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## Borough of Media Open Space, Parks, and Recreation Plan Plan Advisory Committee Meeting #2 Report

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Location: Media Borough Tour

Date: Saturday February 29, 2020

Time: 9:30 A.M. – 2:00 P.M.

Participants: Katie Dooley, Jack Kohlmansberger, Brendan O’Riordan, Stephanie Sher, Stephanie Gaboriault, Michael Jordan, Sandie Liacouras, Jannifer Malkoun, Terry Rumsey, Daniel White, Chris Walchensky, Kevin Boyer, Amy Johnson, Peter Williamson, Karen Taussig-Lux.

Consultants: Tavis Dockwiller, RLA and Ann Toole, CPRP, CPP

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### Meeting Preparation

- 1. Tour Preparation and Logistics** – Karen Taussig-Lux and Tavis Dockwiller developed the tour route. They included all stops requested by committee members. Karen searched for tour buses and lunch, polling committee members for food requirements. Karen’s husband, Brian, kindly picked up the group’s lunch. The consulting team covered all tour expenses.
- 2. Tour** – Peter Williamson served as the tour guide. Stephanie Gaboriault and Terry Rumsey provided information about the Dam, Glen Providence Park, Broomall Country Club, and the 45-acre tract that could become a greenbelt. They continued their presentation over lunch due to time restrictions with the bus contract. Participants braved the cold to discuss their observations and get to know one another.
- 3. Committee De-Briefing and Work Session** – Following the tour, the committee members worked over lunch to discuss their observations. They framed their discussion in accordance with the consulting team’s request to look for things they liked; things that they didn’t like or could

work better; and to provide guidance for high priority considerations in the planning process. The results are as follows:

#### A. What Committee Members Liked About Media's Open Space, Parks, Recreation and Trails

- Scope of the tour was comprehensive, logical and used a nice bus
- Open space possibilities: numerous parcels of open space; collectively there is a wide range of opportunities and lot so ideas that we could actualize. Each parcel presented different possibilities; range of opportunities available (different locations to design and work on) . Diversity and variety of spaces. Parcels are well-distributed.
- Amount of Open Space. Parks spread out throughout the Borough. Thoughtful coordination of all open spaces.
- Valuing every acre of open space and every acre of parks.
- Historical Significance of sites (2)
  - Hiking on property behind the Lumber Yard (2)
- Showing folks the 45-acre greenbelt
- Discovering the Quaker Burial Ground
  - Saw places I never knew existed (Water Tank Area by Youth Center)
  - Trees, wooded sites
  - Getting to know folks on the committee
  - Receptiveness to creative ideas.
  - Possibilities for trails and walking paths
  - Interesting to hear stories of the open spaces
  - Plantings
  - Benches
  - Cleanliness
  - Environmental issues – rain gardens
- Tot lot renovation
  - Strine property is the centerpieces and near Barrell/MES
  - 11<sup>th</sup> & 12<sup>th</sup> near Jaisohn – Asian aesthetic: can we partner and co-sponsor? Partnership with South Korea
  - Borough's spaces
  - Plan for 5<sup>th</sup> & Broomall (3)
  - Community is interested in acquiring and maintaining open spaces

- Improvements to existing spaces e.g. Rotary park, Veteran's Place

## B. What We Didn't Like or Could Work Better

- It was cold!
- Plantings and Shade: Lack of shade at Dimond Park (2) and Manchester park
- Always troubling to find litter.
- Define uses of the parks.
- Need more public art.
- Signage: residents don't know what is there. Lack of signage at Dimond Park and Manchester Park. What can happen here?)
- Barrell Field (Seating, concessions, shade, trees), no splash pad (nothing for low income to cool off)
- Maintenance. Steep slopes make maintenance difficult. Lack of maintenance in some parks. Invasives (3).
- Dedicated access points are limited
- Appearance of 3<sup>rd</sup> Street Dam
- Some parcels are near busy roads (Oakmont)
- Grades present challenges
- Conditions at greenway around Barrell
- #13 needs inviting details
- Not enough time at the dam site
- Philip Green park sign looks in bad shape. Philip Green Park needs fencing and benches.
- Not clear how to use Jaisohn park.
- Too much focus on building on useable spaces; sometimes it is better to just leave the space alone.
- Lack of knowing where to find all the great locations. Was not aware of property near Tague and the Jaisohn property.

## 3. Five things that committee members think we need to address in the plan:

- Maintenance of all parks and open spaces
- Wayfinding signs and open space maps
- Aesthetics: make open spaces and parks beautiful and inviting
- How to use Philip green, Jaisohn, the Cemetery property
- Potential other pocket parks
- How to get people aware of the parks and into them
- Put parks on website
- Develop creative recreation opportunities for each park
- How to get stories on the parks and open spaces out in Media
- Publicity
- Funding for maintenance
- Purposes for parks: more focus
- Add more artwork: murals, sculpture
- Create the Media gardeners to help maintain the parks
- Extension of lawn next to tot lot and splash pad on another space.

- Improve Barrell Field signage and publication
- Houtman Park Playground and Manchester Park: improve what is there
- Maintenance of Parks, Playgrounds, and Green Spaces (3)
- Improve furniture and structures in existing places and parks. Make them more contemporary and inviting using inspiration from Philly. Murals in areas like Dimond Park and Plum Street Mall. Make them Instagram worthy attractions.
- How to acquire some of the existing parcels that are potentially available.
- How to generate interest of the public in new open spaces
- Generate greater support for more organized activities using outdoor spaces
- Potential grants to make our wish lists happen
- Budget so that we can prioritize
- Community ideas and opinions about what they would like to see
- Educating the public about our plans/ideas/spaces
- Adequate signage for places like Veteran's Square Pocket Park
- Leave the lot behind Tague Lumber as-is
- GIS layer maps showing parks payer
- On State between Radnor and Manchester so something that won't raise taxes
- Beautify gateways and intersections with native perennials
- Build a rentable space to generate revenue
- Permanent protection of Broomall's tract
- Stop reconstruction of Broomall's Dam
- Save the Strine tract at 300 East State Street (2)
- Create town signage for Green Spaces
- Establish dedicated funding for parks and open space
- Games (2): How to create games to get people into the parks such as Scavenger hunt, "passports", geocaching
- ME2
- WAWA curve
- Community involvement
- Invasive plant control with education of the public about it







# Overview of Open, **Green** Space at 300 East State Street

## Location/Description of Tract

The open, **green** space located at 300 East State Street is bounded by State Street (North), Manchester Avenue (East), Radnor Street (West), and Baker Street (South). The tract of land occupies an entire city block. The tract is .095 acres (4,125 square feet). Up to a dozen mature trees are located on a grassy area that is a perfect setting for a “town park.” The tract is located directly opposite from a block of row homes on East State Street.

## Owner of the Tract

The tract is owned by Commonwealth Real Estate Investors (CREI), which is a subsidiary of Media Real Estate, owned by William Strine.

## Plan for Development/Legal Stipulation

In 2016, Media Borough Council approved a “reverse subdivision/land development plan” for CREI to build a 23-unit apartment complex on the tract at 300 East State Street. A “reverse subdivision” approval was required because the tract was originally divided into five separate parcels and the developer needed to unify it into a single parcel to build an apartment complex.

This project has a complicated history that makes stopping development even more daunting. CREI first submitted its request for a “reverse subdivision/land development plan” to the Borough in 2003 and that request was denied. When the Borough also denied second request for a reverse subdivision in 2004, CREI filed a lawsuit in the Court of Common Pleas of Delaware County. That lawsuit was resolved by a negotiated legal Stipulation between the Borough and CREI in 2006. The Borough agreed to approve the land development application in exchange for requiring CREI to fulfill certain conditions related to design, parking, tenant use, etc.

## **Keep Media Green's** Vision for 300 East State Street

**Keep Media Green** is seeking ways to stop the development of a 23-unit apartment complex at 300 East State Street and to establish a “town park” that would be an asset for the neighborhood and the entire community.

## Challenges, Opportunities, and Determination

Due to the existing legal Stipulation and the approved land use application, the options for stopping the project through political and/or legal strategies would seem to be limited. However, **Keep Media Green** is in the process of exploring those options. We're also aware that, sometimes, carrots work better than sticks. As a first step, **Keep Media Green** has reached to reach out to the owner to explore if they may be interested in selling or donating the property to the Borough for the purpose of establishing a park. Bottom line, **Keep Media Green** is determined to do everything possible to save the open, **green** space at 300 East State Street.



# KEEP MEDIA GREEN

## DEFENDING OPEN SPACE & THE NATURAL ENVIRONMENT

### Broomall's Dam Reconstruction 101

The issue of the reconstruction of Broomall's Dam at the northern edge of Glen Providence Park in Media is extremely complicated. Understanding the issue requires taking some time to read about the history of the Broomall's dam, Broomall's Lake Country Club, and Glen Providence Park. It also requires understanding of the decades-long legal dispute over dam ownership between Broomall's Lake Country Club, Delaware County, and Media Borough. Lastly, it is important to understand the environmental and public safety consequences of high hazard dams such as the one being proposed for reconstruction in Media.

You can read an excellent and comprehensive history and explanation of the issue on the website of the Friends of Glen Providence Park: <http://glenprovidencepark.org/3rd-street-bridge-dam>

Here is some basic information that will introduce you to the Broomall's dam issue.

- A dam was built in 1883 on the Media property of Judge John Broomall and a road was created on the top of Broomall's dam.
- Broomall's property was eventually sold and divided. Today, Delaware County's 33-acre Glen Providence Park is located south of the original dam and the private 12-acre Broomall's Lake Country Club (BLCC) is located north of the original dam. The road on top of the dam evolved into Third Street, which connected Media and Upper Providence. Media Borough took ownership of and responsibility for Third Street. **None of the three entities ever claimed or accepted ownership of the dam.**
- In 1980, the Army Corp of Engineers found the dam to be in an "Unsafe condition" and recommended immediate action to repair the structure. Because no entity accepted ownership of the dam, no action was ever taken.
- In 1996, Media Borough closed Third Street to automobile traffic out of safety concerns. The road has remained closed for over 20 years.
- A legal dispute over dam ownership resulted in paralysis, and the dam continued to deteriorate over the next 15 years and Third Street remained closed. BLCC and Delaware County were strong allies in this legal dispute, claiming that Media Borough owned the dam. Media Borough claimed that Broomall's Lake Country Club and Delaware County owned the dam. The legal battle dragged on for more than a decade.
- In the summer of 2010, a coalition of two Republicans and two Democrats took control of Media Borough Council by electing Pete Alyanakian (R) as Borough Council President and forming a voting majority.
- In May of 2011, the legal dispute was seemingly resolved when the Media Borough Council signed a three-party stipulation with Delaware County and BLCC, indicating that the Borough would assume responsibility for funding and managing the reconstruction of the dam while BLCC and the County would share the long-term responsibility and the costs of future dam maintenance. The Borough also assumed long-term responsibility for the roadway. **Ownership of the dam was NOT determined by this legal stipulation. This was considered an artful legal maneuver but it was an extremely bad deal for current and future Media taxpayers.**
- It's a complicated story, but the bottom line is that funds from the Pennsylvania Department of Transportation's (PennDOT's) Local Bridge Program were assigned to cover 80% of the cost of repairing the dam and reestablishing the roadway. Local matching funds were required to cover the other 20% of the project's cost. In 2011, State Senator Dominic Pileggi secured a state grant for Media that covered a significant portion of the local matching funds.



