



UPPER UWCHLAN TOWNSHIP  
PLANNING COMMISSION  
AGENDA

**January 11, 2024**

**6:00 p.m. Workshop, 7:00 p.m. Meeting**

LOCATION

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

I.	6:00 Workshop	Packet Page #
	Continue discussion regarding in-law quarters / accessory dwelling units	2
II.	7:00 PM Meeting Call To Order	
III.	Reorganization for 2024	
	Elections for 2024 Planning Commission Chair and Vice-Chair, appointment of Secretary	--
IV.	Turnpike Commission / Wertz Farm Subdivision Plan	6
	Review consultants' and Historical Commission's comments	
V.	241 Park Road Conditional Use / Land Development Plan	25
	Review consultants' and Historical Commission's comments	
VI.	Celebree School (Byers Station Parcel 5C Lot 2B Commercial Property)	--
	Phased construction plan update by Developer's Counsel	
VII.	Meeting Updates ~ Reports	
	A. Environmental Advisory Council (EAC)	
	B. Historical Commission (HC)	
	C. Active Transportation Plan (ATP)	
	D. Village Concept Plan / Village Design Guidelines (VCP / VDG)	
	E. Comprehensive Plan Update (CompPlan)	
VIII.	Approval of Minutes: December 14, 2023 Meeting minutes	65
IX.	Next Meeting Date: February 8, 2024 7:00 p.m.	
X.	Open Session	
XI.	Adjournment	

Upper Uwchlan Township

Chester County, Pennsylvania

ORDINANCE # \_\_\_\_\_

AN ORDINANCE OF UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 200 TITLED "ZONING", SECTION \_\_\_\_\_ TO ADD A DEFINITION FOR "ACCESSORY DWELLING UNIT" AND TO AMEND THE DEFINITION OF "FAMILY"; TO AMEND SECTION \_\_\_\_\_ TO ADD ACCESSORY DWELLING UNIT AS AN ALLOWABLE ACCESSORY USE IN THE R1, R2 AND R3 ZONING DISTRICTS ON PARCELS GREATER THAN OR EQUAL TO 2 (TWO) ACRES IN SIZE; AND TO AMEND SECTION \_\_\_\_\_ (if applicable to UUT) TITLED "ACCESSORY USES" TO ADD A NEW SUBPARAGRAPH TO ADOPT REGULATIONS FOR ACCESSORY DWELLING UNITS.

BE IT ENACTED AND ORDAINED by the Upper Uwchlan Township Board of Supervisors that Chapter 200 of the Code of Upper Uwchlan Township, titled "Zoning" is amended as follows:

Section 1. The following definition shall be added to Section \_\_\_\_\_:

"Accessory Dwelling Unit or ADU"

A residential dwelling unit located on the same lot as a single-family dwelling or single-family semi-detached dwelling unit which provides complete independent living facilities for a maximum of two persons. It may take various forms: a detached dwelling unit; a dwelling unit that is part of an accessory structure, such as a detached garage or barn; or a dwelling unit that is part of an expanded or remodeled principal dwelling unit.

Section 2. Section(s) \_\_\_\_\_ titled "Accessory uses" shall be amended to add accessory dwelling unit as an allowable accessory use in the R1, R2, and R3 Zoning Districts on parcels greater than or equal to 2 (two) acres in size.

Section 3. Section(s) \_\_\_\_\_ titled "Accessory uses" shall be amended by adding a new subparagraph titled "Accessory Dwelling Units" which shall provide as follows:

- (1) Specific Intent. The purpose of these regulations is to allow accessory dwelling units on lots equal to or greater than 2 (two) acres in size where single-family dwellings are permitted. The Board recognizes that allowing accessory dwelling units subject to the standards in this Ordinance may achieve some or all of the following benefits:
  - (a) to create a convenient living arrangement that allows family members or caregivers to provide care and support for qualified family members in a semi-independent living arrangement while remaining in his or her community.

- (b) to furnish independent living facilities for dependent persons or caregivers in such proximity to the family as will permit the maintenance of independence while allowing the convenient exercise of care and supervision by the concerned family.
- (2) Eligibility. An ADU may be permitted as an accessory use to a single-family detached dwelling or single-family semidetached dwelling for qualified family members:
  - a. in the R1, R2, R3 Zoning Districts on parcels greater than or equal to 2 (two) acres in size, subject to the conditions set forth in this Section and all other applicable provisions of this Chapter.
  - b. The qualified family member or caregiver shall be:
    - i. either a parent, grandparent, child or sibling requiring physical, mental or medical care, of one or more of the occupants of the primary residence to which the ADU is accessory, or
    - ii. A licensed health care professional or caregiver providing service or support to (i) above.
- (3) Standards for Accessory Dwellings. All ADUs must be in compliance with the underlying Zoning provisions, except as follows:
  - (a) Historical Reuse: Accessory dwelling units shall be permitted in official historic resources, in compliance with Section (Historical Reuse section), irrespective of maximum impervious coverage or maximum habitable floor area requirements set forth in this section (provided that the impervious coverage of the historic resource is not increased beyond 1,000 square feet due to the conversion of the historic resource to an accessory dwelling unit).
  - (b) One of the two dwelling units shall be occupied by the owner of the lot on which both dwelling units are located.
  - (c) There shall be no more than one ADU built on each lot.
  - (d) No ADU shall be permitted when accessory to a multifamily dwelling or attached dwelling.
  - (e) The floor area of an ADU shall be limited to a maximum of twelve hundred (1200) square feet and shall contain no more than two (2) bedrooms.
  - (f) A maximum of two people may reside in the ADU.
  - (g) No mobile home, manufactured home, or Recreational Vehicle shall be permitted for use as an ADU.
- (4) Dimensional requirements.
  - (a) An ADU proposed within or attached to an existing structure shall be subject to all applicable residential zoning dimensional requirements for the principal structure, except minimum lot area.

- (b) A detached ADU shall not be located within any front or side yard and shall be subject to all applicable residential dimensional requirements for accessory structures including applicable setbacks, except maximum building height.
  - (c) The maximum building height for a detached ADU shall not exceed 24 feet. If an ADU is proposed for an accessory structure existing at the time of adoption of this Ordinance that is more than 24 feet, the height of the existing structure is considered the maximum height permitted.
- (5) Parking. One (1) off-street parking space shall be required for an ADU, in addition to those required for the principal dwelling.
- (6) A common driveway shall service the primary residence and the ADU.
- (7) The owner of the proposed ADU must obtain all necessary permits and approvals from the Chester County Health Department or Township's Municipal Authority.
- a. On-lot septic system(s), if applicable, shall be of sufficient capacity for the primary residence and the ADU.
  - b. Connection to the Municipal Authority sewer system, if applicable, shall be approved prior to issuance of a building permit.
  - c. Water system connection.
- (8) Stormwater management shall be in accordance with Article \_\_\_\_\_.
- (9) If an ADU is located within an accessory structure, such structure must be located on the same lot as the principal dwelling.
- (10) If an ADU is located within an existing single-family detached dwelling or semi-attached dwelling, it shall have an entrance separate from the entrance to the primary dwelling. This entrance shall not be a part of the front façade of the primary dwelling.
- (11) To ensure compliance with this Chapter, an architectural plan shall be submitted as part of a building permit application, accurately drawn to scale, indicating the relationship and size of the two dwelling units, as well as parking areas and any proposed exterior alterations.
- (12) The applicant shall execute, acknowledge and deliver to the Township Secretary, contemporaneously with the application for a building permit, a declaration stating (a) that the application is made for the purposes herein set forth; (b) that the costs incurred are for the purpose of enabling the family to give the requisite care and aid to the occupant; (c) that the use of the ADU will be discontinued within sixty (60) days after the termination of occupancy by the qualified family member; and (d) that the applicant acknowledges that any expense or hardship incurred in the construction, discontinuance or removal of the ADU is a self-incurred hardship and, therefore, no variance may be obtained to permit the occupancy by other than a qualified family member.



- (13) A use and occupancy permit shall be required prior to the occupancy of an ADU. The permit form, as provided by the Township and accompanying required fee shall be submitted by the property owner.

Section 4. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Upper Uwchlan Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Repealer. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective upon enactment as by law provided.

ENACTED AND ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Sandra M. D'Amico

\_\_\_\_\_  
Jennifer F. Baxter

Attest:

\_\_\_\_\_  
Gwen A. Jonik, Township Secretary

\_\_\_\_\_  
Andrew P. Durkin



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

January 4, 2024

File No. 23-12021

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

Reference:       Wertz Farm  
                      Minor Subdivision Plan – Final Submittal  
                      Upper Uwchlan Township, Chester County, PA

Dear Tony:

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

- “Final/Minor Subdivision Plan for Pennsylvania Turnpike Commission “Wertz Farm”,” consisting of four (4) sheets prepared by Navarro & Wright Consulting Engineers, Inc., and dated October 20, 2023.
- Act 247 County Referral form.
- Subdivision / Land Development Application.

G&A has completed our first review of the above referenced minor subdivision 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 application proposes the subdivision of an existing parcel (TMP# 32-3-34), indicated as Lot 1 on the submitted plans, into three (3) Lots: A, B and R. The parcel is located on Little Conestoga Road, Milford Road and the Pennsylvania Turnpike, is within the R-2 Residential Zoning District and is 28.99 acres in size. The lot currently contains several existing structures (dwelling, barn, sheds, etc.) with a septic area and a well, driveways, gravel lay down area,

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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: Wertz Farm  
Minor Subdivision Plan – Final Submittal  
Upper Uwchlan Township, Chester County, PA

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Black Horse Creek, unnamed tributaries, a floodplain boundary, marshland area, Legal Channel Change easements, gas pipelines within Sunoco Pipeline easements and Laurel/Buckeye Pipeline easement, and a driveway easement. No construction or grading is proposed as part of the application. A summary of proposed lot sizes is as follows:

<u>Lot</u>	<u>Lot Area</u>
A	12.465 Acres
B	6.132 Acres
R	10.400 Acres

## II. **ZONING ORDINANCE REVIEW**

1. Section 200-17.A – General and Plan Notes #4 indicates the Zoning District as R-2 Medium Density Residential District, and the Zoning Information table (also Sheet 1) indicates the Zoning Use as R-2 Residential Medium Density / F-1 Flexible Development Overlay. These are incorrect and should be revised to R-2 Residential District.
2. Section 200-18 – Add proposed Lot R to the Zoning Information table.
3. Section 200-18.A and B – Verify/revise the minimum lot area and minimum lot width for Lot A and Lot B in the Zoning Information table as they appear incorrect.
4. Section 200-18.C(1) – Revise the Front yard setback for proposed Lot R along Milford Road shown on Sheet C400 plan view as it is incorrect. Label the FY setback for Lot R along the Turnpike on Sheet C300. We note that the FY setbacks from Little Conestoga Road should be from the ultimate right-of-way which does not appear to be shown correctly.
5. Section 200-18.D – Revise the Building Coverage and the Lot Coverage required percentages in the Zoning Information table as they are incorrect.
6. Section 200-73.G(2) – Minimum off-street parking requirements for a Single-family home is 3.0 spaces per dwelling unit. The Zoning Information table lists 2 spaces per dwelling which shall be revised.

Reference: Wertz Farm  
Minor Subdivision Plan – Final Submittal  
Upper Uwchlan Township, Chester County, PA

File No. 23-12021

January 4, 2024

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

1. Section 162-7.1.A(1)(c) – Please add a note to sheet C100 stating as a condition of this application being approved as a Minor Subdivision, no further subdivision is permitted to occur.
2. Sections 162-9.C.(2).(a) and 162-9.B.(2).(b)[10] – Significant features within 100 feet of any part of the property proposed to be developed or subdivided should be shown on the plans. This may be addressed by adding an aerial photograph of the subject property and surrounding area with sufficient clarity to see existing features to the plan set.
3. Sections 162-9.C.(2).(a) and 162-9.B.(2).(b)[16] – Locations of all existing structures on the tract, and distance thereof from lot lines shall be labeled on the plans.
4. Section 162-9.C.(2).(a)[1] – The proposed lots should have an error of closure not to exceed one foot in 10,000 feet; please provide legal descriptions and closure reports for Lots A, B and R.
5. Section 162-9.C.(2).(a)[4] – A statement of the intended use of all nonresidential lots shall be added to the Intent of Plan on Sheet 1, and the Zoning Information table shall be revised to state the same uses (currently notes the Use for Lots A and B as open lot”). Lot R should be added to this table as well.
6. Section 162-9.C.(2).(a)[12] – A signature block shall be provided for the County Planning Commission approval. The Upper Uwchlan Township Board of Commissioners signature block shall be removed. The “Date that all conditions of plan approval were met” signature block for ZO/Twp mgr. should be removed as well.
7. Section 162-9.C.(2).(a)[13] – Cartway widths of adjoining public streets shall be labeled on the plans.
8. Section 162-9.H.(5)(a)[1] – The Township Historical Commission has determined a Historic Resources Impact Statement is not required.
9. Section 162-47.A(1) – Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided. Please indicate the installation of monuments at these locations.

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
Reference: Wertz Farm  
Minor Subdivision Plan – Final Submittal  
Upper Uwchlan Township, Chester County, PA  
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10. Section 162-47.A.(4) – Monumentation should be provided along the rights-of-way of existing streets per this section. Please indicate the installation of monuments at these locations.

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

1. Revise General and Plan Notes #7 on Sheet C100 to include Lot R.
2. A building setback line for the current property should be provided on sheet C200. In addition, the proposed building setback line for proposed Lot R which is shown on sheet C200 should be removed.
3. Revise General and Plan Notes #2 as it is unclear and potentially incorrect.
4. The Zoning Information table indicates public water supply and sanitary sewer disposal; however, the existing dwelling appears to be served by a well and on-site septic. Please verify the water and sewer.
5. Revise all years (i.e., 2022 and 2023) included in signature blocks on Sheet 1 to 2024.
6. Revise the plan sheet titles to match those listed in the Drawing Index on Sheet 1 and remove "& Land Development" from all title blocks.
7. Label Milford Road on Sheet 4.
8. Please cite the source of the Floodplain Boundary as well as the Zone.

#### **V. HISTORICAL COMMISSION COMMENTS**

1. In case the Township does not prevail in its purchase of the Robert Smith Farm lot containing the farm buildings, to further the objectives of SALDO and ensure preservation of the Robert Smith Farm buildings going forward, to the extent permissible under applicable law, as a condition of subdivision approval, require the Turnpike Commission to impose in any sale agreement pertaining to the sale of the lot containing the historic Robert Smith Farm buildings, the following restrictions on buyer:

Mr. Tony Scheivert  
Upper Uwchlan Township Manager

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- The historic buildings along with what remains of their related historic landscapes and sight lines shall be preserved and the buildings shall be rehabilitated in an appropriate manner sensitive to their historic nature and done so in a timely manner to avoid “demolition by neglect.”
  - The stone house interior and exterior period features, finishes and millwork shall be preserved to the greatest extent practicable
  - The foregoing restrictions shall apply in perpetuity to all future buyers.
2. If a formal appraisal of both lots to be sold, has not yet been obtained, as a condition of subdivision approval, require the Turnpike Commission to obtain such appraisal.
  3. No Historic Resources Impact Statement is required under Section 162-9H(5)(a) of Township ordinances.

Based on our review of the application, we would recommend Minor Subdivision Plan Approval 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.  
Vice President  
Gilmore & Associates, Inc.

cc: Upper Uwchlan Township Board of Supervisors  
Upper Uwchlan Planning Commission  
Upper Uwchlan Historical Commission  
Kristin Camp, Esq. – BBM&M LLP  
Brian Mostek, PTC – Applicant  
David M. Ardini – Navarro & Wright Consulting Engineers, Inc.  
William J. Grow, PLS – Navarro & Wright Consulting Engineers, Inc.

# **Upper Uwchlan Township Historical Commission**

**Wertz Farm (aka Robert Smith Farm) Final/Minor Subdivision Plan: Impact  
on Historic Robert Smith Farm Buildings — with Revised Final Approved  
Recommendations**

**From January 3, 2024 Meeting — Prepared 1/4/2024 by Vivian S. McCardell, Chair Historical Commission**

# Final/Minor Subdivision Application and Plan

- Pennsylvania Turnpike Commission, owner, submitted Final/Minor Subdivision Application and Plan, dated October 20, 2023, to subdivide 28.99 acre Wertz Farm (aka Robert Smith Farm) that is located along Little Conestoga Road, into three lots
- Turnpike Commission would retain one lot along the Turnpike and sell other two lots
- Subdivision plan provides that 12.465 acre lot containing historic Wertz/Robert Smith Farm buildings with address of 640 Little Conestoga Road is one of lots to be sold
- Subdivision plan only, no demolition, no new buildings, no land disturbances or new roads proposed — no land development plan submitted
- It is Historical Commission's understanding that Township is interested in purchasing 12.465 acre lot and reselling it with restrictive covenant to preserve historic buildings and what remains of related historic landscape and sight lines



# Robert Smith House, Barn, Springhouse and Outbuildings

- Robert Smith Farm consisting of stone house, barn, springhouse and outbuildings is on Township's Historic Resource Inventory as historic resource #4 and was determined eligible for listing on National Register on August 15, 2016
- Although categorized as Class II on the 2001 Historic Resource Inventory, given its 2016 National Register eligibility determination, it is being recommended that this site be recategorized as Class I on the updated Inventory currently in process
- Stone house built between 1796 and 1799 by Robert Smith in Federal period style with some later Greek Revival style elements
- Stone house retains many finishes and millwork dating to 1800s, plus original walk-in kitchen hearth and bake oven dating to late 1700s
- Although house is vacant, its condition is good to fair since it has been sealed in a mostly protective way.
- Barn is Jamesway barn built c. 1955 with distinctive roof formed by Gothic arch vault with flared eaves and interior milking stanchions on lower level

# Is Historic Resources Impact Statement Required?

- Section 162-9H(5)(a) — Historic Resources Impact Statement Applicability
  - Unless waived, historic resources impact statement required when any action listed below proposed within 250 feet of historic resource as identified in Township's Historic Resource Inventory
  - Actions requiring historic resources impact statement include (among other things)
    - ▶ 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
    - ▶ Other land development, land disturbances, or exterior structural alteration
- Since property owner has submitted only subdivision plan that proposes no demolition, no adaptive reuse, no new buildings, no new roads or land disturbances, it appears that no historic resources impact statement is required at this time

# Are Robert Smith Farm Buildings Protected Historic Features under SALDO?

- SALDO (Subdivision and Land Development Ordinances)
  - 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
    - ▶ Values of these natural and historic resources are documented and described in numerous Township documents and publications, most notably, Upper Uwchlan's Comprehensive Plan, as amended
    - ▶ 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 in accordance with specified criteria, but it is unclear what criteria apply
- Since Robert Smith Farm buildings are "historic resources" on Township's Historic Resource Inventory they are protected historic features under SALDO

# Should Turnpike Commission be Required to Impose Restrictions on Sale of Lot with Robert Smith Farm Buildings to Protect Historic Farm Buildings?

- Robert Smith Farm buildings are protected historic resources/features under SALDO
- Although Township hopes to purchase subdivided lot with Robert Smith Farm buildings and sell it with restrictive covenant to protect and preserve historic farm buildings, it is not guaranteed that Township will prevail
- To further objectives of SALDO and ensure preservation of Robert Smith Farm buildings going forward, to extent permissible under applicable law, as condition of subdivision approval, Township should require Turnpike Commission to impose in any sale agreement pertaining to sale of lot containing historic Robert Smith Farm buildings, the following restrictions on buyer:
  - Buildings along with what remains of their related historic landscapes and sight lines be preserved and rehabilitated in an appropriate manner sensitive to their historic nature and done so in a timely manner to avoid “demolition by neglect”
  - Stone house interior and exterior period features, finishes and millwork shall be preserved to greatest extent practicable
  - Foregoing restrictions shall apply in perpetuity to all future buyers
- Township manager is checking with Township solicitor as to whether restrictions may be imposed as condition of subdivision plan

# Final Approved Recommendations from January 3, 2024 HC Meeting

## Background:

- ▶ The Turnpike Commission has submitted a Final/Minor Subdivision Application and Plan to subdivide the 28.99 acre Wertz Farm (aka the Robert Smith Farm) that is located along Little Conestoga Road, into three lots, where it would retain one lot along the Turnpike and sell the other two lots
- ▶ The Subdivision Plan provides that the 12.465 acre lot containing the historic Wertz/Robert Smith Farm buildings with the address of 640 Little Conestoga Road is one of the lots to be sold
- ▶ The Subdivision Plan does not propose any demolition, new buildings, land disturbances or roads and no land development plan was submitted
- ▶ It is the Historical Commission's understanding that the Township is interested in purchasing the 12.465 acre lot and reselling it with a restrictive covenant to preserve the historic buildings and what remains of their related historic landscapes and sight lines
- ▶ These historic resources are protected under the Township SALDO provisions

## Recommendations to Planning Commission and Board of Supervisors, as applicable:

- ▶ In case the Township does not prevail in its purchase of the Robert Smith Farm lot containing the farm buildings, to further the objectives of SALDO and ensure preservation of the Robert Smith Farm buildings going forward, to the extent permissible under applicable law, as a condition of subdivision approval, require the Turnpike Commission to impose in any sale agreement pertaining to the sale of the lot containing the historic Robert Smith Farm buildings, the following restrictions on buyer:
  - The historic buildings along with what remains of their related historic landscapes and sight lines shall be preserved and the buildings shall be rehabilitated in an appropriate manner sensitive to their historic nature and done so in a timely manner to avoid "demolition by neglect"
  - The stone house interior and exterior period features, finishes and millwork shall be preserved to the greatest extent practicable
  - The foregoing restrictions shall apply in perpetuity to all future buyers
- ▶ If a formal appraisal of both lots to be sold, has not yet been obtained, as a condition of subdivision approval, require the Turnpike Commission to obtain such appraisal
- ▶ No Historic Resources Impact Statement is required under Section 162-9H(5)(a) of Township ordinances



## 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: Wertz Farm
2. Plan Dated: October 20, 2023 County Deed Book/Page No. 9995 / 2382
3. Name of property owner(s): Pennsylvania Turnpike Commission

Address: 700 S. Eisenhower Blvd., Middletown

State/Zip: PA / 17057 Phone No.: 877-736-6727

Email: bmostek@paturnpike.com

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

David M. Ardini (Navarro & Wright Consulting Engineers, Inc.)

Address: 151 Reno Ave, New Cumberland

State/Zip: PA / 17070 Phone No.: 717-441-2216

Email: dardini@navarrowright.com

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

Agent to the Pennsylvania Turnpike Commission

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

William J. Grow, PLS, (Navarro and Wright Consulting Engineers, Inc.)

Address: 151 Reno Ave, New Cumberland

State/Zip: PA / 17070 Phone No.: 717-441-2216

Email: wgrow@navarrowright.com

7. Total acreage: 28.99 Acres Number of Lots: 3

8. Acreage of adjoining land in same ownership: (If any) \_\_\_\_\_

9. Describe Type of Development Planned: Minor Subdivision

The purpose is to subdivide 28.99 acres into three (3) parcels.

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.

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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:

By: \_\_\_\_\_  
Date: \_\_\_\_\_

\*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

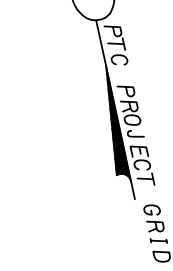
Plus \$25 for each Lot over 3

Over 5 Lots ..... \$1000

Plus \$50 for each Lot over 5

Form revised January 2015

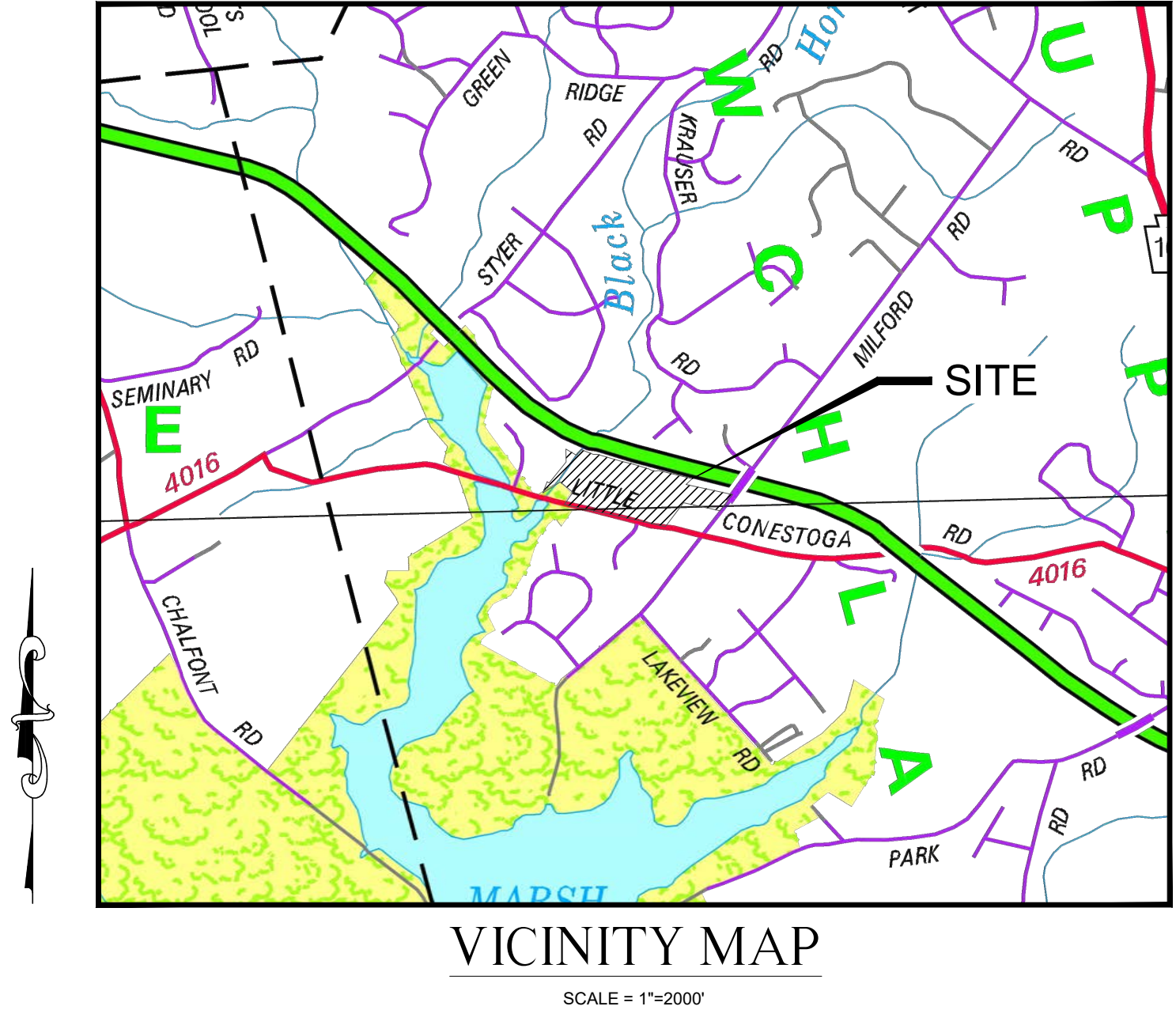




SUBDIVISION & LAND DEVELOPMENT PLANS  
FOR  
PENNSYLVANIA TURNPIKE COMMISSION  
"WERTZ FARM"  
UPPER UWCHLAN TOWNSHIP CHESTER COUNTY, PA



FINAL/MINOR SUBDIVISION PLAN  
FOR  
PENNSYLVANIA TURNPIKE COMMISSION "WERTZ FARM"  
TOWNSHIP OF UPPER UWCHLAN  
CHESTER COUNTY, PENNSYLVANIA  
OCTOBER 20, 2023  
REVISIONS



DRAWING INDEX

- C100 COVER SHEET  
C200 EXISTING CONDITIONS PLAN  
C300 PROPOSED SUBDIVISION PLAN 01  
C400 PROPOSED SUBDIVISION PLAN 02

SOURCE OF TITLE

DEED BOOK: 9995 PAGE: 2382

TAX PARCEL NUMBER REFERENCE

32-3-34

ZONING INFORMATION:

LOCATION: UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PA				
ZONE: R-2 RESIDENTIAL - MEDIUM DENSITY / F1- FLEXIBLE DEVELOPMENT OVERLAY				
ITEM #	ITEM	REQUIRED	LOT A	LOT B
1	LAND USE	—	OPEN LOT	OPEN LOT
2	MINIMUM LOT AREA	1 ACRE	7,600 S.F. (0.17 ACRES)	7,600 S.F. (0.17 ACRES)
3	MINIMUM LOT WIDTH	150 FT	50 FT	693 FT
4	BUILDING COVERAGE (MAX.)	60%	1,290 SF (17.0%)	458 SF (0.06%)
5	IMPERVIOUS COVERAGE (MAX.)	70%	2,038 SF (26.8%)	458 SF (0.06%)
6	MIN. FRONT BUILDING SETBACK	50 FT	50 FT	50 FT
7	MINIMUM SIDE YARD SETBACK	30 FT	30 FT	30 FT
8	MINIMUM REAR YARD SETBACK	40 FT	40 FT	40 FT
9	WATER SUPPLY	PUBLIC	PUBLIC	PUBLIC
10	SANITARY SEWAGE DISPOSAL	PUBLIC	PUBLIC	PUBLIC
11	MAX. BUILDING HEIGHT	35'	<35 FT	<35 FT
13	PARKING	2 SPACES PER DWELLING	2 OFF-STREET SPACES	2 OFF-STREET SPACES

INTENT OF PLAN

THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE 28.99 ACRE PENNSYLVANIA TURNPIKE COMMISSION PARCEL INTO THREE (3) SEPARATE PARCELS.

GENERAL AND PLAN NOTES

- THE PURPOSE OF THE PLAN IS TO CREATE TWO NEW LOTS.
- THE PENNSYLVANIA TURNPIKE COMMISSION WILL RETAIN LOTS A & B. SUBDIVIDE LOTS A & B AND RETAIN REMNANT LOT 12.
- THE COORDINATES, BEARINGS AND DISTANCES SHOWN HEREBY ARE BASED ON PENNSYLVANIA TURNPIKE COMMISSION GRID FOR HORIZONTAL AND VERTICAL POSITIONING AND REFERENCED BY THE FOLLOWING STATIONS:

T-106	N 50065.24796	E 88002.32082	EL 443.027	MAGNAIL
T-075	N 50211.10341	E 85024.4292	EL 381.067	MAGNAIL
T-078	N 50527.46739	E 87715.92016	EL 447.689	MAGNAIL
T-105	N 49159.99125	E 87173.01417	EL 506.49	MAGNAIL

- ZONING DATA:

TOTAL ACREAGE: 28.99 AC

ZONING REQUIREMENTS  
ZONING DISTRICT: R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT  
ZONING USE: "SINGLE-FAMILY SEMI-DETACHED DWELLING"

MINIMUM LOT AREA (ACRE)	REQUIRED 1 ACRE
MINIMUM LOT WIDTH (FEET)	150 FT
MINIMUM SETBACK REQUIREMENTS:	
FRONT	50 FT
SIDE	30 FT
REAR	40 FT

- NO CONSTRUCTION, BUILDING DEMOLITION, OR LAND DEVELOPMENT IS PROPOSED WITH THIS PLAN.
- NO GRADING IS BE PROPOSED WITH THIS PLAN.
- UPON APPROVAL OF THIS PLAN, LEGAL DESCRIPTIONS FOR LOTS A & B, WILL BE CREATED AND RECORDED BY THE PENNSYLVANIA TURNPIKE COMMISSION.

PLANNING AND NON-BUILDING DECLARATION

NO PORTION OF THIS SUBDIVISION ARE APPROVED BY UPPER UWCHLAN TOWNSHIP OR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FOR THE INSTALLATION OF ANY SEWAGE DISPOSAL FACILITY. NO PERMIT WILL BE ISSUED FOR THE INSTALLATION, CONSTRUCTION, CONNECTION TO OR USE OF ANY SEWAGE COLLECTION, CONVEYANCE, TREATMENT OR DISPOSAL SYSTEM (EXCEPT FOR REPAIRS TO EXISTING SYSTEMS) UNLESS UPPER UWCHLAN TOWNSHIP AND DEP HAVE BOTH APPROVED SEWAGE FACILITIES PLANNING FOR THE SUBDIVISION DESCRIBED HEREIN IN ACCORDANCE WITH THE PENNSYLVANIA SEWAGE FACILITIES ACT (35 P.S. SECTIONS 750.1 et seq.) AND REGULATIONS PROMULGATED THEREUNDER. PRIOR TO SIGNING, EXECUTING, IMPLEMENTING OR RECORDING ANY SALES CONTRACT OR ADDITIONAL SUBDIVISION PLANS, ANY PURCHASER OR SUBDIVIDER OF ANY PORTION OF THIS PROPERTY WILL CONTACT APPROPRIATE OFFICIALS OF UPPER UWCHLAN TOWNSHIP, WHO ARE CHARGED WITH ADMINISTERING THE SEWAGE FACILITIES ACT TO DETERMINE THE FORM OF SEWAGE FACILITIES PLANNING REQUIRED AND THE PROCEDURE AND REQUIREMENTS FOR OBTAINING APPROPRIATE PERMITS OR APPROVALS.

NOTARY SIGNATURE

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED PERSONALLY APPEARED \_\_\_\_\_ WHO BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT HE AND SHE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT HE AND SHE ACKNOWLEDGES THE SAME TO BE HIS PLAN AND DESIRES THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW. WITNESS MY HAND AND SEAL THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

UPPER UWCHLAN TOWNSHIP BOARD OF COMMISSIONERS

APPROVED BY THE BOARD OF COMMISSIONERS OF UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, BY MOTION ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

CHAIRMAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
SECRETARY SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

UPPER UWCHLAN TOWNSHIP ENGINEER

THIS PLAN WAS REVIEWED BY THE UPPER UWCHLAN TOWNSHIP ENGINEER  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

TOWNSHIP ENGINEER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
ENGINEERING FIRM \_\_\_\_\_

UPPER UWCHLAN TOWNSHIP PLANNING COMMISSION

AT A MEETING HELD ON THIS PLAN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, THE UPPER UWCHLAN TOWNSHIP PLANNING COMMISSION REVIEWED THIS PLAN ACCORDING TO THE REQUIREMENTS OF THE UPPER UWCHLAN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCES. THIS CERTIFICATE DOES NOT INDICATE APPROVAL OR DISAPPROVAL BY THE UPPER UWCHLAN TOWNSHIP BOARD OF SUPERVISORS.

CHAIRMAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
SECRETARY SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DATE THAT ALL CONDITIONS OF PLAN APPROVAL WERE MET:

DATE \_\_\_\_\_  
ZONING OFFICER/TOWNSHIP MANAGER SIGNATURE \_\_\_\_\_

TOWNSHIP BOARD OF SUPERVISORS

AT A MEETING HELD ON THIS PLAN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, THE UPPER UWCHLAN TOWNSHIP BOARD OF SUPERVISORS APPROVED THIS PROJECT INCLUDING THE COMPLETE SET OF PLANS AND INFORMATION WHICH ARE FILED WITH THE BOARD OF SUPERVISORS BASED UPON ITS CONFORMITY WITH THE STANDARDS OF THE UPPER UWCHLAN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCES.

CHAIRMAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
CHAIRMAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
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CHAIRMAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN AND THE RELATED SURVEY WORK WAS PREPARED AND PERFORMED BY ME UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA. THIS CERTIFICATION IS NEITHER A WARRANTY NOR GUARANTEE, EITHER EXPRESSED OR IMPLIED.



LICENSE # SU076008  
FOR AND ON BEHALF OF NAVARRO & WRIGHT  
CONSULTING ENGINEERS, INC.  
151 RENO VENUE, NEW CUMBERLAND PA, 17070  
(717)441-2216

PUBLIC UTILITY LISTING

AQUA PENNSYLVANIA  
762 WEST LANCASTER AVENUE  
BRYN MAWR, PA 19010  
ATTN: DARRELL DULANY  
EMAIL: ddulany@aquamerica.com

COMCAST  
1004 CORNERSTONE BOULEVARD  
DOWNTOWN, PA 19335  
ATTN: TOM RUSSO  
EMAIL: tom\_russo@cable.comcast.com

ENTERPRISE PRODUCTS  
9420 WEST SAM HOUSTON PARKWAY NORTH  
HOUSTON, TX 77064  
ATTN: CALL DEPARTMENT PERSONNEL  
EMAIL: callcorporate@eprod.com

UPPER UWCHLAN TOWNSHIP UPPER  
UWCHLAN MUNICIPAL AUTHORITY  
140 POTTSTOWN PIKE  
CHESTER SPRINGS, PA 19425  
ATTN: MICHAEL HECKMAN  
EMAIL: mheckman@upperuwchlan-pa.gov

ENERGY TRANSFER  
1300 MAIN STREET  
HOUSTON, TX 77002  
ATTN: CELESTE WATERWALL  
EMAIL: celose.waterwall@energytransfer.com

BUCKEYE PARTNERS  
4501 HAMILTON BOULEVARD  
ALLEN TOWN, PA 18106  
ATTN: DAVE JONES  
EMAIL: djones@buckeye.com

VERIZON PENNSYLVANIA LLC  
1050 VIRGINIA DRIVE  
FORT WASHINGTON, PA 19034  
ATTN: DARLINE LEPPERD JOHNSON

CALL BEFORE YOU DIG!

PENNSYLVANIA LAW REQUIRES  
3 WORKING DAYS NOTICE FOR  
CONSTRUCTION PHASE AND 10 WORKING  
DAYS IN DESIGN STAGE - STOP CALL

 PA 1  
SYSTEM, INC.  
1-800-242-1776

POCS SERIAL NUMBERS  
20221713179

RECORDER OF DEEDS CERTIFICATE

DATE OF THIS PLAN \_\_\_\_\_  
THIS PLAN IS RECORDED IN THE CHESTER COUNTY COURTHOUSE,  
UPPER UWCHLAN, PENNSYLVANIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.  
IN PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
RECORDER OF DEEDS \_\_\_\_\_



151 RENO AVENUE  
NEW CUMBERLAND, PA 17070

PHONE: (717) 441-2216  
FAX: (717) 441-2218

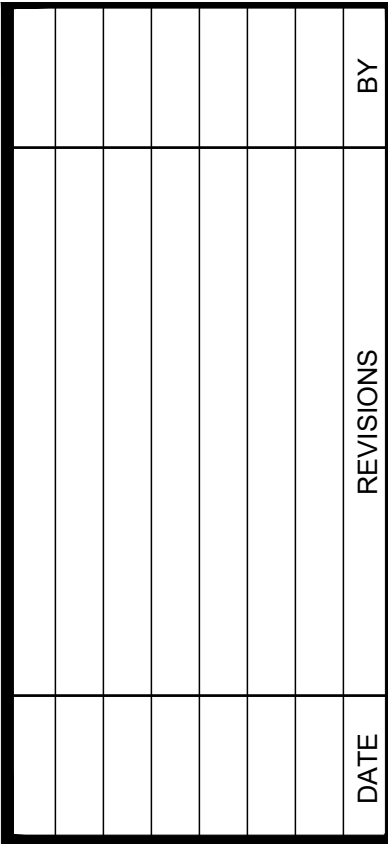
JOB NUMBER: 1302TD019  
DRAWN BY: BJK  
CHECKED BY: SJH  
DATE: 10/20/2023  
DRAWING NUMBER:  
1302TD019-2-SVEX-TITL  
SHEET:

C100

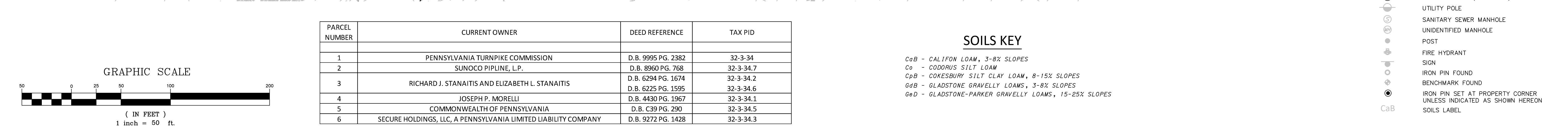


SHEET: C200







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**NAVVARO & WRIGHT**  
**CONSULTING ENGINEERS, INC.**

151 RENO AVENUE  
NEW CUMBERLAND, PA 17070

PHONE: (717) 441-2216  
FAX: (717) 441-2218

SUBDIVISION & LAND DEVELOPMENT PLANS  
 FOR  
 PENNSYLVANIA TURNPIKE COMMISSION  
 "WERTZ FARM"  
 UPPER UWCHLAN TOWNSHIP      CHESTER COUNTY, PA

JOB NUMBER: 1302TD019
DRAWN BY: BJK
CHECKED BY: SJH
SCALE: 1"=50'
DATE: 10/20/23
DRAWING NUMBER:
SHEET:
C400





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

January 5, 2024

File No. 23-12026

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

Reference: 241 Park Road  
Preliminary Land Development Review  
Upper Uwchlan Township, Chester County, PA

Dear Tony:

Gilmore & Associates, Inc. (G&A) is in receipt of the following documents prepared by Commonwealth Engineers, Inc. unless stated otherwise:

- Letter of Transmittal for 241 Park Road Conditional Use Submission to Upper Uwchlan Township dated December 7, 2023;
- Letter of Transmittal for 241 Park Road Subdivision/Land Development Submission to Upper Uwchlan Township (undated);
- "Erosion Control Plan Narrative Prepared for 241 Park Road" dated December 4, 2023;
- GIS Map dated August 16, 2023;
- "Post Construction Stormwater Management Plan Narrative prepared for 241 Park Road" dated December 4, 2023;
- "241 Park Road Sewage Facilities Planning Module Application Mailer for Public Sewer" dated December 4, 2023;
- Preliminary/Final Land Development Plans consisting of twelve (12) sheets titled "241 Park Road" dated December 4, 2023;
- Plan sheet titled "Post Development Drainage Area Plan" dated December 4, 2023;

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184 West Main Street | Suite 300 | Trappe, PA 19426 | Phone: 610-489-4949 | Fax: 610-489-8447

Mr. Tony Scheivert, Upper Uwchlan Township Manager  
Reference: 241 Park Road  
Preliminary Land Development Review  
Upper Uwchlan Township, Chester County, PA  
File No. 23-12026  
January 5, 2024

Page - 2 -

- Plan sheet titled "Pre Development Drainage Area Plan" dated December 4, 2023;
- Conditional Use Application for 241 Park Road and 235 Park Road (undated);
- Subdivision / Land Development Application (Preliminary Submittal) dated December 1, 2023;
- Subdivision / Land Development Review Escrow Agreement made December 1, 2023;
- Act 247 County Referral form;
- Conditional Use Impact Statement for 241 Park Road and 235 Park Road dated December 4, 2023;
- Fiscal Impact Analysis – Proposed Daycare Facility, 241 Park Road dated November 15, 2023, and prepared by EH Creative Services LLC;
- Trip Generation Analysis Proposed Child Day Care Center Canal - Park Road dated November 27, 2023, and prepared by Heinrich & Klein Associate, Inc.;
- Plan sheet titled "Presentation Plan for 241 Park Road" dated December 14, 2023;
- Architectural plan sheet titled "Schematic 241 Park Road" dated December 13, 2023.

The subject site is comprised of two (2) parcels (TMP 32-4-37 and TMP 32-4-38.8) located at the intersection of Park Road and Ticonderoga Blvd. The property is located in the C-1 Village Commercial Zoning District.

G&A, as well as other Township Consultants, has completed our first review of the above referenced preliminary land development application for compliance with the applicable sections of the Township's Zoning Ordinance, Subdivision and Land Development Ordinance, and Stormwater Management Ordinance, and wish to submit the following comments for your consideration.

Please note that comments with a **(V)**, **(RW)** or a **(W)** may require relief from the Township Ordinances. A **(V)** denotes a variance may be required or has previously been granted, a **(CU)** denotes conditional use, an **(RW)** denotes a requested waiver, and a **(W)** denotes a waiver that has not been requested, but we believe is required.

## **I. OVERVIEW**

The Applicant is proposing to consolidate two existing lots and construct a 6,000 SF (footprint) two-story building with outdoor play areas, parking and stormwater management in the C-1 Village District. The parking area has access from Park Road. The total impervious surface coverage onsite is approximately 20,359 square feet, and the total proposed disturbance for the construction is approximately 0.865 acres. Two underground infiltration beds, inlets and piping are proposed to control the runoff from the proposed improvements. Retaining walls approximately 3.5-feet in height at their maximum are proposed along three sides of the property. There are no floodplains on the site.

## **II. ZONING ORDINANCE REVIEW**

1. **(CU)** §200-33.B.(3) – A daycare center is permitted as a principal use when authorized by conditional use by the Board of Supervisors. The applicant is seeking conditional use.
2. **(CU)** §200-34.F. – No structure or principal buildings shall exceed 35 feet in height. As a condition of conditional use approval, the Board of Supervisors may permit roof structures above the cornice line which exceed the applicable height limit, where the Board agrees that such structures enhance the appearance of the overall design. The height from attic to roof peak shall be labeled on the architectural plan to clarify either compliance or that approval by conditional use is required to permit exceeding 35 feet in height.
3. **(CU)** §200-36.B.(1)(a) – Where any individual building facade is visible from any public right-of-way and exceeds 60 feet in length, there shall be a clear dimensional differentiation of roofline and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length. Where approved by the Board of Supervisors as a conditional use, single facades greater than 60 feet in length may be permitted in accordance with this section. The building façade facing Park Road is 100-feet in length and no break is proposed. Therefore, approval by conditional use is required.
4. §200-36.B.(1)(b) – The architectural rendering indicates a pitched roof. Desired materials on pitched roofs include slate (either natural or man-made), shingle (either wood or asphalt composition), and metal formed to resemble "standing seams." Roof color should reflect local traditional use of color, and shall specifically exclude white, tan, or blue shingles, red clay tiles, and corrugated metal or other corrugated material. The use of fascias, dormers, and gables is encouraged to provide visual interest. The applicant shall provide information on the roofing to show compliance with these requirements.
5. §200-36.B.(1)(c) – Exterior wall materials may include stucco, wood clapboard (including vinyl or aluminum imitation clapboard siding), native stone, brick, or other material of a shape, color,

and texture similar to that found on historic structures in the vicinity. The applicant shall provide information on the exterior wall materials to show compliance with these requirements.

6. §200-36.B.(1)(d) – All facilities and equipment for heating/air conditioning, trash collection and compaction, and other structural elements not in keeping with historical architectural themes shall be concealed architecturally or otherwise screened from view from any public right-of-way or public space. The applicant shall clarify where HVAC equipment is located to determine if screening is required. A fence detail shall be provided for the fence surrounding the outdoor play areas. Note that two (2) Grading Plan sheets were included with the submission which show the dumpster location in different spots; the applicant shall clarify which Grading Sheet is intended to be part of the plan set. The Dumpster Enclosure Detail (Sheet 7) includes the note “The applicant may utilize an alternate privacy fence the dumpster with the approval of the township engineer” which should be removed.
7. §200-36.B.(2) – For all principal uses permitted by conditional use approval, applicant shall provide drawings of sufficient detail to illustrate the character of the intended exterior design of structures, including scale, height, roof pitch, relationship between varying facade elements, and principal exterior materials. The Township may require that material samples also be provided. It shall be the burden of the applicant to demonstrate that submitted architectural designs are consistent with, and promote, the purposes and standards set forth for the C-1 Village District.
8. §200-36.B.(3) – Where the Board of Supervisors determines that architectural design, as presented by applicant, is an essential means by which the proposed use will comply with the purposes and standards set forth for the C-1 Village District, as a condition of approval of any conditional use, the Board may require adherence to the intended architectural character as proposed by the applicant.
9. §200-36.D. – Streetscape landscaping and pedestrian amenities shall be provided as necessary to meet overall village planning objectives and shall be coordinated with adjacent properties. Where appropriate, the Township may require any of the amenities outlined herein, including provision for their regular upkeep and maintenance. We defer to the Township Planning Commission and Land Planner in this matter.
10. §200-64.A. – The minimum lot area for each child shall be 1,000 square feet, but no lot containing a day-care center shall be less than 30,000 square feet. The Conditional Use Impact Statement states an anticipated capacity of 120-125 children; therefore, the minimum lot area is 120,000 SF to 125,000 SF. The proposed lot area is 34,000 SF, which appears to be inadequate.
11. §200-64.B. – There shall be an indoor play area of 50 square feet per child and an outdoor play area of 75 square feet per child provided. The Conditional Use Impact Statement states



an anticipated capacity of 120-125 children. Therefore, 6,000 SF to 6,250 SF of indoor play area is required. The outdoor play area is required to be 9,000 SF to 9,375 SF; a 3,000 SF outdoor play area with a 900 SF infant outdoor play area are proposed. The play areas appear to be inadequate.

12. §200-64.C. – The outdoor play area shall be fenced on all sides, and fencing shall be a minimum height of four feet. Provide a fence detail.
13. §200-64.D. – Off-street parking spaces shall be in accordance with §200-73. In addition, during the Conditional Use hearing, it should be discussed how the discharge and pickup of children shall be handled.
14. §200-64.E. – The facility shall be licensed by the applicable departments of the Commonwealth of Pennsylvania and their regulations.
15. §200-73.A.(3). – In any commercial or industrial district, no parking, loading or service area shall be located within 25 feet of the ultimate right-of-way line. Show this offset from Park Road ultimate right-of-way.
16. §200-73.B.(2). and §200-74. – Please indicate where delivery vehicles are intended to park.
17. **(CU)** §200-73.K.(2) and (4) – Where any use or activity is subject to application for approval of a conditional use, modification(s) to the provisions of this section may be requested as part of such application. In approving any application pursuant to Subsection K(2), the Board of Supervisors, as a condition of approval of such application, may permit specific modification(s) to the provisions of this section subject to the conditions outlined in K(4). The applicant does not provide the required number of parking spaces (50) and is seeking a modification to reduce the number provided (39). We defer to Bowman in this matter.
18. §200-79. – A lighting plan in conformance with the requirements of this section shall be provided. We note that the Sheet Index on Sheet 1 indicates “(Reserved) Lighting Plan” and that this sheet was not provided. A lighting plan shall be provided.
19. §200-88.A. – No fence over six feet in height shall be erected within any required yards. Fencing is shown in the required front and rear yards; provide a fence detail showing compliance with the height requirement.
20. §200-93. – The applicant shall clarify what signage is proposed. We defer to the Zoning Officer regarding proposed signage.
21. §200-117.J. The applicant shall submit a site analysis and impact plan, pursuant to §162-9D of Chapter 162, Subdivision and Land Development.

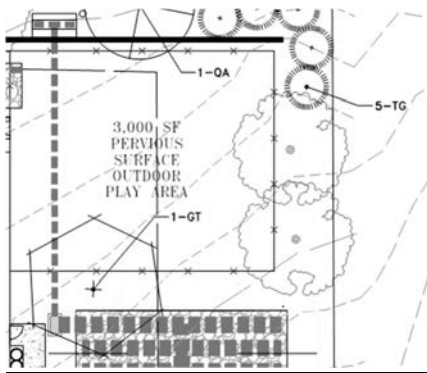
### **III. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REVIEW**

1. §162-9.B.(1)(b) – Provide the closure report and legal description for the consolidated lot.
2. §162-9.B.(1)(h) – The submittal shall include the conservation plan, per Subsection E of this section.
3. §162-9.B.(2)(b)[5] – Any waivers being requested by the applicant, as well as all waivers granted to the applicant by the Board, shall be clearly stated on the first sheet (title plan) of the preliminary plan submission.
4. §162-9.B.(2)(b)[11] – If no wetlands exist on the tract for which the land development is proposed, the plan must include a statement indicating so.
5. §162-9.B.(2)(b)[18] – Location and elevation of the datum to which contour elevations refer shall be stated, and the datum used shall be a known established benchmark. Provide the benchmark used. We note that the plan is based on topography that is 14 years old (Notes 3 and 4 on Sheet 4 of 12); we recommend the topography be verified.
6. §162-9.B.(2)(d), §162-9.D and §162-9.E. – The preliminary plan shall be accompanied by a preliminary site analysis and impact plan prepared in accordance with Subsection D and a preliminary conservation plan prepared in accordance with Subsection E.
7. §162-9.H.(1)(b) and §162-9.H.(5). – We defer to the Township's Historical Commission whether an Historic Impact Statement is required. Their comments are included herein.
8. §162-9.H.(4). – A fiscal impact statement shall be prepared for all conditional use, identifying the likely impact of the development on the Township's tax structure and expenditure patterns. We offer the following comments on the submitted Fiscal Impact Analysis.
  - a. Requires the Fiscal Impact Analysis to identify the expenses associated with delivering service to the proposed development. The report includes the conclusions of this analysis but does not provide the actual analysis itself or calculations or data supporting how those conclusions were reached. The cost analysis shall be revised to include sufficient data to demonstrate how the projected expenditures were calculated.
  - b. Requires the Fiscal Impact Analysis to address the impact of the proposed development on the ability of the Township to deliver fire, police, emergency (ambulance), administrative, public works and utility services (also as outlined in §162.H(4)(a) through (d)). In addition, §200-117.K requires that in preparation of the Fiscal Impact Analysis, the applicant shall

(also) solicit information from Upper Uwchlan Township officials (administration, public works, police, fire and emergency services, parks and recreation) regarding the need to add staff, facilities or equipment in order to properly service the development proposal and the associated costs of providing these services. The Fiscal Impact Analysis shall be revised to address these requirements.

- c. Upper Uwchlan Township levies a Local Services Tax which requires employers to withhold \$10 annually from employee paychecks. The calculation of revenue impacts shall be revised to reflect this required tax.
  - d. The Fiscal Impact Analysis shall provide a source or data supporting the indicated total market value for the improved property of \$3.5 million.
  - e. Where properties are within 780 feet of a fire hydrant, an additional 0.087 mills are assessed. The report shall indicate whether the additional hydrant millage is applicable, and if so, include that millage in the calculation of revenues.
  - f. The Revenue Impacts section indicates that the estimated annual mean wage for employees used to calculate EIT revenues was taken from the Bureau of Labor Statistics May 2022 data for "Childcare Workers," and is \$29,920. However, the BLS website May 2022 data indicates that this amount is \$27,920. The calculations provided shall be revised to accurately indicate the data shown on the Bureau of Labor Statistics website.
9. §162-41.E, G, H and I – Provide a detail for the sidewalk meeting the requirements of these sections.
  10. §162-49.D – Wherever a public or community water system is provided, fire hydrants or acceptable alternatives shall be installed for fire protection. We note the plans show a fire hydrant on the opposite side of Park Road. We defer to the Fire Marshal.
  11. §162-49.E – A will-serve letter shall be provided for the proposed public water.
  12. §162-52 – Upon completion of construction, the entire amount of topsoil stripped shall be replaced on the site. No topsoil shall be disposed of, by sale or otherwise, off the site of the construction. Add a note stating same to the Record Plan and the Sequence of Construction.
  13. §162-55.B.(2) – No specimen tree(s) shall be removed from any lot or tract except where the applicant demonstrates to the satisfaction of the Board of Supervisors that such removal is essential to eliminate hazardous condition(s) or otherwise permit lawful use of the lot or tract; where permitted, removal of specimen trees shall be minimized. It appears some specimen trees are proposed to be removed. This should be discussed with the Planning Commission.

14. §162-55.B.(5)(a) – This section requires that where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees and an appropriate four feet high tree protection fence shall be placed at the dripline of the trees. There are two (2) trees proposed to remain along the eastern property line that show previous surface play area proposed within the canopy of the trees. Plans should be revised to include tree protection fencing to demonstrate compliance with this section of the ordinance, or a waiver is required.



15. §162-55.B.(7) Replacement trees are required for each tree greater than six inches dbh removed. Based on the size and number of trees proposed to be removed, either four (4) replacement trees (at 4-6.5" caliper) or twenty-three (23) replacement trees (at 3-3.5" caliper) are required to be planted and are in addition to other required landscaping. Plans should be revised to demonstrate compliance with this requirement, or a waiver would be required.
- 20.(W) §162-57.C.(7). - the interior of each parking area shall have at least one shade tree for every five parking spaces. Based on 39 proposed spaces eight (8) shade trees are required but only four (4) are proposed. Plans should be revised to demonstrate compliance with the requirement of the ordinance, or a waiver would be requested. A waiver has been requested from this requirement.
- 21.(W) §162-57.D.(1) - Per 1,000 SF of gross building area two (2) deciduous trees, one (1) evergreen tree and eight (8) shrubs are required to be planted and are in addition to any required replacement plantings due to woodland disturbance. Based on the 6,000 SF proposed building 12 deciduous trees, 6 evergreen trees and 48 shrubs are required. The applicant is requesting a waiver from providing 12 deciduous trees and 6 evergreen trees. (48 shrubs are provided.)
- 22.(W) §162-57.D.(1) - Per 100 linear feet of existing tract boundary where not coincident with existing road frontage, 1 deciduous tree 2 evergreen trees and 8 shrubs are required. Based on the

eastern and southern property lines linear footage, 4 deciduous trees, 8 evergreen trees and 32 shrubs are required. The applicant is requesting a partial waiver from providing 3 evergreen trees (5 are provided) and 2 shrubs (30 are provided). There is a 4-6-foot-high wall proposed along the southern property line that wraps along a portion of the eastern property line.

#### **IV. STORMWATER MANAGEMENT ORDINANCE REVIEW**

1. §152-110. – The applicant shall post financial security to the municipality for the timely installation and proper construction of all stormwater management facilities as required by the approved SWM site plan and this chapter.
2. §152-306.J(2) – All infiltration practices shall be set back at least 15 feet from all buildings and features with subgrade elements (e.g., basements, foundation walls, etc.). Clarify whether the proposed building has subgrade elements and label the distance from the building to the UG infiltration beds if applicable.
3. §152-306.J(3) – Setbacks from property lines and rights-of-way for all infiltration practices are to be consistent with accessory structures in the Zoning Ordinance, for the applicable zoning district. Note that the Zoning Ordinance states that no accessory structure shall be located within the front yard, nor within 10-feet of any rear or side lot line. SB-2 is located within the front yard setback from Ticonderoga Blvd. We suggest consideration be given to relocating SB-2 to be under the outdoor play area and not within the required front yard.
4. §152-306.O. – Appropriate permanent measures to prevent or collect sediment shall be installed prior to discharge to the infiltration system. We recommend Snout devices (or similar) be installed in inlets 100, 101 and 102 (inlet numbers per Utility Plan). Note that Infiltration Bed Sequence of Construction (Sheet 7) step #5 states that Snout inserts are proposed. Additionally, Construction Sequence note #8 (Sheet 10) should be revised to note the location of the Infiltration Bed Sequence of Construction. Provide details for the Snout devices and add maintenance procedures to the Stormwater O&M plan as well.
5. §152-306.P. – Where roof drains are designed to discharge to infiltration practices, they shall have appropriate measures to prevent clogging by unwanted debris (for example, silt, leaves and vegetation). Such measures shall include but are not limited to leaf traps, gutter guards and cleanouts. Show the downspouts and roof drains on the plan view.
6. §152-307.A and §152-308.A – The peak flow rate of the post-construction two-year, twenty-four-hour design storm shall be reduced to the predevelopment peak flow rate of the one-year, twenty-four-hour duration precipitation, using the SCS Type II distribution. Provide a flow summary table showing that all flow reductions have been met.

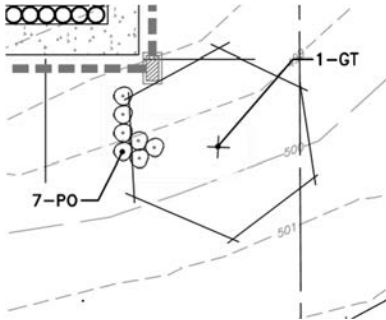
7. §152-402.A.(3) to (5) – Add the statements / signature blocks in these sections to the Stormwater Management Plan (Sheet 6).
8. §152-402.F.(2) and §152-701.D.(1), (2) and F(1) and (2), and §152-703.A. – An Operation and Maintenance agreement shall be prepared and submitted to the municipality for review and approval. The Stormwater Management Plans and the agreement shall be recorded.
9. §152-702.B.(4), §152-702.C., §152-702.D. and §152-702.E. – The statements in these sections shall be added to the Stormwater Management Plan.
10. §152-804 – The statements in this section shall be added to the Stormwater Management Plan.
11. Revise the “Total Post Development Runoff Volume Reduction” on page 15 of the report, as it does not appear correct.
12. Verify the bed width of SB-1 as well as the pipe lengths on the detail on Sheet 7, as it does not match the Summary for Pond in the report or the plan view. Verify the pipe dimensions in the SB-1 detail.
13. Provide stage-storage tables for SB-1 and SB-2.
14. Verify the 12-inch outlet pipe INV on the SB-1 OS detail, as it appears incorrect.
15. Verify that the inlet numbers match in the SB-1 detail and the Utility Plan.
16. Fencing is proposed over SB-2 which shall be revised.
17. Add the Blanket Stormwater Management Easement to the Stormwater Management Plan.

**V. GENERAL COMMENTS**

1. The requested landscaping waivers should be indicated on the record plan and a waiver request letter should be provided indicating the hardship necessitating the waiver.
2. The Lot consolidation should be shown on the Record Plan, not the existing conditions plan.
3. A preliminary design shall be provided for the retaining walls to verify that any required tie-backs will not conflict with the adjacent FedEx property.
4. Detail how the level spreader (3-feet deep) will be constructed directly adjacent to the retaining wall.

5. A temporary grading easement will be needed for the proposed offsite grading along Park Road.
6. Remove the limit of disturbance (LOD) from all plans except the Erosion & Sediment control plan.
7. Add the off-site grading to the LOD.
8. Provide a detail for the play area pervious surfaces.
9. Clarify the purpose of the 5-foot sidewalk segments at the doors along Park Road building frontage.
10. Revise General Notes #8 to indicate Upper Uwchlan Township (Honey Brook Township is currently noted) and revise the spelling of "March Creek" in General Notes #12 (should be Marsh Creek). Note this is General Notes #13 on some plan sheets.
11. Show all proposed curbing on the Landscape Plan.
12. Revise the text overwrite regarding OCF and survey limits on Sheet 10.
13. Revise the TP-1 and TP-2 labels to be visible (UG piping hides the text).
14. Clarify what appear to be swales in the front yards, as a very flat slope is provided to the inlet. Yard drains may be more appropriate.
15. The Sequence of Construction indicates orange construction fencing around infiltration areas, one of which is under the parking lot. Clarify how any earthwork or construction of parking lot can occur.
16. Clarify in the Sequence of Construction when pavement, sidewalk and the retaining walls are to be installed.
17. Remove reference to the Conservation District from the Sequence of Construction.
18. Remove / relocate the handicap building access notice from the existing conditions plan.

19. All planting islands, proposed curbing and entrance drives need to be shown on the Landscaping Plan (Sheet LP-1).



20. All stormwater BMP details (i.e., infiltration beds, level spreader) should be located on the Stormwater Management Plan. Add a notation to Sheets 5 and 6 indicating these sheets are to be recorded.
21. Verify that the detail for “sealing inlet grates with plywood per detail” (Infiltration Bed Sequence of Construction note #5, Sheet 7) is provided.
22. On Sheet 7: verify “maintaining the grass in and around the basin areas” in the Stormwater Management Facility Maintenance; revise “March Creek” in the Receiving Watershed Notice; verify the Adequacy of Discharge statement; verify the Level Spreader Outfall Contingency Plan discharge limits (“along the entire flowpath to the floodplain”); revise the BMP Maintenance Requirements title to include Erosion and Sediment for clarity.

## VI. TOWNSHIP TRAFFIC CONSULTANT COMMENTS BOWMAN

1. SALDO Section 162-9.H(1)(a) – As outlined in the trip generation analysis, the site will generate 572 total daily trips (320 new daily trips which accounts for a reduction of 252 daily pass-by trips), 132 total trips during the weekday morning peak hour (74 new weekday morning peak hour trips), and 134 total trips during the weekday afternoon peak hour (76 new weekday afternoon peak hour trips). Based on the Township’s traffic impact study requirements, a traffic impact study is required when a site generates 200 daily or 20 peak hour trips, and as such, a traffic impact study is required for this site. We recommend the traffic study should include an evaluation of the Park Road intersections with Ticonderoga Boulevard and Little Conestoga Road. In addition, the Pottstown Pike (S.R. 0100)/Park Road/Station Boulevard intersection should also be included in order to account for pass-by traffic. The traffic study should evaluate



existing conditions, as well as future build-out year traffic conditions both without and with the proposed daycare during the weekday morning and weekday afternoon commuter peak hours. Furthermore, due to the proposed driveway spacing with the Windsor Baptist driveways immediately to the north and south of the proposed driveway, the traffic study should include traffic counts at the two closest Windsor Baptist driveways to the north and south of the proposed site driveway.

2. SALDO Section 162-27.1 – This project is located within the C1 zoning district, and is subject to the Township’s access management standards. Based on the plan, we offer the following comments with respect to these standards:
  - a. Section 162-27.1.K(1) – The plans should be revised to provide truck turning templates for the largest anticipated vehicle to the site, as well as the Township’s largest emergency service vehicle. The truck turning templates will be used to determine the adequacy of the proposed site access/curb radii design and review of the internal site circulation.
  - b. Section 162-27.1.M(1) – This section of the ordinance would require the proposed driveway to align opposite the Windsor Baptist Church driveway across the street; however, if this is not feasible, justification, including the traffic study results, should be provided to support the proposed design.
  - c. It is our understanding that Windsor Baptist Church may be proposing an expansion to their existing facilities that may include a new/relocated access point along Park Road opposite Ticonderoga Boulevard. To the extent possible, the applicant should coordinate with Windsor Baptist regarding any proposed roadway improvements that should be considered for planning purposes as it relates to the proposed 241 Park Road site driveway.
3. SALDO Section 162-28.A – The plans should clearly label and dimension the existing legal right-of-way along the Park Road and Ticonderoga Road site frontages. Since both Park Road and Ticonderoga Road are classified as a minor collector roads, the half-width right-of-way along the site frontage should be 25 feet. 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)”.
4. SALDO Section 162-28 – Park Road should provide a half width of 16 feet along the site frontage, which is generally provided; however, in areas where it is less than 16 feet, please provide a minimum of 16 feet from the site driveway north to the intersection with Ticonderoga Boulevard, and modify the site access to locate the driveway curb returns to be set back 16 feet from the road centerline.
5. SALDO Section 162-41 – Sidewalk may be required on the Park Road and Ticonderoga Boulevard site frontages. The plan proposes sidewalk along a portion of the Park Road frontage

to connect the site parking lot and building entrances to the intersection of Park Road and Ticonderoga Boulevard. We believe this is sufficient, and we do not believe additional sidewalk is necessary on either road, as we note the Township's draft Active Transportation Plan does not envision a further extension of sidewalk along the Ticonderoga Boulevard site frontage or further to the south on the east side of Park Road. However, we recommend new curbing along the Park Road site frontage between the driveway and the corner at Ticonderoga Boulevard, as it will provide added protection for pedestrians, and since the existing limited section of curb is in poor condition.

6. ZO Section 200-73.H and 200-73.K – The proposed daycare requires one parking space per 300 square feet of gross floor area, and one parking space per employee, which equates to 50 parking spaces (i.e., 40 parking spaces for the building size, plus 10 parking spaces for the employees) as outlined in the parking tabulation on sheet 1. However, the plans propose a total parking supply of 39 parking spaces, and the applicant requests a modification of the parking requirements per ZO Section 200-73.K to allow a reduction in the required parking supply. Prior to the Township rendering a decision on this requested parking supply reduction, the applicant should provide technical justification to support the proposed parking supply. Furthermore, the Township Solicitor should review the requested parking reduction based on the requirements described in Section 220-73K.
7. ZO Section 200-75.H(3) – The following comments pertain to the sight distances at the proposed site access intersection:
  - a. The plans indicate adequate sight distance can be provided for traffic exiting the site looking the left with embankment regrading within the Park Road right-of-way south of the southern property line. The plans should be revised to show the full limits of the required sight distance and the design detail for the grading work necessary to achieve the required sight distance. Furthermore, in order to verify the proposed grading, the plans should include a profile of the sight distance line for traffic exiting the driveway looking to the left, including a six inch clearance between the sight line and the proposed ground line.
  - b. A speed study should be conducted along Park Road to determine the prevailing (i.e., 85th percentile) speed of traffic for use in calculating the required safe stopping sight distances for the site access intersection.
  - c. The plans should dimension and label the sight distances for left-turn vehicles entering the proposed driveway looking ahead and behind.
  - d. The plans should include a PennDOT-style sight distance note which states the required sight distances, as follows. The required sight distances should be based on the results of the speed study requested above.

"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 curblane 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."

8. The ADA curb ramp located on the southeast corner of the Park Road/Ticonderoga Boulevard intersection, as well as the receiving ramp on the northeast corner, should be upgraded to meet current ADA requirements. Detailed curb ramp designs should be provided for review. The detailed designs should include separate grading details (including spot elevations at all proposed grade changes), and all dimensions for construction, including widths, lengths, and all slopes to assist during construction. In addition, please label all proposed curb ramp types, and provide the appropriate PennDOT curb ramp details and notes on the detail sheets. In addition, the existing asphalt curb ramps in these locations should be completely removed in favor of a concrete curb ramp.
9. The plans should be revised to provide a Stop (R1-1) sign and 24-inch painted stop bar along the site access approach to Park Road.
10. 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 Townships Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. As such, based on the trip generation calculations provided by the applicant's traffic engineer, the site will generate 76 new weekday afternoon peak hour trips. Furthermore, the existing home on the site would generate one new weekday afternoon peak hour trip, which can be credited against the total Transportation Impact Fee for the site. As such, the number of trips subject to the Township's Transportation Impact Fee is 75 (76 new trips generated by the proposed site minus one trip generated by the existing home), and the resultant Transportation Impact Fee is **\$175,050**.

## **VII. TOWNSHIP PLANNING CONSULTANT COMMENTS**

### **BRANDYWINE CONSERVANCY**

1. The proposed development is located within the area identified in the 2014 Upper Uwchlan Comprehensive Plan's Future Land Use Map as Village, areas that would continue to be limited to residential infill that is consistent with current historic structures, considers adaptive reuse of historic buildings for residential purposes, and that consider open space, buffering, and pedestrian needs. More specifically, the proposed development falls within the Eagle Village-

Village of Eagle/Byers Concept Plan of the 2014 Comprehensive Plan, an update to which is currently underway.

The 2014 Village Concept Plan identifies several planning objectives for the village, which include maintaining its visual integrity, preserving Class I and Class II historic resources, providing controlled access to Graphite Mine Road, ensuring traffic access management, enhancing interconnectivity for pedestrians, and providing consistent streetscapes and ample civic spaces throughout.

The proposed development sits on the very edge of the Turnpike sub-area for the 2014 Village Concept Plan, which envisions this area being utilized for larger scale commercial uses, as well as office buildings and light industrial uses.

While the proposed development appears to align with the general goals of the 2014 Village Concept Plan, it does sit at the edge of an area designated for heavier land uses. As such, the Township and applicant should ensure the plant material chosen for the southern property boundary adjacent to parcel 32-3-69.4 is appropriate and would provide adequate screening between the two uses.

2. The Brandywine Conservancy notes the applicant intends to seek modifications to the parking requirements under Section 200-73K of the Zoning Ordinance. Given the nature of the proposed use (pick-up and drop-offs at a day care facility tend to occur over a more prolonged time than at a traditional K-12 institution), the Brandywine Conservancy is in support of this modification request. However, the Township and applicant might consider exploring options for shared parking that might be utilized by staff who work at the day care center.
3. The applicant proposes the use of 2 'Twilight' Crape Myrtle's on the plan. The Township might consider requesting native alternatives, such as eastern redbud (*Cercis canadensis*) or fringe tree (*Chionanthus virginicus*) for the environmental benefits that native species provide. Both are small, compact trees that provide attractive, spring flowers and color. In addition, there are several redbud cultivars that have attractive foliage (Forest Pansy, Rising Sun) that provide for additional seasonal interest.
4. The Township should ensure the applicant has made every effort to conform to the landscaping requirements under Section 162-57 of the Township Code.
5. It is noted that the Landscape Plan is drawn on the existing topography of the site. It is suggested the Landscape Plan include the as-built grade for the property.
6. While not marked specifically on the Plans, it appears that a shallow depression will exist in the northwest corner of the property. If so, and this is part of the proposed stormwater management for the property, consideration should be given to incorporating native vegetation

into this swale for added interest and enhanced environmental benefits, as opposed to turf grass that provides little environmental benefit and can, over time, limit infiltration.

7. The Brandywine Conservancy notes the inclusion of a 5' pedestrian sidewalk along most of the frontage along Park Rd. This will provide for pedestrian access to the facility from nearby residential areas, such as the Townes at Chester Springs, reducing the need for additional vehicular trips and lowering parking needs at the site during drop-off and pick-up times. It also enhances the growing pedestrian network in the Township.
8. Given the proposed development is within the C-1 zoning district, the Township should ensure the applicant is in compliance with the applicable design standards set forth in Section 200-36 of the Township Code, including that the structure be designed with either a traditional village architectural character or be a contemporary expression of traditional styles and forms. Given the proximity of the development to Windsor Baptist Church, a historic resource in Upper Uwchlan Township, the Brandywine Conservancy suggests the Historical Commission review the plans and architectural drawings. In addition, the Township might consider seeking the advice of the Township's Historic Resource Consultant on the proposed schematic of the facility.

**VIII. TOWNSHIP SEWER CONSULTANT COMMENTS**  
**ARRO CONSULTING, INC.**

1. The site is currently a single-family dwelling. Plans proposed the demolition of the existing single-family home and the construction of a two-story office daycare facility, a play area and parking lot. Based on discussions with the applicant's engineer, the anticipated building capacity is 120-125 children with approximately 20 employees. We estimate the anticipated usage to be 675 gallons per day (GPD) or three (3) equivalent dwelling units (EDUs). The required capacity will need to be purchased by the applicant. We recommend the Township reserve the right to review water usage in the future and require the purchase of additional sanitary sewer capacity if warranted.
2. The following notes shall be on the plan:
  - All sanitary sewer improvements must be provided and installed in accordance with the Upper Uwchlan Township Municipal Authority Technical Specifications for the Construction of Sewer Mains and Appurtenances to be connected to the public sewer system.
  - The Authority Engineer shall be notified 48 hours prior to the beginning of sanitary sewer construction.

- The existing on-lot septic system shall be decommissioned in accordance with the Chester County Health Department requirements.
  - Wastewater discharge shall be in compliance with the Regulations for the Discharge of Non-Residential Waste into the Upper Uwchlan Township Municipal Authority's Sewerage System, Resolution #10-20-04-15, dated October 20, 2004. The Township personnel and/or agents shall have access to site for implementation of this resolution.
  - A record (as-built) plan must be submitted to the Authority Engineer.
3. Sewage facilities planning approval will need to be obtained by the Pennsylvania Department of Environmental Protection (PADEP). The current planning approval for this site should be confirmed prior to submission.
  4. The proposed invert elevation into the existing sanitary sewer manhole on Park Road should be identified on the profile. It shall also indicate that the connection needs to be core-drilled and include a water-tie boot.
  5. The appropriate Standard Authority Sanitary Sewer Details shall be added to the plans.
  6. An appropriately-sized grease interceptor shall be provided for any proposed kitchen facilities.
  7. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

#### **IX. HISTORIC COMMISSION COMMENTS**

1. Approve daycare center as conditional use.
2. If 241 Park Road is within 250 feet of the historic Windsor Baptist Church or its parsonage, an historic resources impact statement is required, unless waiver is requested and waiver approved by BOS.
3. In the alternative, an historic resources impact statement is required even if 241 Park Road is more than 250 feet from Windsor Baptist Church or parsonage because 241 Park Road house is "identified" in the Historic Resources Inventory, although without categorization or supporting files.
4. Although unclear if 241 Park Road house is a protected "historic structure" under Section 200-36, due to its relatively recent 1951 building date and lack of architectural significance, the house (and more modern outbuildings) may be demolished

Mr. Tony Scheivert, Upper Uwchlan Township Manager  
Reference: 241 Park Road  
Preliminary Land Development Review  
Upper Uwchlan Township, Chester County, PA  
File No. 23-12026  
January 5, 2024

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5. Request that Planebrook Partners, LLC demonstrate that its submitted architectural designs for the proposed daycare center are consistent with, and promote, purposes and standards set forth for the C-1 Village Zoning District, including, but not limited to, by providing more details about proposed design and sample materials.
6. Request that Planebrook Partners, LLC provide more information on the proposed signage and exterior building art (duck tracks) to determine if it complies with the C-1 Village Zoning District signage requirements under Ordinance Section 200-98H and other applicable signage sections.

This concludes our first review of the above referenced preliminary land development application. We would recommend the plans be revised to address the above referenced comments. If 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 Township Planning Commission Members  
Upper Uwchlan Township Board of Supervisors  
Upper Uwchlan Historic Commission  
Gwen Jonik, Township Secretary  
Kristin Camp, Esq., BBM&M  
Rob Daniels, ASLA, Brandywine Conservancy  
Christopher J. Williams, P.E., McMahon Associates, Inc.  
David Schlott, P.E., ARRO Consulting, Inc.  
Victor Kelly, Jr., P.E., Commonwealth Engineers, Inc.  
Andrew Pancoast, 241 Park Avenue, LLC  
Scott Risbon, Planebrook Partners, LLC

# **Upper Uwchlan Township Historical Commission**

**241 Park Road Conditional Use and Land Development Plan Applications and  
Land Development Plan: Impact on Historic Resources — with Revised Final  
Approved Recommendations**

**From January 3, 2024 Meeting — Prepared 1/4/2024 by Vivian S. McCardell, Chair Historical Commission**



# Conditional Use Application and Impact Statement & Preliminary Land Development Application and Plan

- Planebrook Partners, LLC (Scott Risbon, Managing Partner) submitted Conditional Use Application and Impact Statement, dated December 6 and 4, 2023, respectively, and Preliminary Land Development Application and Plan, dated December 1 and 13/14 respectively, for 241 Park Road
- Submissions propose following actions:
  - Consolidate two parcels
  - Demolish existing house and outbuildings
  - Construct daycare facility with play area
  - Add parking for 39 vehicles and access from Park Road
  - Add sidewalk along Park Road
- Property is located in C-1 Village Zoning District
- New daycare building would be 6,000 square foot, two story facility with total gross floor area of 12,000 square feet and separate play area of 3,000 square feet
- Anticipated capacity of 120 to 125 children and 20 employees operating Monday through Friday
- Daycares are permitted with conditional use approval under Township zoning ordinances

# 241 Park Road

- 241 Park Road house first appears as historic resource on Township's Historic Map Update, dated April 9, 2007 and 2008 Historic Resource Inventory list as historic resource #164 without any categorization as Class I or Class II
- 241 Park Road house is one of 56 new, 50+ year old sites reflected on Township's Historic Map Update and 2008 Inventory without categorization or any supporting files
- House is small frame building that first appears on historic aerials in 1951
- 241 Park Road is across street from historic Windsor Baptist Church complex (historic resources #s 84 and 85) and adjacent to historic resource #165, another new site from 2007/2008

# Is Historic Resources Impact Statement Required?

- Section 162-9H(5)(a) — Historic Resources Impact Statement Applicability
  - Unless waived, historic resources impact statement required when any action listed below proposed within 250 feet of historic resource as identified in Township's Historic Resource Inventory
  - Actions requiring historic resources impact statement include (among other things)
    - 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
    - Other land development, land disturbances, or exterior structural alteration
    - Any conditional use application
- Section 162-9H(5)(c) — Impact statement must be prepared by qualified professional in historic preservation, historical architecture, planning or related disciplines and presented for discussion at an Historical Commission meeting
- Section 162-9H(5)(e) — Impact statement must be reviewed by Historical Commission and its evaluation and recommendations provided in written report

## Is Historic Resources Impact Statement Required?

- If 241 Park Road is within 250 feet of historic Windsor Baptist Church or its parsonage (historic resources #s 84 and 85, respectively, on Township's Historic Resource Inventory), historic resources impact statement is required since conditional use application submitted and land development plan proposes construction of new building, driveway, parking area, etc., unless waiver is requested and waiver approved by BoS
- Historic resources impact statement may also be required even if 241 Park Road is more than 250 feet from Windsor Baptist Church or parsonage because 241 Park Road house is "identified" in Historic Resources Inventory, although without categorization or supporting files

# May 241 Park Road House be Demolished under C-1 Village District Ordinances?

- Ordinance Section 200-36A — Preservation of Historic Resources
  - Within C-1 Village District, historic structures and other historical resources, including historic ruins or sites... shall be preserved to the greatest degree practicable
  - Within C-1 Village District, no historic structure shall be removed or demolished except where approved by Township, upon recommendation of Planning Commission and Historical Commission
  - Township approval of demolition requests shall not be unreasonably withheld where applicant demonstrates renovation or reuse of subject structure is not practicable
- If 241 Park Road house is considered “historic structure,” it may only be demolished if approved by Township upon recommendation Planning and Historical Commissions
- Section 200-7 defines “historic structure” as structure that is (among other things), individually listed on local inventory of historic places in communities with certain certified historic preservation programs
- Although unclear if 241 Park Road house is “listed” on specified local inventory and falls within “historic structure” definition, due to its relatively recent 1951 building date and lack of architectural significance, Historical Commission may have no objection to its demolition

# Does Proposed Daycare Center Comply with C-1 Village District Design Standard Ordinance Requirements?

- Section 200-36B(1)(b),(c),(2) — Architectural Design
  - To extent practicable, all new construction and/or additions to existing structures within C-1 Village District shall be designed with either traditional village architectural character or may be contemporary expression of traditional styles and forms, respecting scale, proportion, roof pitch, character, and materials of historic examples in Byers, Eagle and surrounding area, in accordance with following standards:
    - ▶ New construction shall generally have pitched roofs with overhanging eaves
      - Where flat roofs are provided, they shall be articulated with parapets and cornices.
      - Desired materials on pitched roofs include slate (natural or manmade), shingle (wood or asphalt composition) and metal formed to resemble “standing seams”
      - Roof color should reflect local traditional use of color, and shall specifically exclude white, tan or blue shingles, red clay tiles, and corrugated metal or other corrugated material
      - Use of fascias, dormers, and gables is encouraged to provide visual interest

## **Does Proposed Daycare Center Comply with C-1 Village District Design Standard Ordinance Requirements?**

- ▶ Exterior wall materials may include stucco, wood clapboard (including vinyl or aluminum imitation clapboard siding), native stone, brick or other material of shape, color and texture similar to that found on historic structures in vicinity
- For all principal and/or accessory uses...applicant shall provide drawings of sufficient detail to illustrate character of intended exterior design of structures, including scale, height, roof pitch, relationship between varying facade elements, and other principal exterior materials
- ▶ Township may require material samples also be provided
- ▶ It shall be burden of applicant to demonstrate that submitted architectural designs are consistent with, and promote, purposes and standards set forth for C-1 Village District

## **Does Proposed Daycare Center Comply with C-1 Village District Design Standard Ordinance Requirements?**

- Under C-1 Village District Ordinances, proposed daycare center must comply with design standards for new construction
- Before approval of land development plan, as required under Township Ordinance Section 200-36, Planebrook Partners, LLC should demonstrate that its submitted architectural designs for proposed daycare center are consistent with, and promote, purposes and standards set forth for C-1 Village District, including, but not limited to, providing more details about proposed design and sample materials
- In addition, more information is needed to determine if proposed signage and exterior building art (duck tracks) comply with C-1 Village District signage requirements of Ordinance Section 200-98H and other applicable sections



# Final Approved Recommendations from January 3, 2024 HC Meeting

## Background:

- ▶ Planebrook Partners, LLC submitted a Conditional Use Application and Impact Statement and Preliminary Land Development Application and Plan for 241 Park Road which is located in the C-1 Village Zoning District
- ▶ Planebrook Partners, LLC proposes to consolidate two parcels, demolish the existing house and outbuildings, construct a 2-story 12,000 sq. ft daycare facility with a 3,000 sq. ft play area for 120 to 125 children and 20 employees, add parking for 39 vehicles, access from Park Road and a sidewalk along Park Road
- ▶ Daycares are permitted with conditional use approval by Board of Supervisors under Township zoning ordinances
- ▶ The 241 Park Road house is historic resource #164, first seen on Township's 2007 Historic Map Update and 2008 Historic Resource Inventory (but without categorization or supporting files), located adjacent to historic resource #165 (also first seen on 2007 Historic Map Update and 2008 Inventory) and is across the street from the Windsor Baptist Church Complex (historic resources #s 84 and 85)
- ▶ Township Ordinance Section 162-9H(5) requires an applicant to provide an historic resources impact statement under certain circumstances to better inform the Planning and Historical Commissions and the Board of Supervisors on the proposed project and Section 200-36 protects "historic structures" from demolition, unless approved by the Township (upon recommendations from Planning and Historical Commissions) and provides design standards for new construction

## Recommendations to Planning Commission and Board of Supervisors, as applicable:

- ▶ Approve daycare center as conditional use
- ▶ If 241 Park Road is within 250 feet of the historic Windsor Baptist Church or its parsonage, an historic resources impact statement is required, unless waiver is requested and waiver approved by BoS
- ▶ In the alternative, an historic resources impact statement is required even if 241 Park Road is more than 250 feet from Windsor Baptist Church or parsonage because 241 Park Road house is "identified" in the Historic Resources Inventory, although without categorization or supporting files
- ▶ Although unclear if 241 Park Road house is a protected "historic structure" under Section 200-36, due to its relatively recent 1951 building date and lack of architectural significance, the house (and more modern outbuildings) may be demolished
- ▶ Request that Planebrook Partners, LLC demonstrate that its submitted architectural designs for the proposed daycare center are consistent with, and promote, purposes and standards set forth for the C-1 Village Zoning District, including, but not limited to, by providing more details about proposed design and sample materials
- ▶ Request that Planebrook Partners, LLC provide more information on the proposed signage and exterior building art (duck tracks) to determine if it complies with the C-1 Village Zoning District signage requirements under Ordinance Section 200-98H and other applicable signage sections



UPPER UWCHLAN TOWNSHIP  
140 Pottstown Pike  
Chester Springs, PA 19425  
610-458-9400 Fax 610-458-0307

CONDITIONAL USE APPLICATION

Tax Parcel Number: 3204 0037 0000  
3204 0038 0800 Date: \_\_\_\_\_  
Name of Applicant: Planebrook Partners, LLC, Attention: Scott Risbon, Managing Partner  
Address: c/o 114 East Lancaster Avenue, 2nd Floor, Downingtown, PA 19335  
Telephone: 610 637 1975 Email: scottrisorbon@earthcareinc.org

Owner of Parcel: 241 Park Avenue, LLC  
Address / Location of Parcel: 32-4-37: 241 Park Road; 32-4-38.8: 235 Park Road  
Zoning District: C1 Existing Use: Parcel # 32-4-37 contains 1 existing single-family dwelling  
Article / Section Authorizing Conditional Use: Article VIII, C-1 Village District, Section 200-33.B(3) Day-care center  
Description of Proposed Conditional Use: Consolidation of the two parcels. Demolition of existing single-family dwelling & outbuildings. Proposed construction of a 6,000 sf, two story daycare facility (total gross floor area of 12,000 sf) with a play area (approx. 3,000 sf), parking and associated stormwater management. Public sewer and water are proposed.


This Application shall be accompanied by:

1. A fee of \$500.00 for Non-Commercial or \$1,000.00 for Commercial/Industrial;
  2. Four (4) printed copies and an electronic copy of:
    - parcel plot plans (half of which can be of reduced size, i.e. 11 x 17)
  3. Three (3) printed copies and an electronic copy of:
    - impact statements (if applicable pursuant to the Township's Zoning Ordinance §200-83),
    - and any other information pursuant to Zoning Ordinance §200-116, §200-117 (Conditional Uses, Conditional Use Standards).
- The Applicant will be responsible for reimbursing the Township for Consultants' Fees and Legal Fees, and if additional Hearings are necessary, a Fee will be charged for each Additional Hearing:  
Non-Commercial \$250.00/Hearing; Commercial/Industrial \$500.00/Hearing

I hereby depose and say that all of the above statements, and the statements contained in any papers submitted herewith, are true to the best of my knowledge and belief.

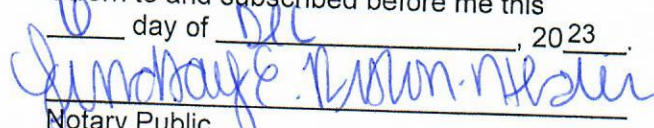
Scott Risbon, Managing Partner  
Planebrook Partners, LLC

Printed Name of Applicant

  
Signature of Applicant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER

Sworn to and subscribed before me this  
10 day of Dec, 2023.

  
Notary Public

Commonwealth of Pennsylvania - Notary Seal  
Lindsay E. Risbon-Herbein, Notary Public  
Chester County  
My commission expires October 23, 2025  
Commission number 1322329  
Member, Pennsylvania Association of Notaries

**CONDITIONAL USE IMPACT STATEMENT  
FOR  
241 PARK ROAD  
December 4, 2023**

Client Name:	Planebrook Partners, LLC
Property:	3204 0037 0000 located at 241 Park Road 3204 0038 0800 located at 235 Park Road
Zoning District:	C1 Village District
Nature of Development:	Daycare Facility
Combined Gross Acreage:	0.819 +/- acres
Current Sewer/Water Service:	On lot water and sewer unused by vacant house.
Proposed Sewer/Water Service:	Public Water & Public Sewer

The property consists of two parcels:

- (a) 235 Park Road, which is more fully described as Chester County UPI No. 32-4-38.8 is undeveloped. The rear of the property abuts the Federal Express facility on Ticonderoga Blvd.; and
- (b) 241 Park Road, which is more fully described as Chester County UPI No. 32-4-37, which is developed with single-family dwelling and outbuilding, which have been unused for years.

Planebrook Partners, LLC plans to combine two parcels totaling 3.393 acres (gross) (together, the "Property") and construct a two-story, 6,000 sf (12,000 total gross floor area) daycare facility, access drive from Park Road, play area (approximately 3,000 sf), parking lot and associated stormwater management infrastructure.

The facility will operate Monday through Friday during normal business hours with an anticipated capacity of 120-125 children and 20 employees.

The proposed project is permitted with Conditional Use Approval per Section 200-33.B(3) of the Upper Uwchlan Township Zoning Ordinance. The applicant is also pursuing a modification of parking requirements pursuant to the Township Zoning Ordinance Section 200-73.K. As a daycare facility is a permitted use, it is not contrary to public health safety or welfare.

External access locations and interior traffic circulation will be designed in accordance the Township ordinance to allow adequate and safe use by the users as well as compliance for use of emergency vehicles.

Approval from Aqua Pennsylvania for firefighting purposes and water use by the facility will be obtained, as well as sewer approvals from the Township.

Sidewalk is proposed along Park Road to improve pedestrian traffic and access.

The landscaping and lighting will be designed per the Township Ordinance. The adjoining properties include a Federal Express Depot (abutting the project parcels on two sides), the Windsor Baptist Church/Windsor Christian Academy with recreation area, across from the project area, which contains

both school and church buildings and a dentist office across Ticonderoga Road, therefore noise would not be a factor for the proposed daycare facility.

# Memorandum

To: Victor Kelly Jr., PE

From: Erik Hetzel, AICP/PP, LEED AP

Date: November 15, 2023

Re: Fiscal Impact Analysis – Proposed Daycare Facility, 241 Park Road

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Planebrook Partners, LLC is proposing to construct a 12,000-square-foot daycare facility on the property located at 241 Park Road in Upper Uwchlan Township, Chester County, Pennsylvania. Along with site improvements that will generate additional real estate tax revenue for the Township, the applicant expects to create approximately 18 jobs at the site. It is projected that the proposed development will result in beneficial, net-positive annual fiscal impacts to both Upper Uwchlan Township and the Downingtown Area School District, as described in Table 1.

**Table 1**  
**Summary of Annual Fiscal Impacts**

	<b>Tax Revenues</b>	<b>Expenditures</b>	<b>Net Fiscal Impact</b>
Upper Uwchlan Township	\$2,050	(\$1,784)	<b>\$266</b>
Downingtown Area School District	\$37,961	\$0	<b>\$37,961</b>
<b>TOTAL</b>	<b>\$40,011</b>	<b>(\$1,784)</b>	<b>\$38,227</b>

Fiscal impacts presented in this analysis were estimated using a methodology developed by the Rutgers University Center for Urban Policy Research, as originally described in The New Practitioner's Guide to Fiscal Analysis<sup>1</sup> and further developed in a

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<sup>1</sup> Burchell, Robert W., David Listokin, et al. *The New Practitioner's Guide to Fiscal Impact Analysis*, New Brunswick, NJ: Rutgers, The State University of New Jersey, 1985.



later publication by the same authors entitled Development Impact Assessment Handbook<sup>2</sup>.

### **Revenue Impacts**

**Real Estate Property Tax** - At project completion, the portion of the building dedicated to the proposed use will have a total market value of approximately \$3.5 million, which translates to an assessed value of approximately \$1,258,993. This assessment calculation is based on the current (2023-2024) Chester County common-level ratio of 2.78, which estimates assessed value at approximately 35.97% of market value. The Township levies the real estate tax at the rate of 1.034 mills, which will generate approximately \$1,302 annually to the Township. The School District millage rate is currently 29.558 mills, which applied the assessment describe above, will generate approximately \$37,213 in real estate taxes to the School District annually.

**Earned Income Tax (EIT) Revenues** – Workers who reside in Upper Uwchlan Township pay the EIT at the rate of 1.0%, with 0.5% going to each the Township and School District. The EIT is also levied at the rate of 1.0% on non-residents who do not pay the EIT in their home jurisdictions with the full amount of the tax going only to the Township. The applicant estimates that the proposed use will create 18 jobs at this location with an estimated mean annual wage of \$29,920 per employee<sup>3</sup>. We cannot project where these employees will reside, nor whether they will be paying the EIT to their home jurisdictions. Hence, we conservatively assume that 25% of the workers (or, 5 of the total 18 workers) will be eligible to pay the EIT as Township residents. Under the foregoing assumptions, the EIT will generate revenues totaling \$748 to the Township and \$748 to the School District.

### **Regional Economic Impacts**

The proposed development will have a beneficial economic “ripple effect” in the local economy, as the new employees use goods and services in and around Upper Uwchlan Township. In addition, the building improvements will provide construction jobs and result in construction-related consumption expenditures in the local and

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<sup>2</sup> Burchell, Robert W., David Listokin, et al. *Development Impact Assessment Handbook*. Washington, D.C.: ULI-the Urban Land Institute, 1994.

<sup>3</sup> Occupation title “Childcare Workers” from U.S. Bureau of Labor Statistics, *Occupational Employment and Wage Statistics, May 2022 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates, Philadelphia-Camden-Wilmington, PA-NJ-DE-MD*  
<[https://www.bls.gov/oes/current/oes\\_37980.htm#39-0000](https://www.bls.gov/oes/current/oes_37980.htm#39-0000)>

regional economies. These impacts are not reflected in the summary table included in this memorandum but will provide economic benefits over and above the annual revenues described therein.

### **Cost Analysis**

Annual Township and School District expenditures attributable to the proposed development were projected using the Per Capita Multiplier Method described in the Development Impact Assessment Handbook. In calculating the per capita expenditure value for the Township, the methodology uses information from the current (2023) Township budget and accounts for the fact that costs are divided differently among serving both residential and non-residential portions of the Township, based on the actual mix of land uses provided by the County Board of Assessment. This analysis estimates annual per capita costs at \$99.11 per employee. Overall, it is estimated that the proposed development will result in Township costs totaling approximately \$1,784 annually, which is essentially offset by revenues totaling \$2,050 annually from the tax sources described previously.

The proposed development of this non-residential use will not generate any school-aged children and hence, will not result in additional costs for the School District.

### **Conclusions and Summary**

In conclusion, the net positive fiscal impact in terms of projected revenues over costs for Upper Uwchlan Township is expected to be over \$260 annually at project completion, essentially paying for itself in terms of Township services. The projected net positive fiscal impact on the Downingtown Area School District is projected to be more significant at over \$37,000 per year. The combined net positive fiscal impact for both taxing authorities is estimated at over \$38,000 annually. Table 2 on the next page summarizes the project details and fiscal impacts to the Township and School District.

**Table 2**  
**Summary of Project Details and Fiscal Impacts**

<b>Project Details - 241 Park Road Daycare Facility</b>	
Non-Residential Square Feet	12,000
Market Value of Proposed Development	\$3,500,000
Assessed Value (approx. 35.97% of market value)	\$1,258,993
New Residential Population	0
New School-Aged Children	0
New Employees	18
Annual Wages per Employee	\$29,920
<b>Upper Uwchlan Township Fiscal Impacts</b>	
Real Estate Tax Revenue (1.034 mills)	\$ 1,302
Earned Income Tax Revenue (0.5%)	\$ 748
Total Township Revenues	\$ 2,050
Total Township Expenditures	\$ (1,784)
<b>Net Township Fiscal Impact</b>	<b>\$ 266</b>
<b>Downingtown Area School District Fiscal Impacts</b>	
Real Estate Tax Revenue (29.558 mills)	\$ 37,213
Earned Income Tax Revenue (0.5%)	\$ 748
Total School District Revenues	\$ 37,961
Total School District Expenditures	\$ -
<b>Net School District Fiscal Impact</b>	<b>\$ 37,961</b>
<b>Total Development-Generated Revenues (Township + School District)</b>	<b>\$ 40,011</b>
<b>Total Development-Generated Expenditures (Township + School District)</b>	<b>\$ (1,784)</b>
<b>Total Net Annual Fiscal Impact (Township + School District)</b>	<b>\$ 38,227</b>



## Erik W. Hetzel, AICP/PP, LEED AP

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### Education

1993: B.A. Geography and Planning,  
West Chester University

2000: Master of Regional Planning,  
University of Pennsylvania

### Professional Certifications

American Institute of Certified Planners

Professional Planner, State of New  
Jersey (License No. 33LI00621700)

### Professional Affiliations

American Planning Association

Pennsylvania Planning Association

Mr. Hetzel provides professional consulting services to public and private sector clients seeking a wide range of land planning expertise. He has a diverse background in geography, land planning, community/fiscal/environmental impact analysis, technical management, project management, and in the application of geospatial technologies to planning and engineering projects. He has been qualified as an expert to testify before numerous municipal zoning, planning, and elected boards and commissions; prepared community fiscal and environmental impact analyses; coordinated the development and adoption of local and multi-municipal comprehensive plans; applied land planning and fiscal analysis expertise to complex tax appeal assessment cases; analyzed and drafted zoning ordinances; and managed the preparation of site designs and site plans. He maintains a high proficiency using Geographic Information Systems (GIS) for mapping projects and land planning analyses.

Mr. Hetzel's professional experience spans more than twenty-five years working at principal and senior-level positions in private-sector and non-profit organizations. In 2014, Mr. Hetzel established EH Creative Services, a professional land planning consulting practice. Previously, he spent eleven years working at Glackin Thomas Panzak Inc., a privately-owned land planning and landscape architecture firm in Paoli, PA. Before that, he held a position at Environmental Systems Research Institute (ESRI), where he used his extensive GIS and planning experience leading enterprise GIS solutions for county and local governments. Prior to his tenure at ESRI, Mr. Hetzel spent twelve years at Weston Solutions, Inc. as a Technical Manager, working on projects that ranged from planning and engineering consulting for municipal governments, to complex environmental analyses and assessments on large projects of regional scope.

Mr. Hetzel resides in Paoli, Pennsylvania, and has served on numerous municipal boards and commissions. He currently serves on the Open Space Review Board in Willistown Township. He is a past member of the East Whiteland Township Planning Commission, where he served as Chairman for three years. In that role, he was the liaison between the Township Environmental Advisory Council and the township's Planning Commission. Mr. Hetzel has also served on the West Whiteland Township Planning Commission and spent two years as West Whiteland's delegate to the West Chester Regional Planning Commission.



**HEINRICH & KLEIN  
ASSOCIATES, INC.**

**TRAFFIC ENGINEERING & PLANNING**

1134 Heinrich Lane • Ambler, Pennsylvania 19002

215-793-4177 • FAX 215-793-4179

**MEMORANDUM**

TO: Victor Kelly, P.E.  
Commonwealth Engineers, Inc.

FROM: Andreas Heinrich, P.E., P.T.O.E.

DATE: November 27, 2023

RE: Trip Generation Analysis  
Proposed Child Day Care Center Canal - Park Road  
Upper Uwchlan Township, Chester County, PA

As requested, please accept the results of this Trip Generation Analysis for a Child Day Care Center proposed along the east side of Park Road in Upper Uwchlan Township, Chester County, Pennsylvania. The site is occupied by a single family detached house. It is my understanding the existing house will be demolished and the site will be developed for a child day care center (12,000 square feet). Access to the site will be provided via a full movement driveway that will intersect Park Road at a point approximately 210 feet south of Ticonderoga Boulevard.

Park Road is a two-way, two-lane local road. Park Road provides one travel lane in each direction. The posted speed limit along Park Road is 35 miles per hour. The frontage of the site is situated within a school zone for the Windsor Christian Preschool & Academy with a 15 MPH flashing beacon.

Based on the size of the proposed building, estimates of new traffic demand can be calculated for the proposed development. The anticipated traffic generation of the proposed child day care center is estimated from trip generation data compiled by the Institute of Transportation Engineers and documented in the publication entitled Trip Generation Manual<sup>(1)</sup>. The Trip Generation Manual is a commonly accepted resource to establish

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(1) Trip Generation Manual, 11<sup>th</sup> Ed., Institute of Transportation Engineers, Washington DC, September, 2021.

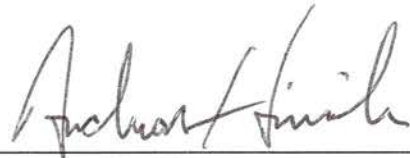
traffic generation of various land uses. Table 1 presents the calculated vehicular trip generation rates for the proposed development. Application of these rates to the size of the proposed development produces the daily and peak hourly traffic volumes presented in the bottom of Table 1.

As shown in Table 1, after deducting for pass-by trips, it is anticipated that the proposed child day care center will generate a total of 320 new trips per day (total inbound and outbound). It is anticipated that the proposed child day care center will generate a total of 74 new trips per hour during the weekday morning peak hour and 76 new trips per hour during the weekday afternoon peak hour.

The access driveway will be constructed 24 feet wide to provide one entry lane and one exit lane, with right turn corner radii to accommodate the appropriate design vehicle.

Based on the posted speed limit of 35 miles per hour along Park Road, it is desirable to provide safe sight distance of 440 feet to the left and 350 feet to the right of the access driveway, as measured from a position 10 feet back of the pavement edge along Park Road. Observations reveal that, with proper grading and removal of vegetation along Park Road, there will be adequate sight distance in excess of 450 feet in both directions along Park Road.

If you should have any questions, or wish to discuss these calculations in greater detail, please call me at your convenience.

A handwritten signature in black ink, appearing to read 'Andreas Heinrich', is written over a horizontal line.

Andreas Heinrich, P.E., P.T.O.E.  
Principal

AH:rh

**TABLE 1**  
**TRAFFIC GENERATION CHARACTERISTICS**  
**CHILD DAY CARE CENTER**  
**UPPER UWCHLAN, CHESTER COUNTY, PENNSYLVANIA**

<u>TRIP RATES<sup>(1)</sup></u>							
<u>Description</u>	<u>Daily</u>	<u>Morning Peak Hour</u>			<u>Afternoon Peak Hour</u>		
		<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
Child Day Care Center (12,000 SF) <sup>(2)</sup>	47.62	5.83	5.17	11.00	5.23	5.89	11.12
 <u>TRAFFIC VOLUMES</u>							
Child Day Care Center (12,000 SF)	572	70	62	132	63	71	134
Pass-by Trips <sup>(3)</sup>	252	29	29	58	29	29	58
TOTAL EXTERNAL TRIPS	320	41	33	74	34	42	76

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(1) *Trip Generation Manual*, 11th Edition, Institution of Transportation Engineers, Washington, D.C., 2021 (ITE Land Use Code 565).

(2) Trips per 1,000 square feet (SF) of floor space.

(3) *Trip Generation Handbook*, 3rd Edition, and supplement, Institution of Transportation Engineers, Washington, D.C., 2017.



**UPPER UWCHLAN TOWNSHIP**  
Planning Commission Meeting  
December 14, 2023  
6:00 p.m. Workshop, 7:00 p.m. Meeting  
Minutes  
**Draft**

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

**Attendees:**

Sally Winterton, Chair; Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi (meeting),  
Jim Dewees, Vikas Harjani

Anthony Campbell, Zoning Officer (workshop)  
Mary Lou Lowrie, Gilmore & Associates  
Gwen Jonik, Planning Commission Secretary

Absent: Stephen Fean, Jeff Smith, Ravi Mayreddy

Sally Winterton called the workshop to order at 6:05 p.m.

Residential zoning district uses and in-law quarters as an accessory use were the topics of discussion. Anthony Campbell advised that we'd like to provide a way for folks to live independently without making the residents go to the Zoning Hearing Board for a variance. A draft ordinance amendment to allow in-law quarters as an accessory use, whether attached or detached, was circulated. Planning Commission members asked if stormwater management measures or historic resource impact statements would be required. The historic resource impact statement is only required during land development, not for a building permit. There are regulations in place regarding the amount of impervious surface and the lot coverage that is calculated during review of a building permit application.

Utilities for a detached unit could draw from the principal building or the particular utility would determine if a new service line or meter is necessary. Discussion included what happens if the family member is no longer living there – how is it monitored so it doesn't become a rental? Anthony advised that if it's turned into an AirBnB, that's considered a hotel, which isn't permitted in residential districts. We'd only know if a complaint is made, and they'd be in violation. Some members weren't concerned with in-law quarters becoming an apartment rental – it could help the owner recover the costs to build it.

Joe Stoyack referred to East Nantmeal Township's ordinance on this topic. There's a description of the purpose and it defines family members, caregivers, etc. He suggested it be read, as well as West Vincent Township's. He'll cite the sections and email them to Gwen Jonik for distribution to the Commission.

Joe Stoyack also noted that the Comprehensive Plan (CompPlan) survey results did not favor in-law suites/granny flats. Anthony Campbell also mentioned that in-law suites could be allowed through conditional use but again, it's another process and expense to the family.

The next step is to review the other townships' ordinances, pick out what we like from them, take out what we don't from today's draft and merge them.

The current R1 through R4 uses are good. The accessory dwelling units could be added to R1 and R2 zoning districts as a by-right use, allowed through conditional use approval in R3, and not allowed in R4.

The Workshop was adjourned at 6:50 p.m.

#### 7:00 p.m. Planning Commission Meeting

Attendees: as noted above.

Sally Winterton called the meeting to order at 7:01 p.m. There were 5 citizens in attendance.

Sally Winterton announced we'd move to the second land development item as there was no representative in attendance at this time for the Turnpike/Wertz Property Subdivision Plan.

#### 770 Pennsylvania Drive Conditional Use Application

Neal Fisher, Hankin Group, Jason Keiser, Vice President of Operations – Early Bird Medical, Inc., Alyson Zarro, Esq. - Riley Riper Hollin & Colagreco, and Sam Sherrill, Hankin Group attended. Neal Fisher presented the Application, requesting approval to manufacture a medical device in 20,000 square feet in an existing building in Eagleview Corporate Center. A new business, KoKo Medical would like to assemble, package and ship a cervix closure device; no chemicals are involved, the remainder of the building is already occupied by office and storage facilities, there will be @ 35 employees. The Zoning Officer and consultants reviewed the Application and had no significant concerns. The building was the first built in Eagleview and the impervious surface information needs to be updated on the plan - the existing impervious has become non-conforming; there is no outdoor storage; no additional signage is proposed; trip generation will be similar to what's there today; public sewer is through Uwchlan Township but the existing layout should be shown on the Plan. There will be one shift, Monday – Friday.

Jim Dewees moved, seconded by David Colajezzi, to recommend the Board of Supervisors hold a Hearing and approve the Use. The motion carried unanimously.

#### 241 Park Road ~ Daycare ~ Conditional Use and Land Development Plan

Vic Kelly, Commonwealth Engineers, presented an Application on behalf of Scott Risbon, the Managing Partner, for a daycare facility on the corner of Park Road and Ticonderoga Boulevard, in the C1 Village Commercial District. A daycare requires conditional use approval in the C1 District. The property is currently a vacant house on 2 parcels. The Plan proposes consolidation of the 2 parcels, demolition of the existing single-family dwelling and outbuildings, construction of a 6,000 SF footprint, 2-story daycare facility with a play area, 39 parking spaces. Mr. Kelly distributed architectural elevations for the Ducklings Daycare, of which there are 10-12 in Chester County. The exterior will be board & batten and clapboard. They'll meet all the State's requirements for a daycare, square footage/child, play area size, etc. The property has public sewer and water; stormwater will need to be subsurface; they'll need to request waivers from the setback requirements.

Sally Winterton asked if they had looked at the Township's Village Design Guidelines and if they had not, she suggested they do so. Joe Stoyack called attention to the requirements for an historic resource impact statement if the building will be within 250' of the Windsor Baptist Church building or the parsonage, and work with the Historical Commission on the architecture. Scott Risbon was in attendance and they will look at the Village Design Guidelines.

Jim Dewees moved, seconded by Joe Stoyack, to accept the Plans for review by the consultants. The motion carried unanimously.



### Turnpike / Wertz Property Subdivision Plan

David Ardini, Survey Project Manager – Navarro & Wright, representing the Turnpike, attended to introduce a minor subdivision plan for the 29-acre property along Little Conestoga Road, bounded by Milford Road and the Turnpike. The 3-lot subdivision would include 1 lot for the farmhouse and barn, 1 lot next to the Sunoco pipeline substation, and 1 lot for the Turnpike widening project. The Turnpike isn't proposing any land development with the subdivision; the plan is to sell the 2 lots they don't need for their widening project.

Lot A is the farmhouse, barn, 12 acres, some wetlands; the Township is looking for someone to preserve the farmhouse as it's on the Township's historic resource inventory.

Lot B is next to the gas company, 6 acres, the pipeline goes through it, basically undevelopable.

Lot R is the lot along the Turnpike and will be retained by the Turnpike for their project.

Chad Adams moved, seconded by Joe Stoyack, to accept the Plan for consultants' review. The motion carried unanimously.

### Meeting Updates / Reports

Environmental Advisory Council (EAC) – no one in attendance to provide a report.

Historical Commission (HC) – David Colajezzi reported the HC discussed historic resource impact statements and helping to educate subdivision/land development Applicants about the process; continued work on updating the Township's historic resource inventory.

Active Transportation Plan (ATP) - Sally Winterton advised the draft final plan is coming soon, and the Township is in active conversations with PennDOT regarding swapping ownership of Route 100 and Graphite Mine Road. A traffic study was done on Graphite Mine Road; we're awaiting the results.

Village Design Guidelines (VDG) – Sally Winterton reported a meeting was held mid-November and we await the final draft.

Comprehensive Plan Update (CompPlan) – Sally Winterton reported a meeting was held late November and a final draft is due for the next meeting February 28, 2024. Joe Stoyack noted that final drafts of these Plan will be posted on the website for public input.

### Approval of Minutes

Jim Dewees moved, seconded by David Colajezzi, to approve as presented the minutes of the Planning Commission's November 9, 2023 meeting. The motion carried unanimously.

### Next Meeting

The next meeting is scheduled for January 11, 2024, most likely a 6:00 p.m. workshop to work on ordinance review, followed by a 7:00 p.m. meeting, including the annual reorganization.

### Open Session

Joe Stoyack asked what should be done with the CompPlan survey results, especially if the results conflict with what the Board of Supervisors or Staff want or hear the community wants. It was considered a successful survey as far as the number of responses received. Joe will continue to analyze the comments that were offered.

A citizen commented that she thinks there might be space left in the township for affordable housing, multi-family dwellings, and if we want to attract businesses, we need to have affordable housing. Joe Stoyack commented that might work in Eagleview Corporate Center, a mix of housing, offices, labs, warehousing, near public transportation, recreation, shopping. It's not allowed in the PI Planned Industrial District at this time, though, so a variance or ordinance amendment would be needed.

Chad Adams made comment on the Heather Hill stormwater basin retrofit project starting in November, the grass won't grow at this time.

Adjournment

Jim Dewees moved, seconded by Chad Adams, to adjourn the meeting at 8:11 p.m. All were in favor.

Sally Winterton thanked the Commission members for all their work throughout the year and wished everyone a Happy New Year.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary