



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

M E M O R A N D U M

TO: East Bradford Township Officials
Tigue Property Team

FROM: Thomas J. Comitta, AICP, CNU-A, RLA
Daniel B. Mallach, RLA, AICP, ASLA

DATE: February 18, 2016; **Updated: March 7, 2016**

SUBJECT: **REVIEW COMMENTS – TIGUE TRACT**
CONDITIONAL USE SUBMISSION DATED JANUARY 19, 2016

The enclosed Review Comments pertain to the following documents that we received on **March 3, 2016**, January 25, 2016, and to a site visit on February 5, 2016:

- Existing Conditions Plans, Sheet 1 of 8 and 2 of 8, dated January 19, 2016 prepared by ESE Consultants, Inc.;
- Conditional Use Plans, Sheets 3 of 8 through 8 of 8, dated January 19, 2016 prepared by ESE Consultants, Inc.;
- Environmental Impact Assessment dated January 19, 2016, prepared by ESE Consultants, Inc.;
- Applicant's Cover Letter to Mr. Michael P. Lynch, East Bradford Township Manager, from Mr. Louis J. Colagreco, Jr., consisting of two (2) pages dated January 20, 2016;
- Applicant's Memorandum re: Open Space Conditional Use, consisting of four (4) pages dated January 19, 2016, prepared by ESE Consultants, Inc.;
- Response Letter dated January 19, 2016 to Mr. Mark J. Lucas, PE, Township Engineer, from Mr. Justin Barnett, RLA, ESE Consultants Inc., dated January 19, 2016 (prepared in response to the Township Land Planner & Landscape Architect Review Comments dated November 17, 2015 that pertained to the prior, withdrawn, Conditional Use application); **and**
- **Facade Images (received 3-3-16) for the proposed Carriage Homes and several models of Single-Family Homes.**

Please call or email if there are any questions.

The following Review Comments pertain to the documents listed on the Cover Memorandum.



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1. Contextual Overview

The Plan proposes a total of 91 dwellings on approximately 86 gross acres on the north and south sides of Tigue Road.

The largest parcel of the tract, to the north of Tigue Road (± 54 gross acres), consists of agricultural fields and hedgerows and areas of woodland on undulating topography, with a dwelling, barn, spring house, sheds, tenant-house ruin and other related structures and land area of historic significance. There is a riparian corridor on the north side of the north parcel associated with a branch of the Plum Run. Views to and from this north portion of the tract are generally open and panoramic.

Twenty-two (22) single-family detached dwellings are proposed within the R-3 District portion of the north parcel. Fifty (50) single-family attached Carriage Homes are proposed within the R-4 District portion of the north parcel. The historic dwelling on the north parcel is proposed to be preserved as a dwelling unit.

The parcel on the south side of Tigue Road (± 26 gross acres) is generally flat, consisting of agricultural fields and meadow and a wooded riparian corridor associated with a branch of the Plum Run. Four (4) single-family detached dwellings are proposed within the R-2 District portion of the south parcel. Fourteen (14) single-family attached Carriage Homes are proposed within the R-4 District portion of the south parcel. Views to and from this south portion of the tract are open and orient toward the stream valley.

There is also a tract parcel to the south of the intersection of Tigue Road and Lenape Road (± 6 gross acres). No development is proposed on this parcel, which is composed of flat open land and woodland and hedgerows associated with stream corridors.

The uses that will be impacted by the proposed development are primarily single-family residential.

2. Scope of Review Comments

As this is a Conditional Use proposal, strict Plan compliance with all Preliminary and Final Plan requirements need not be demonstrated at this time. Rather, feasibility of compliance shall be demonstrated. Therefore, we defer comments regarding the precise metrics of Plan compliance until any potential/future Preliminary and/or Final Plan submission(s).

That said, in an effort to provide the Township and the Applicant Team with a suitable baseline for moving forward in the land development process, compliance with applicable Zoning Ordinance and Subdivision and Land Development Ordinance requirements described herein pertain to: Vegetation Preservation and Management; Buffering and Scenic Viewshed Preservation; Street Trees; and Open Space Management. Other comments pertain to overall site layout considerations, and general planting and landscape planning "best practices".

3. Conditional Use Approval



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Conditional Use approval is required to permit the subject development under the provisions of §115-77 of the East Bradford Township Zoning Ordinance (ZO).

The primary purpose of the Conditional Use review is to address issues of community health, safety and welfare. The Applicant shall demonstrate that the potential impacts of the proposed use, such as traffic, aesthetics, noise and environmental impacts will be minimized or mitigated to the satisfaction of the Board of Supervisors. To this end, we defer to the Zoning Officer and Township Engineer in evaluating compliance with the Conditional Use Standards of Approval.

As they may pertain to the Landscape Architectural features of the proposed development, and the specific items discussed in these Review Comments, the Board of Supervisors shall "determine that the proposed use will not substantially injure or detract from the use of the neighborhood property or from the character of the neighborhood", and shall "be guided... by sound standards of land development practice".

Per §115-77.E.7 (ZO), the Board of Supervisors may attached Conditions to its approval to further these the Conditional Use Standards of Approval and the Purposes of the Zoning Ordinance.

4. Vegetation Preservation and Management

Per §115-45.B (ZO), the Plan shall demonstrate compliance with requirements pertaining to tree and hedgerow preservation and removal.

With respect to the current proposal, disturbance or removal of vegetation occupying environmentally sensitive areas shall be undertaken only to minimize adverse impacts of development. No stripping of vegetation shall be conducted in areas of greater than twenty percent (20%) slopes unless approved by the Zoning Officer in consultation with the Township Engineer.

The Conditional Use Plan Sheet 4 of 8 includes a Table of Estimated Tree Removal. As noted under this Table, a more accurate count shall be undertaken in the context of a Preliminary Plan Submission. Therefore, compliance with Compensatory Planting requirements shall be determined upon the submission of a Preliminary Plan.

In addition to the protection or replacement of larger and notable trees, a Preliminary Plan submission should address the preservation and maintenance of the hedgerows along the scenic roadways that are associated with the tract's agricultural heritage, and which provide critical wildlife travel corridors, habitat, food, and cover. A prime area of such hedgerows is along Lenape Road, which includes mature Osage Orange trees (*Maclura pomifera*). While direct disturbance of these trees does not appear to be proposed, we recommend that additional sensitivity be undertaken during the construction of adjacent basins, and that soil erosion control measures upslope from these trees be installed and maintained with particular care throughout construction.

5. Vegetation Protection Requirements



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Provisions pertaining to Tree Protection during construction activities are described in §115-45.C (ZO), with further procedural tree removal requirements described in §115-45.D (ZO).

(Note: A Preliminary Plan submission should include Tree Protection fencing and details with Demolition and/or Erosion & Sedimentation Control Plans, not the Landscape Plans, to ensure that the appropriate protection measures are taken at the start of construction activities, prior to any site disturbance. For example, Tree Protection Fencing should be installed at the same time as silt fencing.)

6. Additional Vegetation Protection Considerations

§115-45.D (ZO) includes important requirements for minimizing and mitigating damage to vegetation adjacent to the Tree Protection Zone. These requirements describe procedures pertaining to root cutting and the treatment of exposed or severed roots.

To help ensure the minimization and mitigation of damage to vegetation within the Tree Protection Zone, the Board of Supervisors could, as a Condition of Conditional Use Approval, require that a Certified Arborist be present on-site during certain phases of site clearing and grading.

7. Identification of William Penn Trees

Per §115-45.B.3 (ZO), William Penn Trees shall not be disturbed or removed except as necessary for the widening of a road, the extension of a public utility when there is no alternative route, or if such tree is deemed hazardous by a Certified Arborist.

To this end, any William Penn Trees on the subject tract should be identified. (Such trees would be greater than 300 years old, as determined by a Certified Arborist.)

8. Identification of Ash Trees

To assist the Township in managing the infestation of the Emerald Ash Borer, the Plan should include the location of all Ash trees of six inches (6") DBH and greater, to the maximum extent possible.

The inventory of Ash Trees would be of great benefit to the Township, and could be considered by the Board of Supervisors as a possible Condition of Conditional Use Approval.

9. Compensatory Planting



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Compliance with Compensatory Planting requirements of §115-45.E (ZO) shall be determined upon the submission of a Preliminary Plan.

Compensatory plants shall be provided in addition to other required plants, such as buffer plants and street trees. However, Compensatory Plants may be placed in any suitable location on the site, and may be used to enhance other requirements, such as buffering.

Compensatory plants may include reforestation plantings, as described in §115-45.F (ZO). Furthermore, per §115-45.E.7 (ZO), should the Applicant be unable to provide the required compensatory planting on-site, the Zoning Officer may direct the Applicant to rehabilitate existing on-site woodlands and/or riparian buffers. This could be a constructive approach to satisfying a portion of the Compensatory Planting requirement, as the existing woodlands and hedgerows include a large number of invasive plants such as Ailanthus, Multiflora Rose, Japanese Barberry, Mile-a-Minute Vine, Autumn Olive, and Wineberry.

The removal of these plants will have a significant long-term benefit to the health of the woodlands and hedgerows on this tract. (We further recommend that ongoing invasive plant eradication efforts be undertaken by a Homeowners Association.)

10. Planting Requirements

Minimum planting requirements are described in §115-45.1 (ZO). Planting requirements are also contained in §95-25.1 of the Subdivision and Land Development Ordinance (SLDO). As it would pertain to a Preliminary Plan submission, these provisions include:

- Screen and Perimeter Buffer Planting;
- Street Tree Planting;
- Stormwater Management Area Planting;
- Compensatory Planting;
- Preparation of a Landscape Plan by a Registered Landscape Architect, that includes a Plant List, Specifications, Notes and Details; and
- Financial Guarantee.

In the context of the Conditional Use submission, the Plan demonstrates feasibility of compliance with the Planting Requirements. In its Response Letter, the Applicant has acknowledged these requirements.



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Moving forward, we suggest that the Township work with the Applicant and surrounding Property Owners to enhance, and potentially modify as appropriate, certain aspects of the planting requirements to generate a more favorable outcome for future residents of this tract and for surrounding residents.

In particular, given the extensive exposed views onto the subject tract from surrounding properties and roads, the Township and Applicant may wish to adapt the buffer planting requirements to promote a varied planting plan that improves the appearance of the buffers and promotes diverse wildlife habitat.

11. Maximization of Active Recreation Facilities

As a "Qualifying Condition" of the proposed Open Space Development Option, §115-49.B.2 (ZO) requires the Applicant to present design strategies intended to maximize active recreational uses in open space areas.

We do not believe that the Conditional Use Plan represents a reasonable maximization of active recreational uses. Specifically:

- a) A community of this size should maintain a turf-grass Multi-purpose Field for Soccer, Frisbee, and the like. The provision of a Multi-purpose Field is especially important on this tract because many rear yards will be constrained by slopes and other natural features, which will limit their utility for some types of play and sports. A Multi-purpose Field should be at least one (1) acre in area.
- b) The single tennis court is not sufficient to serve the likely needs of tennis-playing residents. Two (2) tennis courts would be normative for a 91-dwelling community.
- c) The footprint of the Tot Lot suggests a single play structure. Two (2) play structures, one (1) designed for ages 2 to 5 and one (1) designed for ages 5 to 12 is standard playground practice. (Also, we believe that the proposed Tot Lot is located too close to the adjacent parking spaces.)
- d) This development could provide additional opportunities for connectivity to off-site community facilities, such as a Trail connection to Strode's Mill Barn.

12. Additional Open Space Considerations

It is likely that future residents of this property will seek out the stream corridors, woodlands and open viewsheds as "passive" recreational opportunities to appreciate the landscape.

To help facilitate the enjoyment of the property, we recommend that the Applicant consider a light-imprint network of footpaths, as well as benches and perhaps small overlook pavilions/gazebos. Such features will enhance a "sense of place", improve the marketability of the community, and can potentially serve to guide activity through environmentally sensitive locations or minimize impacts to sensitive natural features.

13. Scenic Preservation



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Per §115-49.C.3.p (ZO), in an Open Space Development, buildings shall be located so as not to dominate hilltops or monopolize views of the rural countryside to the detriment of adjacent landowners. Preservation of unique natural and man-made features, including but not limited to tree masses, historic resources, historic settings and stream valleys, shall be accomplished.

As required by the above, the Conditional Use Plan notably does not propose dwellings at the highest point of the tract. That said, given the topography and exposed views along scenic Tigue Road and Lenape Road, we recommend that additional consideration be given to the design of the buildings and their locations on the tract.

Therefore, as a possible Condition of Conditional Use Approval, we recommend that any proposal for building on this tract include the submission of color-rendered perspective illustrations from vantage points along Tigue Road and Lenape Road, and as otherwise required by the Board of Supervisors.

In addition to providing insight into building massing as viewed by motorists and neighboring residents, these perspective illustrations would include proposed architecture, as the sensitive design of all building facades (including rear facades) will be fundamental to generating a community that gracefully preserves the scenic character of the neighborhood.

Provision of architectural design information is required by §115-49.C.3.1.3 (ZO), **and was submitted on 3-3-16**. The Applicant will be **presenting architectural images** during the Conditional Use Hearing **on March 8th**. We recommend that any Conditional Use Approval be conditioned on the approval by the Board of Supervisors of **the architectural information including** building colors, siding and roofing materials, **as well as** the location of utilities, the location and screening air conditioner condensers and generators, treatment of exposed foundation walls, foundation planting, permitted "add-ons" such as decks or solariums, protocols regarding accessory structures, and the like. **(Please refer to comment no. 24.)**

We also recommend that lighting design be considered a component of scenic preservation in the context of the Conditional Use Approval process.

14. Historic Resources

We defer to Township Officials and the Historical Commission regarding the disposition, preservation and potential rehabilitation or renovation of the tract's historic resources.

From a land planning perspective, we would offer that in addition to the structures (house, barn, spring house, etc.), that other features of the historic agricultural/working landscape are of significance as well, such as stone walls and ruins, old specimen trees and tree lines, and hedgerows. These elements contribute to the setting and context of the historic property as a whole.

In this regard, we suggest that one (1) acre, while consistent with Zoning Ordinance lot area requirements, is not sufficient to preserve the contextual integrity of the historic dwelling.



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15. Suitable Private Yard Areas

Per §115-49.C.3.o.1 (ZO), in an Open Space Development, the Plan shall demonstrate "suitable private yard areas for all dwellings and customary accessory structures".

Given the Steep Slopes and other constraints, pending the submission of a Grading Plan, it appears that many lots would not have suitable private yards for improvements such as decks, patios, playsets, vegetable gardens, sheds, and the like.

The potential lack of suitable private yards is particularly important in light of the relatively limited proposed community Open Space enhancements.

16. Environmental Impact Assessment Report – Impacts

Page 12 of the EIA Report includes the required Negative Impact Description, Identification & Remedy Table, as required per §115-51.D.8 (ZO). Please note the following:

- 16.A The potential use of fertilizers, weed killers, insecticides, fungicides and dyed mulch on lawn areas and within planting beds can have a significant adverse impact on water quality, soil organisms and the health of the surrounding woodlands and hedgerows. This detrimental impact should be noted in the Table. As a Proposed Remedy, HOA Documents could prohibit the use of certain chemicals or classes of chemicals and dyed mulch in common areas and on residential lots.
- 16.A Item 1: Removal of 110-120 trees will have a significant adverse impact on groundwater recharge. (While the Township Code requires compensatory planting, such planting will not, at least initially, mitigate the loss to groundwater.) This impact should be noted in the Table.
- 16.C Item 6: Regarding the loss of scenic viewsheds on the southern parcel, we do not believe that the proposed vegetative buffer and berm would "remedy" this loss. Moving forward, we recommend the Applicant and Township collaborate to explore development opportunities that will significantly reduce, or eliminate, development on the southern parcel. (Also, see comment 23.)

17. Environmental Impact Assessment Report – PNDI Search

Review Comments from the previous Township Land Planner noted that the EIA Report did not include the necessary PNDI (Pennsylvania Natural Diversity Inventory) review search.

The Environmental Impact Assessment Report now includes the results of a PNDI Search undertaken on May 7, 2015, which indicates "No Known Impacts" and "No Further Review Required". We consider this item to be resolved.



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18. Lighting

Per §115-57.E (ZO), lighting shall be provided at entrance roads to multifamily residential developments, and at roadway intersections within the development. "Multifamily" includes the proposed Townhouses.

According to the Response Letter, the Applicant intends to comply with lighting requirements during a Preliminary Plan submission process.

However, along with traffic, lighting typically has the greatest significant off-site effects, with potentially adverse impacts to residents within the surrounding area. This would be especially true for the subject open and exposed tract.

Therefore, we recommend that the Applicant discuss any anticipated/proposed lighting needs and compliance with Ordinance requirements in the context of the Conditional Use Approval process, and that the Board of Supervisors request additional information as may be necessary to determine potential impacts and how they may be minimized, mitigated, or eliminated.

19. Sidewalks & Crosswalks

Sidewalks are required in high-density residential development per §95-24 (SLDO). The Conditional Use Plan indicates four foot (4') wide sidewalks on one (1) side of the proposed streets. Please note the following:

- 19.A A Preliminary Plan should indicate Crosswalks in all locations where the route of pedestrian travel crosses a road.
- 19.B A Preliminary Plan should show the sidewalk material traversing the driveways.
- 19.C While four feet (4') is the minimum required sidewalk width, we recommend four-feet-six-inches (4'-6") as a more comfortable width for two (2) people walking side by side or passing.

20. Mail Delivery

The Applicant should discuss potential mail delivery options with the U.S. Postal Service.

If mail will be delivered to a single common location, we recommend the installation of a small purpose-built pavilion with seating and safety/security lighting.

A mail pavilion such as this could be integrated into a central community plaza or gathering area, which is a feature that the Conditional Use planning process has not yet developed.



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(A few time-limited parking spaces could be provided adjacent to the mail pavilion.)

21. School Bus Stop

The Applicant should discuss the location for a safe School Bus Stop.

A covered School Bus Stop area could be integrated into the design of a community plaza or gathering area with mail pavilion, etc., as described in above comment 20.

22. Community Garden

On page 12 of the EIA Report, the Applicant indicates the "intent to provide an opportunity for a community garden". This would be an excellent amenity, and this idea should be discussed with the Township and developed further in a Preliminary Plan submission.

Considerations for the design of community gardens include sun exposure, access, deer fencing, a composting and waste area, possibly a tool shed, and at least one (1) water line.

23. Alternative Layout

Given the above comments, especially number 16.C pertaining to environmental impacts, we recommend that the Applicant consider relocating 18 dwelling units from the southern side of Tigue Road to the northern side. A more compact and cohesive arrangement of dwellings with more proximate recreational amenities would be a worthwhile alternative to pursue.

An alternative layout could:

- 23.A integrate areas of community Open Space into the entire neighborhood fabric via sidewalks, walkways, greens, pavilions, and diverse recreational facilities;
- 23.B integrate the relocated 18 dwelling units into the north side neighborhood, through the use of a new smaller lot single-family detached dwelling unit type; and
- 23.C facilitate the Purposes of Open Space Development per §115-49.A (ZO) to "encourage environmentally sensitive site planning" and "protect the existing aesthetics within particular sections of the Township".

24. Proposed Carriage Home and Single-Family Home Architecture

- 24.A **The proposed Facade Images received on March 3rd feature Stone Materials for portions of the proposed Carriage Homes. We believe that the Stone Material looks good.**



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There are also four (4) models of Single-Family dwellings, two of which have Stone Materials similar to the Carriage Homes (Duke and Stansbury models). The other two have either all Brick or some Brick.

Would it be possible to drop the Elkton (all Brick) and Columbia (part Brick) so that all of the proposed buildings feature the Stone Materials?

- 24.B In addition to the Images of the Facades, please submit Images of the Rears and Sides of the Single-Family Detached Homes, as the Rears and Sides will be highly visible.**
- 24.C Given the prominent topographic elevations at the tract, we recommend that the color White be limited to the trim materials. Siding materials and garage doors should be tan, beige, sand, or other earth tones. The color White reflects light in a brighter way than off-white colors. Since some of the proposed dwellings will be at elevations visible from a distance, please do not use White for siding materials and garage doors.**
- 24.D We assume that Toll Brothers will add Titles and dates to all of the Facade Images that were sent on 3-3-16.**

25. Conclusion

Prior to Conditional Use Approval, we recommend that the items herein be addressed to the satisfaction of the Board of Supervisors.

Please call or email if there are any questions.