



EAST BRADFORD TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

Memo

To: Planning Commission

From: Mark Lucas, P.E. *ML*

Date: February 15, 2019

Subject: **Patrick J. Comerford & Kathryn K. Comerford, Conditional Use Application for a Bed and Breakfast Estate, "Stoney Ridge", 900 Copeland School Road and 905 Conner Road, TMP#s 51-3-19 and 51-3-34, respectively (Patrick M. McKenna, Esq. and Victor Kelly, Jr., P.E.).**

Introduction

Patrick J. and Kathryn K. Comerford have submitted a Conditional Use Application for a Bed-and-breakfast estate for their properties located at 900 Copeland School Road and 905 Conner Road, West Chester, Pennsylvania, 19380. The applicant's entire holdings are approximately 73.5 acres in gross area, are located in the R-2 Residential Zoning District. The existing dwelling proposed for the Bed and Breakfast Estate is a Class 1 Historic Resource as defined by the Township Historic Resource Inventory (HR #44). A Bed-and-breakfast estate is permitted in any Zoning District as a Conditional Use if it can fully comply with Section 115-48.2 of the Township Code, which requires that the Bed-and-breakfast estate use be conducted in an owner-occupied Class 1 Historic Resource, amongst other things further elaborated upon below.

The existing property at 900 Copeland School Road is a former farmstead consisting of the existing dwelling, driveways, two accessory structures, a pool, turf grasses, individual trees/woodlands/meadow areas and residential landscaping. The lot is accessed from Copeland School Road via a private roadway that leads to the farmstead compound that also provides access to 2 other existing lots. The property is serviced by a private on-lot sewage disposal system and water well. An overhead electrical high voltage transmission line bisects the northerly third of the lot, and is visible from both Copeland School Road and Sunset Hollow Road, near the intersection of the two roadways. The entire holdings also are subject to a conservation easement held by North American Land Trust as a result of the estate planning subdivision of the property in 2015.

The applicant is proposing a four-room bed and breakfast in the dwelling and an event venue in the dwelling "common area" as depicted on a first-floor plan submitted with the application. Parking for the event venue is proposed to be provided in two locations: 20 spaces on 900 Copeland School Road to the immediate north of the existing dwelling driveway for staff and overflow parking; and 56 spaces on 900 Copeland School Road to the immediate north of 905 Conner Road that are accessed from a new grass/gravel driveway from Conner Road, through 905 Conner Road.

Presented below is commentary on the Conditional Use application, reviewed for conformance with the Code of the Township of East Bradford.

The following items were submitted for review in addition to the application for a conditional use hearing:

Plans titled "Conditional Use Plan for Stoney Ridge Farm Bed & Breakfast Estate", Pages 1-2 of 2, prepared by Commonwealth Engineers, Inc. (Victor Kelly, Jr., P.E), prepared for Patrick J. and Kathryn K. Comerford, dated December 20, 2018, with no revisions

A document titled "Attachment to Conditional Use Application – Narrative of Compliance of Bed & Breakfast Estate Standards (115-48.2) – Richard White House at Stoney Ridge Farm at 900 Copeland School Road", Pages 1-6 of 6, and two attached plans of the interior Common Space and aerial photography of the applicant's holdings prepared by Patrick J. and Kathryn K. Comerford, dated December 20, 2018, with no revisions.

A document titled "Impact Assessment Narrative – Stoney Ridge Farm Bed & Breakfast Estate", Pages 1-5 of 5, prepared by Commonwealth Engineers, Inc. (Victor Kelly, Jr., P.E), Prepared for Patrick J. and Kathryn K. Comerford, dated December 20, 2018, with no revisions.

Status of Township Staff/Consultant/Agency Reviews

1. **Zoning** – official review completed by Melissa Needles. Review pending. Additional Zoning commentary related to the requirements for a Bed and Breakfast Estate are provided below.
2. **Chester County Health Department** – review of on lot sewage disposal systems pending submission to the Department.
3. **Pennsylvania Department of Transportation** – review of change in use category of proposed access pending submission to the Department for both proposed access points.
4. **Landscaping** – review of proposed screening and buffering plan by Thomas Comitta Associates (Dan Mallach). Review previously issued.
5. **Conservation Easement** – Review of conservation easement by North American Land Trust. Review previously issued.

Zoning Ordinance

115-48.2: Bed-and-breakfast estates

1. **115-48.2.B and C:** The applicant must submit a floor plan showing the availability of 4 bedrooms in the dwelling for the bed and breakfast use and demonstrating that the bedrooms do not contain cooking facilities.
2. **115-48.2.I:** The impact assessment indicates that all music played for events will be acoustical. The application attachment indicates that the applicant proposes to comply with the Township noise ordinances (which do not specify amplification vs. no amplification). The Bed and breakfast estate ordinance permits acoustical music and non-amplified entertainment only, which in most cases will be more stringent than the noise ordinance. This discrepancy must be clarified.
3. **115-48.2.J:** Scaled drawings must be submitted for the proposed bedrooms and second floor, outlining the owner's living areas, guest rooms and common areas via a color legend. The submitted first floor plan outlines a common area that includes a kitchen, staircase, PR (?), mud room, etc. The interpretation of the common area is an area where an event can be held and guests can congregate, which will be difficult in the areas noted. Based on the plan submitted, discerning 1,000 sf of such open areas is difficult and must be clarified by the applicant to demonstrate eligibility for events attended by 100 guests as proposed.
4. **115-48.2.L:** The applicant must submit plans and other information indicating how the proposed Bed-and-breakfast estate will comply with the following design standards:

(1): Screening, or how the existing vegetation will be utilized to comply with screening requirements. Applicant has indicated that the existing vegetation will serve as adequate screening. This must be demonstrated on the plan or with aerial photography and reviewed/confirmed by the Township Landscape Architect. Applicant also has indicated the potential for events to be held under canopy or tents, but has not shown the potential locations for these items on the plans, which is necessary to enable a review of the adequacy of the screening.

(2): Storage of any materials related to the operation of the bed and breakfast estate. Applicant has indicated that the proposal complies with the storage requirements with no further explanation or depiction on the plans. Proposed storage areas must be shown on the conditional use plans.

(3): Landscaping, or how the existing vegetation will be utilized to comply with landscaping requirements. See comment 4(1).

(4): Access and traffic control standards. Access to the Bed and Breakfast Estate is proposed from Copeland School Road via the existing, private roadway configuration shared by two other lots. The proposal will increase the driveway use by bed and breakfast guests and during special events by employees, delivery trucks, overflow guests, etc. Copeland School Road is a PennDOT roadway and the change in use/volume of the driveway must be evaluated by PennDOT. The applicant either must obtain a modification to the existing Highway Occupancy Permit obtained from PennDOT for the proposed change in use and construct all necessary improvements prior to receiving a certificate of occupancy for the proposed use, or correspondence from PennDOT indicating that no further improvements are required. In addition, the applicant proposed vehicular pull off areas along the Copeland School Road access and a turn-around hammerhead at the end of the driveway that have not been constructed to date. Those improvements will be necessary (and perhaps more extensive improvements depending on the hearing outcome) to accommodate the event use due to the increased traffic and refuse from events. Additional pull off areas and/or driveway widening also may be necessary on the driveway portion from the end of the private roadway to the dwelling where the bed and breakfast use will be conducted.

The Conner Road access to the event guest parking area also must be permitted by PennDOT for the proposed use via the Highway Occupancy Permit process. I recommend the design sight distances at the access be based on the 85th percentile speed of Conner Road as an added safety measure for event use, which will be unexpected by passing motorists due to the rural character of the roadway and surrounding area.

(5): Interior circulation standards:

- A. 115-56.B(3): The proposed event guest parking area access from Conner Road will traverse steep slopes in excess of 20 percent gradient. This slope likely will be difficult to navigate and control drainage. In addition, construction of a driveway access to a parking field for a Bed and breakfast estate use is not permitted per the Steep Slope Conservation District standards.
- B. 115-56.B(8): The proposed ADA spaces located just west of the existing garage do not comply with this section, which prohibits reverse movements into travel lanes to exit the parking stalls.
- C. 115-56.B(14): The proposed parking spaces near the entrance of the guest parking area do not comply with this section. In general, the entrance configuration must be improved to avoid confusion when entering/exiting operations occur simultaneously.
- D. 115-56.B(18): All necessary traffic control signage must be added to the plans (primarily stop signs at the points of egress).

- E. 115-56.B(19): The intended pedestrian travel paths must be shown on the plan to enable evaluation of compliance with this section.
- F. 115-56.B(21): ADA compliant pathways from the ADA stalls to the facilities must be shown on the plans.
- G. 115-56.B(23): Existing or proposed parking in paved areas must comply with the specified slope requirements.
- H. 115-56.C(2): The applicant must demonstrate the ability of emergency vehicles to navigate the site, including the guest parking area to service a vehicle or brush fire. This aspect of the plans also must be reviewed by the Fire Marshall. The proposed slope of the guest parking area access driveway may be problematic, based on previous reviews of other projects.
- I. 115-56.D(1): Intended or designated pedestrian walkways must be shown on the plan.

(6): Off-street loading standards. Loading areas and circulation of delivery vehicles are not depicted on the submitted plan and must be as part of the application.

