

EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
AM SESSION
July 7, 2022

Those in Attendance:

Kyle P. Scribner, Chairman (Phone)
Carl K. Croft, Vice-Chairman
Jason R. Winters, Member
Luke D. Reven, Township Manager
Mark Kocsi, Chief of Police
Tom Oeste, Township Solicitor

The East Brandywine Township Board of Supervisors meeting of Thursday, July 7, 2022 was called to order at 8:00 AM at the East Brandywine Township Municipal Complex.

Opening of Meeting

Vice-Chairman Croft opened the meeting by announcing that this meeting is being recorded.

Mr. Reven asked Vice-Chairman Croft for permission to amend the agenda due to a late addition pertaining to the Planning Commissions opposition of a variance application that was presented at their meeting the night before.

Vice-Chairman Croft made a motion to amend the Board of Supervisors July 7th Am Session Agenda to include item 6 E. The Planning Commission recommendation to oppose the variance application of 31 Harner Court. Supervisor Winters seconded the motion. With all members voting Aye, motion passed, 3-0.

Public Comment on Agenda Items

There was no comment

Approval of Minutes

Vice-Chairman Croft made a motion to approve the Board's meeting minutes from the June 16th, 2022 PM session. Supervisor Winters seconded the motion. With all members voting Aye, motion passed, 3-0

Authorization to Pay Bills and Approve Payroll

Vice-Chairman Croft made a motion to authorize the payment of bills and approve payroll. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

Reports

There were none.

New Business

Item 6E. Planning Commission Recommendation for the Board to Oppose Variance application: 31 Harner Court.

Mr. Reven invited Mr. Smith who lives at 31 Harner Court to the podium. Mr. Reven provided a brief introduction stating the applicant has applied for a variance, that hearing is scheduled to take place on July 14th. He provided a brief description of the project and added this item was on the Planning Commission Agenda last evening. Mr. Reven stated that at the meeting the Planning Commission voted to have a member of the Planning Commission attend the Board meeting as they intend to oppose the application.

Mr. Smith presented the Board with a brief description of his variance application.

Vice-Chairman Croft made a motion that a designated member of the Planning Commission attend to represent the opposition to the variance. Chairman Scribner seconded the motion. Motion passed 2-1. Supervisor Winters voted Nay.

Old Business

7 Maria: Drainage Issues

Mr. Reven stated that Township staff was in receipt of a request to be placed on the agenda. Mr. Reven stated that the resident was not in the audience, he had nothing further to add.

Budget Committee Applications

Mr. Reven informed the Board that at the last Board meeting the Board instructed staff to advertise the Budget committee vacancy. Mr. Reven confirmed that this task has been done thru social media platforms and the Township website. He added he was pleased to report that the Township has received three applications. He stated the decision before the Board is to either wait on additional applications, or appoint the three applications that have been received, or any other manner the Board would like to use.

Vice-Chairman Croft made a motion to appoint Alan Yefko, Ben Dilks, and Jeffery Roth to the ad-hok Budget Committee. Supervisor Winters seconded the motion. With all members voting Aye, motion passes 3-0.

New Business

Permission to Send Draft Comprehensive Plan for 247 Review

Mr. Reven informed the Board over the past year the Planning Commission and the Ordinance Task Force have been working with the Townships consultants on a draft comprehensive plan for the Board to consider adopting. He added a presentation of the draft was held last night during the Planning Commission meeting. The Planning Commission has made a recommendation to the Board that the draft comprehensive plan be distributed to the Chester County Planning Commission for Act 247 review. It was also suggested that the draft be shared with the Downingtown Area School District and surrounding municipalities.

Vice-Chairman Croft made a motion to send the Draft Comprehensive plan to the Chester County Planning Commission for Act 247 review and appropriate agencies as Township Manger Reven outlined. Supervisor Winters seconded the motion. With all members voting Aye, motion passes 3-0.

Purchase of Amended Soils for Bondsville Mill Garden Project, COSTARS Contract # 029-e22-083

Mr. Jim Buczala informed the Board the Garden project is moving forward and they are on schedule. He added the bridge has been repaired and thanked Mr. Matt Vanlew and his crew for completing the project which has enabled them to stay on schedule. Mr. Buczala informed the Board that they have selected Laurel Valley Soils to supply the amended soils. He added the cost for the soil is \$50.50 per yard, delivered to the site. The total amount of soil to be purchased is 2000 yards in the amount of \$101,100.00. He also added the COSTARS contract number is 029-e22-083-1. MR. Buczala stated the cost of the soils is covered by county and state grants. He added he is here this morning to formally ask for the Boards approval of the vender selected for this project.

Vice-Chairman Croft asked where is the soils being used. Mr. Buczala stated it is a one-acre lot in front of the mill buildings. Mr. Reven stated last year the committee solicited multiple COSTARS venders to bid on the project, he added more then one COSTARS vender has been reviewed during this process.

Vice-Chairman Croft made a motion to approve the purchase of the amended soils for the Bondsville Mill Garden project under COSTARS contract # 029-e22-083-1. Chairman Scribner seconded the motion. With all members voting Aye, motion passes 3-0.

Parking, Speed Limits, & Stop Signs: Draft Ordinance Update

Mr. VanLew informed the Board that recently he has been working on our speed limit and stop sign ordinance along with no parking. In order for a stop, speed, and no parking signs to be enforceable there needs to be an ordinance. He added within the Code of East Brandywine Township is Chapter 245 which pertains to this ordinance. He also stated this should to be updated due to the addition of the Hillendale and Mapleview developments. Although some of this is simple there are a few locations that will need approval from the Board due to their complexity. The questions are as follows:

1. The intersection of Arters Way/Dawson Place and Seven Springs Lane in the Hillendale development is currently posted as an all-way stop. During a Board Meeting the HOA President asked the Board to place additional stop signs on Seven Springs and Nichols Mills Road. The HOA also stated that drivers are not stopping at the above-mentioned intersection. I have visited the intersection and believe the reason drivers are not stopping is the fact an all-way stop is not warranted. There is adequate sight distance at the intersection and minimal vehicles entering from the side streets. It has been proven that the use of excessive and unwarranted stop signs causes drivers to ignore the signs and speed between signs to make up time. I am asking the Board to consider the removal of the all-way stop at this intersection. Mr. Bruce Rawlings of the Planning Commission feels this should remain a all way stop. Chief Kocsi stated we have one of the fastest growing Townships we are adding high density communities. There are a number of children playing in these developments. He added he is concerned that if the four way stops signs are removed, we will have more speeding issues, then we

currently have. After further discussion, the Chief mentioned that he felt it would be a good idea for the Planning Commission, the Police Department and the Roadmaster review the plan for traffic calming measures. The Board stated this intersection is to remain an all-way stop, the developer is to be contacted to include the supplemental All-Way sign below stop signs.

2. The intersection of Seven Springs Lane and Nichols Mill Road is currently posted as an all-way stop although the recorded Hillendale plans do not indicate that intersection as an all-way. I have also looked at this intersection and believe an all-way should be left in-place at this intersection. Seven Springs Lane and Nichols Mill Road is a through road connecting Township Road to Creek Road. There are also numerous homes located north and west of the intersection along with proposed cross walks. Due to all of these factors I am requesting the Board keep this as an all-way stop. The Board stated this intersection is to remain an all-way stop, the developer is to be contacted to include the supplemental All-Way sign below stop signs.
3. The remainder of the development is simple with a number of T-intersection with one of the roads as a through road and the other leg with a stop. The Board agreed with Mr. VanLew's assessment.
4. All of the speed limits within the Hillendale Development should be posted as 25 mph due to the residence district as stated in Title 75 subsection 3362. He added no speed study is required. The Board agreed with Mr. VanLew's assessment.
5. The Mapleview Development is also mainly T-intersections with one road a through with the leg as a controlled stop. This development should also be posted at 25 for due to the residence district. The Board agreed with Mr. VanLew's assessment. Chief Kocsi inquired if there are flat cross walks as well as the raised crosswalks in the Mapleview Development. Mr. Rawlings confirmed. Chief suggested adding yield to pedestrian signs, adding this may be effective in reducing speed. The Board added, due to private streets the HOA may post private streets as they wish.
6. I am proposing the Board post the following roads as no-parking. In the Hideaway Farms Development Emma Court from Willow Oak Way to Rebecca Drive, Rebecca Drive from Emma Court to Randolph Drive, Patriot Lane in its entirety and Maria Court in its entirety. All of these roads have a paved surface of 26 feet, 6 feet of this is lined for a walking/bike path, the remainder is for vehicle traffic. It is my opinion there should be no parking on these roads due to the following: first there should be no vehicles parked within the walking path, second if there is a vehicle parked on the opposite side of the road and two vehicles pass this would force one of the vehicles into the walking path. I have observed both of these scenarios happen on these roads. The Board agreed with Mr. VanLew's assessment, adding, No Parking is to be posted on the side of the road with the walking paths. Parking will be permitted on the opposite of road but conditions will be monitored.
7. I have recently been informed we will be painting lines on Wildbrier Drive and Firethorn Drive in the Cross Keys Development to interconnect the Community Park and Mapleview Development. I am recommending no parking on these roads due to the same reason as #6 above. Mr. Reven added as part of the East West trail plan, this would be part of the connection between the off-road trails in Applecross and Mapleview and off-road trails in the Community Park. The connection would be served by a share the road model, a painted white line indicated a portion of the roadway was for pedestrian use. He added those areas should be designated as no parking. The Chief inquired about the trail in Mapleview. Mr. Reven stated Mapleview is building a sidewalk parallel to N. Guthriesville. Chairman Scribner asked if the no parking signs would be on both sides of the road. Mr. VanLew confirmed. Chairman Scribner stated the Township will most likely receive some negative feedback regarding this

change. After further discussion, the Board agreed with Mr. VanLew's assessment adding, No Parking is to be posted on the side of the road with the walking paths. Parking will be permitted on the opposite side of road but conditions will be monitored.

2022 Road Paving Program: Permission to Advertise

Mr. VanLew asked the Board permission to advertise for bids to perform the base repair and overlay on the following roads, Gloucester Drive, Berkley Drive, a small portion of Raleigh Drive, and Township Road between Seven Springs Rd and Mt Edy Trailer Park.

Vice-Chairman Croft asked if Helm Way was on the schedule to be repaired? Mr. VanLew stated he would look at the 6-year plan but was aware that the base is failing on that specific road.

Supervisor Winters made a motion to advertise for the 2022 Road Paving program. Vice-Chairman Croft seconded the motion. With all members voting Aye, motion passes 3-0

Subdivision & Zoning Applications

There were none.

Vice-Chairman inquired if the Township had received any updates from the Maplevue Community regarding the changes. Mr. Reven stated at this time the Township has not received anything.

Ordinances & Resolutions for Consideration

Resolution 10 of 2022: Resolution Authorizing the Review, Public Notification and Public Hearing on a Proposed Amendment to the East Brandywine Zoning Ordinance of 1989.

Mr. Tom Oeste presented the following resolution to the Board. Stating this has been in the works for some time. The hearing will be held on August 18th.

**RESOLUTION NO. 10 of 2022
EAST BRANDYWINE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION AUTHORIZING THE REVIEW, PUBLIC NOTIFICATION AND SCHEDULING OF A PUBLIC
HEARING ON A PROPOSED AMENDMENT TO THE EAST BRANDYWINE TOWNSHIP ZONING ORDINANCE
OF 1989**

WHEREAS, the Board of Supervisors of East Brandywine Township has initiated a proposed Amendment to the East Brandywine Township Zoning Ordinance of 1989 attached hereto as Exhibit "A", which, if enacted, will increase the

maximum impervious surface permitted in the R-1, R-2, and R-3 Residential Districts, including maximum impervious surface for conventional and clustered development; and

WHEREAS, Section 399-149 of the Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code prescribe procedures for consideration of proposed Zoning Ordinance amendments, including a Resolution fixing the time and place for a public hearing to inform the public and obtain public comment prior to taking action on the proposed amendment.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of East Brandywine Township, Chester County, Pennsylvania, as follows:

1. The Board hereby fixes the time and place of the public hearing on the proposed Amendment as Thursday August 18, 2022 at 6:30 PM, prevailing time, in the Meeting Hall of the East Brandywine Township Building, 1212 Horseshoe Pike, Downingtown, PA 19335.
2. The Township Manager and Township Solicitor are hereby authorized and shall take all action necessary to comply with the procedural requirements for consideration and enactment of the proposed Zoning Ordinance Amendment, including but not limited to sending the draft Amendment to the Township Planning Commission and Chester County Planning Commission for review and comment, and publishing notice in the Daily Local News of the date, time, and purpose of the public hearing on August 18, 2022.
3. This Resolution shall take effect immediately upon approval and adoption.

RESOLVED, APPROVED, AND ADOPTED this 7th day of July 2022.

Vice-Chairman Croft moved that the Board adopt Resolution 10 of 2022. Supervisor Winters seconded the motion with all members voting Aye, motion passed 3-0

Public Comment on Non-Agenda Items

There was no comment.

Notices

There were none.

Adjournment

Vice-Chairman Croft made a motion to Adjourn the meeting. Supervisor Winters seconded the motion with all members voting Aye, motion passed 3-0

Respectfully submitted,

East Brandywine Township Board of Supervisors

July 7, 2022

Page 7

Lisa Taraschi,
Township Secretary