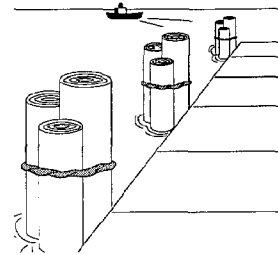


Barry Bridge Park

A New Look At Chester's Unique Recreational Resource



Chester, Pennsylvania

January 1996

Pennsylvania Coastal Zone Management Program

**Commodore Barry Bridge Delaware River Access
Expansion Analysis**

Chester City

Delaware County, Pennsylvania

January 1996

DEP Grant/Contract No. 94.05PD

A Report of the Pennsylvania Department of Environmental Protection
to the
National Oceanic and Atmospheric Administration
pursuant to
NOAA Award No. NA47OZ0248



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INTRODUCTION

The Commodore Barry Bridge Delaware River Access Park (Barry Bridge Park), located in Chester City, provides the only public boat launch facility along Delaware County's twelve mile stretch of riverfront. This facility is publicly owned and operated for boating and other water-related uses. Because of limited access to the water for public use in Delaware County, the Barry Bridge Park is heavily used, not only by city residents, but by boaters from other parts of the county and region as well as visitors from outside of the state of Pennsylvania.

Increased boat registrations throughout the region during the past decade have indicated that there is a high demand for water-related recreation, fishing, and boating in the Delaware County area. Several studies at the county and regional level have indicated that there is also a severe lack of public access sites to satisfy this demand.

Historically, Chester City's waterfront, like many other urban waterfronts, has been used for industrial purposes. Water was our first form of transportation and the growth of our communities began along the water. But today, many of these working waterfronts are beginning to disappear. The waterfront now has the potential to provide diversified opportunities, not only for economic development, but also for public enjoyment. Waterfronts today are for everyone!

Chester's waterfront is in transition. Many properties are underutilized or vacant. The city's 3.5 miles of waterfront is industrial in nature and public access to the water is limited. At the same time, a public consensus has developed regarding an increased use of the waterfront for water-related activities. Previous planning efforts, including Vision 2000, the city's award winning comprehensive plan and economic development strategy, and the Delaware County Waterfront Resources Management Plan, clearly envision an increase of public access to the river for pedestrians, motorists and the general public. Vision 2000 also identified the Barry Bridge Park as a candidate for expansion. Such an expansion could provide an opportunity not only to expand the park, but to improve the visual aesthetics of access to the site and help provide other business opportunities for local property owners. Adjacent land uses could benefit from increased activity and gain a competitive advantage to help transform a dilapidated area into an area of vitality and growth.

The primary focus of this study is to examine the potential for expanding the existing Barry Bridge Park to accommodate the growing demand for water-dependent recreation.

In addition the study will identify development opportunities which would promote and encourage new investment and revitalization efforts in the area.

PROJECT AREA DESCRIPTION

The project area includes the Barry Bridge Park site, the adjacent properties (areas likely to be considered if expansion takes place), the area south of Front Street, between Jeffrey and Central Streets, and the area extending from Front Street on both sides of Flower Street to the Amtrak - SEPTA railroad tracks (Figure 1 - Project Area Boundary Map)

IMPACT AREAS

For the purpose of this project we have identified two areas, as depicted on Figure 1, that could experience an impact from any future expansion of the boat launch site. These areas are characterized as the primary impact area and the secondary impact area.

Primary Impact Area

The *primary impact area* includes the properties that would be directly involved with physical development and has been identified as the existing Barry Bridge Park site and the immediately adjacent properties. Two properties are located to the east of the subject property: the area under the Commodore Barry Bridge owned by the Delaware River Port Authority (DRPA) and the Wade property. The property located to the west is owned by PECO Energy Company. One or both of these areas, or portions of these areas, could be incorporated into future expansion plans.

Secondary Impact Area

A *secondary impact area* that could experience both positive and negative impacts because of new activity associated with expansion of the Barry Bridge Park site is the properties that are fronting along the access routes to the park. These properties are located along Flower Street, a minor arterial, and along Route 291, a major arterial. In addition properties south of 2nd Street, between Jeffery and Flower Streets will also experience secondary impact. Both Flower Street and Rt. 291 will serve as access routes for boaters entering and leaving the park. These areas may become attractive to commercial development because of expected traffic volumes, reasonable proximity and direct access to the boat launch/park. However, for the purpose of this study we will evaluate only the properties fronting on Flower Street.

PHYSICAL, DEMOGRAPHIC & ECONOMIC CONDITIONS

The existing conditions in the area will help determine the opportunities and constraints facing the development and/or expansion of the Barry Bridge Park. Below, we will

Figure 1 PROJECT AREA BOUNDARY

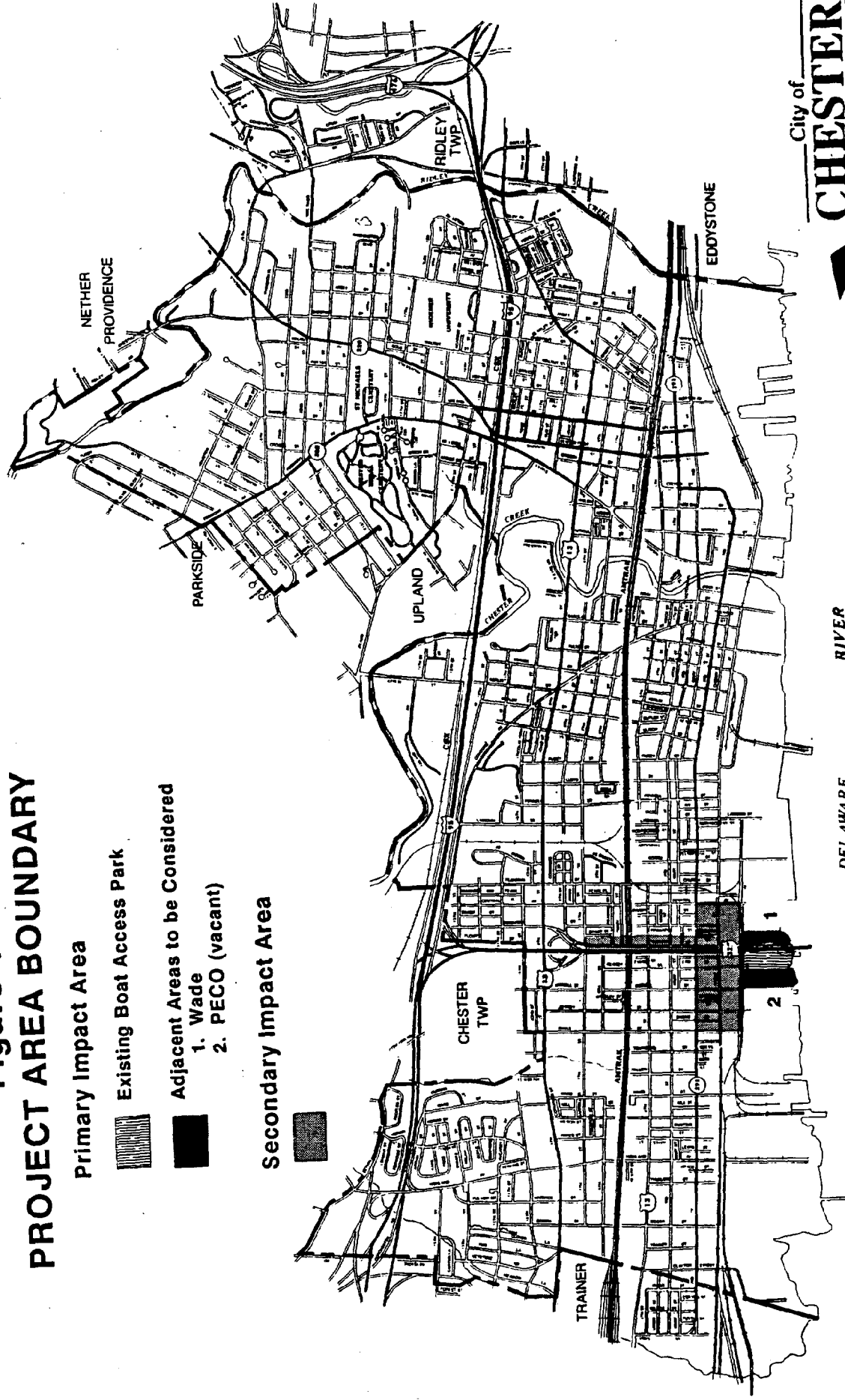
Primary Impact Area

Existing Boat Access Park

Adjacent Areas to be Considered

1. Wade
2. PECO (vacant)

Secondary Impact Area



City of
CHESTER
PENNSYLVANIA

DELAWARE RIVER

0 2200 4400 Feet

provide an overview of the existing conditions related to the project area, impact areas, market area with trends in population and households for the Chester area and the region. The region, in this study, is comprised of Philadelphia, Montgomery, Bucks and Chester Counties. (See Figure 2 - Regional Location Map)

PHYSICAL CONDITIONS

Commodore Barry Bridge Delaware River Access Park (Barry Bridge Park)

The subject property is currently owned by the Delaware River Port Authority and leased to the City of Chester for 25 years. (See Appendix A.) Originally signed in 1982, this lease is scheduled to expire in the year 2007. The city recently signed an agreement with the Pennsylvania Fish and Boat Commission for the Fish Commission to assume full responsibility for the maintenance and repair of the docking system at the site. The city will be responsible for the land side maintenance including, the removing of trash and cutting the grass, etc.

The Barry Bridge Park property is approximately 4.5 acres in size (See Figure 3 - Barry Bridge Park Site Map.) and consists of three ramps, each of which is 100 feet long and 10 feet wide. The ramps are separated by two permanent piers which are 65 feet long. The piers extend into the river with floating docks connected in part by pedestrian ramps. A 76 space parking lot with each space 40 feet long (in order to accommodate a car and trailer) covers the large majority of the site. A portion of the area fronting on the river consists of a concrete bulkhead currently used as an observation deck and fishing pier. In addition, a small paved area with benches is provided for land side fishing and/or for sitting and enjoying the view of passing ships.

Wade Property

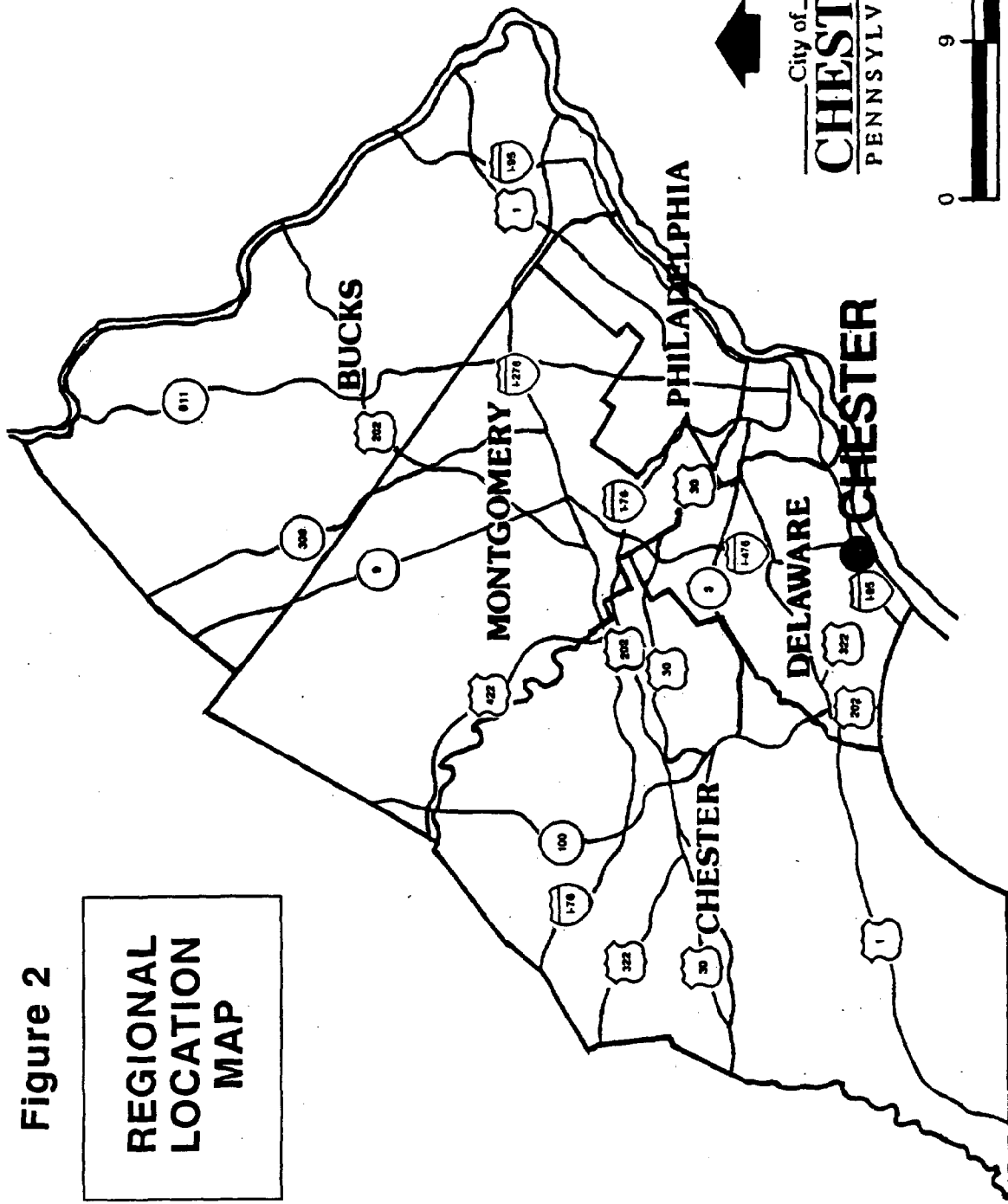
The Wade site is approximately 2.2 acres in size and is currently vacant of structures. This property was a former dump site that was designated as contaminated and placed on the Super Fund list for cleanup. The property was cleaned and capped under the Super Fund Program.

PECO Energy Company Property

PECO owns two contiguous properties located on the west side of the boat launch site. The portion immediately adjacent to the boat launch is approximately 5 acres and is vacant of structures. It is heavily vegetated with clumps of trees and undergrowth. The entire site is within the 500 year flood boundary with a small area within the 100 year flood boundary. Just west of this area is the former West End Boat Club property now owned by PECO. This property is approximately 2 acres in size. A building is located on the site which was a club house for the boat club. It also has a pier. Portions of this property are located within the 100 year flood boundary while the remaining area is within the 500 year flood boundary.

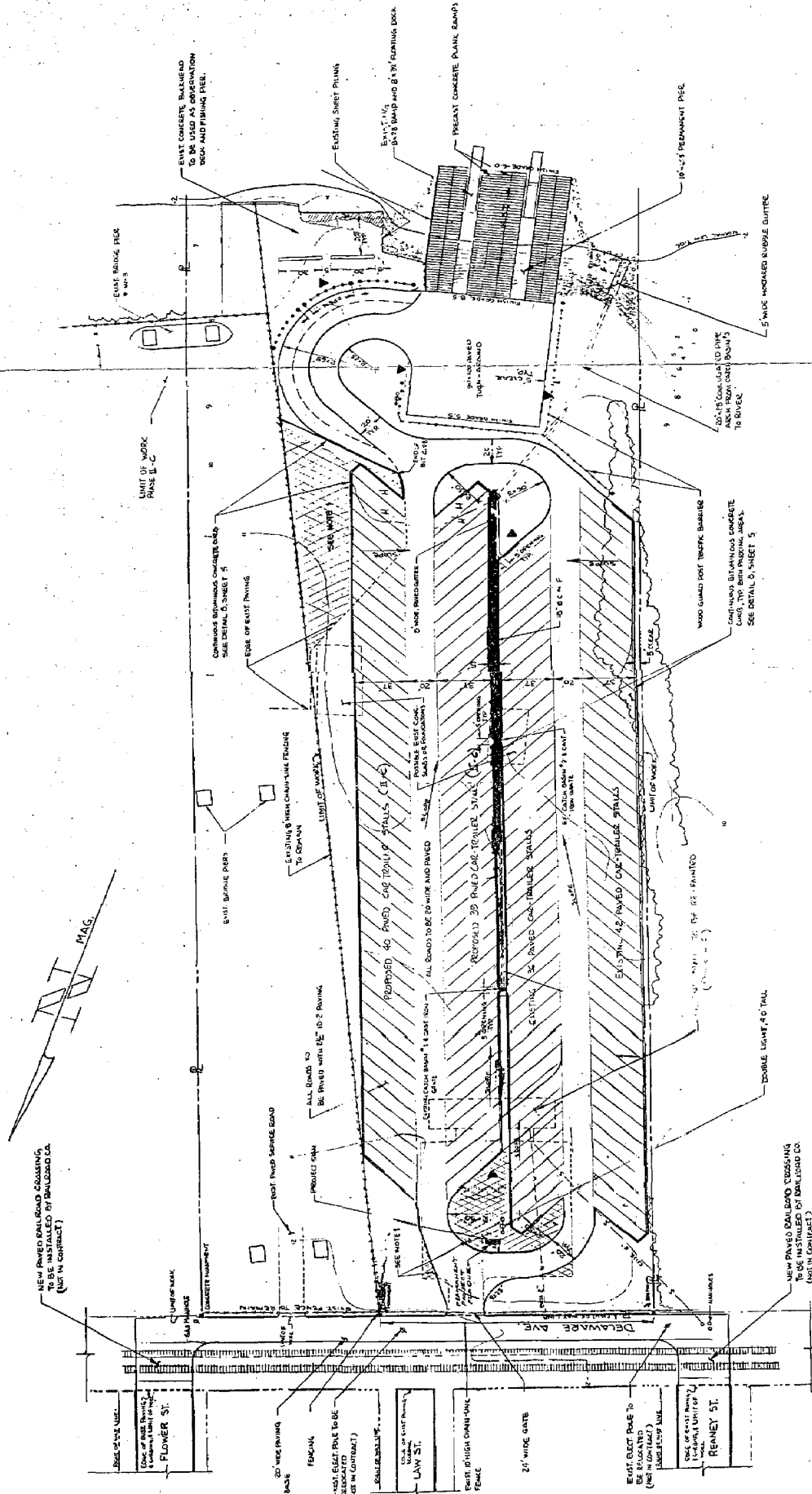
Figure 2

REGIONAL
LOCATION
MAP



CHESTER BOAT LAUNCH SITE

Figure 3



Delaware River Port Authority (DRPA)

DRPA is the currently owner of vacant property directly under the Commodore Barry Bridge. This property is fenced and is restricted for use for development purposes. The property located between the boat launch site and the Wade property is approximately 1.5 acres in size.

Other Project Area Land Uses

Other land uses within the project boundary are varied in nature. The majority of the area, however is characterized by vacant lots and/or vacant, dilapidated residential structures. The property located under the bridge extending along Flower Street from Delaware Avenue to the Amtrak - SEPTA railroad tracks is vacant and fenced. This property is owned by the Delaware River Port Authority. The area west of the Port Authority's property is predominately residential. Located south of the residential structures are industrial uses. The properties on the east side of Flower Street consist of residential use, light industry use, garage, commercial use and vacant and boarded residential structures. (See Figure 4 - Project Area Land Use.)

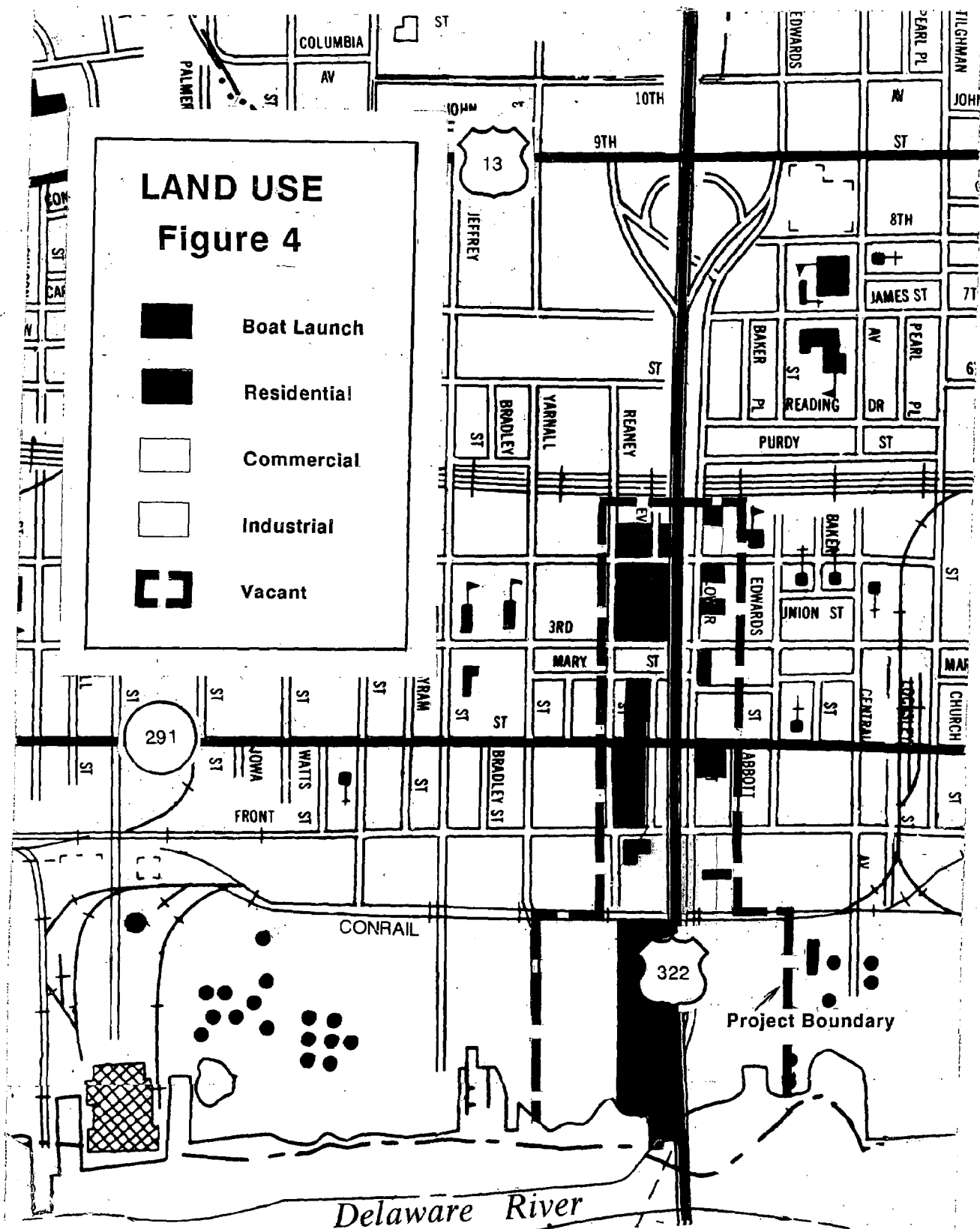
Access

The Barry Bridge Park is accessible by both land and water. The direct highway access is via Delaware Avenue. (See Figure 4.) This street is not a through street, but provides direct access to the Barry Bridge Park site and several industrial properties. The street's right-of-way is shared with Conrail's freight lines. Access onto Delaware Avenue is via Flower Street, a minor arterial. Traffic leaving the Commodore Barry Bridge would use Flower Street to enter the Barry Bridge Park site. Traffic from Interstate 95 must currently use one of several exit ramps and proceed east to Rt. 291, a principal arterial. Rte 291 carries traffic in a north-south direction and is located one block north of Delaware Avenue. Rt. 291 is scheduled for widening and rebuilding. It is programmed for a widening to five lanes (two travel lanes in each direction and a center turn lane).

DEMOGRAPHIC CONDITIONS

Population

There are approximately 2,700 persons living in and slightly beyond the project area. This represents approximately 6 per cent of the city's 1990 total population of 41,856 persons. Chester City experienced sharp declines in population between 1970 and 1990, declining from 56,331 to 41,856. Population levels for Delaware County as a whole, and Philadelphia also showed a decline between 1970 and 1990. Growth occurred in Bucks, Chester and Montgomery Counties but the large decreases in Philadelphia accounted for the region's overall population decline. (See Table 1.)



City of
CHESTER
PENNSYLVANIA

Prepared by Delaware County Planning Department, 1995

TABLE 1

**Population and Household Trends
Regional Boating Market Area
1970-1990**

POPULATION

AREA	1970	1980	1990	Number	Change
					1970-1990 Percent
Chester City	56,331	45,794	41,856	-14,475	-25.70
Regional Market	3,265,775	3,127,702	3,181,258	-84,517	-26
Delaware County	603,456	555,007	547,651	-55,805	-9.25
TOTAL	3,869,231	3,682,709	3,728,909	-140,322	-3.6

HOUSEHOLDS

AREA	1970	1980	1990	Number	Percent
Chester City	17,869	15,897	14,537	-3,332	-18.65
Regional Market	1,026,633	1,105,601	1,179,240	152,607	14.86
Delaware County	180,583	192,332	201,374	20,791	11.51
TOTAL	1,207,216	1,297,933	1,380,614	173,398	14.36

SOURCE: Census of Population and Housing

Prepared by: RDC Institute Inc.

Although Delaware County is expected to experience slight growth in population by the year 2000 as projected by the Delaware Valley Regional Planning Commission (DVRPC), most of the regional growth will occur in the suburban fringes of Bucks, Chester, and Montgomery Counties. Bucks and Chester Counties are expected to grow by 25 and 30 per cent respectively.

Households

Household growth will be more pronounced than population growth due in part to declining household sizes. Even though Delaware County population levels declined by over 55,000 persons between 1970 and 1990, the total number of households increased by 20,791 over the same reporting period, from 180,583 to 201,374. The counties that make up the region also increased by 14 per cent from 1,026,633 to 1,179,240 households.

ECONOMIC CONDITIONS

Employment

The strength of Chester's economy has historically depended upon the manufacturing jobs along the waterfront. However, over the last decade manufacturing jobs have declined significantly. Vision 2000 noted that manufacturing employment in the city declined from 4,900 to 2,900 from 1982 to 1991. Recent U.S. Department of Labor overall unemployment figures for the city show Chester at approximately 8.9 per cent in June, 1995 as compared to 8.7 per cent in January, 1995. This in a county that has an unemployment rate closer to 5 percent.

Although Chester's economy has declined, the neighboring counties have shown an increase in employment. As indicated in DVRPC's report titled "2020" the region showed an increase in employment of approximately 14.6 per cent from 1980 to 1990. The report further states that by the year 2020 employment in the region will grow by another 18 per cent.

MARKET CONDITIONS

Market Area

The market area for the Barry Bridge Park is defined as the area in which boaters will travel to launch their boat at the Barry Bridge Park. Conversations with the Pennsylvania Fish & Boat Commission and interviews with local boaters were held, and the location of existing public facilities was identified to help determine the appropriate market area from which the Barry Bridge Park could draw. Chester's geographic location and proximity to a major highway network system and a bridge that connected two states indicated that the Chester facility could not only draw boaters from the counties in

Pennsylvania including, Chester, Bucks Montgomery and Philadelphia, but also boaters from the States of Delaware and New Jersey.

Boat Registrations

In 1993 the Pennsylvania Fish and Boat Commission reported that there were 311,542 boat registrations in the State of Pennsylvania. Table 2 shows boat registrations in the Pennsylvania portion of the market area from 1984 to 1993. The data reflects all motorized watercraft registered within the state during this reporting period including motorized sailboats. Total registration has increased from 26,892 to 42,457 during this reporting period. This represents an increase of 15,565 boats or 57 per cent. Boats registered in the state of Pennsylvania are put in a classification. These classifications are usually by size. Boats up to 26 feet are typically trailered to a water access location and launched via a boat ramp. Registrations for these size boats grew by 3,816 boats or a little over 3 per cent between 1992 and 1994. (See Table 3 below.) This demonstrates an increase in popularity of boating using the ramp type boat launches.

Table 3

Boat Registrations Under 26 Feet

Year	Less than 16 feet	16 - 26 feet
1992	172,242	110,268
1993	167,073	111,446
1994	170,877	114,084

Source: Pennsylvania Fish & Boat Commission

Market Area Boat Launching Facilities

Pennsylvania and especially the eastern region along the Delaware River has a very strong boating tradition and has historically been a focus for both commercial and recreational boating. This strong tradition is illustrated by the increase in the number of boat registrations as indicated above. There are 32 boating launch sites located along the Delaware River, Neshaminy Creek and the Schuylkill River. These sites provide a range of facilities including surface ramps, parking, gas and oil. Approximately a third of these sites charge a fee.(See Figure 5 and refer to the Appendix B for more information on each facility.)

TABLE 2

Total Boat Registrations by County

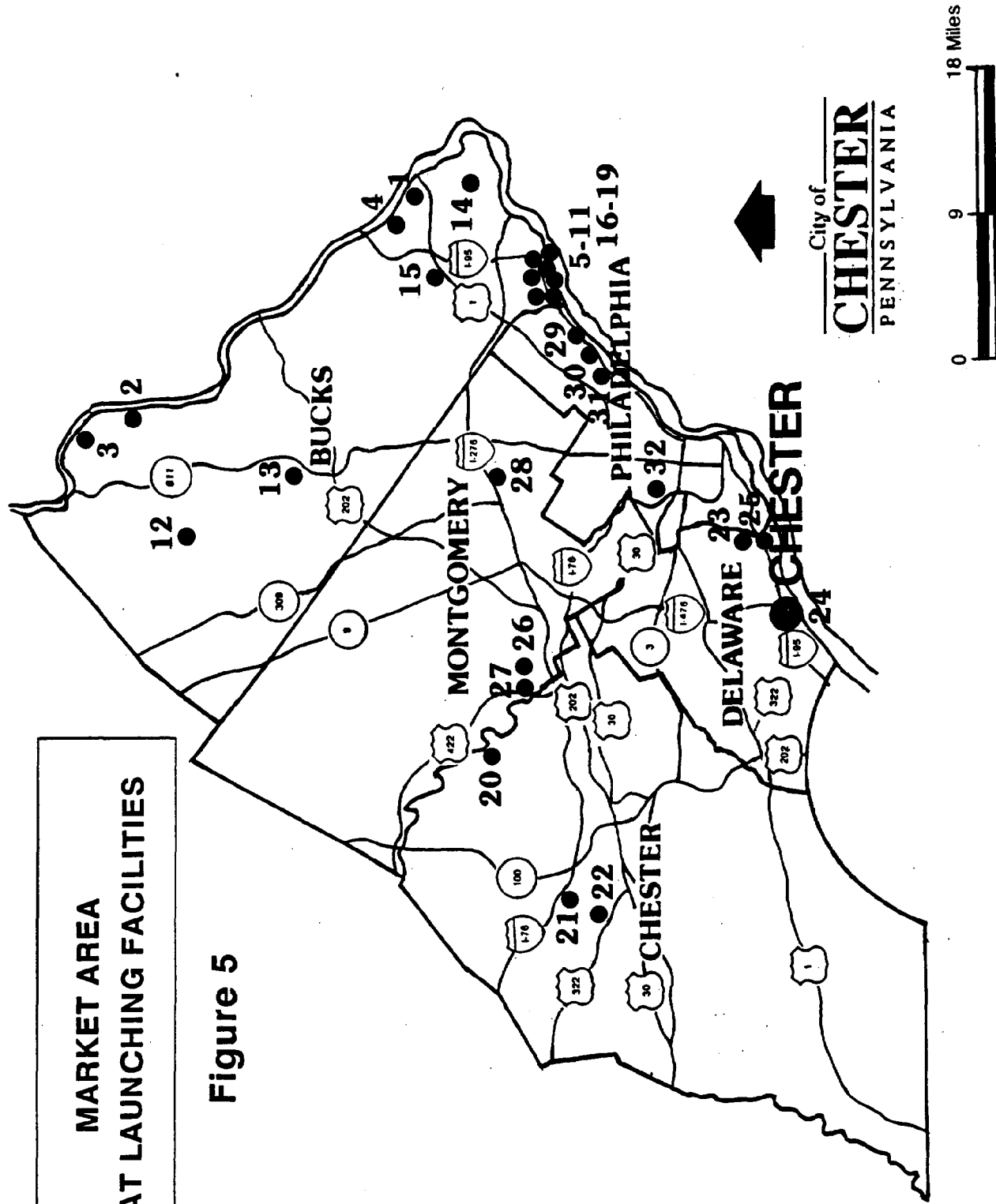
County											Change 1984-1993	
	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	Number	Percent
Bucks	8,864	9,508	9,778	10,665	11,638	12,464	12,892	13,907	14,601	14,713	5,849	65.99%
Chester	3,177	3,427	3,588	3,999	4,350	4,609	4,853	5,243	5,629	5,765	2,588	81.46%
Delaware	3,339	3,483	3,653	3,934	4,637	4,550	4,625	4,889	5,176	5,056	1,717	51.42%
Montgomery	7,031	7,599	7,921	8,563	9,236	9,560	9,853	10,301	10,725	10,693	3,662	52.08%
Philadelphia	4,481	4,577	4,659	5,039	5,413	5,794	5,806	6,155	6,426	6,230	1,749	39.03%
TOTAL	26,892	28,594	29,599	32,200	35,274	36,977	38,029	40,495	42,557	42,457	15,565	57.88%

SOURCE: PA Fish & Boat Commission

Prepared By: RDC Institute Inc.

**MARKET AREA
BOAT LAUNCHING FACILITIES**

Figure 5



Along the Delaware River extending through Delaware, Philadelphia and Bucks Counties, there are 9 public boat launch sites with only one in Delaware County. (See Table 4.) The other boat launch sites in Delaware County are private marinas and are not intended to service boats less than 26 feet. These sites rent boat slips and usually charge a fee to boaters without slips and with no other means to launch their boats.

ANALYSIS

The purpose of this project is to determine if the Barry Bridge Park should be physically expanded and/or modified to include additional uses or facilities that could better serve the citizens of Chester and the many individuals that visit the park on an annual basis. This analysis section will review a number of issues related to possible park expansion. It will address issues related to the physical capabilities of the subject property, the possibilities for expansion, what impact such expansion would have on the adjacent community and the nature of potential new facilities and uses at the Barry Bridge Park.

Current General Usage

The Barry Bridge Park is a waterfront park that provides water-related recreation for many Chester residents and visitors from surrounding counties. While many Chester residents visit the park all during the day to either fish from the piers or sit and enjoy the scenery, the boat launch facilities are used mostly by visitors from outside of the city limits.

Recommended Land Use

The land use located in the primary impact area includes the park and properties owned by both PECO Energy and DRPA. Both of these adjoining properties are currently vacant. Vision 2000, the city's recently completed a comprehensive plan and economic development strategy, after full evaluation of the existing conditions and factors that promote functional land uses, designated this area as being suitable for recreation and open space. Specific recommendations of Vision 2000 can be summarized as follows:

- Conduct a feasibility study to evaluate park expansion.
- Negotiate with PECO Energy to acquire property for expansion.
- Work to designate this facility as a regional recreational facility.
- Find ways to improve access to the site.
- Improve signage to the site.

TABLE 4

PUBLIC BOAT LAUNCH SITES

DELAWARE RIVER

PUBLIC LAUNCH SITE	ESTIMATED DISTANCE TO NEXT SITE
Bucks County	
1. Upper Black Eddy	6 miles to Tinicum (2)
2. Tinicum Park	26 miles to Yardley (3)
3. Yardley	16 miles to Bristol (4)
4. Bristol	2.5 miles to Neshaminy (5)
5. Neshaminy	6 miles to Linden Avenue (6)
Philadelphia County	
6. Linden Avenue	2.5 miles to Tacony Access (7)
7. Tacony Access	1.5 miles to Frankford Arsenal (8)
8. Frankford Arsenal	16 miles to Commodore Barry Bridge (9)
Delaware County	
9. Commodore Barry Bridge	16 miles to Frankford Arsenal (8)

SOURCE: Pennsylvania Fish and Boat Commission

PREPARED BY: RDC Institute

- Identify and evaluate potential waterfront related commercial uses that should be considered for location near the site.

Results of Survey/Questionnaire

During our process of collecting data we prepared a survey questionnaire and conducted interviews with many of the people visiting the park. While this survey was not a statistically valid random sampling, the results of the survey indicated that the park is a valued commodity in the city. Many Barry Bridge Park users felt that the park is a needed recreation alternative within the city and should not only be saved but expanded to include more facilities. Many of the residents and visitors who were interviewed and turned in completed questionnaires felt that the park should be expanded to include the following facilities:

- Rest rooms
- Lights
- Snacks or food concessions
- Play area for children
- Barbecue area
- Boat rides for children
- Picnic area with vandal proof tables and benches
- Water fountains
- Fuel
- Security guard to prevent littering
- Another pier

Although there were many positive comments regarding the Barry Bridge Park site, some problems were identified as causing concern. Some of the problems experienced while using the facility included the following:

- Docks were in poor condition
- Site scattered with trash and debris
- Silt prevented launching during low tide
- Trash and broken glass scattered about in the parking area

Current Operation and Maintenance

The city is responsible for the operation and maintenance of the park, but is not the property owner. The property is owned by the Delaware River Port Authority who has given the city a long term lease. The city was recently designated as financially distressed and is not in the position to perform the yearly maintenance needed to keep the park as a functional boat launch facility. Because of the financial situation the city has entered into an agreement with the Pennsylvania Fish and Boat Commission for the maintenance of the boat launching facilities. (See Appendix C.) The Commission has assumed full responsibility for the maintenance and repair of the docking system of the

fishing and boating access area. The city will continue to have the responsibility of cutting grass and removing trash.

ANALYSIS OF POTENTIAL EXPANSION AREAS

The project area is located at the foot of Flower Street under the Commodore Barry Bridge. Currently this area appears to be dormant in terms of development. There is no new development taking place and no expansion plans contemplated for existing uses.

Delaware River Port Authority (DRPA)

DRPA owns the property on which the park is located and an area adjacent to the park which also includes all the area located directly under the Commodore Barry Bridge extending from Delaware Avenue for the length of the bridge through the city. The parcel located adjacent to the park would be suitable for more park area or as access to the adjacent Wade site. This property is currently vacant of structures and does not have any physical constraints that would prevent this site from being incorporated with the park site. The property is not for sale but may be available for lease with certain conditions. The legal department of DRPA is now reviewing what restrictions they would have on any use proposed for their property.

Wade Site

This site is east of the DRPA's property. The Wade site was a federal Superfund clean up site. In 1986, EPA removed all the contaminated soil and capped the site with clean soil. It is provided with five wells which are used for periodic testing by the Pennsylvania Department of Protection (DEP). The site is designated as clean but it has certain restrictions for future use. The capped or clean soil cannot be disturbed by removing, digging or placing any type of piling below the capped surface.

This site would be suitable for recreation related activity. It can be paved providing the wells are not covered or disturbed. Buildings can be placed on the site providing the foundation is not below the capped surface. The site could be incorporated into an expansion scheme with the park and the DRPA site if the DRPA conditions are not too restrictive.

PECO Property

The two properties owned by PECO Energy Company are contiguous to the park. These properties are currently vacant except for a structure located on the former West End Boat Club site. These sites appear to be suitable to be included in an expansion of the Barry Bridge Park facility. However, PECO is currently marketing these sites as part of an overall area incorporating approximately 50 acres of land for future development. PECO has listed the property for \$1.1 million per acre. This price would prohibit the city or any

other public agency from considering the property for purchase if it reflects the actual value of the property. However, there may be opportunities for a development concept for this property which could complement the boat launch site and other development with water-related intentions.

ANALYSIS OF SECONDARY IMPACT AREA

The park area is surrounded by vacant land, scattered commercial use, industrial use and small residential houses. Because of the Conrail railroad lines and industrial land use the area is characterized as industrial. The industrial uses consist of a utility company, trash and automobile related operations. The residential uses in this area conflict with the heavy commercial and industrial uses. In addition, Rt. 291 carries large volumes of truck traffic which constantly generate noise, vibration and fumes. The conditions generated by nearby heavy industry, heavy commercial and major roads have contributed to the deterioration of the residential living environment. The effect of this land use conflict is evident in the many vacant lots and deteriorated residential structures that were once in active use.

The major areas of secondary impact would be the residential uses located along the side streets and the uses along the access routes that bring traffic into the Barry Bridge Park facility. The access routes are Flower Street and Route 291. Flower Street would be the major route for visitors coming from New Jersey over the Commodore Barry Bridge and for the northern and central parts of the city. Visitors from the state of Delaware and from the western portion of the city, the western portion of Delaware County and Chester County might use any of several I-95 interchanges on to local city streets (Highland Avenue, Engle Street, Kerlin Street, etc.) that would eventually lead them to Route 291. Route 291 would also tend to be the main access route for visitors from the northern and eastern part of Delaware County and from Philadelphia and Montgomery County via the Blue Route (I-476) or I-95.

The land uses along Flower Street consist of vacant land owned by DRPA, light industrial use, and residential use in a range of conditions. The commercial use along Flower Street has attempted to capitalize on some of the boat traffic by selling bait and other various fishing and boating equipment. This area presents an opportunity for other type of services that the various visitors could use; such as food, fuel and possible boat storage facilities.

The residential uses are intermingled with vacant land and some of the automobile related operations. Residential structures that were once occupied are now vacant and boarded. As more traffic is generated from the industry and possible increase of use for the boat launching park, residential use will become less desirable.

The other major route for access into the park is Route 291. This road is now programmed to be improved to five lanes on PennDOT's twelve year capital

improvement program. Many property owners have not maintained their property in anticipation of PennDOT acquiring their property. The land uses along this route have changed from mixed , including residential, commercial and industrial to small pockets of automobile related activities, convenience type stores and vacant land. Generally the area is in transition and residential is no longer the dominant use.

When the industrial uses were very active and generated employment opportunities, residential units were built on the side streets and along 2nd Street to provide housing . Today, most of the units that were located on the side streets between 2nd Street and Front Street are now only marginally functional. Although a few of the units still remain relatively stable and well-maintained, most of them are either vacant or dilapidated. Also, most of the industry that was located along the side streets has either moved or closed.

The land uses within the secondary impact area are in transition. A large portion of this area is either vacant or underutilized. However, with the possible expansion of the Barry Bridge Park, this area presents many opportunities. Many urban communities across the country have rediscovered their waterfront land and have recognized it as an urban amenity which can accommodate both water and non-water dependent uses. The redevelopment of long-overlooked waterfronts is happening in dozens of communities across the country. An expansion of the Barry Bridge Park could help capitalize on the demand for water related recreation and generate increased traffic and visitors into the area. This activity could, in turn, introduce opportunity for new development to serve the increased traffic.

CONSTRAINTS

There are several constraints that will have an impact on the redevelopment or improvement of properties within the project area. These constraints consist of an antiquated zoning ordinance, conflicting land uses, multiple property owners, security issues and difficult access for both vehicles and pedestrians.

Antiquated Zoning

The project area is dominated by industrial zoning classifications. Historically, Chester's waterfront has been used for shipping, shipbuilding and manufacturing and the zoning ordinance was written to encourage and accommodate these types of uses. Although the ordinance was written to accommodate industrial uses, other uses such as residential and commercial were also permitted. Because of inadequate controls and changing community standards, the mix of these uses created conflicts and the uses are no longer functioning in harmony.

Today, many of the industrial and commercial uses are gone and in many cases they have left abandoned buildings, vacant land and deteriorating piers. These areas have the potential to be adaptively reused to take advantage of the waterfront, a natural resource

that has more and more been recognized as an urban amenity. However, a major constraint that has discouraged and delayed reinvestment along the waterfront is antiquated land development policies and the lack of a vision of how the waterfront should be developed. The current zoning ordinance is obsolete and does not provide adequate controls to encourage or guide new development concepts.

As an initial step in addressing this problem, the city recently adopted a new comprehensive plan (Vision 2000) which recommended development of a new waterfront overlay zoning district. The proposed new district will have industrial as the primary permitted use, but will have the flexibility and controls to allow other non industrial water related uses when the market conditions support such uses.

Conflicting Land Uses

Over the last decade this area has experienced all the factors contributing to urban blight. Industrial land use is intermingled with residential land use without proper screening. Because of the negative influence created by traffic and impacts from the nearby heavy industrial uses many of the residential structures were abandoned and are now deteriorating at an alarming rate. The industrial uses have not fared appreciably better. Many have shut their doors forever and more have failed to prosper due to market changes, inadequate access and other factors. A lack of a vision of how the area should be revitalized has also prevented any significant revitalization of this general area.

Multiple Property Ownership

The project area consists of approximately 160 property owners. PECO and DRPA are the major property owners, but many of the properties are residential. The residential properties are the ones that are abandoned and/or in blighted conditions. The owners are often absentee or have no interest at the present time in improving these properties. Fragmented ownership usually complicates a unified redevelopment strategy by limiting the size of development sites and the timing of their disposition. Some form of land assemblage must occur to provide development sites of any size that would attract private investment.

Security Issues

For any successful expansion of the Barry Bridge Park, the issues of personal and property safety will need to be addressed as a central part of the expansion process. From a personal safety point of view, park users want to feel safe whenever they are present on the site. This desire for personal safety may necessitate incorporation of enhanced security measures such as improved lighting schemes, emergency call boxes, security personnel at specified times or other security measures in any plans for expansion.

In terms of property safety, the Barry Bridge Park is located on the waterfront, is bounded on two sides by vacant property and on the remaining side by railroad tracks and

deteriorated buildings. These conditions make it particularly susceptible to vandalism in the off hours when the park is not being used. The open style parking may also leave park users with concerns about their vehicles and trailers being susceptible to vandalism, break-ins or theft during the day.

Vehicular and Pedestrian Access

The Barry Bridge Park is constrained by the lack of direct vehicular and pedestrian access to the park. The park fronts on Delaware Avenue which shares the right of way with the Conrail's freight lines. Traffic coming into the park must turn off Flower Street onto Delaware Avenue and then turn into the park's entrance. Pedestrians entering the park must also follow this same route. The area between Flower Street and the park entrance along Delaware Avenue suffers from neglect and is unattractive with trash and over grown weeds bordering the fence. Any expansion program would have to address this area by providing a paved walkway, removal of debris and an improved landscaping program.

Route 291 which provides access for visitors coming from other parts of the city and from north and south of the city has an inadequate cartway to effectively move goods and people in a safe and efficient manner. This problem has negatively impacted the ability to attract new investment in the area. The Commonwealth of Pennsylvania's twelve year highway capital improvement program has scheduled improvements for Route 291 to include the widening of the highway to five lanes, four moving lanes and one turning lane and landscaping of the entire corridor. This improvement will significantly enhance the access/approach to Flower Street and the Barry Bridge Park. As a result it is likely that this improvement will generate new interest and investment in the area.

The other major constraint is providing access from I-95 to Flower Street. Currently visitors from out of state or the county must exit I-95 from Highland Avenue, Kerlin Street or the Chestnut Street ramps. Using these ramps the visitors would have to travel through most of the city on streets that are not conducive to cars towing boats. The city's comprehensive plan has recommended the construction of an on-and-off-ramp between 9th Street and the Commodore Barry Bridge connector. By using the bridge connector, the new ramps and Flower Street, vehicles would have direct access to the waterfront via Flower Street from I-95.

OPPORTUNITIES

The constraints listed above appear to limit or discourage expansion of the Barry Bridge Park park and development potential in the project area. However, these concerns are similar to those that faced many other waterfronts which have been successfully revitalized. The Barry Bridge Park site and the overall project area also have many positive attributes that could encourage new development. Today, urban waterfronts are considered as special cultural resources. They now have the potential to provide

diversified opportunities for not only economic development, but for public enjoyment and community identity as well.

A recent article in the Philadelphia Inquirer was headlined "Welcome to River City". The article went on to describe the transformation of the Philadelphia and Camden waterfronts from exclusively industrial to an evolving mix of port related uses, entertainment facilities and cultural amenities that all take advantage of the proximity to the water. The city of Chester fronts on the same Delaware River and has the potential to become part of a new river oriented recreational/entertainment network of facilities. Vision 2000, Chester's new comprehensive plan, acknowledged and endorsed such a concept with its recommendation for a new waterfront zoning district.

Zoning

Several properties along Chester's waterfront are either vacant or underutilized. This is also evident in the project area. As described above, there is potential interest and opportunity for use of the waterfront property for other than industrial uses. Vision 2000 thus recommended that a new waterfront zoning district be created that would allow for a much wider variety of waterfront uses while at the same time providing the performance standards that will make all uses along the waterfront good neighbors.

The process of developing this new waterfront zoning district is underway and should be completed by the end of the year. This new district will parallel the Delaware River and extend north to Route 291. The Barry Bridge Park project area is located within the proposed new waterfront zoning district. The purpose of the district is to allow other development options to be considered. The types of uses permitted in this district could include: mixed use office, retail buildings, recreation, (marinas, fishing, parks) water related commercial activity (boat storage, sales, repairs) and a waterfront festival market (restaurant, shopping, amusements, ferry stop). Some areas that may be suitable for some of these potential uses are located within the Barry Bridge Park project area boundaries.

Vacant and Underutilized land

There are 160 properties located within the Barry Bridge Park project area. Many of these properties are either vacant, underutilized or occupied by dilapidated structures. Because of the city's new vision and new zoning district, existing property owners and potential investors can now plan for new opportunities for this area. But, because of the fragmented ownership in the area land assemblage will be required to assure adequate parcel size for development. There are several land acquisition strategies that could be utilized in this area if property owners choose to develop their properties along with other vacant or underutilized parcels. (These strategies are discussed in more detail in Appendix D.)

PECO is the largest single property owner in the project area. They are also marketing their land for development purposes. This property is suitable for uses that would be encouraged and permitted in the new waterfront zoning district.

Existing Boat Launch Facility

Perhaps the most significant opportunity for expansion of the Barry Bridge Park facility is the fact that it already exists. Given the limited amount of publicly owned land on the Delaware County waterfront, and the fact that significant funds have been spent to create the existing facility, development of a new facility somewhere else in the county to meet growing demand for boat related waterfront recreation is unlikely to occur. Chester is thus presented with a tremendous opportunity to capitalize on this unique resource and build on its established base.

ASSESSMENT OF PARK & BOAT LAUNCH

Boating and Park Environment

Chester City has approximately 3.5 miles of waterfront property. Historically, the waterfront has always been occupied by heavy industrial and manufacturing companies. Many of these industries relied on the river for their water supply and transportation. But as the patterns of manufacturing have changed, the nature and use of urban waterfronts has changed. Metro Machine Company, and PECO Energy are the two remaining industries that utilize the water for shipbuilding and for bringing in materials by tug boat and barge. The remaining land fronting on the river is not used for any water-related activities. Because of changes in transportation modes, an overall decline in heavy manufacturing technology, stricter environmental regulations and other economic factors, the waterfront is no longer the desired location for manufacturing that it used to be. Now that industries are relocating away from the water to use other modes of transportation such as highway, rail and air, there is renewed interest in using waterfront areas for other water related uses including public recreation, commercial recreation (Entertainment facilities, theme parks, marinas, restaurants/clubs, etc.) and cultural activities.

The boating and park environment in the project area is conducive to the expansion of the Barry Bridge Park and can provide additional opportunities for public access along Delaware River. There is no official count of the number of visitors to the Barry Bridge Park on an annual basis. Field surveys on selected evenings and weekends during the course of this study have confirmed, however, that the park is constantly being used. As a result of the impact of environmental regulations initiated during the 1970's, the pollution levels in the Delaware River have been significantly reduced and more residents are seen fishing and crabbing from the piers located in the park. Fishing from the piers seems to be an active sport for the Chester residents who cannot afford a boat.

Delaware County has a very strong boating tradition as indicated by the marinas in Tinicum and Ridley Townships. This tradition is further illustrated by the increases in the number of boat registrations throughout the state. Boat registrations have increased in Pennsylvania by approximately 57 per cent during the last decade. Additionally, boat

registrations in Pennsylvania are only required for motorized vessels. Sailing vessels are not counted in the registration statistics. The development of public boat ramps has not kept pace with the increasing levels of boat registrations.

Competitive Environment

While demand for public access to the river is widespread, available locations are extremely limited. In Delaware County, Tinicum Township and Marcus Hook Borough are the only other municipalities that have public access to the river. The Barry Bridge Park site and the area where Highland Avenue terminates at the water's edge are the only public access points to the river in Chester City. Recent reports titled "Delaware County Waterfront Resources Management Plan" and "Vision 2000 - the Chester City Comprehensive Plan and Economic Development Strategy" both reported that there is new interest in waterfront properties for public access. However, most of the properties fronting on the river still remain in private ownership and public access to the water is very limited.

From the boating perspective, there are 32 boat launching sites serving the Delaware River market area. Only 9 of these sites are public and charge no fees. One public site, the Barry Bridge Park, is located in Delaware County while the next closest public site is approximately 16 miles north in the city of Philadelphia. Moreover, the majority of the private marinas in Delaware County are fully occupied with no available slips for rent. Several marinas indicated that they have a waiting list extending for several years. These marinas charge an annual slip rental fee ranging from \$500 to \$3,000 and charge a \$10 launching fee. Boat owners who are on the waiting list for slips or who do not want to pay the annual rent for slips constantly utilize the public boat facilities. These boat owners usually store their boats in their driveway or rear yards rather than pay a fee at the private facilities.

Assessment of Demand

There are three public sites providing access to the waterfront in Delaware County. One of them is Memorial Park in Marcus Hook Borough. This is a very popular, heavily used park which provides visual access to the river and various types of community events which also attract many visitors from adjoining communities. The second one is Governor Printz State Park in Tinicum Township. This park also provides visual access to the waterfront and attracts many visitors for picnicking and passive recreation. The third park is the Barry Bridge Park located in Chester City. This is the only public park in Delaware County that provides physical access to the river for boating activities. Governor Printz Park is state operated while the other two are operated and maintained at the local municipal level.

