



UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

September 9, 2021

7:00 p.m.

Minutes

Approved

LOCATION: The meeting was held in person at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425

In attendance:

Members: Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi, Jim Dewees, Stephen Fean, Jim Shrimp, Jeff Smith

Dave Leh, Township Engineer
Kristin Camp, Esq., Township Solicitor (via phone)
Tony Scheivert, Township Manager
Gwen Jonik, Planning Commission Secretary

Vice-Chair Joe Stoyack called the meeting to order at 7:00 p.m. A quorum was present. Approximately 40 citizens were in attendance.

Outdoor Storage Tank Ordinance Amendments – August 16, 2021 Draft

The Commission reviewed the August 16, 2021 Draft prepared by the Township Solicitor, reflecting the Planning Commission's August 12 meeting revision recommendations.

Joanne McNaughton, Moore Road resident, made comment that: the terms non-toxic, non-corrosive and non-ignitable are not defined in the Code and should be; safety regulations in Sections 200-80 and 200-90 are for new tanks only, not existing tanks; only outdoor tanks are addressed and suggested addressing indoor aboveground storage tanks. There are multiple areas in the township that allow outdoor tanks and there's no need to expand to the Planned Industrial/Office District (PI/O). That wasn't the intent of Eagleview Corporate Center.

Ms. Camp noted that the terms and text had been reviewed and addressed by the experts; a zoning ordinance cannot be retroactively applied so existing tanks can't be made to comply; this ordinance was to address outdoor tanks; indoor tanks were not a goal of the Board of Supervisors and other requirements cover indoor tanks, which are highly regulated at different levels of government and industries.

Discussion included: define or remove the terms non-toxic, non-corrosive, non-ignitable; the definition of inert includes those terms so it was determined to remove them.

Joe Stoyack commented the Commission could look at the topic of indoor tanks in the future.

Jeff Smith moved to submit to the Board of Supervisors for approval the amended draft with non-toxic, non-corrosive, non-ignitable terms removed. David Colajezzi seconded, and the motion carried unanimously.

Joe Stoyack announced the Approval of Minutes would be next and we'd forego Old Business.

Approval of Minutes

Jeff Smith moved, seconded by Chad Adams, to approve as presented the minutes of the Planning Commission's August 12, 2021 Meeting. The motion carried unanimously.

Toll Brothers / 100 Greenridge Road ~ Conditional Use Application

Joe Stoyack explained that the Land Development Plan Approval process is multi-phased, and in this case begins with a Conditional Use Application, proposing 64 homes on a 65-acre parcel. The residential use is allowed on this property in the R2 Residential District (1 dwelling/acre) with the F1 Flexible Development Overlay, allowing a higher density through the conditional use process. The conditional use hearing is tentatively scheduled for October 25. The Application was reviewed by township consultants and the township planning commission and could be reviewed by other commissions or consultants at the Board of Supervisors' preference. The Planning Commission is advisory and provides recommendations to the Board, who has the approval authority. Tonight's discussion of the consultants' comments is in preparation for the conditional use hearing. If the conditional use is approved, Toll Brothers would then submit Land Development Plans that address the conditions outlined in the Conditional Use Decision & Order. They could be preliminary or preliminary/final plans that require further design, reviews, etc. before they are approved. The Commission appreciates and encourages residents to participate at all levels of the approval process and we'll try to hear everyone's comments this evening.

Alyson Zarro presented the Conditional Use Application and Plan submitted August 11, 2021. Also in attendance were Andrew Semon – Toll Brothers, Justin Barnett -- ESE Consultants and Pete Spisszak – Traffic Planning & Design (TPD). The Conditional Use Plan addresses a number of comments from the Sketch Plan review.

The 2 parcels, totaling 65 acres, are singly owned and contain a non-historic dwelling and driveway. The Plan proposes 64 single detached homes. Base zoning (R2) would allow 65 homes and additional 9 units from the F1 Flexible Development Overlay – clustering the homes. The Plan shows treated wastewater disposal fields, which will exceed the disposal capacity required and could be used for other neighborhoods. The wastewater will be treated at the Route 100 facility via the Font Road extension. The access was initially proposed via Lauren Lane but this Plan shows full access from Greenridge and Lauren Lane as an emergency access. They'll need a waiver for a single access street but could also revert to full access through Lauren Lane. Building separation from the shared property with Stonehedge was increased from 20' to 50' buffer; there may be a trail going through that buffer; trail connection to the existing driveway; sidewalks on one side of street; a tot lot is proposed near Lauren Lane which would be restricted to this Homeowners Association; most other comments they'll be able to comply with and there are a few technical revisions to complete. They have submitted for the jurisdictional determination for scope of wetlands and 150' buffer.

Discussion with Planning Commission members included:

Relocate or add another tot lot; it might be relocated which will be proposed during land development; they continue to analyze the grading of the access road through the precautionary slopes; they may need to seek a Zoning variance; the road would be offered for dedication to the township; they've increased the buffer and there is a tree line along the Stonehedge properties; they won't place the trail within the 50' buffer, they'll relocate it; the buffer will be owned by the Homeowners Association (HOA) who will be responsible it and property markers will delineate where the open space starts; Aqua has confirmed they'll provide public water service; they've requested a waiver from providing an historic resource impact statement as the nearest historic resource isn't within 250' of the proposed development; the sidewalk width is increased to 5' so 2 people can walk side-by-side, and they're requesting a waiver to provide sidewalk on only 1 side of the street; there are inconsistencies in the Fiscal and Recreational Impact Study that will be updated; the paved trail will be for public use if the road is dedicated to the township; if the road remains private, the trail will be private; the traffic study should be updated with school in session or use figures from 2019; TPD calculated the counts using historical data and increased the

percentages resulting in very conservative counts and agreed to by McMahon; several members are concerned with Greenridge Road's safety due to increased traffic on the narrow road; proposing 32' cartways but it was suggested to reduce to 28' cartways; a Commission member suggested keeping the road wider and having parking on both sides because parking is at a minimum on the Plan; Toll noted perhaps widen within the homesites and reduce width in the open area; the units are proposed with 2-car garages and 2 spaces in the driveway; there will be no connection to neighboring Shea Lane cul-de-sac as there's no land or easement to do so; they'll provide an easement for the potential future connection with the Brandywine Trail; the stormwater management measures may improve the existing stream flooding conditions; sanitary sewer system comments will be addressed during the design of the system; adding Stonehedge properties into the wastewater treatment/disposal hasn't been discussed; bay windows are not offered anymore; depth of the house should accommodate a nice-size deck without encroaching the rear yard setbacks; size and style of house very similar to Chester Springs Crossing; targeted construction would be 12-18 months from now; no recommendation is being sought this evening.

Comments from citizens:

John Mahoney, Esq., is representing residents adjacent to the property who will become parties during the conditional use hearing. Their main concerns are that the tot lot should be relocated or eliminated, Lauren Lane should be a secondary access – limited or for emergency access only and not full pavement. The walking trail adjacent to the Stonehedge neighborhood, as proposed, eliminates the function of the buffer between the two developments so they appreciate Toll's agreement to relocate it, and it will terminate in a better location as well. Moving the entire development toward the east was suggested. Toll noted that would require retaining walls on quite a few lots and would be difficult to meet road grade. They've located the homes in what's currently open space so they won't disturb as many trees and it was already moved a little to the east, increasing the buffer and distance between Stonehedge houses and proposed houses. Mr. Mahoney suggested a lighting consultant provide a lighting plan. Ms. Zarro thinks lights will only be at intersections. Mr. Mahoney also suggested that both sides walk the tree line to determine which trees would stay and which would go and do the same regarding widening Greenridge Road. The developer should provide the residents with the differences between spray disposal and drip disposal facilities.

Steve Egnacyzk, 64 Stonehedge Drive, is concerned with the traffic and safety on Greenridge Road, which needs to be widened or shoulders installed for pedestrians. Try not to disturb the tree line which supports wildlife and there's a stonewall in there that should remain. Sewer disposal and storm water basins are of concern as they're on steep slopes of clay and stone.

Jackie Stees, 12 Greenridge Road, commented traffic is already a mess and asked the construction timeline. Andrew Semon noted most likely 12 months for site preparation and then house construction would begin.

Dave Smith, 32 E. Indian Springs, asked of the road grade and moving the houses to the east. Mr. Semon said this is the third layout and works the best with the slopes and the roadway.

Kristine Podvia, 47 E. Indian Springs, commented fewer houses would resolve a lot of these issues.

Lee Ann Smith, 32 E. Indian Springs, would like to see fewer houses.

In answer to questions regarding approving, or limiting, the number of proposed houses, Joe Stoyack advised that the property's zoning is what controls the use and density for development. A property owner has the right to develop their property to its highest legal potential. Zoning ordinances would have to be changed in order to limit development. Chad Adams added that what is being proposed is by-right for the most part and the township tries to make it as palatable to the neighbors as possible.

Dave Smith, 32 E. Indian Springs, commented they don't need sidewalks in their development at this time but would if Lauren Lane is an access.

Carl Broege, 136 Devon Circle, the road is already dangerous without adding 64 new households.

Pat Adams, 128 W. Indian Springs, don't disturb the existing vegetation as it supports wildlife that has been enjoyed for generations.

Elizabeth Woodward, 38 E. Indian Springs, commented that the majority of the parcel is wooded, not open land and a 50' buffer isn't much throughout the seasons, especially if mature trees are removed. They'll lose their privacy.

Bonnie Crockett, 23 Stonehedge, commented that the intersection of Font and Greenridge Roads floods regularly. How can that be improved?

Greg Amicon, 301 Deerhaven, asked about public water service through Aqua.

Marianne Krug, 418 Hilltop, suggested fewer houses and increase the buffer.

Joe Stoyack restated the process for this project: a conditional use hearing will be held by the Board of Supervisors to hear testimony from the developer and the residents and if approved, the plan would go through the land development approval process, which provides greater detail and is reviewed by the consultants, the Planning Commission and the Board of Supervisors prior to consideration for approval by the Board of Supervisors.

Mr. Stoyack announced at 9:25 p.m. that a short recess would be taken. He reconvened the meeting at 9:30 p.m.

The Commission asked if an attorney can attend their next meeting to answer legal questions that may arise regarding this conditional use application. Tony Scheivert will look into that request.

Open Session

Joe Stoyack noted the Commission will begin to update the Comprehensive Plan adopted in 2014 and he'll be speaking with the other Township Boards and Commissions for their assistance. He also proposes the Commission look at several ordinances: outdoor dining in the Village, to make approvals easier; make shared parking approval easier; redevelopment.

Mr. Stoyack announced the next meeting is scheduled for October 14, 2021, 7:00 p.m.

Adjournment

Jeff Smith moved, seconded by Chad Adams, to adjourn the meeting 9:41 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik,
Planning Commission Secretary