

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MEETING OF SEPTEMBER 15, 2009**

At 7:32 p.m. Chairman Nick DiMarino called the meeting to order in the Township Building. Members Scott Boorse, Mary Pat McCarthy, Debbie Hineman, Janet DeCaestecker, Pete Davenport and (at 8:00) Eric Hawkins were present, as well as Andrew McReynolds from Solicitor Crawford's office. Supervisor Al Bush was also in attendance.

The minutes of the meeting of August 11, 2009 were approved without change. (Boorse, Davenport. Hineman abstained)

The Chairman said he anticipated no significant changes in next year's budget but that any suggestions should be submitted before the September 28 deadline.

The agenda included a Conditional Use application from "New Cingular Wireless PCS, LLC d/b/a AT&T Mobility" and their 6-page plan had been distributed. With no representatives present to discuss it, that item was dropped from the agenda.

Brandywine Valley Scenic Byway : Susanna Barucco and Liz Lankenau of consultants Kise Straw & Kolodner (KSK), came to discuss a "Draft Goals Matrix" prepared by KSK. The document had been distributed with explanatory cover letters dated 26 August 2009. Ms. Barucco summarized the background, said the matrix lists recommendations for a Corridor Management Plan for the Brandywine Valley Scenic Byway, and asked the PC members for comments.

Mr. DiMarino asked for an interpretation of the terms "recognize, protect and promote." Ms. Barucco said this was a Federal Highway Administration program and the idea is to balance economic development with preservation and conservation of roadways and roadway areas having the intrinsic qualities established by the FHA. Ms. Lankenau said a goal is to identify partners who will be mutually supportive in the efforts to protect the Byway, perhaps with municipal ordinances, dissemination of information, etc. "Protect" can refer to the landscape or a scenic vista, etc. "Promote" can mean to market the area, even to the point of creating a logo for the local commission, posting information on the website, etc. Some municipalities see promotion and marketing as an opportunity to increase their economic base, but others may not. The matrix reflects what's important to the participating communities.

Ms. McCarthy asked what happens if participating townships disagree on marketing, for example. Ms. Barucco said that should be addressed by the local commission. Ms. Hineman asked if any township could opt out of the program. Ms. Barucco was not sure. Dan Hill, Birmingham Township RPOS member and member of the local Scenic Byway commission, said the township could opt out with an action by the Township Supervisors, but that this may not change the Creek Road designation as a Scenic Byway. He noted that other townships share our disinterest in more people on the roads. The participation does enhance the townships' opportunities for grants. Ms. Lankenau said there are eight different categories for funding along the Byway. Ms. Hineman asked why we should start something new, asking for new funding, when the state is unable to support already-established sites such as the Brandywine Battlefield State Park. Ms. Lankenau explained that this is a federal program, not just a state program, and that it is made stronger by the participation of *seven* townships.

Ms. Barucco said the Corridor Management Plan is a participatory effort and all seven stakeholders are being asked for their input. The plan addresses issues and does not necessarily provide solutions. The list of qualities addressed includes *natural*, *scenic*, *historic*, *cultural*, and *archaeological*. The top two in the Brandywine Byway are *historic* and *scenic*. The matrix is a set of recommendations presented for discussion.

Mr. Boorse said he thinks this is a great idea.

Mrs. Hineman said many of the suggestions would increase traffic on Creek Road, currently one of the worst in the township. Adding bicycles, closing roads [page 2 (4.4), page 3 (2.5)] are examples of very unpopular ideas in the matrix. Ms. Barucco said the matrix is an invitation for comments, but that some of the ideas are to make the road safer for bikes; perhaps there are other safer roads. Mrs. Hineman suggested that the matrix writers were unfamiliar with the area and that the residents would be very upset with some of the suggestions. The flooding of the Brandywine would make some of the ideas impossible. Ms. Barucco said some of the suggestions in the matrix were more closely related to the other stakeholders. Mrs. Hineman said things put in writing seem likely to happen; Ms. Barucco stressed that it's merely a recommendation and not a fact. Ms. Lankenau noted that Birmingham's is the first Planning Commission on their list, so they welcome recommendations. Mr. DiMarino emphasized that the recommendations will come from the PC, not from individuals.

Mr. Hawkins talked about the difficulties of driving on our local "farm" roads with the bicycle clubs that already use them. There are already signs designating the Scenic Byway, but the old narrow roads can't accommodate more traffic or tour busses.

