



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION
AGENDA

October 9, 2025
6:00 p.m. Workshop; 7:00 p.m. Meeting

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

Packet Page #

		Packet Page #
I.	6:00 p.m. Workshop Landscaping / screening ordinance amendments. Make a recommendation to the Board of Supervisors.	2
II.	7:00 p.m. Meeting Call To Order	
III.	127 St. Andrews Road ~ Sketch Plan Introduction of a sketch plan proposing subdividing 1 residential lot into 2 residential lots.	83
IV.	Hat Trick Properties ~ Sketch Plan Introduction of a sketch plan proposing an active recreation facility and retaining the existing U.S. Post Office at 199 Fellowship Road / 480 Pottstown Pike.	95
V.	500 Pottstown Pike / Chester Springs Service Center – Final Land Development Plan Review consultants' comments of the Final Plan dated September 3, 2025. Potential to make a recommendation to the Board of Supervisors.	99
VI.	Meeting Updates ~ Reports A. Environmental Advisory Council (EAC) B. Historical Commission (HC)	
VII.	Comprehensive Plan 2025 ~ Review Implementation Recommendations	
VIII.	Approval of Minutes: September 11, 2025 Meeting minutes	144
IX.	Next Meeting Date: November 13, 2025 7:00 p.m.	
X.	Open Session	
XI.	Adjournment	



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Suite 101
Lancaster, PA 17603
717.715.1396

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221 W. Philadelphia St.
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41 Leopard Rd.
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October 3, 2025

The Township of Upper Uwchlan has engaged RGS Associates to update the local township ordinance in respect to landscape requirements. The following text is a draft of the revised sections of the Upper Uwchlan Ordinance that pertain to landscape requirements.

Township of Upper Uwchlan,
Chapter 200. Zoning

Article XV. Common Regulations

§ 200-77. Screening.

A. Screening requirements shall be applicable under the following circumstances:

- (1) As applicable under Section 162-57.B
- (2) Any other instance where screening is required by this chapter or by the Township Code. Landscape screening requirements shall be applicable and shall comply with the requirements outlined under Section 162-57.B.
- (3) Water towers, storage tanks, processing equipment, fans, skylights, cooling towers, vents and any other structures or equipment which rises above the roof line shall be architecturally compatible or effectively shielded from view from any public or private street by an architecturally sound method which shall be approved, in writing, by the Township before construction or erection of said structures or equipment.

§ 200-78. Landscaping. [Amended 6-17-2002 by Ord. No. 02-04]

A. Applicability.

- (1) Except for individual lots existing at the time of adoption of this section and occupied or intended to be occupied by single-family or two-family dwellings, the provisions of §162-57 of Chapter 162, Subdivision and Land Development, shall apply to all uses and to any change in use in Upper Uwchlan Township, such standards incorporated herein by this reference.
- (2) Where any use or activity requires approval of any building or zoning permit, zoning variance, special exception or conditional use, such approval or permit shall be conditioned upon compliance with the provisions of said §162-57, including submission of a landscaping plan as set forth in §162-57. Plans accompanying zoning applications may be conceptual in nature but shall demonstrate the ability to achieve the objectives of §162-57.
- (3) It is the intention of this section that the provisions of said §162-57 shall apply independently under this chapter only where Chapter 162, Subdivision and Land Development, does not otherwise apply to the proposed use or activity. Therefore, where any use, activity, permit or approval is also subject to subdivision or land development review, there shall be no requirement for additional review under this chapter. Further, where and to the extent that modification(s) of any of the provisions of said §162-57 has/have been approved by the Upper Uwchlan Board of Supervisors in connection with any subdivision or land development review, the said requirements shall not be independently enforced pursuant to this chapter.

B. Modifications.

- (1) For any use or activity subject to subdivision or land development review, modification(s) to the provisions of §162-57 of Chapter 162, Subdivision and Land Development, may be requested, which modification(s) may be granted at the discretion of the Board of Supervisors pursuant to the provisions of that chapter.
- (2) For any use or activity not subject to subdivision or land development review, but where the use or activity is subject to application for approval of a conditional use, special exception, or zoning variance, modification(s) to the provisions of said §162-57 may be requested as part of such application.
- (3) For any use or activity not otherwise subject to permit or approval as provided in Subsection B(1) or (2) above, modification(s) to the provisions of said §162-57 may be requested in the form of an application for grant of a special exception by the Upper Uwchlan Zoning Hearing Board. Such applications shall be submitted to the Upper Uwchlan Planning Commission for review and comment prior to formal special exception application to the Zoning Hearing Board.
- (4) In approving any application pursuant to Subsection B(2) or (3) above, the Zoning Hearing Board or Board of Supervisors, as applicable, as a condition of approval of such application, may permit specific modification(s) to the provisions of said §162-57 subject to the following:
 - (a) The Zoning Hearing Board or Board of Supervisors, as applicable, shall determine that the specific nature of the lawful use or activity, existing site conditions, and/or safety considerations warrant such modification(s); and
 - (b) Permitted modifications shall be consistent with the purposes of said §162-57.

Chapter 162. Subdivision and Land Development**Article VI. Development Design Standards**

- § 162-44 General standards.
- § 162-45 Land requirements.
- § 162-46 Lot design.
- § 162-47 Monuments and iron pins.
- § 162-48 Wastewater treatment and disposal.
- § 162-49 Water supply.
- § 162-50 Other utilities.
- § 162-51 Erosion and sediment control.
- § 162-52 Stripping, piling, replacement or removal of topsoil.
- § 162-53 Design standards for land development.
- § 162-54 Community facilities and public open space.
- § 162-55 Natural and historic features conservation.
- § 162-56 Parking.
- § 162-57 Landscape design, installation and maintenance standards.
- § 162-58 Lighting.

§ 162-55 Natural and historic features conservation.

[Amended 12-15-2003 by Ord. No. 03-06]

A. General.

- (1) For all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, consideration shall be shown for the protection of all natural and historic features in Upper Uwchlan Township, including, but not limited to, woodlands, specimen trees, hedgerows, wetlands and watercourses, riparian buffers, prohibitive and precautionary slopes, trails, and historic resources which, if preserved, will add attractiveness and value to developed areas. The 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. The provisions of this section apply to all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, pursuant to § 200-108. Where any applicant demonstrates to the satisfaction of the Township that strict adherence to the provisions of this section will render the lot or tract unusable or unsuitable for development in accordance with applicable zoning district regulations or demonstrates that alternative design provisions shall achieve similar conservation objectives, the provisions of this section may be waived or modified as determined appropriate by the Board of Supervisors.
- (2) Where the proposed subdivision will be subject to a site analysis and impact plan (§162-9D of this chapter), the applicable narrative and plan submittal

requirements of this section can be made part of the site analysis and impact plan. The resource management, protection, and improvement requirements of this section can be included in the open space requirements of this chapter (§162-54) or Chapter 200, Zoning (§ 200-69), as applicable to the proposed project.

B. Woodlands and hedgerows. The purpose of this section is to promote conservation of woodlands, including specimen trees and hedgerows, throughout Upper Uwchlan Township through the establishment of specific provisions for land development activities, replacement requirements, and management planning.

- (1) Woodland and hedgerow disturbance resulting from any land development or land use change shall be minimized. No portions of tree masses or trees with a diameter at breast height (dbh) of 8" or greater shall be cleared unless demonstrated to be necessary and in accordance with this chapter. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing woodlands and hedgerows.
- (2) No healthy, viable 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.
- (3) Woodland and hedgerow disturbance of healthy and viable trees shall require woodland replacement in accordance with Subsections B(6) through B(9) below.
- (4) In determining where necessary woodland or hedgerow disturbance shall occur, applicants shall consider the following:
 - (a) The location(s) and benefit of conservation of healthy mature woodland or hedgerow stands.
 - (b) The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas, especially woodlands and hedgerows exceeding 10 acres in area.
 - (c) The location of hedgerows relative to exterior or perimeter property lines as well as to existing or future trails, as consistent with applicable Township criteria such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended).
- (5) Calculation and estimation of existing trees shall be performed before any clearing commences and shall be based on the following procedure:
 - (a) Trees greater than 8" DBH, as measured at 4'-6" above natural grade, will be documented individually and noted on the landscape plan or existing conditions plan, unless section 162-55.B(7) is applicable.

(b) The quantity of all trees greater than 8" DBH in groupings larger than 20 trees may be estimated by the following method:

- i. Three 100' by 100' square areas will be staked out in locations acceptable to the owner/developer and the Township Engineer or Township Landscape Architect.
- ii. The quantity of trees in each area will be counted and the totals of each size range (8" to 12" DBH, 13" to 23" DBH and 24" DBH and above) will be averaged to determine the average number of trees per 10,000 sq. ft. of wooded area.
- iii. This average quantity per area will be used to determine both the quantity of trees being removed and the quantity of trees to remain in large masses.

(6) In areas of permitted woodland or hedgerow disturbance and areas adjacent to permitted woodland and hedgerow disturbance, care shall be exercised to protect remaining trees from damage. To the maximum extent practicable, procedures shall be utilized during construction in order to protect the remaining trees.

(a) Where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees. Tree protection fencing shall be chain-link or wire mesh fence, 4'-6' in height and anchored 2' in the ground. Fencing shall have clear signage stating that area is in tree protection zone and no disturbance can occur without authorization from the Township. Fencing shall be placed at the dripline of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity.

- i. The holes for the posts shall be hand-excavated taking care not to disturb roots larger than 1.5" in diameter. If necessary, post spacing may be adjusted to not damage or injure roots.
- ii. A minimum of one 3' wide lockable gate shall be provided for each fenced area. The location of the gates shall be approved by the Township.
- iii. The tree protective zone signage shall have rigid or metal sheet signage legibly printed with nonfading lettering. The signage shall be weatherproof and at least 10" by 12" in area. The signage shall read: "TREE PROTECTION ZONE (TPZ) - KEEP OUT, No grade change, material storage, or equipment is permitted within this TPZ. The tree protection barrier must not be removed without the authorization of the Township. Call the Township to report violations."

- iv. One tree protection zone sign shall be installed per fence side spaced every 50'.
- (b) Roots shall not be cut within the dripline of any trees to remain.
- (c) Trees within 25' of a building, or bordering entrances or exits to building sites, shall be protected by tree protection fencing to be maintained in place throughout the duration of construction activity.
- (d) No boards or other material shall be nailed or otherwise attached to trees during construction.
- (e) Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the driplines of trees to remain, except for mulched vegetative matter used to prevent soil compaction.
- (f) Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage through immediate treatment in accordance with accepted professional landscape procedures.

(7) Where woodland or hedgerow disturbance involves each tree greater than 8" dbh removed, replacement trees shall be planted in accordance with the following schedule.

For Each Healthy and Viable Tree to be Removed, at the Following Sizes, dbh (inches)	Minimum Number and Caliper of Replacement Trees
One, 8"-12" dbh	One, 2.5"-3" inch caliper tree
One, 13"-23" dbh	Two, 2.5"-3" inch caliper tree
One, greater than 24" dbh	Three, 2.5"-3" inch caliper tree

(8) Permitted Tree Replacement Substitutions:

- (a) A maximum of 30% of the replacement trees may be replaced with ornamental or evergreen trees at a ratio of two flowering trees (10'-12' ht.) or two evergreens (8'-10' ht.) per required 2.5"-3" caliper shade tree.
- (b) A maximum of 20% of the replacement trees may be replaced as shrubs with a minimum size of 24" ht. at a ratio of 6 shrubs per required 2.5"-3" caliper shade tree.
- (c) A maximum of 10% of the replacement trees may be replaced as groundcover at a ratio of 40 plants to one 2.5"-3" caliper shade tree. The minimum size of the ground cover shall be 1 gallon.

- (d) A maximum of 5% of the replacement trees may be replaced with plugs at a rate of 240 plugs 1.25" x 1.25" x 2.5" deep root zone for every 2.5"-3" caliper shade tree.
- (9) Applicant shall include provisions, in narrative and/or graphic form, of sufficient detail to satisfy the Township, for the long-term management of any woodland and hedgerow area not subject to woodland and hedgerow disturbance and any area selected for introduction of replacement plantings in accordance with this section. The submission shall include a statement of woodland and hedgerow management objectives and shall demonstrate the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive species, and means to minimize any future woodland and hedgerow disturbance. Additional requirements include:
 - (a) The manner in which the woodland area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary). See section 162-64.B. for further requirements.
 - (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
 - (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the woodland area.
 - (d) Applicants and responsible parties are strongly encouraged to seek woodland management assistance through the Pennsylvania "Forest Stewardship Program" administered by the Pennsylvania Bureau of Forestry.
- (10) Installation of woodland and hedgerow replacement plantings shall be installed, maintained, and guaranteed along with all other site improvements in accordance with §162-8.G and §162-61 (Release from Performance Guarantee) of this chapter. The costs of planting material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to include sufficient funds in their financial security to guarantee the survival of existing vegetation that may be damaged during construction.
- (11) Any new trees (such as, but not limited to, the required trees per section 162-57) placed on the property may be credited toward the compensatory tree requirement, provided that such new trees meet the following size requirements:
 - (a) Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper at planting.
 - (b) Multi-stem shade or ornamental trees shall have a minimum height of

10'-12' at planting.

- (c) Evergreen trees shall have a minimum height of 8' at planting.
- (d) Large Shrubs shall have a minimum height of 30" at planting.
- (e) Small Shrubs shall have a minimum height of 24" at planting.

(12) In lieu of on-site tree replacement, the applicant may, upon mutual agreement with the Township, deposit into a fund established by the Township an amount equal to the value of some or all of the required replacement trees, as determined by the Township in consultation with the applicant. Said fund shall be used for the purchase, installation, and maintenance of trees on Township-owned property, at the discretion of the Township. This option may be exercised particularly in cases where the subject property cannot reasonably accommodate the number of replacement trees required pursuant to the provisions of this chapter.

SALDO

§ 162-57 Landscape design, installation and maintenance standards.

A. Applicability. Landscaping conforming to the provisions of this section shall be provided in any of the following situations:

- (1) Screening buffer.
 - (a) Where any use or activity is subject to the screening requirements of Subsection (B) below, the lot shall be provided with a minimum fifty-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section.
 - (b) Any situation where screening is imposed by the Zoning Hearing Board or otherwise by the Township as a condition of any approval or permit. In consideration of any approval or permit, the Township may require screening or buffering for the purpose of providing privacy for dwellings, separating incompatible land uses, shielding unattractive structures from view, noise abatement or reduction in light or glare.
- (2) Perimeter buffer. The entire perimeter of any tract subject to subdivision or land development approval, or any tract occupied by a use subject to the provisions of Sub Section B below, shall be provided with a minimum fifteen-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section

- (3) Site element screening. Site element screens are used to screen specific elements from views within the tract or views of said elements from other tracts. These elements shall be screened according to subsection B below.
- (4) Street Trees in accordance with subsection C below.
- (5) Parking lot landscaping requirements in accordance with subsection D below.
- (6) Building planting requirements in accordance with subsection E below.

B. Perimeter Buffer, Screening Buffer and Site Element Screen:

Landscaped perimeter buffers and screening buffers shall be used to mitigate views between a development and its surroundings and to provide opportunities for green links between properties. Site element screens are used to screen specific elements from views within the tract or views of said elements from other tracts. Three types of such landscaping are hereby established: screening buffer, perimeter buffer, and site element screen. The minimum planting requirements for these buffers and screens are contained in this section. Buffers between adjoining land uses shall be in accordance with the following table.

Screening and Perimeter Buffer Land Use Chart

Adjoining Land Use

Proposed Use	Com.	Ind.	Inst.	Ag./Open Space.	Rec.	Mun.	Res. SF	Res. MF	Utility
Commercial	P	S	S	S	S	S	S	S	S
Industrial	S	P	S	S	S	S	S	S	P
Institutional	S	S	P	S	P	P	S	S	S
Agriculture /Open Space	S	S	S	P	P	S	S	S	S
Recreation	S	S	P	P	P	S	S	S	S
Municipal	S	S	P	P	P	P	S	S	S
Residential SF	S	S	S	S	S	S	P	P	S
Residential MF	S	S	S	S	S	S	P	P	S
Utility	S	P	S	S	S	S	S	S	P

S= Screening Buffer

P= Perimeter Buffer

(1) Perimeter Buffer and Screening Buffer Requirements:

An on-site investigation by the design professional shall determine the adjacent land uses along each property boundary and street frontage. In the case of vacant land, the existing zoning district shall be used. The existing uses or zoning district shall be noted on the plan. In the case when several uses are

allowed on a site, the most restrictive landscaping requirements identified in the Table above shall apply as determined by the Zoning Officer.

- (a) Any of the following elements may be used in buffers and screens, provided that the minimum standards prescribed herein are met:
 - i. Existing vegetation and natural features
 - ii. Proposed new or transplanted vegetation
 - iii. Existing or proposed fences or walls
 - iv. Existing or proposed grading, including berms
- (b) Preserved existing natural features and transplanted material may be credited as prescribed in Section 162-57.G. of this chapter.
- (c) Fences, walls and berms shall be used in conjunction with required landscaping, not to replace it.
- (d) If berms are proposed, they shall conform to the following standards:
 - i. Berms shall be a minimum of 2' in height and shall not be steeper than 3' horizontal distance to 1' vertical distance.
 - ii. Berms should be located to work in conjunction with vegetation, fences and/or natural features to provide an effective buffer. They shall be laid out to replicate naturally occurring landforms. Their locations shall not adversely affect stormwater management.
- (e) The following methods shall be used for the purpose of calculating the amount of plant material required within a perimeter buffer or screening buffer:
 - i. A buffer length shall be measured at the property line or right-of-way line and shall include all existing or proposed driveway openings or easements.
 - ii. Where buffer yards overlap, as in the case of a front and side yard buffer, the most stringent requirement shall apply. For example, when a screening buffer and a perimeter buffer overlap at a property corner, the screening buffer length shall be calculated for the entire length required, and the perimeter buffer shall be reduced by the amount of the overlap.

- (f) The length of the perimeter buffer of stormwater management basins shall be measured along the elevation of the center of the top of the berm, around the circumference of the basin.
- (g) Site element screens, existing natural features, structural garden elements (such as gazebos and trellises), water features, sculpture, and project identification signs may be placed within the buffer, provided they do not replace or diminish the intended screening effect of the buffer.

(2) Screening Buffer:

Screening buffers shall be used between incompatible zoning districts, between land uses as required by § 162-57.B above, and adjacent to the higher classified street right-of-way on reverse frontage nonresidential lots where a high level of visual buffering is desirable as determined by the Township.

- (a) Screening buffers shall be 50' in width, adjacent to the property line.
- (b) Screening buffers shall comply with the following planting requirements:
 - i. One deciduous tree per 50' of length.
 - ii. One ornamental tree per 50' of length.
 - iii. Two evergreen trees per 50' of length.
 - iv. Ten small shrubs or five large shrubs per 50' of length.
 - v. Where calculation of the minimum number of plantings required above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

(3) Perimeter Buffers:

Perimeter buffers shall be used along all property boundary lines or residential subdivision tract boundary lines, along arterial street right-of-way lines, around the entire perimeter of stormwater management basins, and shall be used adjacent to the higher classified street right-of-way on reverse frontage residential lots where a low level of visual buffering is desirable as determined by the Township.

- (a) The Township may reduce or eliminate the perimeter buffer requirement where any tract abuts similar uses such that the Board agrees that buffering is not necessary or where the applicant can demonstrate to the

satisfaction of the Board that existing vegetation, structural and/or topographic conditions will, on a year-round basis, buffer the subject development or use from view from adjacent tracts.

- (b) Perimeter buffers shall be 15' in width, placed at the property line, right-of-way line, or around the circumference of stormwater management basins. Perimeter buffers shall comply with the following planting requirements:
 - i. One deciduous tree per 100' of length.
 - ii. One ornamental tree per 100' of length.
 - iii. Two evergreen trees per 100' of length.
 - iv. Five large shrubs per 100' of length.
- (c) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.
- (d) Perimeter buffers shall be placed around stormwater management basins with the following additional considerations:
 - i. The plantings should be clustered to approximate naturally occurring groupings. The intention is not to screen the basin, but rather to help it blend into the development by softening its appearance.
 - ii. The basin headwall and other structures should be screened with required plantings; however, plantings shall not impede the basin's function.
 - iii. Trees and shrubs shall not be permitted on the constructed berms for basins. In cases where the perimeter buffer coincides with a constructed berm, required buffer plantings shall be placed in the area downslope and adjacent to the berm.
 - iv. Naturalistic basins shall be designed as natural areas with 100% native plantings to promote habitat and aesthetics, and shall be graded to resemble naturally occurring landforms, with constructed banks no steeper than 1' vertical to 4' horizontal. When approved by the Township, naturalistic basins may be installed within the required yard areas, and no perimeter buffer shall be required.

Naturalistic basins shall not be planted in turf but shall have appropriate native plantings including species recommended in the PA Department of Environmental Protection Stormwater Best Management Practices Manual Appendix B - Pennsylvania Native Plant List. Plantings in naturalistic basins shall be demonstrated to be at least equal in monetary value to that of the required perimeter buffer vegetation.

(4) Site Element Screen:

All electrical, mechanical, and utility equipment, along with any loading or storage areas not enclosed within a building, shall be fully screened from view from adjacent streets and residential districts or uses. The screening must be designed in a manner that is architecturally and visually compatible with the overall site design and must also account for access and routine maintenance needs if applicable. Final screening plans are subject to Township site plan and/or architectural review to ensure compliance with applicable design standards and community character objectives.

- (a) Site element screens may be located within required buffer areas. Screen plantings used around parking lots shall be placed to provide a snow stockpile area. Site element screens may be eliminated if they are adjacent to or within screen buffers, when the screen buffer effectively screens views of the site element.
- (b) Site element screens shall be one of the following types, according to use. If a use is not listed, the screen most suited to the use shall be used.
 - i. Low screens shall be used around the perimeters of all parking lots or other similar vehicular use areas, including service stations, sales lots for motorized vehicles, vehicular stacking lanes associated with a drive-through, and around trash enclosures or storage buildings when decorative walls, such as brick, latticework or split-face concrete block, are proposed.
 - ii. High screens shall be used adjacent to loading areas, around trash enclosures and storage buildings, when fencing or plain concrete masonry units are proposed, and around transformers, maintaining the required clear distance. High screens or 6' high opaque fencing shall also be required to buffer accessory structures from the higher classification street on reverse frontage lots.

- iii. Yard screens shall be placed around vehicular storage areas that are not used as parking lots or sales areas, around the perimeter of tank farms and similar facilities, and around utility towers and equipment yards.
- (c) Site element screens shall be measured at the base of the element being screened. This might be the base of a trash enclosure or the surface of a parking lot closest to the screen.
- (d) Low screens shall conform to the following:
 - i. They shall be comprised of evergreen or dense deciduous shrubs to form a continuous screen or hedge, which shall reach a minimum height of 3', after two years' growth. For example, if a parking lot elevation is higher than the adjacent street and the screen plantings are placed at a lower elevation on the slope between the two, then the screen must consist of either larger plants, a taller species or be maintained higher to provide 3' high screen as measured from the surface of the parking lot. Conversely, if a berm is used in conjunction with screen plantings, they may be shorter plants, as long as an effective screen is provided.
 - ii. Small shrubs shall be spaced no farther than 3' on-center. Large shrubs shall be spaced no farther than 5' on-center.
- (e) High screens shall be comprised of either of the following:
 - i. Large evergreen shrubs spaced no farther than 5' on center, or as needed to form a continuous screen at a height of 6' after 5 years' growth.
 - ii. Evergreen trees spaced 12'-15' on center.
- (f) Yard screens shall conform to the following. They shall be of the same composition as high screens, except that in addition, large shrubs shall be planted on 5' on center alongside the evergreen trees.

C. Street Trees

- (1) Street trees provide many benefits, including shading streets and parking lot drives, adding beauty to a neighborhood, biodiversity, and creating separation from the roadway and individual yards. Street trees should be selected with particular emphasis on hardiness, minimum need for maintenance and

capability of providing significant shade. Street trees have wide canopies to provide cooling, stormwater benefits and shade for pedestrians when grown to maturity when feasible. Planting large canopy trees is preferred, unless space is limited. Providing space for trees includes both allowing room above and below ground, i.e., soil volume and space for healthy canopy without growing into utility transmission lines.

(2) Street trees shall be located to provide shade along linear areas of pavement.

- (a) Street trees shall be required along both sides of all existing and proposed public and private streets when said streets abut or lie within the proposed subdivision or land development.
- (b) Street trees shall be required along common driveways that serve five or more residential dwelling units.
- (c) Street trees shall be required on both sides of drive aisles that serve nonresidential properties or uses.

(3) Street Tree Locations:

- (a) Trees shall be planted at a rate of at least one tree per 40' of public or private street frontage, common driveway, or portion thereof. Trees shall be distributed along the entire length of the public or private street frontage, access driveway, or walkway, although they need not be evenly spaced.
- (b) Street trees shall be planted a minimum distance of 6' from the outside edge of the right-of-way, public or private street, drive aisles, common driveways or walkways, and a distance no greater than 15' from the edge of the right-of-way.
 - i. Where there are existing trees along the road, new trees shall be planted in-line to supplement them. Preserved deciduous trees shall be credited toward street tree requirements in accordance with 162-57.G.
 - ii. If no sidewalk exists or where sidewalks are unlikely to be installed, street trees shall be located at a minimum distance 6' from the edge of the right-of-way.
- (c) Street trees shall be planted at least 15' from buildings, when feasible, or at a similar distance appropriate for the building height and tree species.

- (d) Street trees can be grouped to allow sight lines to commercial signage and do not need to be evenly spaced along the Street.
- (4) Street Tree Species Selection.
 - (a) Selected street tree species shall be hardy indigenous varieties with minimal maintenance requirements, and shall be selected such that, at maturity, they shall provide adequate summer shade along the public road.
 - (b) Refer to Cornell Universities Recommended Urban Trees Publication for Street Trees. DCNR / Native Plants | Department of Conservation and Natural Resources| Commonwealth of Pennsylvania for recommended tree types.
 - (c) Tree species shall be selected based on appropriate growth rates and mature heights for use under or adjacent to overhead utility lines. See Arbor Day guidelines for planting distances and recommended tree species. <https://www.arborday.org/perspectives/planting-right-tree-right-place>.
 - (d) At the time of planting, street trees shall be at least 2.5"-3" caliper in size.

D. Parking lot landscaping.

All off-street parking areas, except those intended solely for use by individual single-family dwellings, shall be landscaped with trees and shrubs of varying species, in accordance with the following:

- (1) Off-street parking areas shall be landscaped to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to ameliorate stormwater drainage problems; to replenish the groundwater table using bioretention islands; to provide for a more attractive setting; to protect the character and stability of residential, business, institutional, and industrial areas; and to conserve the value of land and buildings on surrounding properties and neighborhoods.
- (2) No parking or paved area, except for permitted accessways, shall directly abut a public street. Each such area shall be separated by a site element screen meeting §162-57.B(4) of this chapter.
- (3) Any parking for five or more vehicles on a lot which abuts a residential district or a lot used for residential purposes, whether single-family or multifamily, shall be screened from the adjacent property by an effective vegetative screen the

entire length of said parking lot, in accordance with the requirements of §162-57.B(4) this chapter.

- (4) The interior of each parking area or lot shall have at least one shade tree for every 10 parking spaces. Such shade trees shall meet the standards provided for street trees in Subsection C(4) above.
- (5) One evergreen or ornamental tree and four shrubs shall be required per every 2,000 square feet of off-street parking or loading area; residential subdivisions are exempt from this requirement.
- (6) Planting areas shall be placed so as to facilitate snow removal and to provide for safe movement of traffic without interference of proper surface water drainage. Planting areas shall be bordered appropriately to prevent erosion or damage from automobiles. Bollards may be used to afford protection of trees from vehicular movement.
- (7) Planting areas utilized for stormwater management/bioretention can count toward parking lot landscaping minimum requirements. Such planting area design and maintenance shall be clearly described in the applicant's stormwater management plan submitted as part of a subdivision or land development application.
- (8) The landscaping and planting areas shall be reasonably dispersed throughout the parking lot, except where there are more than 20 spaces in which case the following shall apply:
 - (a) Landscaped areas at least 10' wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary access ways, to prevent the encroachment of moving vehicles into parking areas.
 - (b) Landscaped islands at least 10' wide shall be provided between each set of two parking bays, except as otherwise approved by the Township.
 - (c) Landscaped islands shall be provided at the end of each parking bay where such parking bay abuts or opens onto any street or accessway. Such landscaped islands shall be at least 10' in width and shall extend parallel to the parking spaces in each abutting parking area the length of one parking space. No more than 20 parking spaces shall occur between islands. Parking bays providing more than 20 spaces in a single bay shall be broken by a similar landscape island.

- (d) 2' of each parking stall adjacent to planting strips required in Subsection D.(8)(a) and (b) above shall be of a permeable surface (e.g., concrete paver blocks filled with stone) to allow water to percolate into the ground.
- (9) Parking lots which do not conform to the criteria listed above in Subsection D(8) shall be planted with the same ratio of trees to parking spaces as conventional parking lots, but these may be planted in more varied configurations.
- (10) All parking lots shall be designed to provide for safe, reasonable pedestrian access. Parking lots with more than 50 spaces shall include paved pedestrian walkways. Pedestrian walkways may be located along or through landscaped islands or other landscaped areas adjacent to the parking lot.

E . Building Planting Requirements.

- (1) The total number of building plantings required may be dispersed throughout the tract to meet the objectives of this section. Additional plantings may be provided.
- (2) The minimum planting requirement for building plantings shall be one shade, ornamental or evergreen tree per 50' of building facade plus 5 small shrubs per 50' of building facade. In lieu of shrubs, 50 herbaceous perennial plantings may be provided per 50' of building facade.
- (3) Where calculation of the minimum number of plantings required above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

F. Landscape plan.

- (1) All required landscaping shall be installed and maintained in accordance with a landscape plan prepared, signed and sealed by a registered landscape architect in the Commonwealth of Pennsylvania and approved by the Township. The landscape plan shall depict all proposed plantings required to complement, screen or accentuate building, roads, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, entry road treatments, and other site features and/or structures. Plant sizes, spacing and types shall be in accordance with this section, especially Subsection G below, Landscape design standards.

(2) All required landscape plans shall be submitted at the time when all other required applications and/or plans are submitted (e.g., sketch, preliminary, or final subdivision and land development plan submission, conditional use application, change in use, etc.). Plans shall be based on and reflect the following objectives:

- (a) A design which is responsive to the functional and aesthetic characteristics of the tract or lot, and existing and proposed principal and accessory buildings and other structures.
- (b) A design which respects/incorporates existing topography, landscape, and other natural features such as hedgerows and woodlands.
- (c) A design which demonstrates an effective proposal for screening the proposed use or activity from the adjoining properties.
- (d) A design which creates visual interest for the users and/or residents of the proposed project and enhances views.
- (e) A design which promotes effective management of stormwater to minimize soil erosion and sedimentation and creates opportunities for infiltration to the groundwater system.
- (f) The use of plant material which is acclimated to local conditions; located and spaced to achieve required screening, compatible groupings and other effective purposes; and not injurious of persons or pedestrians and vehicular circulation.

(3) Submitted landscape plans shall include notes, diagrams, sketches or other depictions appropriate to demonstrate consideration and analysis of the following:

- (a) Consistency with the objectives stated in Subsection B, C, D, and E, above, as well as the design standards of Subsection G below.
- (b) Planting plans shall include a planting schedule which summarizes the quantity, type, size and root conditions of all plantings.
- (c) Analysis of the site in terms of existing site conditions, including topography and vegetation, and existing views to and from the areas which are proposed for development.
- (d) Analysis of any need(s) for screening related to the proposed development or use.

- (e) Consideration of the use of introduced landscaping to provide visual interest, define outdoor spaces, complement architectural features, blend into surrounding landscapes and/or other aesthetic purposes.
- (f) A compliance chart showing dimensions, calculations and quantities based on landscape requirements of the Upper Uwchlan Township Code.

(4) Landscape plans should show the location of tree protection fencing in accordance with Section 162-55.B.(5). A tree protection fence detail shall be provided in the plan set.

G. Landscape design standards:

All required landscaping shall be designed, installed and maintained in accordance with the standards herein, including specific standards for screening, street trees, perimeter buffer and parking area landscaping, building plantings and replacement trees as applicable.

- (1) Existing trees and shrubs to be retained and protected may be credited towards the minimum planting standards, subject to review and approval of the Township. Where existing trees have been identified for credit, the Township may require the applicant to commit to a tree replacement program for non-surviving plants.
 - (a) Credits shall be given for existing preserved healthy and viable vegetation. Preserved deciduous trees shall be credited toward shade and street tree requirements, evergreen trees shall be credited toward evergreen requirements, and shrubs shall be credited toward shrub requirements. No credit shall be given for weedy, brittle or invasive species.
 - (b) Preserved healthy and viable trees shall be credited toward satisfying the requirements of this section in the area that they are preserved. That is, if a tree is preserved along a property line, it shall be credited toward the buffer or screen requirements along that property line. A tree preserved within a parking area may not be counted toward satisfying buffer requirements.
 - (c) The applicant shall note, on all appropriate submittals, the location, type, extent, and condition of the existing plant materials or other means of landscaping that would be the basis for the proposed credit. Should the Township issue credit, the approved, existing plant materials or other means of landscaping shall be protected during construction from impacts such as, but not limited to, root compaction, debarking, and soil stripping in accordance with Section 162-55.B.(6)(a).
 - (d) Preserved, healthy and viable trees shall be credited toward satisfying the requirements of this section as follows:

- i. 8"-12" diameter equals two trees.
- ii. 13"-24" diameter equals four trees.
- iii. 24" diameter or greater equals six trees.

(2) Mitigation of development impacts. The applicant shall plant trees and shrubs and make other landscape improvements (e.g., berms, fencing) consistent with the terms of this section to mitigate any adverse impacts of the proposed development.

(3) General landscape design.

- (a) Plantings and other landscape improvements shall be provided in arrangements and locations to have an overall benefit to the landscape and in response to specific site conditions. Additional considerations shall include feasibility of using native species, proximity to existing dwellings, compatibility of adjacent uses and landscaping, nature of views into and across the subject site, and in consideration of privacy of neighboring residential development.
- (b) Use of linear measurements for purposes of calculation is not intended to specify linear arrangement of plantings. Groupings of plantings are encouraged in lieu of linear arrangement, consistent with the provisions of this section.
- (c) In selecting the location and mix of required plantings, consideration shall be given to the natural landscape characteristics of the setting, the environmental conditions to be created following site disturbance, and the texture, coloration and compatibility of different plant species. It is strongly encouraged that improved landscapes be designed in such a manner as to be creative and attractive while maintaining the integrity of the natural landscape within which such work is proposed.
- (d) The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight. In selecting locations for shade trees, consideration also shall be given to aesthetic qualities of the site and to the protection of solar access.
- (e) The type of plantings shall be carefully selected for locations where they may contribute to conditions hazardous to public safety. Examples of such

locations include but shall not be limited to the edges of parking areas; public street rights-of-way; underground and aboveground utilities; and sight triangle areas required for unobstructed views at street intersections. No trees shall be planted closer than 15' from fire hydrants, streetlights, or stop signs.

- (f) Planting guidelines from Arbor Day Foundation "The Right Tree in the Right Place" can be utilized for direction in selecting tree species and the optimal distance to plant from overhead power lines and other utilities.

(4) Plant Material.

- (a) Plant sizes used to comply with the standards required above shall be:
 - i. Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper at planting.
 - ii. Multi-stem shade or ornamental trees shall have a minimum height of 10'-12' at planting.
 - iii. Evergreen trees shall have a minimum height of 8' at planting.
 - iv. Large Shrubs 30" minimum height at planting.
 - v. Small Shrubs 24" minimum height at planting.
- (b) Plantings and their measurement shall conform to the standards of the publications "American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section.
- (c) The Township shall conduct a post-construction inspection and reserves the right to require additional plantings if the existing plant material or other means of landscaping are damaged or did not survive construction.

H. Criteria for selection of plant material.

(1) Species selected by the applicant shall reflect careful evaluation of the required site analysis plan and in particular the following considerations:

- (a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
- (b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.
- (c) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, availability, and drought and salt resistance.

- (2) Use of native plants, because of their many benefits (such as ease of maintenance, longevity, wildlife habitat, etc.), is encouraged to meet the requirements of this section.
- (3) Species for shade trees, including street trees, shall be selected with particular emphasis on hardiness, growing habit, minimal need for maintenance, and compatibility with other features of the site and surrounding environs.
- (4) For the purposes of promoting disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under more or less natural conditions on sites comparable to those where the trees and shrubs are to be planted.
- (5) Invasive and watch-list species listed on any governmental list of invasive species, including the Pennsylvania Department of Conservation and Natural Resources' DCNR Invasive Plant List, shall be prohibited from being planted in any subdivision or land development in the Township.
- (6) Invasive plants shall be required to be removed within the limit of disturbance when present on a site being developed. Such plants shall not be used to satisfy any landscaping requirement of this chapter.

I. Site maintenance and guarantee.

- (1) All landscape improvements, to be provided in accordance with this section, shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate, but not necessarily be limited to, provisions for surface mulch, guy wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.

- (2) Applicant shall make arrangements acceptable to the Township that all landscaping incorporated into the landscape plan and proposed in accordance with this chapter shall be maintained in a healthy and/or sound condition or otherwise be replaced by equivalent improvements. After installation and prior to Township acceptance of the site improvements, representatives of the Township shall perform an inspection of the finished site for compliance with the approved landscape plan(s).
 - (a) Landscape improvements required by this chapter shall be maintained in a healthy condition.
 - (b) Upon completion of the development and prior to the final release of financial security, the Township shall perform an inspection of the finished site for compliance with the approved landscaping plan.
 - (c) Landscape improvements required by this chapter shall be maintained in a healthy and/or sound condition for a period of 18 months from the date that financial security is fully released or date of issuance of a certificate of occupancy, whichever is later.
 - (d) Prior to the expiration of the eighteen-month guarantee period, plants found to be in poor health or lacking normal growth habit shall be replaced with a substitute plant material determined by the Township to be more suitable for the planting scheme. Replacement plants shall be inspected by the Township after installation. All plants shall be in a vigorous and thriving condition at the end of the eighteen-month period, as determined above.
 - (e) Replacement plant material shall be installed as soon as practicable after notification by the Township to do so. Such notification shall give deference to weather conditions adverse to new planting.
 - (f) Where accidental damage or vandalism of plants occurs, the applicant shall replace the damaged plant material in accordance with the original or modified planting plan. In such cases, the eighteen-month replacement policy required above may be waived.
- (3) Installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with §162-8.G and §162-61 of this chapter. The costs of landscape material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to include sufficient

funds in their financial security to guarantee the survival of existing vegetation that may be damaged during construction.

(4) Maintenance.

- (a) It shall be the responsibility of all property owners to maintain all plantings and architectural elements to ensure a safe environment.
- (b) Plantings shall be selected, located, and maintained so as not to contribute to conditions hazardous to public safety. Such conditions include, but are not limited to, public street rights-of-way, underground and above ground utilities, and sight triangle areas required for unobstructed views at street intersections.
- (c) Within required sight triangles, shrubs must be maintained at a maximum height of 2', and trees must be maintained so that the lowest branches are a minimum of 7' above grade.

J. (d) Further Maintenance requirements can be found in Chapter 137 of the Upper Uwchlan Township Code, titled Property Maintenance Suggested Tree Species / Recommended Publications: The following are recommended publications for selecting tree species according to their role in the landscape.

- (1) Arbor Day Foundation, Planting the Right Tree in the Right Place for recommendations on planting near utilities and database of tree information (<https://www.arborday.org/perspectives/planting-right-tree-right-place>)
- (2) Pennsylvania DCNR for information on native plant species and invasive plant a species. (<https://www.pa.gov/agencies/dcnr/conservation/wild-plants/landscaping-with-native-plants.html>)
- (3) Cornell University Recommended Urban Trees. (<http://www.hort.cornell.edu/uhi/outreach/recurbtree/>)
- (4) Penn State Extension Publications are great resources to find up to date information on issues regarding plant health or threats to specific species to be aware of as they continually develop.



LANCASTER
53 W. James St.
Suite 101
Lancaster, PA 17603
717.715.1396

YORK
221 W. Philadelphia St.
Suite 108E
York, PA 17401
717.854.3910

HARRISBURG
P.O. Box 841
Camp Hill, PA 17001
717.599.7615

PAOLI
41 Leopard Rd.
Suite 300
Paoli, PA 19301
610.408.9011

October 3, 2025

The Township of Upper Uwchlan has engaged RGS Associates to update the local township ordinance in respect to landscape requirements. The following text is a draft of the revised sections of the Upper Uwchlan Ordinance that pertain to landscape requirements.

Township of Upper Uwchlan,
Chapter 200. Zoning

Article XV. Common Regulations

§ 200-77. Screening.

A. Screening requirements shall be applicable under the following circumstances:

- (1) As applicable under Section 162-57.B
- (2) Any other instance where screening is required by this chapter or by the Township Code. Landscape screening requirements shall be applicable and shall comply with the requirements outlined under Section 162-57.B.
- (3) Water towers, storage tanks, processing equipment, fans, skylights, cooling towers, vents and any other structures or equipment which rises above the roof line shall be architecturally compatible or effectively shielded from view from any public or private ~~l~~street by an architecturally sound method which shall be approved, in writing, by the Township before construction or erection of said structures or equipment.

Commented [MW1]: This was existing code, I do not mind taking it out, but we didn't revise this portion as it does not relate to landscaping

§ 200-78. Landscaping.

[Amended 6-17-2002 by Ord. No. 02-04]

A. Applicability.

- (1) Except for individual lots existing at the time of adoption of this section and occupied or intended to be occupied by single-family or two-family dwellings, the provisions of §162-57 of Chapter 162, Subdivision and Land Development, shall apply to all uses and to any change in use in Upper Uwchlan Township, such standards incorporated herein by this reference.
- (2) Where any use or activity requires approval of any building or zoning permit, zoning variance, special exception or conditional use, such approval or permit shall be conditioned upon compliance with the provisions of said §162-57, including submission of a landscaping plan as set forth in §162-57. Plans accompanying zoning applications may be conceptual in nature but shall demonstrate the ability to achieve the objectives of §162-57.
- (3) It is the intention of this section that the provisions of said §162-57 shall apply independently under this chapter only where Chapter 162, Subdivision and Land Development, does not otherwise apply to the proposed use or activity. Therefore, where any use, activity, permit or approval is also subject to subdivision or land development review, there shall be no requirement for additional review under this chapter. Further, where and to the extent that modification(s) of any of the provisions of said §162-57 has/have been approved by the Upper Uwchlan Board of Supervisors in connection with any subdivision or land development review, the said requirements shall not be independently enforced pursuant to this chapter.

Commented [MW2]: This was part of the existing text. I'm not sure what changes if we change this. Typically when we submit conditional use applications we keep the plan conceptual ie; trees, shrubs, - but for prelim and final you need to be more specific - ie; White Oak, oak leaf hydrangea.

Septemeber 25, 2025

DRAFT

B. Modifications.

- (1) For any use or activity subject to subdivision or land development review, modification(s) to the provisions of §162-57 of Chapter 162, Subdivision and Land Development, may be requested, which modification(s) may be granted at the discretion of the Board of Supervisors pursuant to the provisions of that chapter.
- (2) For any use or activity not subject to subdivision or land development review, but where the use or activity is subject to application for approval of a conditional use, special exception, or zoning variance, modification(s) to the provisions of said §162-57 may be requested as part of such application.
- (3) For any use or activity not otherwise subject to permit or approval as provided in Subsection B(1) or (2) above, modification(s) to the provisions of said §162-57 may be requested in the form of an application for grant of a special exception by the Upper Uwchlan Zoning Hearing Board. Such applications shall be submitted to the Upper Uwchlan Planning Commission for review and comment prior to formal special exception application to the Zoning Hearing Board.
- (4) In approving any application pursuant to Subsection B(2) or (3) above, the Zoning Hearing Board or Board of Supervisors, as applicable, as a condition of approval of such application, may permit specific modification(s) to the provisions of said §162-57 subject to the following:
 - (a) The Zoning Hearing Board or Board of Supervisors, as applicable, shall determine that the specific nature of the lawful use or activity, existing site conditions, and/or safety considerations warrant such modification(s); and
 - (b) Permitted modifications shall be consistent with the purposes of said §162-57.

Chapter 162. Subdivision and Land Development

Article VI. Development Design Standards

- § 162-44 General standards.
- § 162-45 Land requirements.
- § 162-46 Lot design.
- § 162-47 Monuments and iron pins.
- § 162-48 Wastewater treatment and disposal.
- § 162-49 Water supply.
- § 162-50 Other utilities.
- § 162-51 Erosion and sediment control.
- § 162-52 Stripping, piling, replacement or removal of topsoil.
- § 162-53 Design standards for land development.
- § 162-54 Community facilities and public open space.
- § 162-55 Natural and historic features conservation.
- § 162-56 Parking.
- § 162-57 Landscape design, installation and maintenance standards.
- § 162-58 Lighting.

§ 162-55 Natural and historic features conservation.

[Amended 12-15-2003 by Ord. No. 03-06]

A. General.

- (1) For all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, consideration shall be shown for the protection of all natural and historic features in Upper Uwchlan Township, including, but not limited to, woodlands, specimen trees, hedgerows, wetlands and watercourses, riparian buffers, prohibitive and precautionary slopes, trails, and historic resources which, if preserved, will add attractiveness and value to developed areas. The 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. The provisions of this section apply to all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, pursuant to § 200-108. Where any applicant demonstrates to the satisfaction of the Township that strict adherence to the provisions of this section will render the lot or tract unusable or unsuitable for development in accordance with applicable zoning district regulations or demonstrates that alternative design provisions shall achieve similar conservation objectives, the provisions of this section may be waived or modified as determined appropriate by the Board of Supervisors.
- (2) Where the proposed subdivision will be subject to a site analysis and impact plan (§162-9D of this chapter), the applicable narrative and plan submittal

requirements of this section can be made part of the site analysis and impact plan. The resource management, protection, and improvement requirements of this section can be included in the open space requirements of this chapter (§162-54) or Chapter 200, Zoning (§ 200-69), as applicable to the proposed project.

B. Woodlands and hedgerows. The purpose of this section is to promote conservation of woodlands, including specimen trees and hedgerows, throughout Upper Uwchlan Township through the establishment of specific provisions for land development activities, replacement requirements, and management planning.

- (1) Woodland and hedgerow disturbance resulting from any land development or land use change shall be minimized. No portions of tree masses or trees with a diameter at breast height (dbh) of 8" or greater shall be cleared unless demonstrated to be necessary and in accordance with this chapter. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing woodlands and hedgerows.
- (2) No healthy, viable 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.
- (3) Woodland and hedgerow disturbance of healthy and viable trees shall require woodland replacement in accordance with Subsections B(6) through B(9) below.
- (4) In determining where necessary woodland or hedgerow disturbance shall occur, applicants shall consider the following:
 - (a) The location(s) and benefit of conservation of healthy mature woodland or hedgerow stands;
 - (b) The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas, especially woodlands and hedgerows exceeding 10 acres in area; and
 - (c) The location of hedgerows relative to exterior or perimeter property lines as well as to existing or future trails, as consistent with applicable Township criteria such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended).
- (5) Calculation and estimation of existing trees shall be performed before any clearing commences and shall be based on the following procedure:
 - (a) Trees greater than 8" DBH, as measured at 4'-6" above natural grade, will be documented individually and noted on the landscape plan or existing conditions plan, unless section 162-55.B(7) is applicable.

Commented [KC3]: Is specimen tree a defined term?

Commented [MW4R3]: Yes. **SPECIMEN TREE** Any tree equal to or exceeding 24 inches dbh or any other unique or otherwise specifically selected plant or tree which most typically represents a class or group in terms of shape, form, historical importance or other characteristics, and which may be designated as such by the Township.

(b) The quantity of all trees greater than 8" DBH in groupings larger than 20 trees may be estimated by the following method:

- i. Three 100' by 100' square areas will be staked out in locations acceptable to the owner/developer and the Township Engineer or Township Landscape Architect.
- ii. The quantity of trees in each area will be counted and the totals of each size range (8" to 12" DBH, 13" to 23" DBH and 24" DBH and above) will be averaged to determine the average number of trees per 10,000 sq. ft. of wooded area.
- iii. This average quantity per area will be used to determine both the quantity of trees being removed and the quantity of trees to remain in large masses.

(6) In areas of permitted woodland or hedgerow disturbance and areas adjacent to permitted woodland and hedgerow disturbance, care shall be exercised to protect remaining trees from damage. To the maximum extent practicable, procedures shall be utilized during construction in order to protect the remaining trees.

(a) Where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees. Tree protection fencing shall be chain-link or wire mesh fence, 4'-6' in height and anchored 2' in the ground. Fencing shall have clear signage stating that area is in tree protection zone and no disturbance can occur without authorization from the Township. Fencing shall be placed at the dripline of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity.

- i. The holes for the posts shall be hand-excavated taking care not to disturb roots larger than 1.5" in diameter. If necessary, post spacing may be adjusted to not damage or injure roots.
- ii. A minimum of one 3' wide lockable gate shall be provided for each fenced area. The location of the gates shall be approved by the Township.
- iii. The tree protective zone signage shall have rigid or metal sheet signage legibly printed with nonfading lettering. The signage shall be weatherproof and at least 10" by 12" in area. The signage shall read: "TREE PROTECTION ZONE (TPZ) - KEEP OUT, No grade change, material storage, or equipment is permitted within this TPZ. The tree protection barrier must not be removed without the authorization of the Township. Call the Township to report violations."

- iv. One tree protection zone sign shall be installed per fence side spaced every 50'.
- (b) Roots shall not be cut within the dripline of any trees to remain.
- (c) Trees within 25' of a building, or bordering entrances or exits to building sites, shall be protected by tree protection fencing to be maintained in place throughout the duration of construction activity.
- (d) No boards or other material shall be nailed or otherwise attached to trees during construction.
- (e) Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the driplines of trees to remain, except for mulched vegetative matter used to prevent soil compaction.
- (f) Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage through immediate treatment in accordance with accepted professional landscape procedures.

(7) Where woodland or hedgerow disturbance involves each tree greater than 8" dbh removed, replacement trees shall be planted in accordance with the following schedule.

For Each Healthy and Viable Tree to be Removed, at the Following Sizes, dbh (inches)	Minimum Number and Caliper of Replacement Trees
One, 8"-12" dbh	One, 2.5"-3" inch caliper tree
One, 13"-23" dbh	Two, 2.5"-3" inch caliper tree
One, greater than 24" dbh	Three, 2.5"-3" inch caliper tree

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(8) Permitted Tree Replacement Substitutions:

- (a) A maximum of 30% of the replacement trees may be replaced with ornamental or evergreen trees at a ratio of two flowering trees (10'-12' ht.) or two evergreens (8'-10' ht.) per required 2.5"-3" caliper shade tree.
- (b) A maximum of 20% of the replacement trees may be replaced as shrubs with a minimum size of 24" ht. at a ratio of 6 shrubs per required 2.5"-3" caliper shade tree.
- (c) A maximum of 10% of the replacement trees may be replaced as groundcover at a ratio of 40 plants to one 2.5"-3" caliper shade tree. The minimum size of the ground cover shall be 1 gallon.

- (d) A maximum of 5% of the replacement trees may be replaced with plugs at a rate of 240 plugs 1.25" x 1.25" x 2.5" deep root zone for every 2.5"-3" caliper shade tree.
- (9) Applicant shall include provisions, in narrative and/or graphic form, of sufficient detail to satisfy the Township, for the long-term management of any woodland and hedgerow area not subject to woodland and hedgerow disturbance and any area selected for introduction of replacement plantings in accordance with this section. The submission shall include a statement of woodland and hedgerow management objectives and shall demonstrate the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive species, and means to minimize any future woodland and hedgerow disturbance. Additional requirements include:
 - (a) The manner in which the woodland area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary). See section 162-64.B. for further requirements.
 - (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
 - (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the woodland area.
 - (d) Applicants and responsible parties are strongly encouraged to seek woodland management assistance through the Pennsylvania "Forest Stewardship Program" administered by the Pennsylvania Bureau of Forestry.
- (10) Installation of woodland and hedgerow replacement plantings shall be installed, maintained, and guaranteed along with all other site improvements in accordance with §162-8.G and 57, §162-61 (Release from Performance Guarantee) of this chapter. The costs of planting material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to include in their financial security sufficient funds to guarantee the survival of existing vegetation that may be damaged during construction, to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with this section. In addition, an escrow may be required for the removal and replacement of woodlands, specimen trees, or hedgerows damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements.
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- (11) Any new trees (such as, but not limited to, the required trees per section 162-57) placed on the property may be credited toward the compensatory tree requirement, provided that such new trees meet the following size

requirements:

- (a) Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper at planting.
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- (b) Multi-stem shade or ornamental trees shall have a minimum height of 10'-12' at planting.
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- (c) Evergreen trees shall have a minimum height of 8' at planting.
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- (d) Large Shrubs shall have a minimum height of 30" at planting.
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- (e) Small Shrubs shall have a minimum height of 24" at planting.
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(12) In lieu of on-site tree replacement, the applicant may, upon mutual agreement with the Township, deposit into a fund established by the Township an amount equal to the value of some or all of the required replacement trees, as determined by the Township in consultation with the applicant. Said fund shall be used for the purchase, installation, and maintenance of trees on Township-owned property, at the discretion of the Township. This option may be exercised particularly in cases where the subject property cannot reasonably accommodate the number of replacement trees required pursuant to the provisions of this chapter.

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§ 162-57 Landscape design, installation and maintenance standards.

- A. Applicability. Landscaping conforming to the provisions of this section shall be provided in any of the following situations:
 - (1) Screening buffer.
 - (a) Where any use or activity is subject to the screening requirements of Subsection (B) below, the lot shall be provided with a minimum fifty-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section.
 - (b) Any situation where screening is imposed by the Zoning Hearing Board or otherwise by the Township as a condition of any approval or permit. In consideration of any approval or permit, the Township may require screening or buffering for the purpose of providing privacy for dwellings, separating incompatible land uses, shielding unattractive structures from view, noise abatement or reduction in light or glare.
 - (2) Perimeter buffer. The entire perimeter of any tract subject to subdivision or land development approval, or any tract occupied by a use subject to the

provisions of Sub Section B below, shall be provided with a minimum fifteen-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section

- (3) Site element screening. Site element screens are used to screen specific elements from views within the tract or views of said elements from other tracts. These elements shall be screened according to subsection B below.
- (4) Street Trees in accordance with subsection C below.
- (5) Parking lot landscaping requirements in accordance with subsection D below.
~~On any tract subject to subdivision or land development approval, or any lot or tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, all parking lots or areas shall be landscaped subject to the provisions of Subsection D below.~~
- (6) Building planting requirements in accordance with subsection E below.

B. Perimeter Buffer, Screening Buffer and Site Element Screen:

Landscaped perimeter buffers and screening buffers shall be used to mitigate views between a development and its surroundings and to provide opportunities for green links between properties. Site element screens are used to screen specific elements from views within the tract or views of said elements from other tracts. Three types of such landscaping are hereby established: screening buffer, perimeter buffer, and site element screen. The minimum planting requirements for these buffers and screens are contained in this section. Buffers between adjoining land uses shall be in accordance with the following table.

Screening and Perimeter Buffer Land Use Chart**Adjoining Land Use**

Proposed Use	Com.	Ind.	Inst.	Ag./ Pr <u>Open Space</u>	Rec.	Mun.	Res. SF	Res. MF	Utility
Commercial	P	S	S	S	S	S	S	S	<u>S</u>
Industrial	S	P	S	S	S	S	S	S	<u>P</u>
Institutional	S	S	P	S	P	P	S	S	<u>S</u>
Agriculture <i>/Preservation Open Space</i>	S	S	S	P	P	S	S	S	<u>S</u>
Recreation	S	S	P	P	P	S	S	S	<u>S</u>
Municipal	S	S	P	P	P	P	S	S	<u>S</u>
Residential SF	S	S	S	S	S	S	P	P	<u>S</u>
Residential MF	S	S	S	S	S	S	P	P	<u>S</u>
<u>Utility</u>	<u>S</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>

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S= Screening Buffer
P= Perimeter Buffer

(1) Perimeter Buffer and Screening Buffer Requirements:

An on-site investigation by the design professional shall determine the adjacent land uses along each property boundary and street frontage. In the case of vacant land, the existing zoning district shall be used. The existing uses or zoning district shall be noted on the plan. In the case when several uses are allowed on a site, the most restrictive landscaping requirements identified in the Table above shall apply as determined by the Zoning Officer.

- (a) Any of the following elements may be used in buffers and screens, provided that the minimum standards prescribed herein are met:
 - i. Existing vegetation and natural features
 - ii. Proposed new or transplanted vegetation
 - iii. Existing or proposed fences or walls
 - iv. Existing or proposed grading, including berms
- (b) Preserved existing natural features and transplanted material may be credited as prescribed in Section 162-57.G. of this chapter.
- (c) Fences, walls and berms shall be used in conjunction with required landscaping, not to replace it.

- (d) If berms are proposed, they shall conform to the following standards:
 - i. Berms shall be a minimum of 2' in height and shall not be steeper than 3' horizontal distance to 1' vertical distance.
 - ii. Berms should be located to work in conjunction with vegetation, fences and/or natural features to provide an effective buffer. They shall be laid out to replicate naturally occurring landforms. Their locations shall not adversely affect stormwater management.
- (e) The following methods shall be used for the purpose of calculating the amount of plant material required within a perimeter buffer or screening buffer:
 - i. A buffer length shall be measured at the property line or right-of-way line and shall include all existing or proposed driveway openings or easements.
 - ii. Where buffer yards overlap, as in the case of a front and side yard buffer, the most stringent requirement shall apply. For example, when a screening buffer and a perimeter buffer overlap at a property corner, the screening buffer length shall be calculated for the entire length required, and the perimeter buffer shall be reduced by the amount of the overlap.
- (f) The length of the perimeter buffer of stormwater management basins shall be measured along the elevation of the center of the top of the berm, around the circumference of the basin.
- (g) Site element screens, existing natural features, structural garden elements (such as gazebos and trellises), water features, sculpture, and project identification signs may be placed within the buffer, provided they do not replace or diminish the intended screening effect of the buffer.

(2) Screening Buffer:

Screening buffers shall be used between incompatible zoning districts, between land uses as required by § 162-57.B above, and adjacent to the higher classified street right-of-way on reverse frontage nonresidential lots where a high level of visual buffering is desirable as determined by the Township.

- (a) Screening buffers shall be 50' in width, adjacent to the property line.
- (b) Screening buffers shall comply with the following planting requirements:

- i. One deciduous tree per 50' of length.
- ii. One ornamental tree per 50' of length.
- iii. Two evergreen trees per 50' of length.
- iv. Ten small shrubs or five large shrubs per 50' of length.
- v. Where calculation of the minimum number of plantings required above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

(3) Perimeter Buffers:

Perimeter buffers shall be used along all property boundary lines or residential subdivision tract boundary lines, along arterial street right-of-way lines, around the entire perimeter of stormwater management basins, and shall be used adjacent to the higher classified street right-of-way on reverse frontage residential lots where a low level of visual buffering is desirable as determined by the Township.

- (a) The Township may reduce or eliminate the perimeter buffer requirement where any tract abuts similar uses such that the Board agrees that buffering is not necessary or where the applicant can demonstrate to the satisfaction of the Board that existing vegetation, structural and/or topographic conditions will, on a year-round basis, buffer the subject development or use from view from adjacent tracts.
- (b) Perimeter buffers shall be 15' in width, placed at the property line, right-of-way line, or around the circumference of stormwater management basins. Perimeter buffers shall comply with the following planting requirements:
 - i. One deciduous tree per 100' of length.
 - ii. One ornamental tree per 100' of length.
 - iii. Two evergreen trees per 100' of length.
 - iv. Five large shrubs per 100' of length.
- (c) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

(d) Perimeter buffers shall be placed around stormwater management basins with the following additional considerations:

- i. The plantings should be clustered to approximate naturally occurring groupings. The intention is not to screen the basin, but rather to help it blend into the development by softening its appearance.
- ii. The basin headwall and other structures should be screened with required plantings; however, plantings shall not impede the basin's function.
- iii. Trees and shrubs shall not be permitted on the constructed berms for basins. In cases where the perimeter buffer coincides with a constructed berm, required buffer plantings shall be placed in the area downslope and adjacent to the berm.
- iv. Naturalistic basins shall be designed as natural areas with 100% native plantings to promote habitat and aesthetics, and shall be graded to resemble naturally occurring landforms, with constructed banks no steeper than 1' vertical to 4' horizontal. When approved by the Township, naturalistic basins may be installed within the required yard areas, and no perimeter buffer shall be required. Naturalistic basins shall not be planted in turf but shall have appropriate native plantings including species recommended in the PA Department of Environmental Protection Stormwater Best Management Practices Manual Appendix B - Pennsylvania Native Plant List. Plantings in naturalistic basins shall be demonstrated to be at least equal in monetary value to that of the required perimeter buffer vegetation.

(4) Site Element Screen:
All electrical, mechanical, and utility equipment, along with any loading or storage areas not enclosed within a building, shall be fully screened from view from adjacent streets and residential districts or uses. The screening must be designed in a manner that is architecturally and visually compatible with the overall site design and must also account for access and routine maintenance needs if applicable. Final screening plans are subject to Township site plan and/or architectural review to ensure compliance with applicable design standards and community character objectives.

- (a) Site element screens may be located within required buffer areas. Screen plantings used around parking lots shall be placed to provide a snow stockpile area. Site element screens may be eliminated if they are adjacent to or within screen buffers, when the screen buffer effectively screens views of the site element.
- (b) Site element screens shall be one of the following types, according to use. If a use is not listed, the screen most suited to the use shall be used.
 - i. Low screens shall be used around the perimeters of all parking lots or other similar vehicular use areas, including service stations, sales lots for motorized vehicles, vehicular stacking lanes associated with a drive-through, and around trash enclosures or storage buildings when decorative walls, such as brick, latticework or split-face concrete block, are proposed.
 - ii. High screens shall be used adjacent to loading areas, around trash enclosures and storage buildings, when fencing or plain concrete masonry units are proposed, and around transformers, maintaining the required clear distance. High screens or 6' high opaque fencing shall also be required to buffer accessory structures from the higher classification street on reverse frontage lots.
 - iii. Yard screens shall be placed around vehicular storage areas that are not used as parking lots or sales areas, around the perimeter of tank farms and similar facilities, and around utility towers and equipment yards.
- (c) Site element screens shall be measured at the base of the element being screened. This might be the base of a trash enclosure or the surface of a parking lot closest to the screen.
- (d) Low screens shall conform to the following:
 - i. They shall be comprised of evergreen or dense deciduous shrubs to form a continuous screen or hedge, which shall reach a minimum height of 3', after two years' growth. For example, if a parking lot elevation is higher than the adjacent street and the screen plantings are placed at a lower elevation on the slope between the two, then the screen must consist of either larger plants, a taller species or be maintained higher to provide 3' high screen as measured from the surface of the parking lot. Conversely, if a berm

is used in conjunction with screen plantings, they may be shorter plants, as long as an effective screen is provided.

- ii. Small shrubs shall be spaced no farther than 3' on-center. Large shrubs shall be spaced no farther than 5' on-center.
- (e) High screens shall be comprised of either of the following:
 - i. Large evergreen shrubs spaced no farther than 5' on center, or as needed to form a continuous screen at a height of 6' after 5 years' growth.
 - ii. Evergreen trees spaced 12'-15' on center.
- (f) Yard screens shall conform to the following. They shall be of the same composition as high screens, except that in addition, large shrubs shall be planted on 5' on center alongside the evergreen trees.

C. Street Trees

- (1) Street trees provide many benefits, including shading streets and parking lot drives, adding beauty to a neighborhood, biodiversity, and creating separation from the roadway and individual yards. ~~Shade-Street~~ trees should be selected with particular emphasis on hardiness, minimum need for maintenance and capability of providing significant shade. Street trees have wide canopies to provide cooling, stormwater benefits and shade for pedestrians when grown to maturity ~~when feasible~~. Planting large canopy trees is preferred, unless space is limited. Providing space for trees includes both allowing room above and below ground, i.e., soil volume~~verge-size~~ and space for healthy canopy without growing into utility transmission lines.
- (2) Street trees shall be located to provide shade along linear areas of pavement.
 - (a) Street trees shall be required along both sides of all existing and proposed public and private streets when said streets abut or lie within the proposed subdivision or land development.
 - (b) Street trees shall be required along common driveways that serve five or more residential dwelling units.
 - (c) Street trees shall be required on both sides of drive aisles that serve nonresidential properties or uses.
- (3) Street Tree Locations:

- (a) Trees shall be planted at a rate of at least one tree per 40' of public or private street frontage, common driveway, or portion thereof. Trees shall be distributed along the entire length of the public or private street frontage, access driveway, or walkway, although they need not be evenly spaced.
- (b) Street trees ~~or large canopy trees~~ shall be planted a minimum distance of 6' from the outside edge of the right-of-way, public or private street, drive aisles, common driveways or walkways, and a distance no greater than 15' from the edge of the right-of-way.
 - i. Where there are existing trees along the road, new trees shall be planted in-line to supplement them. Preserved deciduous trees shall be credited toward street tree requirements in accordance with 162-57.G.
 - ii. If no sidewalk exists or where sidewalks are unlikely to be installed, ~~shade~~-street trees shall be located at a minimum distance 6' from the edge of the right-of-way.
- (c) Street trees shall be planted at least 15' from buildings, when feasible, or at a similar distance appropriate for the building height and tree species.
- (d) Street trees can be grouped to allow sight lines to commercial signage and do not need to be evenly spaced along the Street.

(4) Street Tree Species Selection.

- (a) Selected street tree species shall be hardy indigenous varieties with minimal maintenance requirements, and shall be selected such that, at maturity, they shall provide adequate summer shade along the public road.
- (b) Refer to Cornell Universities Recommended Urban Trees Publication for Street Trees. DCNR / Native Plants | Department of Conservation and Natural Resources| Commonwealth of Pennsylvania for recommended tree types.
- (c) Tree species shall be selected based on appropriate growth rates and mature heights for use under or adjacent to overhead utility lines. See Arbor Day guidelines for planting distances and recommended tree species. <https://www.arborday.org/perspectives/planting-right-tree-right-place.>

(d) At the time of planting, street trees shall be at least 2.5"-3" caliper in size.

D. Parking lot landscaping.

All off-street parking areas, except those intended solely for use by individual single-family dwellings, shall be landscaped with trees and shrubs of varying species, in accordance with the following:

- (1) Off-street parking areas shall be landscaped to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to ameliorate stormwater drainage problems; to replenish the groundwater table using bioretention islands; to provide for a more attractive setting; to protect the character and stability of residential, business, institutional, and industrial areas; and to conserve the value of land and buildings on surrounding properties and neighborhoods.
- (2) No parking or paved area, except for permitted accessways, shall directly abut a public street. Each such area shall be separated by a site element screen meeting §-162-57.B(4) of this chapter.
- (3) Any parking for five or more vehicles on a lot which abuts a residential district or a lot used for residential purposes, whether single-family or multifamily, shall be screened from the adjacent property by an effective vegetative screen the entire length of said parking lot, in accordance with the requirements of §~~152162-6757~~.B(4) this chapter.
- (4) The interior of each parking area or lot shall have at least one shade tree for every 10 parking spaces. Such shade trees shall meet the standards provided for street trees in Subsection C(4) above.
- (5) One evergreen or ornamental tree and four shrubs shall be required per every 2,000 square feet of off-street parking or loading area, ~~residential subdivisions~~ are exempt from this requirement.
- (6) Planting areas shall be placed so as to facilitate snow removal and to provide for safe movement of traffic without interference of proper surface water drainage. Planting areas shall be bordered appropriately to prevent erosion or damage from automobiles. Bollards may be used to afford protection of trees from vehicular movement.
- (7) Planting areas utilized for stormwater management/bioretention can count toward parking lot landscaping minimum requirements. Such planting area design and maintenance shall be clearly described in the applicant's

Commented [KC6]: Driveway isn't a parking or loading area.

stormwater management plan submitted as part of a subdivision or land development application.

- (8) The landscaping and planting areas shall be reasonably dispersed throughout the parking lot, except where there are more than 20 spaces in which case the following shall apply:
 - (a) Landscaped areas at least 10' wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary access ways, to prevent the encroachment of moving vehicles into parking areas.
 - (b) Landscaped islands at least 10' wide shall be provided between each set of two parking bays, except as otherwise approved by the Township.
 - (c) Landscaped islands shall be provided at the end of each parking bay where such parking bay abuts or opens onto any street or accessway. Such landscaped islands shall be at least 10' in width and shall extend parallel to the parking spaces in each abutting parking area the length of one parking space. No more than 20 parking spaces shall occur between islands. Parking bays providing more than 20 spaces in a single bay shall be broken by a similar landscape island.
 - (d) 2' of each parking stall adjacent to planting strips required in Subsection D.~~(6)(8)(a) and (a) and (b)~~ above shall be of a permeable surface (e.g., concrete paver blocks filled with stone) to allow water to percolate into the ground.
- (9) Parking lots which do not conform to the criteria listed ~~above~~ in Subsection D(8) shall be planted with the same ratio of trees to parking spaces as conventional parking lots but these may be planted in more varied configurations.
- (10) All parking lots shall be designed to provide for safe, reasonable pedestrian access. Parking lots with more than 50 spaces shall include paved pedestrian walkways. Pedestrian walkways may be located along or through landscaped islands or other landscaped areas adjacent to the parking lot.

E . Building Planting Requirements.

- (1) The total number of building plantings required may be dispersed throughout the tract to meet the objectives of this section. Additional plantings may be provided.

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- (2) The minimum planting requirement for building plantings shall be one shade, ornamental or evergreen tree per 50' of building facade plus 5 small shrubs per 50' of building facade. In lieu of shrubs, 50 herbaceous perennial plantings may be provided per 50' of building facade.
- (3) Where calculation of the minimum number of plantings required above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

F. Landscape plan.

- (1) All required landscaping shall be installed and maintained in accordance with a landscape plan prepared, signed and sealed by a registered landscape architect in the Commonwealth of Pennsylvania and approved by the Township. The landscape plan shall depict all proposed plantings required to complement, screen or accentuate building, roads, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, entry road treatments, and other site features and/or structures. Plant sizes, spacing and types shall be in accordance with this section, especially Subsection G below, Landscape design standards.
- (2) All required landscape plans shall be submitted at the time when all other required applications and/or plans are submitted (e.g., sketch, preliminary, or final subdivision and land development plan submission, conditional use application, change in use, etc.). Plans shall be based on and reflect the following objectives:
 - (a) A design which is responsive to the functional and aesthetic characteristics of the tract or lot, and existing and proposed principal and accessory buildings and other structures.
 - (b) A design which respects/incorporates existing topography, landscape, and other natural features such as hedgerows and woodlands.
 - (c) A design which demonstrates an effective proposal for screening the proposed use or activity from the adjoining properties.
 - (d) A design which creates visual interest for the users and/or residents of the proposed project and enhances views.

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- (e) A design which promotes effective management of stormwater to minimize soil erosion and sedimentation and creates opportunities for infiltration to the groundwater system.
- (f) The use of plant material which is acclimated to local conditions; located and spaced to achieve required screening, compatible groupings and other effective purposes; and not injurious of persons or pedestrians and vehicular circulation.
- (3) Submitted landscape plans shall include notes, diagrams, sketches or other depictions appropriate to demonstrate consideration and analysis of the following:
 - (a) Consistency with the objectives stated in Subsection B, C, D, and E—, above, as well as the design standards of Subsection G below.
 - (b) Planting plans shall include a planting schedule which summarizes the quantity, type, size and root conditions of all plantings.
 - (c) Analysis of the site in terms of existing site conditions, including topography and vegetation, and existing views to and from the areas which are proposed for development.
 - (d) Analysis of any need(s) for screening related to the proposed development or use.
 - (e) Consideration of the use of introduced landscaping to provide visual interest, define outdoor spaces, complement architectural features, blend into surrounding landscapes and/or other aesthetic purposes.
 - (f) A compliance chart showing dimensions, calculations and quantities based on landscape requirements of the Upper Uwchlan Township Code.
- (4) Landscape plans should show the location of tree protection fencing in accordance with Section 162-55.B.(5). A tree protection fence detail shall be provided in the plan set.

G. Landscape design standards:

All required landscaping shall be designed, installed and maintained in accordance with the standards herein, including specific standards for screening, street trees, perimeter buffer and parking area landscaping, building plantings and replacement trees as applicable.

- (1) Existing trees and shrubs to be retained and protected may be credited towards the minimum planting standards, subject to review and approval of the Township. Where existing trees have been identified for credit, the Township may require the applicant to commit to a tree replacement program for non-surviving plants.
 - (a) Credits shall be given for existing preserved healthy and viable vegetation. Preserved deciduous trees shall be credited toward shade and street tree requirements, evergreen trees shall be credited toward evergreen requirements, and shrubs shall be credited toward shrub requirements. No credit shall be given for weedy, brittle or invasive species.
 - (b) Preserved healthy and viable trees shall be credited toward satisfying the requirements of this section in the area that they are preserved. That is, if a tree is preserved along a property line, it shall be credited toward the buffer or screen requirements along that property line. A tree preserved within a parking area may not be counted toward satisfying buffer requirements.
 - (c) The applicant shall note, on all appropriate submittals, the location, type, extent, and condition of the existing plant materials or other means of landscaping that would be the basis for the proposed credit. Should the Township issue credit, the approved, existing plant materials or other means of landscaping shall be protected during construction from impacts such as, but not limited to, root compaction, debarking, and soil stripping in accordance with Section 162-55.B.(6)(a).
 - (d) Preserved and healthy and viable trees shall be credited toward satisfying the requirements of this section as follows:
 - i. 8"-12" diameter equals two trees.
 - ii. 13"-24" diameter equals four trees.
 - iii. 24" diameter or greater equals six trees.

(2) Mitigation of development impacts. [Consistent with the terms of this section](#)
[The applicant shall plant trees and shrubs and make other landscape improvements \(e.g., berms, fencing\) as necessary.](#) [Consistent with the terms of this section](#) to mitigate any adverse impacts of the proposed [action or project development, including visual impacts on the subject property, adjoining properties, and the Township in general, and otherwise address landscape issues identified through the required landscape planning process.](#)

- (3) General landscape design.

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- (a) Plantings and other landscape improvements shall be provided in arrangements and locations to have an overall benefit to the landscape and in response to specific site conditions. Additional considerations shall include feasibility of using native species, proximity to existing dwellings, compatibility of adjacent uses and landscaping, nature of views into and across the subject site, and in consideration of privacy of neighboring residential development.
- (b) Use of linear measurements for purposes of calculation is not intended to specify linear arrangement of plantings. Groupings of plantings are encouraged in lieu of linear arrangement, consistent with the provisions of this section.
- (c) In selecting the location and mix of required plantings, consideration shall be given to the natural landscape characteristics of the setting, the environmental conditions to be created following site disturbance, and the texture, coloration and compatibility of different plant species. It is strongly encouraged that improved landscapes be designed in such a manner as to be creative and attractive while maintaining the integrity of the natural landscape within which such work is proposed.
- (d) The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight. In selecting locations for shade trees, consideration also shall be given to aesthetic qualities of the site and to the protection of solar access.
- (e) The type of Plantings shall be limited so they are not planted in areas or be carefully selected for locations selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include but shall not be limited to the edges of parking areas; public street rights-of-way; underground and aboveground utilities; and sight triangle areas required for unobstructed views at street intersections. No trees shall be planted closer than 15' from fire hydrants, streetlights, or stop signs.
- (f) Planting guidelines from Arbor Day Foundation "The Right Tree in the Right Place" can be utilized for direction in selecting tree species and the optimal distance to plant from overhead power lines and other utilities.

Commented [MW13]: We can reword this, but we don't want to exclude any vegetation in these areas, it has to be the right plant for the right place and maintained properly.

(4) Plant Material.

- (a) Plant sizes used to comply with the standards required above shall be:
 - i. Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper at planting.
 - ii. Multi-stem shade or ornamental trees shall have a minimum height of 10'-12' at planting.
 - iii. Evergreen trees shall have a minimum height of 8' at planting.
 - iv. Large Shrubs 30" minimum height at planting.
 - v. Small Shrubs 24" minimum height at planting.
- (b) Plantings and their measurement shall conform to the standards of the publications "American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section.
- (c) The Township shall conduct a post-construction inspection and reserves the right to require additional plantings if the existing plant material or other means of landscaping are damaged or did not survive construction.

H. Criteria for selection of plant material.

- (1) Species selected by the applicant shall reflect careful evaluation of the required site analysis plan and in particular the following considerations:
 - (a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
 - (b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.
 - (c) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, availability, and drought and salt resistance.

- (2) Use of native plants, because of their many benefits (such as ease of maintenance, longevity, wildlife habitat, etc.), is encouraged to meet the requirements of this section.
- (3) Species for shade trees, including street trees, shall be selected with particular emphasis on hardiness, growing habit for pedestrian and vehicle passage, minimal need for maintenance, and compatibility with other features of the site and surrounding environs.
- (4) For the purposes of promoting disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under more or less natural conditions on sites comparable to those where the trees and shrubs are to be planted.
- (5) Invasive and watch-list species listed on any governmental list of invasive species, including the Pennsylvania Department of Conservation and Natural Resources' DCNR Invasive Plant List, shall be prohibited from being planted in any subdivision or land development in the Township.
- (6) Invasive plants shall be required to be removed within the limit of disturbance when present on a site being developed. Such plants shall not be used to satisfy any landscaping requirement of this chapter.

I. Site maintenance and guarantee.

- (1) All landscape improvements, to be provided in accordance with this section, shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate, but not necessarily be limited to, provisions for surface mulch, guy wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.
- (2) Applicant shall make arrangements acceptable to the Township that all landscaping incorporated into the landscape plan and proposed in accordance with this chapter shall be maintained in a healthy and/or sound condition or otherwise be replaced by equivalent improvements. After installation and prior to Township acceptance of the site improvements, representatives of the Township shall perform an inspection of the finished site for compliance with the approved landscape plan(s).

Commented [KC14]: Not clear what is meant here.

Commented [MW15R14]: Growing habit is just a quality of a tree or shrub that should be considered before being planted - here it was referencing upright or vase shaped tree growth habits for a particular situation.

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- (a) Landscape improvements required by this chapter shall be maintained in a healthy condition.
- (b) ~~Landscape improvements required by this chapter shall be maintained in a healthy and/or sound condition for a period of 18 months from the date that financial [security] is fully released or date of issuance of a certificate of occupancy, whichever is later.~~
- (b) Upon completion of the ~~development project~~ and prior to the final release of financial security, the Township shall perform an inspection of the finished site for compliance with the approved landscaping plan. ~~Provided that the finished site is found to be in compliance with the approved plans, acceptable, the eighteen month guarantee period shall commence from the date that financial security is fully released or date of issuance of a certificate of occupancy, whichever is later.~~
- (c) ~~Landscape improvements required by this chapter shall be maintained in a healthy and/or sound condition for a period of 18 months from the date that financial [security] is fully released or date of issuance of a certificate of occupancy, whichever is later.~~
- (e)(d) Prior to the expiration of the eighteen-month guarantee period, plants found to be in poor health or lacking normal growth habit shall be replaced with a substitute plant material determined by the Township to be more suitable for the planting scheme. Replacement plants shall be inspected by the Township after installation. All plants shall be in a vigorous and thriving condition at the end of the eighteen-month period, as determined above.
- (d)(e) Replacement plant material shall be installed as soon as practicable after notification by the Township to do so. Such notification shall give deference to weather conditions adverse to new planting.
- (e)(f) Where accidental damage or vandalism of plants occurs, the applicant shall replace the damaged plant material in accordance with the original or modified planting plan. In such cases, the eighteen-month replacement policy required above may be waived.
- (3) Installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with §§ 162-8.G and §162-61 of this chapter. The costs of landscape material and installation shall be considered in determining the amount of any performance guarantee required. At the

Commented [MW18]: This is needed because the 18 month period is referenced in other locations.

Commented [MW17R16]: Keep here and remove from paragraph below?

Commented [MW18]: Is this because development is defined? DEVELOPMENT Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities, filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

Commented [MW19]: This is needed because the 18 month period is referenced in other locations.

Commented [MW20R19]: Keep here and remove from paragraph below?

Commented [MW21]: What is the final approval? Does / Will the township come out after 18 months to inspect? Question to Gwen / Tony.

Commented [MW22]: These were referenced in the existing text - I think they are still relevant here.

Township's discretion, the applicant may be required to include in their financial security sufficient funds to guarantee the survival of existing vegetation that may be damaged during construction. escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with Subsection I above. In addition, an escrow may be required for the removal and replacement of specimen vegetation damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements.

(4) Maintenance.

- (a) It shall be the responsibility of all property owners to maintain all plantings and architectural elements to ensure a safe environment.
- (b) Plantings shall be selected, located, and maintained so as not to contribute to conditions hazardous to public safety. Such conditions include, but are not limited to, public street rights-of-way, underground and above ground utilities, and sight triangle areas required for unobstructed views at street intersections.
- (c) Within required sight triangles, shrubs must be maintained at a maximum height of 2', and trees must be maintained so that the lowest branches are a minimum of 7' above grade.
- (e) Further Maintenance requirements can be found in Chapter 137 of the Upper Uwchlan Township Code, titled Property Maintenance

Commented [KC23]: Not clear what this is for. Is this escrow required before construction begins?

Commented [MW24R23]: Need to reword - I think this is covered in Section 155.A.(10) ...At the Township's discretion, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with this section. In addition, an escrow may be required for the removal and replacement of woodlands, specimen trees, or hedgerows damaged during construction. (Paying a fee if they are damaged? Unless they are replaced?)

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J. Suggested Tree Species / Recommended Publications: The following are recommended publications for selecting tree species according to their role in the landscape.

- (1) Arbor Day Foundation, Planting the Right Tree in the Right Place for recommendations on planting near utilities and database of tree information (<https://www.arborday.org/perspectives/planting-right-tree-right-place>)
- (2) Pennsylvania DCNR for information on native plant species and invasive plant a species. (<https://www.pa.gov/agencies/dcnr/conservation/wild-plants/landscaping-with-native-plants.html>)
- (3) Cornell University Recommended Urban Trees. (<http://www.hort.cornell.edu/uhi/outreach/recurbtree/>)

Septemeber 25, 2025

DRAFT

- (4) Penn State Extension Publications are great resources to find up to date information on issues regarding plant health or threats to specific species to be aware of as they continually develop.

Chapter 162 Subdivision and Land Development

Article II Terminology

§ 162-5 Definitions and word usage.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated in this article. The present tense includes the future; the singular number includes the plural, and the plural includes the singular; the masculine gender includes the feminine and the neuter; the word "used" includes the words "designed, arranged or intended to be used"; the word "occupied" includes the words "designed, or intended to be occupied"; and the word "shall" is always mandatory. The word "Township" means Upper Uwchlan Township, Chester County, Pennsylvania; the term "Supervisors" means the Board of Supervisors of said Township; the term "Planning Commission" means the Planning Commission of said Township; the term "Zoning Ordinance" means Chapter 200, Zoning, of the Code of Upper Uwchlan Township; the term "Township Engineer" shall mean the Township Engineer of said Township.

ACCELERATED EROSION

The removal of the surface of the land through the combined actions of man and natural processes at a rate which is greater than would occur from the natural process upon undisturbed land.

ACT 247

The "Pennsylvania Municipalities Planning Code" of July 31, 1968, 53 P.S. § 10101 et seq., (Act) No. 247, as amended by Act 170 of 1988.

AGRICULTURE

The cultivation of the soil, the raising and marketing of livestock, poultry and dairying, and the marketing of products of the soil produced on the premises, including, but not by way of limitation, nursery, horticulture, and forestry, but excluding commercial piggery.

APPLICANT

A landowner or developer, as herein defined, who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT

Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for building permit, or for the approval of a subdivision plan or plot.

AREA STABILIZATION, CRITICAL

The establishment and maintenance of a suitable vegetative cover, the application of mulches, mechanical devices such as wood-fiber blanket or erosion control netting, the erection of dikes or other structures or barricades to prevent erosion, usually in areas of excavation or fill, or of severe erosion, where there is a critical hazard to properties downstream, or a danger of undermining of nearby structures.

AREA STABILIZATION, NONCRITICAL

The establishment and maintenance of normal vegetative cover in areas which present no immediate hazard to properties nearby or downstream.

BLOCK

Property bounded on one side by a street, and on the other three sides by a street, railroad right-of-way, public park, waterway, Township line, or any combination thereof.

BOARD

The Board of Supervisors of Upper Uwchlan Township, Chester County, Pennsylvania.

BUFFER AREA

A strip of land adjacent to the lot line to establish a visual separation between incompatible uses.

BUILDER

The person responsible for the erection of the building, whether such person be the subdivider or otherwise.

BUILDING SETBACK LINE

The line which establishes the minimum depth of the particular yard in question, for the particular district, as measured from the right-of-way line.

CALIPER

The width of a tree trunk, measured six inches from the ground surface at the point of highest elevation in contact with the trunk of such tree that is four inches in caliper and smaller. Caliper shall be measured 12 inches from the ground surface at the point of highest elevation in contact with the trunk of such tree that is larger than four inches in caliper.

[Added 6-17-2002 by Ord. No. 02-04]

CARTWAY

The surface of a street available for vehicular traffic.

CARTWAY, MINOR

A separate and subordinate cartway within the right-of-way of a major street which is parallel to, and connected at controlled intervals with, the principal cartway, and which serves as the means of access to abutting lots; a service road.

CHANNEL STABILIZATION

Any means of maintaining the lining of an outlet channel impervious to stormwater flow in consideration of the volume and velocity of the flow, including, but not limited to sodding, plastic or jute mesh, glass fiber matting, asphalt, concrete, stone rip-rap, etc.

CLEAR SIGHT TRIANGLE

An area of unobstructed vision at street intersections defined as lines of sight between points at a given distance from the intersection of the street rights-of-way, cartways, or center lines.

COMMON OPEN SPACE

A parcel or parcels of land or an area of water or a combination of land and water within a development site, designed and intended for the use or enjoyment of the residents of a development and other neighborhoods, consisting of landscaped or natural terrain including lakes and streams. Common open space shall be substantially free of buildings (but may include such buildings or other improvements as are in the development plan as finally approved and as are appropriate for the recreational uses). Common open space shall not include street rights-of-way, private yards, off-street parking areas or stormwater detention/retention facilities required for residential or other noncommon open space functions. The common open space may include recreational uses such as tennis courts, squash courts, playgrounds, golf courses, swimming pools or other like uses.

COMPREHENSIVE PLAN

The document adopted in accordance with the provisions of Act 247, as the Comprehensive Plan for the Township of Upper Uwchlan by the Board of Supervisors.

CONDOMINIUM

Real estate, portions of which are designed for separate ownership and the remainder of which is designed for common ownership solely by the owners of those portions created under the Pennsylvania Uniform Condominium Act of 1980.¹¹

CONSERVATION PLAN

A plan for the conservation of the precipitation and soils meeting the standards established, and revised from time to time, by the Chester County Soil and Water Conservation District and by the Natural Resources Conservation Service, U.S. Department of Agriculture.

CONSTRUCTION

Any disturbance of the existing surface of the land or the erection of structures thereon, including the cutting of trees or clearing of brush; provided, however, that the entering upon premises for purposes of surveying, staking or the chopping of lines necessary to obtain data a existing conditions shall not be deemed construction.

CROSSWALK

A right-of-way exclusively for pedestrian travel across a block and connecting two streets.

CUL-DE-SAC

A single access street having access to and from a through street at one end and terminating at the other end in a paved vehicular turnaround.

DBH (dbh)

The diameter of a tree at breast height, measured 4.5 feet from the ground surface at the point of highest elevation in contact with the trunk of such tree.

[Added 6-17-2002 by Ord. No. 02-04]

DEVELOPER

Any landowner, agent of such landowner, tenant with the permission of such landowner, or equitable owner, who make or causes to be made a subdivision of land or a land development.

DEVELOPMENT AGREEMENT

A written contract between an applicant and the Township specifying the conditions of final approval by the Township.

DESIGN STANDARDS

Minimum standards for the layout by which a subdivision or land development is developed.

DETENTION BASIN

A structure designed to retard surface water runoff for a period of time sufficient to cause the deposition of sediment and to retard the velocity and rate of surface flows leaving a site as a means of preventing erosion.

DIVERSIONS

A channel or ditch and embankment constructed across a sloping land surface, either on the contour or at predetermined gradient, to intercept and divert stormwater before it gains sufficient volume or velocity to scour or cause harmful erosion.

DRAINAGE

The flow of water or other liquid and the means or structures for directing such flow, whether surface or subsurface, and whether natural or artificial.

DRAINAGE AREA

The upstream watershed area of a drainage basin measured from a point of discharge in the watercourse.

DRAINAGE FACILITY

Any structure or improvement designed, intended or constructed for the purpose of diverting surface waters from or carrying surface water off streets, public rights-of-way, or any part of any subdivision or land development.

DRIPLINE

A generally circular line, the circumference of which is determined by the outer reaches of a tree's widest branching points.

[Added 6-17-2002 by Ord. No. 02-04]

DRIVEWAY, COMMON

A means of private access serving only two lots which is completely paved and having a width of 12 feet.

DRIVEWAY, PRIVATE

That portion of a lot which is intended for vehicular use and which is privately owned, whether paved or unpaved.

EARTHMOVING ACTIVITY

Man-made activities resulting in the movement of soil or the stripping of vegetative cover from the earth.

EASEMENT

A right-of-way granted, but not necessarily dedicated, for a private, public or quasi-public purpose.

EFFECTIVE SCREEN

~~Planting of deciduous and evergreen trees and shrubs not less than five feet in initial height and capable of attaining a height and width of not less than 10 feet wherein not less than 50% of the plants shall be evergreen mixed throughout the length of such screen, so arranged or placed as to divert attention from, or obstruct at least 85% of an otherwise clear view of, an objectionable or incompatible use or activity during all seasons of the year. A wall or fence in combination with the aforementioned plantings may be used as an effective screen where required for parking and loading areas. The effective screen shall be in accordance with plans and specifications prepared by a registered landscape architect and shall be compatible with the landscaping on the lot and approved by the Zoning Officer.~~

ENGINEER, TOWNSHIP

A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Township of Upper Uwchlan, its Planning Commission or Authority.

EROSION

The process by which soils, vegetation and man-made materials on the earth's surface are worn away by action of water, wind, frost, or a combination of such action by natural forces.

FILL

Any earth, sand, gravel, rock or any other material which is deposited, placed, pushed, dumped, pulled, transported or moved to a new location and shall include the conditions resulting therefrom.

FOOTCANDLE

A unit of incident light stated in lumens per square foot and measurable with an illuminance meter, AKA "footcandle" or "light meter."

[Added 6-17-2002 by Ord. No. 02-04]

FREEBOARD

The distance between the highest desired level of water and the top or flow line of the structure impounding it.

FULL-CUTOFF

A term used by the lighting industry to describe a lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light output is emitted at an angle 10° below that horizontal plane, at all lateral angles around the fixture.

[Added 6-17-2002 by Ord. No. 02-04]

GRADE, EXISTING

The elevation, relative to a given datum, of the ground surface prior to any excavation or fill.

GRADE, FINISHED

The elevation, relative to a given datum, of the ground surface after completion of any excavation or fill.

GRADE, PROPOSED

The elevation, relative to a given datum, of the ground surface proposed to be achieved by excavation or fill.

GRADING

The changing of the surface of the ground by excavation or filling, or combination of the two; the act of moving earth.

GRADING PLAN

A plan to scale showing existing and proposed buildings and other structures, as well as existing and proposed contours at sufficient intervals to define scale location, depth and gradient, and general slope of the ground.

GUARANTEE, MAINTENANCE

Any approved security which may be required of the applicant by the Township after final acceptance by the Township of installed improvements.

GUARANTEE, PERFORMANCE

Any approved security which may be required of the applicant by the Township as a condition of final plan approval to guarantee public improvements are installed in accordance with the final plan and the applicable provisions of this chapter.

HEDGEROW

A linear plant community dominated by trees and/or shrubs. Hedgerows often occur along roads, fence lines, property lines, or between fields, and may occur naturally or be specially planted (e.g., as a windbreak).

[Added 6-17-2002 by Ord. No. 02-04]

HYDRIC SOILS

A. For purposes of determining compliance with the provisions of this chapter or of Chapter 200, Zoning, as applicable, those soil types identified as hydric soils or soils with hydric inclusions by the USDA Natural Resources Conservation Service (formerly known as the "Soil Conservation Service"), and as mapped for the Soil Survey of Chester and Delaware counties, shall be considered hydric soils in Upper Uwchlan Township, including but not limited to the following:

[Added 6-17-2002 by Ord. No. 02-04]

- GnA Glenville silt loam (0% to 3% slopes)
- GnB Glenville silt loam (3% to 8% slopes)
- GnB2 Glenville silt loam (3% to 8% slopes, moderately eroded)
- GnC2 Glenville silt loam (8% to 15% slopes, moderately eroded)
- WaB2 Watchung silt loam (3% to 8% slopes, moderately eroded)
- WoA Worsham silt loam (0% to 3% slopes)
- WoB Worsham silt loam (3% to 8% slopes)
- WoB2 Worsham silt loam (3% to 8% slopes, moderately eroded)
- WsB Worsham very stony silt loam (0% to 8% slopes)

B. Where site conditions indicate differing location of hydric soils or hydric inclusions, the burden shall be upon the applicant to verify such location(s) to the satisfaction of the Township, otherwise the soil survey information shall be presumed to be accurate. Where tile drainage has been introduced to drain soils defined herein as hydric soils, such areas shall be considered hydric for the purposes of this chapter or Chapter 200, Zoning.

IMPERVIOUS COVER

Land that is occupied by principal and accessory structures, streets, driveways, parking areas and other similar surfaces that prohibit or slow the percolation of water into the soil.

IMPROVEMENTS

Grading, paving, curbing, street lights and signs, fire hydrants, water mains, sanitary sewer mains, including laterals to the street right-of-way line, storm drains, including all necessary structures, sidewalks, crosswalks, ~~street trees landscaping~~ and monuments.

IMPROVEMENT SPECIFICATIONS

Minimum standards for the construction of the required improvements such as streets, curbs, sidewalks, water mains, sewer, drainage, public utilities and other items required to render the land suitable for the use proposed.

LAND DEVELOPMENT

According to usage:

A. The improvement of one or more contiguous lots, tracts of parcels of land for any purpose permitted in this chapter involving a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure, or the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, building groups or other features.

B. A division of land into lots for the purpose of conveying such lots singularly or in groups to any person, partnership or corporation for the purpose of the erection of buildings by such person, partnership or corporation.

LAND DISTURBANCE

Any activity that exposes soils, alters topography and/or alters vegetation, except for removal of hazardous or invasive alien vegetation. Customary agricultural practices, such as tilling, plowing, mowing and harvesting, are excluded from the definition of "land disturbance."

[Added 6-17-2002 by Ord. No. 02-04]

LANDOWNER

The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a

lessee having a remaining term of not less than 40 years, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPE PLAN

A plan conforming to the requirements of § **162-57** of this chapter, required to accompany subdivision and/or land development plans, or as otherwise required pursuant to the provisions of Chapter **200**, Zoning.

[Added 6-17-2002 by Ord. No. 02-04]

LICENSE

According to usage:

A. When applied to mobile home parks, shall mean written approval by the Township of Upper Uwchlan, a prerequisite of which shall be approved by the Department of Health, and compliance with all applicable regulations of this or other applicable ordinances.

B. When applied to erection of signs, shall mean written approval by the Township of Upper Uwchlan, a prerequisite of which shall be in compliance with all applicable regulations of this and other applicable ordinances.

[Amended 12-15-2003 by Ord. No. 03-06]

LOT

A designated parcel, tract or area of land, established by a plat or otherwise as permitted by law, and to be used to be developed or built upon as a unit. Such parcel shall be separately described by metes and bounds, the description of which is recorded in the office of the Recorder of Deeds of Chester County by deed description or is described by an approved subdivision plan recorded in the office of the Recorder of Deeds of Chester County.

