



JOINT BOARDS & COMMISSIONS  
WORKSHOP

**July 12, 2022**  
4:00 p.m.

AGENDA

LOCATION: Township Building, 140 Pottstown Pike, Chester Springs PA 19425

- I. Call to Order
  - A. Salute to the Flag
  - B. Moment of Silence
  - C. Inquire if any Attendee plans to audio or video record the Workshop
- II. Marsh Creek Watershed Basin Project
  - A. Consider rejection of bids
  - B. Authorize re-advertisement of project with a revised scope of work
- III. Natural Lands / Shryock Lot Line Change-Minor Subdivision Plan ~ Consider Approval
- IV. Open Session
- V. Adjournment



YOUR GOALS. OUR MISSION.

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## M E M O R A N D U M

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To: Upper Uwchlan Township Board of Supervisors  
140 Pottstown Pike  
Chester Springs, PA 19425

(sent via email)

From: Paul F. Boettinger, P.E., T&M Associates

Date: July 8, 2022

RE: **Bid Evaluation**  
**Marsh Creek Watershed Protection Project**  
**Upper Uwchlan Township, Chester County, PA**  
**Project No. UPUW 00052**

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As requested, we have reviewed the bids submitted to the Township and publicly opened on June 15, 2022, for the above referenced project with the following result:

<u>Meco Constructors, Inc.</u>	
Mobilization/Demobilization Subtotal	\$48,545.40
Upland Park Basin Subtotal	\$ 407,171.60
Aubrey Circle Basin Subtotal	\$ 305,887.20
Heather Hill Drive Basin Subtotal	\$ 186,983.80
<b><u>Base Bid Total</u></b>	\$ 948,588.00
<b><u>Add/Alt A Total</u></b>	\$ 31,412.00
<b><u>Total (Base Bid + Add/Alt A)</u></b>	\$ 980,000.00

Since the bid received exceeds the budgeted amount for the project, it is recommended that the Board of Supervisors reject all bids received and authorize T&M Associates to re-advertise the project for bid with a change in scope.

Should you have any questions regarding this matter please do not hesitate to contact me at this office.

Encl: Bid Tabulation

Cc: Tony Scheivert, Township Manager  
Shanna Lodge, Assistant Township Manager  
Kristin S. Camp, Buckley, Brion, McGuire & Morris LLP, Township Solicitor  
W. Chris McClure, PE, CME, T&M Associates  
Bob Stauffer, Meco Constructors, Inc.

G:\Projects\UPUW\00052\Correspondence\Bid Evaluation\_2022-7-8.docx

**BID SUMMARY****MARSH CREEK WATERSHED PROTECTION PROJECT****UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA****BID SUMMARY**

	<b>MECO CONSTRUCTORS, INC.</b>
MOBILIZATION/DEMOBILIZATION SUBTOTAL	\$ 48,545.40
UPLAND PARK BASIN SUBTOTAL	\$ 407,171.60
AUBREY CIRCLE BASIN SUBTOTAL	\$ 305,887.20
HEATHER HILL DRIVE BASIN SUBTOTAL	\$ 186,983.80
<b>BASE BID TOTAL</b>	<b>\$ 948,588.00</b>
<b>ADD/ALT A TOTAL</b>	<b>\$ 31,412.00</b>
<b>TOTAL (BASE BID + ADD/ALT A)</b>	<b>\$ 980,000.00</b>

**BID TABULATION****MARSH CREEK WATERSHED PROTECTION PROJECT****UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA****BASE BID**

NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	MECO CONSTRUCTORS, INC	
				UNIT COST	TOTAL COST
100	MOBILIZATION / DEMOBILIZATION (LUMP SUM FOR ALL LOCATIONS)	LS	1	\$ 48,545.40	\$ 48,545.40
	<b>BASE BID - UPLAND PARK BASIN</b>				<b>\$ 407,171.60</b>
101	SOIL EROSION & SEDIMENT CONTROL	LS	1	\$ 33,720.00	\$ 33,720.00
102	CLEARING AND GRUBBING	LS	1	\$ 9,657.00	\$ 9,657.00
103	SPLIT RAIL FENCE & GATE	LF	660	\$ 108.00	\$ 71,280.00
104	ROUGH GRADE SITE, UNCLASSIFIED EXCAVATION (CUT/FILL)	CY	2,260	\$ 15.00	\$ 33,900.00
105	EXPORT EXCESS EXCAVATION MATERIAL	CY	1,789	\$ 31.00	\$ 55,459.00
106	12" REINFORCED CONCRETE PIPE	LF	46	\$ 63.00	\$ 2,898.00
107	4" DIA. WRAPPED PERFORATED HDPE UNDERDRAIN	LF	260	\$ 24.00	\$ 6,240.00
108	R-5 RIP-RAP LINING	SY	128	\$ 76.00	\$ 9,728.00
109	NAG C350 SPILLWAY LINER	SY	170	\$ 10.00	\$ 1,700.00
110	NAG 75 SPILLWAY LINER	SY	1,990	\$ 5.20	\$ 10,348.00
111	STRUCTURE A1 STANDARD M INLET	EA	1	\$ 4,925.00	\$ 4,925.00
112	STRUCTURE A2 STANDARD INLET WITH CAST IRON GRATE TOP	EA	1	\$ 4,923.00	\$ 4,923.00
113	LAWN RESTORATION (4" TOPSOIL, RAKE, SEED, MULCH & WATER)	SY	4,132	\$ 4.80	\$ 19,833.60
114	BIO RETENTION MEDIA	CY	1,060	\$ 96.00	\$ 101,760.00
115	IMPERMEABLE 30MIL PVC LINER	SY	1,275	\$ 32.00	\$ 40,800.00
	<b>BASE BID - AUBREY CIRCLE BASIN</b>				<b>\$ 305,887.20</b>
200	SOIL EROSION & SEDIMENT CONTROL	LS	1	\$ 24,610.00	\$ 24,610.00
201	CLEARING AND GRUBBING	LS	1	\$ 2,367.00	\$ 2,367.00
202	SPLIT RAIL FENCE & GATE	LF	455	\$ 115.00	\$ 52,325.00
203	ROUGH GRADE SITE, UNCLASSIFIED EXCAVATION (CUT/FILL)	CY	1,318	\$ 16.00	\$ 21,088.00
204	EXPORT EXCESS EXCAVATION MATERIAL	CY	1,294	\$ 32.00	\$ 41,408.00
205	FOREBAY - R5 RIP RAP	CY	195	\$ 157.00	\$ 30,615.00
206	4" DIA. WRAPPED PERFORATED HDPE UNDERDRAIN	LF	434	\$ 37.00	\$ 16,058.00
207	TYPE M INLET	EACH	1	\$ 4,256.00	\$ 4,256.00
208	TRASH RACK	EACH	1	\$ 2,586.00	\$ 2,586.00
209	LAWN RESTORATION (4" TOPSOIL, RAKE, SEED, MULCH & WATER)	SY	2,667	\$ 8.40	\$ 22,402.80
210	INFILTRATION TRENCH MEDIA	CY	677	\$ 118.00	\$ 79,886.00
211	CLASS 1 NON-WOVEN GEOTEXTILE	SY	812	\$ 5.20	\$ 4,222.40
212	RETROFIT EXISTING OUTLET STRUCTURE	EA	1	\$ 4,063.00	\$ 4,063.00
	<b>BASE BID - HEATHER HILL DRIVE BASIN</b>				<b>\$ 186,983.80</b>
300	SOIL EROSION & SEDIMENT CONTROL	LS	1	\$ 26,630.00	\$ 26,630.00
301	CLEARING AND GRUBBING	LS	1	\$ 3,944.00	\$ 3,944.00
302	SPLIT RAIL FENCE & GATE	LF	390	\$ 118.00	\$ 46,020.00
303	ROUGH GRADE SITE, UNCLASSIFIED EXCAVATION (CUT/FILL)	CY	477	\$ 24.00	\$ 11,448.00
304	EXPORT EXCESS EXCAVATION MATERIAL	CY	427	\$ 32.00	\$ 13,664.00
305	FOREBAY - R5 RIP RAP	CY	226	\$ 157.00	\$ 35,482.00
306	TRASH RACK	EACH	2	\$ 2,586.00	\$ 5,172.00
307	LAWN RESTORATION (4" TOPSOIL, RAKE, SEED, MULCH & WATER)	SY	3,739	\$ 6.90	\$ 25,799.10
308	INFILTRATION TRENCH MEDIA	CY	63	\$ 129.00	\$ 8,127.00
309	CLASS 1 NON-WOVEN GEOTEXTILE	SY	239	\$ 7.30	\$ 1,744.70
310	12" ORFICE STAND PIPE	EACH	2	\$ 2,445.00	\$ 4,890.00

**BID TABULATION****MARSH CREEK WATERSHED PROTECTION PROJECT****UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA****BASE BID (CONTINUED)**

NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	MECO CONSTRUCTORS, INC	
				UNIT COST	TOTAL COST
311	RETROFIT EXISTING OUTLET STRUCTURE	EA	1	\$ 4,063.00	\$ 4,063.00
				<b>BASE BID TOTAL</b>	<b>\$ 948,588.00</b>

**ADD/ALT A - AUBREY CIRCLE ALTERNATE**

NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	MECO CONSTRUCTORS, INC	
				UNIT COST	TOTAL COST
	ADD/ALT A - AUBREY CIRCLE ALTERNATE				
900	24" HDPE PIPE	LF	182	\$ 128.00	\$ 23,296.00
901	PENNDOT TYPE 4 STORMWATER MANHOLE	EACH	2	\$ 3,355.00	\$ 6,710.00
902	FLARED END SECTION	EACH	1	\$ 1,406.00	\$ 1,406.00
				<b>ADD/ALT A TOTAL</b>	<b>\$ 31,412.00</b>



# UPPER UWCHLAN TOWNSHIP

## MEMORANDUM

### ADMINISTRATION

**TO:** Board of Supervisors

**FROM:** Tony Scheivert  
Township Manager

**RE:** Natural Lands - Shryock Brothers Inc. – Lot Line Change Plan

**DATE:** June 17, 2022

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The Board is requested to review the land development plan for the above referenced project and if possible, grant Minor Subdivision Plan Approval.

The application is a simple lot line adjustment of a common lot line between the adjacent lands of Shryock Brothers Inc. and the Commonwealth of PA. A summary of the existing and proposed lots is as follows:

<u>Parcel</u>	<u>Current Lot Areas</u>	<u>Proposed Lot Areas</u>
Shryock Brothers	6.15 Acres	3.45 Acres
Commonwealth of PA	16.4 Acres*	19.1 Acres *

The following waivers have also been requested:

- Section 162-9.B(2)(b)[10] - To not require site information be provided within 100 feet of the property.
- Section 162-9.D. – To not require a Site Analysis and Impact Plan be provided.
- Section 162-9.E. – To not require a Conservation Plan be provided.
- Section 162-9.H. – To not require a Site Impact Statement be provided.
- Section 162-28.D. & 162-28.E. – To not require providing the 50' Ultimate Right of Way and dedication to the Township. McMahon has recommended the waiver not be granted and the ROW be provided at this time.

In addition, the Applicant was before the Zoning Hearing Board on April 13, 2022 to request variances related to lot area, width and building setback. The Zoning Hearing Board granted the requested relief.

The Planning Commission reviewed the plan at their April 14, 2022 meeting. They passed a motion to recommend approval of the plan, grant the waivers, and require the Applicant to construct an historical marker on the site of the house, working with the Historical Commission for content and design.

Attachments:

Lot Line Change Plan, last revised March 2, 2021  
Gilmore's Review Letter dated April 6, 2022  
Zoning Hearing Board letter dated April 14, 2022  
Buckley Brion McGuire & Morris letter dated April 14, 2022  
Planning Commission April 14, 2022 Meeting Minutes - Approved  
Bob Wise / RGA – Dorlan's Mill miller's house findings – May 11, 2022  
Historical Commission's recommendations – June 7, 2022



## UPPER UWCHLAN TOWNSHIP MOTION

The Board of Supervisors of Upper Uwchlan Township at their April 18, 2022 meeting hereby grant **Minor Subdivision Plan Approval** of a plan titled "Lands N/L Shryock Brothers Inc." prepared by Bursich Associates, Inc. dated September 3, 2020, and last revised March 2, 2021.

The following conditions accompany the approval:

1. The plans shall be revised to comply with Gilmore & Associates, Inc. review letter dated April 6, 2022.
2. A waiver is hereby granted from SALDO Section 162-9.B(2)(b)[10] requiring site information be provided within 100 feet of the property.
3. A waiver is hereby granted from SALDO Section 162-9.D. to not require a Site Analysis and Impact Plan be provided.
4. A waiver is hereby granted from SALDO Section 162-9.E to not require a Conservation Plan be provided.
5. A waiver is hereby granted from SALDO Section 62-9.H. to not require a Site Impact Statement be provided.
6. A waiver is hereby granted from SALDO Section 162-28.D. & 162-28.E. to not require providing the 50' Ultimate Right of Way and dedication to the Township.
7. Applicant shall construct an historical marker on the site of the house, working with the Historical Commission for content and design.



## SUBDIVISION / LAND DEVELOPMENT APPLICATION

Preliminary Submittal

Final Submittal

The undersigned hereby applies for review of the Plan submitted herewith and described below:

1. Name of Subdivision / Development: Lands N/L Shryock Brothers Inc
2. Plan Dated: 10.02.2020 County Deed Book/Page No. DB 6537 PG 85
3. Name of property owner(s): Shryock Brothers, Inc.

Address: 256 Eagleview Blvd, Suite 506

State/Zip: Exton, PA 19341 Phone No.: 610-458-9440

Email: lindabordmanshelton@comcast.net

4. Name of Applicant (If other than owner):

Natural lands Trust DBA Natural Lands

Address: 1031 Palmers Mill Rd

State/Zip: Media, PA 19063 Phone No.: 484-368-9961

Email: jstefferud@natlands.org

5. Applicant's interest (if other than owner):

6. Engineer, Architect, Surveyor, or Landscape Architect responsible for Plan.

Bursich Associates

Address: 2129 East High Street, Pottstown

State/Zip: PA 19464 Phone No.: 610-323-4040

Email: Nick.feola@bursich.com

7. Total acreage: 6.15 Number of Lots: 2

8. Acreage of adjoining land in same ownership: (If any) none

9. Describe Type of Development Planned: lot line change, no construction

10. This Application shall be accompanied by: the Application Fee as listed below, an aerial image of the property, and the quantity of plans/supporting information as detailed in the Township Code §162-8.B.(1)(b) and/or §162-8.C.(1)(d).  
[One-half of the required plan submissions may be of a reduced size, i.e. 11 x 17]

11. List all subdivision and zoning standards or requirements which have not been met and for which a waiver or change is requested.

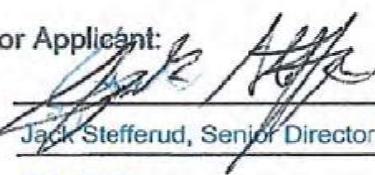
Waivers requested 162-9.D and 162-9.F, and 162-9.H (no construction proposed)

Waivers requested 162 - 28.D and 162-258 E (no development proposed)

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12. The Applicant or his/her agent shall enter into a Subdivision / Land Development Review Escrow Agreement (attached) and place into escrow with the Township at the time of application an amount estimated by the Township to cover all costs of engineering and professional planning reviews (not including County application fee), legal services and other professional services used by the Township in connection with the application.

Signature of Property Owner or Applicant:



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By: Jack Stefferud, Senior Director of Land protection

Date: 1/11/2022

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\*Development subject to ACT 209 Impact Fee.

\*Park & Recreation Fee per residence is levied. Contact Township Offices to determine amount.

### **SUBDIVISION / LAND DEVELOPMENT APPLICATION FEE**

1-2 Lots ..... **\$250**

3-5 Lots ..... **\$500**

Plus \$25 for each Lot over 3

Over 5 Lots ..... **\$1000**

Plus \$50 for each Lot over 5

Form revised January 2015

140 Pottstown Pike, Chester Springs, PA 19425  
Phone: (610) 458-9400 • Fax: (610) 458-0307  
[www.upperuchian-pa.gov](http://www.upperuchian-pa.gov)

**LEGEND**

CONCRETE MONUMENT FOUND

IRON PIN FOUND

CONTOURS 200'

PROPERTY LINE

ADJOINING PROPERTY LINE

LEGAL RIGHT OF WAY

EASEMENT LINE

BUILDING

STREAM

EDGE OF DRIVEWAY

EDGE OF PAVEMENT

EXISTING FENCE

ROAD PAINT

ZONING LINE

FLOODPLAIN LINE

SOILS AND TEXT

RAC Rob

WALMAYN/WALL

EXISTING MAILBOX

TREE SYMBOLS

SANITARY SEWER MAIN S

SANITARY SEWER LATERAL

STORM SEWER

STORM SEWER INLET

ENDWALL

STORM SEWER MANHOLE

WATER MAIN W

WATER SERVICE LATERAL

WATER VALVE

WATER SERVICE SHUT-OFF

OVERHEAD UTILITY WIRES OHW

UNDERGROUND UTILITY WIRES UGW

STREET LIGHT

UTILITY POLE

UTILITY GUY

SIGN

SLANTED TEXT DENOTES EXISTING FEATURE



Stop • Call Before You Dig!  
Pennsylvania Act 287 of 1974 as amended by  
Act 50 of 2002. It is the law that it is a offense  
to notification by excavators, dealers, or any  
person preparing to dig into the earth's  
surface to damage or destroy  
Pennsylvania One Call System, Inc.  
811 or 1-800-242-7776

**LIST OF UTILITIES-RESPONSES**

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE PENNSYLVANIA ONE CALL SYSTEM (1-800-242-7776) AND REQUESTED TO MARK THE EXISTENCE OF THEIR UTILITIES. THE LIST OF UTILITIES SHOWN ARE THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITIES COMPANIES RESPONSES TO THIS REQUEST.

Line Table		Line Table			
Line #	Length	Direction	Line #	Length	Direction
L1	71.23	SSW 25° 29'E	L5	17.31	NSW 21° 29'W
L2	70.43	NNE 30° 34'W	L6	33.59	NNE 08° 07'W
L3	175.23	NNE 02° 14'W	L7	95.84	NNE 37° 41'W
L4	175.70	SSE 30° 39'E	L8	17.03	NNE 55° 11'E
	150.00	SSE 50° 37'E	L9	100.00	SSE 50° 37'E

Curve Table		
Curve #	Length	Radius
C1	14.38	91.50

100' 200'  
GRAPHIC SCALE: 1"=100'

**RECORDER OF DEEDS**

PROFESSIONAL SURVEYOR SIGNATURE DATE

PLAN SHEET LIST		
SHEET NUMBER	DRAWING NUMBER	SHEET DESCRIPTION
1	FP137340	LOT LINE CHANGE PLAN 1
2	FP237340	LOT LINE CHANGE PLAN 2
3	EC137340	EXISTING CONDITIONS PLAN

**RECORDER OF DEEDS**

RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF CHESTER COUNTY AT WEST CHESTER, PA IN PLAN BOOK Page 20 ON THE DAY OF 20.

(DRAFT) RECORDER OF DEEDS



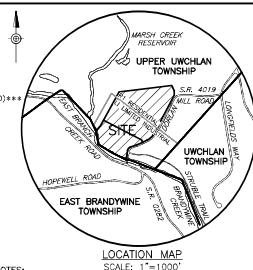
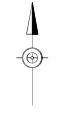
**CLIENT**  
NATURAL LANDS  
1031 PALMERS MILL ROAD  
MEDIA, PA 19063  
484-368-9961

**SUBJECT**  
LOT LINE CHANGE PLAN 1  
**LANDS N/L SHRYOCK BROTHERS, INC.**  
UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA

**JOB NO.** 137340-10  
**HEET NO.** 1 OF 3  
**DWC. NO.** FP137340

1. FOR TOWNSHIP SUBMISSION	3/2/2021	AKR
2. REVISED PLAN TITLE AND PLAN SHEET LIST	12/22/2020	MOP
1. REVISED LOT LINE, EASEMENTS, GENERAL NOTES, ADDED STORM AND WATER LINES	10/02/2020	MOP
REVISION	DATE	BY

1. SEAL	SEAL
2. DESIGN	CHKD. BY
DRAFT	CHKD. BY
FILE	DATE
NAT-D7	09/03/20
NOTES	SCALE
	1"=100'



**ZONING DATA TABULATION**

ZONING DISTRICT  
L-1 UNIFIED INDUSTRIAL DISTRICT

AREA AND BULK REGULATIONS

REQUIRED	PROVIDED	LOT #
MINIMUM LOT AREA 3 ACRES	3.45 ACRES +++	2.70 ACRES +++
MINIMUM FRONT YARD 30 FT.	222 FT. ***	264 FT. (TO BE DEMOLISHED)***
MINIMUM REAR YARD 50 FT. *	50 FT.	50 FT.
MINIMUM SIDE YARD 50 FT. *	24.8 FT. *	65 FT.
MAXIMUM BUILDING COVERAGE 40%	21.8% *	0%
MAXIMUM BUILDING HEIGHT 70 FT.	67.7 FT. ***	53.5 FT. ***
ACCESSORY BUILDINGS/STRUCTURES SETBACK 25 FT.	39 FT.	35 FT.
	30 FT.	4.8 FT. (TO BE DEMOLISHED)

\* 100 FT. WHERE ABUTTING A RESIDENTIAL PROPERTY  
\*\* NO ACCESSORY BUILDING OR STRUCTURE SHALL BE LOCATED  
WITHIN THE FRONT YARD, NOR WITHIN 30 FT. OF ANY SIDE  
OR REAR LOT LINE  
\*\*\* TO TITLE LINE  
\*\*\*\* TO NON CONFORMING CONDITION

**SITE DATA**

GROSS LOT AREAS	EXISTING	PROPOSED
LOT #1	6.15 AC.	3.45 AC.
LOT #2	N/A	2.70 AC.

**VARIANCES**

THE FOLLOWING VARIANCES ARE REQUESTED FROM THE UPPER UWCHLAN TOWNSHIP ZONING  
COMMISSION

1. SECTION 200-4(A) - MINIMUM LOT AREA FOR LOT 2

2. SECTION 200-4(B) - MINIMUM SIDE YARD FOR LOTS 1 & 2

**WAIVERS**

THE FOLLOWING WAIVERS ARE REQUESTED FROM THE UPPER UWCHLAN TOWNSHIP SUBDIVISION  
AND LAND DEVELOPMENT COMMISSION

1. E162-200-4(A) - WAIVER FROM PROVIDING A SITE ANALYSIS & IMPACT PLAN, SINCE NO DEVELOPMENT IS PROPOSED
2. E162-200-4(B) - A WAIVER FROM PROVIDING A CONSERVATION PLAN, SINCE NO DEVELOPMENT IS PROPOSED
3. E162-200-4(C) - A WAIVER FROM PROVIDING IMPACT STATEMENTS, SINCE NO DEVELOPMENT IS PROPOSED
4. E162-200-4(D) - WAIVERS OF 50' ULTIMATE RIGHT OF WAY AND DEDICATION TO THE STATE, AS SHOWN IN THE MAP

IT IS NOT THE INTENT OF THIS PLAN TO ILLUSTRATE ANY SUBSURFACE CONDITIONS WHICH SHOULD EXIST, IF BURIED TRENCHES, SEWER BEDS, TIE FIELDS, ETC.

8. LOT 2 SHALL BE JOINED IN COMMON WITH THE OTHER LANDS OWNED BY THE ADJOINING LAND OWNER (COMMONWEALTH OF PENNSYLVANIA), AND DEED COMPLETENESS SHALL BE PROVIDED IN THE FORM OF A RELEASE OF EASEMENT, SIZE, DEPTH, OR BOUNDARIES, AS APPROPRIATE.

9. PLAT 1 AND LOT 2 ARE SUBJECT TO A PERPETUAL RIGHT OF WAY AS DESCRIBED IN DEED 7504 P 2129.

10. THE 100 YEAR FLOODPLAIN SHOWN IS PER FEMA FLOOD INSURANCE RATE MAP NUMBER A2203C014520, CHESTER COUNTY, PENNSYLVANIA, MAP REVISED SEPTEMBER 25, 2007.

11. IT IS NOT THE INTENT OF THIS PLAN TO ILLUSTRATE ANY SUBSURFACE CONDITIONS WHICH SHOULD EXIST, IF BURIED TRENCHES, SEWER BEDS, TIE FIELDS, ETC.

12. LOT 2 SHALL BE JOINED IN COMMON WITH THE OTHER LANDS OWNED BY THE ADJOINING LAND OWNER (COMMONWEALTH OF PENNSYLVANIA), AND DEED COMPLETENESS SHALL BE PROVIDED AFTER THE PROPOSED PLAN HAS BEEN APPROVED AND RECORDED.

13. PLAT 1, CALL NUMBER 2020-217-3170 HAS BEEN ISSUED FOR THIS PROJECT.

14. THE FLOOR ELEVATIONS ON THIS PLAN WERE TAKEN FROM A FLOOD STUDY ENTITLED "TEAM CLOUD" FOR APPLICATION, EAST BRIDGE, WEST CHESTER, PA, DRAFT FLOOR ELEVATIONS WERE PREPARED BY RICHARD E. MACCOMBE, JR., PE, CONSULTING ENGINEERS, INC., THE DATUM FOR FLOOR ELEVATIONS IS UNKNOWN, AND THE ELEVATION POINTS OF COMMON POINTS TO THE STUDY AND POINTS LOCATED BY BOUCHER AND JAMES, INC., IS NAV-88.

**RECORD OWNER:** APPLICANT  
UPR 32-8-49  
PARCEL ID: 2206 00490000  
1031 PALMERS MILL ROAD  
MEDIA, PA 19063  
SUBDIVISION OWNERS INC.  
PHONE (446) 348-9981  
EXTN 13341

APPLICANT:

NATURAL LANDS  
1031 PALMERS MILL ROAD  
MEDIA, PA 19063  
PHONE (446) 348-9981

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN**

I, JOHN C. SHULTON, ACTING AS PRESIDENT ON BEHALF OF SHRYOCK BROTHERS, INC., THE UNDERSIGNED, WHO IS THE OWNER OF THE LAND OWNED BY THE ADJOINING LAND OWNER (COMMONWEALTH OF PENNSYLVANIA), A LOT LINE CHANGE PLAN IN ACCORDANCE TO THE ACCORDING TO THE PLAN, APPROVED AND RECORDED AS OF THE DATE OF THIS ACKNOWLEDGMENT, AND IN ACCORDANCE WITH MY DESIRES, AND IS INTENDED TO BE FOR THE RECORDS.

WITNESS MY HAND THIS DAY OF 20

JOHN C. SHULTON  
PRESIDENT

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

ON THIS DAY OF 20, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN C. SHULTON WHO IS THE OWNER OF THE LAND OWNED BY THE ADJOINING LAND OWNER (COMMONWEALTH OF PENNSYLVANIA), THE UNDERSIGNED, THE PRESIDENT OF SHRYOCK BROTHERS INC., A PENNSYLVANIA CORPORATION, THE RECORD OWNER OF THIS LOT LINE CHANGE PLAN AND THAT HE IS SUCH RECORD OWNER AUTHORIZED TO SIGN THIS CERTIFICATE. THIS CERTIFICATE WAS MADE AT MY DIRECTION, THAT HE ACKNOWLEDGE THE SAME TO BE FOR THE RECORDS, AND THAT THEY DESIRE THE SAME TO BE ACCORDING TO LAW.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL.

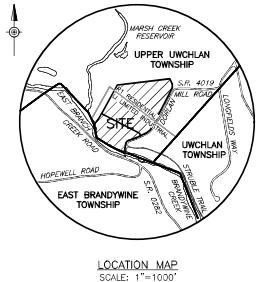
NOTARY PUBLIC MY COMMISSION EXPIRES

**CHESTER COUNTY PLANNING COMMISSION**  
REVIEWED BY THE CHESTER COUNTY PLANNING COMMISSION  
THIS DAY OF 20

**RECORDER OF DEEDS**

RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF CHESTER COUNTY AT WEST CHESTER, PA IN PLAN BOOK Page 20 ON THE DAY OF 20.

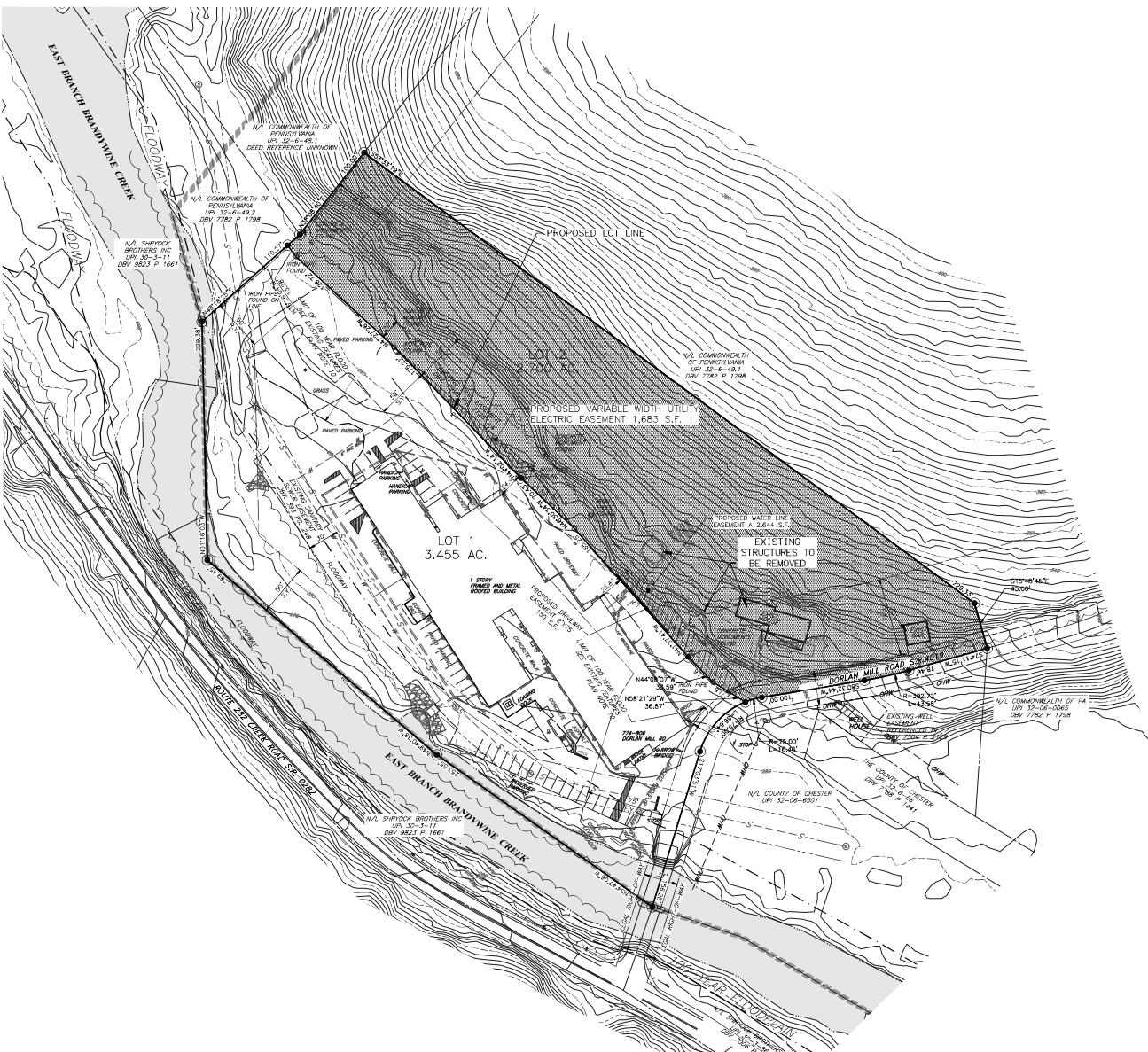
(DRAFT) RECORDER OF DEEDS



#### LEGEND

CONCRETE MONUMENT FOUND	■
IRON PIN FOUND	○
CONTOURS	— 200
PROPERTY LINE	—
ADJOINING PROPERTY LINE	—
LEGAL RIGHT OF WAY	—
FASEMENT LINE	—
STREAM	—
EDGE OF DRIVEWAY	—
EDGE OF PAVEMENT	—
EXISTING FENCE	— X —
ROAD PAINT	— X —
ZONING LINE	—
FLOORPLAN LINE	—
SOLES AND TEXT	—
WALKWAY/WALL	—
EXISTING WELL	—
EXISTING MAILBOX	—
TREE SYMBOLS	—
SANITARY SEWER MAIN	—
SANITARY SEWER LATERAL	—
STORM SEWER	—
STORM SEWER INLET	—
ENDWALL	—
STORM SEWER MANHOLE	—
WATER MAIN	—
WATER SERVICE LATERAL	—
WATER VALVE	—
WATER SERVICE SHUT-OFF	—
OVERHEAD UTILITY WIRES	— — —
UNDERGROUND UTILITY WIRES	— — —
STREET LIGHT	—
UTILITY POLE	—
UTILITY GUY	—
SIGN	—
SLANTED TEXT DENOTES EXISTING FEATURE	—

0 50' 100'  
GRAPHIC SCALE: 1"=50'



Stop • Call Before You Dig!  
Pennsylvania Act 287 of 1974 as amended by  
Act 50 of 2002. It is illegal to dig without prior  
notification by excavators, operators, or any  
person preparing to dig into the earth's  
surface. Call 811 or contact  
Pennsylvania One Call System, Inc.,  
811 or 1-800-242-7776

#### LIST OF UTILITES-RESPONSES

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE PENNSYLVANIA  
ONE CALL SYSTEM (1-800-242-1776) AND REQUESTED TO MARK  
THEIR UNDERGROUND UTILITIES. THE INFORMATION SHOWN IS THE  
UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED  
UPON THE UTILITIES COMPANIES RESPONSES TO THIS REQUEST.  
UPON REQUEST, THE UTILITIES COMPANIES WILL PROVIDE THE UTILITIES  
LOCATION AND MARKING INFORMATION.

BUCKEYE PARTNERS (X)  
CLEAR-NO FACILITIES.  
CONCAST CONCRETE FOUNDATIONS INC (JZ)  
CLEAR-NO FACILITIES.  
PECO ENERGY (X)  
CLEAR-NO FACILITIES.  
SUNOCO PIPELINE LP (SPU)  
CLEAR-NO FACILITIES.  
UPPER UWCHLAN TWP/UPPER UWCHLAN MUNICIPAL AUTHORITY (UJA)  
CLEAR-NO FACILITIES.  
VERIZON PENNSYLVANIA LLC (Z)  
CLEAR-NO FACILITIES.

2.	FOR TOWNSHIP SUBMISSION	3/2/2021	AKR
2.	REVISED PLAN TITLE AND PLAN SHEET LIST	1/22/2020	MOP
1.	REVISED LOT LINE, EASEMENTS, GENERAL NOTES, ADDED STORM AND WATER LINES	10/02/2020	MOP
	REVISION	DATE	BY



SEAL

MANAGER	NP	_____
DESIGN	—	CHKD. BY
DRAFT	BG	CHKD. BY
FILE	NAT-D7	DATE 09/03/20
NOTES	SCALE	1"=50'



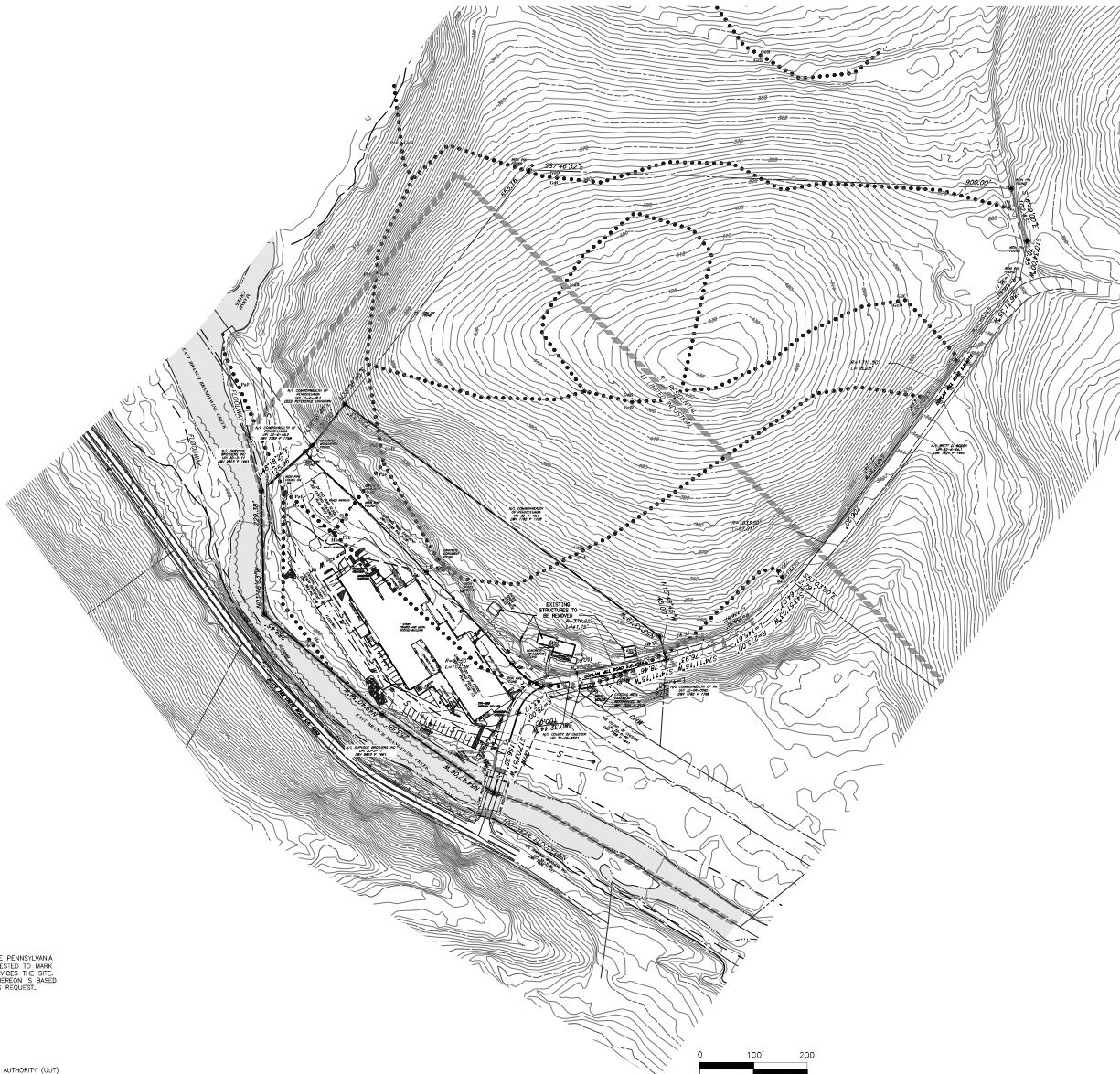
**BURSICH  
ASSOCIATES**  
ENGINEERS LAND SURVEYORS LANDSCAPE ARCHITECTS  
3129 EAST 19TH STREET  
PO BOX 13444  
610334400

www.bursich.com

CLIENT  
NATURAL LANDS  
1031 FALMERS MILL ROAD  
MEDINA, PA 19363  
484-368-9961

SUBJECT  
LOT LINE CHANGE PLAN 2  
LANDS N/L SHRYOCK  
BROTHERS, INC.  
UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA

JOB NO.  
137340-10  
SHEET NO.  
2 OF 3  
DRAW. NO.  
FP237340



**Stop - Call Before You Dig!**  
Pennsylvania Act 287 of 1974 as amended  
Act 50 of 2017 73 P.S. §176 et. seq. require  
notification by excavators, designers, or  
person preparing to disturb the earth's  
surface anywhere in the Commonwealth  
**Pennsylvania One Call System, Inc.**  
811 or 1-800-242-1776

LIST OF UTILITES-RESPONSES

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE PENNSYLVANIA  
ONE CALL SYSTEM (1-800-242-1776) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICES THE SITE.  
THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED  
UPON THE UTILITY COMPANIES RESPONSES TO THIS REQUEST.  
SERIAL No.:  
\_\_\_\_\_

BUCKEYE PARTNERS (W)  
CLEAR-NO FACILITIES.  
COMCAST CABLE COMMUNICATIONS INC (W)  
CLEAR-NO FACILITIES.  
PECO ENERGY (K\*)  
CLEAR-NO FACILITIES.  
SUNOCO PIPELINE LP (SP)  
DESIGN CONFLICT  
UPPER UWCHLAN TWP/UPPER UWCHLAN MUNICIPAL AUTHORITY (W)  
CLEAR-NO FACILITIES.  
VERIZON PENNSYLVANIA LLC (W)

CLEAR-NO FACILITIES.	
5.	FOR TOWNSHIP SUBMISSION
6.	REVISED PLAN, TITLE AND PLAN SHEET LIST
7.	REvised lot line easements, general notes, animal, storm and water lines.



SEAL

MANAGER	NF		
DESIGN	-	CHKD, BY	
DRAFT	BG	CHKD, BY	
FILE	NAT-D7	DATE	09/03/20
NOTES	SCALE 1"=100'		



**BURSICH  
ASSOCIATES**  
ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECT  
2129 EAST HIGH STREET  
POTTSVILLE, PA. 19464  
610.232.4040

www.bursich.co

CLIENT

SUBJECT

BROTHERS, INC.

JOB NO.  
137340-10  
SHEET NO.  
3 OF 3  
DWC. NO.  
EC137340



# THE COUNTY OF CHESTER



## COMMISSIONERS

Marian D. Moskowitz  
Josh Maxwell  
Michelle Kichline  
  
Brian N. O'Leary, AICP  
Executive Director

## PLANNING COMMISSION

Government Services Center, Suite 270  
601 Westtown Road  
P. O. Box 2747  
West Chester, PA 19380-0990  
(610) 344-6285      Fax (610) 344-6515

March 22, 2022

Shanna P. Lodge, Acting Township Manager  
Upper Uwchlan Township  
140 Pottstown Pike  
Chester Springs, PA 19425

Re:    Preliminary Subdivision - Lands N/L Shryock Brothers, Inc.  
#    Upper Uwchlan Township - SD-02-22-17113

Dear Ms. Lodge:

A preliminary subdivision plan entitled "Lands N/L Shryock Brothers, Inc.", prepared by Bursich Associates, Inc., dated September 3, 2020 and revised March 2, 2021, was received by this office on March 2, 2022. This plan is reviewed by the Chester County Planning Commission in accord with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code. We offer the following comments on the proposed subdivision for your consideration.

## PROJECT SUMMARY:

Location:	Northwest side of Dorlan Mill Road
Site Acreage:	6.15 acres
Lots:	2 lots
Proposed Land Use:	Industrial
Municipal Land Use Plan Designation:	Rural/Site Responsive
UPI#:	32-6-49

## PROPOSAL:

The applicant proposes the creation of two lots; one of which is to be merged with a parcel owned by the Commonwealth of Pennsylvania. The parcel to be merged will not require any water or sewer facilities, and is located in the Upper Uwchlan Township LI Limited Industrial zoning district. The tract contains an industrial facility and a dwelling that is proposed for removal, and no additional development is proposed by this subdivision.

**RECOMMENDATION:** The County Planning Commission recommends that the issues raised in this letter should be addressed and all Upper Uwchlan Township issues should be resolved before action is taken on this land development plan.

**COUNTY POLICY:**

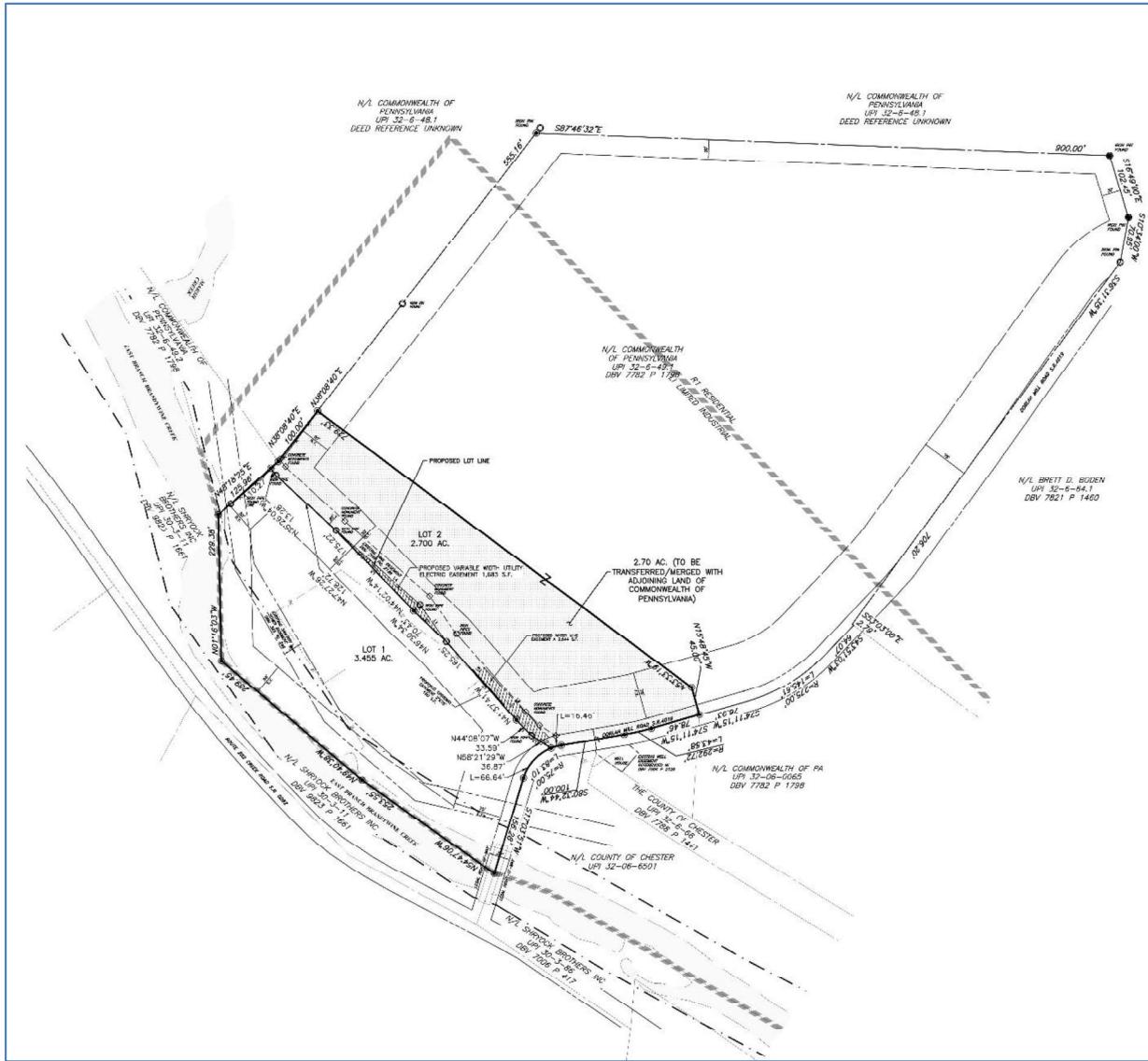
**LANDSCAPES:**

1. The site is located within the **Rural Landscape** designation of [Landscapes3](#), the 2018 County Comprehensive Plan. The vision for the **Rural Landscape** is the preservation of significant areas of open space, critical natural areas, and cultural resources with a limited amount of context sensitive development permitted to accommodate residential and farm needs. The proposed subdivision is consistent with the objectives of the **Rural Landscape**.



**PRIMARY ISSUES:**

2. Public trail, electric line and water line easements cross the site. The applicant should provide documentation that the owners of the easements are aware that a plan is proposed for the site, and approve of its design as it relates to the easements. The deeds to the affected lots should reflect the terms of the easements.
3. The plan indicates that it was revised on revised March 2, 2021. The applicant should verify that date.



***Detail of Lands N/L Shryock Brothers, Inc.  
Preliminary Subdivision Plan***

**ADMINISTRATIVE ISSUES:**

4. A minimum of five copies of the plan should be presented at the Chester County Planning Commission for endorsement to permit recording of the final plan in accord with the procedures of Act 247, the Pennsylvania Municipalities Planning Code, and to meet the requirements of the Recorder of Deeds, the Assessment Office, and the Health Department.

Page: 4

Re: Preliminary Subdivision - Lands N/L Shryock Brothers, Inc.

# Upper Uwchlan Township - SD-02-22-17113

This report does not review the plan for compliance to all aspects of your ordinance, as this is more appropriately done by agents of Upper Uwchlan Township. However, we appreciate the opportunity to review and comment on this plan. The staff of the Chester County Planning Commission is available to you to discuss this and other matters in more detail.

Sincerely,

A handwritten signature in black ink that reads "Wes Bruckno". The signature is fluid and cursive, with "Wes" on the left and "Bruckno" on the right, connected by a horizontal line.

Wes Bruckno, AICP  
Senior Review Planner

cc: Bursich Associates, Inc.  
Natural Lands Trust  
Shryock Brothers, NLT  
Chester County Department of Parks+Preservation



April 6, 2022

File No. 22-02053T

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

Dear Tony:

Gilmore & Associates, Inc. (G&A) is in receipt of the following document:

- Lot Line Change Plan titled "Lands N/L Shryock Brothers Inc." prepared by Bursich Associates, Inc. dated 09/3/20, last revised 03/02/22.
- Subdivision / Land Development Application Dated January 11, 2022.

G&A, has completed our first review of the above referenced lot line adjustment plan for compliance with the applicable sections of the Township's Zoning Ordinance, Subdivision and Land Development Ordinance, and wish to submit the following comments for your consideration.

## I. OVERVIEW

The proposed project is a simple lot line adjustment of a common lot line between 2 adjacent parcels. The properties are located along Dorlan Mills Road and are located within the LI (Limited Industrial) Zoning District. (A portion of one of the lots is also partially located with the R-2 Zoning District, but not the portion under consideration with this application) The parcels involved are UPI# 32-6-49 and UPI# 32-6-49.1. UPI# 32-6-49 currently contains an existing dwelling, accessory garage, and water tower. All of which are proposed to be removed. The portion of UPI# 32-6-49.1 which is under consideration is not improved. A summary of the existing and proposed lots is as follows:

BUILDING ON A FOUNDATION OF EXCELLENCE

184 W. Main Street | Suite 300 | Trappe, PA 19426  
Phone: 610-489-4949 | Fax: 610-489-8447  
[www.gilmore-assoc.com](http://www.gilmore-assoc.com)

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

<u>Parcel</u>	<u>Current Lot Areas</u>	<u>Proposed Lot Areas</u>
UPI# 32-6-49	6.15 Acres	3.45 Acres
UPI# 32-6-49.1	16.4 Acres*	19.1 Acres *

\* Applicant has not provided an existing lot area for this parcel; area taken from taxmap data.

## **II. ZONING ORDINANCE REVIEW**

1. (V) Section 200-45.A. - The Applicant has indicated they will be seeking a variance from this section due to Lot 2 does not meet the required 3.0-acre lot minimum. As this parcel will be merged with the Commonwealth's existing lot, we do not believe this variance is required.
2. (V) Section 200-45.B. - The Applicant has indicated they will be seeking a variance from this section due both Lots 1 and 2 not meeting the minimum required 300' lot width. As this area will be merged with the Commonwealth's existing lot, we do not believe this variance is required for Lot 2. However, is needed for Lot 1.
3. (V) Section 200-45.C.(2). - The Applicant has indicated they will be seeking a variance from this section for Lot 1 as the resulting lot will not provide for the required side yard setback for the existing building.

## **III. SUBDIVISION & LAND DEVELOPMENT ORDINANCE REVIEW**

1. The applicant has requested several waivers from compliance with the Township's Subdivision and Land Development Ordinances. A waiver request letter should be provided outlining the reasoning for each of the requests.
2. (W) Section 162-9.B(2)(b)[10] - A waiver has been requested from this section which requires site information be provided within 100 feet of the property. We have no objection to this waiver request.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

3. (W) Section 162-9.D. - A waiver has been requested from requiring a Site Analysis and Impact Plan be provided. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request.
4. (W) Section 162-9.E. - A waiver has been requested from requiring a Conservation Plan be provided. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request.
5. (W) Section 162-9.H. – A waiver is being requested from the requirement to provide Impact Statements. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request relative to the environmental impact statements. We defer to the Township Planning and Historical Commissions as well as the Township Land Planner regarding relief from the Historic Impact Statement.
6. (W) Section 162-28.D. & 162-28.E. - A waiver has been requested to not require providing the 50' Ultimate Right of Way and dedication to the Township. However, no justification has been provided as to the need for the waiver. The Township Traffic Engineer has recommended below the right of way be provided at this time.
7. (W) Section 162-9.C(2)(a)[6] - A waiver has been requested to not require providing cartway geometry information for Krauser Road. As there is no construction associated with this project, we have no objection to this waiver request.

#### **IV. GENERAL COMMENTS**

1. Please provide a legal descriptions for the newly created lots and easements.
2. Please remove the multiple signature lines for the Township Board of Supervisors and Planning Commission signature blocks. Only the Chairperson of each of the bodies is required to sign.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

**V.      TOWNSHIP TRAFFIC CONSULTANT**  
**MCMAHON ASSOCIATES, INC.**

1. SALDO Section 162-28 – Dorlan Mill Road is classified as a minor collector, and as such, a 25-foot half width ultimate right-of-way should be provided along the site frontage. In addition, the following note should be added to the plans:

“The Record Owner and its successors and assigns in ownership of Tax Parcel 32-6-49 shall convey and dedicate in fee to PennDOT or Upper Uwchlan Township upon demand, at no cost, the land area between the existing legal right-of-way line and the ultimate right-of-way line along Dorlan Mill Road (S.R. 4019) to be used for public road purposes, sidewalks, utilities, and other public purposes.”

2. Based on the Township’s Community Trails Map, the Brandywine Trail is envisioned along this section of Dorlan Mill Road, which is proposed to connect the Struble Trail and Marsh Creek State Park. The location and design of the Brandywine Trail has not been confirmed at this time, and as much as possible this trail will likely be located in the future road right-of-way. However, to the extent there is any chance the trail may be located on this property, we recommend the following note be added to the plan to establish an ongoing willingness for the Township and property owner to work together to advance this trail project in the future trail.

“In order to facilitate the planning, design, and construction of the Township’s planned Brandywine Trail, the property owner will work with the Township to allow access, right-of-way and easements to facilitate this paved trail along the Dorlan Mill Road site frontage in a manner that is safe and reasonable.”

**VI.      TOWNSHIP LAND PLANNER**  
**BRANDYWINE CONCERVANCY**

The Applicant proposes to reconfigure lot lines between two adjacent parcels – one owned by Shryock Brothers Inc. (UPI. 32-6-49) and the other owned by the Commonwealth (UPI. 32-6-49.1). The current Shryock property of 6.15 acres is located within Limited Industrial (LI) Zoning District and improved with a paper mill, unoccupied dwelling, garage, water tower, driveway, and parking areas. The existing use of subject property as a paper mill is permitted by right within said zoning district. Both mill and dwelling (known as millers house) are considered historic structures as defined by the Township. The adjacent property that is a

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

subject to this application is 16.41 acres of open space, which is a part of the Marsh Creek State Park. The applicant proposes to reconfigure the existing lot line between the Shryock property and one owned by the Commonwealth to convey 2.7 acres of land area (noted as Lot 2) from Shryock property, including the millers house, garage, and a water tower, to the adjoining land of the Commonwealth. The proposed lot line is somewhat aligned with the existing trail easement noted on the provided plans. The proposed will result in Shryock property decreasing to 3.455 acres (noted as Lot 1) and becoming nonconforming with minimum lot width and side yard setbacks requirements.

The subdivision plans indicate that the historic millers house, labelled as "existing house" on proposed Lot 2, is to be demolished. Other features to be removed include a water tower and concrete base, retaining wall, and a garage.

The applicant has requested the following waivers from the Upper Uwchlan Township Subdivision and Land Development Ordinance (SLDO) since no development is proposed:

- Section 162-9.D to provide a site analysis and impact plan
- Section 162-9.E to provide a conservation plan
- Section 162-9.H to provide impact statements
- Sections 162-28.D and 162.258.E to 50' ultimate right of way and dedication to Township as Dorlan Road is a state highway

Applicant has also requested the variances from the following requirements that the proposal does not meet:

- Section 200-45.A – minimum lot area for Lot 2
- Section 200-45.B – minimum lot width for Lots 1 & 2
- Section 200-45.C.(2) – side yard setbacks for Lot 1

#### Use Regulations

1. Lot 2 is proposed to be conveyed to the adjoining land of the Commonwealth that is being used as a public park, the Marsh Creek State Park. The proposed public use for Lot 2 located within LI Zoning District is permitted when approved as a Conditional Use by the Board of Supervisors pursuant to § 200-44.I(10) of the Zoning Ordinance. We recommend that the Township consult the Township solicitor regarding this subject matter in addition to requesting the applicant to provide detailed description on intended use of Lot 2.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

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April 6, 2022

2. The future land use map in the Comprehensive Plan (2014) designates the Shryock property as Rural/Site Responsive land use, which envisions that permitted density and design criteria for residential development of remaining open/undeveloped lands will be "site responsive". This approach considers the creative use of flexible design, such as clustered development, to achieve meaningful conservation of open space. Proposed use as an open space for Lot 2 overachieves that conservation goal. Additionally, the subject property is a part of land area identified as Priority Parcel ("Priority Parcel C of 33 acres") for preservation on the Priority Areas for Preservation Map (5-1). That land area is also a part of the Brandywine Greenway and has also been identified as a destination on the Community Trail Master Plan Map (6-1), as it is served by regional Brandywine and Struble Trail systems and designated local and regional bike routes. Furthermore, subdivision plans note the existing trail easement that runs from northern to southern boundary of the Shryock property is already dividing the land area into two, which makes it unfeasible for Lot 2 to be used as a part of the existing paper mill operations. Based on preliminary assessment above, we are highly supportive of proposed lot lines change and merging of Lot 2 with adjoining lands of the Commonwealth for open space conservation and public use.

#### Proposed setbacks for Lot 1

3. The proposed change in lot line will result in an increase of nonconformities for the paper mill building remaining on Lot 1. The reduction of the existing side setback might create hardship for the property owner in the future in case of building expansion or any other improvements. We strongly recommend the Township to request the applicant to consider other options to allow for a greater than proposed side yard setback with a new lot line.

#### Environmental Impact

4. The proposed subdivision of land will result in Lot 2 improved with historic millers house, water tower, retaining wall and a garage to become a nonconforming use within Limited Industrial Zoning District. In addition, several historic structures are proposed to be demolished as a part of the subdivision and land development process. The applicant has requested a waiver from SLDO § 162-9.D that provides standards for environmental impact analysis to be completed by the applicant to address the impacts of proposed subdivision on natural and historic resources. We strongly encourage the Township to request the applicant to comply with those provisions as it will provide a more comprehensive picture of future use of the land.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

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Historic Resources

5. As previously noted, two historic structures as defined by the Township, millers house and a mill, are currently located on the Shryock property. The dwelling was classified as a Class II historic resource with potential to be eligible as a Class I resource when clustered with the historic farmhouse, barn, and springhouse located at 751 Dorlan Mill Road. Class I resources possess significant architectural quality, are representative of a specific mode or style of architecture, are structurally intact, are greater than 50 years of age, and/or are historically significant. At the time of publication, the greatest threat to the millers house was identified as neglect, and the current condition of the dwelling clearly demonstrates that neglect has occurred since the resource was inventoried in 2001. The roof of the dwelling is now compromised, and the structure has not been inhabited for 20 years or more. SLDO § 162-9.H.(5).(a).[2] states that a Historic Resources Impact Statement is required when subdivision or land development plans propose demolition of an historic resource or other features located within 250 feet of an historic resource as identified in the Historic Resources Inventory (Wise Preservation Planning, 2001). We recommend that the Township require the applicant to submit a Historic Resources Impact Statement, and that the Historical Commission provide recommendations regarding the preservation or demolition of the historic millers house.
6. The 2014 Comprehensive Plan includes a list of revised actions from the 2009 Open Space, Recreation and Environmental Resources Plan (OSRER) aimed to protect historic resources within the Township (p.92). The following actions emphasize the need and next steps for future historic preservation:
  - HR 4. Conduct negotiations with owners and purchasers of Class I and Class II historic resources to preserve historic structures and their surrounding landscapes. Assure that sufficient landscape is retained to preserve the context of the historic structure.
  - HR 5. Consider the purchase of cultural and historic resources and/or properties where protection and preservation of the property is a recognized public benefit.
  - HR 7. Negotiate with the owners of the Class I and Class II historic resources to preserve original historic structures and building facades. Where such structures are part of a development plan, utilize the SLDO to require a Historic Resource Impact Study, and utilize the Conditional Use process to place restrictive covenants on building façades and historic structures.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

- HR 10. Consider developing new locally-designated historic districts, including Font, Eagle, Byers Station, and possibly Dorlan Mill.

We strongly encourage the Township to work with the applicant to explore options to preserve historic millers house.

7. Use regulations within the LI Zoning District provide provisions for adaptive reuse of historic resources, which will be applicable to historic millers house if the applicant chooses to preserve it. Specifically, § 200-44.M, when authorized as a conditional use by the Board of Supervisors, allows for additional uses, including but not limited to bakeries, retail sales, restaurants, public use, when established on a property designated as a Class I or Class II Historic Resource, where historical buildings shall be adaptively re-used, and where an economic development license has been issued for the purpose of local economic development. Additionally, § 200-44.N allows for adaptive reuse for historic preservation where indicated as use by right within LI Zoning District, which includes manufacture of light industrial products from already prepared materials, manufacture of professional, scientific, or electronic instruments; jewelry; watches, small appliances, and similar products, and others. Considering the location of the historic millers house in relation to existing trails and bike networks, community will highly benefit from reusing the historic building for uses that support and encourage recreation in the area and provide additional features at the designated destination site.

We strongly encourage the Township to work with the applicant on potentially repurposing the historic millers house for public use prior to approval of lot line changes and proposed demolition of structure.

#### Conservation

8. Applicant has requested a waiver from SLDO §162-9.E that provides standards for displaying all significant natural features to evaluate the impact of proposed improvements on those. Subdivision plans note the proposed demolition of structures described above, which might result in some impacts to natural features, specifically all trees or portions of tree masses proposed to be cleared as part of the proposed subdivision, all proposed alterations of the natural grade and compliance with all applicable erosion and sedimentation control standards. We strongly encourage the Township to request the applicant to provide conservation plan elements, including but not limited to limit of disturbance, as proposed by the applicant.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

Recreation

9. Supplemental Regulations of Zoning Ordinance §200-68, Recreational land use, includes standards for recreational land use that will be applicable to reconfigured Lot 2. We recommend the applicant to demonstrate that those provisions are being met.
10. Applicant has requested a waiver from SLDO §162-9.H.(3) requiring impact statements pertaining to recreation. We agree that some of those requirements are not applicable to the project; however, we strongly encourage the Township to request the applicant to provide more details on facilities (if any) that will be proposed in the future and the accessibility of Township residents to subject tract.

Trails

11. The subdivision plans indicate an existing 20' wide trail easement along the proposed lot line extending from Dorlan Mill Road to the northern property boundary, but the plans do not show any connections to nearby trails. The subdivision plans do not note if said easement will be extinguished. We strongly suggest that the Township requests the applicant to include more information regarding the future of that easement and any potential connections to the existing trail network, specifically Brandywine Trail and Marsh Creek State Park Trail networks and/or Struble Trail.

Zoning Districts

12. The existing parcel owned by the Commonwealth (UPI. 32-6-49.1) is located in two (2) zoning districts with eastern portion in R1 Residential and its western portion in LI Zoning District. We strongly encourage the Township to revise zoning districts' boundaries to follow parcel lines to avoid split zoned parcels for ease of zoning administration and enforcement.

In summary, we are in support of this application, and if requested, would be happy to meet with the applicant on site to discuss the items noted in this review letter.

**VII. TOWNSHIP SEWER CONSULTANT**  
**ARRO CONSULTING**

No comments.

Reference:      Lands N/L Shryock Brothers Inc.  
                    Lot Line Change Plan  
                    Upper Uwchlan Township, Chester County, PA

File No. 22-02053

April 6, 2022

Based on our review of the application, **we would recommend approval of the lot line change plan be considered at this time, contingent upon the applicant addressing the above referenced comments as well as any raised by the Planning Commission and Board of Supervisors.**

If you have any questions, please do not hesitate to contact me.

