

East Bradford Township Planning Commission Meeting Minutes January 28, 2020

The January meeting of the East Bradford Township Planning Commission (PC) was held on January 28, 2020 in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Commission members present:

Anthony (Tony) Biacchi, EdD, Chair
Kathryn Deaville
Lucia Millet-Lajusticia
Ash Swayne
Joe Fauntleroy

Commission members absent:

Robert Korbonits, Vice Chair
Wes Thomas, PhD

Staff/Professionals present:

Mandie Cantlin, Township Manager/Planning Administrator/Secretary
Mark Lucas, P.E., Township Engineer

Staff/Professionals absent:

Michael P. Lynch, Director of Finance
Rich Phifer, Director of Property and Recreation
Planning Commission Solicitor
Planning Commission Special Council

Others in attendance:

Approximately six guests were present.

CALL TO ORDER: The meeting was called to order at 7:30 p.m. by Chair Biacchi.

PUBLIC COMMENT: Mark Mitchell inquired about the status of the J. Roberts / Abernethy application. Mr. Rentschler responded that the applicant is working to address the professional review comments.

ORGANIZATION FOR 2020:

Lucia Millet-Lajusticia was appointed by the Supervisors during the organization meeting. The Supervisors also reappointed Unruh, Turner, Burke & Frees (Andrew Rau) as general counsel. Special Counsel is Dwight Yoder with Gibbel Kraybill & Hess LLP.

Ms. Cantlin announced that Andrea Campisi will begin work on February 10 as the new Director of Planning and Zoning. She will support the Planning Commission, Historical Commission, and Zoning Hearing Board beginning in February.

Ms. Cantlin assumed the role of Temporary Chair for the purpose of taking nominations for Chair. Ms. Deaville made a motion to nominate Tony Biacchi as Chair. Mr. Swayne seconded the motion. There were no other nominations, no discussion, and no public comment. The motion passed unanimously.

Mr. Fauntleroy made a motion to nominate Bob Korbonits as Vice Chair. Mr. Swayne seconded the motion. There were no other nominations, no discussion, and no public comment. The motion passed unanimously.

Dr. Biacchi made a motion to appoint Andrea Campisi as Recording Secretary. Mr. Fauntleroy seconded the motion. There were no other nominations, no discussion, and no public comment. The motion passed unanimously.

John Snook will remain the Board of Supervisors liaison to the Commission.

PC meetings will be held on the fourth Tuesday of each month at 7:30 p.m. The only exception for 2020 is the December meeting (December 15 instead of December 22).

MINUTES: Mr. Swayne made a motion to approve the minutes from November 26, 2019, as presented. Mr. Fauntleroy seconded the motion. There was no further discussion and no public comment. The motion passed unanimously.

OLD BUSINESS:

1. SD 646 McFadden Sketch Plan – The applicant, Equity Trust Co, was represented by Brian McFadden and David Rentschler, P.E. The applicant is proposing to subdivide the 4.4-acre property located at 590 Birmingham Road into two lots.

The Commission was in receipt of reviews from:

- Engineering (November 11, 2019)
- Zoning Officer (November 14, 2019)
- Thomas Comitta Associates (December 31, 2019)
- Historical Commission (November 20, 2019 & January 21, 2020)

The following groups had no comment:

- Parks & Recreation Board (November 20, 2019)
- Traffic Committee (November 21, 2019)
- Trails Committee (November 21, 2019)

The applicant is seeking modification from the following sections of the Code:

- Section 95-13.A(5)(a) and (b), which require an existing conditions plan, on the basis that woodlands are the only natural feature and that the woodlands are identified in the aerial photograph.
- Section 95-13.C(2)(d), which requires the identification of significant features within 400 feet of the property. The applicant has identified these features on sheet 10 of the plan (aerial).

The applicant reviewed the most recent review from Thomas Comitta Associates. With the exception of recommendations 14.J and 14.K, the applicant agreed to comply with the recommendations. Recommendation 14.J discusses the applicant's request for a partial waiver from Section 95-13.C(2)(d), which requires the identification of significant features within 400 feet of the property. However, the applicant maintains that identifying these features on sheet 10 of the plan is adequate.

Recommendation 14.K suggests that the Township condition plan approval on the reasonable use of particular architectural treatments. The applicant is not amenable to a deed restriction, but agreed that the architectural elements of the proposed dwelling would generally be similar in character to the immediately surrounding neighborhood and historic district.

Ms. Cantlin inquired about septic approvals. The applicant responded that they have adequate perc test results.

Dr. Biacchi made a motion to recommend approval of the Preliminary/Final Minor Subdivision Plan for 590 Birmingham Road dated June 18, 2019 (last revised October 24, 2019) consisting of 10 sheets. In recommending approval, Dr. Biacchi made a motion to grant the following waivers/modifications on the basis that no construction is proposed with this application:

- Section 95-13.A(5)(a) and (b), which require an existing conditions plan, on the basis that woodlands are the only natural feature and that the woodlands are identified in the aerial photograph.
- Section 95-13.C(2)(d), which requires the identification of significant features within 400 feet of the property, on the basis that the applicant has identified these features on sheet 10 of the plan (aerial).

Dr. Biacchi recommended the following conditions:

1. The Applicant shall comply with Carroll Engineering's November 22, 2019 review letter.
2. The Applicant shall comply with the recommendations in Thomas Comitta Associates' review dated December 31, 2019, with the exception of recommendation 14.K. However, Dr. Biacchi noted the applicant's commitment to ensuring that the architectural elements of the proposed dwelling will be generally similar in character to the immediately surrounding neighborhood and historic district.

Mr. Fauntleroy seconded the motion. There was no further discussion and no public comment. The motion passed unanimously.

This matter will be on the Board of Supervisors' February 11, 2020 agenda. The time clock for the application will expire on February 11.

2. SD 638 J. Roberts (Abernethy) – The time clock for the application will expire on February 24, 2020. The Township is in receipt of a time extension request through March 10, 2020. The applicant is currently working to address the last round of review comments. Ms. Deaville made a motion to recommend that the Board of Supervisors grant the time extension. Mr. Swayne seconded the motion. There was no further discussion and no public comment. The motion passed unanimously. The Commission expressed interest in visiting the property.

NEW BUSINESS: None

MISCELLANEOUS BUSINESS:

1. Ethics Statements – Ms. Cantlin reminded the Commission to sign the ethics statement for 2020.
2. Application Updates
 - a. SD #641 West Chester Crossing (DLN) – Revised plans were submitted earlier in the month. Reviews are due in February.
 - b. SD #647 Colley – The applicant appealed the Township's approval. The main issue is the Environmental Impact Assessment requirement.
 - c. SD #648 Thomas – The applicant is revising the plans to address the review comments.
 - d. Conditional Use for 415 Birmingham – The next hearing is scheduled for March 10, 2020 at 7:00 p.m.
 - e. Conditional Use for 900 Copeland School Road – Hearings are scheduled to commence by June 15, 2020.

- f. Gallagher Power Washing – The Supervisors denied the conditional use at the hearing.

3. Events

- a. Harmony Hill History Walk; February 1 (2:00 pm); Harmony Hill
- b. Jefferis Bridge Public Meeting; January 30 (7:00 pm); East Bradford Township

- 4. Federal Stream Regulations – Dr. Biacchi inquired about the impact of changes to federal restrictions relative to streams and waterways. Mr. Lucas and Mr. Swayne commented that they are not that familiar with the regulations but did not see a significant difference.

PUBLIC COMMENT: None

NEXT MEETING: The next meeting of the Planning Commission is scheduled for February 25, 2020 at 7:30 p.m.

ADJOURNMENT / CONTINUANCE: At approximately 8:25 p.m. the Commission unanimously agreed to adjourn the meeting.

Mandie Cantlin
Acting Planning Commission Secretary

CURRENT TIME CLOCKS

Application	Clock Expiration	Next Extension to be Considered
SD 646 McFadden	February 11, 2020	BOS February
CU for Marshall B&B	March 10, 2020	6 th hearing
SD 648 Thomas	March 22, 2020	PC February / BOS March
SD 641 WC Crossing	April 19, 2020	PC March / BOS April
CU for Comerford B&B	June 15, 2020	Deadline to schedule hearing
SD 645 Armstrong	N/A	N/A (Final approved; recording pending)
SD 647 Colley	N/A	N/A (Final approved; recording pending)
SD 635 WCU	N/A	N/A (time clock suspended)