There are a number of private facilities along the waterfront in Delaware County including boat clubs and marinas that provide access to the waterfront. These facilities provide a total of approximately 700 boat slips. As indicated earlier, these facilities are

essentially fully occupied and have waiting lists. In addition, the access to these facilities is restricted to members only or to individuals who pay annual fees to launch or moor their boats. This restriction limits the majority of the county's population from viewing or enjoying a natural resource.

In Delaware County the 500,000 plus citizens and 5,000 boat owners have access to the waterfront via three public parks with only one with boat launching facility. In Bucks County and Philadelphia County the population is approximately 2,000,000 persons owning approximately 20,000 boats with only 8 public boat launching facilities along the Delaware River. Additionally, the public boat launching facilities are not evenly distributed along the Delaware River. Based on the above statistics it would appear that not only Delaware County but the region as a whole is lacking adequate public access to the waterfront for its population. In essence, marinas and public boat ramp facilities have not kept pace with the increasing level of demand.

Based our survey of users of the Barry Bridge Park and our analysis of the existing conditions in the region it is felt that the park should be expanded to help address the lack of public access to the waterfront. Moreover, an expansion of the Barry Bridge Park could serve as a catalyst for the redevelopment of several of the vacant and underutilized properties in the area. This, in turn, could generate new jobs to help combat the high unemployment that is negatively impacting the city of Chester.

OPTIONS FOR BARRY BRIDGE PARK EXPANSION

The previous sections of this report have examined the existing conditions of the Barry Bridge Park and surrounding properties and the constraints and opportunities that might affect the redevelopment of the area. This section will look at some of the options for physical expansion of the park, some of the potential uses that might be added to the park and uses of neighboring parcels that might be generated from the increased traffic coming into the area as a result of a park expansion.

Primary Impact Area

This area includes the Barry Bridge Park and the adjoining vacant properties. The park is heavily used and many of the users have expressed the need for additional facilities. The park at its current size is fully developed. It's major visitors are boaters, fishermen and residents who sit and watch the water. The park and surrounding area has the potential to be a more family oriented recreational facility.

The paved parking area for cars and boat trailers occupies the majority of the park area. Very little area is provided for visitors who bring their families to sit and talk or who just want to watch the passing ships. Currently, this condition has created a minor conflict between the pedestrians and boaters launching their boats. Expansion of the park without

consideration of this issue could aggravate this problem. To separate the parking and vehicles from the pedestrians, additional area is needed to accommodate new facilities and to help the park and surrounding area meet its full potential. Any park expansion must therefore identify strategies for expanding the park that respond to the recreational needs and desires of the residents of Chester and the larger market area for users of the boat launch facility.

Without more detailed physical analysis and design of an expanded park, economic analysis of the costs of expansion, and a better understanding of the intentions of the adjacent landowners, it is not possible at this time to determine whether the park should be expanded to the east or to the west or in both directions. DRPA has not completed its internal examination as to what conditions should be imposed on future use of their land and PECO Energy Company has agents marketing their property for sale.

In the most likely park expansion scenarios, the existing park area would remain relatively unchanged. Additional landscaping and maintenance would be needed to improve the overall aesthetics of this portion of the property. The expansion area would most likely tend to focus on a variety of expanded recreational activities and operational improvements. Listed below are some of the improvements identified as possibilities for the expansion program:

- **Signs** - Developing new directional signage would be one of the first activities recommended for implementation. Signs for directional purposes could be placed in strategic locations, e.g. I-95, Route 291, etc., for directing visitors to the park. This type of signage would also be beneficial to adjacent property owners because they could use the signs as a form locational direction to their facilities. Improved informational signage is also necessary. These signs should explain the function of each area in the park and describe the various policies that should be adhered to while visiting the park. These signs should be thematic, colorful and attractive, adding a sense of safety and new activity to the area. One approach to developing this new signage would be to involve local artists and area schools in the process of designing a new logo for the Barry Bridge Park. This could serve the dual purpose of improving the use the park by a wider segment of the community for a broader range of purposes.
- **Boat Launch Ramp** - Another boat ramp would be a welcomed addition to the park. Our survey found overwhelming support for additional boat launching facilities.
- **Floating Pier** - A ramp and floating pier designed specifically for sight seeing, fishing and crabbing would better serve the local residents and others who use the park for this purpose. As currently designed, boaters and fishermen share the same ramps. This sometimes creates conflicts. When the boats are launched they sometimes cause the fish lines to tangle.

- **Picnic Area** - A picnic area was ranked high for additional facilities requested by many local park users. Sight seeing and enjoying the water could be greatly enhanced by providing tables and benches for visitors to sit, eat and enjoy the view. A tot lot and playground with equipment would complement the picnic area.
- **Rest Rooms** - Rest rooms were the number one facility requested by users of the park to be included in the expansion program. Many residents who visit the park arrive early in the day and usually stay many hours, fishing, sitting and relaxing by the water. Adequate rest room facilities would attract more visitors and contribute to a safe, clean and attractive facility.
- **Information Pavilion** - A structure should be considered to house an officer from the Pennsylvania Fish and Boat Commission. This building could also provide an area for a security officer, information booth, rest rooms and vending machines for snacks and drink.

Many of the recreation centers and playgrounds in the city are supported by community organizations and volunteers. Volunteerism might be utilized effectively in the management, cleanup and security of the park.

Secondary Impact Area

The secondary impact area as we have defined it in previous sections of this report has an opportunity for significant redevelopment and improvement if certain actions are implemented. There are several large parcels that are either vacant or underutilized and there are many smaller parcels that will need to be assembled into reasonably sized parcels if development opportunities are to be realized. One the major actions that must be taken is the development of a revised zoning district to include provisions with design guidelines that would minimize conflicts between various land use categories. Other actions would include access improvements and implementation of an expansion program for the existing boat launch facilities.

The city is in the process of developing a waterfront overlay district that would permit and encourage a variety of uses that would be suitable for the secondary impact area. Listed below are a summary of uses with an analysis of the advantages and disadvantages of each.

Boat Sales, Boat Storage and Boat Repair Facilities

The uses in this concept would provide support and service to people who would utilize the boat launching facilities. Some of these new uses could include but not limited to: boat repair and storage; boat sales and water-related items; fishing bait and equipment; and, fuel sales.

As indicated earlier in this report there has been an increase in boat registrations in Delaware County as well as adjoining counties. It is expected that more boaters will utilize the Delaware River and take advantage of the only public boat launching facility in the county. Because of this increase in boat registration this activity will also increase the need for more sources for storage for boats, boat repairs and sources for boat fuel. Some of the properties located along the access route to the Barry Bridge Park might be suitable for this type of use. Some of the current uses in the area are automobile oriented, providing gas sales and car repairs. These uses could be converted or expertise added to service water bound vessels.

Many of the local municipalities in the region have been developing new zoning requirements preventing certain vehicles, such as boats and trailers from being stored openly in driveways. These boat owners may be seeking alternative locations to store their boats close to boat launching facilities. Because of these regulatory issues and the increase of boat sales this area presents an opportunity to address this demand.

Commercial Centers, Shops and Stores

The Chester waterfront, and especially areas along Route 291, is experiencing a transition in uses. In the past, a variety of uses including commercial, residential and industrial uses occupied this area. Many of these uses are no longer in the area, in fact many properties are now vacant and in blighted condition. With the widening of Route 291, access to this entire corridor will be improved thus allowing traffic to move in and out of the area more efficiently. In addition, adoption of new zoning regulations that will minimize the impacts of all uses across property boundaries will help to create an opportunity for rehabilitation and new construction in the area. Commercial uses proposed for this area would be uses that would capitalize on the increase traffic from an expansion of the park and boat launch facility. These uses could consist of restaurants, convenience stores, or retail trade oriented towards boat sales and equipment. Commercial uses would be encouraged to develop in accordance with performance standards for off-street parking, landscaping and buffering.

Restaurants

Various types of restaurants and eating places can be designed to attract different types of patrons. Fast food and take out restaurants usually attract the transient patron. These type of patrons are usually on the go. They buy their food and take it somewhere else to eat. Those places could be at home, back to work or in this area down to the waterfront to either take on a boat or sit in the park by the water and eat. The other type of restaurant is a place where people can come, sit down and eat, and have a relaxing lunch or dinner. When Rt. 291 is improved it will generate more traffic consisting of visitors coming into the area for business or other activities and people passing through to another destination. The other clientele would be city residents who want eat out or the visitors who come to the boat launch or be by the water. Restaurants would be a use that would

attract many visitors from outside of the area and complement many other type of uses in the area.

Many smaller vacant and boarded properties are located along the access route to the park. These parcels can provide opportunities for local residents specializing in ethnic type foods.

Motels, Hotels, Inns, Conference Center, Amusements or Gaming Establishments

At the present time there does not appear to be a market or demand for motels, hotels or a conference center in this area. These types of uses generally require large parcels of ground for buildings and parking. This situation could change if the state of Pennsylvania elects to permit riverboat gambling in the future. Motels, hotels, conference center, etc., are uses that would complement a gaming or casino type operation.

Currently gaming or casino type operations whether they are riverboat or dockside are not permitted in the state of Pennsylvania. However, legislation has been developed to consider such activities. Thus far, such legislation has not met with a great deal of success in the Pennsylvania legislature. In all such proposals to date, the local municipality would make the final decision on whether riverboat gambling is something that community wants.

This report makes no judgment on whether riverboat gambling should be permitted in the city of Chester. It does, however, make note of the fact that such a use would have a significant impact on the potential development of the area around the Barry Bridge Park.

Business or Professional Offices

Office use including real estate, dentist or other similar type professional office use could benefit from new growth or activity in the area. A widened Route 291, well lit and landscaped, could significantly change the image of the area. If other uses are generated from an expansion of the Barry Bridge Park and improved access then a market might be created for professional office type uses. These uses could service new residential and commercial uses.

Residential

In general, residential development would be discouraged in the primary and secondary project areas. Consistent with the overall theme of Vision 2000, it would not be in the long term best interests of the city to encourage new residential development in an area that is likely to experience increased traffic and expanded commercial development. The one exception to this general condition might be a special purpose, residential facility that is connected to a water related primary use.

CONCLUSIONS

Waterfronts are for everyone! Vision 2000, the city's recently adopted comprehensive plan and economic development strategy stated that "waterfront locations are prime for uses other than industrial". Waterfronts can also create opportunities for revitalization - improvement of public access, creation of new economic activity and the creation of new life and vitality for a community. The potential expansion of the Barry Bridge Park presents all of these opportunities.

IMPLEMENTATION STRATEGY

The expansion of the Barry Bridge Park provides a tremendous opportunity to implement a new city policy for waterfront development. In order to realize this goal, it will require the participation of the private sector, the city, county and state governments.

The major component for revitalization of this area is already in place - the existing boat launch and park. However, there are constraints related to expansion of the park and the revitalization of the surrounding area. Resolving the operation and maintenance of the park and any area included in the expansion program will require cooperation from the private sector, and city, county and state officials. The adoption of a new zoning district will require public hearing and approval by City Council. Addressing the critical transportation issues will require cooperation from council officials and the approval from PennDot.

The redevelopment of the surrounding area including the PECO property and the many smaller parcels fronting on Flower Street will depend on the real estate market conditions and transportation improvements. These improvements include the widening of Route 291 and the Commodore Barry Bridge Connector. The Barry Bridge Connector would serve traffic from 9th Street heading to I-95/US 322 west and traffic from I-95/US 322 east headed to 9th Street. These ramps would solve one of the city's most critical transportation problem--direct access between I-95. These improvements are extensive and will not happen overnight.

The process leading to the expansion of the boat launch and areas fronting on Flower Street should include the following steps:

RECOMMENDATIONS

A. Ensure Future Use of the Site for Recreational Use

The city of Chester has only a little over eleven years remaining on the lease for the ground on which the Barry Bridge Park is located. The city should act now to ensure that this unique recreational resource is preserved for future generations of city residents.

Recommended Action: The city should negotiate an extension to the existing 25 year lease with DRPA for as long a term as is possible.

Responsibility: Upon direction by City Council, the City Solicitor should open negotiations with DRPA regarding an extension of the current lease.

Timing: This process can begin immediately.

B. Resolve Current Operation and Maintenance Issues

Resolving the problems related to the ongoing maintenance and operation of the property is a critical first step to any expansion of the facility. Currently the property is owned by DRPA and maintained by both the City of Chester and the Pennsylvania Fish and Boat Commission. Chester City has recently been designated as a distressed municipality pursuant to the Municipalities Financial Recovery Act, Act 47 of 1987. Because of the city's current fiscal problems, the city's investment in development and maintenance of recreational facilities will face severe budgetary pressure. It is reasonable to assume that the city will therefore be hard pressed to justify additional funds to maintain an expanded facility. As a result, at least three other options should be considered. Any of the three scenarios would require the prior approval and full cooperation of the city government.

• Create a Partnership Between the City, County and State.

Under this approach, the city would retain responsibility for the overall operation of the Barry Bridge Park. It would, however, seek to negotiate for support from the county and the state for the operation and maintenance of the facility. Since the facility is heavily used by residents from other parts of the county, the city could request that Delaware County participate in the maintenance of the park

and consider the use of county police to periodically patrol and police the area. County participation would encourage county events and draw more county residents to the area. This, in turn, might support new development in the area.

The Pennsylvania Fish and Boat Commission is now under an agreement to maintain all boat launching facilities. In concert with county assistance, this agreement could be expanded to include other activities.

• **Transfer All Operations and Maintenance to Delaware County.**

In previous studies, Delaware County has indicated that there is a demand for additional public access to the Delaware River for county residents. However, most of the land fronting on the river is in private ownership thus making it difficult to respond to this need. The Barry Bridge Park presents an opportunity for the county to add a waterfront park to its open space, recreation and park system. In addition, this could present an opportunity for other county agencies including the Delaware County Convention and Visitors Bureau and Delaware County Commerce Center to participate in an activity that would help diversify the county's waterfront.

• **Transfer All Operations and Maintenance to the State of Pennsylvania.**

Due to fiscal and manpower constraints, the city has transferred responsibility for the maintenance of the boat launching facilities to the Pennsylvania Fish and Boat Commission. This alternative would make that arrangement a more permanent one. It would also extend the arrangement to allow the Fish and Boat Commission to maintain the entire facility. As part of this approach, the Fish Commission would be encouraged to maintain an official presence (e.g. assigning the Waterways Conservation Officer) on the site in the form of an office on the river with an urban waterfront information and education center.

Recommended Action: The city should review their fiscal and manpower resources to determine if they can operate and maintain the existing facility. After a full analysis of city resources, Chester city council should decide if another government agency would be more appropriate to maintain and operate the existing facility. If the city decides another agency would be better equipped to operate and maintain the boat launch and the park, city council would initiate an action to pursue this objective.

Responsibility: City Council and appropriate administrative support agencies.

Timing: City Council should review their resources immediately to determine which action to pursue.

C. Develop a Barry Bridge Park Expansion Program (Primary Impact Area)

The development of an expansion program for the existing boat launch and adjacent properties is the process of identifying the facilities that would be added, where they will be located, how much the construction of these facilities will cost and where the funds will come from. During this process the parcels which are being considered will be identified and incorporated in an overall development plan.

Recommended Actions: Identify, pursue and obtain funding for the development of a detailed Barry Bridge Park expansion design. Determine the skills necessary to undertake the design process (e.g. engineering, landscape architecture, recreation planning, urban design, etc.) and develop a request for proposals. Select a consultant.

Responsibility: The responsibility for these actions will depend on who will eventually manage and operate the park.

Timing: As soon as management responsibilities are resolved.

D. Develop an Area Improvement Plan (Secondary Impact Area)

The properties fronting along the access route into the Barry Bridge Park will experience development pressure from increasing traffic into the area. These properties present an opportunity for new development with uses that would support the expansion of the park. Most of the properties are either vacant and underutilized and regulated with obsolete zoning requirements.

Recommended Actions: Proceed with the preparation and adoption of the new waterfront overlay zoning district. Establish a process for land assembly of smaller parcels into more marketable sites. Develop a detailed revitalization plan for the area. Encourage and support a process to attract local, regional and national developers to participate in the redevelopment of the area.

Responsibility: City Council should direct the Chester City Planning Department to coordinate this process with all appropriate city agencies.

Timing: Concurrent with park expansion design.

E. Acquire Ownership/Control of Required Expansion Area

The properties on both sides of the Barry Bridge Park are vacant. These properties are suitable for facilities to be included in an expansion program for the existing boat launch and park.

1. PECO Property

Located to the west of the existing park, PECO owns over 100 acres of ground. Approximately 50 acres are currently being marketed for future gaming facilities such as a riverboat or dock side casino. These types of uses usually attract other supporting uses such as motel, hotel, conference center, eating and drinking establishments, etc., which would be suitable for adjacent properties subject to resolving various access constraints. Recognizing the fact that PECO plans could be several years in the future, expansion of the existing boat launch with additional water-related and people oriented facilities could be the first phase of preparing the area for major revitalization efforts.

Recommended Action: Determine what portions of the PECO property would be appropriate for an expansion of the Barry Bridge Park. Meet with PECO officials to explain the Barry Bridge Park expansion program, overall development plans for the area and how PECO can participate in a public-private partnership for revitalization of the area. Determine the market value of the targeted property. Negotiate with PECO for possible acquisition through donation, gift or purchase. Identify and pursue funding sources for possible acquisition of additional land.

Responsibility: City Council and/or their designee should initiate discussions with PECO officials to convey the importance of an integrated development plan for the area. Any actual acquisition should be undertaken by the agency that will be operating the park.

Timing: This activity should begin as soon as City Council determines who should maintain and operate the existing facility and expansion program.

2. DRPA & WADE Site

Located to the east of the existing park is property owned by DRPA and the Wade site. Together, these two sites total almost four acres (2.2 acres and 1.5 acres respectively).

One or both of these sites could be included in the expansion program for the park based on the proposed expansion design. Both of these sites have restrictions for physical development. DRPA's property is not for sale but may be available for a long term lease subject to certain conditions. The Wade site may also be available for recreation and water-related activity. Any use of the Wade site is, however, currently under the control of the state Department of Environmental Protection (DEP). Additionally, legal questions about the ownership of the property and use of the site by the city would need to be firmly resolved before any investment in improvements to the site could be made.

Recommended Action: Continue to identify the restrictions related to DRPA's property and to clarify what actions are required to use the Wade site in an expansion program. Determine what portions of the DRPA and Wade properties would be appropriate for an expansion of the Barry Bridge Park. Negotiate with DRPA and DEP for the right to use all or portions of the properties as part of the expansion program.

Responsibility: The Chester City Planning Department has already initiated a process to address the above concerns. Any actual negotiations for site control should be undertaken by the agency that will be operating the park.

Timing: The Chester City Planning Department is currently awaiting responses from both DRPA and Pa. DEP regarding use conditions and availability of respective properties. Site control efforts should begin as soon as City Council determines who should maintain and operate the existing facility and manage the expansion program.

F. Access Improvements

1. Regional Access Improvements

Access between I-95 and the waterfront corridor will be an important issue that must be addressed if expansion of the boat launch and redevelopment of the surrounding area are to reach their full potential. Vision 2000 proposed the creation of a "Waterfront Access Loop" that would use a Flower Street connection to I-95 on the west side of the city and the Chestnut Street-Morton Avenue corridor on the east side of the city. Neither of these two proposals are currently being actively pursued. The third critical element of this loop is the widening of Route 291. This project is underway. The right-of-way acquisition for the eastern portion of Route 291 is essentially complete and demolition work is imminent. Actual construction of the eastern portion of the road is to commence during 1996 and should be completed by late 1997 or early 1998. On the western portion of Route 291 (west of Franklin Street), final identification of the right-of-way requirements is underway. This will be followed by the appraisal process and right-of-way acquisition. Completion of this segment of the highway widening is not expected until the year 2000.

Recommended Action: Continue to monitor the process to improve Route 291. Actively pursue the development of the "Waterfront Access Loop", especially the Flower Street connection with I-95. Work to have this project placed in a priority position on PennDOT's twelve year highway capital improvement program.

Responsibility: City Council, Chester Planning Department and Delaware County Planning Department.

Timing: This process should begin immediately.

2. Local Access

Along with improving the ability of park users from outside the city to access the facility, it is critical that the local access to the park be substantially improved. At a minimum, signage at the current access point to the park at Flower Street and Route 291 is essential. On a more substantive level, if the park is to achieve its true potential, an improved entry point and entry corridor is necessary. Currently, the Barry Bridge Park is accessed through a dilapidated area, over the Conrail tracks and into a large unlandscaped parking lot. The trip is not pleasant and can be intimidating to those concerned about safety issues.

Recommended Action: Using the new logo (See Section H below), develop low cost interim signage that will identify the park entrance point and guide users to the facility. To the extent possible within a reasonable budget, the new signage should be vandal resistant or easily repaired so as to generate a positive response at the initial sighting of the signage. Seek possible corporate sponsorship for this activity.

Responsibility: City Council, Chester Planning Department and city Parks and Recreation Department.

Timing: This process should be initiated as soon as a new logo has been developed and accepted.

G. Develop Barry Bridge Park Support Network

One of the elements that makes any park successful is the feeling that the users of the park have for that facility. Facilities that have a high level of stakeholder interest are much more likely to be successful. It was clear from the survey conducted for this study that the current users of the Barry Bridge Park care a great deal about the facility. Their pride and sense of ownership of the park is something that can perhaps be harnessed into a Barry Bridge Park support network to improve the overall park experience for them and all the other users of the park.

At least two areas could be the focus of an initial Barry Bridge Park support network - maintenance and security.

Recommended Action: Establish an "adopt-a-park" program that would see specific groups (e. g. boating clubs, fishing groups, citizens groups, etc.) agree to perform certain maintenance at the facility, from litter pick-up to more sophisticated maintenance where the capability exists.

Responsibility: City Council, Chester Planning Department, Parks and Recreation Department and park users.

Timing: This process could begin at any time. It could start on an informal basis under the current park management structure and then be transferred to a new operational environment.

H. Establish A New Image for Barry Bridge Park

Since its inception, the Barry Bridge Park has suffered from a lack of true identity both inside and outside the city. One of the most significant problems has been that the park did not have a readily recognized name. The official name, the Commodore Barry Bridge Delaware River Access, is much too cumbersome for casual conversation. The more frequently used designation as the "chester boat launch" does not adequately characterize the full nature of the park and the recreational activities that can be enjoyed there.

This study has attempted to respond to this image problem by combining a portion of the official name with the word "park" to arrive at an alliterative and easily remembered new name for the facility - the Barry Bridge Park. This name also provides an immediate locational image that will assist in generating an awareness of the facility throughout the region.

The use of this new name should be the first element in a larger effort to expand the user base for the park. Consideration should be given to the possibility of developing a formal marketing process for the park that will focus on making sure that potential users become more aware of the benefits of the park. This process may begin by using elements of the Barry Bridge Park support network as emissaries to broader constituencies.

Recommended Action: For marketing and image purposes, the Commodore Barry Bridge Delaware River Access should be identified as the Barry Bridge Park in all future references. In addition, a new logo for the Barry Bridge Park should be developed. All signage and marketing materials should use this new name and logo to firmly establish an identity for the park. A more formal program to establish the Barry Bridge Park as a recreational destination should also be considered.

Responsibility: City Council, Chester Planning Department, Chester Department of Parks and Recreation and possibly a marketing consultant.

Timing: Use of the new name can begin immediately. Development of the logo and a marketing program should probably begin only after the operational responsibilities for the park have been clarified.

I. Explore Potential Security Enhancement Concepts for Barry Bridge Park

One of the concerns that faces any urban park is the perception and reality of personal and property safety. If Barry Bridge Park is to achieve its full potential as a major recreational resource for the city and the region, park users must feel safe. A two pronged approach would seem to be the most feasible alternative for addressing this issue.

First, the users of the park can be encouraged to play a role in improving the safety of the park. With the cooperation of the Chester Police Department, a "Park Watch" group could become another set of eyes and ears that could serve to enhance safety at the park and shorten response time to any vandalism that might occur. Another near term alternative is to secure funds for a limited scope security guard program that would see security personnel present at the park on a scheduled number of weekends during the summer. This kind of security would significantly improve the willingness of boaters to bring their cars, boats and trailers to the park without fear of vandalism or theft.

A more long term approach would be the development of a multi-purpose structure that could serve as a police sub-station for use in the busiest times. This structure could also serve as the home of the Waterways Conservation Officer now based in Brookhaven, who could be invited to relocate here. It could also serve as the base for the security guard program described above. Another physical improvement to the site might be a lighting scheme that increases the security level of the park. If the lighting could be solar powered, it would decrease the operating costs for this improvement. It might be advisable to engage a security consultant to help with the selection and design of a lighting system and the overall park security.

Recommended Action: As part of the effort to enhance the image and use of the Barry Bridge Park, the issue of security must be a central part of any proposed park expansion. An overall security program should be developed that incorporates the elements identified above and other security measures that might be appropriate and necessary.

Responsibility: City Council, Chester Police Department, Chester Department of Parks and Recreation and possibly a security consultant.

Timing: Development of a "Park Watch" program can begin immediately. Other security enhancement alternatives should commence as soon as a funding resource is identified.

CONCLUSION

The initiatives described above are viewed as the range of efforts necessary for the expansion of the Barry Bridge Park and the revitalization of the surrounding properties. The expansion of the park can be a major factor in attracting new private investment in the area. The properties fronting along the access route presents a great opportunity for redevelopment, removing blight and changing the image of a distressed area. This proposal can also help implement county and state goals in providing additional public access to the Delaware River. In addition, this area including PECO's property can emerge as the best development opportunity for the city. It has the potential to generate new jobs, additional recreation, new and better uses for an area that has experienced decline and distress for decades. It is strongly urged that the city, county and state form a partnership to capture the true value of this unique recreational resource.

Appendix A

LEASE AGREEMENT

This Agreement made this 9th day of February, 1982, between the Delaware River Port Authority, a public corporate instrumentality of the Commonwealth of Pennsylvania, and the State of New Jersey ("Authority"), and the City of Chester ("Lessee"),

W I T N E S S E T H:

In consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

1. Authority hereby leases unto Lessee certain land adjacent to the Commodore Barry Bridge, more specifically set forth and described on the plan attached hereto and marked as Exhibit "A", entitled, "Plot of Property Situate in City of Chester, Pennsylvania Bounded by Bridge Right of Way - Reaney Street - Delaware Avenue, and the Delaware River", dated September 1, 1978, and revised March 11, 1980, and described as follows:

Beginning at DRPA Monument No. 558, in the southeasterly line of Delaware Avenue (60 feet wide), distant 114.72 feet along said line bearing S 54° 17' 23"W, from its intersection with the southwesterly line of Flower Street (60 feet wide); thence

A. Southeasterly along a curve, turning to the left, an arc distance of 425.79 feet, said curve having a radius of 15,287.82 feet, to DRPA monument No. 559, thence

B. S 40° 54' 26" E, a distance of 473.05 feet to a point (DRPA designation No. 560), said point being located on the Bulkhead Line of the Delaware River, thence

C. S 51° 16' 26" W, along the Bulkhead Line of the Delaware River, a distance of 260.47 feet to a point (DRPA designation No. 599), thence

D. N 35° 45' 57" W, a distance of 909.33 feet to an Iron Pin, said pin being DRPA Monument No. 600, situated on the southeasterly line of Delaware Avenue (60 feet wide), thence

E. N 54° 17' 23" E, along southeasterly line of Delaware Avenue, a distance of 185.49 feet to the point of beginning (DRPA Monument No. 558): the said parcel containing more or less 4.590 Acres.

2. The leased site is to be used as a water-related recreational facility consisting of a boat launching ~~site~~ for access to the Delaware River; a car/

boat trailer parking area (specifically excluding trailers for living and/or sleeping purposes), a fishing area from either bank or wharf, with the placement of sanitary facilities on the leased site.

3. The term of this lease shall be for a period of 25 years from the date of this lease; provided, however, that if the Authority shall determine in its own discretion, that the premises are required for its public purposes, during the term of this Agreement, it may terminate this agreement by giving ninety (90) days' notice in writing to the Lessee of its intention to do so.

4. The execution of this lease agreement is subject to the securing of funds by the Lessee for the construction of the aforementioned facility.

5. Lessee covenants that during the use of the premises, it shall:

a. At all times maintain the premises in a clean and orderly manner, and upon termination of this lease will peacefully deliver up the premises, free from any and all rubbish, and other refuse matter, in good order;

b. Make an effort to prevent damage to the premises or the occurrence of any nuisance thereon, and provide adequate policing of the area to protect the safety of person and property on the premises.

c. Exclude from the leased premises, any explosives, inflammables, stored gasoline, tanks containing liquefied petroleum gas or butane gas or any other materials which might create a fire or health hazard on such premises or a danger to persons, but this shall not apply, however, to fuel in the operating tanks of parked motor vehicles or pleasure boats.

6. No structure, fencing, or other improvements excepting initial construction of the recreational facility pursuant to a design of plans and specifications prepared by the Pennsylvania Fish Commission and approved by Authority's Chief Engineer shall be erected or constructed on said premises without prior approval in writing of the Authority's Chief Engineer. Any and all improvements which may be erected or constructed shall be at the sole cost and expense of Lessee, both in respect to construction and maintenance.

7. This lease agreement and all rights and obligations conferred hereby shall extend to the Lessee only, and the Lessee shall in no event transfer, assign or sublet the same or permit the use thereof by any person or corporation for any purpose other than that specified in Paragraph 2 above without the prior written approval of the Authority.

8. The Authority shall provide no services of any nature in connection with this lease, or the use and occupation of the leased premises.

9. At the cessation of this lease, or if sooner terminated by the Authority in accordance with this Agreement, the premises shall be restored by Lessee to the original condition as existed before entry, unless at least 60 days prior to termination, written authorization for improvements/alterations to remain is obtained from the Authority's Chief Engineer.

10. Lessee is to comply with all applicable ordinances, rules, regulations and laws of the City of Chester, Commonwealth of Pennsylvania and of the United States of America, and shall pay any fees, taxes or other such costs which may be assessed against the premises or the Authority by reason of the use of the leased premises by or through Lessee or the making of this lease.

11. No sign or other advertising device shall be erected or maintained on the premises leased. Such signs as Lessee shall deem necessary for proper identification and utilization of the premises for the stated purpose, shall be approved by Authority's Chief Engineer as to size, location, suitability.

12. It is understood and agreed that the Lessee shall assume all risks and responsibilities for casualties of every description in connection with the lease and use of the premises and shall defend and save harmless the Authority, its officers and employees from all suits and claims for loss of life, or injury occurring to any person or damage to property on the demised premises whether occurring through the negligence of the Authority, its servants or employees or otherwise. The Lessee shall be liable and responsible for and

agrees to fully indemnify, protect and save harmless the Authority, its officers and/or employees, from any and all liability and from all suits and actions of every kind and description (including, but not limited to, legal defense costs) brought or which may be brought against it, them or any of them for or on account of any loss sustained by any person or party by reason of injuries to person or damage to property that may occur out of the lease or use of the leased premises, or that may be sustained as a result or consequence thereof irrespective of whether or not such injury or damage be due to negligence of the Authority, its officers, servants or employees. It is not the intention of this agreement, or of anything herein provided to confer a third party beneficiary right of action upon any person whatsoever and nothing hereinbefore or hereinafter set forth shall be construed so as to confer upon any person other than the Authority a right of action either under this contract or in any manner whatsoever.

13. The Lessee shall obtain all required licenses and permits, if any be necessary.

14. It is expressly understood and agreed by and between the parties hereto that this lease sets forth all the promises, agreements, conditions and understandings between them relative to the leased premises, and that there are no promises, agreements, conditions or understandings, either oral or written, between them other than are herein set forth. It is further understood and agreed that, except as herein otherwise provided, no subsequent alteration, or change or addition to this lease shall be binding unless reduced to writing and signed by them.

15. Any waiver by either party under this lease or of any breach by the other party shall not affect similar rights subsequently arising, nor operate as a waiver of the clause or condition under which said right arose or said breach occurred.

16. It is expressly understood and agreed that no default whatsoever or breach of covenant hereunder shall be deemed to have occurred on the part of the Lessee until ninety (90) days after written notice of such default or breach shall have been given to the Lessee, and the Lessee within such time shall have failed to remedy such default or breach, and unless within that time the Lessee shall have commenced action to remedy such default or breach and shall have continued to prosecute the same diligently to completion; but at the expiration of such ninety (90) day period and following a determination that the Lessee has not undertaken in good faith to cure the default or breach, Authority shall have the right to take any action to enforce its rights hereunder, including the right to terminate this lease and to reenter the demised premises, or to enforce full performance by the Lessee of its obligations hereunder.

17. Notices provided herein shall be sufficient if sent by Certified Mail, Return Receipt Requested, postage prepaid, for the Authority addressed to:

General Counsel
Delaware River Port Authority
Administration Building
Bridge Plaza
Camden, New Jersey 08101

and for Lessee to:

Office of the City Solicitor
City of Chester
Municipal Building
Fifth and Welsh Streets
Chester, Pennsylvania 19013

or to such other addresses as the parties may from time to time designate to each other in writing.

IN WITNESS WHEREOF, the parties hereto have caused their respective corporate seals to be hereunto affixed and these presents to be so executed by their respective proper officers, the day and year first above written.

(Seal)

Attest:



VICE PRESIDENT
AND
SECRETARY

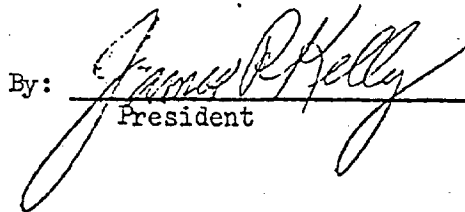
(Seal)

Attest:



SAMUEL C. POLLAFICO
City Clerk

DELAWARE RIVER PORT AUTHORITY

By: 

President

CITY OF CHESTER, PA.

By: 

JOSEPH F. BATTLE
Mayor



Appendix B

Appendix

MARKET AREA BOAT LAUNCHING FACILITIES

(See Map No. for approximate locations)

BUCKS COUNTY

Delaware Canal Access

1. Delaware Canal--Located in Roosevelt State Park between Easton and Bristol (B-C-F-K)

Delaware River

2. Tinicum Access--Rt. 32 at Erwinna. (A-C-H-L)
3. Upper Black Eddy--Rt. 332 just below the bridge crossing to Milford, New Jersey. (A-C-H-L)
4. Yardley Access--River Road, Rt.32 at north end of Yardley Borough. (A-C-H-L)

Delaware River Tidewater

5. Andalusia--Adjacent to Mud Island. Salem Harbor. (B-C-E-J-K)
6. Ed's Boat Yard--900 Haunted Lane, Cornwells Heights. (A-E-I-K)
7. Neshaminy Creek--Jack's Marine, 1057 Totem Rd, Cornwells Heights. (A-E-H-M)
8. Neshaminy State Park--4th Avenue, Croydon. (A-C-J-K)
9. Neshaminy State Park Marina--Located in Neshaminy State Park. Near mouth of Neshaminy Creek at Croydon Rt. 13. (A-C-J-K)
10. Seyfert & Wright--5th Avenue, Croydon. (P-J-K)
11. Station Avenue Access--Station Avenue in Andalusia. (A-C-I-K)
12. Nockamixon Lake--Located in Nockamixon State Park, Rts 563, 412 & 313 near Quakertown. (A-C-D-H-M)
13. Lake Galena--Ferry Road and Rt. 313 at Fountainville. (A-C-E-G-L)
14. Levittown Lake--Located near Borough of Falls. (B-C-G-L)
15. Lake Luxembourg--Bridgetown Pike and Rt. 413 at Langhorne. (B-C-E-G-L)

Neshaminy Creek

16. Eckert's Marine Service--724 Brown Lane, Croydon. (A-E-I-K)
17. Jack's Neshaminy Marina--4th Avenue and River Road, Croydon (D-E-I-K)
18. Neshaminy State Park--Rts. 332 and 413 Newtown. (A-C-D-J-K)
19. Snug Harbor Marine--400 Main Avenue, Croydon. (C-E-B-H-M)

CHESTER COUNTY

Schuylkill River

- 20. Phoenixville Access--Located at Rt. 113 crossing river. (A-C-G-L)
- 21. Marsh Creek Lake--Located in Marsh Creek State Park, 1.5 miles west of village of Eagle on Park Road. (A-C-G-L)
- 22. Struble Lake--West on Rt. 322 from Downingtown; right on Chestnut Tree Road, 2.5 miles to lake. (A-C-G-L)

DELAWARE COUNTY

Delaware River Tidewater

- 23. Anchorage Marina--401 S. Swarthmore Avenue, Ridley Park Ramp. (A-C-E-D-J-M)
- 24. Delaware River Access--Located at foot of Flower Street off Rt. 322 at Commodore Barry Bridge in Chester. (A-C)
- 25. Island Marine--Wanamaker Avenue, Essington. (C-E-D-J-K)

MONTGOMERY COUNTY

Schuylkill River

- 26. Norristown--Foot of Haws Avenue. (A-C-G-M)
- 27. Valley Forge Park--Near Betzwood on Rt. 636. (A-C-G-M)
- 28. Flat Rock Dam--Lower Marion Township on Schuylkill River. (A-C-G-M)

PHILADELPHIA COUNTY

Delaware River

- 29. Linden Access--Linden Avenue and 9100 N. Delaware Avenue. (A-C-H-M)
- 30. Tacony Access--Located at Milnor Street & Princeton Avenue. (A-C-H-M)
- 31. Franford Arsenal Access--Located in 5600 block of Tacony Street. (A-C-I-K)

Schuylkill River

- 32. Strawberry Mansion Bridge--Located on Kelly Drive at the Strawberry Mansion Bridge. (C-G-L)

Key To Access Area Classification

The following letters identify the type of access facilities that are located in the market area and the type of boating most suitable at each access area. These letters appear following the location of each facility identified in this appendix.

Facilities

A--Surfaced ramp
B--Beach-type ramp
C--Parking available

D--Gas and oil available
E--Charge for launching

Customary Class of Boat Used

Primary Type of Boating

F--Canoes and other hand carry boats only
G--Shallow draft, lightweight fishing boats, canoes and inflatables
H--Moderate draft fishing boats, sailboats and recreational runabout boats
I--Deep draft, high-powered recreational boats
J--Unlimited size boats

K--Recreational boating
L--Boat fishing and recreation
M--Recreation boating and fishing

Example: (B-C-F-K) would indicate an access area having a Beach -type ramp, parking area, canoes and other hand carry boats only, and the water offers recreational boating.

SOURCE: Pennsylvania Fish and Boat Commission

PREPARED BY: RDC Institute Inc.



Appendix C

AMENDMENT #1 TO
AGREEMENT BETWEEN THE
CITY OF CHESTER
AND THE
PENNSYLVANIA FISH AND BOAT COMMISSION

THIS AGREEMENT made and entered into this 8th day of
Nov 1995, by and between the CITY OF CHESTER, Delaware County, a
municipality organized under the laws of the Commonwealth of Pennsylvania, party of the first
part, hereinafter called CITY

AND

The PENNSYLVANIA FISH AND BOAT COMMISSION, an independent
administrative COMMISSION of the Commonwealth of Pennsylvania, formerly known as the
Pennsylvania Fish Commission, party of the second part, hereinafter called COMMISSION.

WITNESSETH

WHEREAS, the parties hereto have made an agreement, dated May 1, 1989, copy of
which is attached hereto and incorporated herein, for the development and maintenance of a
fishing and boating access area in the City of Chester, hereinafter called the "Project", and

WHEREAS, it has proved unfeasible for the CITY to maintain and repair the dock
system portion of the project, and,

WHEREAS, the COMMISSION has determined that it is the public interest for it to
assume maintenance and repair of the said dock system in furtherance of its authority with regard
to recreational boating on the waters of the Commonwealth; and,

WHEREAS, the CITY and the COMMISSION have agreed to amend the said Agreement
to provide that the COMMISSION assume full responsibility for the maintenance and repair of
the docking system at the project.