(7): Emission of smoke, fumes, odors and noise. The impact assessment report addresses certain concerns with noises generated by the proposed use associated with events. However, the assessment does not address the impact of the event guest parking area in general during late departure times associated with loud conversation/laughter, vehicle doors slamming, engine starting, vehicle sound systems, vehicle alarm systems, horn blowing and other noises associated with a grassed parking area that is not well defined during nighttime hours and not proposed to be lighted (nor would lighting be desirable to the adjacent residential properties). This is an issue that likely will be difficult for both the applicant and the Township to regulate should it arise. As such, I recommend this item be addressed as part of the conditional use hearing via noise analysis/expert testimony.

(8): See Comment 3.

- 5. **115-48.2.M:** See Comment 2.
- 6. **115-48.2.N:** See Comment 4.(1).
- 7. **115-48.2.P:** The structural analysis submitted indicates improvements that must be made to enable events as proposed. The improvements will require a building permit application submission containing all necessary plans, calculations, etc.
- 8. **115-48.2.T:** I recommend conditions be included in any potential approval addressing potential erosive conditions in the proposed guest parking and access areas, which may include the necessity to pave certain areas with standard pavement, block pavers, grass pavers, etc, potentially impacting lot coverage maximums.
- 9. **115-48.2.V:** The applicant has indicated that the on-site septic systems will be used for the proposed establishment, both the bed and breakfast and event portions. The applicant must obtain approval from the Chester County Health Department for use of the existing systems for these purposes, the construction of any supplementary systems as may be required or any expansions of the existing systems. The applicant also has indicated that the existing facilities will be supplemented with portable systems for special events. The applicant must demonstrate how the existing facilities will not be overused during such events, causing a surcharge or overflow to the existing drain fields even with the use of the portable systems (i.e. how will the use of the existing facilities be regulated to prevent an overload).
- 10. **115-48.2.W:** See Comment 4.(5).H.

General Commentary

11. The applicant must address the future intentions of the development of Lot 1 in regard to the proposed bed and breakfast estate use. The current subdivision plan permits a single family dwelling on Lot 1 with a minimum use driveway accessing the lot from Conner Road. The bed and breakfast estate use proposes a higher level access to the event guest parking field along the same route as the single family dwelling access, technically making it a shared driveway if both uses are conducted at the same time (shared driveways are not permitted by the current code), also requiring an easement on Lot 1 to access the event parking field and to maintain the stormwater management facility proposed on Lot 1.
12. The applicant is proposing to manage increased stormwater from the guest parking field and access assuming a gravel access and parking field access driveway. Due to the potential for erosion noted above and the ability to pave those areas without the need to obtain a permit from the Township, the future stormwater facility must be designed assuming those areas are paved.
13. The proposed construction will require an Erosion and Sediment Pollution Control/Stormwater Management permit to be acquired from the Township. Depending on the extent of the grading required to construct the access from Conner Road, parking field drive aisle and stormwater management facilities, a National Pollutant Discharge Elimination System permit also may be required for the project if the total disturbance exceeds 1 acre. The Township permit application must be submitted separately via a separate approval process and is not part of the conditional use approval process.
14. The event guest parking field and overflow/employee parking field must be delineated with temporary measures (or with landscaping) to define these areas. Painted striping also will be helpful in delineating individual parking stalls (or alternatively, a commitment to providing parking lot attendees).
15. The dwelling proposed for events is serviced by an on-site well. The applicant must demonstrate the ability to provide adequate water to simultaneously service the owners, bed and breakfast guests, employees, event guests and the events at maximum capacity.
16. Traffic on the Copeland School Road access will be increased by the proposal both by volume and weight of delivery trucks. This access is shared by two other lots, who may share in the maintenance of the driveway proportionately. If so, this aspect should be addressed by the applicant to redistribute the proportionate maintenance shares fairly and appropriately. In addition, while the private roadway design and construction requirements are stipulated by the number of lots, the intent of the ordinance was for single family residential lots with standard trips per day, not bed and breakfast estate uses. Improvements to the private roadway pertaining to the number of dwelling units equivalent to the amount of increased trips generated by the proposed use may be prudent/warranted.
17. The walk from the event guest parking area to the dwelling is substantial and through an open field (potential tent event areas are not shown on the plan). An improved/delineated walkway must be provided that is inspected periodically (prior to each event) for tripping hazards.

Conclusion/Recommendation

Any missing information noted above should be furnished to the Township for review prior to presenting the project to the Planning Commission and conducting the conditional use hearing to enable the Planning Commission to determine its level of involvement in the hearing. Access to the proposed event facilities, the delineation of the Common Area and potential noise issues appear to be the most impactful issues associated with the application. I recommend all aforementioned items be considered by the appointed boards and commissions in evaluating the application for approval or denial, establishing conditions of a potential approval and any associated relief sought by the applicant from either the Board of Supervisors or Zoning Hearing Board.

Copy:

Board of Supervisors
Environmental Advisory Council
Traffic Committee
Historical Commission
Mandie Cantlin
Melissa Needles
Andrew Rau
Patrick and Kathleen Comerford
Patrick McKenna