



## UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

September 8, 2022

7:00 p.m. Meeting

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, 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 re-codified 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