

East Bradford Township Board of Supervisors Work Session Meeting Minutes October 11, 2022

The October work session meeting of the East Bradford Board of Supervisors was held on October 11, 2022, at 6:30 p.m. in the East Bradford Township McCardle Meeting Room, 676 Copeland School Road, West Chester, PA 19380. A public notice was published in the Daily Local News on January 14, 2022. The agenda was posted on the Township website and at the Township building on October 10, 2022. Copies of the agenda were available for attendees.

Board members present:
John Snook, Chair
Bruce W. Laverty, Vice Chair

Board members absent:
J. Patrick Davis, Member

Staff/Professionals present:
Andrea Campisi, Director of Planning and Zoning
Mandie Cantlin, Township Manager/Secretary
Peggy Lennon, Director of Finance
Mark Lucas, P.E., Township Engineer
Rich Phifer, Property and Recreation Director

Staff/Professionals absent:
Randy Behmke, Director of Public Works

Three guests were in attendance, including West Chester Area School District student Aleesha Batt.

CALL TO ORDER: The meeting was called to order at 6:40 p.m. by Chair Snook.

PUBLIC COMMENT: None.

BUSINESS

1. Starr Farm

- a. SD #655 – The Township is the applicant and owner of the properties. The Township is proposing to modify the lot lines between three parcels to create a 15.8-acre lot containing the existing house, detached garage, spring house, tenant house, pool, corn crib, and barn. The newly created lot with the existing buildings will be sold to a private buyer and will be subject to a conservation easement and a public trail easement. The 44 acres that abut and surround the 15.8-acre lot will remain conserved under Township ownership as publicly accessible parkland. No new lots will be created as part of this proposal. Other than possible regrading and paving a portion of the former farm lane so that it can serve as driveway access to the newly created parcel, no new improvements will be constructed as a result of this proposal. At their meeting on September 27, 2022, the Planning Commission recommended approval of the application subject to conditions.

Mr. Laverty made a motion to grant preliminary/final approval of the plan entitled “Final Plan of Subdivision and Lot Line Change Plan” dated July 22, 2022 (last revised August 16, 2022), consisting of one sheet.

In recommending approval, Mr. Laverty made a motion to grant the following modifications to the Subdivision and Land Development Ordinance:

- i. Section 95-14C.20, which requires a Historic Resource Impact Study, on the basis that the surrounding property will not be developed.
- ii. Section 95-24.A, which requires sidewalks, on the basis that public trails are provided throughout the residual property.

Mr. Laverty's motion to grant approval was subject to the following conditions:

- i. 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.
- ii. If manmade slopes exist on the properties, they shall be delineated on the plan and deducted from the net lot areas.
- iii. 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).
- iv. 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).
- v. The generalized geological characteristics shall be noted on the plan per Subdivision and Land Development Ordinance Section 95-13.C(1)(l).
- vi. 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.
- vii. 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).
- viii. 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.
- ix. 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.
- x. 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.

- x. 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 per Subdivision and Land Development Ordinance Section 95-32.B.
- xii. The applicant shall demonstrate that the slope of the proposed driveway within the portion required to be paved does not exceed five percent and that the slope of the portion of the proposed driveway within 100 feet of the ROW line does not exceed 12 percent per Subdivision and Land Development Ordinance Section 95-32.D.
- xiii. The applicant shall demonstrate that the proposed driveway access to the farmstead is setback at least five feet from the proposed property boundary of parcel 51-2-142 plan per Subdivision and Land Development Ordinance Section 95-32.K.
- xiv. 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.
- xv. 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).
- xvi. 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).
- xvii. The plan should be labeled as a "Preliminary/Final Plan."
- xviii. 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. Snook seconded the motion. There was no further discussion and the motion passed.

Ms. Cantlin noted that the Zoning Hearing Board will meet on November 3, 2022, at 6:00 p.m. to consider agricultural use of the property.

- a. Disposition of property – Mr. Phifer reviewed the bid results in preparation for the regular meeting at 7:30 p.m. The high bidder is John W. Latta with a bid of \$1,059,000. Rebecca Smith asked if the Township knew anything about Mr. Latta's plans for the property. The only information Mr. Phifer shared was that he believed Mr. Latta had already engaged an architect to plan restoration work.
2. 1104 Allerton Road (HR #105) – The property owner is seeking permission to install solar panels on the existing Class 1 barn. The Historical Commission reviewed the proposal in September. There are two barns on the property – one that is identified as a contributing historic resource and one that is not historic. The Commission recommended that all proposed solar panels be mounted on the non-historic barn, or in the alternative, that the panels be placed on the ground rather than the roof of the historic barn. (However, Ms. Campisi clarified that a ground mounted system would not be desirable because much of the property is within the floodplain.) Absent the applicant following those recommendations, the members recommended approval of the application subject to the existing roof not requiring replacement due to the installation of the solar panels and the preservation of the three existing ridge ventilators. The members also questioned whether the existing roof on the barn is the original, and if so whether a structural

analysis has taken place to document that the roof can accommodate the panels. If the roof on the historic barn must be replaced to accommodate the panels, that may require a separate review by the Commission. Earlier in the day, the Township received an email from the property owner/applicant granting a 30-day time extension to the Township for the purpose of rendering a decision on the application. The additional time will give the property owner more time to discuss the Historic Commission's recommendation with their solar consultant. The Supervisors accepted the time extension.

3. County Stormwater Ordinance – The Township solicitor just finished compiling the Stormwater Ordinance with input from Mark Lucas and Carroll Engineering. Mr. Lucas commented that the definition of “Regulated Impervious Surface” indicates a date of December 9, 2013 as a threshold date for adding impervious cover to a property. He asked whether that date should be January 1, 2014, to be consistent with the Township's current ordinance. He also noted that the inspection requirement for every 10-year storm is at the request of the Township Engineer. Mr. Snook made a motion to authorize advertisement of the ordinance, pending resolution of the date question by staff. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed.
4. Guiderail Policy – Historically, the Township has used Corten steel guiderail on Township roads because it was designed to rust/patina into a more naturally looking state. However, the product is no longer manufactured. There are two alternative options. There is a brown guiderail, which has a similar appearance, but it is more expensive and more difficult to procure. There is also standard galvanized steel guide rail, which is silver/gray in color. Mr. Lucas suggested that the Township use the galvanized steel product along Township roads and reserve the brown guiderail for bridges. The Board agreed.

ITEMS NOT ON THE AGENDA: None.

PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

NEXT MEETINGS: The next meetings of the Board of Supervisors are scheduled for:

- October 11, 2022 at 6:30 pm (work session)
- October 11, 2022 at 7:30 pm (regular meeting)
- November 1, 2022 at 6:30 pm (work session)

ADJOURNMENT / CONTINUANCE: At approximately 7:05 p.m., Mr. Lavery made a motion to adjourn the meeting. Mr. Snook seconded the motion. The motion passed.

Mandie Cantlin, Secretary