Sincerely,

*David N Leh*

David N. Leh, P.E.  
Municipal Services Manager  
Gilmore & Associates, Inc.

cc:      Upper Uwchlan Township Planning Commission Members  
            Upper Uwchlan Township Board of Supervisors  
            Kevin M. McKenna, Esq., McKenna Snyder LLC (via e-mail only)  
            Sheila A. Fleming, ASLA, Brandywine Conservancy (via email only)  
            Christopher J. Williams, P.E., McMahon Associates, Inc. (via email only)  
            G. Mathew Brown, P.E., ARRO Consulting, Inc. (via email only)  
            David Schlott, P.E., ARRO Consulting, Inc. (via email only)  
            Shryock Brothers, Inc., Property Owner (via e-mail only)  
            Jack Stefferud – Natural Lands Trust, Applicant (via e-mail only)  
            Nick Feola, PE – Bursich Associates (via e-mail only)



**JOSEPH E. BRION, ESQUIRE**

p: 484.887.7526

f: 610.436.8305

e: [jbrion@buckleyllp.com](mailto:jbrion@buckleyllp.com)

118 W. Market Street, Suite 300

West Chester, PA 19382-2928

April 6, 2022

**via electronic mail**

Brian L. Nagle, Esquire  
MACELREE HARVEY  
17 WEST MINER STREET  
WEST CHESTER, PA 19382

RE: Application of Natural Lands (“NLT”) and Shryock Brothers, Inc.  
 (“Shryock Brothers”) to the Zoning Hearing Board of  
 Upper Uwchlan Township, dated March 7, 2022

Dear Brian,

As you are aware, this Firm represents the County of Chester with respect to the construction of the Struble Trail extension in Upper Uwchlan Township. I understand that the Upper Uwchlan Township Zoning Hearing Board has scheduled a hearing on April 13, 2022 at 7:00 pm to consider the application of Natural Lands Trust / Shryock Brothers, Inc.

NLT’s acquisition and maintenance of the adjacent 2.7 acre tract of ground as public open space will be an important complementary feature to the proposed extension of the County’s trail. As such, the County of Chester supports the joint application of NLT and Shryock Brothers for variance relief necessary to facilitate the conveyance of land from Shryock Brothers to NLT.

If you have any questions, please do not hesitate to contact me.

Respectfully,

*Joseph E. Brion*

Joseph E. Brion

JEB/rac

cc: *(via electronic mail)*

Jack Stefferud, Natural Lands

Jameka Smith, Capital Projects Coordinator

David Stauffer, RLA, ASLA

Nicholas E. Feola, P.E.

Kevin McKenna, Esq., Solicitor, Upper Uwchlan Township

E. Craig Kalemjian, Esq.  
Attorney at Law  
Hartshorne Mansion  
535 North Church Street, Box 125  
West Chester, PA 19380

April 14, 2022

*via email only – bnagle@macree.com*

Brian Nagle, Esquire  
MacElree Harvey, Ltd.  
17 West Miner Street  
West Chester, PA 19382

Re: Upper Uwchlan Twp ZHB – Natural Lands Trust/Shyrock Brothers

Dear Brian:

Please be advised that at a duly advertised public hearing held last night, the Upper Uwchlan Township Zoning Hearing Board voted unanimously to grant your client's application for variances for minimum lot area, width, and sideyard provisions of Sections 200.45.A, 200.45.B and 200.45.C, respectively, of the Upper Uwchlan Township with respect to Tax Parcel 32-6-49.

A written Decision and Order will be issued within forty-five days of the hearing date.

Very truly yours,

*E. Craig Kalemjian*

E. Craig Kalemjian

ECK:kml

cc: Upper Uwchlan Township  
Joseph E. Brion, Esquire (*via email only – jbrion@buckleyllp.com*)



**JOSEPH E. BRION, ESQUIRE**

p: 484.887.7526

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118 W. Market Street, Suite 300

West Chester, PA 19382-2928

April 14, 2022

**via electronic mail**

Board of Supervisors  
Upper Uwchlan Township  
140 Pottstown Pike  
Chester Springs, PA 19425

RE: Applications of Natural Lands Trust (“NLT”) and Shryock Brothers, Inc. (“Shryock Brothers”) for Conditional Use and Subdivision Approval to Upper Uwchlan Township (“Applications”)

Dear Board of Supervisors,

As you are aware, this Firm represents the County of Chester with respect to the construction of the Struble Trail extension in Upper Uwchlan Township.

To provide some background, NLT is purchasing from Shryock Brothers the 2.7-acre tract of ground located at the northend of the easement obtained by condemnation by the County for the extension of the Struble Trail (“Property”). NLT intends to convey the Property to the Commonwealth of Pennsylvania (“Commonwealth”) to include it as part of the Marsh Creek State Parkland.

It has now come to my attention that the Historical Commission of Upper Uwchlan Township has submitted a recommendation to the Upper Uwchlan Township Board of Supervisors (“Board”) and Planning Commission requesting a condition that the Dorlans Mill House (“House”) located on the Property be renovated and preserved. This recommendation was provided due the Applications. At this time, the House is in extremely dilapidated condition, the roof has collapsed, and the walls are falling down. I viewed the House to confirm the information I received. Also, please note the House has been in a state of collapse for years. Clearly, the cost of restoration would be extensive. As a resident of Chester County and one who has been practicing law here for many years, I think it appropriate to save and restore as many historic buildings as are feasible. However, in this instance, the cost of renovation and other considerations prevent that.

The other considerations that need to be considered by the Township is that the Property is adjacent to the County’s Trail System and once conveyed to the Commonwealth will complete a very extensive and beautiful park area in and around Upper Uwchlan Township for the benefit of the citizens of Chester County for years to come. I have been advised that the Commonwealth will not purchase the Property and incorporate it into Marsh Creek Park if there is a requirement for the House to remain on the Property. Thus, it will preclude NLT from purchasing the Property which I believe would be a loss for the citizens of Chester County and Upper Uwchlan Township.



Board of Supervisors  
Upper Uwchlan Township  
April 14, 2022  
Page Two

As counsel for the County, I am requesting that the Board and Planning Commission agree that at this point in time (almost 2 years after initial presentations by the County the Township) that they not accept the recommendation of the Township Historical Commission. I do not make this request lightly. All through conversations and discussions with the Township, it was understood that the House due to its condition would be demolished and a plaque placed at the location for the citizens of Chester County and visitors to be advised who lived there and the former use of the property, namely a paper mill.

As I stated, normally, I am in agreement with historical preservation. In this instance, by negating the conveyance to NLT, it causes more difficulty and does not provide the citizens of the County the additional property that will be preserved forever once the transaction is completed.

I think Chester County has done an outstanding job in restoring the history of the County through the renovation of many sites and the preservation of open space. Sometimes those two goals conflict, as in this instance.

I thank you in advance for your consideration of this request on behalf of the County of Chester.

Respectfully,

*s/Joseph E. Brion*

Joseph E. Brion

JEB/rac

cc: (via electronic mail)

Gwen Jonik, Township Secretary

Kevin McKenna, Esq., Solicitor, Upper Uwchlan Township

Jack Stefferud, Natural Lands Trust

Brian L. Nagle, Esquire

David Stauffer, RLA, ASLA

Jameka Smith, Capital Projects Coordinator

Nicholas E. Feola, P.E.

Janet L. Bowers, P.G., Director, Chester County Dept. of Facilities



**UPPER UWCHLAN TOWNSHIP**  
Planning Commission Meeting  
April 14, 2022  
7:00 p.m.  
Minutes  
**Approved**

LOCATION: Township Building, 140 Pottstown Pike, Chester Springs PA 19425

**In attendance:**

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

Mary Lou Lowrie, P.E. – Gilmore & Associates  
Gwen Jonik, Planning Commission Secretary

Absent: Ravi Mayreddy

Sally Winterton called the meeting to order at 7:01 p.m. There were 7 citizens in attendance.

**Byers Station Parcel 5C Lot 2B Commercial Lot ~ Amended Final PRD Plan - Introduction**  
Alyson Zarro, Esq., on behalf of Prosperity Property Investments, introduced the amended Plan for the currently vacant Lot at Pottstown Pike and Station Boulevard, proposing 1820 SF eating/drinking establishment, 13,200 SF of retail space, 10,500 SF daycare center and shared parking. Ms. Zarro noted that Equus had approval in 2019 for 2 pad sites but interest went dormant. There's a new client who would like to make changes. Richard Hoffman and Allan Greenberg of Celebree (the daycare center) would be the owner and developer and operate the daycare center. They propose the Iris Lane exit to Pottstown Pike; PennDOT's highway occupancy permit shows a dedicated left in turn lane traveling south on Pottstown Pike, a right in traveling north, and only a right-turn out. Stormwater will be managed through the basin on the other side of the Enclave, the townhouses.

The eating/drinking establishment is an 1,820 SF coffee shop or other fast causal food, with a drive through. The other pad will include the daycare center, and 2 retail stores -- 6,000 SF and 7,200 SF.

Richard Hoffman has been involved with Celebree Schools for 27 years; caring for infants through pre-K, plus before- and after-school care. Potentially 140 children, they serve a 3-mile radius, Monday-Friday 6:30 – 6:30. Parents drop the children off and go so parking needs are minimal. The retail sites could be pediatric in nature – a pediatrician or child dentistry. They have someone in mind for the eatery but not the retail sites. Architectural schematics were displayed. The facades visible from Pottstown Pike will look like the fronts of the buildings. There are design standards within the PRD approval. Pitched roofs except the restaurant looked flat and would be visible from Pottstown Pike.

Planning Commission members made comments regarding heavy traffic through this area at morning rush hour(s) and adequate stacking for the left turn in from southbound Pottstown Pike, use the Village Design Guidelines for architecture, adequate area for truck deliveries, fenced dumpsters.

Jeff Smith moved to accept the plans for consultants' review. Chad Adams noted they need to provide the maximum size truck that can move through the site. Following a second by Joe Stoyack, the motion carried unanimously.

#### Natural Lands Trust – Shryock Subdivision/Lot Line Change

Jack Stefferud of Natural Lands Trust (NLT) and Brian Nagel, Esq., landowners counsel and assisting NLT, were in attendance. Mr. Stefferud presented NLT's plan to purchase 2.7 acres of Shryock property, which includes the County's Struble Trail easement and the Dorlan's Mill miller's house, which is collapsing. The Struble Trail extension will connect with Marsh Creek State Park. The edge of the acreage will be the edge of the Struble Trail, and the State will then own the parcels. There is a pre-existing utility easement. The Township Zoning Hearing Board granted variances April 13, 2022. Several waivers are requested; the consultants had no objection to most, but the waiver from the historic impact statement was deferred to the Township Historical Commission (HC). The HC does not want the Board of Supervisors to waive the Applicant providing the impact statements and would like to see the miller's house, or a portion thereof, preserved in some manner. They suggested a number of options and asked that experts in the field take a look at the condition of the house prior to consideration by the Board. Mr. Nagle distributed a letter from Skip Brion, Esq., counsel for the County, and summarized it as follows: that the County has worked for 15 years to connect the Struble Trail to the Park; this parcel is the last gap; the County would like to construct the trail this year; the County supports the zoning variances and the approval of the lot line change; and it is hoped that the Township will waive the historic impact statements and allow the miller's house to be demolished and a plaque constructed detailing the history of the house.

Discussion included: the letter says the State won't take the parcel if the house remains and NLT is not interested in the parcel then; Shryock owns the property and didn't improve the house over the last 15 years; perhaps the foundation or footprint of the house could be preserved; a plaque can be erected; demolition would include removing the roof, the structure would be collapsed into the basement, and there will be enough rubble to fill the basement as well as spreading some of it up the hillside; NLT doesn't have the funds to do more than that; several members would like to see at least the foundation remaining; some members think the house has lost all the historic significance; the trail is more important; have an artist create a rendering of the mill and house for the plaque; researching grants for preservation would add years to the project, with the house further deteriorating; adaptive reuse of the structure is not feasible; if the HC makes recommendations, the Board should follow; the Board could decide to spend the money to buy the property and restore the house but there's not enough safe structure left - it'd have to be knocked down and rebuilt; perhaps the Board should consider dedicated funding for open space or historic preservation; investigate the cost to leave the foundation walls or footprint preserved.

The waiver regarding the 50' ultimate right of way was discussed. Mr. Nagle noted it's a State road, there's not enough room for that and it's not necessary. PennDOT approved the trail crossing without requiring the road be widened.

Chad Adams moved to recommend approval of the lot line change, granting of the waivers and that the applicant should construct an historical marker on the site to be reviewed with the Historical Commission. Jim Dewees seconded, and the motion carried with seven (7) in favor and one (1) abstention (Stoyack).

#### Approval of Minutes

Joe Stoyack moved, seconded by Jeff Smith, to approve as presented the minutes of the March 10, 2022 Planning Commission meeting. The motion carried unanimously.

#### Open Session

Joe Stoyack advised the Comprehensive Plan update is moving forward. An email address will be posted on the website for residents to provide comments and suggestions regarding the Plan.  
[CompPlan2024@upperuwchlan-pa.gov](mailto:CompPlan2024@upperuwchlan-pa.gov)

Gwen Jonik noted the current ordinances editorial and legal analysis responses were submitted to General Code and they are reviewing our responses.

Adjournment

Jim Dewees moved, seconded by Chad Adams, to adjourn at 8:21 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary

6:00 p.m. Work Session

Topics discussed:

1. Parking, shared parking in the Village, overnight parking in cars or RVs in residential areas, commercial areas – Police or property owner, not zoning; shared parking needs conditional use approval; let businesses enter into agreements with each other; perhaps annually report to the Township that they're meeting their requirements; parking impacts occupancy; overflow parking; propose revision so businesses don't need conditional use or special exceptions; if subdivision is required, okay, otherwise perhaps conditional use should be necessary.
2. Overlay Districts F1, F2, PRD. How many eligible properties remain; pros and cons of deletion.



**RICHARD GRUBB & ASSOCIATES**

*Historic Architecture • Archaeology • Historical Research*

259 Prospect Plains Road | Building D | Cranbury, New Jersey 08512 | 609-655-0692 | [www.rgaincorporated.com](http://www.rgaincorporated.com)

May 11, 2022

Mr. Tony Scheivert  
Manager  
Upper Uwchlan Township  
140 Pottstown Pike  
Chester Springs, PA 19425

**Re: Dorlans Mill Miller's House Findings & Options**

Via Email: [tscheivert@upperuwchlan-pa.gov](mailto:tscheivert@upperuwchlan-pa.gov)

Dear Mr. Scheivert:

This report outlines our findings and presents options regarding the Dorlans Mill Miller's House, located at 780 Dorlans Mill Road, in Upper Uwchlan Township. The building, constructed in 1849, is listed in the Upper Uwchlan Township Historic Resource Inventory as #110, a Class II (recommended for Class I) resource. The property is privately owned and contains the adjacent reconstructed Shryock Bros. building (which also contains part of the former mill), a dilapidated circa 1930s stone garage, and a steel water tower. These resources, plus others, comprise the historic Dorlans Mill complex. A potential historic district, Dorlans Mill was determined not eligible for the National Register of Historic Places in 2005 by Pennsylvania Historical and Museum Commission (PHMC). The Miller's House was surveyed for the Township Historic Resource Inventory in 2001 and 2008, as well as 2004 as part of the proposed Dorlans Mill Historic District project. The house was in use at that time and seemingly maintained.

Earlier this year, the Historical Commission made Richard Grubb & Associates, Inc. (RGA) aware of the proposed purchase of a portion of the property by Natural Lands for recreational trail purposes. The Historical Commission is concerned about the future of the Miller's House. The Miller's House is in a serious state of decay. Natural Lands is proposing to demolish the structure, as well as the water tower, garage, and associated stone walls to enable the Pennsylvania Department of Conservation and Natural Resources (DCNR) to eventually obtain and manage the property without the potential liability and cost of retaining these structures. To that end the Historical Commission, as well as township management, asked RGA to examine the Miller's House, discuss findings, and present options for the future of the Miller's House.

ADDITIONAL OFFICES | Pennsylvania | New York | North Carolina | Maryland | Tennessee

DBE/WBE/SBE CERTIFIED

## **Findings**

The site survey was conducted on Friday, May 6, 2022. Attending were Vivian McCardell (Historical Commission Chair), Anthony Campbell (Zoning Officer), Norman Glass (Historical Carpenter/Builder), Seth Hinshaw and Robert Wise (RGA). Due to the condition of the Miller's House, we were not permitted inside the structure. The following observations were made:

1. The house, long vacant, is in a severe state of decline. The roof has failed in the eastern portion of the house allowing water to enter the house. As a result, structural failure of the floor joists occurred causing the first and second floors to collapse into the basement. In certain places where the rafters meet the tops of the stone walls, the masonry is beginning to fail. On the western section of the house, a large tree has fallen on the roof. Although we could not determine the extent of damage, the already deteriorated condition of the roof plus this additional pressure will no doubt exacerbate its eventual failure, while making the building extremely unsafe. The small frame addition on the far western end is dilapidated, with failure in both walls and roof. The small door hoods on the rear have either collapsed or are in general failure.
2. The interior portions that were observable included the first and second floor of the east part of the east section (where the flooring collapsed). The interior molding seems largely intact, however the marble fireplace surround has been removed (it appears that it broke upon removal, and pieces of the surround can be found behind the house).
3. The above notwithstanding, we could not determine the condition of the building's stone walls. Aside from the small areas near the rafters on the east section, we observed no discernable cracks or settling. We also observed relatively intact window and door surrounds in several places. The most notable elements were the narrow side lights and transom at the front door, as well as windows and shutters in the lower level of the west section.
4. The garage is in a severe state of decay. While the stone side walls appear intact, the roof has collapsed into the building and the remaining frame elements are deteriorating as well.
5. The water tower was not inspected.
6. The landscape around the Miller's House is overgrown yet the four foot tall stone retaining wall immediately behind the house appears sound in most places.
7. The house is difficult to access. It sits approximately 20 feet above Dorlans Mill Road and can be directly reached via concrete stairs (now inaccessible due to vegetation). The garage, which is just east of the house, faces directly onto Dorlans Mill Road as it rises to the east. The location of the garage and very short driveway, at the hill and sharp turn of the road appears to make the use of this garage (if it was intact) extremely dangerous due to traffic on Dorlans Mill Road.
8. Facing roughly south from the front of the house, the reconstructed mill complex, the Dorlans Mill Bridge, and the Struble Trail parking lot are easily observed.

## **Options**

The following recommendations are made based on the condition of the Miller's House and the proposed trail network.

1. **Inspection.** Our inspection team was not permitted to enter the house, which was understandable. We recommend that a structural engineer be given access to the property to more closely examine the house to determine the extent of the deterioration and damage. This information will make the following options more useful.
2. **Rehabilitation/Restoration.** Rehabilitation or restoration, given the present condition of the house, would be extremely expensive. This option assumes that the various entities involved with this project have extensive funds available or can obtain those funds to rehabilitate or even restore the house. However even if that were to occur, the location of the building would, in our opinion, make it difficult for reuse, and the cost hard to justify.
3. **Stabilization.** Stabilization involves securing a building to prevent further deterioration and ingress until a plan for its future can be developed and carried out. An example of this includes the former mill building in Chadds Ford, now the Chadds Ford Township Building. After sitting vacant in a near ruinous state for many years, around 1976 it was stabilized. After approximately 30 years it was turned into the main public space for township meetings and activities. While this "hold in place" option is often an economical solution to save an old building in the short run, stabilizing the Miller's House would require, at the very least, a new roof structure, which would be costly. There is also no reason to stabilize the house if there are no feasible plans to reuse it.
4. **Stabilized Ruin.** Stone buildings in a ruinous state can virtually last forever. They can also be very dangerous, particularly adjacent to a public trail where they may be visited regularly. Stabilized ruins are a means of managing a ruin by leaving enough of the former building in place for visual and interpretive purposes. In the case of the Miller's House, it would basically leave the four stone walls in place, with the height to be determined. An example of this is at Bonner Park in Thornbury Township, where the Frazer Ruins, once a house of similar size but greatly reduced over the years, was stabilized and the local park trail was extended to the site. The site became a destination via a walking path and was interpreted with signage.

Stabilized ruins are found on the Struble Trail, and like the Frazer Ruins, make the trail more interesting and educational. Stabilizing the ruins in this case is only recommended if the trail were to pass directly around the house, hence where the ruins could be seen and explored. Should the trail remain at the bottom of the hill, roughly parallel to the east entrance into the Shryock complex, then there may be little need or reason to stabilize the ruin as few people could see it or access it. One option would be a "side trail" that could take people to the ruin. An added feature could be an overlook from that location, providing views of the Dorlans Mill site, bridge, and Struble Trail.

5. **Demolition.** As with any historic building, demolition should be considered as a last resort. The extent of damage and the difficulty in accessing this building both from the trail or the road make this a more realistic option. If demolition is planned, please consider the following:

**Documentation.** Documentation is recommended prior to demolition. While it may not be possible to enter the structure due to its condition, a more detailed physical description – such as a Historic Structures Report (HSR) - could be prepared providing detailed information about the exterior and what is visible on the interior. This information, including measurements and photographs, could be added to the existing Dorlans Mill property Survey Form (#110) as well as the Dorlans Mill Historic District survey form. The HSR could be prepared in lieu of the Historic Resource Impact Statement, usually required for demolitions of historic resources in the township. If the building cannot be entered, a drone might be used to record interior architectural features.

**Architectural Salvage.** Though badly deteriorated, the house has several features that may have salvage value to the township. Salvage should only take place by a professional salvage firm and only if it can be determined safe. The township would have the first option of retaining any salvaged features.

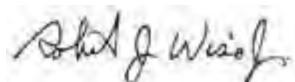
6. **Interpretive Signage.** RGA recommends a large sign be placed at the Struble Trail parking lot interpreting the Dorlans Mill. The Dorlans Mill Survey Form contains the necessary historical information and mapping, reducing the cost and effort to develop the signage. The sign would be particularly important if the Miller's House were to be demolished.

## **Conclusion**

The Miller's House presents many challenges. Given its condition and access issues, projected uses on future public land, and costs, it is unlikely that it will be rehabilitated or restored. As such, stabilization may also not be appropriate. A stabilized ruin may be an appropriate option, but only, it seems, if the site is incorporated into the trail or side trail. Regardless of the outcome, interpretation is strongly recommended for this site.

This concludes our review. If you have any questions, please contact Robert Wise at 610-585-3598 (cell). Thank you.

Sincerely,



Principal Senior Architectural Historian

Cc: V. McCardell

G. Jonik

# **Upper Uwchlan Township Historical Commission**

**Dorlans Mill and Natural Lands Trust Land Development Plan  
Updated Background, RGA Report and Draft Motions**

**June 7, 2022 Meeting — Prepared by Vivian S. McCardell, Chair Historical Commission**

# Background

- Natural Lands Trust (NLT) in process of purchasing 2.7 acres of Dorlans Mill property from Shryock Brothers, Inc. to transfer to Commonwealth of Pennsylvania and extend Struble Trail
- NLT's land development plan proposes change in lot line and proposes removal of Dorlans Mill house, water tower and garage
- NLT requests various waivers, including waiver of historic resource impact statement
- NLT land development plan also notes iron pipes and pins and concrete monuments found on property

# Background

- Dorlan's Mill house proposed for removal is on Township's Historic Resource Inventory as historic resource #110 and was built in 1849 by miller James Dorlan per date stone
- It appears an earlier miller's house destroyed by fires with only kitchen surviving
- Original mill believed to have been built by John Evans around 1750, but also destroyed by fire
- Property at one time also included ice house and dam
- James Dorlan is prominent Chester County resident who ran paper mill for 50 years before passing it along to his sons. He was also an inventor, served in State Legislature and was son-in-law of John Dowlin
- House and related mill buildings categorized as Class 2 historic resource, but recommended for Class 1 as part of potential historic district in 2001
- Dorlan's Mill determined not eligible for National Register of Historic Places in 2005 by PHMC

History of Chester County, Pennsylvania by J. Smith Fithay & Gilbert Cooper  
1881

JAMES M. DORLAN.

The United States government, on November 11, 1872, granted by letter patent No. 1,003,323, for an improvement in "Bleaching Paper," now valuable, James M. Dorlan, which consists of great benefit to the world, in that it is a new and useful ingredient (in combination with compositions of other ingredients) called "bleaching-powder," or "bleaching-salt," or "bleaching-soda," which has, or is capable of, the power of any suitable quantity, as well as any suitable agent in creating or forming a paper-like, water-proof, gum size in paper stock, and also in run, pulp-sized paper of any or all kinds, more particularly for run-size paper, and paper pulp for making pulp-sized hanging-papers and other wall-papers of all qualities.

James M. Dorlan, now 67 years of age, was born on March 19, 1820, in his native town of New Hope, in Bucks County, Pennsylvania, in those days.

He early learned the paper-making trade, beginning in his native town, and during this time only attended school once in a year. He served his apprenticeship with Mr. Joseph Cooper, and afterwards carried on the mill for Joseph M. Downing, now Gule's Mill.

About the year 1832 he purchased his present mill on the east branch of Brandywine Creek, in Lower Merion, and now known as Dorlan's mill. When he bought

thirty-seven acres of land were



James M. Dorlan

attached, and to this he added nearly two hundred more. This mill, which he built by hand for about fifty years, found a market for its paper in New York, Philadelphia, and Baltimore. During this time he never was engaged in any other than the paper-mill. About fifteen hands were employed to run the mill, which is now run by his son, Samuel R. Dorlan. He was married in 1828 to Elizabeth Dorlan, who were both children. They

were both dead children.

The following year living, Samuel R.

Then, in 1830, he married

Helena, married to Henry L. McConnell, of Philadelphia, and Mary McConnell, the wife of Dr. C. G. Franklin. Mr. Dorlan is of English descent, and was the son of Mr. and Mrs. John Dorlan. He started with an capital but his will and industry, and had been rewarded with a full measure of success. He has given to his extensive business, due credit to his success.

In 1841 he was elected from

Chester County a representative in

the Legislature, and served a full term. He is a member of the

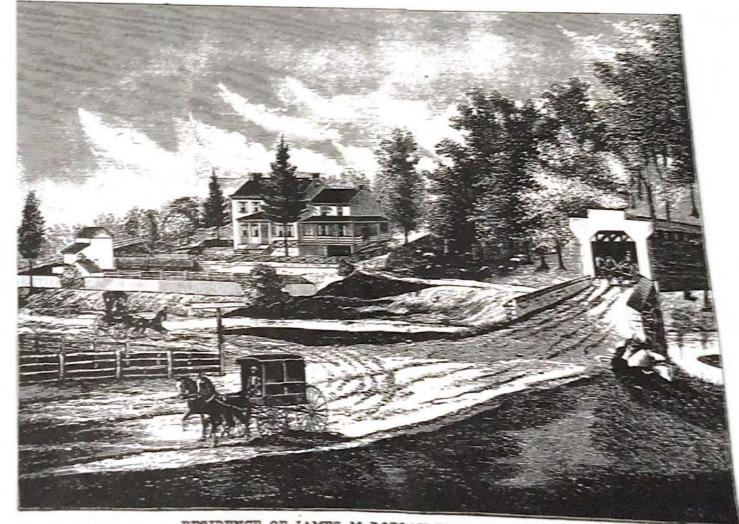
Methodist Episcopal Church, and a highly re-

spected in the community. His invention of paper, which is impervious to water, to which he

devoted much time and means,

has given him celebrity, and made

his name widely known.



RESIDENCE OF JAMES M. DORLAN, EAST BRANDYWINE



DORIAN'S MILLS WAWNESBURG BRANCH PRR East Brandywine.

# Further Background

- During April 18th Board of Supervisor's meeting, NLT representative stated that cost to demolish house would be \$50,000, there was no interest in preserving all or any part of house and he did not know what costs would be involved to restore or make house stabilized ruin
- Pennsylvania Department of Conservation and Natural Resources (DCNR) contact indicated to Township historic preservation consultant, Robert Wise of Richard Grubb & Associates (RGA) that given house's current condition, DCNR not currently in place to fund restoration, rehabilitation, partial demolition or support long-term maintenance of structure that may not be eligible for National Register of Historic Places (NRHP), but DCNR not opposed to another party taking possession of house to rehabilitate or restore
- DCNR employee also indicated that demolition of historic properties potentially eligible for NRHP was not its policy and would be happy to support efforts by community to preserve house by stepping aside and allowing another owner since state's interest in property was more in nature of easement and not foregone conclusion state would take ownership of property
- On May 6th, Robert Wise and Seth Hinshaw of RGA visited the Dorlan's Mill house and conducted a site survey. Also attending were Anthony Campbell (Township Zoning Officer), Norman Glass (Historical Carpenter/Builder) and Vivian McCardell (Chair UUTHC). Due to house's condition, entry into house not permitted

# Issue: Alternatives to Preserve Dorlan's Mill House?

- SALDO Ordinances and Zoning Ordinance Pulled in by Section 200-108

- Section 162-44A provides:
  - ▶ Development and design standards apply to all subdivisions and land development and are intended as minimums
  - ▶ If applicant clearly shows to satisfaction of Board because of peculiar physical conditions, literal enforcement would cause undue hardship, variations may be permitted as are reasonable and consistent with purpose and intent and shall represent least change from standard
- Section 162-55A provides:
  - ▶ Consideration shall be shown for protection of all natural and historic features which if preserved will add attractiveness and value to developed areas
  - ▶ Provisions may be waived or modified if applicant shows to satisfaction of Township that strict adherence will render lot unusable or unsuitable for development or alternative designs achieve similar conservation objectives
- Section 162-55G provides that historic features and other related points of interest shall be preserved and maintained

# Issue: Alternatives to Preserve Dorlan's Mill House?

- Under SALDO Ordinances (and Zoning Ordinance pulled in by Section 200-108), Dorlan's Mill house is protected historic resource
- Dorlan's Mill house and site is significant historic resource given its association with prominent Chester County resident, James Dorlan, and history of County's paper mills and its recognition in Futhey and Cope's iconic 1881 History of Chester County
- Since house has been neglected and appears to be in bad shape, is it possible to restore house and incorporate into Struble Train complex design through adaptive reuse?
  - ▶ Restaurant? Similar to Valley Green in Philadelphia's Fairmount Park?
  - ▶ Ice cream/coffee shop?
  - ▶ Museum?
  - ▶ Rest stop?

## **Issue: Alternatives to Preserve Dorlan's Mill House?**

- Has structural review been done on house?
- Cost to restore?
- Would grants be available to restore the house and site?
- If not possible to preserve entire house, would it be possible to preserve parts of house? Ruins?
- Placement of signs to interpret site in any event

# RGA Report Highlights

- RGA's report on site survey, dated May 11, 2022, reflects following findings:
  - House, long vacant, and garage in severe state of decline and house extremely unsafe
  - Large tree fallen on house roof and roof failed in places allowing water in house with resulting structural failure and collapse of first and second floors into basement
  - House interior molding observable through windows largely intact, however, marble fireplace surround removed, broken upon removal and in pieces behind house
  - Aside from some house masonry failures where rafters meet stone walls, no discernible cracks or settling observed in stone walls and relatively intact window and door surrounds observed in places
  - Most notable house elements are narrow side lights and transom at front door and some lower windows and shutters
  - Four foot retaining wall behind house appears sound in most places
  - House difficult to access as it sits on hill 20 feet or so above Dorlans Mill Road and garage use extremely dangerous due to Dorlans Mill Road traffic
  - Facing roughly south from front of house, reconstructed mill complex, Dorlans Mill Bridge and Struble Trail parking lot easily observable

# RGA Report Highlights

- RGA's report provides following recommendation, options and conclusions based on house's condition and proposed trail network:
  - Recommendation — Permit structural engineer to access house to determine extent of deterioration and damage and assist review of options listed below
  - Options and Conclusions
    - ▶ *Rehabilitation/Restoration* — *Unlikely*. Extremely expensive option and house's location would make difficult to reuse and cost hard to justify
    - ▶ *Stabilization* — *May Not Be Appropriate*. Secure house to prevent further deterioration and ingress until plan for future use developed and completed, requires at very least, costly new roof structure, and assumes feasible future reuse.
    - ▶ *Stabilized Ruin* — *May Be Appropriate*. Only recommended if Struble Trail passes directly around house so ruin could be seen and explored or side trail takes people to ruin. 4 stone walls of house would be left, with height to be determined. Stabilized ruin could also function as Dorlans Mill site overlook. Ruins can be dangerous, particularly along a busy public trail, but stabilized ruins are already found on Struble Trail and make Trail more interesting and educational.
    - ▶ *Demolition*. Should be considered only as last resort, but extent of damage and difficulty accessing house from trail and road make more realistic option. If demolition planned, consider the following:
      - Documentation: Document house before demolition to provide more detailed physical description of exterior and possibly interior using a drone, including measurements and photographs. Documentation could take form of Historic Structures Report (HSR) which could be in lieu of otherwise required Historic Resource Impact Statement.
      - Architectural Salvage: Several house features may have salvage value to Township and Township would have first option of retaining. Salvage should only be done by professional salvage firm and only if can be done safely.
    - ▶ *Interpretive Signage* — *Strongly Recommended Regardless of Outcome*. Large sign at Struble Trail parking lot interpreting Dorlans Mill. Using information in Township files would reduce preparation cost and effort. Signage especially important if house demolished.

## **Issue: Waiver of Historic Resource Impact Statement Appropriate?**

- Unless waived, historic resource impact statement required when any action listed below proposed within 250 feet of historic resource as identified in document entitled “Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001).”
- Actions requiring historic resource impact statement include
  - Subdivision or land development plans which lead to new construction of buildings, structures, roads, driveways, parking area, etc.
  - Subdivision or land development plans which propose adaptive reuse or demolition of historic resources as identified in this chapter
  - General bridge or road construction or substantial repair
  - Other land development, land disturbances, or exterior structural alteration
  - Any conditional use application
  - Any planned residential development application
  - Any special exception or zoning variance request

## **Issue: Waiver of Historic Resource Impact Statement Appropriate?**

- Since Dorlans Mill house is on Township's Historic Resource Inventory as historic resource #110 and NLT proposes its removal/demolition, historic resource impact statement is required, unless waived if determined not applicable
- If all or part of house is to be demolished or adaptively reused historic resource impact statement would appear applicable.

# Final Motions Approved During March 28, 2022 HC Meeting

## Background:

- ▶ Natural Land Trust (NLT) has submitted a conditional use application and land development plan that proposes to remove the Dorlan's Mill house, water tower, garage and stone walls in connection with transferring the site to Chester County to become part of Marsh Creek Park and extend the Struble Trail.
- ▶ NLT has also requested for a waiver of the historic resource impact statement required under Township ordinance Section 162-9H(5) that is triggered by subdivision or land development plans that propose adaptive reuse or demolition of certain historic resources and by any conditional use application proposing actions relating to certain historic resources.
- ▶ The Dorlan's Mill house and site are significant historic resources on the Township's Historic Resource Inventory associated with prominent Chester County and Township resident, James Dorlan, and associated with the history of Chester County's and the Township's paper mills. The house and site are also recognized in Futhey and Cope's iconic 1881 *History of Chester County* (see excerpts attached).
- ▶ The Dorlan's Mill house appears to have fallen into some disrepair over the years.
- ▶ The Dorlan's Mill house and site are historic resources protected under Township ordinance Sections 162-44A, 55A and 55G and historic resources that trigger an historic resource impact statement under Township ordinance Section 162-H(5).

## Recommendations:

- ▶ Condition approval of NLT's conditional use application and land development plan on NLT taking all actions to preserve the Dorlan's Mill house and other site features and incorporating them into the Marsh Creek/Struble Trail complex, including, but not limited to, the following actions:
  - Conduct study on adaptive reuse as restaurant, ice cream/coffee shop, museum, rest stop, etc.
  - Structural review of house by qualified expert and costs to restore and preserve
  - Determine availability of grants to restore house and site
  - If not possible to preserve entire house, conduct study to determine preservation of parts of house or ruins
  - Place interpretative signs at site
- ▶ Do not waive the historic resource impact statement

# Draft Motions for June 7, 2022 HC Meeting

## Background:

- ▶ Natural Land Trust (NLT) has submitted a conditional use application and land development plan that proposes to remove the Dorlan's Mill house, water tower, garage and stone walls in connection with transferring the site to Chester County to become part of Marsh Creek Park and extend the Struble Trail.
- ▶ NLT has also requested for a waiver of the historic resource impact statement required under Township ordinance Section 162-9H(5) that is triggered by subdivision or land development plans that propose adaptive reuse or demolition of certain historic resources and by any conditional use application proposing actions relating to certain historic resources.
- ▶ The Dorlan's Mill house and site are significant historic resources on the Township's Historic Resource Inventory associated with prominent Chester County and Township resident, James Dorlan, and associated with the history of Chester County's and the Township's paper mills. The house and site are also recognized in Futhey and Cope's iconic 1881 *History of Chester County* (see excerpts attached).
- ▶ The Dorlan's Mill house and site are historic resources protected under Township ordinance Sections 162-44A, 55A and 55G and historic resources that trigger an historic resource impact statement under Township ordinance Section 162-H(5).
- ▶ Township consultant, Richard Grubb & Associates (RGA), conducted an investigation of the Dorlan's Mill house and reports that, after long being vacant, the Dorlan's Mill house is in a severe state of decline, extremely unsafe, extremely expensive to rehabilitate or restore and given the house's location difficult to reuse and hard to justify the cost.
- ▶ Of the five options for the house provided by RGA in its report, stabilizing the house as a ruin and overlook with appropriate signage, if the extended Struble Trail will pass by the house or a side trail will lead to it, seems the best option given the condition and location of the house. We note that the Struble Trail already incorporates and maintains stabilized ruins.
- ▶ If the extended Struble Trail will not pass by the house or have a side trail to the house, demolition seems the only viable option, with appropriate signage at the Struble Trail parking lot.

# Draft Motions for June 7, 2022 HC Meeting

## Recommendations:

- Based on the information, recommendations and options provided in RGA's report on its investigation of the Dorlan's Mill house, the Upper Uwchlan Township Historical Commission (UUTHC) hereby revises its recommendations approved during its March 28, 2022 meeting as follows:
  - Condition approval of NLT's conditional use application and land development plan on the following:
    - ▶ If the Struble Trail will pass by the house or if a side trail will lead to the house, stabilize the house as a ruin and Dorlans Mill overlook with appropriate signage that is subject to the review and approval of the UUTHC.
    - ▶ If the Struble Trail will not pass by the house or if a side trail will not lead to the house, the house may be demolished.
    - ▶ Document the house in the form of an Historic Structures Report (HSR) before stabilized as a ruin or demolished, as applicable, to provide a more detailed physical description of the exterior and interior using a drone, including measurements and photographs.
    - ▶ Hire a professional salvage firm to salvage architectural features, including, but not limited to, features identified by the Township based on the HSR and give the Township the first option of retaining any or all salvaged architectural features, in its sole discretion, free of charge.
    - ▶ Regardless if the house is demolished or stabilized as a ruin, erect a large sign that is subject to the review and approval of the UUTHC at Struble Trail parking lot interpreting Dorlans Mill.
  - Waive the Historic Resource Impact Statement in lieu of an Historic Structures Report (HSR) described above

June 16, 2022

Brian L. Nagle  
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d | 610-840-0224  
f | 610-430-8245

**Via Electronic Mail Only: tscheivert@upperuwchlan-pa.gov**

Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

**Re: Lands N/L Shryock Brothers Inc.  
Lot Line Change Plan  
Upper Uwchlan Township, Chester County, PA**

Dear Tony:

Please accept this correspondence as Shryock's response to Gilmore & Associates Review Letter dated April 6, 2022. I know these issues were resolved at the Planning Commission meeting primarily, but I thought it would be helpful to have everything set forth in a letter.

**I. OVERVIEW**

The proposed project is a simple lot line adjustment of a common lot line between 2 adjacent parcels. The properties are located along Dorlan Mills Road and are located within the LI (Limited Industrial) Zoning District. (A portion of one of the lots is also partially located with the R-2 Zoning District, but not the portion under consideration with this application) The parcels involved are UPI# 32-6-49 and UPI# 32-6-49.1. UPI# 32-6-49 currently contains an existing dwelling, accessory garage, and water tower. All of which are proposed to be removed. The portion of UPI# 32-6-49.1 which is under consideration is not improved. A summary of the existing and proposed lots is as follows:

<u>Parcel</u>	<u>Current Lot Areas</u>	<u>Proposed Lot Areas</u>
UPI# 32-6-49	6.15 Acres	3.45 Acres
UPI# 32-6-49.1	16.4 Acres*	19.1 Acres *

\*Applicant has not provided an existing lot area for this parcel; area taken from taxmap data.

**II. ZONING ORDINANCE REVIEW**

**1. (V) Section 200-45.A.** - The Applicant has indicated they will be seeking a variance from this section due to Lot 2 does not meet the required 3.0-acre lot minimum. As this parcel will be merged with the Commonwealth's existing lot, we do not believe this variance is required.

**2. (V) Section 200-45.B.** - The Applicant has indicated they will be seeking a variance from this section due both Lots 1 and 2 not meeting the minimum required 300' lot width. As this area will be merged with the Commonwealth's existing lot, we do not believe this variance is required for Lot 2. However, is needed for Lot 1.

**3. (V) Section 200-45.C.(2).** - The Applicant has indicated they will be seeking a variance from this section for Lot 1 as the resulting lot will not provide for the required side yard setback for the existing building.

**RESPONSE: The variances were approved on 4-13-2022**

### **III. SUBDIVISION & LAND DEVELOPMENT ORDINANCE REVIEW**

**1.** The applicant has requested several waivers from compliance with the Township's Subdivision and Land Development Ordinances. A waiver request letter should be provided outlining the reasoning for each of the requests.

**4. (W) Section 162-9.B(2)(b)[10]** - A waiver has been requested from this section which requires site information be provided within 100 feet of the property. We have no objection to this waiver request.

**5. (W) Section 162-9.D.** - A waiver has been requested from requiring a Site Analysis and Impact Plan be provided. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request.

**6. (W) Section 162-9.E.** - A waiver has been requested from requiring a Conservation Plan be provided. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request.

**7. (W) Section 162-9.H.** - A waiver is being requested from the requirement to provide Impact Statements. As there is no construction associated with this project, other than the demolition of some existing structures, we have no objection to this waiver request relative to the environmental impact statements. We defer to the Township Planning and Historical Commissions as well as the Township Land Planner regarding relief from the Historic Impact Statement.

**8. (W) Section 162-28.D. & 162-28.E.** - A waiver has been requested to not require providing the 50' Ultimate Right of Way and dedication to the Township. However, no justification has been provided as to the need for the waiver. The Township Traffic Engineer has recommended below the right of way be provided at this time.

**9. (W) Section 162-9.C(2)(a)[6]** - A waiver has been requested to not require providing cartway geometry information for Krauser Road. As there is no construction associated with this project, we have no objection to this waiver request.

**RESPONSE: All required waivers have been recommended for approval by the Planning Commission.**

#### IV. GENERAL COMMENTS

1. Please provide a legal descriptions for the newly created lots and easements.

**RESPONSE: These will be provided prior to recordation of the subdivision plan.**

Please remove the multiple signature lines for the Township Board of Supervisors and Planning Commission signature blocks. Only the Chairperson of each of the bodies is required to sign.

**RESPONSE: This will be provided on the plans submitted for signature.**

#### V. TOWNSHIP TRAFFIC CONSULTANT MCMAHON ASSOCIATES, INC.

1. SALDO Section 162-28 – Dorlan Mill Road is classified as a minor collector, and as such, a 25-foot half width ultimate right-of-way should be provided along the site frontage. In addition, the following note should be added to the plans:

“The Record Owner and its successors and assigns in ownership of Tax Parcel 326-49 shall convey and dedicate in fee to PennDOT or Upper Uwchlan Township upon demand, at no cost, the land area between the existing legal right-of-way line and the ultimate right-of-way line along Dorlan Mill Road (S.R. 4019) to be used for public road purposes, sidewalks, utilities, and other public purposes.”

**RESPONSE: This subdivision is triggered by the County’s taking of an easement for the installation of a public trail. As part of the resolution of that and related issues, in order to facilitate the trail and the conveyance of the 2.7 acre parcel to the north, bifurcated by the trail, to Natural Lands Trust (“NLT”) for ultimate addition to March Creek State Park, Shryock is cooperating with the subdivision process and conveying the 2.7 acre orphaned parcel to NLT. Pursuant to state law, Shryock cannot be compelled to donate additional right-of-way to the Township. No such additional right-of-way is offered. The Planning Commission acknowledge that there is no additional space of right of way and supported no additional right of way area being added.**

2. Based on the Township’s Community Trails Map, the Brandywine Trail is envisioned along this section of Dorlan Mill Road, which is proposed to connect the Struble Trail and Marsh Creek State Park. The location and design of the Brandywine Trail has not been confirmed at this time, and as much as possible this trail will likely be located in the future road right-of-way. However, to the extent there is any chance the trail may be located on this property, we recommend the following note be added to the plan to establish an ongoing willingness for the Township and property owner to work together to advance this trail project in the future trail.

“In order to facilitate the planning, design, and construction of the Township’s planned Brandywine Trail, the property owner will work with the Township to allow access, right-of-way and easements to facilitate this paved trail along the Dorlan Mill Road site frontage in a manner that is safe and reasonable.”

**RESPONSE: The legal owner and NLT will cooperate with the project as aforementioned, but as stated above, no additional right-of-way is being offered for dedication.**

**VI. TOWNSHIP LAND PLANNER  
BRANDYWINE CONSERVANCY**

The Applicant proposes to reconfigure lot lines between two adjacent parcels – one owned by Shryock Brothers Inc. (UPI. 32-6-49) and the other owned by the Commonwealth (UPI. 32-6-49.1). The current Shryock property of 6.15 acres is located within Limited Industrial (LI) Zoning District and improved with a paper mill, unoccupied dwelling, garage, water tower, driveway, and parking areas. The existing use of subject property as a paper mill is permitted by right within said zoning district. Both mill and dwelling (known as millers house) are considered historic structures as defined by the Township. The adjacent property that is a subject to this application is 16.41 acres of open space, which is a part of the Marsh Creek State Park. The applicant proposes to reconfigure the existing lot line between the Shryock property and one owned by the Commonwealth to convey 2.7 acres of land area (noted as Lot 2) from Shryock property, including the millers house, garage, and a water tower, to the adjoining land of the Commonwealth. The proposed lot line is somewhat aligned with the existing trail easement noted on the provided plans. The proposed will result in Shryock property decreasing to 3.455 acres (noted as Lot 1) and becoming nonconforming with minimum lot width and side yard setbacks requirements.

The subdivision plans indicate that the historic millers house, labelled as "existing house" on proposed Lot 2, is to be demolished. Other features to be removed include a water tower and concrete base, retaining wall, and a garage.

The applicant has requested the following waivers from the Upper Uwchlan Township Subdivision and Land Development Ordinance (SLDO) since no development is proposed:

- Section 162-9.D to provide a site analysis and impact plan
- Section 162-9.E to provide a conservation plan
- Section 162-9.H to provide impact statements
- Sections 162-28.D and 162.258.E to 50' ultimate right of way and dedication to Township as Dorlan Road is a state highway

Applicant has also requested the variances from the following requirements that the proposal does not meet:

- Section 200-45.A – minimum lot area for Lot 2
- Section 200-45.B – minimum lot width for Lots 1 & 2
- Section 200-45.C.(2) – side yard setbacks for Lot 1

**Use Regulations**

1. Lot 2 is proposed to be conveyed to the adjoining land of the Commonwealth that is being used as a public park, the Marsh Creek State Park. The proposed public use for Lot 2 located within LI Zoning District is permitted when approved as a Conditional Use by the Board of Supervisors pursuant to § 200-44.I(10) of the Zoning Ordinance. We recommend that the Township consult the Township solicitor

regarding this subject matter in addition to requesting the applicant to provide detailed description on intended use of Lot 2.

**RESPONSE:** The Township and it's solicitor are fully aware of the transaction and the goals of same. The trail project and the sale of the resulting bifurcated lot to NLT and incorporation of such land into the state park has been planned and known to the Township for over 2 years. The plan to demolish the water tower, house and related improvements that are located on the 2.7 acre lot have long been an essential element of that project. Upon information and belief, NLT and the Commonwealth of Pennsylvania will not accept such land without the ability to remove the improvements. Any effort to save the house will put the trail project, and the NLT acquisition and park annexation of the 2.7 acres at grave risk.

**With respect to the use of the Lot 2, it will be open parkland recreational use as part of the State Park, consistent with the existing State Park.**

2. The future land use map in the Comprehensive Plan (2014) designates the Shryock property as Rural/Site Responsive land use, which envisions that permitted density and design criteria for residential development of remaining open/undeveloped lands will be "site responsive". This approach considers the creative use of flexible design, such as clustered development, to achieve meaningful conservation of open space. Proposed use as an open space for Lot 2 overachieves that conservation goal. Additionally, the subject property is a part of land area identified as Priority Parcel ("Priority Parcel C of 33 acres") for preservation on the Priority Areas for Preservation Map (5-1). That land area is also a part of the Brandywine Greenway and has also been identified as a destination on the Community Trail Master Plan Map (6-1), as it is served by regional Brandywine and Struble Trail systems and designated local and regional bike routes. Furthermore, subdivision plans note the existing trail easement that runs from northern to southern boundary of the Shryock property is already dividing the land area into two, which makes it unfeasible for Lot 2 to be used as a part of the existing paper mill operations. Based on preliminary assessment above, we are highly supportive of proposed lot lines change and merging of Lot 2 with adjoining lands of the Commonwealth for open space conservation and public use.

#### Proposed setbacks for Lot 1

3. The proposed change in lot line will result in an increase of nonconformities for the paper mill building remaining on Lot 1. The reduction of the existing side setback might create hardship for the property owner in the future in case of building expansion or any other improvements. We strongly recommend the Township to request the applicant to consider other options to allow for a greater than proposed side yard setback with a new lot line.

#### Environmental Impact

4. The proposed subdivision of land will result in Lot 2 improved with historic millers house, water tower, retaining wall and a garage to become a nonconforming use within Limited Industrial Zoning District. In addition, several historic structures are proposed to be demolished as a part of the subdivision and land development process. The applicant has requested a waiver from SLDO § 162-9.D that provides standards for environmental impact analysis to be completed by the applicant to address the impacts of proposed subdivision on natural and historic resources. We strongly encourage the Township to request

the applicant to comply with those provisions as it will provide a more comprehensive picture of future use of the land.

**RESPONSE:** See response to number 1, above. The structures need to be removed to effectuate the conservation and annexation plan. The future use has been determined as part of the existing state park. NLT, Shryock, and the County are willing to work toward a project that will allow for the installation of a plaque along the trail that will recognize and identify the former operating mill and the prior residence (which itself is of little or no historic value). The Planning Commission recommended this result with support of the installation of a plaque along the public trail to recognize and identify the former operating mill and the prior residence.

#### Historic Resources

5. As previously noted, two historic structures as defined by the Township, millers house and a mill, are currently located on the Shryock property. The dwelling was classified as a Class II historic resource with potential to be eligible as a Class I resource when clustered with the historic farmhouse, barn, and springhouse located at 751 Dorlan Mill Road. Class I resources possess significant architectural quality, are representative of a specific mode or style of architecture, are structurally intact, are greater than 50 years of age, and/or are historically significant. At the time of publication, the greatest threat to the millers house was identified as neglect, and the current condition of the dwelling clearly demonstrates that neglect has occurred since the resource was inventoried in 2001. The roof of the dwelling is now compromised, and the structure has not been inhabited for 20 years or more.

SLDO § 162-9.H.(5).[a].[2] states that a Historic Resources Impact Statement is required when subdivision or land development plans propose demolition of an historic resource or other features located within 250 feet of an historic resource as identified in the Historic Resources Inventory (Wise Preservation Planning, 2001). We recommend that the Township require the applicant to submit a Historic Resources Impact Statement, and that the Historical Commission provide recommendations regarding the preservation or demolition of the historic millers house.

**RESPONSE:** See other responses herein. This recommendation is made with no consideration of the work and efforts made by the County, NLT, and Shryock over the last two plus years to add the bifurcated land to that State Park and facilitate the installation of the trail Acceptance of this recommendation of the part of the Township will result in the scuttling of the various transactions and resolutions and will likely result in litigation. It is strongly requested that the recommendation not be accepted. The Planning Commission recommended rejection of this recommendation and approval of the subdivision as submitted, together with the changes contemplated hereby.

6. The 2014 Comprehensive Plan includes a list of revised actions from the 2009 Open Space, Recreation and Environmental Resources Plan (OSRER) aimed to protect historic resources within the Township (p.92). The following actions emphasize the need and next steps for future historic preservation:

- HR 4. Conduct negotiations with owners and purchasers of Class I and Class II historic resources to preserve historic structures and their surrounding landscapes. Assure that sufficient landscape is retained to preserve the context of the historic structure.

- HR 5. Consider the purchase of cultural and historic resources and/or properties where protection and preservation of the property is a recognized public benefit.
- HR 7. Negotiate with the owners of the Class I and Class II historic resources to preserve original historic structures and building facades. Where such structures are part of a development plan, utilize the SLDO to require a Historic Resource Impact Study, and utilize the Conditional Use process to place restrictive covenants on building façades and historic structures.
- HR 10. Consider developing new locally-designated historic districts, including Font, Eagle, Byers Station, and possibly Dorlan Mill.

We strongly encourage the Township to work with the applicant to explore options to preserve historic millers house.

**RESPONSE: No development is proposed. Therefore, the suggested opportunities to negotiate with the landowner (legal or equitable) do not exist. The Planning Commission recommended that the subdivision be approved in order to facilitate the conveyance of the 2.7 acre parcel as contemplated.**

7. Use regulations within the LI Zoning District provide provisions for adaptive reuse of historic resources, which will be applicable to historic millers house if the applicant chooses to preserve it. Specifically, § 200-44.M, when authorized as a conditional use by the Board of Supervisors, allows for additional uses, including but not limited to bakeries, retail sales, restaurants, public use, when established on a property designated as a Class I or Class II Historic Resource, where historical buildings shall be adaptively re-used, and where an economic development license has been issued for the purpose of local economic development. Additionally, § 200-44.N allows for adaptive reuse for historic preservation where indicated as use by right within LI Zoning District, which includes manufacture of light industrial products from already prepared materials, manufacture of professional, scientific, or electronic instruments; jewelry; watches, small appliances, and similar products, and others. Considering the location of the historic millers house in relation to existing trails and bike networks, community will highly benefit from reusing the historic building for uses that support and encourage recreation in the area and provide additional features at the designated destination site.

We strongly encourage the Township to work with the applicant on potentially repurposing the historic millers house for public use prior to approval of lot line changes and proposed demolition of structure.

**RESPONSE: Subject to the response to number 6 above, there is no opportunity for adaptive reuse as the lot with the stated improvements removed is a prerequisite to inclusion in the park.**

#### Conservation

8. Applicant has requested a waiver from SLDO §162-9.E that provides standards for displaying all significant natural features to evaluate the impact of proposed improvements on those. Subdivision plans note the proposed demolition of structures described above, which might result in some impacts to natural features, specifically all trees or portions of tree masses proposed to be cleared as part of the proposed subdivision, all proposed alterations of the natural grade and compliance with all applicable erosion and sedimentation control standards. We strongly encourage the Township to request the

applicant to provide conservation plan elements, including but not limited to limit of disturbance, as proposed by the applicant.

**RESPONSE: No meaningful impact on natural features is expected. The Planning Commission recommended granting of the requested waiver.**

Recreation

9. Supplemental Regulations of Zoning Ordinance §200-68, Recreational land use, includes standards for recreational land use that will be applicable to reconfigured Lot 2. We recommend the applicant to demonstrate that those provisions are being met.

10. Applicant has requested a waiver from SLDO §162-9.H.(3) requiring impact statements pertaining to recreation. We agree that some of those requirements are not applicable to the project; however, we strongly encourage the Township to request the applicant to provide more details on facilities (if any) that will be proposed in the future and the accessibility of Township residents to subject tract.

**RESPONSE: The requested waivers are necessary to facilitate the park annexation and trial project. The Planning Commission recommended approval of same.**

Trails

11. The subdivision plans indicate an existing 20' wide trail easement along the proposed lot line extending from Dorlan Mill Road to the northern property boundary, but the plans do not show any connections to nearby trails. The subdivision plans do not note if said easement will be extinguished. We strongly suggest that the Township requests the applicant to include more information regarding the future of that easement and any potential connections to the existing trail network, specifically Brandywine Trail and Marsh Creek State Park Trail networks and/or Struble Trail.

**RESPONSE: Any such consideration will be subject to review and approval by NLT and could be considered in the future, but not prior to the sale and transfer of the 2.7 acre bifurcated lot.**

Zoning Districts

12. The existing parcel owned by the Commonwealth (UPI. 32-6-49.1) is located in two (2) zoning districts with eastern portion in R1 Residential and its western portion in LI Zoning District. We strongly encourage the Township to revise zoning districts' boundaries to follow parcel lines to avoid split zoned parcels for ease of zoning administration and enforcement.

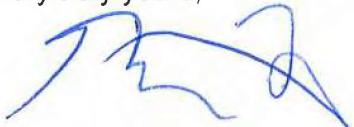
In summary, we are in support of this application, and if requested, would be happy to meet with the applicant on site to discuss the items noted in this review letter.

**VII. TOWNSHIP SEWER CONSULTANT**  
**ARRO CONSULTING**

No comments.

Based on these responses, we would request approval of the lot line change plan

Very truly yours,



Brian L. Nagle

/cg

cc: Kevin M. McKenna, Esquire [via Electronic Mail Only: [kmckenna@mckennalawllc.com](mailto:kmckenna@mckennalawllc.com)]  
Jack Stefferud, NLT [via Electronic Mail Only: [jstefferud@natlands.org](mailto:jstefferud@natlands.org)]  
Shryock Brothers, Inc. [via Electronic Mail Only]

IN RE: APPLICATION OF

: BEFORE THE ZONING HEARING BOARD

NATURAL LANDS /SHRYOCK BROTHERS INC. : OF UPPER UWCHLAN TOWNSHIP

**DECISION AND ORDER**

Natural Lands/Shryock Brothers, Inc. ("Natural Lands") and Shryock Brothers, Inc. (collectively "the Applicant") of 1031 Palmers Mill Road, Media, PA, and 256 Eagleview Boulevard, Suite 506, Exton, PA, respectively, have filed an Application for variances for minimum lot area, width, and side yard provisions of Sections 200.45.A, 200.45.B and 200.45.C of the Upper Uwchlan Township Zoning Ordinance ("Zoning Ordinance") in order to allow the acquisition of the separated 2.7 acres of a conforming 6.15-acre mill lot as bifurcated by the proposed County Trail. The lot is situate in the LI-Limited Industrial District, being Tax Parcel 32-6-49.

The Application was filed on or about March 7, 2022, and was duly advertised in the Daily Local News, a newspaper of general circulation in the Township on March 29 and April 25, 2022, in accordance with the Zoning Ordinance and Pennsylvania Municipalities Planning Code ("MPC"), and a public hearing was convened as noticed before the Upper Uwchlan Township Zoning Hearing Board on April 13, 2022, at the Township Building, (ZHB Exhibit B-1). The Zoning Hearing Board members in attendance were: Chairman James Greaney, Member Peter Egan, and Alternate Member Joe Cerebelli, Mr. Ceribelli, in the absence of Vice Chairmen Lauren Cortesi, participated as a full board member, in the hearing, deliberation and decision. The Zoning Hearing Board was represented by its solicitor, E. Craig Kalemjian, Esquire, and Applicant was represented by Brian L. Nagle, Esquire, of MacElree Harvey, Ltd.

The record in this matter consists of the notes of testimony from the public hearing and the exhibits marked and admitted on behalf of the Zoning Hearing Board and the Applicant. After having received the evidence and exhibits presented and having reviewed the same, the Zoning Hearing Board makes the following:

## FINDINGS OF FACT

1. The Applicant is Natural Lands Trust, the equitable owner of the Subject Property and Shryock Brothers, Inc., the legal owner of the Subject Property.
2. The Subject Property is located at 708 Dorlan Mill Road, Tax Parcel Number 32-6-49, within the Limited Industrial District of (LI) Upper Uwchlan Township.
3. The Applicant's attorney, Brian L. Nagle, Esquire of MacElree Harvey, Ltd. presented the Applicant's case together with Natural Lands Trust representative, Jack Stefferud.
4. Mr. Stefferud was the sole witness on behalf of the Application.
5. Mr. Stefferud testified that NLT is equitable owner of a 2.7 acre portion of the Subject Property.
6. Mr. Stefferud explained that the installation of the Chester County Struble Trail Extension was effectively bifurcating the 6.15 acre mill lot.
7. Mr. Stefferud testified that Natural Lands Trust is purchasing the 2.7 acres to the north of the proposed Struble Trail location in order to incorporate it into the adjacent State Park to the North.
8. It was demonstrated that the southerly boundary of the County Trail Easement would be the new lot line pursuant to a separate subdivision application that is pending with Upper Uwchlan Township.
9. It was demonstrated through testimony and the 3 sheet plan marked as Exhibit A-3 that all of the requested variances result from the location of the new subdivision line/property boundary that was precipitated by the County's Trail Easement.
10. Mr. Stefferud explained that the Applicants and the County have been working on facilitating the project for several years.
11. The Applicant presented evidence that Chester County supports the variances, the subdivision, and the project in general.

12. There is no construction proposed as part of the variance application or the subdivision with the exception of, of course, the planned installation of the Struble Trail extension.

13. Natural Lands Trust plans to demolish all structures on the proposed 2.7 acre parcel.

14. Exhibit A-5 is a copy of the Deed for the Subject Property as identified by Applicant.

15. The Subject Property is shaped irregularly and the Struble Trail Easement was located by the County on a slight plateau above which are slopes that rise to the north according to the 3 sheet variance plan that was presented by the Applicant.

16. Exhibit A-3 shows the location of the proposed trail, the proposed 2.7 acre NLT lot, the existing mill and related improvements together with the natural features of the Subject Property.

17. Subsequent to the subdivision, the mill lot, shown as Lot 1 on the 3 sheet plan, will be comprised of 3.455 acres, more or less.

18. The setback from the mill building to the new lot line to the south of the 2.7 acre lot is 24.4 feet.

19. This results in the need for the side yard setback variance from Section 200-45.C.

20. The proposed 2.7 acre lot necessitates the variance from Section 200.45.A for the minimum lot area of 2.7 acres as opposed to the 3 acre lot minimum.

21. The resulting lot width of Lot 1 is 222.92 feet and of Lot 2 is 238.5 feet as opposed to the 300 foot lot width minimum.

22. All of the aforementioned variances were demonstrated as being necessary due to the physical characteristics of the Subject Property and the location of the Struble Trail Easement.

## DISCUSSION

Due to the fact that no construction is proposed for the 2.7-acre lot, and that the Struble Trail Easement bifurcates the entire property, the Board has reviewed and considered the testimony and exhibits presented. As Applicant is not requesting a use variance, the granting of the requested dimensional variances require a lower standard of proof which Applicant has met. Hertzburg v. ZHB of Pittsburgh, 721 A.2d 43 (Pa. 1998).

The Board has determined that the requested relief complies with the variance hardship requirements enumerated in Section 200.126.I(1)-(6) of the Zoning Ordinance, respectively, as well as the relevant provisions of Section 910.2 of the MPC. Therefore, the Zoning Hearing Board of Upper Uwchlan Township concludes:

## CONCLUSIONS OF LAW

1. The Applicant has standing.
2. The Applicant's proposed use of the 2.7 acres to be incorporated into the State Park is a recreational use permitted by conditional use in Upper Uwchlan Township.
3. The variances sought by the Applicant are dimensional variances.
4. The variances sought by the Applicant are necessary to enable the reasonable use of the Subject Property under the circumstances presented as part of the Application.
5. The variances sought will not alter the essential character of the neighborhood or district in which the Subject Property is located nor substantially impair the use or development of adjacent properties nor be detrimental to the public welfare.
6. The variances sought represent the minimum variances affording relief.
7. The Applicant met its burden of proof to receive relief from Sections 200.45.A, 200.45.B and 200.45.C to allow for the minimum lot area, width, and side yard provisions.

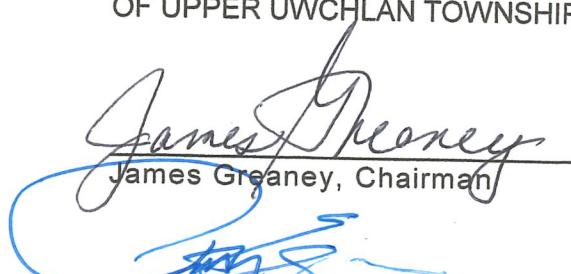
Hertzburg v. ZHB of Pittsburgh, 721 A.2d 43 (Pa. 1998)

ORDER

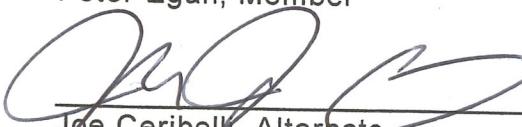
The Zoning Hearing Board of Upper Uwchlan Township voted three (3) to zero (0) to grant the variances requested in the Application for the Subject Property as follows:

1. Applicant is granted relief from Section 200.45.A for the minimum lot area of 2.7 acres as opposed to the 3 acre lot minimum;
2. Applicant is granted relief from Section 200.45.B for Lot 1 which is 222.92 feet and of Lot 2 which is 238.5 feet as opposed to the 300 foot lot width minimum; and
3. Applicant is granted relief from Section 200.45C for the setback from the mill building to the new lot line of the 2.7 acre lot which is 24.4 feet;
4. Pursuant to the conditions set forth below:
  - a. The Applicant must comply with all applicable Ordinances of Upper Uwchlan Township; and
  - b. The Applicant must comply with the testimony and exhibits presented by the Applicant.

ZONING HEARING BOARD  
OF UPPER UWCHLAN TOWNSHIP

  
James Greaney, Chairman

  
Peter Egan, Member

  
Joe Ceribelli, Alternate