



UPPER UWCHLAN TOWNSHIP  
PLANNING COMMISSION  
AGENDA  
**October 13, 2022**

6:00 p.m. – Work Session  
7:00 p.m. -- Meeting

**LOCATION**

Upper Uwchlan Township Building  
140 Pottstown Pike, Chester Springs PA 19425

- I. 6:00 p.m. Work Session  
Discuss the current by-right uses in the C1 Village Commercial, C2 Limited Commercial, C3 Highway Commercial and Limited Industrial Districts
- II. 7:00 p.m. Meeting ~ Call To Order
- III. Robert and Amy McHugh (270 Moore Road) Sketch Plan  
Review consultants' comment letter dated October 5, 2022
- IV. Approval of Minutes: September 8, 2022 Meeting
- V. Next Meeting Date: November 10, 2022 7:00 p.m.
- VI. Open Session
- VII. Adjournment

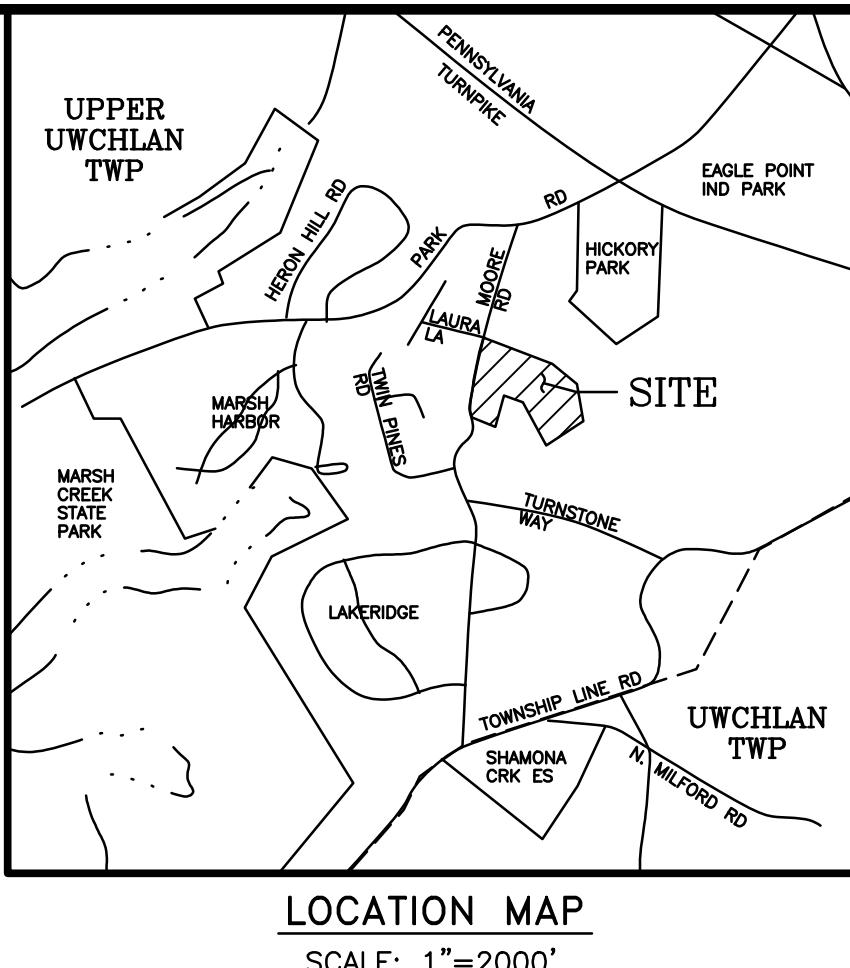
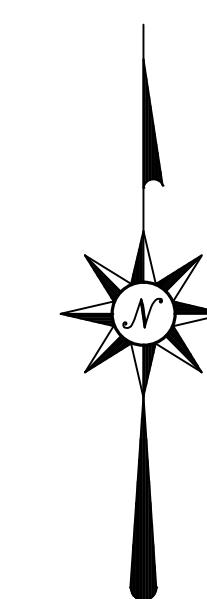
Category	C-1 Zoning District
Purpose	<p>A. Preserve the historical development patterns of the villages of Eagle and Byers <del>Station</del> Historic District, and establish standards for <del>new</del> development and coordinated street, <del>parking, and</del> landscape improvements and pedestrian amenities, so as to complement the village setting and provide for safe and convenient access;</p> <p>B. Provide for a variety of uses in a manner which facilitates and promotes pedestrian travel within the village setting.</p>
By-Right	<p>(1) <del>(1) Business or professional office, bank or other financial institution, provided that no drive-through, outside walk-up ATM or other outside service shall be permitted by right.</del></p> <p>(2) Individual retail store, shop or establishment for the sale of drugs, dry goods, clothing, furnishings and other household supplies, variety, electronic goods and supplies, general merchandise, hardware, and garden supplies, provided that no adult-oriented use is provided. and no dispensing of gasoline shall be permitted <del>and no drive-through, outside walk-up, or other outside service shall be permitted by right.</del></p> <p>(3) Individual retail store, shop or establishment for the sale of groceries and food without table service, including catering establishment, bakery, or confectionery shop, <del>provided that no drive-through, outside walk-up or other outside service shall be permitted by right.</del></p> <p>(4) Personal service establishment, including but not limited to barbershop, beautician, tailor, dressmaker, shoe repair, repair of small appliances or electronic goods, or dry-cleaning service with a closed-loop system.</p> <p>(5) (Reserved)</p> <p>(6) Medical marijuana dispensary.</p> <p>(7) Restaurant. Including Outdoor Dining in accordance with Section XXXX.</p>
Conditional Use	<p>(1) Educational or religious use.</p> <p>(2) Cultural studio or facility.</p> <p>(3) Day-care center.</p> <p>(4) <del>Bank or other financial institution with drive-through, walk-up ATM or other outside service, provided that such service shall not be permitted within direct view from any dedicated public street.</del> Reserved.</p> <p>(5) <del>Individual retail store, shop or establishment otherwise permitted as provided in Subsection A(2) or (3) above, with drive-through, walk-up or outside counter or curb service, provided that such service shall not be permitted within direct view from any dedicated public street.</del> Reserved.</p> <p>(6) Mixed-use dwelling.</p> <p>(7) Bed-and-breakfast inn.</p> <p>(8) <del>Eating and/or drinking establishment with inside and/or outside table service and with or without indoor or outdoor counter service for consumption on- or off-site but excluding drive-through service.</del></p> <p>(9) On tracts located adjacent to the <del>Route 100 Bypass</del> Graphite Mine Road and south of Byers Road only, any use permitted by right, conditional use, or special exception in the C-3 Highway Commercial District and not otherwise permitted in the C-1 Village District. For the purposes of this section, the term "adjacent" shall apply to tracts with direct frontage on the <del>Route 100 Bypass</del> Graphite Mine Road, whether or not access to the <del>Bypass</del> Graphite Mine Road is provided, as well as tracts contiguous to such tracts, where contiguous tracts are developed together with the tract(s) having direct frontage, under common authority and in accordance with a unified development plan. Contiguous tracts shall share a common boundary and shall not be separated by any public street. Conditional use approval hereunder shall not confer a right of direct access to the <del>Bypass</del> Graphite Mine Road where such is not otherwise specifically approved.</p> <p>(10) Any two or more principal uses otherwise permitted by right, conditional use, or special exception as provided herein. As a condition of conditional use approval, the Board of Supervisors may require that any application for a combination of two or more principal uses comply with the provisions of § 200-70 of this chapter, as deemed applicable by the Board.</p> <p>(11) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with § 200-72.1.</p>
Accessory Use	<p>(1) <del>Bed-and-breakfast establishment as set forth in § 200-62B(5)</del> Reserved.</p> <p>(2) <del>Home occupation as set forth in § 200-62B(4)</del> Reserved.</p> <p>(3) Any other <del>customary residential or commercial</del> accessory use only, subject to all applicable provisions of § 200-62.</p>

<b>Special Exception</b>	(1) Municipal or public uses; governmental or public utility building or uses. (2) <del>Conversion of dwellings as set forth in § 200-63</del> Reserved.
<b>Other</b>	<del>Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.</del>

Category	C-2 Zoning District
<b>Purpose</b>	In the C-2 Limited Commercial District, the use regulations, area and bulk regulations, community facility provisions, and design standards set forth in Article XII for the PI Planned Industrial/Office District shall apply.
<b>By-Right</b>	
<b>Conditional Use</b>	
<b>Accessory Use</b>	
<b>Special Exception</b>	
<b>Other</b>	

Category	C-3 Zoning District
<b>Purpose</b>	to provide for retail and service uses in an area of the Township accessible to a regional highway system. The C-3 District establishes standards for a unified and organized arrangement of buildings, service and parking areas, to facilitate access management and provide for safe, convenient and attractive commercial activity in the Township.
<b>By-Right</b>	<ul style="list-style-type: none"> <li>(1) Business or professional office, bank or other financial institution, passenger station for public transportation.</li> <li>(2) Individual retail store or shop for sale of food, groceries, drugs, dry goods, clothing, furnishings and other household supplies, variety, electronic goods and supplies, automotive supplies, general merchandise, hardware and garden supplies, provided that no sale or dispensing of gasoline or other fuels and no adult-oriented use shall be permitted.</li> <li>(3) Eating and drinking establishment, confectionery shop, bakery, or other place serving food or beverages.</li> <li>(4) Personal service establishment, including but not limited to barbershop, beauty salon, shoe repair, tailor, dressmaker, repair of small appliances or electronic goods, or dry-cleaning service.</li> <li>(5) Retail or wholesale establishment for the sale of plumbing and heating equipment and supplies, lumber yard, including the customary storage and work yards incidental thereto.</li> <li>(6) Educational or religious use.</li> <li>(7) Cultural studio or facility.</li> <li>(8) Medical marijuana dispensary.</li> </ul>
<b>Conditional Use</b>	<ul style="list-style-type: none"> <li>(1) Any two or more principal uses otherwise permitted by right, conditional use, or special exception as provided herein. As a condition of conditional use approval, the Board of Supervisors may require that any application for a combination of two or more principal uses comply with the provisions of § 200-70 of this chapter, as deemed applicable by the Board.</li> <li>(2) Day-care center.</li> <li>(3) Hotel or motel.</li> <li>(4) Bed-and-breakfast inn.</li> <li>(5) <b>Bowling lanes, indoor theater, and other place of indoor amusement or recreation.</b></li> <li>(6) <b>Sale or dispensing of gasoline as a principal or accessory use.</b></li> <li>(7) Vehicular sales establishment and sale of farming equipment in operable condition, provided that any used motor vehicle and any used trailer over 1,000 pounds shall bear a current state inspection sticker.</li> <li>(8) <del>Sale or bulk storage of coal, petroleum or other fuels, excluding, however, combustible trash or waste</del> Reserved.</li> <li>(9) Vehicular service establishment; service and minor repairs to motor-driven vehicles and farming equipment, but not including body or fender repair, painting or major overhauling.</li> <li>(10) Car wash.</li> <li>(11) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with Section 200-72.1.</li> <li>(12) Mixed-use dwelling.</li> </ul>
<b>Accessory Use</b>	Accessory uses. In the C-3 Highway Commercial District, a building may be erected, altered or used, and a lot may be used or occupied for any customary <b>commercial</b> accessory use(s) provided that they are incidental to any permitted principal use
<b>Special Exception</b>	<ul style="list-style-type: none"> <li>(1) Municipal or public uses; governmental or public utility building or uses.</li> <li>(2) <del>Conversion of dwellings as set forth in § 200-63</del> Reserved.</li> </ul>
<b>Other</b>	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

Category	Limited Industrial District
Purpose	to provide for limited industrial and other related intensive activities in the Township, to encourage the establishment of industrial uses which will offer additional employment opportunities and an increased tax base for the Township; to establish reasonable standards governing industrial development to ensure its compatibility with the character of the area and adjacent land uses, and to locate industrial uses within close proximity to major roads in order to provide safe and efficient access by industrial-related traffic.
By-Right	<p>A. Assembly of office equipment and electrical appliances and supplies; and similar processes not to include the manufacturing of iron, steel, other metals or alloys, or metal processing.</p> <p>B. Manufacture of light industrial products from already prepared materials (such as wood, metal, cloth, leather, paper, plastic, glass); manufacture of professional, scientific, or electronic instruments; jewelry; watches, small appliances, and similar products.</p> <p>B.1. Medical marijuana grower/processor.</p> <p>C. Research, engineering, or testing laboratories.</p> <p>D. Public utility operating facilities.</p> <p>E. Printing or publishing establishment.</p> <p>F. Office building.</p> <p>G. Wholesale warehouse, and distribution.</p> <p>H. Churches/religious uses.</p>
Conditional Use	<p>(1) Surface mining operations.</p> <p>(2) Sanitary landfills.</p> <p>(3) Junkyard.</p> <p>(4) Recycling collection center, excluding processing or transfer station.</p> <p>(5) Motor vehicle body or fender repair, including painting or major overhauling.</p> <p>(6) A helicopter landing pad as an accessory use to any of the uses permitted by right, by conditional use or by special exception, when such accessory use is authorized by conditional use procedure and providing that any such accessory use shall comply with the following:</p> <p>{(a) – (f) Helicopter specific requirements, not included in this summary}</p> <p>(7) Indoor health spas, fitness centers, indoor bowling lanes, indoor tennis courts and indoor skating rinks subject to all applicable requirements of the L-1 District and all other requirements of the Township's existing ordinances.</p> <p>(8) Tower-based wireless communication facilities.</p> <p>(9) Adult-oriented use, where located not less than 500 feet from any similar use and from any residence, church, or public or private school or day-care facility.</p> <p>(10) Municipal or public uses; governmental or public utility building or uses.</p> <p>the following additional uses shall be permitted when established on a property designated by the Township as a Class I or Class II Historic Resource, where historical building(s) shall be adaptively re-used, and where an economic development license has been issued by the Board of Supervisors for the purpose of local economic development:</p> <p>(1) Bakeries.</p> <p>(2) Retail sales.</p> <p>(3) Restaurants; including tavern, brew pub, confectionary, ice cream stand, diner, sandwich or pizza parlor providing both dining and take-out service.</p> <p>(4) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with Section 200-72.1.</p>
Accessory Use	(1) Customary industrial accessory uses.
Special Exception	Any use similar to the above permitted uses not specifically provided for herein, provided that the use meets the performance requirements of § 200-82 of this chapter Reserved.
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.



**ZONING DATA**  
R-2 RESIDENTIAL ZONING DISTRICT

AREA AND BULK REQUIREMENTS

LOT AREA (MINIMUM)	1.0 ACRES
LOT WIDTH (MINIMUM)	150 FEET
YARD REGULATIONS	
FRONT YARD	50 FEET
SIDE YARD	30 FEET
REAR YARD	40 FEET
BUILDING COVERAGE (MAXIMUM)	15%
IMPERVIOUS COVERAGE (MAXIMUM)	20%
BUILDING HEIGHT (MAXIMUM)	35 FEET

**GENERAL NOTES**

1. BOUNDARY, EXISTING FEATURES AND TOPOGRAPHIC INFORMATION IS FROM A FIELD SURVEY PERFORMED BY EDWARD B. WALSH & ASSOCIATES, INC. IN JULY 2016.
2. BOUNDARY SURVEY WAS BASED UPON DEEDS OF RECORD. A TITLE REPORT WAS NOT PROVIDED, THEREFORE, THE SURVEY MAY NOT DEPICT ALL RIGHTS, EASEMENTS, ETC. ATTACHED TO THE PROPERTY THAT A CURRENT AND COMPLETE TITLE REPORT MAY DISCLOSE.
3. OWNER OF RECORD: ROBERT T., JR. & AMY P. McHUGH.
4. SITE ADDRESS: 270 MOORE ROAD, GLENMORE, PA 19343.
5. RECORDING INFORMATION: DEED BOOK 9550 PAGE 1416 RECORDED AT THE CHESTER COUNTY RECORDER OF DEEDS, BEING PARCEL 32-3-77.1 AT THE CHESTER COUNTY BOARD OF ASSESSMENTS.
6. VERTICAL DATUM = NAVD 88.
7. LOT AREA = 13.46 ACRES.
8. PLANS OF REFERENCE:
  - FINAL SUBDIVISION PLAN FOR STEPHEN ALAN DEWEES, et ux. PREPARED BY JOHN D. STAPLETON, III, AND RECORDED IN CHESTER COUNTY AS PLAN #4330.
  - FINAL SUBDIVISION PLAN FOR STEPHEN ALAN DEWEES, et ux. PREPARED BY JOHN D. STAPLETON, III, AND RECORDED IN CHESTER COUNTY AS PLAN #7227.
  - MINOR SUBDIVISION PLAN FOR WALTER L. GARVINE PREPARED BY BEIDEMAN & COMSTOCK AND RECORDED IN CHESTER COUNTY AS PLAN #6195.
  - SUBDIVISION PLAN OF WATERFORD EAST PREPARED BY BURSICH ASSOCIATES AND RECORDED IN CHESTER COUNTY AS PLAN #13570.
  - FINAL SUBDIVISION PLAN OF TWIN PINES, PHASE II PREPARED BY LESTER R. ANDES AND RECORDED IN CHESTER COUNTY AS PLAN #10542.

**SKETCH PLAN**  
FOR  
ROBERT AND AMY McHUGH

UPPER UWCHLAN TOWNSHIP	CHESTER COUNTY, PA
Edward B. Walsh & Associates, Inc.	PROJECT #3150
CIVIL ENGINEERS & SURVEYORS	DATE: 8/2/2022
Whiteland Business Park	SCALE: 1" = 60'
855 Springdale Drive, Suite 202	DRAWN: MF
Exton, Pennsylvania 19341	CHECKED: AB
Phone: (610) 903-0060	SHEET: 1 OF 1
Fax: (610) 903-0080	



GRAPHIC SCALE 1"=60'  
60 0 60 120 180

Plotted: 8/2/2022 File: F:\JB\3150\AERIAL\3150 ROBERT-AMY.DWG



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

October 5, 2022

File No. 22-08102

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

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

Dear Tony:

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

- Sketch Plan titled "Sketch Plan for Robert and Amy McHugh" (1 sheet) prepared by Edward B Walsh & Associates, Inc. dated 8/2/22.
- Subdivision / Land Development Application Dated 8/30/22.

G&A, as well as the other Township Consultants, have completed our first review of the above referenced sketch Plan and wish to offer the following comments for your consideration.

## I. OVERVIEW

The application proposes an eight (8) lot subdivision. The proposed lots would be accessed from a private cul de sac road which would access Moore Road at the same location as the driveway for the property currently does. There is no specific indication how stormwater management will be handled. The lot currently contains an existing home and associated accessory structures as well as a pond. It is also bisected by the Columbia Gas Pipeline.

**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: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030  
October 5, 2022

**II. TOWNSHIP ENGINEER COMMENTS**  
**GILMORE & ASSOCIATES, INC.**

1. We question the viability of Lot 8 as shown due to the restrictions which may imposed by Columbia Gas regarding grading within their easement.
2. Due to the extent of wetlands on Lots 1 and 3, coupled with the fact that the site drains to a High-Quality watershed, the associated environmental setbacks may make the lot difficult to site a home due to a limited building envelope.
3. While the stormwater management for each lot may be able to be addressed on the lot itself, there will need to be a system to manage the proposed road. Information should be provided indicating how this will be addressed.
4. The proposed cul-de-sac road will create an offset intersection with Laura Lane. We would recommend the applicant discuss with the adjacent property owner the possibility of constructing a more conventional intersection on their property.

**III. TOWNSHIP TRAFFIC ENGINEER COMMENTS**  
**MCMAHON ASSOCIATES, INC.**

1. SALDO Section 162-28.A – The plans should clearly label and dimension the existing legal right-of-way along the Moore Road site frontage. Since Moore Road is classified as a distributor road, the half-width right-of-way along the site frontage should be 25 feet to meet the ordinance requirement. Any additional right-of-way required to meet the 25-foot half-width right-of-way requirement should be labeled “Required Right-of-Way (To Be Deeded To Upper Uwchlan Township)”.
2. SALDO Section 162-28.A – Moore Road currently provides an approximate 21 to 24-foot cartway width along the site frontage with little to no shoulder area, which does not meet the Township’s requirements for a local road of 32 feet. Subject to further review with Township staff (i.e., Public Works Department), it should be considered for the applicant to widen Moore Road along the site frontage to provide an approximate 16-foot half width cartway.

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030

October 5, 2022

3. SALDO Section 162-32.E – The proposed access street is located approximately 55 feet south of Laura Lane, which does not meet the Township's intersection offset requirements of 150 feet for local roads. As such the proposed cul-de-sac street should be aligned directly opposite Laura Lane as the preferred solution, which we recognize would involve the adjacent property, or the access street should be further offset from Laura Lane. Any solution should balance intersection spacing and available sight distances.
4. SALDO Sections 162-32.F – During land development, please provide truck turning templates for the largest anticipated delivery vehicle, as well as the Township's largest emergency service vehicle to show the circulation of these vehicles within the site. All curb radii should be a minimum of 35 feet, or larger in order to accommodate the anticipated design vehicles.
5. SALDO Section 162-33.D – The proposed cul-de-sac is approximately 1,200 feet in length, which does not meet the Township's single access street maximum length of 750 feet.
6. SALDO Section 162-37 – The proposed cul-de-sac street is proposed as a private road; however, since it is proposed to serve more than five lots, it must be designed to public street standards.
7. SALDO Section 162-41 – We recommend sidewalk should be provided on both sides of the proposed roadway.
8. ZO Section 200-75.H(3) – It appears adequate sight distance can be provided at the proposed site access intersection. However, if the site access is shifted to the south, then it is necessary to verify the availability of sight distance due to the vertical crest curve, and it may be necessary to complete a speed study to determine the prevailing (85th percentile) speed of traffic along Moore Road in order to determine the required sight distances.
9. ZO Section 200-75.H(3) – The plans should dimension and label the sight distances for vehicles exiting the site access looking to the left and right along Moore Road, as well as for left-turn vehicles entering access street looking ahead and behind. In addition, the plans should include a PennDOT-style sight distance note which states the required sight distances, as follows:

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030

October 5, 2022

"All sight distance obstructions (including but not limited to embankments and vegetation) shall be removed by the permittee to provide a minimum of XXX sight distance to the left and XXX sight distance to the right for a driver exiting the proposed driveways onto the through highway. The driver must be considered to be positioned ten feet from the near edge of the closest highway through travel lane (from the curbline if curbing is present) at an eye height of three feet six inches (3' 6") above the pavement surface located in the center of the closest highway travel lane designated for use by approaching traffic. This sight distance shall be maintained by the permittee."

10. The Township's Comprehensive Plan includes a recommendation for a six-foot side path along Moore Road. An easement should be shown on the plans which would allow for construction of this side path. Furthermore, the Township should determine whether this portion of the side path should be constructed as part of this development, or whether there should be a financial contribution to the Township for future construction of the side path.
11. Chapter 79-8.C – The proposed redevelopment is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Township's Transportation *Impact Fee of \$2,334 per weekday afternoon peak hour trip*. *Based on the Institute of Transportation Engineers publication Trip Generation 11th Edition, the proposed 7 new single-family homes will generate eight new trips during the weekday afternoon peak hour. As such, the number of new weekday afternoon peak hour trips subject to the Township's Transportation Impact Fee is eight, and the resultant Transportation Impact Fee is \$18,672.*

**IV. TOWNSHIP LAND PLANNER COMMENTS  
BRANDYWINE CONSERVANCY**

The property owned by Robert and Amy McHugh is 13.46 acres (UPI. 32-3-77.1) located off Moore Road and in R-2 Residential Zoning District. The lot is currently improved with one single-family detached dwelling, swimming pool, driveway with an access from Moore Road, and a pond. The residence is served by on-lot sewage management system and private well. There is a pipeline easement crossing the property from north to south at the eastern corner of the lot. The subject lot is currently surrounded by single family residential and agricultural land uses. Moore Road is classified as a distributor roadway in the 2014 Upper Uwchlan Comprehensive Plan.

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030

October 5, 2022

The Applicant proposes to subdivide the property to create eight (8) separate lots, including the existing residence, to be served by individual on-lot sewage management systems and private wells and to be accessible off Moore Road by newly created cul-de-sac. As noted on the sketch plan, pipeline easement is crossing the identified lots #6,7, and 8. The proposed roadway to serve the lots follows the alignment of existing driveway until ending into a cul-de-sac along the frontages of identified lots #4, 5, 6, and 7.

The Applicant requested feedback from the Township and its consultants on proposed layout and potential challenges in creating said subdivision.

#### Comprehensive Plan (2014)

1. The subject lot is within the future land use category identified as Suburban/Site Responsive in the Upper Uwchlan Township Comprehensive Plan. This category is characterized by suburban-style residential development on small (1 acre +/-) lots. To allow for “site responsive” development, a gross density ranging from one (1) dwelling unit per acre to four (4) dwelling units per acre was recommended using the flexible development overlay and the zoning ordinance open space design option (“OSDO”) to encourage implementation of community infrastructure improvements (i.e., community or public sewage disposal systems) and provision of restricted open space in the range of 40 to 50 percent or greater. However, due to the Township’s resolution to eliminate the flexible development overlay provisions, the proposed subdivision is inconsistent with those recommendations.  
We recommend that the Township works on updating its Comprehensive Plan in near future to reflect the change in regulations and subsequent recommendations impacting the vision for future land use.
2. The subject lot area from Moore Road (identified Lot #1) and past the existing pond (portion of identified Lot #2 and Lot #3) is categorized as protected lands on the Priority Areas for Preservation Map (5-1) in the Comprehensive Plan. Protected lands dataset is comprised of several categories, including lands protected by township ordinances for natural resource protection and conservation.  
We recommend that the Township works with the applicant to protect the lands as depicted on above-mentioned map from potential land development.
3. The subject property is located within a proximity of property located across Moore Road that is identified as Class I Historic Resource by the Upper Uwchlan Historical Commission in the Comprehensive Plan.

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030

October 5, 2022

We recommend that the Township requests the applicant to provide details on potential impact of proposed land development to said historic resource and its landscape.

Community Trails Master Plan (2005)

4. The Community Trails Master Plan (2005) has identified Moore Road from Founders Way to Park Road for future trail network expansion. That segment is envisioned to be improved with a six (6) foot asphalt trail to connect the existing sidewalk that starts at the intersection of Dorlan Mill Road and Moore Road and ends at the intersection of Founders Way and Moore Road with the future multi-use trail along Park Road. The future trail segment along Moore Road will be critical in providing pedestrian access for residents to several destinations, including Shamona Creek Elementary School, Hickory Park, and Eagleview Town Center.  
We recommend that the Township requires the applicant to provide for pedestrian amenities within the subdivision as well as future trail segment along Moore Road.

Zoning Ordinance

5. Proposed layout, if approved, will result in the existing swimming pool and associated fence to become nonconforming structures due to required setbacks for accessory structures and regulation pertaining to uses within appropriate yards.  
We recommend that the Township verifies with the applicant on the future of said pool.
6. Identified lot #1 on the sketch plan is a corner lot. As per definition of front yard, the yard extending along all streets (in this case, Private Road (if to be dedicated to the Township) and Moore Road) are front yards and the remaining yards shall include a rear yard, opposite the street to which the principal building is generally faced, and a side yard opposite the other street.  
We recommend the Township to verify with the applicant proposed front and rear yard setbacks for identified lot #1.
7. We recommend that the Township request the applicant to indicate the following on the sketch plan: lot areas and lot width per each lot, impervious coverage for identified lot #2, and any historic resources on subject property and adjacent lots (including across the roadways), and any potential pedestrian amenities along lot frontage and proposed Private Road.

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030  
October 5, 2022

Historic Resources

8. It is our understanding that the barn on adjacent property along Moore Road is a historic resource as well as the springhouse on subject property, which is located at the pond visible from Moore Road.  
We recommend that the Township works with the applicant and the Historical Commission to determine the extent of said historic resources and their potential for preservation.

**V. TOWNSHIP SEWER ENGINEER COMMENTS**  
**ARRO CONSULTING, INC.**

The project generally consists of an eight (8) lot subdivision, the Developer proposes that the lots will be serviced by on-lot water and sewer. The County Health Department will be responsible for the review and permitting of the on-lot sewer systems.

We hope the Township finds the above comments useful. Should you have any questions, please do not hesitate to contact me.

Sincerely,

*David N. Leh*

David N. Leh, P.E.  
Vice President  
Gilmore & Associates, Inc.

cc: Upper Uwchlan Planning Commission  
Gwen Jonik – Township Secretary  
Kristin Camp, Esq. – BBM&M LLP  
Mila Carter, Brandywine Conservancy

Mr. Tony Scheivert  
Upper Uwchlan Township Manager

Page - 8 -

Reference: 270 Moore Road (McHugh)  
Sketch Plan Review  
Upper Uwchlan Township, Chester County, PA

File No. 22-07030  
October 5, 2022

Christopher J. Williams, P.E., McMahon Associates, Inc.  
David Schlott, P.E., ARRO Consulting, Inc.  
Bob and Amy McHugh – Applicant  
Adam Brower, PE – EB Walsh & Associates, Inc.



**UPPER UWCHLAN TOWNSHIP**  
Planning Commission Meeting  
September 8, 2022  
7:00 p.m. Meeting  
Minutes  
**Draft**

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, Jeff Smith

Greg Magulak, P.E., Gilmore & Associates  
Gwen Jonik, Planning Commission Secretary

Absent: Stephen Fean, Ravi Mayreddy, Jim Shrimp

Sally Winterton called the meeting to order at 7:00 p.m. A quorum was present. There were 2 citizens in attendance.

The workshop scheduled for 6:00-7:00 p.m. was not held.

**270 Moore Road Sketch Plan**

Adam Brower of E.B. Walsh and Bob McHugh introduced a Sketch Plan, prepared by E.B. Walsh and dated August 2, 2022, for an 8-lot subdivision on the McHugh's property, a 13.5-acre tract with an existing house in the R2 Residential Zoning District (1 dwelling unit per acre). The sketch plan, an aerial showing the topography, proposes 7 new lots. They will show on future preliminary/final plans where the pipeline crosses the parcel, on lot well and septic, the creek running west of the pond and the wetlands below the pond. Challenges noted: the access from Moore Road was moved closer to Laura Lane for better sight distance to the southwest; a portion of the access road's 50' right-of-way would fall within the pond area, not the cartway but the right-of-way; the pond is 36' from the property line; could get a permit from PaDEP, make the pond smaller or get rid of it as Mr. McHugh advises it's a man-made pond, spring fed but man-made.

Discussion included that if the pond remains, what stormwater issues might there be? Mr. Brower noted that Moore Road doesn't flood, and the access road would be designed to not flow toward the road; the right-of-way through lots 7 and 8 and the pipeline easement through lots 6, 7, 8 appear to make it difficult to fit a house. Mr. Brower advised they'll have to survey the lots closer and move lot lines; on-lot septic systems will also be challenging on those lots.

Chad Adams moved, seconded by Jeff Smith, to accept the sketch plan for consultants' review. The motion carried unanimously.

**Outdoor Dining Ordinance Amendment**

A draft amendment (September 7, 2022) to the zoning ordinances was discussed. It would add outdoor dining regulations, allow drive-through and walk-up ATM machines at banks in the C-1 District, allow restaurants and restaurants with drive-throughs in the C-1 District as a by right use, and amend the definitions of restaurant and drive-through restaurant. The Planning Commission and Kristin Camp, Township Solicitor, had reviewed and revised several previous iterations. This draft addresses all previous comments.

Joe Stoyack moved, seconded by Jim Dewees, to provide a recommendation to the Board of Supervisors to approve the ordinance for outdoor dining as presented tonight and that the Planning Commission recommends the Board of Supervisors rescind Resolution #11-15-21-09 which had extended temporary provisions for outdoor dining established during the COVID-19 pandemic. The motion carried unanimously.

Recodification Ordinance

Sally Winterton reminded the Commission members about the Editorial & Legal Analysis, prepared by General Code, that the Commission had reviewed and responded to this past Spring. An ordinance has been prepared that includes those responses and adopts the recodified Codes of the Township. The recodification consolidates all ordinances adopted over the past 15 years since the Township's Codes were first codified. The recodification also corrects grammatical and typographical errors, corrects inconsistencies, and nomenclature revisions, non-substantive changes, and substantive changes that are included as an Attachment to the ordinance.

Joe Stoyack moved, seconded by David Colajezzi, to provide a recommendation to the Board of Supervisors to approve the proposed Ordinance adopting the Recodified Code as presented. The motion carried unanimously.

Approval of Minutes

Jeff Smith moved, seconded by Jim Dewees, to approve as presented the minutes of the August 11, 2022, Planning Commission Meeting. The motion carried unanimously.

Sally Winterton announced the next meeting of the Planning Commission is scheduled for October 13, 2022, 7:00 p.m. A 6:00 p.m. Workshop will most likely be held.

Open Session

Jeff Smith asked the status of the zoning amendment request for 161 E. Township Line Road. Gwen Jonik explained that the requester, RoadCon, asked for a delay until the October meeting.

Gwen Jonik advised the Commission that the Board will be considering adopting the Act 167 Stormwater Management Ordinance. Chester County had recently adopted the 2022 County-Wide Act 167 Stormwater Management Model Ordinance, following PaDEP's 2022 Model Stormwater Management Ordinance. The 2022 Ordinance replaces the 2013 Ordinance. Municipalities with MS4\* permits are to update their ordinances to be consistent with the updated County-Wide Ordinance. Commission members may review the ordinance and provide comments to the Board of Supervisors. (\* Municipal Separate Storm Sewer System)

Mike Robinson, a West Chester University student, is taking a land use planning class and attended tonight's meeting to see what takes place at a meeting such as this.

Adjournment

Joe Stoyack moved, seconded by Chad Adams, to adjourn at 7:34 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary