

# East Bradford Township Planning Commission Meeting Minutes February 25, 2020

The February meeting of the East Bradford Township Planning Commission (PC) was held on February 25, 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 Fautleroy  
Robert Korbonits, Vice Chair

**Commission members absent:**

Wes Thomas, PhD

**Staff/Professionals present:**

Mandie Cantlin, Township Manager/Planning Administrator/Secretary  
Mark Lucas, P.E., Township Engineer  
Andrea Campisi, Director, Planning & Zoning/Zoning Officer/Recording Secretary

**Staff/Professionals absent:**

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

**Others in attendance:**

Two members of the public were present.

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

**PUBLIC COMMENT:** None

**MINUTES:** Ms. Deaville made a motion to approve the minutes from the January 28, 2020 Planning Commission meeting as presented. Mr. Fautleroy seconded the motion. There was no further discussion and no public comment. The motion passed unanimously.

**OLD BUSINESS:**

1. SD 638, J. Roberts (Abernethy) – The Commission visited the property on February 14, 2020 with the applicant and Township staff members Mandie Cantlin and Andrea Campisi. The time clock for the application will expire on February 24, 2020. The Township is in receipt of a time extension request through June 10, 2020. The applicant is currently working to address the last round of review comments.

Dr. Biacchi noted concerns with the number of trees proposed to be removed from the site as well as stormwater management. He noted that Thomas Comitta Associates also had comments on the amount of tree removal. Ms. Deaville noted that there is a mixture of trees on the site but noted that some are new growth, smaller trees.

Mr. Fauntleroy noted that the dog leg portion of the property will remain undisturbed, so the majority of the trees are being removed from the rest of the site.

Dr. Biacchi expressed concern with the compensatory planting. He said neighboring properties could use additional buffering so the trees required should not go to other parts of the Township. He added that Thomas Comitta Associates would like to see a revised landscape plan.

Ms. Deaville asked Ms. Cantlin about the percentage of trees permitted to be removed. Ms. Cantlin stated that the Code allows different thresholds of tree removal. She said the current ordinance dates to 2005-2006 and limited development has occurred since then. She said she will be reviewing the developments from the last 15 years to see how the Code was applied to those projects so that it can be consistently applied to this project.

Mr. Fauntleroy commented that where Dr. Biacchi is recommending additional trees is where a berm and stormwater management are being proposed. He recommended additional consideration be given to this area. Dr. Biacchi said Thomas Comitta Associates can look at that as part of their review.

Mr. Korbonits made a motion to recommend that the Board of Supervisors grant the time extension through June 10, 2020. Ms. Deaville seconded the motion. All members were in favor and the motion carried.

2. SD 641 - West Chester Crossing (former Daily Local News) – The applicant, Toll Brothers, was represented by Louis Colagreco, Jr., Esquire and Andrew Semon with Toll Brothers. The applicant is proposing the construction of 56 townhomes on the 6-acre property located at 250 N. Bradford Avenue.

The Commission was in receipt of reviews from:

- Transportation Engineering (February 20, 2020)
- Engineering (February 20, 2020)
- Planning Director/Zoning Officer (February 20, 2020)
- Sanitary Sewer Engineering (February 17, 2020)
- Thomas Comitta Associates (February 13, 2020)
- Stubbe Consulting LLC (January 22, 2020)

The following groups provided comments:

- Trails Committee (January 3, 2020)
- Traffic Committee (November 21, 2019)
- Parks & Recreation Board (November 20, 2020)

The following groups had no comment:

- Historical Commission

Lou Colagreco, Esquire with Riley Riper Hollin and Colagreco, was present on the applicant's behalf. He wished to focus on Andrea Campisi's review letter and noted that his client will be making plan modifications to the plan. Mr. Colagreco said there is a reduced right of way on Strasburg Road. He said his client was under the impression that the Township did not want a full 80-foot right of way on N. Bradford Avenue, but is now being told that the additional right of way is desired. He said additional right of way will be provided, but the plan must be revised to show it.

Andrew Semon, Division Vice President with Toll Brothers, said the proposed retaining wall and stairs will be in the new right of way along N. Bradford Avenue. Mr. Semon said he will revise the plan to show the 40-foot right of way and will slide the wall back so that it remains out of the right of way which will increase its height by about one foot. He said he will also reconfigure the stairs and keep them out of the right of way. He said the change will not affect the density or impervious coverage, etc.

Mr. Colagreco addressed the comments on the landscape plan. He said the applicant submitted an arborist's report and, on the plan, certain trees were identified to be removed that are dead and dying. He said the

landscape plan submitted by the applicant shows a worst-case scenario because the buffers are fully planted even if all trees are removed. Mr. Colagreco said the other issue noted in Ms. Campisi's review is related to the access easement to the ACE Hardware property. He said no trees are proposed in that area because there are utilities underground within the easement.

Mr. Colagreco also addressed the sidewalk connecting to the ACE Hardware site along Strasburg Road. He said the applicant hopes to install the sidewalk in the existing right of way and would like to enlist the Township to help obtain the right to install a sidewalk on that property. He said the applicant does not have a problem building the sidewalk but prefers to do so in the right of way.

Mr. Colagreco said one item the applicant disagrees with the Township on is with regard to the mid-block crossing across Strasburg Road. He said that the conditional use approval required the applicant to discuss this with PennDOT. He said PennDOT initially told us to remove the crosswalk from the plan. Mr. Colagreco said the Township went back to PennDOT and asked for the mid-block crosswalk. He told the Planning Commission that he cannot tell them that there will not be a midblock crosswalk. However, he said he does not think there is need for a second crosswalk with one being proposed at the intersection of Strasburg Road and N. Bradford Avenue. Mr. Colagreco said PennDOT also requested that N. Bradford Avenue be widened slightly.

Greg Richardson, the applicant's traffic engineer, said based on the anticipated queues, the widening of the road would provide additional stacking for the intersection. He presented a sketch of the widening of the road which he said will be shown on the next set of plans. He noted that the widening will occur on the Borough side of the cartway.

Mr. Semon presented an alternate sample architectural elevation at the meeting with a more contemporary design. He agreed to update Exhibit A-8 which was presented at the conditional use hearing showing the alternate architectural scheme.

Regarding the Bradford Square trail, Mr. Semon stated that he has been in correspondence with the HOA as well as the Township Solicitor and is working through the details to obtain permission to extend the trail.

Dr. Biacchi asked if the dog park will be lit. Mr. Semon said no.

Ms. Millet-Lajusticia asked why so much land is needed for the trail on Bradford Square. Mr. Semon explained due to the existing slopes and vegetation.

Ms. Deaville asked about the gateway sign. Mr. Semon stated that it was removed from the plan since the Planning Commission did not seem interested in it the last time we were here. The consensus of the members was that the sign is not needed.

With regard to the required recreation area, Mr. Colagreco stated that the applicant will ask for an offset for the remaining areas other than the trail. Dr. Biacchi asked for clarification. Mr. Colagreco explained that the applicant is asking that the areas provided on the plan be counted towards the required recreation area even though they are not open to the public.

Ms. Deaville stated that the recreation land issues cannot be discussed by the Planning Commission tonight. Mr. Colagreco agreed and said that must be discussed with the Board of Supervisors.

Barbara Nast, a resident of Bradford Square, asked about the turn lane on Strasburg Road towards the shopping center. Mr. Semon said there is a plan for that before PennDOT for review. Mr. Richardson, the applicant's traffic engineer, responded to the question.

The Planning Commission deliberated.