NOW THEREFORE, the parties hereto, agreeing to be legally bound in consideration of
the mutual premises hereof and the mutual benefits hereby conferred, agree that the agreement of
May 1, 1989, between the parties hereto, is hereby amended as follows:

The maintenance and repair of the dock system at the "Project" as referenced in
Condition 4 of the original agreement (*EXHIBIT A*) shall be the responsibility of the
COMMISSION as of the date first written above, and

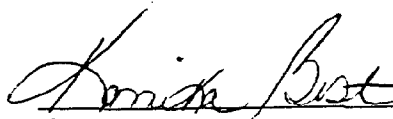
The City Council has confirmed this and on _____ adopted a resolution to this effect, a copy of which is marked *EXHIBIT B*, attached hereto and made a part hereof

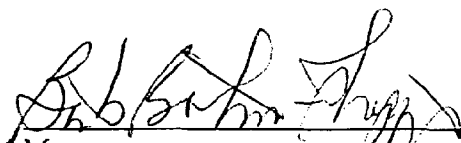
OTHER TERMS. All other terms and conditions of the agreement of May 1, 1989, remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, all as of the date first above written.

ATTEST

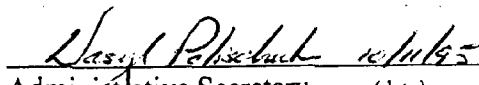
CITY OF CHESTER

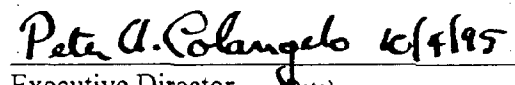

Secretary (Date)
October 1, 1995
(Seal)


Mayor (Date)
FIN: 23-6001900

ATTEST

PENNSYLVANIA FISH AND BOAT COMMISSION

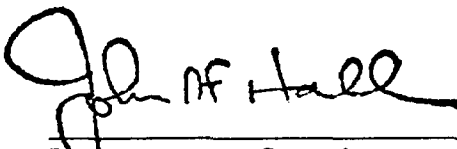

Administrative Secretary (date)
10/1/95


Executive Director (Date)
10/1/95

(Seal)

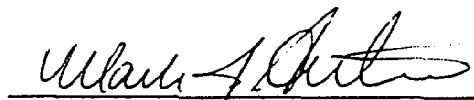
Approved as to Legality and Form


Chief Counsel (Date)
10/2/95
Pennsylvania Fish and Boat Commission


Deputy Attorney General (Date)
Office of Attorney General

Approved:


Secretary for Budget or designee


Comptroller (or designee)

Agreement

Made this 1st day of MAY, in the year of Our Lord, One Thousand Nine Hundred and Eighty-Nine (1989), between the City of Chester, Delaware County, Commonwealth of Pennsylvania, hereinafter referred to as City, party of the first part,

AND

The Commonwealth of Pennsylvania, acting by and through the Pennsylvania Fish Commission, an independent administrative commission of the Commonwealth, hereinafter referred to as Commission, party of the second part.

WITNESSETH

WHEREAS, City and Commission desire as a public service to provide an area of land in the City of Chester, Delaware County, bordering on the Delaware River, equipped for vehicle parking and free access to the river by members of the public desiring to launch and withdraw boats for fishing and boating in and from the river, hereinafter called and Project; and

WHEREAS, the City Council of the City of Chester on September 4, 1985, adopted a resolution, a copy of which is marked "Exhibit A," attached hereto and made a part hereof; and

WHEREAS, City has leased and developed a property in the City of Chester, bordering on the Delaware River, suitable for access to the river, known as the Commodore Barry Access, and

WHEREAS, City desires to enlarge the said access area, and has requested the assistance of Commission in this project, and

WHEREAS, this agreement is made under and subject to all rights-of-way

EXHIBIT A

and access to same as are now in existence affecting the premises for sanitary sewers, storm sewers, natural gas lines and power lines.

NOW, THEREFORE

In consideration the mutual advantages to be derived from the public use of the project, City and Commission agree to the following conditions:

1. DEVELOPMENT. City will develop the project which will consist of grading, landscaping, storm water runoff in swales, pipes and inlets and paved roadways sufficient to increase the capacity of the access by 79 car-trailer parking spaces. Commission will contribute Fifty Thousand Dollars (\$50,000.), as follows:

A. When City has paid for at least One Hundred Thousand dollars work on the project, it shall produce the receipts for the said work, and Commission shall pay the cost of half of them, not to exceed Fifty Thousand Dollars (\$50,000.)

B. City shall retain receipts for this project for a minimum period of 5 years, and agrees that Commission may audit them at any reasonable time during that period.

2. ADDITIONAL DEVELOPMENT. City at its expense may perform such additional development as may be appropriate to more fully utilize the recreational potential of the site; however, the Commission will accept no responsibility for repair or replacement of such additional improvements which are unrelated to boating and fishing.

3. COMPLETION. City will notify Commission in writing upon completion of the construction of the project.

4. MAINTENANCE. City at its expense will assume full responsibility for maintenance and supervision of the project immediately upon completion of the construction of the project. This maintenance shall include, but not limited to routine mowing of grass, trash pickup and removal from the site, removal of debris from the parking area and river shoreline, routine repairing and

reseeding eroded areas, timely and proper patching of all roads, maintenance of roadway shoulders, storm water draining system, dock system, policing, sign repair and other work required to maintain the project in a sanitary and presentable manner.

5. SUPERVISION. Upon notification of Commission that the initial construction of the project has been completed, City shall assume responsibility for supervision of the project. Supervision shall consist of such surveillance and law enforcement as deemed necessary for the suppression of vandalism and the protection of persons and property. City may adopt such ordinances as may be considered necessary for proper regulation of the project. Municipal police officers are specifically authorized to enforce the Fish and Boat Code (Act 1980-175) and Fish Commission regulations by resolution of the Fish Commission dated May 30, 1981, under Section 903 of the Fish and Boat Code. Commission is hereby granted sufficient title and control over the project to promulgate, adopt and enforce regulations under Section 741 of the Fish and Boat Code, Act 1980-175, 30 Pa. C.S. § 741. Nothing in this agreement will be construed to convey or accord to the Commission any ownership or leasehold interest in the premises at this access area. The Commission neither owns nor leases any land at this site.

6. STRUCTURAL REPLACEMENTS. Commission at its expense shall be responsible for replacement or repair of structures installed or erected by City where damages thereto are not the result of negligence or failure to conduct proper and timely maintenance or surveillance by City. Such structures include roadways, parking areas, boat launching ramp, permanent piers and riprapping. Not included are landscaping and shrubbery, fences and gates or lights. If such replacements or repairs are necessitated by vandalism or are due to the failure of the City to meet its obligation under this agreement, City at its own expense shall make such replacements or repairs within a reasonable time after written notice by Commission. If City then fails to make such replacements or repairs, Commission may do so and collect the cost of same from City.

7. SANITARY FACILITIES. City agrees to install, operate and maintain at its expense such sanitary facilities as may be deemed necessary by City.

8. PUBLIC ACCESS. City agrees that the project area and all parts thereof shall at all times during the term of this agreement, or any extension or renewals, thereof be available to the public without charge for access to the river, and the public shall have free and unrestricted ingress, egress and regress, except at such times as are required for the maintenance operations of City, or during specified hours when the access is closed to the public. All such regulated times shall be approved by the Commission before implementation.

9. TERM. The term of this agreement shall be for a period of TWENTY-FIVE (25) YEARS, subject to renewal for an additional term upon mutual consent of the parties.

10 SIGNS. City agrees that Commission shall have the right to erect and maintain such signs and notices as may be necessary to inform the public that the area is available and of the laws and regulations pertaining to its use; however, this shall not be construed to limit City in establishing such rules or erecting and maintaining such signs as may be necessary for maintenance or supervision of the area.

11. ACTION City agrees that actions of its agents and employees, acting in conformance of this agreement, shall be performed for and on behalf of City and not as officers, agents or employees of the Commission.

12. INDEMNIFICATION. City agrees to indemnify, save harmless and defend Commission and its officers, agents and employees from any and all claims and losses from property damages or personal injuries to any person, firm or corporation arising out of or as a result of the exercise by City of its rights and obligations under this agreement, and, Commission to the extent provided by Commonwealth law, shall be responsible for claims arising out of the acts of its agents, officers and/or employees.

13. CONSTRUCTION. This agreement shall be construed under the laws of the Commonwealth of Pennsylvania.

14. BINDING EFFECT. This agreement shall be binding on both parties, their successors or assigns.

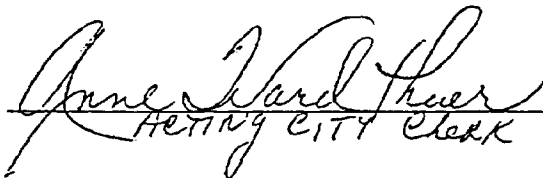
15. TERMINATION. Commission may terminate this agreement upon ninety (90) days notice in writing in event of non-compliance with the above

terms by City. Such notices shall set forth the reason(s) for termination. Commission will rescind in writing the said termination if City cures the non-compliance before termination dated.

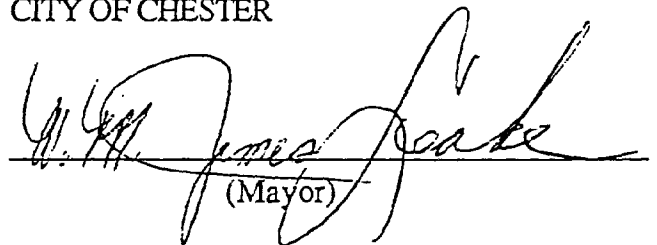
16. ARBITRATION. The parties agree that they will mutually endeavor to settle any disputes or questions that arise under this agreement. Any dispute that cannot be settled by mutual agreement will be submitted to the Executive Director, who shall render a written decision on the dispute. Any party dissatisfied with the decision of the Executive Director may seek review of the agency decision in the Pennsylvania Board of Claims, or if for any reason the Pennsylvania Board of Claims is unable or unwilling to exercise jurisdiction over such a dispute, then either party may invoke arbitration. Arbitration shall be accomplished by an arbitrator selected by mutual agreement of the parties, or if the parties cannot agree, by the Attorney General. Arbitration of disputes not within the cognizance of the Board of Claims shall be in accordance with Subchapter A of Chapter 73 of the Pennsylvania Judicial Code (42 Pa. C.S. 7302-20).

IN WITNESS WHEREOF, the Mayor of the City of Chester has signed his name and impressed the City seal thereon and a representative of the Executive Director of the Pennsylvania Fish Commission may sign his name and have impressed the Commission seal thereon, duly attested, all as of the day and year first above written.

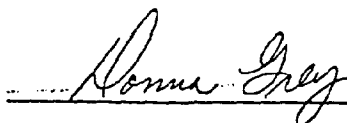
Attest:


Anne Hard Shuer
Attesting City Clerk

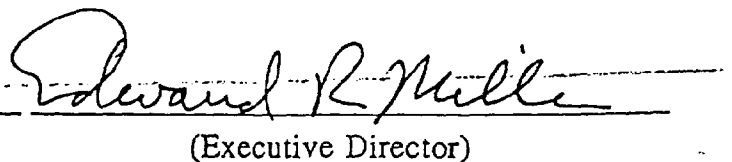
CITY OF CHESTER


W. H. James
(Mayor)

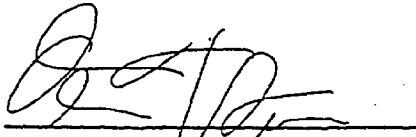
Attest:


Donna Gray

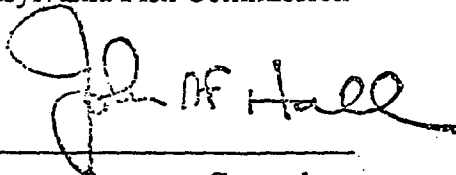
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA FISH COMMISSION


Edward R. Miller
(Executive Director)

Approved as to form and legality:



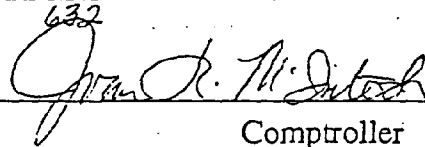
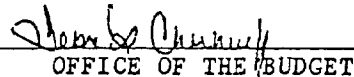
Chief Counsel
Pennsylvania Fish Commission



Deputy Attorney General
Office of the Attorney General

ME-22828

I certify that funds are available in the amount of ⁶³² \$50,000.00 are
available under 012-022-291-89-2-4310-10310-~~830~~ - \$25,000.00
012-022-291-89-2-4310-20310-~~830~~ - \$25,000.00


Comptroller
OFFICE OF THE BUDGET

This commitment is contingent upon funds
being appropriated by the legislature for
each succeeding fiscal year (and federal
funds being provided to the Commonwealth
for the contract purpose).

RESOLUTION OF THE COUNCIL OF THE CITY OF CHESTER
TO ENTER INTO AN AGREEMENT WITH THE
PENNSYLVANIA FISH COMMISSION FOR THE MAINTENANCE AND
THE SUPERVISION OF THE COMMODORE BARRY ACCESS AREA

WHEREAS, the City of Chester intends to construct, maintain and supervise a fishing and boating access to the Delaware River on City-controlled property; and

WHEREAS, the Pennsylvania Fish Commission has indicated that it is willing to assume responsibility for major maintenance of the access area; and

WHEREAS, the City of Chester believes that the construction and the maintenance of a fishing and boating access area in the City of Chester are beneficial and in the public interest.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES
RESOLVE:

That the proper officers and officials of the City are hereby authorized and directed to enter into an agreement in a form acceptable to the City Council with the Pennsylvania Fish Commission for the maintenance of this facility and to execute any and all legal documents to accomplish the purpose of this construction.

WE HEREBY CERTIFY that this Resolution passed Council this fourth day of September, A.D. 1985.


MAYOR

Attest: 
CITY CLERK

EXHIBIT A

EXHIBIT B

US Department of Commerce
NOAA Coastal Services Center Library
2234 South Hobson Avenue
Charleston, SC 29405-2413

NOAA COASTAL SERVICES CTR LIBRARY



3 6668 14111499 3

