EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
May 18, 2016

Those in Attendance:

Arnold M. Kring, Vice-Chairman
Kyle P. Scribner, Member
Scott T. Piersol, Township Manager
Luke D. Reven, Assistant Township Manager
Mark Kocsi, Chief of Police
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

Absent:

Jay G. Fischer, Chairman

The East Brandywine Township Board of Supervisors meeting of Wednesday, May 18, 2016 was called to order by Vice-Chairman Kring at 7:30 PM at the East Brandywine Township Municipal Complex. Also in attendance were Bob Pringle, the MileMarker Editor and 9 other visitors.

Opening of Meeting

Vice-Chairman Kring opened the meeting with a Salute to the Flag.

Notice

The Board of Supervisors met in Executive Session May 4, 2016 to discuss personnel issues.

Public Comment on Non-Agenda Items

Vice-Chairman Kring asked if there were comments from the public on non-agenda items. Mr. Glenn Dieffenbach, from 20 Batten Drive said that Mr. Kring, Mr. Piersol, Mr. VanLew and Hopewell Church's Engineer, Chuck Dobson, met at the Dieffenbach's property to discuss their ongoing stormwater management problems. The Church Trustees will be reviewing the results of that meeting. Mr. Dieffenbach wanted to make sure that the plan to resolve his stormwater issues moves forward. Vice-Chairman Kring said that he would check with the Church's Administrator and then have Mr. Piersol contact Mr. Dieffenbach with an update.

Minutes: Board of Supervisors – May 4, 2016

Vice-Chairman Kring asked if there were any additions or corrections to the above minutes. There were none. Mr. Scribner made a motion to approve the May 4, 2016, minutes as presented. Vice-Chairman Kring seconded the motion, with both voting Aye.

Minutes: Planning Commission – April 6, 2016

Vice-Chairman Kring asked if there were any additions or corrections to the above minutes. There were none. Mr. Scribner made a motion to approve the April 6, 2016, minutes as presented. Vice-Chairman Kring seconded the motion, with both voting Aye.

Minutes: Planning Commission – May 4, 2016

The May 4, 2016 Planning Commission minutes are not yet available for review.

Treasurer's Report

Mrs. Smedley read the account balances as of May 18, 2016. After reviewing the financial reports, Mr. Scribner made a motion to approve the Treasurer's Report and authorize payment of the bills. Vice-Chairman Kring seconded the motion, with both voting Aye.

Township Manager's Report

1. Mr. Piersol, Mr. Reven, and Mr. VanLew attended a presentation to municipal officials on May 16th on the proposed improvements to the Route 30 Corridor, primarily the Route 30 Bypass. The engineering firms working on the conceptual planning phase of the project are proposing improvements from the Exton Bypass where it joins Route 202 westward to the Airport Road interchange. The roadway widening will increase the roadway to 6 lanes, and interchange improvements will make entering and exiting the roadway much safer, all which will take time to plan. The Airport Road interchange will be the first segment of the roadway to be improved, which is expected to occur within the next 5 years. The improvement project will work eastward at what is expected to be 2-year increments per interchange, based on approvals and available funding. The proposed conceptual designs are based on handling the projected traffic volumes in the region in the year 2040.
2. On April 29th, the County notified the Township that they were closing Hadfield Road Bridge #244, located ¼ mile from Zynn Road, due to the deteriorated condition of the steel support structure. The County is currently evaluating the feasibility of short-term repairs to the bridge to allow it to reopen to vehicular traffic. If repairs cannot be made, it is expected the replacement of the bridge as planned will occur in 2018.
3. Caln Township has indicated that the replacement of the Osborne Road Bridge is still proceeding. There have been comments that work has not occurred at the construction site at Route 340 for the past 6 weeks. The engineering firm heading this project is working to devise a plan to trip the bridge deck from the delivery vehicle onto bridge abutments by crane. It is still anticipated the bridge will open to traffic by June 30th of this year.
4. The Township Park & Rec Board has several events planned for this summer:
    a. Memorial Day Flag display will occur in our Community Park starting this weekend.

b. Park & Rec Golf Tournament on June 6th at the Coatesville Country Club.

c. Concerts in the Community Park on June 24th and July 15th.

d. The Wall That Heals on Thursday, July 28th through 5 PM on July 31st.

e. Community Day on August 20th, celebrating the 25th Anniversary of the Community Park.

5. Our Bondsville Mill Volunteers continue to make progress on the restoration of Building A at the Park, with the roof support structure nearly complete. Mr. Piersol recognized our dedicated volunteers for their hard work and who continue to make improvements to this passive recreation facility. Vice-Chairman Kring echoed Mr. Piersol's sentiments and offered his thanks and appreciation for all that our volunteers have accomplished at the park.

Assistant Township Manager's Report

1. DEP 902 Municipal Recycling Grant Program Update (Recycle Toters)

   Township staff has received word from DEP that reimbursement for 90% of the costs of the recycle carts purchased this winter (approximately $141,000) cannot be processed until our Grant Agreement is amended. The delay is the result of a minor discrepancy between Township invoices and the existing Grant Agreement language. Specifically, the Grant Agreement calls for the purchase of 65- and 36-gallon carts. The carts we purchased have an advertised capacity of 64 and 35 gallons, a difference of one gallon on both models. In the fall of 2015 we solicited COSTARS bids from three manufacturers—all of whom have minor differences in advertised capacity on otherwise functionally identical carts.

   The fix is easy, but will result in a slight delay in reimbursement. Township Staff has requested an amendment to our Grant Agreement. DEP's response will be contained in a letter of mutual consent. Township Staff will present this letter to the Board and request authorization to execute it at a meeting of the Board in June.

2. Draft Programmable LED Sign Policy

   Included in your packets this evening is a first draft of a proposed programmable LED sign policy. As you recall, in January of 2016 East Brandywine Township purchased and installed a programmable marque sign located at the entrance to the Municipal Complex as part of a comprehensive plan to improve citizen communications. The sign joined existing communication tools like the award-winning *MileMarker* newsletter and the recently re-designed eBrandywine.org website. This draft policy was created to establish consistent set of guidelines which shall apply to all who use this new resource. A legal review is pending. Mr. Reven welcomes Board comments on the draft, and expects to have a final version for the Board to consider adopting by resolution this summer.

3. Hopewell Homeowners Association Open Space "D" Trail Feasibility Study Update

On May 10th the Township's consulting engineer, McMahon and Associates, presented to the Trails Committee three alignment options for the crossing of Hopewell Homeowners Association Open Space "D." The Trails Committee has made a selection of their preferred alignment. McMahon will now begin work on a Conceptual Trail Exhibit and Cost Estimate, which will be ready for public review and comment for a period beginning in mid-July and ending in mid-August. The final product consisting of both the Conceptual Trail Exhibit and Cost Estimate as well as Plats and Legal Descriptions for Trail Easement will be complete in September.

A map showing the three alignment options considered is included in your packet. The alignment favored by the Trails Committee is shown in teal and orange colored lines and is composed of trail segments "B" and "C."

4. Vision Partnership Program (VPP) Grant Update

Last month the Chester County Planning Commission approved our grant application in the amount of $50,000. East Brandywine Township was the lead municipality in a multi-municipal application for funding assistance to create an East-West Bicycle and Pedestrian Facilities Plan. The goal of this project is to conduct a study of a proposed trail that will provide safe pedestrian and bicycle connections along a 9-mile corridor between Hibernia County Park in West Brandywine Township and the County's Struble Trail in Uwchlan Township.

In June a multi-municipal steering committee will issue an RFP for the purpose of selecting a qualified team of Trail Planning/Design Consultants. The selection of this consultant will occur in July. The proposed members for this ad-hoc and single-purpose steering committee are as follows:

Uwchlan Township	**East Brandywine Township**	**West Brandywine Township**
Bea Yorczyk *Member, Parks & Recreation*	Michael Wagoner *Chairman, Trails Committee*	John Cassels *Member, Board of Supervisors*
Katie Churchill *Township Secretary*	Luke Reven *Assistant Township Manager*	Dale Barnett *Township Manager*

Mr. Reven asked the Board for a motion to approve the East Brandywine delegation to this new committee. Mr. Scribner made a motion to appoint Michael Wagoner and Luke Reven as East Brandywine Township's representatives to this committee. Vice-Chairman Kring seconded the motion, with both voting Aye.

5. Staffing Update

Thursday is Jackie Smedley's last day working part-time with the Township Administration Team. Next week Jackie will be returning to work exclusively with the East Brandywine Township Police Department. On Monday of next week, Lisa Taraschi will be joining our

Administration Team as our newest full-time colleague. Mr. Reven thanked Jackie for being both flexible with her schedule and generous with her time as management has worked to scale our team proportionally to meet our increasing workload.

Report: Building Inspector/Zoning Officer – Report for April 2016

Mr. Piersol read the Building Inspector/Zoning Officer's Report for April as submitted by Mrs. Norann King. There were 21 building permits issued, 9 zoning permits issued, 14 use and occupancy permits issued, and 61 inspections conducted during the month. The total fees collected were $9,601.00.

Trails Committee

Mr. Reven stated that the Trails Committee is recommending the Board appoint an additional member to the Committee. He is waiting for a resume/letter of interest from this individual. Until that information is received this item will be tabled.

East Brandywine Township Police Chief's Report for April 2016

This week, May 15th through May 21st, 2016 is National Police Week. Chief Kocsi thanked all of the members of the East Brandywine Township Police Department for the outstanding job that they do each day for the Township and asked that everyone take a moment this week to remember those officers who have paid the ultimate price.

Chief Kocsi thanked everyone who came out and supported the Fire and Police Departments at their 5th annual golf outing.

Early this afternoon, the Police Department received a phone call about solicitation taking place in the Hide-A-Way Farms development. Two men selling meat in a white van have been approaching residents without a permit. On further investigation it was determined that neither of the men had valid driver's licenses. Last week, the same company was soliciting in Caln Township. Chief Kocsi asked residents if they see suspicious activity or solicitors without a permit to contact the Police Department immediately.

Effective immediately the Police Department will no longer be offering fingerprinting services to residents. The Chester County Intermediate Unit on Boot Road continues to provide fingerprinting and residents will be directed to contact them.

<u>Monthly Statistics</u>

Recorded Incidents	1827
Investigations Completed	159
Criminal Arrests	4
Summary Arrests	0

Juvenile Petitions	0
Accidents Investigated	15
Traffic Citations Issued	123
Warnings Issued	30
Vacation House Checks	14
Patrol Miles Logged	9,186

Training Completed

1. Department – 2016 Range qualifications are completed.
2. Office Beau Shepard – Firearms Tactics.
3. Corporal Steven Leifholt – Traffic stops and safety, Officer liability
4. Department – Crime Victim Services Training
5. Department – Hazmat for First Responders

Fire Company's Activity Report for April 2016

The following is a summary of the April 2016 Fire Company Report as presented by Fire Chief John Edwards. There were 32 fire incidents and 26 medical incidents in total for the month. In East Brandywine Township, there were 10 fire incidents and 12 EMS incidents. In West Brandywine Township, there were 12 fire incidents and 14 EMS incidents. In Upper Uwchlan Township, there were no incidents. During the month, the Fire Company also provided assistance in Caln Township, City of Coatesville, Honeybrook Township, Wallace Township, West Bradford Township and West Nantmeal Township. There were a total of 4 trainings during the month with an average of 28 members at each training session.

Chief Edwards thanked the Applecross Country Club and Linda Bowers for their support of the Police and Fire Departments and for another successful golf outing.

Recently, two Lionville and Modena Fire Companies have used the training facility set up at the East Brandywine Fire Company.

Hopewell Road Pharmacy Land Development Plan

The subject property, 100 Hopewell Road, is situated within the TND-1 Zoning District. This property was previously used as a single-family dwelling until fire damaged it last year. The applicant proposes to purchase 100 Hopewell Road, title 100 Hopewell Road to Silver Bow, LLC, and incorporate 100 Hopewell Road into his plan of development, which includes tax parcel 30-5-68, 1199 Horseshoe Pike. By titling 100 Hopewell Road to Silver Bow, LLC the applicant stated that this would satisfy the Township's common ownership requirement. 1199 Horseshoe Pike has an existing building, which will be the pharmacy, and 100 Hopewell Road will provide parking.

At their May 4th meeting, the Planning Commission recommended the Board of Supervisors

grant preliminary plan approval with the following conditions:

1. Compliance with the April 26, 2016 Yerkes review letter.
2. Approval of the PennDOT Highway Occupancy Permit prior to final plan approval.
3. Finalize the landscape plan to the satisfaction of the Planning Commission and Board of Supervisors.
4. The Township should be provided the data they requested in order to comment on the Intent to Remediate application.
5. Compliance with all other representations made at the May 4, 2016 Planning Commission meeting, as evidenced in the meeting minutes.

Mr. Scribner made a motion to grant preliminary plan approval for this land development application with the conditions recommended by the Planning Commission. Vice-Chairman Kring seconded the motion, with both voting Aye.

Riggs Lot Line Change

Riggs' property includes approximately 25-feet of frontage along the La Vida Via cul-de-sac. Access to the dwelling is by a paved driveway through a strip of land owned by the Riggs. The property is serviced by on-site well and on-site septic.

The Riggs neighbors, the Seaces, intend to construct a fence along the common property line between the two properties. The Riggs propose a land swap with the Seaces in order to provide more distance between the front of their existing dwelling and the Seace's proposed fence. The Seace's property is currently non-conforming with regard with Minimum Lot Area.

The proposed land swap will result in a slight reduction in lot size for the Seaces and an equally, slight increase in lot size for the Riggs. The total area difference is 35 square feet. The Township Zoning Officer has determined that the reduction in lot size for the Seaco's property is de minimis, and would not require zoning relief.

The Planning Commission is recommending the Board of Supervisors grant preliminary plan approval with the condition that the applicant comply with the comments in the April 25, 2016 Yerkes review letter.

Mr. Scribner made a motion to grant preliminary plan approval with the condition recommended by the Planning Commission. Vice-Chairman Kring seconded the motion, with both voting Aye.

Latarre Zoning Hearing – May 3, 2016

The Zoning Hearing Board will meet on Tuesday, July 5, 2016 to consider the application of Joseph J. Latarre to place a shed/garage 31 feet from the front yard lot line. The parcel is a flag lot in the R-2 District, which requires that a shed be no closer than 50 feet from the front yard lot

line. Mr. Latarre is seeking a variance from Section 399-22.A(3) of the Zoning Ordinance. The property is located at 401 Echo Dell Road. It does not contain frontage along Echo Dell Road. The western property line is considered the front lot line. The northwestern portion of the lot contains the existing dwelling, driveway, pool and some grass areas. The remaining portions of the lot are wooded. The lot slopes generally from the southwest to the northeast.

The front of the dwelling faces north and there is a side-loading garage attached to the western side of the existing dwelling. The property is services by on-site water and on-site sewer. The well is located in the northwestern portion of the lot near the existing driveway. There is an easement titled "Existing Septic Area Easement for Lot No. 1" in the southern portion of the lot. The existing septic system and the replacement septic area for 401 Echo Dell Road appear to be situated in the eastern portion of the lot.

The proposed location of this structure was dictated primary by an existing septic system easement for Lot #1 of the Echo Dell Development, located to Mr. Latarre's property and his desire not to have to remove numerous mature trees on his property in other potential locations which are less convenient for the intended use for storage.

Mr. Latarre's original presentation at the Planning Commission's May 4, 2016 meeting was to locate a 24' x 24' garage on a stone base which extends 2 feet around the perimeter of the structure and a 6' x 50' stone walkway from the existing driveway to the garage. Due to the additional impervious surface created by this structure being very close to the 10% maximum allowable in the R-1 Residential District, the Planning Commission recommended Mr. Latarre have an as-built survey of the existing and proposed impervious surface completed prior to the Zoning Hearing convening May 10th. Mr. Latarre determined the cost of the survey was much more than he wanted to spend on this project, so he decided to reduce the size of the structure to a 12' x 16' shed, with a stone base which extends 2 feet beyond the structure. There will be no walkway between the driveway and shed.

The lot at 401 Echo Dell Road contains 91,467 feet of lot area. The existing impervious surface on this property is 8,024 square feet. The additional impervious surface of the proposed shed and stone base in 252 square feet, which combined with the existing impervious surface yields an impervious surface coverage of 9.05%, below the 10% maximum coverage. Mr. Piersol also noted that Mr. Latarre has indicated that the downspouts for the dwelling are directed into subsurface disposal beds.

After review of the information provide Mr. Scribner made a motion for the Board of Supervisors to support the revised variance request. Vice-Chairman Kring seconded the motion, with both voting Aye.

Resolution 10 of 2016 – Hazard Mitigation Plan

Mr. Piersol explained that this Resolution adopts the County's Hazard Mitigation plan and makes the Township eligible for Federal Funding after a Presidential Disaster Declaration. Mr.

Scribner made a motion to adopt Resolution 10 of 2016. Vice-Chairman Kring seconded the motion, with both voting Aye.

Appointments of Building Code Official/Zoning Officer and Township Engineer

Mr. Scribner made a motion to appoint Cedarville Engineering as an additional Commercial Building Inspector and Zoning Officer for 2016. Vice-Chairman Kring seconded the motion, with both voting Aye.

Mr. Scribner made a motion to appoint Pennoni Associates as an additional Township Engineer for 2016. Vice-Chairman Kring seconded the motion, with both voting Aye.

Additional Public Comments

Vice-Chairman Kring asked if there were additional comments from the audience. There were no additional public comments.

Adjournment

There being no further business, Mr. Scribner moved to adjourn the meeting at 8:10 PM. Vice-Chairman Kring seconded the motion, with both voting Aye.

Respectfully submitted,

Mary Beth Smedley

Mary Beth Smedley,
Secretary/Treasurer