRY-OUT**

All park users are required to carry out the refuse they carry in and/or generally generate and dispose of it properly at home or at another appropriate destination.

**LEAVE NO TRACE**

A set of principles set in place by the National Park Service to protect National parks not all of which apply to local parks but all of which show good stewardship of parkland. The seven principles consist of: 1. Plan ahead and prepare. 2. Travel and camp on durable surfaces. 3.

Dispose of waste properly. 4. Leave what you find. 5. Minimize campfire impacts (be careful with fire). 6. Respect wildlife. 7. Be considerate of other visitors.

### **PET WASTE**

That material generated by a pet who must be on a leash in the park which shall be placed in a proper disposal bag and taken out of the park by the person responsible for bringing the animal into the park. It shall be properly disposed of outside the park boundaries.

### **TRASH**

Garbage, rubbish, waste, paper, bottles, cans, litter, oil, solvent, liquid waste or other discarded material of any kind.

### **SECTION 127-5 RULES AND REGULATIONS OF PARK LANDS**

Q. Littering, Dumping and Pollution shall be removed in its entirety and replaced with the following:

Littering, Dumping, Pollution.

- (1) It shall be unlawful for any person to throw, leave, deposit, dump or place, debris, garbage, litter, rubbish or trash as defined herein in any park within New Garden Township.
- (2) All trash as herein defined or any item brought into the park shall be removed from the park by the person who brought it into the park.
- (3) Visitors shall carry out the refuse they generate and dispose of it properly at home or in another appropriate destination.
- (4) All park visitors are encouraged to help maintain clean parks reducing solid waste within the park and embrace the ideas of reduce, reuse and recycle.
- (5) It shall be unlawful to bring any glass bottles or glass containers onto park property.
- (6) All debris, garbage, litter, rubbish, trash and refuse shall be carried away from the park by the person responsible for its presence and properly disposed of. It shall be unlawful for any person to cast, throw, sift, deposit, place, leave or dump in any manner any debris, garbage, litter, rubbish or refuse on park property.

### **SECTION II.**

The terms, conditions and provisions of this Ordinance are hereby declared to be severable and should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the New Garden Township Board of Supervisors hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this Ordinance.

**SECTION III. REPEALER.**

Any and all other Ordinances, or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent that such irreconcilable conflict permits.

**SECTION IV. EFFECTIVE DATE.**

This Ordinance shall be effective five (5) days after enactment.

**ENACTED** and **ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by the New Garden Township Board of Supervisors.

ATTEST:

NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Christopher Himes, Township Secretary

\_\_\_\_\_  
David Unger, Chair

\_\_\_\_\_  
Ted Gallivan, Vice Chair

\_\_\_\_\_  
Stephen E. Allaband

\_\_\_\_\_  
Kristie Brodowski

\_\_\_\_\_  
Troy Wildrick

**NEW GARDEN TOWNSHIP - STAFF REPORT/RECOMMENDATION**

**REQUESTING DEPARTMENT:** Parks & Open Space

**MEETING DATE:** March 18, 2024

**SUBJECT/TOPIC:** Open Space Review Board Appraisal – 498 Line Rd

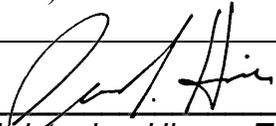
**BACKGROUND:** The Open Space Review Board (OSRB) recommends the Township pursue a conservation easement, proposed by the owner, of site address 498 Line Rd, Avondale, 19311 – Parcel Number 60-1-41. The 17.5-acre property (zoned Commercial/Industrial) meets OSRB conservation criteria because of its size, available protection areas, current & proposed future uses, proximity to Smedley Preserve, and proximity to a potential mixed-use trail along Route 1.

The conservation easement would be divided into a “Standard Protection Area” (field area) and a “Minimal Protection Area” (existing buildings and landscaped areas) and include a trail easement for future implementation – potentially connecting the Preserve to a mixed-use trail along Route 1. The property is included in the OSRBs 5-year capital plan and requires a final appraisal as part of the OSRB recommendation process before final consideration by the Board of Supervisors. Township staff will obtain an appraisal to establish the highest and best-use market value of the property, following the Township’s Open Space Appraisal Policy.

Based on the results of the appraisal, the OSRB will recommend the Township and property owner execute a Memorandum of Understanding/Letter of Intent, which will include the general understanding between parties to acquire an interest in the open space, specifics of the property to be acquired, projected developmental rights, and the basic process by which the purchase price will be determined.

<b>FINANCIAL IMPACT:</b> <b>Total:</b>  \$3,400.00	Budgeted:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	Amount Budgeted:	\$12,000.00
	Amount Spent:	\$0
	Amount Requested:	\$3,400.00
	Budget Line Item:	31-461-450 Contracted Services

**STAFF RECOMMENDATION:** That the Board of Supervisors authorize the appraisal of the property located at 498 Line Rd (Parcel Number 60-1-41) at a cost not to exceed \$3,400.00.

<b>TOWNSHIP MANAGER APPROVAL:</b> Required: <input checked="" type="checkbox"/> Not Required: <input type="checkbox"/>	 _____ Christopher Himes, Township Manager
<b>TOWNSHIP SOLICITOR APPROVAL:</b> Required: <input type="checkbox"/> Not Required: <input type="checkbox"/>	_____ Winifred Sebastian, Township Solicitor

**ATTACHMENTS:**

1. *Open Space Review Board (OSRB) Operating procedures*
2. *SOR & related documents*
3. *Land Appraisal Bid Summaries*
  - a. *Beiler-Campbell Realtor bid - \$3,400.00.*
  - b. *Indian Valley Appraisal Company bid \$3,800.00.*
  - c. *Bohem Associates bid - \$7,000.00.*
4. *Proposed conservation map*

**NEW GARDEN TOWNSHIP**  
**OPEN SPACE REVIEW PROCEDURES**

Pages 1 and 2 provide the procedure approved by the Township Manager and the OSRB on July 13, 2021

The table (pages 4,5,6) provides clarifying detail and notes for implementing the procedure. It summarizes the Open Space Review Board (OSRB) activities, the interactions with the Township Staff and BOS (NGT) as well as the Friends of New Garden Township (FNGT). The numbers in the first column are the same as those in the approved procedure. The Alpha characters in the first column have been added to further clarify the responsibilities and key issues.

**NEW GARDEN TOWNSHIP**  
**OPEN SPACE REVIEW PROCEDURES**

When reviewing potential properties for the protection of open space within New Garden Township, the Board of Supervisors (the "Board" and the Open Space Review Board (the "OSRB") shall follow the below procedures:

Open Space Review Board Responsibilities

1. An OSRB representative and conservancy consultant will meet with a property owner to explain the Township's open space programs (i.e., conservation easements, purchase of development rights, or fee simple ownership) and to review the property owners' goals.
2. The OSRB shall evaluate each target property based on an analysis of the following priorities: [Note, the OSRB developed a method to quantify the target's property. Also, several reference maps are used: Greenways Trails Plan (2008), Community Conservation Priorities Parcels, Historic Resources, Demographics, Wildlife Corridors and Agricultural properties and other documents such as the Natural Resource Protection Ordinance.]
  - a. Property Characteristics
    - i. Property size
    - ii. Owners' desire to sell/donate/protect the land
    - iii. Community access via trails, parks, recreation programs, etc.
    - iv. Historical features

- v. Potential for development under current zoning regulations
  - vi. Risk of land degradation of the property
  - vii. Location with respect to other protected lands
- b. Nature and Wildlife Quality
- i. Preservation of natural and scenic resources
  - ii. Protection/enhancement of water resources (i.e. agricultural runoff, source water protection, water balance)
  - iii. Preservation of habitats for flora and fauna (particularly native and endangered species)
  - iv. Preservation of the aesthetic/recreational assets of the watershed
  - v. Improvement of air quality
  - vi. Facilitation of erosion control
  - vii. Preservation/establishment of wildlife corridors
- c. Financial Concerns
- i. Price and source of funds
  - ii. Price opportunity
  - iii. Funding support (county, state, open space tax, etc.)
- d. Future Stewardship
- i. Ownership form (i.e. fee simple, easement, trust, etc.)
  - ii. Complexity of the property (i.e. structures, active farming, waste irrigation, MS4, etc.)
  - iii. Past stewardship performance of property owner
- e. Interaction with Industry and Community
- i. Support for the State Comprehensive Plan land use vision
  - ii. Potential connectivity to New Garden Township Greenways Plan
  - iii. Protection of prime agricultural soils
  - iv. Promotes retention of agriculture compatible with urbanization
  - v. Supports cooperation between mushroom industry, community organizations, etc. in achieving OSRB preservation goals
3. If easements are being sought, a conservancy consultant will prepare a Summary of Restrictions (SOR) outlining the usage aspects of the eased property.
4. OSRB submits a recommendation for acquisition to the Board, including the results of the priorities analysis and SOR.

Board of Supervisors Responsibilities

1. The Board will consider the OSRB recommendation during executive session to determine whether or not to move forward with a potential acquisition.
2. If the Board authorizes moving forward, the Township Engineer will evaluate the property for development potential under the current zoning regulations.
3. Township staff will obtain an appraisal to establish the highest and best use market value of the property, following the Township's Open Space Appraisal Policy.
4. Based on the results of the appraisal, the Township and property owner will execute a Memorandum of Understanding/Letter of Intent, which will include the general understanding between parties to acquire an interest in the open space, specifics of the property to be acquired, projected developmental rights, and the basic process by which the purchase price will be determined.
5. If the property owners desire a second appraisal, they may order one at their own expense.
6. If both parties are agreeable, the Township Solicitor shall prepare/approve agreement of sale between the owners, the Township, and any entity holding conservation easement (if necessary).
7. Once the property owner signs the agreement of sale, the BOS shall consider a resolution authorizing the purchase and ratifying all previous actions at a public meeting.

	OSRB	Responsible Party			Notes
		NGT	OSRB	FNGT	
1	Meet with Owner and visit property		X		Properties are either proposed by the owner for consideration or identified by the OSRB as an attractive opportunity for preservation or trails.
2	Rate the property		X		
3	If easement, prepare SOR		X		Prepared by the conservancy consultant
4	Make recommendation to BOS				The recommendation will include: An overview of the vision for the property, rating, SOR and map A balance between the Owner and Township preferences (i.e., privacy vs trails if easement is sought)
			X		An estimate of expected cost, grant sources and values, and impact on future maintenance costs.
A	Track Open Space funds accrued, available, expended	input	X	input	

	BOS and Township Staff	Responsible Party			Notes
		NGT	OSRB	FNGT	
1	Decision to pursue or reject or modify	X			Communication/negotiation with Owner from this point forward will be led by Township Staff in consultation with the OSRB Chair or Project lead, if needed.
2	Evaluation by NGT Engineer	X			Project staff will update OSRB on progress at regular monthly meeting of the OSRB.
3	Obtain Appraisal	X			If needed

4	Negotiate offer and prepare MOU/LOI	X			At this point the Conservancy Consultant will develop the specific content for the grant application and review it with Township Grant Coordinator to ensure agreement with details as well identifying any conflicts/interactions with other Township Grant applications
5	Second Appraisal	X			Any differences between appraisals will be resolved in accordance with the Townships appraisal policy.
	BOS and Township Staff	Responsible Party			Notes
		NGT	OSRB	FNGT	
6	Prepare AOS	X			OSRB continues to monitor property and acquisition expenditures, grant progress and awards, EIT funds, etc. Township Accountant will provide monthly report on Open Space Funds credits and debits.
7	Prepare and present public resolution and monitor activities between AOS and closing		X		Typically, OSRB will prepare and, after Manager review, present the public presentation unless special circumstances require otherwise.
A	Plan, Track, Fund existing trail maintenance	X	input	input	Township staff to make yearly entry into Open Space budget

<p><b>B</b></p> <p>Monitor that trail/property conditions are met for acquired/eased properties</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>	<p>We are entering a new era of trail maintenance: more trails, more funding, growing public expectations. A more structured approach is needed to management and funding. Some thought should be given at future OSRB meeting on how to meet this need</p>
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## **Clarification of terms in the SOR and related documents**

### Sustainable Agriculture (SOR paragraph 3a)

Sustainable Agriculture refers to activities which do not alter the water patterns or soil quality and includes pastures, vineyards, orchards, etc. It would exclude mushroom farms or ball and burlap nurseries as these would either alter drainage or deteriorate the soil.

### Accessory Structures (SOR paragraph 3a)

Accessory Structures include roadside stands or sheds for animals or tools.

### Single Family Residence and associated residential structures (SOR paragraph 3b)

Refers to a house and barn or workshop. A multi-family apartment building would not be permitted.

### Major agricultural improvements (SOR paragraph 3b)

The building is not limited to a residence that is occupied continuously, so a structure more suitable for a business would be allowed. This could include a retail operation associated with the product of the property.

### Resource Management Plan (SOR paragraph 5)

The owner, a private company, or the State can prepare the resource management plan that conforms to Act 122 (Pennsylvania Clean Streams Law). Its aim is to sustainably manage the property in conformance with Best Management practices. These include crop rotation plans, protection of water quality, etc.

The amount that can be tilled depends on the contours of the property. If flat, most of the property can be tilled at one time. If contour is highly variable, tillage should be done in sections to ensure soil conservation objectives are achieved.

PA DEP and NLT participate in approval of the plan and monitoring compliance.

### Conformance with Act 38 - Agriculture, Communities, and Rural Environment (ACRE)

ACRE addresses ordinances enacted by local communities.

Easements are agreements to use someone's property for a defined purpose.

NLT has opined that ACRE does not apply to easements.

A legal opinion on the applicability of ACRE to easements is needed.

## Reference Material

<b>Manfredi Summary of Restrictions</b>	<b>Page 3 &amp; 4</b>
<b>Overview of Pennsylvania Clean Streams Law</b>	<b>Page 5</b>
<b>Overview of ACRE</b>	<b>Page 6</b>
<b>Ordinance VS Easement</b>	<b>Page 7</b>



Summary of Conservation Restrictions for the

**Manfredi Property**

145 Polo Rd, Avondale, Chester County, PA

Parcel Number: 60-1-41

March 2024

1. The parcel will be covered by a single conservation easement. The conservation easement area will generally be divided into a “Standard Protection Area” (field area), and a “Minimal Protection Area” (existing buildings and landscaped area).
2. The property will be placed under a single conservation easement with an associated trail easement in favor of New Garden Township. No subdivision will be permitted except:
  - a. To transfer a portion of the property to a conservation organization or a public land preservation agency; and/or
  - b. A minor lot line adjustment that does not create new lots.
3. Use of the easement area will be limited to:
  - a. In the Standard Protection Area sustainable agricultural uses will be permitted. The construction of a limited number of accessory structures related to agricultural uses (such as run-in sheds) will be permitted.
  - b. In the Minimal Protection Area one (1) single family residence and associated residential structures and uses will be permitted. Additionally, major agricultural improvements are also permitted within the Minimal Protection Area. All uses permitted within the Standard Protection Area are also permitted.
4. The agencies expected to provide funding for this easement (New Garden Township and Chester County Open Space Program) will require public access to a portion of the

easement area. It is Natural Lands' belief that a trail right-of-way (where a future 6 to 8-foot wide public walking trail may be constructed) circumventing the property as shown on the attached draft conservation plan (map) will satisfy the public access requirement. The trail easement will be held by New Garden Township and would be constructed and maintained by the township or a public land conservation or recreation agency. Neither Natural Lands nor the landowner shall have any obligation to maintain the trail and users of the public access area and trail shall do so at their own risk, per the standards of the Pennsylvania Recreational Use of Land and Water Act of 1966.

5. In the Standard Protection Area tillage not to exceed 20,000 square feet, except as permitted by a Resource Management Plan (soil conservation plan) written and implemented to employ Best Management Practices (such as crop rotation, contour strips, waterways or sod skips, etc.) to conform to Pennsylvania's Clean Streams Laws. Grazing of livestock on the property not to exceed one animal unit of livestock per 2.0 acres of fenced pasture (one animal unit = 1000 pounds of live weight) except as permitted by a Resource Management Plan (pasture management plan) written and implemented to employ Best Management Practices (such as rotational grazing, supplemental feeding, restricted turnout, etc.) to conform to Pennsylvania's Clean Streams Laws
6. Mining, quarrying, or any other removal of soil or rock will not be permitted within the easement area.
7. Spraying, dumping or any other release of chemicals or wastes will not be permitted except for use of pesticides and fertilizers, and composting vegetative matter originating on the property. Such spraying, dumping, and other releases shall conform to applicable laws.
8. The parcel and any portion of it shall not be included as part of the gross area of other property not subject to this Easement for the purposes of determining density, lot coverage, or open space requirements under otherwise applicable laws, regulations or ordinances controlling land use and building density.
9. All the restrictions in this list shall be subject to more detailed standards contained in the full easement document. The full easement will include, among other items, fully defined important terms, review and approval procedures, enforcement rights and responsibilities, and the conservation objectives of the easement. The conservation easement will be in the form of the Pennsylvania Conservation Easement made available by WeConservePA on its website, <https://weconservepa.org/>.

## Overview of Pennsylvania Clean Streams Law

The Pennsylvania Clean Streams Law, also known as Act 122, plays a crucial role in safeguarding the state's water resources and ensuring a sustainable future. Enacted in 1937, this environmental legislation has undergone several amendments to address evolving concerns and technological advancements<sup>1</sup>.

Here are some key points about the Pennsylvania Clean Streams Law:

1. Purpose and Importance:
  - o The law aims to preserve and improve the purity of the waters within the Commonwealth.
  - o It protects public health, animal, and aquatic life, as well as supports industrial consumption and recreation.
2. General Provisions and Public Policy:
  - o Defines terms and provides the framework for enforcing the law.
  - o Establishes that clean, unpolluted streams are essential for attracting industries and promoting outdoor recreation<sup>2</sup>.
3. Sewage Pollution:
  - o Prohibits the discharge of sewage into water bodies.
  - o Regulates municipal sewage systems and permits for sewage discharge.
  - o Empowers municipalities to take necessary actions.
  - o Authorizes the issuance of revenue bonds for pollution abatement projects.
4. Industrial Wastes:
  - o Prohibits the discharge of industrial wastes.
  - o Requires information on the kind and character of discharges.
  - o Focuses on protecting clean waters and addressing acid mine drainage.
  - o Allows corporations to acquire interests in land related to water quality.

## Overview of ACRE

Act 38, also known as the Agriculture, Communities, and Rural Environment (ACRE) law, came into effect in Pennsylvania on July 6, 2005. Its purpose is to ensure that local government ordinances regulating normal agricultural operations do not violate state law. Here are the key points about ACRE:

1. Ordinance Alignment: Local ordinances cannot exceed, duplicate, or conflict with state law.
2. Unauthorized Local Ordinances: An “unauthorized local ordinance” is one that:
  - Prohibits or limits a normal agricultural operation unless the local government has authority under state law to adopt the ordinance and it is not prohibited or preempted under state law.
  - Restricts or limits the ownership structure of a normal agricultural operation.

The Pennsylvania Office of the Attorney General reviews ACRE cases to ensure compliance.

## Ordinance VS Easement

**Ordinances are local laws enacted by municipalities; easements grant specific rights to use someone else's property for defined purposes.**

### 1. Ordinance:

- An **ordinance** is a **local law or decree** adopted by a municipality (such as a city or town government).
- It addresses specific issues within its jurisdiction.
- Ordinances typically deal with matters related to **public safety, health, and general welfare**.
- Examples of topics covered by ordinances include fire and safety regulations, housing standards, parking rules, snow removal, littering, public streets, sidewalks, and zoning (land use)<sup>123</sup>.

### 2. Easement:

- An **easement** allows a person or entity to **use someone else's property for a specific purpose**.
- Easements can be beneficial, allowing access for things like utility pipelines, road construction, or maintenance.
- There are different types of easements:
  - **Appurtenant Easement:** Tied directly to the property, not to an owner. It remains in effect even if the property changes hands.
  - **Easement in Gross:** Tied to a specific person, allowing them to use the property. Revocable if the property owner changes.
  - **Affirmative Easement:** Permits specific actions (e.g., crossing another property to access a road).
  - **Negative Easement:** Prevents specific uses (e.g., blocking a view by building a fence).
  - Easements can be either **express** (in writing) or **implied** (created by actions or inactions)<sup>45</sup>.

## Mike Buck

---

**From:** Steve Collins, Appraiser <scollins@beiler-campbell.com>  
**Sent:** Tuesday, March 12, 2024 1:06 PM  
**To:** Mike Buck  
**Subject:** Re: New Garden Township request for appraisal proposal

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Hi Mike,

\$3,400 - delivery by April 14. I can send an engagement letter if you want to move forward.

Thank you,  
Steve

Steve Collins

Beiler-Campbell Realtors & Appraisers

402 Bayard Road, Suite 100  
Kennett Square, PA 19348  
Direct line 610-444-7088

---

**From:** Mike Buck <mbuck@newgarden.org>  
**Sent:** Monday, March 11, 2024 1:54 PM  
**To:** Steve Collins, Appraiser <scollins@beiler-campbell.com>  
**Subject:** RE: New Garden Township request for appraisal proposal

Forgot the attachments!

Michael Buck, CPRP, CPSI  
Parks & Open Space Superintendent  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350  
Office: (610) 268-2915  
Cell: (484) 723-9017



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**From:** Mike Buck  
**Sent:** Monday, March 11, 2024 1:51 PM



## Indian Valley Appraisal Company

Providing All Aspects of Real Estate Valuation

### Agreement for Valuation Services

**Date of Agreement**

March 13, 2024

**Parties to Agreement**

**Client:**

Mr. Mike Buck, CPRP, CPSI  
Parks & Open Space Superintendent  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350  
[mbuck@newgarden.org](mailto:mbuck@newgarden.org)

**Appraiser:**

Mark Abissi, MAI, AI-GRS  
Indian Valley Appraisal Company  
120 East Broad Street, Suite 1  
Souderton, PA 18964  
(215)721-1986 ext. 108  
[mark@ivappraisal.com](mailto:mark@ivappraisal.com)

Client hereby engages Appraiser to complete an appraisal assignment as follows:

#### Property Identification

The subject property is identified as 145 Polo Road in New Garden Township, Chester County, Pennsylvania. Tax Parcel No. 60-1-41.

#### Property Type

The subject property represents a vacant parcel containing 17.76± acres.

#### Interest Valued

The fee simple interest in the subject property is appraised, both before and after placement of the conservation easement.

#### Intended Users

New Garden Township, Chester County, and Pennsylvania Department of Conservation and Natural Resources (PA DCNR).

#### Intended Use

The client intends to place an agricultural conservation easement on the subject property. The agricultural conservation easement value will be accomplished by establishing market value of the property both before and after placement of the agricultural conservation easement; the difference between these two value estimates is the market value of the agricultural conservation easement. A UASFLA compliant report will be prepared to meet funder requirements

#### Type of Value

Market value as defined by the Pennsylvania Department of Conservation and Natural Resources (PA DCNR).

#### Date of Value

Current.

### Hypothetical Conditions, Extraordinary Assumptions

The client requests two scenarios for this analysis. The first scenario includes the subject property as is, before and after placement of the agricultural conservation easement. The second scenario is predicated upon a hypothetical condition that the subject is zoned R1, Low Density Residential; the value after placement of the agricultural easement will be the same as Scenario 1.

Additionally, for purposes of this analysis, the after value under both scenarios is predicated upon a hypothetical condition that the proposed easement is in place as of the effective date of this report. Further, it is assumed that the terms of the final recorded easement will be identical to the terms described in the proposed easement document and that alteration in the terms could influence the assignment results. **The reader is hereby notified that the use of this hypothetical condition may alter the assignment results.**

### Applicable Requirements other than the Uniform Standards of Professional Appraisal Practice (USPAP)

The Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

### Scope of Work

Identification of the real estate to be appraised as well as the ownership interest and the effective date of the appraisal.

- Consideration and communication of all the facts, assumptions, and limiting conditions relative to the appraisal.
- Inspection of the site.
- Description and analysis of all physical and location characteristics of the appraised property and its environment.
- Determination and justification of the highest and best use.
- Collection, inspection, verification, and analysis of all market data considered relevant to the valuation.
- Consideration of all of the approaches to value including Income Capitalization, Sales Comparison, and Cost Approaches and application of the appropriate approach(es). A determination will be made by Indian Valley Appraisal Company to the relevance and application of the applied approaches.
- Reconciliation of the indicated values of the developed approaches and final conclusion.
- Communication of the value conclusions and supporting analysis to the intended user(s) by means of a narrative report.

### Contact for Property Access, if Applicable

*Client to provide property contact name, phone number and email address if different from client*

Name: \_\_\_\_\_ Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Delivery Date

The appraisal will be completed within 40 days from receipt of the signed agreement.

### Delivery Method

Unless otherwise requested, a PDF version of the appraisal report will be delivered to the client via email. The client is entitled to two hard copies of the appraisal report. Additional copies are billed at \$75 per copy.

### Payment to Company

Our professional fee for this assignment, including out-of-pocket expenses, will not exceed \$3,800.

**Proposed Improvements**

If the appraised property includes proposed improvements, the Client shall provide the appraiser with a copy of the plans, specifications, or other documentation sufficient to identify the extent and character of the proposed improvements.

**Properties under Contract or Listed for Sale**

If the appraised property is currently under agreement of sale, listed, or under letter of intent, Client shall provide Appraiser a copy of said contract, listings, or letter of intents with all addenda.

**Confidentiality**

Appraiser shall not provide copy of the written appraisal report to, or disclose the results of the appraisal prepared in accordance with this Agreement with, any party other than the Client, unless the Client authorizes in writing, except as stipulated in the Confidentiality Section of the Ethics Rule of the Uniform Standards of Professional Appraisal Practice (USPAP).

**Changes to Agreement**

Any changes to this assignment as outlined in this agreement shall necessitate a new Agreement. The identity of the Client, the intended users, or the intended use, the date of value, type of value, or property appraised cannot be changed without a new agreement.

**Cancellation**

Client may cancel this Agreement at any time prior to the Appraiser's delivery of the Appraisal Report upon written notification to the appraiser. Client shall pay the appraiser for the work completed on the assignment prior to the appraiser's receipt of written cancellation notice, unless otherwise agreed upon by appraiser and client in writing. Deposit monies, if any, will be applied. Any remaining deposit monies will be returned to the client.

**No Third Party Beneficiaries**

Nothing in this Agreement shall create a contractual relationship between the Appraiser or the Client and any third party, or any cause of action in favor of any third party. This agreement shall not be construed to render any person or entity a third party beneficiary of this Agreement, including, but not limited to, any third parties identified herein.

**Use of Employees or Independent Contractors**

The Company may use employees or independent contractors at the Company's discretion to complete the assignment, unless otherwise agreed by the parties. Notwithstanding, Appraiser shall sign the written appraisal report and take full responsibility for the services provided.

**Testimony at Court or other Proceedings**

Unless otherwise stated in this agreement, Client agrees that Appraiser's assignment pursuant to this Agreement shall not include the Appraiser's participation in or preparation for, whether voluntarily or pursuant to subpoena, any oral or written discovery, sworn testimony in a judicial, arbitration or administrative proceeding, or attendance at any judicial, arbitration, or administrative proceeding relating to this assignment.

**Appraiser Independence**

Appraiser cannot agree to provide a value opinion that is contingent upon a predetermined amount. Appraiser cannot guarantee the outcome of the assignment in advance. Appraiser cannot insure that the opinion of value developed as a result of this Assignment will serve to facilitate any specific objective by the Client or other or advance any particular cause. Appraiser's opinion of value will be developed competently and with independence, impartiality, and objectivity.

**Agreement Expiration**

This Agreement is valid only if signed by both Appraiser and Client within 10 days of the Date of Agreement specified previously.

**Governing Law and Jurisdiction**

The interpretation and enforcement of this Agreement shall be governed by the laws of the Commonwealth of Pennsylvania, exclusive of any choice of law rules.

**By Appraiser**

**By Client**



\_\_\_\_\_  
(Signature)

Mark Abissi, MAI, AI-GRS  
President

March 12, 2024  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)

## Mike Buck

---

**From:** Jacob Bohem <jbohem@bohemassociates.com>  
**Sent:** Tuesday, March 12, 2024 4:38 PM  
**To:** Mike Buck  
**Subject:** RE: New Garden Township request for appraisal proposal

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Good afternoon,

I have one quick comment prior to submitting a bid. I see the property is currently zoned C/I – Commercial-Industrial District, so no problem there. In order to establish an estimate for Residential, I referred to the various districts and both R1 & R2 also permit Agricultural uses with a minimum acreage of 5 acres. R2, however, also permits multi-family dwellings, so prior to beginning the job I would need a distinction as to which residential district to use as the uses are quite different from R1 to R2. In terms of Agricultural, that is a difficult distinction because the same uses by right exist as in Residential. I could instead assume a minimum lot area of 5 acres opposed to say 1 acre in R1 for single-family dwellings, but I do not anticipate that much difference in price, again due to the similar uses by right. It is technically different than a zoning district with a 5 acre minimum for single-family dwellings, but those are really the only comps I could use. So if you do want all 3 approaches I'd have to get a bit creative with the Agricultural part and I wouldn't expect that much difference in value, but obviously that isn't determinable until the appraisal is completed.

So with the above being said, I could provide you with an appraisal, considering all three scenarios of zoning, for a fee of \$7000 with a delivery date within 4-6 weeks of formal authorization.

Thank you for considering me for the assignment.

Regards,

Jacob M. Bohem  
General Manager/General Appraiser  
Bohem Associates  
610-458-0550  
[www.bohemassociates.com](http://www.bohemassociates.com)

---

**From:** Mike Buck <mbuck@newgarden.org>  
**Sent:** Monday, March 11, 2024 1:57 PM  
**To:** Jacob Bohem <jbohem@bohemassociates.com>  
**Subject:** New Garden Township request for appraisal proposal

Jacob,

I'm writing to request an appraisal proposal for **145 Polo Road, Avondale, Chester County PA**. Parcel Number 60-1-41.

We need the appraisal to cover fair market and eased values for the following conditions:

- As currently zoned – Commercial

**NEW GARDEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2024-005**

**AND NOW THIS** 18<sup>th</sup> day of March, 2024, it is hereby Resolved by the Board of Supervisors of New Garden Township, Chester County, Pennsylvania that the final land development plan approval granted to Puro-lite, LLC by the Board of Supervisors on July 17, 2023 by its Resolution No. 882 to re-develop the property with a building addition and a wastewater utility facility located at 380 Starr Road and further identified as UPI No. 60-3-324 consisting of 11.72 acres which was previously extended on August 21, 2023 by 180 days and which was previously extended by Resolution No. 888 on December 18, 2023, is hereby further extended by an additional 90 days for the purpose of securing a financial guarantee and meeting other conditions of the approval. This extension is subject to the following:

1. Any items required to be obtained, submitted or completed pursuant to the original approval Resolution No. 882 are satisfied.

The final plans as approved by Resolution No. 882 and this Resolution shall be released for recording only after all of the conditions herein and therein have been met and financial security satisfactory to the Township has been placed.

This Resolution adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the Board of Supervisors.

**ATTEST:**

\_\_\_\_\_

**SUPERVISORS:**

\_\_\_\_\_  
David Unger, Chairman

\_\_\_\_\_  
Ted Gallivan, Vice Chairman

\_\_\_\_\_  
Stephen Allaband, Member

\_\_\_\_\_  
Kristie Brodowski, Member

\_\_\_\_\_  
Troy Wildrick, Member



# New Garden Township

299 Starr Road • Landenberg, PA 19350

## Memorandum

---

Date: 3/13/2024  
To: Chris Himes  
From: Robert Weer, Township Zoning Officer  
Re: **1421 Broad Run Rd - Special Exception Request**

Chris,

The following is a summary of the application for a Special Exception to expand a nonconforming structure and the Zoning Hearing Board Decision.

### APPLICATIONS Zoning Hearing Board

#### 1. Special Exception Application / 1421 Broad Run Rd. / Rod Hoffman

##### Background:

Applicant has requested a Special Exception to remove an existing deck and stairs and replace them with a new deck and screened porch. The Residential Cluster Design Option's Lot Coverage requires "a maximum amount of impervious surface on any given lot shall be 50% of total lot area". A previous owner installed a 246 sq. ft. patio that increased the impervious coverage to 55.3%. The proposed project would slightly increase the current impervious coverage to 57.7%. Therefore, a special exception is requested to expand the current nonconforming building or structure. Additionally, the applicant has provided a Best Management Practices (BMP) plan to apply a simple approach method for the stormwater to comply within the requirement of 50% impervious coverage. The Zoning Hearing is scheduled for March 12, 2024, at 7:00 p.m.

##### DECISION:

The applicant was granted the Special Exception for the expansion of a lawful, non-conforming structure (i.e. an existing deck) and dimensional variance to exceed allowable and applicable area and bulk regulations. Applicant proposes 57.7% impervious coverage, whereas as 50% impervious coverage is permitted.

Respectfully,

**NEW GARDEN TOWNSHIP - STAFF REPORT/RECOMMENDATION**

**REQUESTING DEPARTMENT:** Public Works

**MEETING DATE:** March 18, 2024

**SUBJECT/TOPIC:** Purchase of Snap-Tite Stormwater Materials for Pemberton Road & Starr Rd

**BACKGROUND:** In preparation for the 2024 paving program, the Public Works Department performed an inspection on cross pipes under roads that will be paved this year and found several pipes requiring attention, primarily the pipes detailed below.

The first quote is for replacing a 12” concrete pipe on Pemberton Road at the intersection of Cedar Spring Road. This concrete pipe has several sections that have separated, creating blockages in the pipe and creating sinkholes at the surface. Unfortunately, stormwater capacity gains with Snap-Tite aren’t as favorable when installed in concrete as they are with CMP so the recommendation is to install a conventional replacement. Due to the shallow installation depth, ductile iron replacement is recommended to avoid damage to the pipe with heavier traffic. Also, on this quote is 60’ of 18” ductile iron pipe for Starr Road near Penn Green. There is an existing 18” concrete pipe that also has several sections that have separated creating blockages in the pipe and creating sinkholes at the surface. Just like the concrete pipe mentioned above, this one is shallow and has a lot of truck traffic which requires added strength of the ductile iron pipe over plastic.

The second quote is for a 30” CMP (corrugated metal pipe) on Pemberton Road. The existing pipe has several large dents and several rust spots. The Snap-Tite liner is a rigid pipe liner that is slid into the existing pipe so there is no excavation required. Because no excavation is required, the pipe can be installed in a matter of hours with minimal crew, equipment, and traffic disruptions versus several days of road closures for a conventional replacement which has been a best practice utilized in other locations in the Township with positive results.

<b>FINANCIAL IMPACT:</b> <b>Total:</b> \$24,396.00 (Estimated)	Budgeted:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<Check one>
	Amount Budgeted:	\$50,000.00		
	Amount Spent:	\$11,310.00		
	Amount Requested:	\$24,396.00		
	Budget Line Item:	01-446-452 Contract Service - Culverts		

**STAFF RECOMMENDATION:** That the Board of Supervisors authorizes the Township Manager to approve the purchase of the Snap-Tite and ductile iron pipe from LB Water, a Co-Stars vendor, in an amount not to exceed \$24,396.00.

<b>TOWNSHIP MANAGER APPROVAL:</b> Required: <input checked="" type="checkbox"/> Not Required: <input type="checkbox"/>	 _____ Christopher Himes, Township Manager
<b>TOWNSHIP SOLICITOR APPROVAL:</b> Required: <input type="checkbox"/> Not Required: <input type="checkbox"/>	_____ Winifred Sebastian, Township Solicitor

**ATTACHMENTS:**

- 1) LB Water Quote #1929403
- 2) LB Water Quote #1931717



# QUOTATION

L/B Water Service, Inc.  
 35 PLEASANT VALLEY ROAD  
 EPHRATA, PA 17522  
 717-738-0389



Quote Number	
1931717	
Quote Date	Page
03/06/2024	1 of 2

Quote Expires On: 03/29/2024

**Proposal Submitted to:** 17682  
 NEW GARDEN TOWNSHIP  
 299 STARR ROAD  
 LANDENBERG, PA 19350

**Ship To:**  
 NEW GARDEN TOWNSHIP  
 8934 GAP NEWPORT PIKE  
 LANDENBERG, PA 19350

610-268-2915

Requested By: Mr. Kenny Reed

<b>PO/Job Name</b>	<b>Salesperson</b>	<b>Entered By</b>
24IN SNAP-TITE	Jeff Gehrlein	JEFF_GEHRLEIN

Quantity	Item ID	Item Description	Unit Price	Extended Price
Quoted	UOM			

**Delivery Instructions:** FREIGHT SUBECT TO FLUCTUATION.

**DUE TO CONTINUOUSLY CHANGING SUPPLY CHAIN CONDITIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS TERM SUPERSEDES ALL OTHER CONTRACTUAL PROVISIONS.**

2.00	EA	MSC-10084878	***NON-STOCK***	\$4,385.00	\$8,770.00
		24IN DR32.5 M/F SNAP TITE PIPE, 24FT LAY LENGTHS			

<i>Total Lines: 1</i>		<b>SUB-TOTAL:</b>	8,770.00
		<b>TAX:</b>	0.00
<i>Estimated Freight In: 0.00</i>	<i>Estimated Freight Out: 2,825.00</i>	<b>ESTIMATED FREIGHT</b>	2,825.00
Freight is estimated. Actual freight charges may vary.			
<b>EXTENDED QUOTE \$\$\$:</b>			<b>11,595.00</b>

**L/B Water Service, Inc.  
 TERMS AND CONDITIONS OF SALE**

Please see full terms and conditions at [www.lbh2o.com](http://www.lbh2o.com). These terms and conditions (these "Terms") apply to the purchase and sale of products ("Goods") from L/B Water Service, Inc. (the "Seller") and are subject to change by Seller without prior written notice at any time, at Seller's sole discretion. Any purchases by Purchaser after written notice by Seller of such changes either via its website or other writing will constitute Purchaser's acceptance of and agreement to the Terms.

I/we, \_\_\_\_\_, hereby agree to purchase the goods presented on this quotation and to accept the terms and conditions listed above.

\_\_\_\_\_  
 Signature Title Date

**QUOTATION**

L/B Water Service, Inc.  
 35 PLEASANT VALLEY ROAD  
 EPHRATA, PA 17522  
 717-738-0389



Quote Number	
1931717	
Quote Date	Page
03/06/2024	2 of 2

Quote Expires On: 03/29/2024

Quantity		Item ID Item Description	Unit Price	Extended Price
Quoted	UOM			

# Spring Clean Up Brief

April 11<sup>th</sup> through April 14<sup>th</sup>



# 2024 Spring Clean Up

**FREE event for New Garden residents to declutter their house, garage, shed, attic, etc.!**

### Where?

Public Works Garage (Next to Police Sta./Park Entrance)  
8934 Gap Newport Pike

### When?

- Thursday, April 11<sup>th</sup> 7AM to 3PM
- Friday, April 12<sup>th</sup> 7AM to 7PM
- Saturday, April 13<sup>th</sup> 7AM to 5PM
- Sunday, April 14<sup>th</sup> 7AM to 3PM

### Accepted items:

- Yard waste
- Non-hazardous materials
- Appliances
- Trees and freon (For a nominal fee)
- Scrap metal (Bikes, patio furniture, grills, etc.)

### Items **NOT** excepted:

- Electronics
- Ammunition/explosives
- Propane
- Gasoline, Oil, Diesel Fuel
- Hazardous materials (Oil based paints, pool chemicals, pesticides, drain cleaners, etc.)

