



## UPPER UWCHLAN TOWNSHIP

Planning Commission

January 11, 2024

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

Minutes

Approved

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

Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi, Jeff Smith, Stephen Fean (meeting)

Anthony Campbell, Zoning Officer (workshop)

Mary Lou Lowrie, Gilmore & Associates (meeting)

Gwen Jonik, Planning Commission Secretary

Absent: Jim Dewees, Vikas Harjani

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

Discussion continued regarding in-law quarters/accessory dwelling units. Joe Stoyack had provided excerpts from neighboring townships' ordinances regarding accessory dwelling units (ADU).

Discussion included:

1. Require a 2-acre minimum to allow ADU; 1 acre could be fine. Rear yard and side yard setbacks would still have to be met.
2. an ADU can't be in the front yard so a minimum 2 acres would give more flexibility for a detached unit in the back yard. A pool house in the back yard, fully equipped, could be used as a residence.
3. Rather than an acreage minimum, the building coverage and setback regulations will limit the location. But why limit folks? Unless your neighbor is impeding your enjoyment of your back yard?
4. There are HOAs that would have restrictions, so go with 1 acre.
5. increase the setbacks for ADU, to 25 feet, and if it cannot fit, seek relief from the Zoning Hearing Board.
6. Make clear an accessory *structure* vs. an ADU.
7. an occupied building would have separate setback requirements
8. existing septic systems will preclude some ADUs
9. the setback for an ADU should be same as the primary structure
10. separate utilities? The utility or owner should determine.
11. Additional public sewer service, separate trash? We'll check with Municipal Authority regarding sewer connections and with the Township regarding trash/recycling.
12. Eligibility is for a family member or the caregiver of said family member.
13. An au pair could be in an ADU, caring physically for a child? That's not the intent of this Ordinance.
14. The "Declaration" section in one of the other township's ordinances is good. Keep that language except remove the section about notifying the township within 60-days once the ADU isn't being occupied.

15. Anthony Campbell is to define “manufactured home”

7:00 Meeting

Sally Winterton called the meeting to order at 7:00 p.m. Attendance was as listed on Page 1. There were 3 citizens in attendance.

Reorganization for 2024

Jeff Smith nominated Sally Winterton for Chair, David Colajezzi seconded, and no other nominations were made. Sally accepted the nomination. All were in favor.

Chad Adams nominated Joe Stoyack for Vice-Chair, Jeff Smith seconded, and no other nominations were made. Joe accepted the nomination. All were in favor.

Jeff Smith nominated Gwen Jonik for Secretary, Sally Winterton seconded, and no other nominations were made. Gwen accepted the nomination. All were in favor.

Turnpike / Wertz Farm Subdivision Plan

The Plan proposes subdividing the 28+ acre parcel bounded by Little Conestoga Road, Milford Road and the Turnpike into 3 lots – Lot A is the farmstead with 12 acres, Lot B is vacant land adjacent to Milford Road, and Lot R is 10.4 acres to be retained by the Turnpike for their widening project. David Ardini, Navarro & Wright Consulting Engineers, representing the Turnpike, commented that they'll address all the comments in Gilmore's review letter, they'll clean up the Plan. They also have no problem with the Historical Commission's comments.

Joe Stoyack commented that if the Township doesn't purchase the farmstead property, a condition of Sale will state the restrictions to the Deed as noted in the Historical Commission's recommendations. An appraisal has already been done for the farmstead lot. The Township's Solicitor advises the Township can't require the Turnpike to get an appraisal on the other lot to be sold.

Lengthy discussion followed regarding one of the Historical Commission's recommendations, that the period features in the interior should be preserved. Planning Commission members do not believe we have the authority to require that of the Turnpike, nor the buyer, or how that would be enforced. The Historical Commission believes that the historic architecture/period features that are still there – oven, fireplace, hinged cupboards, etc. -- can be updated without being removed, and that's what they'd like new owners to preserve 'to the greatest extent practicable'. We will seek guidance from the Township Solicitor.

There was further discussion as to whether we can put restrictions on subdivision approvals. We will seek guidance from the Township Solicitor. What happens if the Township doesn't buy the farmstead property and the Turnpike can't sell it due to the Historical Commission's recommendations, will the Turnpike keep up the house. Mr. Ardini did not think they would. The Historical Commission thinks the Turnpike would come back to the Township and ask that those recommendations be changed. The house is on the Township's historic resource inventory so we might have some authority about it.

Joe Stoyack wondered if we can apply conditions of approval to an applicant who meets all our ordinances.

Joe Stoyack moved, seconded by Jeff Smith, to recommend the Board of Supervisors approve the Subdivision Plan as proposed by the Turnpike subject to incorporation of the items in the Gilmore & Associates letter. Mary Lou Lowrie asked if that included the Historical Commission's comments that were included in the Gilmore letter. Joe Stoyack amended the motion to say that the Historical

Commission's comments contained in Gilmore's letter are not to be included in the approval. Jeff Smith seconded the amended motion and the motion carried unanimously.

Sally Winterton announced the agenda would be rearranged to discuss Celebree School, then to 241 Park Road.

#### Celebree School (Byers Station Parcel 5C Lot 2B)

Alyson Zarro, Esq., on behalf of Prosperity Property Investments, provided an update on the commercial development for the parcel at the southwest corner of Pottstown Pike and Station Boulevard. The development was approved in 2022 and they've been trying to market the property. Celebree School had hoped to start construction by this time but wanted a few more tenants confirmed. They met with Township staff to investigate 2-phase construction:

Phase 1: the Celebree School and the 6,000SF building along Station Boulevard

Phase 2: the 7,200SF building to the north of the School and the drive-through restaurant.

They continue to market the other buildings. This is the same plan but divided into 2 phases. The only change is that they'd install an emergency access to the northern Iris Lane and they'd provide an updated parking analysis. All they're adding is the PHASE LINE.

Phase 1 primary access is in/out of Begonia Drive at Station Boulevard; the second 'emergency' access is to Begonia Drive at the upper or northern Iris Lane;

Phase 1 construction phasing. They're preparing the plans for recordation and will get started shortly thereafter. They're hoping to market to a pediatrician, pediatric dentist, etc. This was informational purposes only; no action needed by Planning Commission.

#### 241 Park Road Conditional Use / Land Development Plan

Vic Kelly of Commonwealth Engineers and Scott Risbon, Developer, attended. Mr. Kelly responded to the consultants' comments on the Plan proposing a 6,000 SF footprint, 2-story daycare on Park Road at Ticonderoga Boulevard. The Applicant requests the conditional use approval and land development approval run concurrently, hoping for a Hearing in March. They will revise the plans in February, addressing the consultants' comments in Gilmore's January 5, 2024 letter. They know the site is tight. They are requesting waivers regarding a reduced number of shade trees in the interior parking area, a reduced number of trees and shrubs for the landscaping, a partial waiver for reduced number of trees and shrubs along the property boundary, and they may need a waiver regarding topsoil leaving the property. They will request a modification regarding parking spaces; 50 are required and they're proposing 39. When they introduced the project to the Board of Supervisors the Board was favorable to the reduction. The parking could be shared with the Village businesses on the weekends, but they have to check with their insurance company. In response to a question regarding appropriate space per child, Mr. Kelly advised that the State has certain requirements that they're following. They request the Township defer to the State requirements. They'll work with their architect regarding the height of the building – the peak might be 37' and regulations are 35'. They are contacting Bob Wise to document the existing building, which has no architectural value and will be demolished. The proposed building is not within 250' of an historic resource which would trigger an historic resource impact statement, but that might be included in the documentation by Mr. Wise. They'll work on the aesthetics of the exterior; they'll review the Village Design Guidelines as they want to fit into the village. There are several Ducklings Daycares in Chester County – this is the smallest in size.

They will discuss the access point(s) and the appropriate time for a traffic study with the Township's traffic engineer. Sally Winterton called attention to the fact that when Windsor Baptist Church constructs their next phase, they have to align their Park Road access with Ticonderoga Boulevard.

Mr. Kelly noted they might need relief for the stormwater detention basin along Ticonderoga Boulevard and they might install a retaining wall / fence for buffer from FedEx.

They do not need the Planning Commission to take any action this evening. They'll try to address the comments and come back in February. They'll have landscaping within the 20' setback from Park Road.

#### Meeting Updates

Environmental Advisory Council (EAC). Jeff Smith can't attend future meetings and requested someone else volunteer.

Historical Commission (HC). David Colajezzi advised the HC is preparing for a few events – the Life & Times of the Struble Trail May 4, 1:00-4:00; the County's summer walking tour – proposing Upland Farm barn and house, date to be determined; and they're proposing an educational series of lectures, one per quarter – the first one is March 4 at the Barn at Upland Farm with the Park Ranger talking about Milford Mills - murders, mobsters, millionaires.

Active Transportation Plan (ATP). Sally Winterton advised that this group is no longer meeting. The final plan is to be presented to the Board of Supervisors January 16.

Village Concept Plan/Village Design Guidelines (VCP/VDG). Sally advised a final draft of the VDG is in process and might be finalized late January.

Comprehensive Plan (CompPlan). Sally advised a draft is to be prepared for the February 28 meeting. Joe Stoyack inquired if a meeting should be scheduled to review the survey results analysis he is preparing.

#### Approval of Minutes

Jeff Smith moved, seconded by David Colajezzi, to approve as presented the minutes of the December 14, 2023 Planning Commission meeting. The motion carried unanimously.

Sally Winterton announced the next meeting: February 8, 6:00 ordinance workshop; 7:00 meeting.

#### Open Session

Vivian McCardell sent the Commission members an email for dates to walk around the Eagle Animal Hospital, to see what might be left before it's demolished. Jeff Smith made comment that there doesn't appear to be much left. Vivian said the owners advised her that they'll try to save anything of historical significance.

Gwen Jonik noted the January 17, 2024 Zoning Hearing for Keystone Outdoor Advertising has been postponed at the Applicant's request; conditional use approval was granted January 9, 2024 to Hankin / 770 Pennsylvania Drive for manufacturing a medical device in a portion of the existing building at that address; there are 4 candidates interested in serving on the Commission.

Sally Winterton would like the Commission to send an objection, if they all agree, to the Zoning Hearing Board regarding the Keystone Outdoor Advertising application. She described the project and location of the billboards. There has been a lot of pushback on social media. Jeff Smith doesn't think the Commission should make any recommendation, but rather attend as individual residents.

John Eblacker called attention to a walking trail along the Brandywine Creek at Dorlan Mill. It was recently widened by Public Works, is @ .6 mile, follows along the old railroad bed. It's owned by the County. Vivian commented there are lots of artifacts along it from the railroad.

#### Adjournment

Chad Adams moved to adjourn at 8:29 p.m. All were in favor.

Respectfully submitted,