

East Bradford Township Planning Commission Regular Meeting Minutes August 6, 2013

The August regular meeting of the East Bradford Township Planning Commission (PC) was held on August 6, 2013 in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Board/Committee members present:

Robert Korbonits, Vice Chair
Cindy Bush
Kathryn Deaville
Don Lynn

Board/Committee members absent:

Anthony (Tony) Biacchi, Chair
Wes Thomas
Bill Tritle

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: six guests (including applicants)

CALL TO ORDER: The meeting was called to order at 7:35 pm by Vice Chair Korbonits.

PUBLIC COMMENT: None.

MINUTES: Mr. Lynn made a motion to approve the minutes from July 2, 2013 as presented. Ms. Deaville seconded the motion. There was no further discussion and the motion passed unanimously.

OLD BUSINESS:

- a. SD #606 Ciccarone Preliminary Subdivision Plan – The applicant, Thomas Ciccarone, was present and represented by David Gibbons, P.E., DL Howell Associates.

The applicant was last before the Commission in March 2012. At that time, the Commission recommended that the applicant meet with the Supervisors to resolve a number of waiver requests – a hearing took place in May 2013 for that purpose. Revised preliminary plans were received and distributed last month. The Supervisors intend to act on the waiver requests and preliminary plans concurrently. The application is on the Board's August 13, 2013 agenda.

Review comments have been submitted by Glackin Thomas (August 5, 2013), Heinrich & Klein (August 5, 2013), and the Environmental Advisory Council (July 25, 2013). Review comments are pending from Township Engineer Mark Lucas, and Zoning Officer Brenden Beaumont.

All comments and recommendations contained in the Glackin review have been addressed satisfactorily. There is only one remaining comment in the Heinrich letter – Mr. Heinrich requests a sight line profile for Lot #6 onto Norma's Way. The applicant will address this comment.

Mr. Gibbons confirmed that the proposed modifications to the bridge are satisfactory to the structural engineers and Fire Department.

Ms. Cantlin noted that the net lot area of Lot 6 decreased slightly since the last submission – from 0.956 acres (existing non-conformity) to 0.942 acres. Mr. Gibbons explained that the reduction in net lot area is a result of shifting the driveway easement. This is a zoning matter that will be addressed in Mr. Beaumont’s review.

Ms. Deaville made a motion to recommend approval of the preliminary plan entitled the “Ciccarone Subdivision” dated July 30, 2010, last revised July 12, 2013, consisting of 12 sheets (“Plan”). In recommending approval, Ms. Deaville recommended granting the following waivers/modifications:

1. 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. 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 recommended by the PC;
3. 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. 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. Section 95-1.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. 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. 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. Section 95.35.C(11) 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.

Ms. Deaville’s recommendation to approve the Plan is subject to the following condition: the applicant shall comply with all outstanding items in the Township consultant review letters (existing and forthcoming), including but not limited to comments from Township Engineer Mark Lucas, Township Zoning Officer Brenden Beaumont, and Traffic Consultant Andreas Heinrich.

Mr. Lynn seconded the motion. There was no further discussion and the motion passed unanimously.

The time clock for the application will expire on August 13, 2013. The applicant has not yet submitted a request for a time extension and is hoping to obtain plan approval from the Supervisors on August 13. Ms. Deaville made a motion to recommend approval of an extension, if needed and if so requested by the applicant. Mr. Lynn seconded the motion. There was no further discussion and the motion passed unanimously.

- b. SD #624 Barr Preliminary/Final Subdivision Plan – The applicant, Douglas Barr, was present and represented by David Gibbons, P.E., DL Howell Associates. Review comments have been submitted by:

Township Engineer Mark Lucas (August 2, 2013) (minor comments)
Township Zoning Officer Brenden Beaumont (July 31, 2013) (recommends approval)
Historical Commission (June 18, 2013) (recommends approval)
Chester County Planning Commission (June 21, 2013) (recommends approval)
Neither the Parks & Recreation Board nor the Environmental Advisory Council had commentary

Comment #6 in Mr. Lucas letter questions whether the postal addresses would change as a result of the application. Ms. Cantlin confirmed that there would be no change to the addresses.

Portions of the tract are subject to a conservation easement held by the Brandywine Conservancy. The applicant furnished a letter from the Conservancy (dated July 1, 2013) approving the lot reconfiguration and granting the right for the applicants to construct a second driveway along the southern boundary of the tract.

The applicant requested that the plan be considered preliminary/final since it meets the criteria for a minor plan submission.

Ms. Deaville made a motion to recommend approval of the preliminary/final plan entitled "Lot Consolidation Plan for Douglas R. Barr" dated November 15, 2012 (no revisions), consisting of two sheets. In recommending approval, Ms. Deaville recommended granting the following waivers/modifications: Sections 95-13.C(1)(d, f, l) which requires that various soil and geological locations and characteristics be shown on the plans. The waiver is recommended on the basis that no construction is proposed.

Ms. Deaville's recommendation to approve the Plan is subject to the following condition: The applicant shall comply with all outstanding items in the Township consultant review letters (existing and forthcoming), including but not limited to comments from Township Engineer Mark Lucas and Township Zoning Officer Brenden Beaumont.

Mr. Lynn seconded the motion for discussion. Upon discussion, Mr. Korbonits asked if the applicant would consider permanently deed restricting the lots against further subdivision. The applicant declined. There was no further discussion and the motion passed unanimously.

NEW BUSINESS:

- a. SD 625 Chester Count Art Association; Preliminary/Final Plan – The applicant, the Chester County Art Association (CCAA) was represented by Mike McCloskey from Bernardon Haber Holloway and Vic Kelly, P.E., Commonwealth Engineers. The applicant is proposing to renovate and expand the existing facility located at 100 North Bradford Avenue. The CCAA is proposing two additions onto the existing building – one addition is approximately 2,000 sq. ft. and the other is roughly 3,500 sq. ft.

Since the CCAA was last before the Commission in January 2013, the Association obtained relief from the Zoning Hearing Board to expand the existing facility (March 2013). The ZHB granted variances from:

1. Section 115-19.E(2)(d) to permit lot coverage in an amount not to exceed 35%.
2. Section 115-96.B to expand the nonconforming building and use in excess of the 25% limit established by Code.
3. Section 115-19.E(2)(h) to permit individual artist studios to be located within the rear/side yard setback area 30 feet from the property line.

The applicant currently is seeking two waivers/modifications:

1. Section 95-8(A)(2)(a) to simultaneously submit preliminary and final plans.
2. Section 95-26(A)(10)(e) to locate a stormwater basin less than 50 feet from any structure, property boundary, and/or right of way due to direct discharge.

The Code (Section 115-56(B)(3)) requires that parking field access driveways be a minimum of 24 feet in width. The current access driveway width is less than 24 feet. This is an existing non-conformity that will remain.

Review comments have been submitted by Glackin Thomas (July 30, 2013), Stan Stubbe (June 29, 2013), and the Environmental Advisory Council (August 6, 2013). The Parks & Recreation Board does not have any comments. Reviews are pending from Township Engineer Mark Lucas, Township Zoning Officer Brenden Beaumont, Gilmore & Associates (traffic), Chester County Planning Commission, and the Historical Commission. The applicant will wait to discuss review comments until all reviews have been received.

Kathryn Deaville reiterated that she has a conflict of interest with this application because she exhibits and sells artwork at the Chester County Art Association and uses their studio space. She will abstain from any action relative to the Association.

Mr. Korbonits made a motion to accept the application and commence the 90-day time clock. Mr. Lynn seconded the motion and Ms. Deaville abstained. There was no further discussion and the motion passed with three in favor and one abstention. The time clock will expire on November 4, 2013.

MISCELLANEOUS BUSINESS:

- a. SD #623 East Bradford Township Public Works – The Township staff recently received draft preliminary land development plans. Several issues need to be addressed before the plans are ready for submission.
- b. Chester County 2020 Master Planner Program – Ms. Cantlin distributed the fall 2013 Master Planner Program schedule. Mr. Thomas is scheduled to attend the Community Planning session in September.
- c. 2014 Calendars – The Township is selling 2014 calendars displaying work by Barbie Johnson. The calendars are \$15 and proceeds support the art scholarship program. To date, the Township has awarded five \$1,000 scholarships to East Bradford high school seniors who plan to study art in college.

PUBLIC COMMENT: None

NEXT MEETING: The next work session meeting of the Planning Commission is scheduled for August 27, 2013 at 7:30 pm.

ADJOURNMENT / CONTINUANCE: At approximately 8:20 pm, The Commission unanimously agreed to adjourn the meeting.

Mandie Cantlin
Planning Commission Secretary