



UPPER UWCHLAN TOWNSHIP
Planning Commission Meeting
June 12, 2014
Minutes
Approved

In Attendance:

Sally Winterton, Ken Engle, John McTear, Chad Adams, Derald Hay, Jim Dewees, Dave Leh, P.E. – Gilmore & Associates, Al Gaspari – Codes Administrator, Cary Vargo – Township Manager, Gwen Jonik – Planning Commission Secretary

Sally Winterton, Vice-Chair, called the meeting to order at 7:33 p.m. A quorum was present.

American Towers, LLC, Conditional Use Application

Richard Lemanowicz, Esq., introduced the American Towers, LLC Conditional Use Application, dated May 12, 2014, which proposes the construction and operation of a 150' monopole communications tower on the Shryock property located at 780 Dorlan Mill Road, and includes a 10' wide construction road, 12' x 22' equipment shelter, 5' tall chain link fence with 1' barbed wire atop. This location was chosen to enhance the coverage of AT&T wireless service. Conditional Use approval is sought as required for this use in the Limited Industrial (LI) Zoning District. A Zoning Hearing Application was also submitted simultaneously, seeking relief from the Township's height and setback requirements.

Discussion included:

Does the fall zone include State Park land; monopoles crumble vs. falling over straight.

No landscaping is proposed, no disguising of the tower is proposed;

Will coverage gaps still exist? A 150' tower will provide reliable coverage; a higher tower would be better but the zoning and property restrictions limit it to 150' and to the proposed location on this property.

Will the proposed tower support co-locations; an extension may be needed in the future.

The 150' setback relief being sought through the Zoning Hearing Board is the setback from the property line, not a fall zone from existing structures.

A fall zone easement could be arranged with the property owners, but probably not needed with the State.

The State should be notified through the zoning process that a tower is proposed.

The Commission questioned the selection of this site as this area isn't highly populated.

Mr. Lemanowicz distributed aerial pictures showing existing AT&T towers, all at least 2 miles away from this location, and each other.

Derald Hay moved, seconded by John McTear, to accept the Conditional Use Plan for review. The Commission highly recommends the following:

1. That the tower be located at least 150' away from the currently unoccupied house;
2. That the Applicant notifies the State of the proposed project and requests the State reply that they are aware of the proposed project; and
3. That the tower be built in such a manner that it can be extended without requiring another tower.

Neighboring resident Brett Boden commented the proposed location for the tower is down in the valley and should be higher on the hill. He's concerned with the radiation level and the proximity in height to his home. Mr. Lemanowicz responded that a report will be prepared, demonstrating compliance with the FCC and other radiation regulations.

The Motion to accept the Plan for review carried unanimously and the Consultants' comments will be reviewed at the July 10 Planning Commission meeting.

New Cingular Wireless d/b/a AT&T - 450 Milford Road – Land Development Plan

The Land Development plan proposes the addition of a 10' x 40' concrete pad to support a diesel-powered emergency generator at the existing silo cell tower site. Tom Schlegel of Fitzpatrick Lentz and Bubba, represented the Applicant. Kate Durso had attended the May 8 meeting and has subsequently provided materials requested at that meeting, pictures of existing landscaping at the site and information regarding the noise level during testing and operation the generator.

The Consultants' June 4, 2014 comment letter and the Applicant's June 9, 2014 waiver request letter were discussed. The generator will self-test once a week for @ 15 minutes. The Turnpike traffic makes more noise than the generator. The 210-gallon fuel tank is contained within the generator, as is a spill-containment area. The condition of the existing driveway access was discussed, as construction traffic may cause deterioration.

Though the scope of this land development project is minor, the Planning Commission did not favor granting the waivers from providing the property boundaries, right-of-way monuments, lot pins, and easements on the Plan. After lengthy discussion, Derald Hay moved, seconded by Chad Adams, to recommend granting only waivers #7 and #8, from having to provide site analysis / impact plan and conservation plan. After further discussion, including the desire to review the original land development plan approval for this site, Chad Adams withdrew his second. Jim Dewees seconded Derald Hay's Motion to grant only waivers #7 and #8. The Motion did not carry with Hay, Dewees, Engle in favor; Winterton, McTear, Adams opposed.

Chad Adams moved, seconded by Ken Engle, to table any recommendation to the Board until the prior land development plan was reviewed at the July Planning Commission Meeting or the Applicant provided Plans showing the boundaries, right-of-way monuments, etc. The Motion carried with five in favor, one opposed (Dewees).

Nace Properties / Children's House of Exton – Conditional Use Plan

Brian Nagle, Esq., of MacElree Harvey, representing Karen and Gary Nace, briefly summarized the proposal: construct and operate a Children's House (Montessori) School for children aged 2-6 years, and potentially provide complementary before- and after-school childcare (30 maximum) for students attending the School. The School will operate 9:00 a.m. - 3:00 p.m., with maximum enrollment of 78 children. This use was shown on the Windsor Ridge Conditional Use Plan and the site was improved with the storm water, parking, etc. when the Community Center was constructed. The School building architecture will be consistent with the restrictions as detailed in the Windsor Ridge Conditional Use Approval and/or the Settlement Agreement. The Township Consultants issued two review letters, one for the Conditional Use application; one for the land development application.

Cynthia Smith, P.E., Horizon Engineering added the conditional use plan is Sheet 1 of the land development plan set, showing the existing parking, the proposed building, sidewalk along the drop-off area and road frontage. The sidewalk was supposed to be connected from the Community Center but it wasn't built as such. The School would make the connection. The Planning Commission commented they would like to see sidewalk go from the drop-off area out to Garrison Drive.

Guy DiMartino, P.E., Traffic Planning & Design, advised the original traffic study supported this use. The roads have already been designed to handle a larger volume of traffic from this property. Current traffic flows are calculated using the maximum enrollment of the School and potential Daycare. Both morning and afternoon sessions can have up to 78 students, which would require 8 Staff at maximum student capacity. Perhaps 1/3 of enrollment might attend both sessions. The

morning session (8:45-9:15) estimates 75 cars entering and exiting. Noon would potentially be the busiest with an overlap of morning pickup and afternoon drop off, except if students attend both sessions, so they're estimating @ 50 enters/exits. End of day mimics the morning, estimating 75 cars entering/exiting. Most of the traffic won't occur during typical 'rush hour' timing, except if/when the before- and after-school childcare is available. With 30 children maximum at the daycare, 30 enters/exits in the morning and again in the afternoon.

Discussion included:

Compare current traffic counts to those estimated in original Traffic Study for impact to the neighbors;

How will traffic flow through the parking area as there's only 20 parking spaces.

The parking spaces are for Staff. There's a drop-off area where the parents pull up, Staff meets the car and they bring the children inside. The parent then drives off.

The reverse happens for pick up after, and the parents don't all arrive at the same time.

Mrs. Nace isn't currently licensed for a daycare but would like to have that approved/available if warranted in future

Ten cars can "stack up" in the 250' loop for the drop-off area.

Commission concerned with stacking out onto Garrison Drive.

Several Windsor Ridge residents are students at the current Children's House location in Lionville.

Other current students will probably attend at this location.

Montessori regulations - 28 students maximum in a class, 3 teachers for those 28 students.

Special event parking overflow – would like to work out with the neighbors.

Existing parking lot is adequate for EMS responses. Yes.

Back yard is playground, open play area, 9,000 SF of fenced area.

Fencing will comply with Township Code and HOA regulations, will probably match what surround HOA pool.

Brett Hand presented architectural drawings of the proposed school building, which is in keeping with the locale and Southeast Pennsylvania architecture -- single story, off-white front, 3 'wings', asphalt shingles, metal roofing over doorways, cupola visible from all sides; trimmed in green; perhaps half wall stone work on front to break up materials, security lighting won't be large flood lights but smaller sensor lights near the front entrances and each corner out back – match the community center next door.

Jennifer Duran, Esq., representing the Windsor Ridge HOA shared the following concerns:

This use is centered in over 450 homes.

The 2002 Conditional Use Order and 2002 Settlement Agreement states "...Services desired by Windsor Ridge residents" ; a school isn't listed in the Agreement.

Although Order allows for C-1 district use, that doesn't change area & bulk regulations in the R-2 district, regarding the building and playground setback requirements.

Parking and traffic are of concern

Asked the Planning Commission to recommend denial of the Conditional Use Application.

The Applicant and the HOA hadn't talked yet. The Windsor Ridge community hadn't been polled about the application. Land Development Plan won't be addressed until Conditional Use is decided.

Cary Vargo advised that the educational use wasn't advertised in the original Conditional Use Hearings and/or documents so the Township felt it was prudent to bring this Application through Conditional Use process. The first Hearing for this Application is scheduled for Monday, June 16, 2014, 7:00 p.m .

Jim Dewees moved, seconded by John McTear, to recommend approval of the Conditional Use application an educational facility and daycare and that the Homeowners Association (HOA) and

the Applicant meet to work out the other issues before going through the Land Development process. Mr. Nagle clarified that the School will operate Monday-Friday 9:00 a.m. -3:00 p.m. and is the Use currently requested, with a daycare as a secondary use at some point in the future. Derald Hay suggested the Motion be revised to reflect this. John McTear withdrew his second, Jim Dewees withdrew his Motion.

Derald Hay moved, seconded by Jim Dewees, to recommend approval of the Conditional Use Application for a School and daycare facility provided that the children attending the daycare are students of the School. The Motion carried with five in favor and one opposed (Engle).

Approval of Minutes

Jim Dewees moved, seconded by Derald Hay, to approve as presented the minutes of the May 8, 2014 Planning Commission meeting. The Motion carried unanimously.

Open Session

Brett Boden made comment regarding the Zoning Hearing scheduled for June 25, 2014 regarding the American Towers, LLC, Zoning Application.

Adjournment

Sally Winterton adjourned the meeting at 10:41 p.m.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary