

East Bradford Township Planning Commission Meeting Minutes September 27, 2022

The September 27, 2022 Planning Commission meeting was held in the McCardle Meeting Room in the Township Building, 676 Copeland School Road, West Chester. The meeting agenda was posted to the Township website and at the Township Building on September 22, 2022.

Commission members present:

Robert Korbonits, Chair
Anthony (Tony) Biacchi, EdD
Kathryn Deaville
Wes Thomas, PhD
Ash Swayne
Zach Barner

Commission members absent:

Lucia Millet-Lajusticia

Staff/Professionals present:

Mandie Cantlin, Township Manager
Andrea Campisi, Director of Planning & Zoning/Recording Secretary
Mark Lucas, Township Engineer
Rich Phifer, Director of Property and Recreation

Staff/Professionals absent:

Peggy Lennon, Director of Finance
Planning Commission Solicitor
Planning Commission Special Counsel

Others in attendance: John Snook, Chair of the Board of Supervisors, Chris Patriarca and Joe Shanley, Chester County Planning Commission, Maria Kenney, Township resident, Alexei Messing and Gianna Zinni, West Chester University students.

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Chair Korbonits who asked for public comment on non-agenda items of which there were none.

PUBLIC COMMENT: None

MINUTES: Ms. Deaville made a motion to approve the minutes from the July 26, 2022 meeting. There was no further discussion and no public comment. The motion passed unanimously.

OLD BUSINESS:

1. None

NEW BUSINESS:

1. **Preliminary/Final Lot Line Change Plan, SD 655, 1001-1003 Skelp Level Road & 930 Valley Creek Road, Starr Farm, Class I, Parcels 51-2-128, 51-2-142 & 51-2-132**

Rich Phifer, the Township's Director of Property and Recreation, presented the proposal. He summarized the two requested waivers from the Subdivision and Land Development Ordinance. He also pointed out the existing and proposed trails on the property. Mr. Korbonits asked if the property is under Act 319 to which Mr. Phifer responded yes. Mr. Phifer stated that there is a three-hundred-foot (300) setback off of Skelp Level Road in which no structures can be constructed. Mr. Phifer stated that the Township's surveyor is examining the driveway which provides access to the farmstead to ensure that it complies with the Township Code. If it is not compliant, then alterations will be made to bring it into compliance.

Dr. Thomas made a motion to recommend approval of the application subject to the recommended conditions of approval provided by staff. Ms. Deaville seconded the motion. All members were in favor and the motion carried.

The Planning Commission recommended approval subject to the following conditions:

1. The steep slope depiction shown on the plan shall be modified to meet the criteria in Subdivision and Land Development Ordinance Sections 95-13.C(1)(c)[3 and 4] which indicate that areas of steep slopes less than 1,000 square feet can be eliminated from the analysis, and non-steeply sloped areas completely enclosed within an area of steep slopes must be averaged into the adjacent steeply sloped area.
2. If manmade slopes exist on the properties they shall be delineated on the plan and deducted from the net lot areas.
3. The existing soil types and limitations shall be delineated and noted on the plans per Subdivision and Land Development Ordinance Section 95-13.C(1)(d and f).
4. Any soil percolation test areas completed for the proposed lot shall be shown on the plan per Subdivision and Land Development Ordinance Section 95-13.C(1)(j).
5. The generalized geological characteristics shall be noted on the plan per Subdivision and Land Development Ordinance Section 95-13.C(1)(l).
6. Areas of woodlands, groups of trees or individual large trees shall be shown on the plan per Subdivision and Land Development Ordinance Section 95-13.C(1)(m). Use of the latest aerial photography will suffice in meeting this requirement.
7. The boundaries of the Brandywine Scenic River District and visually significant landscapes shall be added to the plan per Subdivision and Land Development Ordinance Section 95-13.C(1)(n).
8. The cartway width of Valley Creek and Skelp Level Roads shall be added to the plan per Subdivision and Land Development Ordinance Section 95-13.C(2)(b). CADD measurements from the submitted plan will suffice in meeting this requirement. The applicant should provide a width measurement at critical locations along Valley Creek Road where the width changes.
9. A description of the future easement condition of the existing driveway to the farmstead shall be provided per Subdivision and Land Development Ordinance Section 95-13.C(2)(c) in compliance with comment 8 in the Township Engineer's September 2, 2022 review letter.
10. New deeds shall be prepared for all newly configured lots. The trail and access easements on Tax Parcel 51-2-128 shall be included in the new deed for the property. The language of the easements shall be submitted to the Township Solicitor for review and approval. All new deeds shall also be reviewed and approved by the Township Solicitor prior to recording the Final Plan.

