



## UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

October 10, 2019

6:00 p.m. Work Session

7:00 p.m. Meeting

Minutes

Approved

LOCATION: Temporary Township Administration Office  
415 Eagleview Boulevard, Suite 116, Exton PA 19341

### In Attendance:

Bob Schoenberger, Chair, Sally Winterton, Vice-Chair, Joe Stoyack, Bob Davidson, Jim Shrimp, Jim Dewees, Jeff Smith (7:04), and Chad Adams (7:23), Gwen Jonik, Planning Commission Secretary

Al Gaspari, Township Codes Administrator (Work Session 6:00-6:40)

Kristin Camp, Esquire, Township Solicitor (Works Session 6:00-6:40)

Mary Lou Lowrie, P.E., Gilmore & Associates (Meeting 6:55-8:10)

Bob Schoenberger called the work session to order at 6:06 p.m. A quorum was present.

### Ordinance Review, Amendment Discussion

#### Alternative Energy Ordinance Update

Joe Stoyack had met with Kristin Camp and Al Gaspari to discuss this ordinance, initially focusing on text related to solar energy and prohibition of roof-mounted arrays that face roadways. Research will include existing case law regarding solar power; safety and permitting discussions with Al Gaspari; reviewing other Chester County townships' ordinances for comparison. The 3 will meet again to discuss their research and potentially draft an amendment for discussion at the November Planning Commission meeting. New technology and materials can make solar arrays less conspicuous and might allow us to revise our regulations regarding roof mounted solar arrays facing roads. Al Gaspari advised that glare studies can be required, if that is the concern; otherwise, why wouldn't we allow arrays facing streets?

#### Lighting Ordinance Update

Kristin Camp had incorporated Township Lighting Consultant Stan Stubbe's suggestions with our current lighting regulations, within the Subdivision/Land Development Ordinance (SALDO). Mr. Stubbe had suggested moving them from SALDO and placing them in Zoning. Kristin Camp and Al Gaspari commented that would place a burden on property owners as it'd be hard to prove the need for a variance, whereas keeping them in SALDO provides more flexibility depending on the scenario.

Lighting regulations already exist within the Zoning Ordinance, including modification language (200-79.B.) and the Zoning light regulations refer to those within SALDO.

#### Discussion included:

1. residential lighting should be segregated from non-residential; make non-residential a little more rigid; needs to protect surrounding community;
2. need to address properties where commercial/industrial abuts residential
3. SALDO regulations are addressed during land development planning;

4. Zoning lighting regulations (200-79) revert readers back to SALDO;
5. Enforcement is covered in both SALDO and Zoning;
6. lighting of signs should go in the Zoning/Signs regulations;
7. flexibility within SALDO; can more adaptive with changes in light technology through SALDO; a waiver is easier and less expensive for a property owner than a Zoning variance.

Following this discussion, the consensus of the Planning Commission was that only the section regarding lighting of signs should be removed from SALDO and placed within Zoning.

Jim Dewees moved, seconded by Sally Winterton to make a recommendation to approve the Draft as presented this evening with the edits discussed [Draft Page 5 remove (j), adjust text in Page 5 (f)] and the Solicitor will draft the ordinance adding into the appropriate Zoning Section, the lighting of signs provisions. The Motion carried with five (5) in favor and one (1) opposed (Stoyack).

The Work Session was adjourned at 6:41 p.m. Al Gaspari and Kristin Camp left.

The Commission members briefly discussed dates to meet with Bob Dwyer's commercial-retail broker to learn about current difficulties with commercial-retail markets. October and November regular meeting dates didn't work for the broker. If the Commission's December meeting date doesn't work, we'll target November 4.

#### MEETING

Bob Schoenberger called the regular business meeting to order at 7:01 p.m. A quorum was present.

#### Windsor Baptist Church – Land Development Plan

Tom Ludgate of Ludgate Engineering reminded the Commission that they went through a Conditional Use Hearing in August regarding the size of their building addition and Approval was granted in September. He advised that they can comply with all of the consultants' comments contained in Gilmore's July 3, 2019 letter; however, they were requesting a number of waivers which were listed in a July 10, 2019 letter, seeking relief related to runoff infiltration, sidewalks along Park Road and Little Conestoga Road, street tree installation, street tree height and caliper, landscaping at parking lots, traffic study preparation, driveway count. The hardship and/or plan for each waiver was discussed.

Jeff Smith moved, seconded by Jim Dewees, to recommend Preliminary Plan Approval and granting the waivers as listed. The Motion carried unanimously.

#### Starbucks – Eaglepointe Shopping Center – Land Development Plan

Proposed Land Development Plan dated September 18, 2019

Tim Townes of Eagle Retail Associates distributed a demolition sheet and a grading plan sheet for the proposed Starbucks store in the Eaglepointe Shopping Center. The Board granted Conditional Use Approval in July. The proposed plan is that the former Key Bank building will remain the same with interior-only alterations; existing canopy and drive-through lanes removed to provide 1 drive-through lane and an escape or by-pass lane; the 7 existing parking stalls will become part of the travel lane and those 7 spaces will be located elsewhere;

impervious coverage will be reduced; 1 light pole will be moved; landscaping will be fixed; 11-12 cars will fit in the stacking lane; the largest vehicle that can maneuver through is a 2500 series pickup truck with a full-size bed.

Discussion included the following:

1. the configuration of the proposed drive-through lane and parking areas results in cross traffic; it doesn't flow well.
2. See if Starbucks would consider keeping the existing drive-through lanes and parking in place. One drive-through lane will become the escape lane. Adjust parking spaces from there. Mr. Townes will present this suggestion to Starbucks.
3. existing parking spaces would be blocked by the drive-through lane.

Joe Stoyack moved, seconded by Jim Shrimp, to accept the Plan for consultants' review. The Motion carried unanimously.

#### DSM Biomedical – Eagleview Corporate Center Lot 2 - Land Development Plan

James Fuller, of Hankin Group, was in attendance regarding the Preliminary/Final Land Development Plan dated October 2, 2019 proposing the addition of an accessory building for DSM Biomedical, an existing business operating on Eagleview Corporate Center Lot 2. The accessory building is a 465 SF pre-manufactured building which will be located by the dumpster area of the property. The Planning Commission asked that the following information be provided prior to their November meeting: purpose of the building, screen wall height and material, and they'd like to see the pre-manufactured building cut sheets and details.

Jim Dewees moved, seconded by Jeff Smith, to accept the plan for Consultants' reviews. The Motion carried unanimously.

Chad Adams suggested that floor plans and elevations be required with Land Development plan submissions. We'll check the submission regulations at the next Work Session.

#### Approval of Minutes

Joe Stoyack made comment that the draft September 12, 2019 Work Session and Meeting minutes did not contain a paragraph he had requested during that meeting. He moved that the September 12 minutes be revised and reviewed at the November meeting. All were in favor.

#### Open Session

The Commission briefly reviewed the architectural elevation options for Windsor Baptist Church's building addition – Options 1 and 2. There were parts of each that were liked and parts of each disliked.

#### Adjournment

Jim Dewees moved, seconded by Jeff Smith, to adjourn the Meeting at 8:10 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary