



## UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

November 8, 2018

Minutes

Approved

In Attendance:

Sally Winterton, Vice-Chair; Bob Phillips, Jim Dewees, Jeff Smith, Brett Hand, Chad Adams, Joe Stoyack, Al Gaspari – Codes Administrator, and Gwen Jonik, Planning Commission Secretary

Sally Winterton called the meeting to order at 7:34 p.m. A quorum was present.

### Subdivision / Land Development Ordinances (SALDO), Zoning Ordinances

Discussion included suggestions of ordinances that should be reviewed, revised, or updated in order to meet the goals of the Township's Comprehensive Plan.

Joe Stoyack suggested the general review of SALDO and Zoning Ordinances focus on areas of re-development, guidelines for re-development within the villages.

Al Gaspari noted that a variety of zoning ordinances are antiquated, and Uses are inconsistent. In one instance, a Use requires Conditional Use Approval; in another it's allowed by-right. He noted most Zoning Hearing Board applications involve relief for an accessory structure in the front yard. Another area being questioned is the prohibition of solar panels in view of a street. Initially, that may have been prohibited due to glare; however, newer technologies have addressed that issue.

Gwen Jonik advised, on Cary Vargo's behalf, that the Township will submit a Vision Partnership Program Grant application for the next round - early 2019 – to assist with funding the Ordinance amendments. Mr. Vargo suggests inviting an Economic Development Council member and a few of the local Developers to discuss the future of business in Chester County.

Jeff Smith noted that residential builders frequently request waivers for narrower roadways (28' vs. 32') and providing sidewalks on only one side of the street, rather than both sides.

Discussion included removing the Planned Residential Development ("PRD") Overlay as there are no properties large enough to develop as such. To assist with this discussion next time, Gwen Jonik will locate the map created years ago that displayed Township properties 25+ acres.

It was decided that tonight's attention would focus on the Adaptive Re-Use of Historic Resources Ordinance – Zoning Ordinance Section 200-72.1 – since Al Gaspari was in attendance.

Al Gaspari noted the Adaptive Re-Use Ordinance proves difficult to work with due to the inconsistencies between Zoning Districts and By-Right Use/improvements (just a building permit) vs. Conditional Use approval. He walked through various sections of the Ordinance using a sample case in the "R2" District within the "F1 Flexible Development Overlay". Applicants must comply with base zoning; can't increase footprint except for certain things; if it meets base zoning and is a by-right use, and a building permit is submitted with an increased footprint for an allowable item, does that trigger a land development plan? Example: turning a single family residence into several units means additional parking would be needed – does that trigger a land development plan?

Chad Adams commented the intent should be to keep the historic character and nature of the structure and additions should be compatible with the architectural context of the existing structure. Brett Hand would like the Ordinance modified to include review/recommendation by the Historic Commission since it involve an historic resource.

It was discussed that the Adaptive Re-Use ordinance should be amended to reflect that any change of Use for an historic structure, including from single-family to multi-family, should require review by the various boards and commission and approval by the Board of Supervisors. Building permits for improvements to historic structures should be reviewed by the Historic Commission who would provide a recommendation to the Building Department and/or the Board of Supervisors, and incorporate an accelerated review process for the Permit. Al Gaspari will work on revising the text for further review.

Mr. Gaspari suggested that the sign ordinance be amended. There are non-compliant signs in the Village, and several examples in the Village Design Guidelines that aren't compliant with existing sign ordinances.

Chad Adams suggested the same thing regarding the lighting ordinances, which need to be updated to address LED lights and fixtures.

Regarding alternative energy regulations, the Township wants to encourage alternate energy sources, and residents have to be cognizant of the impact on neighbors. It was suggested that Homeowners' Associations be asked to provide input, especially regarding aesthetically pleasing solar arrays.

Future Planning Commission meeting agendas should include discussion of the following Ordinances:

1. Signs
2. Lighting
3. Alternative Energy Systems
4. Re-development and village design guidelines references within zoning ordinances
5. Remove "PRD" Overlay
6. Review letters by Gilmore & Associates and Stan Stubbe containing suggested ordinance revisions.

#### Approval of Minutes

Joe Stoyack moved, seconded by Jim Dewees, to approve as presented the minutes of the September 13, 2018 Planning Commission meeting. The Motion carried unanimously.

#### Open Session

A resident commented this was a very informative meeting and asked if revising the ordinances would help address the changes that development and additional traffic have created over the years. Jeff Smith commented that the Township has to operate within a property-owner's rights and desires while complying with the ordinances.

#### Adjournment

Sally Winterton adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary