

East Bradford Township Planning Commission Meeting Minutes December 15, 2015

The December meeting of the East Bradford Township Planning Commission (PC) was held on December 15, 2015 in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Commission members present:

Anthony (Tony) Biacchi, EdD, Chair
Robert Korbonits, Vice Chair
Kathryn Deaville
Bill Tritle, P.E.
Wes Thomas, PhD

Commission members absent:

Cindy Bush
Don Lynn, Esquire

Staff/Professionals present:

Mandie Cantlin, Planning Administrator/Secretary/Assistant Manager
Mark Lucas, P.E., Township Engineer

Staff/Professionals absent:

Brenden Beaumont, Zoning Officer
PC Special Council
Planning Commission Solicitor

Others in attendance: four guests (including applicants)

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

PUBLIC COMMENT: None

MINUTES: Dr. Thomas made a motion to approve the minutes from November 24, 2015. Mr. Tritle seconded the motion. There was no discussion and the motion passed unanimously.

OLD BUSINESS:

1. SD 606 Ciccarone Final Plan – The applicant, Thomas Ciccarone, Sr., was present and represented by David Gibbons, P.E., DL Howell Associates. Revised final plans for the Ciccarone subdivision/land development were submitted on November 25, 2015. Review comments have been submitted by:

- Mark Lucas, P.E., Township Engineer dated December 9, 2015
- Brenden Beaumont, Zoning Officer dated December 14, 2015
- Lisa Thomas, RLA, ASLA, Planner dated December 15, 2015
- Fire Company dated November 16, 2015
- Historical Commission dated November 17, 2015

No further review comments have been received from:

- Environmental Advisory Council
- Traffic Committee
- Trails Committee
- Parks & Recreation Board
- Green Committee
- Chester County Planning Commission

Dr. Biacchi expressed concern about the amount of relief associated with this approval and asked for some assurance that the applicant will not return to seek additional relief. Mr. Ciccarone does not plan to be back before the Township with regards to this application. Ms. Deaville asked for confirmation that this approval will apply to future landowners. The approval will run with the land.

Mike Macheski from West Goshen asked for an overview of the project and Mr. Gibbons summarized the proposal.

Mr. Tritle made a motion to recommend approval of the Ciccarone application, which contains: 1) plan entitled "Final Subdivision Plan of 931 Lenape Road" dated July 30, 2010 (last revised November 10, 2015), consisting of 16 sheets (the "Plan"); Post Construction Stormwater Management Report dated August 8, 2014 (last revised November 10, 2015); Erosion and Sedimentation Control Plan dated August 8, 2014 (last revised November 10, 2015); Historic Resource Impact Study dated December 13, 2013; and Environmental Impact Assessment dated May 26, 2011.

In recommending approval, Mr. Tritle made a motion to recommend that the Supervisors grant the following modifications from the Subdivision and Land Development Ordinance:

1. 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;
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;
3. 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);
4. 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;
5. 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;
6. 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;
7. 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.
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 95-35.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

Mr. Tritle recommended the following conditions of approval:

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;
3. The applicant shall include in the appropriate development agreement(s) a hold harmless clause relative to any actions related to the bridge given the relief that has been afforded to the applicant;
4. The applicant shall include in the appropriate development agreement(s) acknowledgement that the roadway will not be dedicated to the Township given that the geometry of the cartway and the dimensions of the bridge do not comply with Township standards;
5. The applicant shall acknowledge his acceptance of the conditions of final plan approval in writing; and
6. The Applicant shall reimburse the Township for all outstanding bills and fees related to the application.

Mr. Korbonits seconded the motion. Upon discussion, Dr. Biacchi asked the applicant whether he heard, understands, and accepts the recommended conditions. Mr. Ciccarone and Mr. Gibbons confirmed. There was no further discussion and the motion passed unanimously.

The time clock for the application expires on January 19, 2016. Mr. Korbonits made a motion to recommend that the Supervisors accept the time extension if needed and requested by the applicant. Ms. Deaville seconded the motion. There was no further discussion and the motion passed unanimously.

2. SD 632 Tighe Conditional Use – Ms. Cantlin reported that the applicant is intending to withdraw the current submission and resubmit revised application materials for review and consideration. This will likely take place in January. During the next hearing (Tuesday January 12, 2016), the Board of Supervisors will continue the hearing until February 9, 2016 at 7:30 pm.

Mike Macheski asked for clarification on the age-targeted reference in the transportation study. Mr. Lucas clarified that age-targeted is a marketing reference; the community will not be age-restricted.

Mr. Tankle (962 Tighe Road) commented that Lenape Road is a state road, suggesting that it might be more suitable for additional traffic. He asked the PC to remain open minded to traffic calming improvements on Tighe Road to mitigate traffic impact.

Dr. Biacchi expressed concern about the parking requirement and the applicant's proposal to utilize interior parking to meet a significant portion of the parking requirement. Mr. Lucas noted that it might make sense to evaluate parking at Park Place as a comparison. This is a matter the PC can address during the conditional use hearing testimony.

The Commission discussed engaging a planner to provide testimony during the hearing. The PC can discuss this further with counsel in January.

NEW BUSINESS: None

MISCELLANEOUS BUSINESS:

1. Drone Regulation – The Township recently adopted an ordinance amending portions of Chapter 22, Regulation of Parks and Open Space. This amendment prohibits drones within Township parks. Dr. Biacchi recommended that the Township investigate ordinances that regulate drone usage – specifically factors such as noise, time of use, trespassing, and privacy – and consider whether a more comprehensive ordinance is warranted. The PC concurred.
2. Act 42 – During their meeting on December 3, the Supervisors concurred with the Planning Commission's recommendation and agreed not to seek Alternate Planning Commission Member appointments (ref: PA Act 42 of 2015) for 2016 in recognition that there have been no quorum issues in recent years.
3. Comprehensive Plan – Members of the Comprehensive Task Force met with representatives from West Chester Borough on December 14. The Borough is generally supportive of the cooperative elements suggested by Thomas Comitta Associates. The two planners will work together to draft language for inclusion in both municipal planning documents. The next meeting of the East Bradford task force is scheduled for January 6, 2016.

4. Application Updates –
 - a. SD 625 CCAA – The applicant is planning to submit a revised land development plan in the future.
 - b. SD 629 Nastase – Mark Lucas met with the applicant and neighbor earlier in the month to discuss the driveway/access issue.
 - a. SD 633 West Chester Sportsplex – Review comments are being distributed as they are received.
5. Holiday dinner – The PC agreed to go out to dinner on Tuesday January 19 at 6:00 pm at Roger’s Bistro.
6. Master Planner Program Schedule – The fall schedule is pending. Dr. Biacchi and Mr. Tritle noted that the Brandywine Conservancy might start offering training.
7. Appointments – Don Lynn is up for reappointment in 2016.
8. 2016 Meeting Schedule – The PC will meet on the 4th Tuesday of every month in 2016 with the exception of December when they will meet on the 3rd Tuesday.

PUBLIC COMMENT: None

NEXT MEETING: The next meeting of the Planning Commission is scheduled for January 26, 2016 at 7:30 p.m.

ADJOURNMENT / CONTINUANCE: At approximately 8:30 p.m. the Commission unanimously agreed to adjourn the meeting.

Mandie Cantlin
Planning Commission Secretary

CURRENT TIME CLOCKS

Application	Clock Expiration	Next Extension to be Considered
SD 632 Tigue	January 12, 2016 February 9, 2016	Next hearings
SD 606 Ciccarone	January 19, 2016	PC November / BOS December
SD 629 Nastase	March 12, 2016	PC November / BOS December
SD 625 CCAA	N/A	N/A (Final approved; recording due)