

PUBLIC HEARING:

1. Conditional Use – 808 Sconnelltown Road (Polly Robbins) – Bed & Breakfast (HR # 167), Class I, R-4 District

Supervisors present:

Vincent M. Pompo, Esq.
Thomas A. Egan, Vice Chair
John D. Snook, Supervisor

Not in attendance: All present.

Staff / Professionals in attendance:

Manager / Treasurer / Secretary Michael P. Lynch
Assistant Manager Amanda M. Cantlin
Engineer Mark J. Lucas Township
Director Property & Recreation Richard A. Phifer

Not in attendance:

Zoning & Codes Enforcement Official Melissa D. Needles
Public Works Director John P. Carroll
Solicitor – Unruh, Turner, Burke & Frees – Ross A. Unruh, Esq.

Others in attendance:

Approximately 24 citizens were in attendance.

The Board convened the Public Hearing (scheduled for 07:00 P.M.) at approximately 07:00 P.M. Public Notice was published in the Daily Local News and the Daily Local News Digital on 09-25-17 and 10-02-17 and posted at the Township Building 09-25-17.

Secretary's Note: A Court Reporter (Mark Hagarty) was in attendance to record the proceedings and these Minutes constitute the official summary of the Public Meeting.

Chair Egan opened the hearing.

Supervisor Pompo explained the Solicitor (Unruh, Turner, Burke & Frees) was not in attendance to conduct the Conditional Use hearing this evening as Counsel for the Applicant (Riley, Riper, Hollin & Colagrecó – Debra Shulski), requested(10-06-17) a continuance to 12-12-17 (pursuant to Municipalities Planning Code (Act 247) and hearing this evening is only procedural to consider the time extension request..

Court Reporter Mark Hagarty recorded the hearing and will prepare a transcript as the official record.

The Applicant, Polly Robbins, was neither in attendance nor her legal counsel.

This is a conditional use application for a bed & breakfast operation / use.

The application was received 08-16-17; a hearing must be scheduled within 45 days but the application was deemed administratively incomplete to commence the hearing process. The application was presented to the Township Planning Commission 09-26-17.

The property is located in the R-4 Zoning District and is identified as a Class I Historic Resource (HR #167). A Bed and Breakfast Estate is defined in the Code as "an owner-occupied Class I historic resource with at least four, but no more than 10, guest rooms, common areas and exit ways for short-term overnight rental, with provisions for breakfast service for the overnight guests. In addition, there may be weddings, wedding receptions, small parties and special events." Bed-and-breakfast estates may be operated in any zoning district as a conditional use when in full compliance with the requirements in Section 115-48.2 of the Code.

The requested continuance was accepted and entered into the record as Exhibit B-1.

Supervisor Pompo stated for those in attendance as the hearing is being continued on the record, this is the only notice they will receive of the hearing continuance date.

The next hearing date is 12-12-17.

The hearing ended at 07:04 P.M.

A transcript of the hearing is to be prepared by the Court Reporter.

There was no further BOS comment at this time.

END

REGULAR BUSINESS MEETING:

The October 2017 Regular (monthly) Business Meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, October 10, 2017 in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822.

Public Notice of the 2017 East Bradford Township public meeting schedule was published in the Daily Local News 12-28-16

The Board of Supervisors / Chairperson shall have discretion to rearrange the agenda to accommodate needs of the Board, the public or applicant.

Supervisors present:

Dr. Thomas A. Egan, Chair
John D. Snook, Vice-Chair
Vincent M. Pompo, Esq., Member

Supervisors not present: All present.

Staff / Professionals in attendance:

Manager / Treasurer / Secretary Michael P. Lynch
Assistant Manager Amanda M. Cantlin
Engineer Mark J. Lucas Township
Director Property & Recreation Richard A. Phifer

Not in attendance:

Zoning & Codes Enforcement Official Melissa D. Needles
Public Works Director John P. Carroll
Solicitor – Unruh, Turner, Burke & Frees – Ross A. Unruh, Esq.

Also in attendance Advisory Boards and Commissions (ABC's):

Patrick Davis, Traffic Committee

Others / Citizens / Residents in attendance: *(with those noted below in the body of the Minutes):*
30 citizens were in attendance.

The Regular (monthly) Meeting of the Board of Supervisors was called to order at approximately 07:05 P.M. by Chair Egan.

The Pledge of Allegiance before the Flag of the United States of America was recited at the commencement of this meeting.

PUBLIC COMMENT: *Sunshine Law, Act 93, as amended, requires public comment prior to official action.*

Ed Nathan, Shropshire Drive, reported the traffic signal at Rt. 322, the Rt. 322 Bypass and Highland Road is not providing adequate time for traffic making left hand turns onto Downingtown Pike from the Rt. 322 Bypass.

Twp Engineer Lucas thanked Mr. Nathan and stated the matter will be inspected and addressed.

Brandy Dvorak, Shenandoah Lane inquired why it is taking so long to open the currently (closed since July) bridge on Valley Creek Road at Sunset Hollow Road.

Supervisor Pompo explained the recent history of the current situation that the bridge initially was closed due to a (one vehicle) accident that damaged the railings. A PADOT approved detour plan was implemented approximately 2-3 weeks following the closure. Upon inspection, it was discovered that deterioration of the aging substructure necessitated a comprehensive assessment. The Township Board of Supervisors (BOS) engaged Carroll Engineering to undertake the assessment and provide recommended alternatives for repair, replacement, or conversion (pedestrian / bicycle use only).

The BOS, 10-05-17 at a public meeting, first discussed a draft report, dated 09-19-17, prepared by Carroll Engineering – “Letter of Findings and Recommendations – Valley Creek over Broad Run” for a single span concrete encased steel I-beam structure with stone masonry abutments..

The Township Traffic Committee discussed the draft report recommendations 09-21-17 and recommended Alternative No. 2 (removal and replacement of the bridge in its entirety).

The BOS continued its discussion of the (3) Alternatives and the practicalities of each and strategies to finance this evening at its Pre-regular mtg Work Session (public) with no consensus at this time.

Mr. Pompo explained that irrespective of which strategy is selected, the process of public bidding, permitting and construction will require months and if full replacement (Alternative No. 2) is selected it may be 12 months +/- before traffic circulation is restored.

Chair Egan commented that the BOS would like the comment and recommendations from other township

advisory boards and commissions (ABC's) including the Planning Commission, Trails Committee, Parks & Recreation Board and Environmental Advisory Council (EAC) prior to making a decision which could require 30-60 days.

Chair Egan stated that at this time, the BOS has not determined which alternative to effect.

Jim Datz, Shenandoah Lane commented that the closure and uncertainty of the disposition of the bridge is creating a [deteriorated] quality of life situation, impact to businesses (Brandywine Square Shopping Center including Wegman's, et al), potential impact to real estate values and traffic safety issues. Mr. Datz requested the Township repair or replace the bridge as soon as possible.

Dean Contadina, Shenandoah Lane, stated the bridge closure creates traffic safety issues and potential emergency response delays and recommends the bridge be repaired or replaced.

Mike Bartlett, Shenandoah Lane, inquired the logic for a consideration to close the bridge permanently to vehicular traffic which makes no sense to the residents and community.

Vice Chair Snook commented that the conversion of the bridge to pedestrian / bicycle use only was added to the alternatives' analysis based upon preliminary estimates for the cost to repair or replace the bridge that exceeded \$1M.

Jessica Peterson, Shenton Road, inquired how the alternatives will be prioritized.

At this time there is not priority strategy, per se, just the (3) alternatives listed in the report in no particular order. Carroll Engineering did not rank one alternative over another or recommend one alternative over another.

Michelle Ginsburg, Shenandoah Lane, expressed the neighborhood sentiment [consensus] is that the bridge needs to be reopened to vehicular traffic as soon as possible.

Eric Bixler, Shenandoah Lane, stated that the Township has abundant passive open space and trails and that permanently closing this bridge would not significantly enhance pedestrian / bicycle use when roads like Valley Creek are unsafe already for such recreation. Also other roads are being impacted with increased traffic and alternative access to neighborhoods is necessary to maintain safe circulation and traffic flows. The review process suggested by Chair Egan should not be dragged out.

