

East Bradford Township Planning Commission Regular Meeting Minutes February 5, 2013

The February regular meeting of the East Bradford Township Planning Commission (PC) was held on February 5, 2013 in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Board/Committee members present:

Anthony (Tony) Biacchi, Chair
Robert Korbonits, Vice Chair
Cindy Bush
Kathryn Deaville
Bill Tritle

Board/Committee members absent:

Don Lynn
Wes Thomas

Staff/Professionals present:

Mandie Cantlin, Planning Administrator/Secretary/Assistant Manager
Mark Lucas, PE, Township Engineer

Staff/Professionals absent:

Brenden Beaumont, Zoning Officer
PC Special Council
Planning Commission Solicitor

Others in attendance: Approximately 3 guests (including applicants) were present

CALL TO ORDER: The meeting was called to order at 7:30 pm by Chair Biacchi.

PUBLIC COMMENT: None.

ORGANIZATION FOR 2013:

- a. The Commission recognized that the Board appointed Wes Thomas to fill the unexpired term of Alan Pomeroy and reappointed Bob Korbonits for another 4-year term.
- b. Chair – Ms. Deaville made a motion to reappoint Tony Biacchi as Chair. Ms. Bush seconded the motion. There was no further discussion and the motion passed unanimously.
- c. Vice Chair – Ms. Deaville made a motion to reappoint Bob Korbonits as Vice Chair. Mr. Tritle seconded the motion. There was no further discussion and the motion passed unanimously.
- d. Recording Secretary – Dr. Biacchi made a motion to reappoint Mandie Cantlin as Recording Secretary and Planning Administrator. Mr. Tritle seconded the motion. There was no further discussion and the motion passed unanimously.
- e. Monthly meeting dates – The Commission's work session meetings will continue to be held on the fourth Tuesday of each month at 7:30 p.m.; their regular meetings will continue to be held on the first Tuesday of each month at 7:30 p.m. The only exception for 2013 is the December work session, which will be held on December 17 instead of December 24.
- f. West Chester Regional Planning Commission – The representative appointment will remain vacant until there is a need for representation.
- g. Commission Solicitor – The Supervisors reappointed Unruh, Turner, Burke & Frees as Planning Commission General Counsel.

- h. Commission Special Counsel – The Supervisors reappointed Parke, Barnes, Spangler, Oeste & Wood, PC (Tom Oeste) as Planning Commission Special Counsel.

Ms. Cantlin asked all PC members to review and sign the Ethics statement for 2013.

MINUTES: Mr. Korbonits made a motion to approve the minutes from January 8, 2013 as presented. Ms. Deaville seconded the motion. There was no further discussion and the motion passed unanimously.

OLD BUSINESS:

- a. SD #620; Strode Preliminary/Final Subdivision Plan – The applicant, Marshall Strode, was present and represented by Ray Ott. The applicant and Commission were in receipt of review comments from:

Mark Lucas, P.E., Township Engineer (February 4, 2013)
Brenden Beaumont, Zoning Officer (January 28, 2013)
The Chester County Planning Commission (January 4, 2013)

The following advisory boards and committees reviewed the application, but had no comment: Environmental Advisory Council, Parks and Recreation Board (and Trails Subcommittee), and the Historical Commission.

The applicant is seeking a waiver from 95-14.C(14) and 95-33, which require the location and installation of permanent monuments, on the basis that the new lot line is aligned with the center of Plum Run (as is the C-1/R-2 District boundary). Mr. Lucas will seek advice from Gilmore & Associates as to how to handle in-stream monumentation. The PC did not take a position on this waiver request.

The applicant and Township are working together on the non-building waiver plan note recommended in Mark's letter (comment #1).

Mr. Tritle made a motion to recommend approval of the "Final Minor Subdivision Plan for Marshall D. Strode, Trustee and Anne P. Strode Trust" Sheet 1 of 1, prepared by Della Penna Engineering, Inc., dated December 6, 2012 (no revisions). In addition, Mr. Tritle recommended that the Supervisors grant relief from Sections 95-13.C(1)(a, e, m, p) and 95-13.C(2)(d) of the Code, which require the notation of a variety of natural and man-made features, on the basis that no construction is proposed. Mr. Tritle's recommendation was subject to the following conditions:

- 1. The Applicant shall adequately address/resolve all outstanding review comments contained in Mark Lucas' February 4, 2013 review letter.

Ms. Bush seconded the motion. There was no further discussion and the motion passed unanimously. The applicant will prepare revised plans for submittal to the Supervisors. The Board's regular meeting in March is scheduled for March 12, 2013.

- b. SD #606; Ciccarone Preliminary Subdivision Plan – The timeclock for the application will expire on February 23, 2013. The applicant has requested a 60-day extension. Ms. Deaville made a motion to recommend approval of the extension request. Mr. Korbonits seconded the motion. There was no further discussion and the motion passed unanimously. If granted by the Supervisors, the new clock will run until April 24, 2013. There was some discussion about the waiver hearing, which will likely be scheduled for March 12, 2013.
- c. Comprehensive and OSRER Plans Annual Review – Each year, the Township advisory boards and commissions review the recommendations contained in the Comprehensive Plans to discern which items are: 1) complete, 2) in progress, 3) ongoing, or 4) outstanding. The Commission decided to wait one more month to give the advisory boards and commissions additional time to submit their comments.
- d. Airport Overlay Ordinance – The townships affected by the runway approaches for the G.O. Carlson Airport were contacted on September 20, 2012 by David Malman Esq., who serves as the airport's attorney, informing the affected townships that pursuant to PA Act 164 of 1984 they are obligated to enact an Airport District Overlay Ordinance. In addition, the Pennsylvania Supreme Court, in the case of Chanceford Aviation Properties, LLP and Chanceford Aviation Inc., v. Chanceford Township, 865 A.2d 975 (Pa. Cmwlth. 2005), ruled that such zoning is mandatory. The proposed ordinance is generally structured according to the PennDOT Bureau of Aviation's suggested model, but adapted to East Bradford Township. The proposed ordinance is designed to control

potential hazards by limiting heights and creating a process by which appeals to height limitations can be made. Mr. Korbonits made a motion to recommend adoption of the Airport Overlay Ordinance. Mr. Tritle seconded the motion. There was no further discussion and the motion passed unanimously.

NEW BUSINESS:

- a. Round 25 Chester County Municipal Grant Program – Ms. Cantlin will be submitting a conservation easement grant to Chester County. Mr. Tritle made a motion to endorse the grant application. Mr. Korbonits seconded the motion. There was no further discussion and the motion passed unanimously.

MISCELLANEOUS BUSINESS:

- a. Bylaws – Ms. Cantlin presented amended bylaws for the Commission’s consideration. Mr. Tritle made a motion to execute the amended bylaws. Mr. Korbonits seconded the motion. There was no further discussion and the motion passed unanimously.
- b. Chair Meeting Follow-up – Advisory board and commission chairs met on January 31, 2013. Dr. Biacchi shared several updates from the meeting. He also discussed the recent article about the Art Association and clarified that they have not yet received Zoning Hearing Board relief for their project. He also noted that sidewalks will be an important consideration during the land development process.
- c. Comprehensive Plan Update (2014) – Dr. Biacchi discussed the 2014 update briefly during the Chair meeting. Supervisor Pompo was supportive of a more strategic approach to the plan update.
- d. On-lot sewer maintenance – Ms. Cantlin provided some information about the on-lot sewer maintenance letters that were recently mailed to septic system owners. Additional information is available on the Township’s website.

PUBLIC COMMENT: None

NEXT MEETING: The next work meeting of the Planning Commission is scheduled for February 28, 2013 at 7:30 pm. At this time, there is nothing on the work session agenda.

ADJOURNMENT / CONTINUANCE: At approximately 8:37 pm, Mr. Tritle made a motion to adjourn the meeting. Ms. Deaville seconded the motion. There was no further discussion and the meeting was adjourned.

Mandie Cantlin
Planning Commission Secretary