

PUBLIC HEARING:

1. An Ordinance of East Bradford Township, Chester County, PA setting forth its authority to establish an "Airport District Overlay" to include: Purposes of the District, Definitions, Airport Zones, Airport Zone Height Limitations, Permits Required, Use Restrictions, Nonconforming Uses, Variances, Conflicting Regulations and Amending the Official Zoning Map by the Adoption of an Official Supplementary Airport District Overlay Map.

The below public hearing was held prior to the Board of Supervisors regular meeting on March 12, 2013 held in the McCardle Meeting Room in the Township Building Meeting Room, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822.

Supervisors were present:

Vincent M. Pompo, Esq.

Thomas A. Egan

John D. Snook

Staff / Professionals in attendance:

Township Manager Michael P. Lynch

Assistant Manager, Amanda M. Cantlin

Township Engineer Mark J. Lucas

Township Codes Enforcement Officer, Brenden L. Beaumont

Not in attendance:

Public Works Foreman, John P. Carroll

Township Services Coordinator, Tenley F. Adams

Township Solicitor(s) Ross A. Unruh

Others in attendance:

3 citizens.

The Pledge of Allegiance before the Flag of the United States of America was recited.

The purpose of the hearing was to receive public comment and consider action to adopt an ordinance "Airport District Overlay" amending the Official Zoning Map by the Adoption of an Official Supplementary Airport District Overlay Map and as directly related to the G.O. Carlson Airport and consideration of attendant aviation safety issues. The Airport District Overlay does not modify the boundaries of any underlying zoning district. (Ordinance 01-2013).

The Board convened the public hearing at 07:10 P.M. Public notice of this hearing was published in the Daily Local News on February 22, 2013 and March 02, 2013. Notice also was posted at the Township Building February 22, 2013. The proposed ordinance was available for public inspection at the Township Building and on the Township web site www.eastbradford.org.

Secretary's Note: No court reporter was present and these minutes represent the complete record of the hearing.

Chair Pompo introduced the intent of the proposed ordinance and explained a small portion of the Township (west of Skelp Level Road and Harmony Hill Road) is located in the flight path for the G.O. Carlson Airport. The G.O. Carlson Airport Authority is coordinating with PADOT and the Township will be eligible for reimbursement of costs related to the ordinance preparation and adoption process. The BOS had no additional comment at this time.

Public comment received:

None received / offered at this time.

The Board of Supervisors closed and concluded the hearing at 07:14 P.M.

Consideration to adopt pending Ordinance 01-2013:

At this time, Chair Pompo called for a vote. On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt Ordinance 01 -2013 – An Ordinance of East Bradford Township, Chester County, PA setting forth its authority to establish an "Airport District Overlay" to include: Purposes of the District, Definitions, Airport Zones, Airport Zone Height Limitations, Permits Required, Use Restrictions, Nonconforming Uses, Variances, Conflicting Regulations and Amending the Official Zoning Map by the adoption of an Official Supplementary Airport District Overlay Map.. (Ordinance 01-2013).

REGULAR BUSINESS MEETING:

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The March 2013 regular monthly meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, March 12, 2013 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 2013 East Bradford Township Board of Supervisors public meeting schedule advertised in the Daily Local News 12-28-12 including the re-schedule of this meeting from Tuesday, January 08th.

Supervisors present:

Vincent M. Pompo, Esq., Chair (exited meeting 07:45 P.M.)

Dr. Thomas A. Egan, Vice Chair

John D. Snook, Supervisor

Supervisors not present: All present

Staff / professionals present:

Township Manager/Secretary-Treasurer Michael P. Lynch

Assistant Manager Amanda M. Cantlin

Township Engineer Mark J. Lucas, P.E

Not in attendance:

Township CEO Brenden L. Beaumont

John P. Carroll, Public Works Foreman

Township Services Coordinator Tenley F. Adams

Township Solicitor Unruh, Turner, Burke & Frees - Ross A. Unruh, Esq.

Others / Citizens / Residents in attendance: (*and those noted below in the body of the Minutes*):
3 citizens in attendance.

The regular meeting was called to order at approximately 07:14 P.M. by Chair Pompo.

The Pledge of Allegiance before the Flag of the United States of America was recited.

PUBLIC COMMENT: Sunshine Law, Act 93, as amended, requires public comment prior to official action. None offered / received at this time.

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

WBFC – Jack Law, recently elected Fire Chief for West Bradford Fire Company introduced himself to the BOS and indicated his intent to provide a monthly report to the BOS at this meeting. Chair Pompo thanked the Chief and indicated attendance at the Regular Meeting was not required and that the Thursday Work Session (prior to the Regular Meeting) is a good opportunity to update the BOS if there are activities or business matters.

MINUTES: The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, approved the following minutes: 03-07-13 work session, 02-12-13 pre-reg mtg ws & 02-12-13 regular meeting.

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

EXECUTIVE SESSION:

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

1. 03-07-13 – legal matters – Supervisors Egan and Snook present with Twp Solicitor and with Twp Staff.
2. 03-12-13 – real estate and personnel matters – All Supervisors present and with Twp Staff and with Twp Staff.

TREASURER FINANCIAL REPORT:

A. Monthly Financial Statement – February 2013

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, accepted the February 2013 Financial Reports prepared by the Township Treasurer

B. 2013 / 2014 Budget

C. 2012 Audit

Twp Mgr Lynch reported completion of the 2012 Audit by the Township Independent Auditor – Mingis
\\Server02\company\Board of Supervisors\Minutes\2013\BOSminutes 031213.doc

Page 3, Board of Supervisors Minutes, March 12, 2013
Gutowski - and submission to DCED. There were no Findings or Deficiencies noted in the 2012 Audit Report and Management Letter.

ANNOUNCEMENTS: www.eastbradford.org

- A. Public Hearings –
 - 1. **Zoning Chapter – Amendment – Airport Hazard Overlay – March 12, 2013, 07:00 P.M.**
 - 2. SD# 606 – Ciccarone (pursuant to MPC Sec 508 (b)) – April 09, 2013, 07:00 P.M
 - 3. Conditional Use – Major Home Occupation – Ouimet - April 09, 2013, 07:00 P.M
- B. ZHB –
 - 1. 1stWCFC – relief from Condition #3 of 1989 Special Exception – hearing 03-25-13; BOS position – support
Chair Pompo commented on the pending application and expressed an apparent breakdown in the review process may have resulted in an additional hearing procedure wherein the subject application might have been addressed in a prior application before the ZHB in 2011 (which preceded a land development application in 2012) if information about the requested relief was reported at that time.
 - 2. Chester County Art Assoc – Variance relief – hearing 02-25-13; BOS position – support; Decision pending
 - 3. Earyes – Zoning Appeal EN and Validity Challenge (01-24-13) re: solar array glare – hearing date pending
- C. Board of Supervisors Meeting Schedule 2013 – (All meetings are public unless Executive Session)
 - Regular Work Session – Thursday prior to 2nd Tuesday, 12:00 P.M.
 - Pre-regular Mtg Work Session – 2nd Tuesday, 06:00 P.M.
 - Regular Business Meetings – 2nd Tuesday, 07:00 P.M.

SUBDIVISIONS/LAND DEVELOPMENT:

- 1. Strode SD# 620 – consider Final Plan approval

The Applicant, Marshall Strode, was in attendance together with Ray Ott, Planner.

The Supervisors reviewed and discussed the plan. Marshall Strode explained the 2 lot subdivision is for family estate planning purposes.

Chair Pompo inquired about a Township requested trail easement which Mr. Ott replied in the affirmative is located on the plan and with a 50' area on either side of the stream. Mr. Snook requested a recorded easement document as part of the plan approval (the trail easement also is noted in the deeds of both Lot A and Lot B).

The BOS agreed there is no need for waiver relief related to monument marking and that iron pins properly specified by the Twp. Engineer for location would be sufficient.

Dr. Egan inquired whether the property owner would be willing to deed restrict Lot B (approximately 7.5 acres in the R-2 District and environmentally constrained) against further subdivision. Mr. Strode indicated there is no intent to subdivide the parcel and that he would not offer a deed restriction.

Dr. Egan inquired about Lot A (1.5 acres with existing dwelling located in the C-1 District in the Strode's Mil Certified Historic District and an existing non-conforming lot in both area and bulk dimensions and use (residential use in commercial district)) and concern for future unreasonable commercial expansion. Mr. Ott stated that existing Zoning regulations, including setbacks, make the lot not feasible to expand any type of permitted commercial use.

On motion of Mr. Pompo, seconded by Mr. Snook, the Board of Supervisors voted unanimously to grant Final Plan approval to the Minor Subdivision SD # 620, Marshall D. Strode, Trustee of Anne P. Strode Trust (plans prepared by Della Penna Engineering and last revised 02-25-13) subject to the preparation and execution of a trail easement for approval and execution by the BOS prior to recording and recordation contemporaneously with the Final Plan and further in approving the subdivision of Lot A, the BOS acknowledges the existing zoning non-conformity and this this subdivision approval is not inferring approval of any commercial use and future use of this parcel (Lot A) is subject to the then existing Township ordinances.

ESCROW RELEASES:

None this period.

OTHER BUSINESS:

- A. Approve Bills to Pay Lists for March as appropriated in 2013 Budget

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to
\\Server02\company\Board of Supervisors\Minutes\2013\BOSminutes 031213.doc

Page 4, Board of Supervisors Minutes, March 12, 2013

approve the Bills to Pay Lists for March 2013 as appropriated in the 2013 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 offered or received at this time.

MEETING ADJOURNMENT:

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, adjourned the regular meeting at approximately 07:43P.M.

Michael P. Lynch
Township Secretary

EXECUTIVE SESSION (at discretion of Chair):

None at this time.

PUBLIC HEARING:

None scheduled at this time.

At this time the BOS reconvened the Pre-Regular Mtg Work Session (Public Meeting).