Mrs. DeCaestecker asked how much clout a dissenting township might have. Ms. Barucco said there needs to be agreement among the municipalities. Ms. Lankenau said Creek Road is a state road, so PennDOT would have to go along with any adopted proposal. Ms. Barucco said they should just remove the road-closing recommendation from the matrix.

Mr. DiMarino asked for an explanation of what the township signed in 2005 and what commitment it had agreed to. Dan Hill said it is a multi-municipal agreement that committed the member townships to membership and to \$500 annual funding, as well as supplying two representatives to the commission. Mr. DiMarino said the desire for "passive" recreation is not universal in the township and that he and his 17 neighbors did not understand what it was when they received the RPOS survey; they thought it meant conservation. He suspects that other residents would not want these recreational opportunities if they knew how much it would cost. He cited trails as something residents do not want next to their houses. Mentioning litter, Mr. DiMarino said "People create problems; if you eliminate the people, you eliminate a lot of the problems." He said the residents here have most of what they want; they don't want to supply the needs of people from outside the township.

Mr. Boorse said he supports a trail network, especially along the Brandywine. He suggested the consultants would find the residents split on these topics.

Mr. DiMarino said just what we have now will increase in expense for the residents and that more facilities would create more expense.

Ms. McCarthy asked if easements would mean "taking" of land. Ms. Lankenau said it's usually done *before* development. Mr. Hill said the Brandywine Conservancy is studying *voluntary* easements along the Brandywine (in exchange for tax abatements).

Ms. McCarthy asked if there's funding for cleaning up after the people. Several people answered that tax money would have to be spent for it.

Mrs. Hineman said she thinks we do not need any more problems, traffic or people. Mr. Hawkins said bicycle clubs have appeared since the 2005 Scenic Byway designation. Ms. Barucco asked the best way to elicit public attendance at a meeting. Audience member Lloyd Roach said direct mail is the best way. Ms. Barucco said they don't have any money. Mr. DiMarino said getting public participation is difficult, even in elections.

Mr. Hawkins said we could use more passive recreation, but it needs to be managed properly; he strongly objects to the animal waste on the trails. He said recruiting participation requires time, education, cooperation, and that we must be mindful of the attitudes of people who have invested so much of their lives into their homes.

In summarizing, Mr. DiMarino said a *written* plan is usually regarded as *THE* plan; if changed, the replacement plan would be regarded as *THE* plan. Any plan to "promote" the area to outsiders is objectionable. Ms. Barucco said "encourage" is what was intended. Mr. Hawkins said any plan to "market" the area is objectionable. Mr. DiMarino said the assumed audience is people outside of the township, and *that* is objectionable. Other specific problem ideas are new points of access to Brandywine Creek (page 4 [1.1], etc.); anything to do with PennDOT; marketing through Philadelphia promotion (page 8 [2.7]); traffic calming (page 11, [1.11]) (roads are for vehicular traffic, not slowing it down). Ms. Barucco said KSK is responsible for creating the matrix, not the Supervisors. Mr. DiMarino stated that the PC is not just supposed to look at the big picture, but must give residents what they want.

Audience member Lloyd Roach, Birmingham Township Emergency Management Coordinator and Treasurer of TMACC (mentioned in the matrix), pointed out that the tourism and marketing organizations mentioned in the matrix proved that the promotion and marketing was intended for the external public, that he had quickly identified costs exceeding \$5 million (e.g., shuttle bus), and that he would object to many of the Creek Road ideas on the basis of safety. He critiqued the plan as "a loser" and said it lacked supporting research and should be completely re-written.

Ms. Lankenau asked to be sent a copy of the meeting's minutes. Mr. DiMarino will circulate comments for the PC members to add to, show them to the BOS, and then send them to KSK. Supervisor Al Bush asked that Dan Hill educate the Supervisors about the topic. Dan Hill thanked the PC members for their feedback.

Mr. DiMarino declared it too late to discuss the billboard ordinance. He said Kristen Camp had asked if we were creating something that billboard companies would find impracticable. Mr. DiMarino said the ordinance makes billboards doable, but applicants may not want to do it. The ordinance will be discussed at the next meeting.

The meeting was adjourned at 8:42 (Boorse, Hawkins).

Respectfully submitted,

Jacquie Roach

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