

PUBLIC HEARING:

None scheduled at this time.

REGULAR BUSINESS MEETING:

The January 2016 Regular (monthly) Business Meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, January 12, 2016 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 2016 East Bradford Township public meeting schedule was published in the Daily Local News 01-07-16.

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
Township CEO Brenden L. Beaumont

Not in attendance:

Township Public Works Director John P. Carroll
Township Solicitor - Unruh, Turner, Burke & Frees.

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

Mary Sue Boyle, Chair, Historical Commission

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

 8 citizen(s) was (were) in attendance.

The regular meeting was called to order at approximately 07:04 P.M.by Chair Pompo.

The Pledge of Allegiance before the Flag of the United States of America was recited at the commencement of the above referenced Public Hearing

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

None offered / received at this time.

Chair Pompo announced, as a courtesy to citizens in attendance for the Toll Bros. Conditional Use Hearing this evening (07:30 P.M.), that the hearing process this evening would be for the sole purpose of continuing the hearing next to 03-08-16, subject at that date to the availability of Township reviews, recommendations and comments from the Planning Commission and other Township Advisory Boards and Commissions (ABC's).

Steve Perna, WCFD Asst. Fire Chief Station 51, was in attendance and provided a summary of the 2015 fire service calls to / in East Bradford Township (109 for 2015) w/ an aggregate estimate of \$1.5M property value at risk. The response categories included incidents with building, electrical brush fires and extraction rescues. Chair Pompo, for the Board of Supervisors, thanked Asst. Chief Perna and the West Chester Fire Department for its continued excellent services and professional dedication of the WCFD volunteers.

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 Dr. Egan, approved the following minutes: 12-08-15 regular meeting and 01-04-16 Organization.

[01-07-16 regular work session (cancelled) and 12-08-15 pre-reg work session (cancelled)]

EXECUTIVE SESSION:

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

During the Pre-Regular Mtg Work Session 01-12-16 to discuss a personnel matter; all Supervisors were in attendance together with Township Staff..

TREASURER FINANCIAL REPORT:

A. Monthly Financial Statement – December 2015

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, accepted the December 2015 Financial Reports prepared by the Township Treasurer.

B. 2016 Budget / 2017 Budget –

Twp Mgr Lynch reported the 2016 Budgets are posted on the Township web site.

The Winter Edition of the Township Newsletter includes a summary of the 2016 Budget.

Questions on the 2016 Budget may be directed to the Twp Manager / Treasurer mlynch@eastbradford.org

ANNOUNCEMENTS: www.eastbradford.org

A. Public Hearings –

1. Toll Bros. – **Tigue Farm Conditional Use Public (next) Hearing (#2) – 01-12-16, 07:30 P.M. (to Continue ONLY)**

Tigue Farm Conditional Use Public (next) Hearing (#3) – 03-08-16, 07:30 P.M.

2. Intergovernmental Cooperation – Susquehanna Municipal Trust – Worker Comp insurance
02-09-16, 07:00 P.M.

B. ZHB – **Pending applications / decisions / appeals at this time**

None at this time

C. Comprehensive Plan Update – next Task Force Meeting Wednesday, February 03, 2016, 06:00 P.M.

D. Board of Supervisors Meeting Schedule 2015 – (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.

SUBDIVISIONS/LAND DEVELOPMENT:

A. SD# 606, Ciccarone – consider Final Plan approval (Res. #07-2016)

The BOS considered a resolution to grant Final Plan approval.

Dave Gibbons, P.E., D.L. Howell & Associates, for the Applicant, was in attendance.

Preliminary Plan approval was granted by the Township, with conditions, 04-08-14.

The Resolution (in its entirety) follows below:

In particular, the BOS commented on Conditions #3 and #4, noting in Condition 3 that due to the waivers granted related to the existing bridge and the existing road and proposed improvements the road would not be accepted for dedication by the Township and remain as a private road to be maintained by the property owners and a homeowners association with declaration of restrictions including maintenance covenants.

With regard to Condition 4, the BOS confirmed with the Applicant (Mr. Gibbons in agreement) that all work for Phase One of the subdivision (not limited to the wearing course for the portion of road that traverses Phase One) will be completed within two years of the issuance of the first occupancy permit in Phase One.

Upon inquiry by Vice Chair Egan, the Township (Staff) at such time that all the necessary attendant documents to the plans are signed-off by the Twp Solicitor, the plans and documents will be recorded simultaneously. The subject waivers and conditions also will be added in their entirety to the plans prior to recording as Plan Notes.

RESOLUTION #06-2016
EAST BRADFORD TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA

A Resolution approving, subject to conditions, the final plan (Plan) entitled the "Ciccarone Subdivision" dated July 30, 2010, last revised November 10, 2015, consisting of sixteen sheets, prepared pursuant to the Subdivision and Land Development Chapter of the East Bradford Code (SALDO). The Plan provides for the development of a certain property (Property) located in East Bradford Township (Township), Chester County, Pennsylvania in R-3 Zoning District and consisting of seven lots. This Resolution also grants nine waivers from the SALDO.

AND NOW THIS 12th day of January, 2016, it is hereby resolved by the Board of Supervisors of East Bradford Township, as follows:

A. The following waivers are granted subject to the Applicant's agreement to the conditions herein:

1. SALDO Section 95-20.B(1) which requires that the minimum center line radius for curves shall be 150 feet, so that the curve situate along the existing driveway alignment on the north side of the existing bridge may be 60 feet (sta. 3+00);
2. SALDO 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, but limited to the bridge cartway width and street alignment for which waivers are being approved in this Resolution;
3. SALDO Section 95-20.C which requires a tangent of at least 100 feet measured at the center line between reverse curves, so that the reverse curve between 5+81.89 and 6+49.59 may be 67.7 feet;
4. SALDO Section 95-26.A(12)(d) which requires that the cartway area over a bridge shall be as wide as the widest road connecting with the bridge;
5. SALDO Section 95-17.J(2)(b)[2] which requires that the minimum cartway width of a private roadway must be 16 feet throughout to allow use of the existing bridge over Plum Run which is only 12 feet;
6. SALDO Section 95-21.D which requires that where the grade of any street at the approach to an intersection exceeds 4%, a leveling area shall be provided having grades not greater than 4% for a distance of 25 feet measured from the nearest right-of-way in the intersecting street, because the existing intersection of the private road with Lenape Road (Rt. 52) does not meet this requirement;
7. SALDO Section 95-35.C(3) which requires that the lateral extent of cut or fill area shall not be more than 30 feet beyond the top of slope in fills or the toe of slope in cut, so that there may be areas ranging from 30 to 55 feet in length at station 10 to 50 and on lots 4,5,6, and 7 as shown on the Plan; and
8. SALDO Section 95-35.C(1) which requires that slopes of more than 10 feet in vertical height shall be separated by level berms of at least 4 feet in width within which ditches shall be construed where necessary, so that there may be vertical heights of 10 to 18 feet on lots 4, 5, 6, and 7 as shown on the Plan.
9. SALDO Section 95-30.B which requires hydrants because the applicant will install a dry hydrant from the pond that will be accessible by the Fire Department.

B. Plan approval is granted subject to following conditions which shall be complied to the satisfaction of the Board of Supervisors, the Township Solicitor, and the Township Engineer prior to the release of the final plans for recording:

1. The applicant shall comply with any and all items in the Township consultant review letters (existing and/or forthcoming), including but not limited to comments from Township Engineer Mark Lucas, Zoning Officer Brenden Beaumont, and Glackin Thomas Panzak;
2. The applicant shall comply with all applicable conditions of the resolution of preliminary plan approval dated April 8, 2014 (attached hereto and made part hereof);

3. The applicant shall complete the Road and Improvement Construction Agreement secured by Financial Security, stormwater management easement and agreement, landscaping maintenance agreement, agreement prohibiting conveyance, and homeowners association documents, all of which shall be approved by the Township solicitor. The applicant shall include in the appropriate agreement(s) a hold harmless clause relative to any actions related to the bridge given the relief that has been afforded to the applicant and an acknowledgement that the roadway will not be dedicated to the Township given the extent of the relief granted;
4. The applicant shall post all the financial security for phase one simultaneously, none of which shall be deferred to phase two. All the work for phase one (including but not limited to the wearing course for the portion of the road that traverses phase one) will be completed within two years of the issuance of the first occupancy permit for a phase one lot. The security for phase two improvements shall be posted prior to any earthmoving within phase two.
5. The applicant shall provide a fee in lieu of otherwise required open space, a note shall be placed on the plan specifying the amount of the fee and the method to be used to secure and pay that amount, consistent with the terms of SDDL Section 95-34.1E;
6. The applicant shall acknowledge his acceptance of the conditions of final plan approval in writing. Written acceptance of the conditions shall be delivered within 10 days from the date of the resolution; and
7. The Applicant shall reimburse the Township for all outstanding bills and fees related to the application.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to grant Final Plan approval to SD# 606, Ciccarone and contemporaneously adopt Township Resolution #06-2016, A Resolution approving, subject to conditions, the Final Plan (Plan) entitled the "Ciccarone Subdivision" dated July 30, 2010, last revised November 10, 2015, consisting of sixteen sheets, prepared pursuant to the Subdivision and Land Development Chapter of the East Bradford Code (SALDO) and providing for the development of a certain property (Property) located in East Bradford Township (Township), Chester County, Pennsylvania in R-3 Zoning District and consisting of seven lots.

ESCROW RELEASES:

None this period.

OTHER BUSINESS:

- A. Approve Bills to Pay Lists for January as appropriated in 2016 Budget

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve the Bills to Pay Lists for January 2016 as appropriated in the 2016 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:

1. Parkland Designation (Resolution #07-2016)

Chair Pompo explained the Resolution purpose is to designate and dedicate the Strode Barn property (51-7-137.2), acquired by the Township in 2015, for public open space, park and passive recreation purposes. The dedication of Township-owned parks and open space property is a Township program policy to ensure the perpetual ownership and use of the property, in the Public Trust, as park and open space.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt Resolution #07-2016, to designate and dedicate the Strode Barn property (51-7-137.2), acquired by the Township in 2015, for public open space, park and passive recreation purposes.

PUBLIC COMMENT:

None received / offered 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 07:34 P.M.

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Page 5, Board of Supervisors Minutes, January 12, 2016
A Public Hearing immediately followed the close of this meeting.

EXECUTIVE SESSION (at discretion of Chair):

None scheduled at this time.

PUBLIC HEARING:

1. Toll Bros. (Tigue Farm) – Conditional Use Public Hearing (#2) – 01-12-16, 07:30 P.M. (purpose to Continue ONLY)

Court Reporter William Handy recorded the hearing.

Township Solicitor (Unruh, Turner, Burke & Frees) Amanda Sundquist, Esq. conducted the brief procedural hearing indicating the Applicant (Toll Bros.) had submitted a letter (Board Exhibit #04) granting a time extension to 03-08-16.

Chair Pompo, for the Board of Supervisors, stated the continued hearing date will be subject to the Applicant's timely submission of revised plans to ensure the Planning Commission's schedule of two meeting cycles can occur and adequate time for review and preparation of recommendations and comment (including other ABC's and Township consultants) are available for the next scheduled hearing.

The Township Solicitor will notify Parties of Record of the continued hearing date.

Next scheduled Regular Meeting of the Board of Supervisors, Tuesday, February 09, 2016, 07:00 P.M.

Michael P. Lynch
Township Secretary