



September 1, 2020

East Vincent Township Board of Supervisors
262 Ridge Road
Spring City, PA 19475

Submitted via email to: info@eastvincent.org

RE: Proposed Zoning Ordinance Amendment – AQ Age- Qualified Overlay District
Proposed Ruth Tract Development

Dear Chairman Funk and Supervisors:

The Delaware Riverkeeper Network strongly opposes the creation of a Zoning Ordinance Amendment to create a AQ Age-Qualified Overlay District in East Vincent Township and allow for the development of 211 age-restricted homes at 446 Stony Run Road, a 66-acre parcel frequently referred to as the “Ruth Tract”.

This parcel is located in the headwaters of Stony Run, a Special Protection High Quality (HQ) watershed that DEP has characterized as impaired for Aquatic Life and Recreational uses. Stony Run has already suffered impairment due to stormwater discharges from existing development within East Vincent Township. The proposed Zoning Ordinance Amendment would allow a development that would further contribute to the degradation of Stony Run.

The Ruth Tract is currently zoned Low Density Residential, without public water and sewer and a current impervious allowance of 20%. The proposed Zoning Overlay District will dramatically increase the allowances for density and impervious coverage, allowing for an impervious coverage of 70% in the 5,500 square foot single family lots, and 85% impervious coverage in the 2,500 square foot twin lots. No amount of stormwater design will overcome the adverse effects that this development will have on the water quality of Stony Run and the associated wetlands. The project is too dense for the parcel. The applicant has proposed the use of Transfer Development Rights (TDRs) that differ from those currently permitted in the East Vincent Zoning Code. These proposed changes will increase the benefits the developer will receive and dramatically reduce the benefits of TDRs to the residents and taxpayers of East Vincent Township. The applicant is proposing a Riparian Buffer of 50 feet, a setback of only 50 feet for the unnamed tributary, and a stream setback of only 100 feet from Special Protection Stony Run, with no setbacks for two ephemeral/intermittent channels in the development area.

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Chester County's Stroud Water Research Center's research shows that "healthy headwaters – tributary streams, intermittent streams, and spring seeps – are essential to health of stream and river ecosystems".

There are two ephemeral or intermittent streams that originate on the property and the proposed development would locate homes, yards, and roads on top of these two intermittent streams according to the attached "Plan of Subdivision for Stony" (prepared by E.B Walsh & Associates, Inc, 2-18-202). There is a change in topography of approximately forty feet in the area proposed for development and therefore extensive grading, earthwork, and alterations in topography will be required to achieve the density of the plan as shown. The water quality and infiltration benefits of the soils in this area, which are Farmland of State Significance or Prime Farmland soils, will be lost, while the three small detention basins indicated on the plan will be entirely inadequate to maintain recharge and baseflow to the high quality wetlands along Stony Run. The hydrologic connectivity that supports the wetlands and the baseflow to Stony Run will be lost.

The ecological costs of this project will be significant for Stony Run and the residents of East Vincent, while providing no measurable benefits. As the EVT Advocacy Group noted in their submitted comments to the Township, the Township's current zoning and 2018 Comprehensive Plan provide for 2030 population needs as well as age restricted development. There is no benefit to the residents of East Vincent in allowing for a zoning amendment that will adversely impact the natural resources of this portion of the Township, and the health and water quality of Stony Run and adjacent wetlands. We strongly urge the East Vincent Township Supervisors to deny this Zoning Ordinance Amendment.

Respectfully,



Maya K. van Rossum
the Delaware Riverkeeper