The November meeting of the East Bradford Township Planning Commission (PC) was held on November 26, 2019 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
  Kathryn Deaville
  Joe Fauntleroy
  Ash Swayne
  Wes Thomas, PhD
Commission members absent:
  Robert Korbonits, Vice Chair
  Don Lynn, Esquire
Staff/Professionals present:
  Mandie Cantlin, Township Manager/Planning Administrator/Secretary
Staff/Professionals absent:
  Mark Lucas, P.E., Township Engineer
  Michael Lynch, Director of Finance
  Rich Phifer, Director of Property and Recreation
  Melissa Needles, Zoning Officer
  Township Solicitor
  Planning Commission Special Council
Others in attendance:
  Approximately 27 guests (including applicants) were present.

CALL TO ORDER: The meeting was called to order at 7:30 p.m. by Chair Biacchi. Dr. Biacchi announced that neither West Chester Crossing nor Thomas would be discussed tonight. Both applicants will be addressing review comments before they return to the Planning Commission.

PUBLIC COMMENT: None.

MINUTES: Mr. Swayne made a motion to approve the minutes from October 22, 2019, as presented. Ms. Deaville seconded the motion. There was no further discussion and no public comment. The motion passed unanimously. An executive session was held during the October meeting to discuss legal issues.

OLD BUSINESS:

1. SD 648 Thomas – The timeclock for the application will expire on December 23, 2019. Dr. Thomas made a motion to grant a 90-day extension if requested by the applicant. Mr. Fauntleroy seconded the motion. There was no further discussion and no public comment. The motion passed unanimously. If granted by the Supervisors, the new clock would expire on March 22, 2020.

2. SD 646 McFadden – The applicant, Equity Trust Co (c/o Brian McFadden), was represented by David Rentschler, P.E. The applicant is proposing to subdivide the 4.4-acre property located at 590 Birmingham Road into two lots.
The Commission was in receipt of reviews from:

- Engineering (November 11, 2019)
- Zoning Officer (November 14, 2019)
- Historical Commission (November 20, 2019)

The following groups had no comment:

- Parks & Recreation Board (November 20, 2019)
- Traffic Committee (November 21, 2019)
- Trails Committee (November 21, 2019)

The applicant is seeking modification from the following sections of the Code:

- Section 95-13.A(5)(a) and (b), which require an existing conditions plan, on the basis that woodlands are the only natural feature and that the woodlands are identified in the aerial photograph.
- Section 95-13.C(2)(d), which requires the identification of significant features within 400 feet of the property. The applicant proposes to identify limits of such features.

The applicant will comply with the remaining review comments.

There was discussion about the driveway for the new lot. The Township recently issued an E&S permit to allow the applicant to grade the embankment on Birmingham Road. Grading is required in order to determine whether there is adequate site distance at the proposed driveway location. This determination is needed to pursue the highway occupancy permit. It is atypical to allow an applicant to do any work while a project is still in the subdivision approval process, but in this case, the work is needed to inform the process. There were several comments relative to the driveway:

- Mary Sue Boyle, Historical Commission (HC), noted that the HC did not get the opportunity to review the E&S permit. She and others on the HC are concerned that the trees had historic value. Ms. Cantlin responded that HC review is not typically part of the E&S permit process and noted that the HC reviewed prior iterations of the subdivision plan and did not raise concerns about trees.
- Elizabeth Bertheaud, Historical Commission, believes the issuance of the permit was not well orchestrated. She expressed concern about erosion from the exposed banks.
- Jean Renshaw, Historical Commission, also expressed concern about potential erosion given the time of year. The applicant responded that E&S blankets will be placed to prevent runoff during the winter months.

Given the concerns and testimony of representatives from the Historic Commission related to the removal of existing trees, the Planning Commission asked that Thomas Comitta Associates (TCA) review the applicant’s landscaping plan. In particular, the PC and HC want TCA to:

- Review the proposed landscaping against Section 115-129.A in addition to the standard landscaping provisions.
- Review the state of the trees that were removed along the bank.
- Consider the applicant’s request for a waiver/modification from Section 95-13.C(2)(d).

The Planning Commission also asked that the applicant honor the Historical Commission’s request for a site visit.
NEW BUSINESS:

1. SD 638 J. Roberts (Abernethy) – The applicant, J. Roberts Properties, LLC (c/o Robert J. Zoba, Jr.), was represented by David Rentschler, P.E. The applicant is proposing to create 8 lots within the 13.42-acre property located at 855 Copeland School Road. The existing house would be located on lot 3. The property is in the R-3 district and is surrounded by residential uses. It is neither identified on the Official Map nor the Historic Resources map. The proposed lots are to be served by private on-lot septic systems and wells. This concept is based on the 9-lot sketch plan that was reviewed last year. Review comments are due in December.

The applicant submitted proof that notice to neighboring property owners was sent on November 20.

Public comments were received from:

- Mark Mitchell submitted a letter containing concerns and sentiments from residents along Clover Ridge. The letter addressed a variety of topics, including: open space preservation, vegetation removal, noise, wildlife habitat, code compliance, buffering and privacy, stormwater management, utilities, emergency access, and more. Ms. Cantlin will forward these comments to the consultants.

- Larry and Melissa Hawes expressed concern about stormwater runoff, tree removal, and traffic. The applicant indicated where trees would be added on the north side of the lot and reviewed the various levels of permits that are required for stormwater management.

- Nancy Malanowicz discussed the distance between her property and the proposed road and expressed concern about stormwater runoff, particularly from the cul-de-sac. The applicant noted that the stormwater design and calculations will be reviewed by other engineers. Ms. Malanowicz also questioned whether the storm frequencies used for calculations had any meaning given recent weather patterns.

- Brian Eufrasio stressed the importance of maintaining the 25-foot perimeter buffer.

- Jennifer Kurdziel asked for clarification with regards to the terms “berm” and “swale” and expressed concern about the proximity of the roadway to existing property lines.

- Susan Mitchell asked about emergency access and inquired how water would be provided (without hydrants) in the event of a fire. The application is submitted to the fire company and Fire Marshal for review.

- Gary Leone is concerned about headlights from cars. He would like to see a berm as part of the buffer.

- Ken Kuhn expressed concern about stormwater runoff and the impact to Copeland School Road drainage. He spoke about the loss of trees to pests.

Ms. Deaville made a motion to accept the plan to commence the timeclock, which will expire on February 24, 2019. Mr. Swayne seconded the motion. There was no further discussion and no public comment. The motion passed unanimously.

MISCELLANEOUS BUSINESS

1. CU Application for 1109 Clover Hill Major Home Occupation – The applicant, Sean Gallagher, was in attendance. He did not attend the October meeting due to a misunderstanding about the meeting date. The hearing is scheduled for December 10, 2019. Ms. Cantlin reviewed the major home occupation criteria from the Code and the applicant provided the following information.
The occupation is conducted outside the residence (e.g. chemical tanks, staff meetings on the driveway). The applicant indicated he would be able to accommodate the use inside.

The applicant does not believe that the area used for the conduct of a major home occupation, will exceed 25% of the total floor area of the principal dwelling unit or 800 square feet, whichever is less.

The applicant does not intend to alter the appearance of the residential structure.

Materials are stored outside.

The applicant does not anticipate the discharge of potentially dangerous effluent or fumes.

With regards to the storage of hazardous material, the applicant maintains that the bleach he stores is corrosive, but not hazardous.

The applicant does not anticipate the generation of noise, vibration, glare, smoke, fumes, odors, dust, electrical interference or other objectionable effects as a result of the occupation.

The applicant maintains that the driveway is paved and in good condition.

The applicant attested that there will be no heavy use of water. He uses clients' water for power washing.

The applicant has four employees who are not related. Employment is seasonal and employees do not remain at the premises throughout the work day.

The applicant uses his existing driveway for parking; one employee typically parks in the cul-de-sac.

The applicant maintains that the vehicles associated with the business do not exceed ¾ tons.

The applicant addressed the issues raised in DEP's inspection report and is waiting for approval from DEP.

Jean Renshaw expressed her opposition to the application. She does not believe the use meets the criteria established in the Ordinance.

The Commission recommended that the applicant review the major home occupation standards, as well as the professional review comments prepared by the Zoning Officer and Township Engineer, in preparation for the hearing.

2. Brandywine Battlefield Heritage Interpretation Plan – Brandywine Conservancy is working with several municipalities, including East Bradford, to prepare a Brandywine Battlefield Heritage Interpretation Plan. They recently received funding from Chester County for this effort. The Conservancy expects to begin work on this plan in January. Each partner municipality is required to designate a member of its governing body, as well as a member of its Planning Commission to serve on a task force for this effort. There will be four task force meetings between January and October 2020. The Commission agreed to recommend Bob Korbonits for this task force.

3. Planning Commission Vacancy – PC members met with several candidates who are interested in filling the vacancy. They will forward their comments to the Supervisors for consideration.

4. Application Updates
   a. SD 647 Colley – The Board granted conditional approval in November.
   b. 415 Birmingham CU Hearing – The next hearing is scheduled for December 12 at 6:30 pm.

**NEXT MEETING:** The next meeting of the Planning Commission is scheduled for December 17, 2019 at 7:30 p.m.

**ADJOURNMENT / CONTINUANCE:** At approximately 10:30 p.m. the Commission unanimously agreed to adjourn the meeting.
CURRENT TIME CLOCKS

<table>
<thead>
<tr>
<th>Application</th>
<th>Clock Expiration</th>
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<tbody>
<tr>
<td>CU for Gallagher MHO</td>
<td>December 10, 2019</td>
<td>1st hearing</td>
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<tr>
<td>CU for Marshall B&amp;B</td>
<td>December 12, 2019</td>
<td>6th hearing</td>
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<tr>
<td>SD 648 Thomas</td>
<td>December 23, 2019</td>
<td>PC November / BOS December</td>
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<tr>
<td>SD 646 McFadden</td>
<td>January 19, 2020</td>
<td>PC December / BOS January</td>
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<tr>
<td>CU for Comerford B&amp;B</td>
<td>June 15, 2020</td>
<td>Deadline to schedule hearing</td>
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<td>SD 645 Armstrong</td>
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<td>SD 647 Colley</td>
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<td>SD 635 WCU</td>
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