



**UPPER UWCHLAN TOWNSHIP**  
Planning Commission Meeting  
July 9, 2020  
7:00 p.m.  
Minutes  
Approved

**LOCATION:** This was a virtual meeting, held via Zoom audio/video conferencing, in order to minimize public exposure to COVID-19 and maintain social distancing. The meeting Public Notices instructed those interested in participating in the meeting to email or call the Township Secretary for the link and password to join in the meeting.

**In attendance:**

Bob Schoenberger, Chair; Sally Winterton, Vice-Chair; Jeff Smith, Jim Shrimp, Chad Adams, Jim Dewees, Kristin Camp, Esq. – Buckley Brion McGuire & Morris, Gwen Jonik – Planning Commission Secretary

Bob Schoenberger called the meeting to order at 7:05 p.m. A quorum was present.

There were four citizens in attendance.

**Preserve at Marsh Creek Clubhouse Modifications**

Kevin McLaughlin of the McKee Group was in attendance and provided several documents to enhance the conversation of the larger clubhouse and additional amenities than what was shown during the project's approval process. A revised plan sheet and exterior pictures showed a 2-level clubhouse, which will include a fitness center, yoga studio, community room, card and billiard rooms, lounge with entertainment spaces, and exterior amenities: pool, tennis court, pickle ball court, bocce ball courts, pavilion with fire pit and a community herb garden.

Discussion included: Toll Brothers is building the single-family dwellings; McKee is building the attached dwellings; the modifications are staying within Codes and don't necessitate returning to the conditional use or land development approval process; there will be at least 1 elevator in the clubhouse; will research whether there's an exterior ramp for ADA access to the rear of the clubhouse without going inside; the Township Engineer and Code Officer will make sure everything is in compliance, including parking / ADA parking; will bike racks be provided; golf carts will not be allowed; homes are selling, though slower than usual, and these amenities are more than what the buyers are being told during the sales process.

Jeff Smith moved that the Board of Supervisors be informed that the Planning Commission has no concerns with McKee's modifications and clubhouse uses, as described this evening, being within the Code for an Active Adult Community, and that during the building permit process, the Township Engineer and building department will work through the finer details. Chad Adams amended the motion to include that compliant ADA parking and accessibility will be verified. Jeff Smith agreed to the amendment, and on a second by Chad Adams, the motion carried unanimously.

### Ordinance Amendments

Kristin Camp reviewed the July 8, 2020 revised draft of the Small Wireless Facilities (SWF) Ordinance. The Planning Commission had been concerned with how to measure the equipment. Kim Venzie had provided those regulations as written by the FCC, and the Commission will use that text.

Jeff Smith moved, seconded by Chad Adams, to recommend its approval to the Board of Supervisors. The Motion carried unanimously.

**Exempt Agricultural High Tunnels from Storm Water Management.** Ms. Camp explained that the State amended (Act 15 of 2018) the Storm Water Management Plan (Act 167 of 1978) to exempt ag high tunnels, as the surface under them is permeable. Municipalities are required to amend our storm water management ordinance to exempt ag high tunnels. The amendment was drafted per the County's model amendment, to comply with Act 15 of 2018.

Chad Adams moved, seconded by Sally Winterton, to recommend approval to the Board of Supervisors. The Motion carried with five (5) in favor and (1) opposed (Deweese).

**Outdoor Aboveground Storage Tanks.** Ms. Camp introduced a zoning ordinance amendment that would allow for the storage of fuel and other materials within the Planned Industrial/Office zoning district and add regulations for commercial aboveground storage tanks within that same district. Amendments were considered in 2016 in response to a request by a new business in that district, but, did not move forward. Earlier this year, Hankin requested amendments as there are companies interested in locating in Eagleview that have processes where it'd be safer for materials to be in outside storage tanks that are plumbed into the building rather than having to transfer the product from delivery trucks to drums or barrels stored inside. The draft presented this evening blends the 2016 draft with the current request.

Discussion included:

1. 200-49.K. - remove "immediate consumption on the premises" as there are differences of opinion of its meaning; or just remove "immediate"; move "consumption on the premises" from 200-49 Use regulations to 200-80 Outdoor Storage.
2. 200-49.M.(1) – removed "bulk storage of liquid or gaseous fuel or chemicals..."
3. Added Planned Industrial/Office district to 200-80.C.(2)(b) Outdoor Storage regulations
4. Adding safety regulations to 200-80.C.(2)(c)
5. Added districts to 200-90.A.(5)
6. what types of non-conforming tanks are there now, and where?
7. All agree we want to see businesses succeed and have what they need for their processes to be safe and efficient;
8. For hazardous materials, what distance should the setback be from residential property? Suggested refer to NFPA regulations.

Kristin Camp will contact Al Gaspari for non-conforming tank inventory and revise the draft per tonight's discussion for review at the August Planning Commission meeting.

### Approval of Minutes

Sally Winterton moved, seconded by Jim Dewees, to approve as presented the minutes of the Planning Commission's June 11, 2020. The Motion carried unanimously.

Open Session

Gwen Jonik noted the Struble Trail Extension Phase 2 conditional use hearing will be scheduled for August 17, 2020.

Chad Adams commented on the work at the Shryock Paper Mill; Kristin Camp noted that Al Gaspari had reviewed the uses proposed within the building and they're within zoning; she also noted that Mr. Shelton is selling 2+ acres to Natural Lands Trust, who will convey it to the State Park, and those parcels will include the easement for the Trail.

Adjournment

Jim Dewees moved, seconded by Sally Winterton, to adjourn the meeting at 8:12 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary