



UPPER UWCHLAN TOWNSHIP
Planning Commission Meeting
July 14, 2016
Minutes
Approved

In Attendance:

Bob Schoenberger, Chair, Jim Dewees, Joe Stoyack, Bob Phillips, Jim Shrimp, Cary Vargo – Township Manager, MaryLou Lowrie, P.E. – Gilmore & Associates; Gwen Jonik - Planning Commission Secretary, John Theilacker - Brandywine Conservancy

Bob Schoenberger called the meeting to order at 7:31 p.m. as a quorum was present.

Pickering Academy Daycare Center – Introduction

John Diament and Mr. Sanket Shah introduced a concept for a daycare center on property owned by Mr. Diament at 128 Byers Road. They were seeking the Commission's opinions on the concept prior to submitting a Conditional Use Application, which would be necessary for an educational use in the C-1 Village Commercial District. Mr. Diament had received land development approval in 2008 for the lot where this use is proposed, however he did not have a tenant secured at that time and the lot has remained vacant. The on-lot septic was approved, the Highway Occupancy Permit was finalized and the storm water management infrastructure was installed.

Mr. Shah is interested in a long-term lease for a daycare/school, for 56-60 children, maximum. The proposed building would be 6,000 square foot, facing Byers Road, and would look like a residence. It would be a 1-story L-shaped building with a 1.5-story wing. Parking would include 29 spaces, plus 2 handicapped spaced. A fenced play area could be either out front or in the rear. Mr. Diament would construct the building.

The Commission members expressed their favor for this concept and recommended Mr. Shah submit a Conditional Use Application.

Parcel 5C "Village at Byers Station" Subdivision / Amended PRD Plan

Bob Dwyer, Land Trust Properties, attended to review the Township Consultants' comments regarding the subdivision/amended PRD Plan for Byers Station Parcel 5C, dated May 20, 2016. Parcel 5C is the currently vacant lot on the northeast corner of Pottstown Pike (Route 100) and Station Boulevard, just north of the Township Building.

Mr. Dwyer advised they can comply with the majority of the consultants' comments to date; there are 8 items that require further discussion and they await comments from emergency services. Three waivers are requested: from providing sidewalks on both sides of the streets as they're proposing a multi-use trail for the entire perimeter of the property; the type of piping used in the right-of-way; using Belgian block instead of concrete for the curbing.

Items needing further discussion include the following:

Instead of installing the standard sidewalk just along Route 100 and internal sidewalks as was required in the PRD Approval, they propose installing a wider pedestrian asphalt trail around the entire perimeter, in keeping with the Village Transportation Plan. They would ask for a waiver from providing sidewalk on one side of the internal streets in exchange and that would also reduce impervious surface. They will provide open space with a tot lot within the residential area of the project and also contribute to the development of the pocket park in Eagle Village, in exchange for the "multi-purpose field" in their open space. Each group of residential units can

access the perimeter trail from between their units, the only difficulty being the trail along the hillside of Route 100. No crosswalk is proposed midway on Graphite Mine Road, only at the corners; no traffic light is proposed. Trail connections will be made where the Planning Commission and consultants suggest, as appropriate. Midway access on Graphite Mine Road is right-in/right-out and left in.

The Commission members weren't in favor of residents walking on internal streets to get to the perimeter trail. Mr. Dwyer said the internal streets are proposed at 26'-28' wide, with parking, so it won't be an easy cut-through, and the residents can walk on the front or back yards for the short distance to the trail. The internal streets will be private roads so the Homeowners Association (HOA) could add a barrier if through-traffic becomes an issue.

Mr. Dwyer commented they're looking for a comprehensive plan for the retail space. They continue to solicit tenants, especially the anchor store, and a sketch plan with parking for the retail area is forthcoming. Access to Route 100 (Pottstown Pike) will also be right-in/right-out, left in, and there will be access on Station Boulevard. Sketch plan with parking plan for retail is forthcoming.

They are proposing a 28' wide roadway, which will remain private, and the HOA would take care of landscaping, grass mowing, the roadway, the tot lot, and the interior trail. The perimeter trail would be dedicated to Township. Cary Vargo said trails that connect to other Township trails would be dedicated and maintained by the Township.

Each residential unit will have 3 parking spaces, which complies with the previous code; they'll provide the right-of-way as necessary along Station Boulevard; and they propose making up for reduced central open space by contributing to the construction of the Eagle village park.

They'll comply with all other Consultants' comments to date.

Gwen Jonik noted the County Planning Commission and Lionville Fire Company reviews are due any day.

Mr. Dwyer proposed meeting with the consultants in the coming weeks to discuss the items noted above. They are actively pursuing retail tenants but they need to move forward with the residential project to meet the property owner's requirements.

Zoning Ordinance Amendment

Cary Vargo introduced the McKee Group's response to Brandywine Conservancy's comments regarding adding an Active Adult Community Use to the F-1 Flexible Development Overlay District. Brandywine's comments related to whether or not certain structures (clubhouses, parking) or infrastructure (wastewater storage and disposal) should be permitted in restricted open space and whether or not to increase the minimum tract size required for an Active Adult Community. There was brief discussion about including environmentally sensitive areas into the open space calculations within the F-1 District. No definitive comment was made. The original draft stated 10 acres as the minimum tract size. Brandywine had suggested perhaps 150 acres. It was noted that is larger than the Fetters property. The Commission members discussed how a minimum tract size of 100 acres would limit the number of properties in the F-1 District where an Active Adult Community could be developed. Following considerable discussion, the Commission commented that 10 acres should be the minimum tract size for an Active Adult Community.

It was noted that the Commission would like to promote commercial development/re-development throughout the appropriate zones in the Township.

Historic Preservation / Adaptive Re-Use of Historic Structures

Bob Schoenberger introduced a revised draft Ordinance that would broaden the adaptive reuse regulations throughout the Township, remove restrictions for owners to preserve or adaptively reuse historic structures, provide for certain by-right uses within particular zoning districts and other uses that would require conditional use approval, which also includes alterations to building facades viewed from public streets. The Historic Commission and Planning Commission had discussed and revised previous drafts, formulating this potential 'final' draft.

John Snook, of Brandywine Conservancy, had drafted a Section regarding Demolition of Historic Resources, as was requested by the Village Concept Committee (VCC) at their June 27 meeting. The VCC had not yet met to review the Demolition Section, therefore the Planning Commission didn't discuss it at length.

The Commission questioned whether the adaptive reuse and the demolition regulations had to be approved at the same time or separately, and after brief discussion, determined they could be moved forward separately.

Jim Dewees moved, seconded by Bob Phillips, to recommend approval of only the proposed historic preservation adaptive reuse regulations: adding "Adaptive Reuse for Historic Preservation" to each zoning district, and adding subsections titled "Adaptive Reuse Permitted by Right", "Adaptive Reuse Permitted Subject to Conditional Use Approval", "Modifications to Area and Bulk Regulations Otherwise in Effect", "Specific Requirements for Adaptive Reuse for Multiple-Family Dwellings".

The Motion carried with four (4) in favor and one (1) opposed (Stoyack).

The Commission suggested forwarding the Historic Preservation Adaptive Reuse Ordinance to the County Planning Commission for review.

Keeping of Chickens in Residential Areas

Cary Vargo introduced a draft Ordinance regarding the keeping of chickens as current ordinances don't address the topic. AL Gaspari drafted the Ordinance after researching neighboring Townships' regulations. There are more and more residents interested in keeping chickens, and there haven't been many complaints; however, there have been a few recently and the situation should be addressed.

The draft ordinance discusses the standards for keeping domesticated chickens, enabling residents to keep a small number of female chickens on a non-commercial basis, and limits the impact to neighbors.

The Commission members questioned:

1. Why didn't the ordinance address ducks, geese and turkeys too? A resident with chickens commented that ducks and turkeys require more space than chickens and typically aren't kept in residential areas.
2. The lot size and allowable number of chickens varies per Zoning District –there should be provisions for properties over 2 acres?
3. Why is a permit needed? It was discussed that this is the mechanism to assure the accessory buildings are as required and to assure the chickens get ID bands.
4. There should be alternative methods of disposing the waste? Or composting?
5. The chickens have to be in a fully enclosed shelter with a roof and only in the rear yard, meaning they can't free range?
6. It's thought there a typo in #8 – perhaps the word "not" was left out. Shouldn't it say a zoning permit shall NOT be required?

7. The item about no slaughtering should include all farm animals.
8. Could this ordinance address other farm animals such as goats and sheep?

Cary Vargo advised he would ask Mr. Gaspari to provide responses to these questions and comments at the next Commission meeting.

John Shelton questioned the control and disposal of chickens if something such as the avian flu occurs. It was thought that's more of a problem in commercial operations.

Approval of Minutes

Jim Dewees moved, seconded by Joe Stoyack, to approve as presented the minutes of the June 9, 2016 Planning Commission meeting. The Motion carried unanimously.

Bob Schoenberger announced the next Planning Commission's next meeting date is August 11, 2016.

Open Session

Jim Dewees asked if there would be a formal ceremony to open Upland Farms Park. Mr. Vargo replied there are a few more items to tend to and there will be something more formal in the Fall.

Mr. Dewees asked if there was any movement regarding the Upland Farms barn renovation project. Mr. Vargo advised the Township continues to seek funding opportunities.

Jim Dewees asked the status of the Eagle Village Park. Mr. Vargo advised that the Park, to be located on the Township Building property, has been designed and engineered (2016 Budget) and construction will be in the 2017 budget. The Developers of Byers Station Parcel 5C have discussed contributing to the construction of the Park in lieu of greater open space within that development.

Adjournment

Joe Stoyack moved to adjourn at 9:22 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary