

East Bradford Township Board of Supervisors Work Session Meeting Minutes July 5, 2018

The July work session meeting of the East Bradford Township Board of Supervisors (BOS) was held on July 5, 2018 in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Board members present:

Vincent M. Pompo, Esquire, Chair
John Snook, Vice Chair
J. Patrick Davis, Member

Board members absent: None

Staff/Professionals present:

Mandie Cantlin, Township Manager/Secretary
Michael P. Lynch, Director of Finance
Melissa Needles, Zoning Officer
Rich Phifer, Property and Recreation Director
John Carroll, Director of Public Works

Staff/Professionals absent:

Mark Lucas, P.E., Township Engineer
Andrew Rau, Township Solicitor

Others in attendance:

Two guests were present

CALL TO ORDER: The meeting was called to order at 12:00 p.m. by Chair Pompo.

PUBLIC COMMENT: None

EXECUTIVE SESSION: The Board of Supervisors convened in executive session from 1:15 p.m. to 2:00 p.m. to discuss real estate matters. All Supervisors were in attendance along with staff.

BUSINESS

1. Subdivision / Land Development / Planning

a. SD #644 Stump – The BOS discussed the two remaining outstanding issues:

- The applicant is offering an additional five feet of right-of-way along Brandywine Road for dedication to the Township as required by the Code. The Board agreed to accept dedication.
- The applicant has indicated the desire to provide fee in lieu of dedication of recreational and open space land and has requested that this fee be split amongst the two lots and paid prior to the issuance of the certificate of occupancy (CO) of each dwelling. The Board agreed to maintain its policy of requiring this payment at the time of plan recordation (as opposed to delaying payment until CO).

Ms. Cantlin will share the Board's responses with the applicant in advance of the Tuesday meeting. The application is otherwise ready for action next week.

- b. SD #632 Darlington Ridge – The PC recommended approval on June 24, 2018. The applicant will be revising the plans to address the remaining engineering comments. The current time clock will expire on July 11, 2018. The applicant is amenable to a time extension until August 15, 2018. Mr. Davis made a motion to grant a time extension until August 15, 2018. Mr. Pompo seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

- c. SD #643 Cornwell – The current time clock will expire on July 22, 2018. The applicant is amenable to a 90-day time extension (to October 20, 2018). Mr. Davis made a motion to grant a time extension until October 20, 2018. Mr. Pompo seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

2. Zoning / Building / Codes / Legislation

- a. The Farm @ 415 Birmingham – The conditional use hearing will continue on July 10, 2018 at 7:15 pm. The Board discussed Section 115-48.2.V of the Code, which reads:

Where the property is not served by a public sewage system, the applicant shall present documentation which shall be satisfactory to the Township that the existing on-site sewage system shall be adequate to handle the increased flows from the bed-and-breakfast estate, as well as the availability of sufficient backup area on the lot; and that the Chester County Health Department has certified the adequacy of the existing on-site sewage system for the bed-and-breakfast estate after an on-site inspection of the existing sewer system and/or any required improvements to the system.

The Board clarified that this provision is to be addressed prior to conditional use approval (as opposed to being a condition of approval).

- b. Lechmanik Addition – The Lechmaniks submitted a building permit for an addition and small patio. Their property is identified as Class I Historic Resource #133. The Historical Commission recommended approval on June 19, 2018. Mr. Snook made a motion to grant approval of the proposed renovations. Mr. Davis seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
- c. Archdiocese / St. Agnes – St. Agnes is in the process of acquiring the fields on Bradford Avenue from the Archdiocese. St. Agnes has not advanced the work on their erosion and sedimentation permit during this process. In April, the Supervisors granted a 90-day extension to submit the necessary paperwork for the erosion and sedimentation permit. Mr. Davis made a motion to grant an additional 90-day time extension (to October 7, 2018). Mr. Pompo seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
- d. Bed and Breakfast / Event Regulations – The Board was in receipt of a proposal from Thomas Comitta Associates (TCA) to draft legislation pertaining to bed and breakfast and event uses. TCA estimates that it will cost approximately \$8,500 to prepare draft legislation. The Board expressed concern about the cost and asked Ms. Cantlin to discuss strategies to streamline the task and limit the costs to a “not to exceed” amount. Mr. Davis also suggested addressing large scale 3rd party events with this legislation. Ms. Cantlin will try to talk with Tom Comitta in advance of Tuesday’s meeting.
- e. RBA Amendment – Township Engineer Mark Lucas prepared amendments to the riparian buffer area regulations. The Board was supportive of the draft suggested it be circulated to the advisory boards and commissions for comment.

3. Parks / Trails / Recreation / Open Space

- a. Blue Rock Trail – This item was not discussed.
- b. Brandywine Battlefield Project – The Brandywine Conservancy and Birmingham Township are preparing to submit a Chester County VPP grant application project seeking funds to prepare a multi-municipal plan for the interpretive connectivity of key historic sites within the Brandywine Battlefield National Historic Landmark. East Bradford Township has been asked to join as a municipal partner due to the importance of the Strode’s Mill Historic District in the battle corridor. Each municipal partner, has been asked to contribute \$2,000 towards the planning project (total budget anticipated at \$43,000; grant request of \$30,000) along with a letter of support. The financial contribution would not be due until 2019, allowing the Township to budget the \$2,000 into its 2019 Budget. Mr. Davis made a motion to contribute \$2,000 towards the project and authorize staff and volunteer participation. Mr. Pompo seconded the motion and

Mr. Snook abstained given his employment with the Brandywine Conservancy. There was no discussion and no public comment. The motion passed with two in favor and one abstention.

4. Public Works / Roads / Facilities

- a. Broad Run Bridge – The Board was in receipt of draft bid specs and plans for the Broad Run Bridge. The Board asked that the bid packet specify steel guiderail that is powder coated or painted brown. They also asked for confirmation that Sunset Hollow will remain open during construction. Ms. Cantlin will seek clarification from Carroll Engineering before Tuesday. If authorized by the Board on July 10, the bid will go live on PennBid on July 11.
- b. Skelp Level Road Truck Traffic – The Traffic Committee reviewed the traffic data provided by McCormick Taylor and is not recommending any restrictions. The Board concurred with the Traffic Committee's recommendation.
- c. Jefferis Bridge / Allerton Road – During their meeting on June 21, the Historical Commission recommended that the Township nominate Jefferis Bridge for the National Register. The Board was in receipt of information from the PA State Historic Preservation Office and Chester County. The County opined that the bridge has the full protection afforded historic resources as an eligible resource. The actual nomination is not necessary for any additional protection. The nomination is a commendable gesture and the only downside identified by the County is the time required to complete the application. Mr. Snook suggested that the Township transmit the resource inventory data to PHMC and inquire whether additional data would be needed to nominate the structure for the National Register. The other Board members concurred.

5. Finance / Budget

- a. 2019 Budget – Mr. Lynch provided a memo outlining some long-range budget projections and noted his concern with regards to the decreasing fund balance. The long-range projections will become more accurate once capital needs are refined.

6. Public Services

- a. Police and Fire Agreements – The Board was in receipt of a revised budget from West Chester Borough for fire services. Mr. Davis noted that Good Fellowship anticipates seeking more of a contribution in the near future.

7. Other / Miscellaneous

- a. Serpentine Barrens – In April 2017, the Township received communication from the US Board on Geographic Names (BGN). The BGN was in receipt of a proposal to name an unofficial Serpentine Barrens located in the Township the Marshallton Barrens. At the time, the BGN sought the opinion of the Board of Supervisors concerning this issue. The Supervisors requested a name more germane to East Bradford. In response, the BGN submitted data in support of the Marshallton name for the Township's further consideration. The BGN has asked for a final response from the Township by July 27, 2018. Mr. Snook made a motion to accept the name of Marshallton Barrens. Mr. Davis seconded the motion. There was no further discussion and the motion passed unanimously.
- b. Sale of Sewer System – Mr. Pompo asked whether any action was needed with regards to the OCA settlement for the sale of the system. Ms. Cantlin will find out whether action is needed in advance of Tuesday's meetings.
- c. Statewide Collection of Local Earned Income Tax – House Resolution 291 requires that the Department of Revenue conduct a study on the possibility of a statewide collection of local earned income tax replacing the current method as established under Act 32. PSATS adopted Resolution 18-25 opposing legislation that would designate the state as the collector of the local EIT. Mr. Lynch expressed his opposition to the legislation, as well. Mr. Pompo asked what generated the resolution in the first place. Mr. Lynch will learn more.

PUBLIC COMMENT: Tom Lechmanik referred to the discussion about the bed and breakfast / event regulations and praised the work he has seen by Thomas Comitta Associates.

ADJOURNMENT / CONTINUANCE: At approximately 1:15 p.m. the Board unanimously agreed to adjourn the meeting.

Mandie Cantlin
Secretary