



UPPER UWCHLAN TOWNSHIP

Planning Commission

June 13, 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; Jim Dewees, Jeff Smith (Meeting), Jessica Wilhide, Taylor Young

Anthony Campbell, Zoning Officer (Workshop)

Mary Lou Lowrie, P.E., Gilmore & Associates (Meeting)

Gwen Jonik, Planning Commission Secretary

Absent: Chad Adams, David Colajezzi, Steve Fean

Sally Winterton called the Workshop to order at 6:01 p.m. There was 1 citizen in attendance.

Short-Term Rental Ordinance ~ Draft.

Anthony Campbell re-introduced the draft ordinance which proposes allowing short-term rentals in single-family detached dwelling units in the R1 and R2 residential zoning districts; approval via conditional use process; requires an annual rental permit and annual inspection of safety requirements; occupancy is calculated per bedroom and a bedroom has to have a door, window, bed, and smoke detector inside the bedroom; rental cannot be for less than a 24-hour period nor longer than 30 days; requires adequate parking - 1 off-street parking space per bedroom. Anthony wants the Application to require a 24/7 local contact for the property, whether it be the owner or a manager, in case there are any emergencies or complaints.

Discussion included enforcement of violations – temporary stay of the permit, revoke the permit? Revocation of permits is already included in our zoning ordinance; the Application should require signature and provide an explanation of how violations are handled; favor toward the Application being contractual; allow periodic inspections upon reasonable notice; language regarding notice before an inspection is included in the property maintenance ordinance; there might be 12 short-term rental properties operating in the Township; this ordinance is drafted to address those houses that are not owner-occupied, purchased for the purpose of renting for short-terms and producing income; there is a desire to allow this use, with reasonable restrictions, minimum safety standards, and since it's not a by-right use, there's leverage.

The members request our Solicitor look at existing ordinances relating to violations of permits and to additional inspections and add language to this draft ordinance if not covered elsewhere.

Joe Stoyack moved, seconded by Taylor Young, to move the ordinance forward to the Board of Supervisors with Kristin Camp's modifications, if any, regarding the periodic inspections and revocation of a permit. Sally Winterton does not want to move it forward until Kristin has provided answers and she'd like to table it for now; they can act on this later, at the meeting. Several members noted they are okay with it going forward with whatever the Solicitor suggests.

Anthony noted there is no rush. Right now, short-term rentals are not allowed, but we'd like to get this in place.

Landscape Design Ordinance.

Gwen Jonik explained that the County Planning Commission is forwarding resources to assist us with our review of the species of trees and shrubs and the number of trees and shrubs required in our current ordinance(s). Sally Winterton would like a planning firm who can strategically place specific species that grow a certain way, or don't need to be pruned, so that they don't affect sight distance.

The Workshop was adjourned at 6:45 p.m.

7:00 p.m. Meeting

Sally Winterton called the Meeting to order at 7:00 p.m. A quorum was present. Two citizens were present.

301 Park Road / P.J. Reilly Headquarters Preliminary Land Development Plan

Stephen Bocker and Joe Mongeluzi of Wilkinson Apex Engineering, Phil Reilly, Sr. and Phillip Reilly, Jr. were present to answer questions raised at the May 9 Planning Commission meeting regarding the Preliminary Land Development Plan last revised March 28, 2024. Mr. Mongeluzi advised they are asking for 3 waivers: to not plant all required trees and shrubs, to not provide a sidewalk, and to allow a stormwater management structure within the rear setback.

Joe Mongeluzi advised that in answer to ADA accessibility for the office space on the second floor, based on its size, an elevator is not required; parts/maintenance/storage is now on the first floor. Sprinklers are not needed based on the size of building. The overall parcel was 3.12 acres, PennDOT took some frontage for the Park Road bridge over the turnpike and the County might have taken out the easement for the stormwater basin, with the net lot size 2.05 acres. They'll submit answers to the Fire Marshal with their next submission – the 2 fuel tanks will be 1,000 gallons each, one is off-road diesel and one is on-road diesel, no gasoline, and they have a spill prevention plan. They'll comply with all comments in the Gilmore/consultants' reviews except for the 3 waivers.

Phil Reilly, Sr. answered operational questions:

1. Site maneuverability – the turning radiiuses were based on their longest trucks and trailers and there shouldn't be issues making the turns in or out of the property; the drivers are capable of pulling out without crossing the yellow lines. Turning templates will be in the next submission.
2. Outdoor storage area – there will be 2 trailers storing readily-needed materials such as straw, pipe fittings, pipe, traffic control signs and cones; outside the trailers will be spare buckets, steel plates. This area will be screened with fencing and evergreen trees.
3. Noise – they were on Fellowship Road for 20 years and received no complaints from residents in Eagle Hunt, the bungalows next to the Post Office or St. Elizabeth's. Their hours are 6:00 a.m. – 6:00 p.m., on the jobs 7:00-4:00.
4. Stormwater runoff from the yard goes in the basin; everything in the shop has spill kits, they have an emergency hazmat company on retainer, just in case, and the fuel tanks are in enclosures.
5. General – crews come in 6:00 a.m. and by 6:30 they're off to job sites; there are 6 employees in the office all day, 3 in the shop; most equipment stays on job sites and sometimes get fixed at the job site, but sometimes have to come to the shop for major repairs; a couple trucks come back for the evening and some can fit in the shop; 4 pickup trucks. Major repairs usually take a couple days during normal business hours.
6. The garage is for their equipment only. PA state inspection on their equipment only.

7. They have 30-40 pieces of equipment -- 3 dump trucks, low boy, excavators, loaders, skid steers, etc., all construction site equipment, most go from one job to the next.

Mr. Mongeluzi noted they will submit revised plans to address all comments in Gilmore's letter except the 3 waivers requested and they seek a recommendation for Preliminary Plan Approval tonight. The site maneuverability plan will be updated. Overnight vehicles include 3 dump trucks and a few pickup trucks, which may all fit in the garage but sometimes a few may be outside overnight.

Jim Dewees moved, seconded by Taylor Young, to recommend to the Board of Supervisors approval of the Preliminary Land Development Plan and granting the 3 waivers. The motion carried with five (5) in favor and one (1) abstention (Winterton).

There was a very brief discussion that the trucks cannot use Moore Road because of the weight limit on the bridge.

Meeting Updates

Environmental Advisory Council (EAC). There was no report.

Historical Commission (HC). Gerry Stein noted a lengthy discussion was held with a Byers Station HOA representative regarding the house for sale at 1180 Station Blvd., which is on the Township's historic resource inventory. The HOA may use their right of first refusal to buy the house - they're looking for ideas of how to use the building. The HC recommended they attend Planning Commission meetings to learn more about land development and zoning. Sally Winterton noted the HC recently hosted a great lecture on barns by Bob Wise and reminded all the HC is hosting one of the County's "Town Tours" June 27 at Upland Farm.

Village Concept Plan / Village Design Guidelines (VCP / VDG). Sally Winterton advised that the committee(s) approved both documents for review by the Planning Commission, and they will make a recommendation to the Board of Supervisors. The committee(s) were dissolved May 30, 2024.

Comprehensive Plan (CompPlan). This group will meet July 17 to review a revised draft.

Short-Term Rental Ordinance

The draft short-term rental ordinance was discussed earlier this evening, at the workshop. Jeff Smith moved, seconded by Taylor Young, to move the draft ordinance forward to the Board of Supervisors subject to any edits by the Township Solicitor. The motion carried unanimously.

Village Design Guidelines Draft

Sally Winterton advised that the Village Design Guidelines committee had numerous meetings over the last 18 months with Bob Wise of Richard Grubb Associates to update the Guidelines. The Guidelines were "developed to help property owners and Upper Uwchlan Township preserve the historic character of the Township's Village Planning Area, which includes, but is not limited to, the distinctive historic resources and settings of the villages of Eagle and Byers." The committee approved the draft document at their May 30, 2024 meeting and requested the Planning Commission review and approve it. If approved by the Planning Commission, they would make a recommendation of approval to the Board of Supervisors. The Village Design Guidelines will become a part of the Village Concept Plan, and ultimately, the Comprehensive Plan. Township Ordinances may be amended to incorporate the requirements of the Village Design Guidelines.

Joe Stoyack advised that the Village Concept Plan committee had completed their work, which included 3 steps: they reviewed and approved the Village Concept Plan and the Village Design Guidelines; they recommended the Planning Commission review both documents and make recommendations to the Board of Supervisors to approve both documents; and the Planning Commission will work to incorporate the requirements in the Village Concept Plan and Village

Design Guidelines as appropriate into enforceable items in the Subdivision/Land Development Ordinances.

Commission members reviewed the draft, dated May 30, 2024, and one revision was requested – update the village planning area boundaries in Figure 1 on page 5. Gwen Jonik will contact Bob Wise to update the boundaries.

Jim Dewees moved, seconded by Jeff Smith, to recommend the Board of Supervisors approve the Village Design Guidelines contingent on updating the Village Planning Area Boundary map on page 5. The motion carried unanimously.

Approval of Minutes

Jim Dewees moved, seconded by Jeff Smith, to approve as presented the minutes of the Planning Commission's May 9, 2024 meeting. The motion carried unanimously.

Next Meeting Date

Sally Winterton announced the next scheduled meeting of the Commission is July 11, 2024.

Open Session

Joe Stoyack noted he's been looking at the parking / share parking ordinances and commented that businesses with shared parking agreements need to promote the shared parking areas with their patrons or reduce their occupancy.

Joe Stoyack called attention to America's 250th birthday in 2026, and the U.S. is hosting a World Cup game in Philadelphia July 4, 2026.

Gwen Jonik advised that she won't be able to attend the August meeting. She also reminded folks the annual Block Party is this Saturday, June 15, starting at 6:00 p.m.

Joe Stoyack announced a Star Party at Marsh Creek State Park this Saturday at 9:00 p.m.

Adjournment

Jim Dewees moved, seconded by Taylor Young, to adjourn at 8:14 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary