



UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

November 12, 2020

7:00 p.m.

Minutes

Approved

(with revisions in *italics*)

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, Brett Hand, Jim Dewees, Joe Stoyack, Chad Adams, Tony Scheivert – Township Manager, Gwen Jonik – Planning Commission Secretary

Bob Schoenberger called the meeting to order at 7:05 p.m. A quorum was present. Four citizens were in attendance.

Outdoor Storage Tank Ordinance Amendments – Discussion

The Board of Supervisors has been discussing and considering draft amendments to the Outdoor Storage Tank Ordinance that propose clarifying existing language, additional safety regulations in the C-3 and LI Districts where tanks are currently allowed, allowing tanks in the PI District, and other drafts allowing only certain materials to be stored outside in the PI District. Gwen Jonik introduced 2 recently submitted draft amendments for the Commission's information and discussion:

1. Patrick Dennin's draft of October 14, 2020, proposes prohibiting outdoor storage tanks, as is currently the case, in the Planned Industrial/Office District (PI), which is Eagleview Corporate Center;
2. Hankin Group's draft of November 6, 2020, proposes allowing aboveground outdoor storage tanks only as an accessory use in the PI District, for storage of water, brine, inert gases (non-toxic and react little or not at all with other substances), and other nonflammable liquids.

Neal Fisher was in attendance and noted that over the last 6 months or so, the Board of Supervisors has looked at draft amendments that included allowing all types of materials in aboveground outdoor storage tank. The Board isn't comfortable with hazardous materials and wanted to narrow down the types of materials that might be allowed, such as water, brine, inert gases (nitrogen, argon to name a few), which are safety blankets used within research and development facilities. Two existing R&D companies in Eagleview would like to have aboveground outdoor storage tanks for materials listed above.

Discussion included:

- Inert gases aren't dangerous stored outside; they can be dangerous when stored in confined spaces - can cause asphyxiation if the container is punctured.
- Trying to retain and attract high quality businesses in Eagleview, which is good for the Township's tax base.
- Businesses can function more efficiently if materials can be stored in larger quantity outside versus smaller tanks inside that need to be handled more frequently.
- Safety is the priority.
- Need to balance encouraging viable businesses and their needs with the health, safety and welfare of our residents.
- There are PaDEP and OSHA regulations that oversee tank licensing, sizing, permitting, inspections, etc. to assure tank safety.

- Fuel storage, for generators, is allowed.

Mr. Fisher asked if the Planning Commission could again provide their recommendation to the Board of Supervisors regarding the amendments that propose:

1. Removing the phrase "immediate consumption" and clarifying the language in Sections 200-49.K and 200-49.M(1)
2. Adding more safety regulations to Section 200-80.C(2)(c),
3. And providing guidance on allowing for aboveground outdoor tanks in the PI District for storage of specific materials such as water, brine, and inert gases.

Bob Schoenberger commented on the terminology used in 200-49.K and 200-49.M(1) and suggested changing the words 'hazardous' and 'explosive' to ignitable, toxic, reactive. *Joe Stoyack suggested including "solids" in the text with liquids and gases.*

The Planning Commission recommends approval to the Board of Supervisors for the items the Board wants to move forward with at this time:

- A. Sections 200-49.K and 200-49.M(1), remove the phrase 'immediate consumption' and further clarify the language, along with revising the terminology as Bob Schoenberger suggested above, which he will formalize; and
- B. Include the additional safety regulations in Section 200-80.C(2)(c).

Jeff Smith moved, seconded by Chad Adams, that a consensus of the Planning Commission has no opposition to the outdoor storage of brine, water or inert gases in the PI District as long as the proper controls are in place. The Motion carried unanimously.

Approval of Minutes

Sally Winterton moved, seconded by Joe Stoyack, to approve as presented the minutes of the October 8, 2020 Planning Commission meeting. The Motion carried unanimously.

Bob Schoenberger announced the next Planning Commission meeting is scheduled for December 10, 2020, 7:00 p.m., most likely a virtual meeting.

Open Session

Chad Adams asked the status of the FedEx noise violation notice. Tony Scheivert said FedEx pled not guilty and a District Court Hearing is scheduled December 1, 2020.

Tony Scheivert noted that Mike Robinson has been making changes to his property in Byers Village and is getting permits to do the work.

Chad Adams commented that Profound Technology in Eagle Village has a "For Lease" sign out. Tony Scheivert explained that COVID-19 has affected the way they do business and they hope to lease out some of the office space for the short-term. Depending on the tenant's business, they might need 'use' approval from the Township. Tony Scheivert will review the plans with the Township Zoning Officer, Anthony Campbell, and respond next month.

Sally Winterton noted the candidate for the Commission's vacancy, Steve Fean, was in attendance.

Adjournment

Joe Stoyack moved, seconded by Jeff Smith, to adjourn the meeting at 8:11 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary