

# THE BOROUGH OF CHESTER HEIGHTS

DELAWARE COUNTY

CHESTER HEIGHTS, PA. 19017

MEETING FIRST MONDAY OF THE MONTH

August 7, 1972

Borough Council  
Borough of Chester Heights

Gentlemen:

The Mayor elects not to approve the PRD Ordinance passed by Council at the meeting of July 3, 1972, for the following reasons:

Despite all the rationalizations offered by proponents of high-density development, I believe the majority of taxpayers of the Borough are still in favor of retaining a rural atmosphere.

Their opposition was evident at a Public Hearing to consider Zoning revisions, held on October 20, 1970. This meeting was attended by the largest group of protesters ever to gather in the Borough. Opposition to changes in Zoning was definite and overwhelming.

On October 22, 1970, at a Public Hearing to consider the development plans submitted by Community Concepts, there were many protesters from the Borough. At this meeting the only defenders of development appeared to be the staff of Community Concepts, several members of Council and a few outsiders, whose real interests were unknown.

Subsequent Zoning meetings were not as well attended by citizens. After all, no one seemed to listen to their previous protests - and many did not wish to again submit themselves to the mercy of well prepared, fast-talking defenders of high-density development. I believe the protests still exist - and the only just way to bring them into the open would be by polling taxpayers of the Borough on this important matter.

The proposed development of the Stamm tract - with a density of 4 units per acre - could result in more than doubling our population, and add up to 500 more automobiles. In addition to the impact on the ecology of the area, this high-density development could result in demands for municipal services on a scale the Borough could not handle.

In this matter, it appears that Council is acting under duress - (the pending lawsuits instituted by the developer) rather than with calm consideration for the wishes of taxpayers of the Borough. This is a highly improper atmosphere for considering legislation. It can lead to decisions that will be regretted later on.

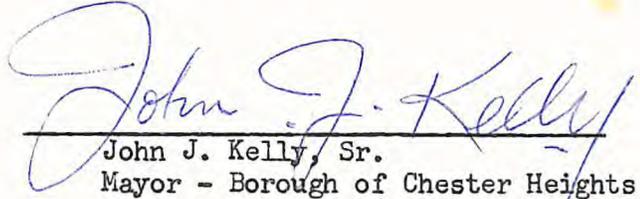
There seems to be an attitude that the developer is owed special consideration by the Borough. This is not true. The developers acquired an option on the Stamm property at a time when it was zoned 2 Acres - so there can be no validity in any plea of hardship they may make - especially since current zoning is 1 Acre.

The Courts are beginning to recognize the rights of Municipalities to retain Zoning restrictions. In denying an appeal of a developer in Marple Township, on July 25, 1972, Judge Bloom ruled, "the property is not subject to unnecessary hardship, as contended by the plaintiffs, because they brought on the difficulty themselves when they purchased the property knowing the Zoning classification to be for single family dwellings only."

Judge Bloom also said "economic hardship or the possibility of increased return from the proposed property is not sufficient reason for granting a variance".

(As reported in the Del. County Daily Times July 26, 1972)

Opening the gates for high-density development in Chester Heights is an irreversible step. Despite the apparent limiting development to a single tract, there are already signs that more are coming.

  
John J. Kelly, Sr.  
Mayor - Borough of Chester Heights