- The local dynamics of the dam issue shifted dramatically in 2011 when the Friends of Glen Providence Park was formed and learned that reconstructing the high hazard dam would damage **1.1 acres of the public park** and posed a serious **long-term threat to the park and public safety** in the event of a dam failure. **The conflict between public versus private interests emerged as people realized that \$4 million of taxpayer funds would be spent to build a dam that would damage a public park so that a private County Country Club could keep its lake.** Also, more than 500 media residents signed a petition calling for the establishment of a pedestrian-bicycle only "greenway" instead of an automobile road. Public sentiment turned against the dam/automobile road project.



Engineers' rendering of reconstructed dam  
Note the grassy berm in lieu of existing woods/wetlands



Media and Upper Providence could be reconnected by a bicycle and pedestrian-only bridge

- A public survey of Media residents was conducted in 2012. A solid majority of respondents opposed reconstruction of the dam and a slim majority favored a pedestrian-bicycle only "greenway." **The Friends of Glen Providence Park took a public position calling for dam removal rather than reconstruction.**
- Although there have been many twists and turns in this saga since 2012, the current situation is that the Pennsylvania Department of Environment Protection has completed a partial breach of the old, deteriorated dam that eliminated the immediate threat to public safety and the park's environment. As a result of the partial breach, Broomall's lake has disappeared, the stream has been restored, and a grassy meadow has been established on the property of BLCC.
- However, the 2011 legal agreement between the three parties is still in place, and that agreement mandates that a high-hazard dam **MUST** be reconstructed and a two-lane automobile roadway be reestablished atop the dam.
- It defies common sense, **but the plan goes forward to build a \$4 million dam that no party is willing to own!** However, the ownership issue is not completely settled. In order to secure a **DEP dam construction permit**, Pennsylvania law requires that one or more of the parties **MUST sign the ownership line of the Emergency Action Plan (EAP)**. The EAP is a document that establishes the **OWNER'S** responsibility for public safety in the event of a dam failure. At this point, none of the parties has agreed to sign as owner on the EAP form, but DEP has stated that it considers Delaware County and Broomall's Lake Country Club to be the owners. The draft EAP, developed by Schnabel Engineering Company, has identified Delaware County and Broomall's Lake Country Club as the owners on the document's ownership signature line.
- Here are some questions we hope you clear thinking residents of Media Borough and Delaware County will consider:
  1. Why is Delaware County party to an agreement to **build a high-hazard dam that will damage a segment of the largest and most-used park in town** and create a long-term threat to the park's environment and safety of park users?
  2. Why should Delaware County **placing the interest of a private Country Club over the public interest** of preserving the environmental integrity of our park?
  3. Are you aware that **the majority of residents in Media oppose the reconstruction** of a high-hazard dam?
  4. **Is it really in the interest** of Delaware County's **taxpayers** for the County to **assume ownership and financial liability for a high-hazard dam** that could result in loss of life and environmental catastrophe in the event of dam failure?
  5. Has the County ever conducted a **cost estimate** related to a **catastrophic dam failure**?
  6. Has the **Country Club shared its financial statements** with the County, providing **assurance that it is a reliable partner** for co-owning a high hazard dam?
  7. Are the County's attorneys aware that **signing the ownership line of the Emergency Action Plan will establish Delaware County as an owner** of the Broomall's dam?
  8. Are the Borough's and County's attorneys aware that **recent legal rulings** have established that the **PA Environmental Rights Amendment (ERA)** requires municipalities to **prioritize environmental stewardship of public lands** over other considerations?
  9. Does it make sense to establish a joint County-Borough-Club-Community **stakeholder's committee** to **reexamine the stipulation** and to study **alternatives to dam reconstruction** that could preserve the park while still resulting in a positive outcome for Broomall's Lake Country Club, Media Borough, and Delaware County?