

PUBLIC HEARING:

A. SD# 606 – Ciccarone (pursuant to MPC Sec 508 (b))

A public hearing upon a request of Thomas E. Ciccarone and Thomas E. Ciccarone, Jr. (Ciccarone) for the following modifications or waivers of the Township Subdivision and Land Development Ordinance (Township Code) requirements or as more specifically contained in a May 6, 2012 letter from D.L. Howell: (1) from Section 95-20.B(1) which requires that the minimum center line radiuses for horizontal curves on a road shall be 150 feet; (2) from Section 95-17.J(2)(d) which requires that private streets shall adhere to all other Township design standards for the construction of streets to be dedicated to the Township; (3) from Section 95-20.C which requires a road tangent of at least 100 feet measured at the center line between reverse curves; (4) from Section 95-21.C which requires vertical curves shall be used at changes of grade exceeding 1% and shall be designed in relation to the extent of the grade change to provide a 200 foot minimum site distance; (5) from Section 95-26.A(12)(d) which requires the cartway area over a bridge to be as wide as the widest road connecting with the bridge; (6) from Section 95-17.J(2)(b)[2] which requires the minimum cartway for a private road shall be 16 feet throughout; (7) from Section 95.21.D which provides that where the grade of any street at the approach to an intersection exceeds 4%, a leveling area shall be provided having grades not more than 4% for a distance of 25 feet measured from the nearest right of way and the intersecting street; (8) from Section 95-35.C(3) which requires that the lateral extent of cut or fill areas shall not be more than 30 feet beyond the top of a slope in fills or the toe of slope in cut; and, (9) from Section 95-35.C(11) which states that slopes of more than 10 feet in vertical height shall be separated by level berms of a least 4 feet in width within which ditches shall be constructed where necessary. The hearing is being held in accordance with Section 503(8) and Section 512.1 of the Pennsylvania Municipalities Planning Code, Section 95-43 of the East Bradford Code and at the request of Marc B. Kaplin, Esquire, and attorney for the Applicant [Ciccarone].

The below public hearing was held prior to the Board of Supervisors regular meeting on April 09, 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 Solicitor(s) Ross A. Unruh, Esq.

Not in attendance:

Township Codes Enforcement Officer, Brenden L. Beaumont
Public Works Foreman, John P. Carroll
Township Services Coordinator, Tenley F. Adams

Others in attendance:

4 citizens including Township Planning Commission Chair Anthony Biacchi.

The Pledge of Allegiance before the Flag of the United States of America was recited prior to the Regular Meeting following this hearing.

The Board convened the public hearing at 07:04 P.M. Public notice of this hearing was published in the Daily Local News on March 13, 2013 and March 20, 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.

Court Reporter, Mark Hagerty, was in attendance to record the complete official proceedings and these Minutes constitute only a summary of the hearing.

Chair Pompo explained the purpose of the hearing was to receive public comment and consider action on a request from Township property owners Thomas E. Ciccarone and Thomas E. Ciccarone, Jr. (Ciccarone) for modifications and / or waivers of the Township Subdivision and Land Development Ordinance (specifically referenced above).

Chair Pompo turned the proceedings over to Township Solicitor Ross A. Unruh, Esq.

Twp Solicitor Unruh stated the Applicant has requested a continuance of the hearing and it will be continued to Tuesday, May 14, 2013, 07:00 P.M.

This hearing ended at approximately 07:06 P.M.

END

PUBLIC HEARING:

B. Conditional Use – Major Home Occupation – Ouimet, Natalie Drive

At this time (approximately 07:06 P.M.) the Board of Supervisors convened a public hearing to consider an application and request for A Major Home Occupation as authorized and regulated in the East Bradford Township Code, Ch. 155 Zoning, Article XII, Sec. 115-48.

Public Notice of the hearing was published in the Daily Local News 03-25 and 04-01-13 and notice also was posted at the Township Building and on the Township web site (www.eastbradford.org).

The hearing was 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 present:

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

Staff / Professionals in attendance:

Township Manager Michael P. Lynch
Asst Mgr Amanda M. Cantlin
Township Engineer Mark J. Lucas
Township Solicitor, Ross A. Unruh

Not in attendance:

Township Codes Enforcement Officer, Brenden L. Beaumont
Township Services Coordinator Tenley F. Adams
Public Works Foreman John P. Carroll

Others in attendance:

4 citizens were in attendance including Applicant Mark Ouimet and Township Planning Commission Chair Anthony Biacchi.

The Pledge of Allegiance before the Flag of the United States of America was recited prior to the Regular Meeting following this hearing.

Court Reporter, Mark Hagerty, was in attendance to record the complete official proceedings and these Minutes constitute only a summary of the hearing.

Chair Pompo opened the hearing and turned the proceedings over to Township Solicitor, Ross A. Unruh, Esq. to conduct the hearing including marking of the exhibits including the Notice to adjoining property owners and the Proof of Publication and describing the process including Parties of Interest.

Mr. Unruh requested the Applicant Mark Ouimet (not represented by counsel) to present his application.

Mr. Ouimet provided testimony on the intended conduct of the home occupation business – “a simple FFL (Federal Firearms License) licensed dealer for the legal sale and transfer of firearms in the United States including state / federal background checks and maintenance of an ATF approved form registry – at his residence and property located at 507 Natalie Drive in the Township.

The BOS engaged the Applicant with questions and dialogue concerning the conduct and manner of the business.

Township Planning Commission Chair Biacchi offered comment on the application and referred the BOS to the review conducted and prepared by the Planning Commission.

Jeff Engle, Kenmara Drive, offered public comment on the application.

Upon completion of the testimony Chair Pompo thanked the Applicant and indicated the BOS would render a Decision within 45 days of this hearing date.

The public hearing ended at approximately 08:11 P.M. and the hearing process was concluded.

Mr. Unruh thanked the Applicant and inquired of the BOS when to commence deliberation.

The Board of Supervisors agreed to commence deliberation following the Regular Meeting which occurred in Executive Session from approximately 08:21 to approximately 09:15 P.M.
All Supervisors were present together with the Twp Solicitor and Twp Staff. END

REGULAR BUSINESS MEETING:

The April 2013 regular monthly meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, April 09, 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
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):*
2 citizens in attendance.

The regular meeting was called to order at approximately 08:12 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. Jeff Engle, Kenmara Drive, offered positive comments on the care and maintenance of East Bradford Park stating the fields were top notch and some of the best municipal facilities in Chester County and thanked the Township Public Works Department (John Carroll, PW Foreman).

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

None scheduled.

MINUTES: The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, approved the following minutes: 04-04-13 work session, 03-22-13 special mtg; 03-12-13 pre-reg mtg ws & 03-12-13 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. 04-04-13 – legal and real estate matters – Supervisors Pompo, Egan and Snook present with Twp Solicitor and with Twp Staff.
2. 04-09-13 – legal matter – Supervisors Pompo, Egan and Snook present with Twp Solicitor and with Twp Staff.

TREASURER FINANCIAL REPORT:

A. Monthly Financial Statement – March 2013

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

B. 2013 / 2014 Budget

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Twp Mgr (Treasurer) Lynch reported preliminary preparation of the budget has commenced with the tentative schedule to engage the BOS in June.

Dr. Egan impressed the need to prepare an accurate and sustainable Capital Reserve Fund Budget.

ANNOUNCEMENTS: www.eastbradford.org

- A. Public Hearings –
 - 1. **SD# 606 – Ciccarone (pursuant to MPC Sec 508 (b)) – April 09, 2013, 07:00 P.M**
 - 2. **Conditional Use – Major Home Occupation – Ouimet - April 09, 2013, 07:00 P.M**

- B. ZHB –
 - 1. AT&T dba New Cingular Wireless – relief to increase height of existing antennae; BOS neutral (no) position
 - 2. 1stWCFC – Variance relief – hearing 03-25-13; BOS position in support; continued to 04-22-13
 - 3. Chester County Art Assoc – Variance relief – hearing 02-25-13; BOS position in support; Decision pending
 - 4. 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:

None this period.

ESCROW RELEASES:

None this period.

OTHER BUSINESS:

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

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve the Bills to Pay Lists for April 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.

- B. CCPC Final (draft) Central Chester County Bike & Pedestrian Plan – review / recommendation
The BOS agreed Asst Mgr Cantlin prepare a response letter to the County based upon prior discussion of the BOS including recommendations relating to intersections and other trail improvements to be reclassified from “Immediate” to at time of future scheduled road projects or as part of land development. In addition, the improvements to State roads should be incorporated into the Chester County Transportation Improvement Inventory.

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 08:21P.M.

Michael P. Lynch
Township Secretary

EXECUTIVE SESSION (at discretion of Chair):

Chair Pompo convened an Executive Session to discuss a legal matter (ref. Page 4 above)

PUBLIC HEARING:

None scheduled at this time.