11. The proposed access to the farmstead shall be paved from the proposed ROW line of Skelp Level Road to a point 25 feet beyond the ROW line plan per Subdivision and Land Development Ordinance Section 95-32.B.
12. The applicant shall demonstrate that the slope of the proposed driveway within the portion required to be paved does not exceed five (5) percent and that the slope of the portion of the proposed driveway within one hundred (100) feet of the ROW line does not exceed twelve (12) percent per Subdivision and Land Development Ordinance Section 95-32.D.
13. The applicant shall demonstrate that the proposed driveway access to the farmstead is setback at least five (5) feet from the proposed property boundary of TMP 51-2-142 plan per Subdivision and Land Development Ordinance Section 95-32.K.
14. Parcel 51-2-142 should be merged with Parcel 51-4-8.1 to avoid being landlocked in accordance with Subdivision and Land Development Section 95-28.B.
15. The proposed on-lot sewage disposal system shall be permitted by the Chester County Health Department per Subdivision and Land Development Ordinance Section 95-29.J(1).
16. The proposed water supply well shall be permitted by the Chester County Health Department per Subdivision and Land Development Ordinance Section 95-30.D(4).
17. The plan should be labeled as a "Preliminary/Final Plan."
18. The property owner(s) shall comply with all applicable federal, state, county, local and East Bradford Township ordinances and laws regardless of specific mention herein unless waivers have been granted.

Mr. Swayne made a motion to recommend approval of the following waivers. Dr. Biacchi seconded the motion. All members were in favor and the motion carried.

1. Subdivision and Land Development Ordinance Section 95-14C.20 - to not provide a Historic Resource Impact Study.
2. Subdivision and Land Development Ordinance Section 95-24.A - to not provide sidewalks along Skelp Level Road or Valley Creek Road.

2. Wireless Facilities/Municipal Use Ordinance Amendment – Discussion/recommendation

Ms. Campisi presented the proposed ordinance amendment and explained that the changes relating to wireless facilities are based on legislation (the Small Wireless Facilities Deployment Act, Act 50 of 2021) that was enacted last year which municipalities are required to adopt to update their ordinances accordingly. She also noted that the C-1, Neighborhood Commercial District is being amended to include General Municipal Use as a permitted use.

Dr. Biacchi made a motion to approve the ordinance. Mr. Korbonits seconded the motion. All members were in favor and the motion carried.

3. Comprehensive Update to the Zoning Ordinance

Chris Patriarca and Joe Shanley, planners with the Chester County Planning Commission (CCPC), were present to kick off the project. Mr. Patriarca introduced himself as a Senior Community Planner with the County Planning Commission. He summarized the project schedule, indicating that it will be roughly a two-year project. He explained that the update will incorporate previous planning efforts of the Township, including the Comprehensive Plan. He said the update will reorganize the ordinance to make it more user

friendly, ensure that it is compliant with the Pennsylvania Municipalities Planning Code and modernize certain sections including permitted uses to reflect the uniqueness of East Bradford Township. Joe Shanley, a Community Planner II with the County, introduced himself and indicated that he will be assisting Mr. Patriarca with the update.

Mr. Patriarca indicated that other County planning staff will be brought in to assist with specialized areas of the Ordinance update, including the historic resource and environmental protection sections. Mr. Patriarca recommended the Township also consider inviting members of other advisory boards, including the Historical Commission and the EAC, to those meetings. He indicated that the schedule can be modified as the Planning Commission sees fit. He also said that areas that require special attention will be flagged by the CCPC staff. He also assured the Planning Commission that the final product would reflect the desires of the Township.

Mr. Patriarca reviewed the Definitions section and explained that he identified and highlighted terms that do not show up in the text of the Ordinance and which can likely be deleted. He said a large part of amending the definitions is to remove standards from defined terms and make sure the definitions are clear and concise. There were no comments on the definitions. Mr. Patriarca indicated that no changes were made to the Preamble but noted that should the Planning Commission wish to add language to it, that could be considered. There were no comments on the Preamble. Lastly, Mr. Patriarca offered to provide future drafts in track changes so the changes can easily be identified. The consensus of the Task Force was to see all changes in track changes mode.

MISCELLANEOUS BUSINESS:

1. Events – Winter History Hikes at Harmony Hill Nature Area - all hikes begin at 2 pm

- Saturday, December 10, 2022
- Saturday, January 21, 2023
- Saturday, February 11, 2023

NEXT MEETING: The next Planning Commission meeting is scheduled for October 25, 2022.

ADJOURNMENT / CONTINUANCE:

Dr. Thomas made a motion to adjourn the meeting which was seconded by Mr. Swayne. The meeting adjourned at 8:23 p.m.

Meeting minutes recorded by: Andrea Campisi, Director of Planning & Zoning/Planning Commission Secretary

CURRENT TIME CLOCKS

| Application | Clock Expiration | Next Extension to be Considered |
|-----------------------|---|--|
| CU for Marshall B&B | January 31, 2023 | 6 th hearing |
| CU for Comerford B&B | March 31, 2023 | Deadline to schedule hearing |
| 815 Guthrie Road | Indefinite extension granted by the applicant | N/A |
| 1001 Skelp Level Road | 11/15/2022 | 11/1/2022 |