Jonathan Peters, Shenandoah Lane, suggested an 'Option 4' to replace the bridge with a two-lane structure and seek State funding.

It was explained that a two-lane bridge would change the road geometry, character of the immediate area and be multiple times more expensive than the current estimate provided by Carroll Engineering for a like replacement (\$485,000) due to permitting, additional engineering (required studies) and actual construction. There is no direct State funding available to local government for these types of (small) bridge structures. Supervisor Pompo stated that with such additional permitting, time to construct, and cost, he supports replacement of the bridge structure as identified by Carroll Engineering in Alternative No. 2 and that a larger bridge would change the character of the intersection which he does not favor.

Mr. Pompo did state that he likely is the most impacted resident from the bridge closure due to immediate proximity and that while he could 'live with the closure', the right thing to do is replace the bridge and reopen it to the public vehicular access.

Master Jason Rice, local elementary school student, stated the school bus trips in the morning and afternoon take longer and affects when he arrives and school (later) and when he returns home (later) with the bridge closed.

Amy Rice, Shenton Road, inquired about financing options.

It was explained that funding appears to be available with existing and anticipated revenues sans the need to incur new debt. It likely will be necessary however to defer other capital needs (road infrastructure / resurfacing / storm drainage / parks...).

Margaret Byerley, Shenton Road, stated the bridge closure now requires an additional 30 minutes commuting (to school) each way in the AM and PM and the 'alternative route' poses safety concerns with increased traffic and roads with more precarious turns; access has been significantly compromised and the bridge need to be put back in service for the residents.

Ms. Byerley inquired whether the Paradise Farm Camps (Children's Country Week Association) has weighed in on the matter.

Staff stated that CCWA CEO, Andrew Schaum, is aware of the situation and is a member of the Trails Committee.

Chair Egan thanked the residents for their input this evening, acknowledging that the recommendation from those in attendance is to restore the bridge for vehicular access.

Dr. Egan encouraged residents to attend the upcoming meetings of the ABC's to offer comment as the Planning Commission, Trails Committee, Parks & Recreation Board and Environmental Advisory Council (EAC) consider the matter.

Planning Commission – 4th Tuesday, 07:30 P.M.

Trails Committee – 4th Thursday, 12:00 P.M.

Parks & Recreation Board – 4th Wednesday, 07:00 P.M.

EAC – 4th Monday, 07:00 P.M.

Traffic Committee – 3rd Thursday, 08:00 A.M.

REPORTS/PRESENTATIONS: (Emergency Services, Public Works, Codes, A.B.C.'s)

None scheduled at this time.

MINUTES: The Board of Supervisors, on motion of Mr. Snook, seconded by Mr. Pompo, approved the following minutes: 09-12-17 Pre-Regular Mtg Work Session and 09-12-17 Regular Meeting; and, 10-05-17 Work Session.

The minutes (and copies) are available for review at the Township Building or at www.eastbradford.org.

EXECUTIVE SESSION:

Chair Egan reported the following Executive Session(s) occurred during the period since the last Regular Meeting:

10-05-17 to discuss legal and real estate matters; all Supervisors were present together with Township Staff. Twp Manager Lynch announced the BOS would reconvene the work session that commenced at 06:00 P.M. this evening prior to the Regular Meeting to discuss legal and real estate matters with all Supervisors to be present together with Township Staff.

TREASURER FINANCIAL REPORT:

A. Monthly Financial Statement – September 2017

The Board of Supervisors, on motion of Mr. Snook and seconded by Mr. Pompo, accepted the September 2017 Financial Reports prepared by the Township Treasurer.

The Board of Supervisors has received, reviewed and commented on the Preliminary 2018 Budget prepared and submitted to the Board of Supervisors by Twp Mgr / Treasurer Lynch.

Chair Egan briefly commented on the draft Preliminary 2018 Budget (consisting of 6 separate fund budgets) indicating that expenditures are being effectively managed and that at this time there is no need for a tax increase.

Chair Egan announced that the BOS, at the Pre-regular mtg Work Session (10-10-17) authorized the public notice advertisement of the 2018 Budget to commence the 20-day public review and comment period.

Twp Mgr Lynch indicated the 2018 Preliminary Budget will be available at the Township Building and on the Township web site www.eastbradford.org the week of October 23, 2017.

The official schedule for the budget approval is: Tuesday, December 12, 2017, 07:00 P.M. – Final Budget – approval and adoption.

ANNOUNCEMENTS: www.eastbradford.org

A. Public Hearings / Meetings pending –

1.. **Conditional Use – 808 Scanneltown Road – Bed & Breakfast (HR # 167, Class I, R-4 District, 10-10-17, 07:00 PM**

2. **Intergovernmental Agreement – Sewage Capacity (Wastewater Treatment) Agreement (Borough West Chester) 11-14-17, 07:00 P.M**

B. National Park Service, Dept. of the Interior East Bradford Township (Historical Commission) recognition as a Certified Local Government (since June 2005) (only 44 such communities in the Commonwealth)

C. TMDL Plan – submit to DEP 09-15-17; public comment period expired 10-01-17 without comment

D. ZHB –

1. Cornwell, 188 Lucky Hill Rd – variance relief (min. lot size); hearing date pending; BOS support relief

2. RKM/Lucky Sign Shop, 800 Downingtown Pike – variance relief (use – secondary service); hearing date pending; BOS neutral w/ suggested conditions

E. ABC Vacancies – Historical Commission vacancy (term to 12-31-20); EAC vacancy (term to 12-31-17)

F. Valley Creek Rd. @ Sunset Hollow Rd. Bridge – closed indefinitely pending structural assessment

- G. Refuse & Recycling Services Contract – bid award A.J. Blosenski 2018-2020 (w/ Option Years 21 & 22) – fee decrease/service increase
- H. 2018 Budget
Tuesday, November 14, 2017, 07:00 P.M. – Preliminary Budget – authorize Public Notice (20-day Public Comment)
Tuesday, December 12, 2017, 07:00 P.M. – Final Budget – approval and adoption
- I. Board of Supervisors Meeting Schedule **2017** – (All meetings are public unless Executive Session)
 - Regular Work Session – Thursday (prior to 2nd Tuesday), 06:00 P.M.
 - Pre-regular Mtg Work Session – 2nd Tuesday, 06:00 P.M.
 - Regular Business Meeting – 2nd Tuesday, 07:00 P.M.

The November Work Session is rescheduled from Thursday November 09th to Wednesday, November 08th 06:00 P.M. due to a schedule conflict.

SUBDIVISIONS/LAND DEVELOPMENT:

None this period.

ESCROW RELEASES:

None this period.

OTHER BUSINESS:

- A. Approve Bills to Pay Lists for October as appropriated in 2017 Budget
On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted unanimously to approve the Bills to Pay Lists for October 2017 as appropriated in the 2017 Budget, recommended for payment by the Treasurer and signed by at least two members of the Board of Supervisors and/or Township Treasurer.

OTHER MATTERS:

None discussed at this time.

PUBLIC COMMENT:

None received / offered at this time.

MEETING ADJOURNMENT:

The Board of Supervisors, on motion of Mr. Pompo and seconded by Mr. Snook, adjourned the Regular Meeting at approximately 07:50 P.M.

EXECUTIVE SESSION (at discretion of Chair):

None scheduled at this time.

PUBLIC HEARING:

None scheduled at this time.

Next scheduled Regular Meeting of the Board of Supervisors, Tuesday, November 14, 2017, 07:00 P.M.

Michael P. Lynch
Township Secretary

Next Regular Mtg & WS: November 14, 2017

Next Ordinance: 07-2017 (last 06-2017, Intergov Police Agree, 09-12-17)

Next Resolution: #21-2017 (Last # 20 – Records Disposal 09-12-17 (Sewer S-01-17; Open Space OS-01-2017)