Mr. Korbonits made a motion to recommend approval of the Preliminary Plan for 250 N. Bradford Avenue dated September 27, 2019, last revised January 13, 2020, consisting of 35 sheets. His motion was inclusive of the following modification requests:

1. Section 94-306.K(3) to permit Basin 2 to be less than the required 10 feet from the right-of-way line on Road 'A'.
2. Section 94-311.A(2)(b)[1]: to allow the 'as shown' impervious surface for the stormwater management calculations rather than the maximum impervious allowed by zoning.
3. Section 94-311.A(3)(c): to permit detention basins to be located less than 50 feet from structures, property boundary, and ultimate right-of-way lines.
4. Section 94-311.A(5)(j): to allow the use of high-density polyethylene pipe instead of reinforced concrete pipe.
5. Section 94-311.a(5)(m): to allow the piping of roof gutter systems from four buildings directly to infiltration basin 3.
6. Section 95-16.E(2): to allow residential driveways within 50 feet of an intersection for driveways on private Alley 'C' near Road 'A' (classified as a Local Road).
7. Section 95-19.D: to maintain the existing right-of-way widths along Strasburg Road and N. Bradford Avenue which are less than required by the Code.
8. Section 95-20.B(1): to provide a horizontal centerline radius of less than 150 feet for Road 'A'.
9. Section 95-21.c: to allow for a grade break along Road 'A' near the intersection with Strasburg Road rather than providing a vertical curve.
10. Section 95-32.C: to allow residential driveways within 50 feet of an intersection.
11. Section 95-34.1.C.3: to allow the areas shown on the plan to count towards the recreation lands set-aside even though it will not be open to the general public.

Mr. Korbonits' motion was subject to a condition that in order for the open space provided to count towards the required recreation area it must be open to the public at large and not just the proposed community and he recommended the applicant present revised elevations of the buildings, including from the corner of Strasburg Road and N. Bradford Avenue. Finally, his motion was subject to the applicant complying with all of the other line items in the letters of the consultants and staff being addressed (with the exception of the gateway sign). Ms. Campisi's review letter contained a comprehensive list of conditions of approval, which are listed below. Mr. Fauntleroy seconded the motion. All members were in favor and the motion carried.

This matter will be on the Board of Supervisors' March 10, 2020 agenda. The time clock for the application will expire on April 19, 2020.

Conditions of approval:

**Conditional Use/Zoning:**

1. The plan shall comply with the Conditional Use conditions and order dated July 9, 2019.
2. The net tract area calculation shall be added to the plan.

3. The maximum impervious surface shall not exceed the amount shown on the plan approved by the Township. A covenant shall be recorded to document the maximum amount. The covenant shall be subject to the approval of the Township Solicitor.

**Architecture:**

4. The applicant shall present revised elevations of the buildings, including from the corner of Strasburg Road and N. Bradford Avenue.
5. Architectural elevations and renderings of all sides of all proposed buildings, including a list of all materials keyed to the elevations, shall be submitted with the final plan. The elevations shall be subject to the approval of the Board of Supervisors/Township.
6. The proposed buildings shall be constructed substantially as shown on the architectural elevations prepared by \_\_\_\_\_ and dated \_\_\_\_\_ with the exception of any de minimis changes including those mutually agreed to with staff.

**Recreation Lands Set-aside/Fee in Lieu:**

7. The applicant shall submit a recreation fee in an amount determined by the Township.
8. A note shall be placed on the final plan stipulating the amount of the fee in lieu of dedication of recreational land to be paid, as established through § [95-34.1.E](#) and the means and timing of payment.

**Homeowner's Association:**

9. The applicant shall submit the proposed Declaration of Covenants, Conditions and Restrictions governing the community to the Township Solicitor for review and approval prior to recording the final plan. The document shall include at a minimum the following restrictions:
  - The hours of the proposed dog park which are not to exceed 6 a.m. to 10 p.m. prevailing time, but in no case shall noise from the operation of the dog park exceed noise levels permitted in any other residential zoning district.
  - The approved facades of the proposed townhomes shall remain in perpetuity.
  - The existing landscape buffers along the southern and western property lines shall be maintained in perpetuity.
10. The Declaration of Covenants, Conditions and Restrictions, which shall be subject to the review and approval of the Township Solicitor, shall include a Community Site Maintenance Manual including but not limited to the following:
  - All existing and proposed landscape material
  - All sidewalks, retaining walls, hardscape and fencing materials
  - Site furnishings
  - Winter maintenance areas
  - Dog park
  - Common exterior light fixtures
11. The applicant shall submit to the Township for review and approval the notice required to be provided to the initial buyers of the proposed townhouses informing them that the project is within a mixed-use commercial district and that the site is subject to truck deliveries to ACE Hardware and any future users/occupants of the property located at 720 Strasburg Road as required by Conditional Use condition 26.
12. The winter maintenance plan shall be subject to the approval of the Township to ensure compliance with Conditional Use condition 24.

**Easements:**

13. The permanent pedestrian easement for the portion of sidewalk that extends onto 720 W. Strasburg Road shall be submitted with the final plan and shall be subject to the approval of the Township Solicitor.
14. All easements and corresponding legal descriptions for the sanitary sewer, public water and motorized vehicle access large enough to accommodate expected deliveries to 720 W. Strasburg Road shall be submitted with the final plan and shall be subject to the approval of the Township Solicitor.
15. The motorized vehicle access easement shall be offered for dedication to the Township upon the recording of the final plan provided the Township accepts Road 'A' as a public street.
16. The proposed access easement to 720 W. Strasburg Road shall be shown/labeled on the landscape plan.

**Sidewalks/Trail:**

17. The applicant shall consider upgrading the proposed painted crosswalks across the entrances to Strasburg Road and N. Bradford Avenue to a stamped material.
18. The applicant shall install a pedestrian crosswalk and a Rectangular Rapid Flashing Beacon at the intersection of proposed Road A and the western most access point into the Bradford Plaza Shopping Center which shall be subject to the approval of the Township and PennDOT.
19. The applicant shall submit for Township records confirmation that the Bradford Square Homeowner's Association has accepted the construction of a proposed trail on their property. The proposed trail connection shall be field located with Township staff.
20. The applicant shall install a minimum four-foot-wide sidewalk on at least one side of the proposed driveway connecting the site to the property at 720 W. Strasburg Road.

**Landscape Plan & Site Amenities:**

21. The eight shrubs in the 40-foot easement for the benefit of 720 W. Strasburg Road shall be relocated behind the dog park to enhance that portion of the buffer.
22. The applicant shall prepare an alternate landscape plan showing the entire width of the required 20-foot buffer fully planted in the event that the driveway connecting the site to 720 W. Strasburg Road is never installed.
23. The applicant shall provide a revised landscape plan for the southern and southwestern property lines within the 20-foot landscape buffer pursuant to the applicant's arborist recommendation that dead and dying trees and other vegetation and invasive species be removed from these areas.
24. The applicant's arborist shall re-evaluate the remaining 20-foot evergreen buffer along the southern and southwestern property lines prior to completing clearing operations to determine if any further action should be taken with respect to removal of dead or dying trees and invasive plants/vines.
25. In accordance with the prior special exception decisions associated with this property, the applicant shall perpetually maintain the existing evergreen buffers along the southern and western property boundaries. Existing trees shall be replaced as needed or directed by the Township to provide an effective screen.
26. The color and texture of proposed retaining walls visible from the public right of way shall be coordinated with other site features including the dwellings and the entry sign piers. The final design of the walls shall be

subject to the approval of the Township. A product specification sheet of the proposed materials shall be included on the plan.

27. If feasible, all proposed zelkova trees along N. Bradford Avenue shall be placed between the curb and sidewalk to help screen the retaining wall.
28. The landscape plan shall be revised to indicate which proposed street trees are native. If the plan does not comply with Zoning Code Section 115-45.1G.5 which requires 75% of the trees to be native, then the plan shall be revised.
29. The deciduous tree adjacent to unit 47 shall be a 'Purpurea Tricolor' cultivar of the European Beech tree species.
30. The right of way of Strasburg Road and N. Bradford Avenue shall be labeled on the landscape plan.
31. The proposed amenities including seating, picnic tables, trash/recycling receptacles and mailboxes in the central green shall be added to sheet 7. In addition to the picnic tables at least two benches shall be included.
32. All winter maintenance areas shall be labeled on the landscape plan.
33. The vegetation preservation calculation shall be corrected.

**Standard Plan Items:**

34. Final street and alley names shall be subject to the approval of the Township prior to recording the final plan. New street names submitted to the Township shall be subject to the review of the post office and the Chester County Emergency Services Department and final approval by the Board of Supervisors.
35. All sheets to be recorded shall be included in the final plan set.
37. An as built plan shall be submitted to the Township.

**Consultant's Reviews:**

38. The Applicant shall comply with Carroll Engineering's February 20, 2020 review letter.
39. The Applicant shall comply with Gilmore Associates February 20, 2020 review letter.
40. The Applicant shall comply with the recommendations in Thomas Comitta Associates' February 13, 2020 review letter.
41. The Applicant shall comply with Stubbe Consulting's review dated January 22, 2020.
42. The Applicant shall obtain planning module approval from the PA Department of Environmental Protection.
43. The Applicant shall reimburse the Township for any outstanding bills and fees related to the application.

**NEW BUSINESS:**

1. Zoning Ordinance Amendment

Mr. Korbonits expressed concern with the term limits on the Historical Commission. A brief discussion ensued.

Mr. Swayne made a motion to recommend approval of the ordinance as written. Mr. Korbonits seconded the motion. All members were in favor and the motion carried.

2. Plum Run Stream Restoration Project; Phase III Grant

Dr. Biacchi made a motion to recommend the Planning Commission provide a letter of support for this grant application. Mr. Fauntleroy seconded the motion. All members were in favor and the motion carried.

**MISCELLANEOUS BUSINESS:**

1. Ethics Statements – Ms. Cantlin reminded the Commission to sign the ethics statement for 2020.
2. Application Updates
  - a. SD #647 Colley – The applicant appealed the Township’s approval.
  - b. SD #648 Thomas – Revised plans were submitted on February 10, 2020. Copies were forwarded to all ABC’s and consultants. Mr. Korbonits made a motion to approve the 90-day time extension. Mr. Swayne seconded the motion. All members were in favor and the motion carried.
  - c. Conditional Use - 415 Birmingham Road – The next hearing was scheduled for March 10, 2020. However, the applicant requested a continuance to allow the hearing to be held on August 11, 2020.
  - d. Validity Challenge – 415 Birmingham Road – The hearings on this application closed on February 19, 2020 and the Zoning Hearing Board has 45 days to render a decision.
  - e. Gallagher Power Washing – The Supervisors denied the conditional use at the hearing.
3. Events
  - a. Mt. Bradford Preserve Volunteer Day; February 29 (10:00 am); Mt. Bradford
  - b. History Hike; February 29 (2:00 pm); Harmony Hill Nature Area (Wait List)
  - c. Backyard Habitat Workshop; April 19 (1:00 pm); East Bradford Township Building
  - d. Trail Blazer Run; June 11 (6:30 pm); Paradise Farm Camps

**PUBLIC COMMENT:** None

**NEXT MEETING:** The next meeting of the Planning Commission is scheduled for March 24, 2020 at 7:30 p.m.

**ADJOURNMENT / CONTINUANCE:** At approximately 9:05 p.m. the Commission unanimously agreed to adjourn the meeting.

Andrea Campisi  
Planning Commission Secretary

**CURRENT TIME CLOCKS**

<b>Application</b>	<b>Clock Expiration</b>	<b>Next Extension to be Considered</b>
SD 646 McFadden	February 11, 2020	Approved by BOS February 11, 2020
CU for Marshall B&B	August 11, 2020	6 <sup>th</sup> hearing
SD 648 Thomas	June 20, 2020	PC May / BOS June
SD 641 WC Crossing	April 19, 2020	PC February / BOS March
CU for Comerford B&B	June 15, 2020	Deadline to schedule hearing
SD Roberts	June 10, 2020	PC May / BOS June
<del>SD 645 Armstrong</del>	<del>N/A</del>	<del>N/A (Final approved; recording pending)</del>
SD 647 Colley	N/A	N/A (Final approved; recording pending)
SD 635 WCU	N/A	N/A (time clock suspended)