LOT AREA

The area of land included within the title lines of a lot. The following shall not be included when determining the minimum lot area calculated for development, providing that compliance to the following shall not be required if the proposed lot is two acres or more:

A. Any land lying within the Flood Hazard District as defined within Article XIII of Chapter **200**, Zoning.

B. Area within the title lines set aside as right-of-way for a street, public or private utilities and all areas of easements, including but not limited to, storm drainage easements,

sewage easements and easements of access, provided that utility easements serving that particular lot are not excluded.

C. Any land containing slopes in excess of 25%.

LOT DEPTH

The distance along a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT LINE

A property boundary line of any lot held in single and separate ownership, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts such street shall be deemed to be the same as the street line, and shall not be the center line of the street or any other line within the street lines even though such may be the property boundary line in a deed.

LOT WIDTH

The distance, in feet, between two opposite side lot lines, measured at the building setback line.

LOT, CORNER

A lot at the junction of, and abutting on, two or more intersecting streets, or at the point of abrupt change in direction of a single street, the interior of which is not greater than 135°.

LOT, DOUBLE FRONTAGE

A lot extending between and having frontage on two generally parallel streets.

LOT, INTERIOR

A lot which is surrounded on all sides by one or more lots, is generally the shape of a flag on a flag pole and has an access right-of-way to one or more streets.

LOT, REVERSE FRONTAGE

Lots which are situated between two public streets, but provide vehicular access solely from the street with the lesser highway functional classification.

LUMEN

The luminous flux emitted by a lamp or lighting fixture.

[Added 6-17-2002 by Ord. No. 02-04]

MAP, OFFICIAL STREET

A plan, legally adopted by the Supervisors, of officially dedicated, ordained, opened, or planned streets, existing parks and other properties, or those proposed for acquisition by the Township by condemnation, purchase, dedication or otherwise.

MINIMIZE

To reduce to the smallest amount or extent possible. "Minimize" shall not mean complete elimination but shall require that the most substantial efforts possible under the circumstances have been taken to reduce the adverse effect(s) of the action required to be minimized. "Minimize" shall include but not be limited to the requirement that the placement of dwellings and other structures and the locations of roads, stormwater management facilities, and other land disturbance shall be planned and designed to reduce the adverse effect(s) of the activity in question to the smallest amount possible under the circumstances consistent with otherwise permitted development.

[Added 6-17-2002 by Ord. No. 02-04]

MITIGATE

A. An action undertaken to accomplish one or more of the following:

(1) Avoid and minimize impacts by limiting the degree or magnitude of the action and its implementation.

(2) Rectify the impact by repairing, rehabilitating or restoring the impacted environment.

(3) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action.

B. If the impact cannot be mitigated in accordance with Subsection A(1) through (3) above, compensation for the impact shall be provided by replacing the environment impacted by the project or by providing substitute resources or environments.

[Added 6-17-2002 by Ord. No. 02-04]

MOBILE HOME

A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT

A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK

A parcel, or contiguous parcels, of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MONUMENT

A stone or concrete monument with a flat top at least four inches in diameter or square, and at least 24 inches in length. The monument shall be tapered so that the dimensions at the bottom be at least two inches greater than the top, to minimize movement caused by frost.

OLDFIELD

A former agricultural field, pasture, orchard or nursery, where agricultural use has been abandoned and natural succession has been allowed to occur, but where most naturally occurring trees are not larger than six inches dbh.

[Added 6-17-2002 by Ord. No. 02-04]

OPEN SPACE MANAGEMENT PLAN

A plan which provides for the long-term management over time of private, public, or common open space, in accordance with Article XIV of Chapter 200, Zoning.

[Added 6-17-2002 by Ord. No. 02-04]

PERSON

Any individual, partnership, firm, association, corporation or organization.

PLAN, AS-BUILT

A finally revised working drawing corrected to show all changes in design, sizes or location which may have been made during actual construction and represents the actual location of improvements.

PLAN, CONSTRUCTION IMPROVEMENT

A plan prepared by a registered engineer or surveyor showing the construction details of streets, drains, sewers, bridges, culverts and other improvements as required by this chapter.

PLAN, FINAL

A complete and exact subdivision or development plan or plat, prepared for official recording as required by ordinance or statute, and which includes all information required under § **162-9C** of this chapter.

PLAN, LAND DEVELOPMENT

A plan depicting all aspects of a particular land development as required herein, including all exhibits, drawings, cross sections, profiles and descriptive text to the degree of detail specified herein and sufficient to portray the full intent of a developer.

PLAN, PRELIMINARY

A tentative subdivision or development plan, in less detail than a final plan, which includes all information required under § **162-9B** of this chapter.

PLAN, PROFILE

A plan prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania showing the vertical section of the existing and proposed grade along the center line and right-of-way lines of any proposed street and public improvement.

PLAN, RECORD

The copy of the final plan which contains the original endorsements of the County Planning Commission and the Township and which is intended to be recorded with the County Recorder of Deeds.

PLAN, SITE ANALYSIS

A plan depicting natural features of a site intended to promote design sensitive to the unique natural features of the landscape. The plan shall accompany sketch, preliminary and/or final plan submission, and shall include all information required under § **162-9D** of this chapter.

PLAN, SKETCH

A sketch an prepared at any practical scale, but in no case smaller than one inch equals 200 feet, showing existing topography (USGS acceptable) at contour intervals of not more than 10 feet, showing scaled locations of streets and lots, with sufficient information for the Planning Commission to orient and locate the tract, to serve as a basis for preliminary discussion with the subdivider and to show his intent.

PLAN, UTILITIES

A plan prepared by a registered engineer or surveyor, showing location, sizes and types of all water, gas and electric lines, all sanitary sewer mains, profiles and laterals, all storm sewers and gradients, all street lights, fire hydrants, all service connections, and all data pertaining to existing or proposed utilities.

[Amended 12-15-2003 by Ord. No. 03-06]

PLANNING COMMISSION

The Upper Uwchlan Township Planning Commission, Chester County, Pennsylvania.

PLANTING, STREET TREE (Revised and Relocated see Tree, Street)

~~A plantation of deciduous hardwood trees within a street right of way, such trees approved as to type by the Supervisors, and having a caliper of not less than two inches measured one foot above the ground.~~

PLAT, RECORD

The final plat, or engineering layout of streets and lot easements, common open spaces and public grounds, which has been duly approved by all necessary officials and recorded in the office of the Recorder of Deeds of Chester County, West Chester, Pennsylvania.

PUBLIC IMPROVEMENT

Those facilities which are designed for and available to the public, which may be offered for dedication, including but not limited to streets, storm drainage facilities, sidewalks and utilities, including private stormwater management facilities and other common amenities, even though not offered for dedication.

PUBLIC NOTICE

Notice published in any newspaper of general circulation in Upper Uwchlan Township, once each week for two successive weeks, the first not more than 30 days and the second not less than seven days, prior to any public hearing required by this chapter; such notice shall give time and place, and the nature of the matter to be considered.

RESERVE STRIP

A parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties, or from another street.

RESUBDIVISION

Any replatting or resubdivision of land, limited to changes in lot lines on approved final plan or recorded plan as specified in § 162-8E of this chapter. Other replattings shall be considered as constituting a new subdivision of land. See also "subdivision."

RETENTION BASIN

A reservoir, formed from soil or other material, designed to permanently retain stormwater runoff from a specified amount of stormwater runoff as defined by this chapter. Retention basins always contain water and may include man-made ponds and lakes.

REVIEW

An examination of the sketch plan, preliminary plan, and/or final plan by the Planning Commission and/or the Upper Uwchlan Township Board of Supervisors to determine compliance with this chapter and the administrative regulations, design standards and improvement specifications enacted pursuant thereto.

RIGHT-OF-WAY

Land reserved for an easement, street, crosswalk or other public purpose.

RIPARIAN BUFFER AREA

Any area comprised of one or more of the following: [Added 6-17-2002 by Ord. No. 02-04]

- A.** Any area within 75 feet of the bank of any stream;
- B.** Any wetlands and any area within 25 feet of any wetland; and
- C.** Any area of hydric soil.

SCREENING

The use of plant materials, fencing and/or earthen berms to aid in the concealment of such features as parking areas and vehicles with them, and to provide privacy between two or more different land uses which abut one another.

SEDIMENT

The silt or small soil particles held or carried in suspension by water, including that which is thus deposited at a lower level.

SEPTIC TANK

A covered watertight settling tank in which raw sewage is changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

SEWAGE DISPOSAL

A. INDIVIDUAL The disposal of sewage from one dwelling unit by use of septic tanks or other safe and healthful means, approved by the Chester County Health Department. Such system shall be totally within the confines of the lot on which the use is located, or shall be located within an easement designated for such purpose on another lot.

B. CENTRAL/COLDS COMMUNITY COLLECTION AND TREATMENT A sanitary sewage system which carries sewage from individual dischargers by a system of pipes to one or more common treatment and disposal facilities, either on-site or off-site, and approved by the Pennsylvania Department of Environmental Protection.

C. PUBLIC SEWAGE SYSTEM An off-site system for treatment and disposal of sewage in which sewage is conveyed by interceptor to the treatment facility operated by the Downingtown Regional Municipal Authority, and disposed of through means approved by the Pennsylvania Department of Environmental Protection.

SEWER CONNECTION

Consists of all pipes, fittings and appurtenances from the drain outlet of a building to the inlet of the corresponding sewer riser pipe.

SEWER RISER PIPE

That portion of the sewer lateral which extends vertically to the ground elevation and terminates at each building.

SHADE TREES

~~See Tree, Shade. A tree in a public place or within a street right-of-way as provided by this chapter.~~

SIGHT DISTANCE

The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is obstructed.

[Amended 4-19-2010 by Ord. No. 10-04]

A. OBJECT SIGHT DISTANCE Shall be measured from a point 3.5 feet above the center line of the road surface to a point 0.5 feet above the center line of the road surface.

B. VEHICLE SIGHT DISTANCE Shall be measured from one point 3.5 feet above the center line of a road surface to another point 3.5 feet above the center line of the road surface.

SIGN

Any structure or part thereof or any device attached to a building wall or other outdoor surface, which has painted or otherwise represented thereupon the display or inclusion of any letter, word, model, banner, pennant, insignia, device, trade flag, symbol, or representation which is in the nature of, or which is used as, an announcement, direction, or advertisement for commercial purposes or otherwise to bring the subject thereof to the attention of the public, or to display, identify and publicize the name and product or service of any person. A sign includes a billboard, neon tube, string of lights or similar device outlining or placed upon any part of a building or lot. For the purpose of ascertaining whether any sign is no more than the dimensions permitted by this article, the gross sign area shall be the entire area within a single continuous perimeter enclosing the extreme limits of such sign, and in no case passing through or between adjacent elements of the same. For measurement of gross sign area, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. In the case of an open sign, made up of individual letters, figures or designs, the space between such letters, figures, or designs shall be included. The total area of both sides of a double-sided sign, including V-type signs, shall be included in the computation of gross sign area. Signs which are composed of letters, words, or representations only and which do not form a square or rectangular pattern shall be considered to include in gross sign area a square or rectangle as drawn at the outer limits of the letters, words, or representations. The following sign types and parameters may also be recognized and regulated by this chapter:

[Added 12-15-2003 by Ord. No. 03-06]

A. SIGN, ACCESSORY USE Signs that identify or advertise home occupations.

B. SIGN, BUSINESS A sign that announces or directs attention to a business, product, activity, commodity, or service conducted, sold or offered upon the same premises as those upon which the sign is maintained.

C. SIGN, DIRECTIONAL A sign conveying instructions with respect to the premises near or on which it is maintained, such as the entrance and exit of a parking area, a warning sign, a danger sign, and similar information signs.

D. SIGN, DOUBLE-FACED A sign with two faces which displays the same message on each face, with each of the sign faces being parallel to one another or separated by an interior angle of no greater than 45°.

E. SIGN, FREESTANDING A detached sign which shall include any sign, uprights or braces placed upon or in the ground and not attached to any building (e.g., monument signs, pole signs).

F. SIGN, IDENTIFICATION A sign that identifies only the occupant of the premises, the profession or occupation of the occupancy, and/or the name of the building upon which the sign is placed.

G. SIGN, ILLUMINATED A nonflashing or nontwinkling sign which has characters, letters, figures, designs, or outlines illuminated by direct or indirect electric lighting or luminous tubes as part of the sign.

H. SIGN, MONUMENT A low profile freestanding sign. A monument sign shall include a support structure of wood, masonry, or concrete that is incorporated into the overall design of the sign.

I. SIGN, OFFICIAL TRAFFIC Signs erected by the Commonwealth of Pennsylvania Department of Transportation, the Pennsylvania Turnpike Commission, or Upper Uwchlan Township, and which are designed to regulate traffic, describe road conditions, or supply directions.

J. SIGN, OFF-PREMISES DIRECTIONAL Where permitted, any nonilluminated sign located off the immediate premises of the use or activity which it announces, or to which it is directing attention, limited to civic or service clubs, churches, schools, nonprofit organizations, or other public or quasi-public sites or facilities.

K. SIGN, OFF-PREMISES ADVERTISING Where permitted, a sign placed on property other than where the business is located and which indicates the nature of the business for which it is advertising.

L. SIGNS, OUTDOOR ADVERTISING BILLBOARD A large pole sign intended to display one or more advertisements, whose area is no smaller than 140 square feet nor exceeds 450 square feet and with a maximum height of 25 feet, and which is limited to advertising a business, commodity, service, or entertainment conducted, sold, or offered upon the premises where such sign is located.

M. SIGN, PORTABLE Signs that can either be attached or mounted on wheels or transported by flatbed trailer.

N. SIGN, PROJECTING A sign, other than a wall sign, that projects from and is supported by a wall of a building or structure.

O. SIGN, READERBOARD A sign so designed that the message may be changed by the removal or addition of specially designed letters that attach to the face of the sign.

P. SIGN, REAL ESTATE A temporary sign indicating the sale, rental, or lease of the premises on which the sign is located.

Q. SIGN, TEMPORARY A sign notifying or advertising a special event, or another effort of short duration, such as festivals, concerts, or exhibits, or work of a temporary contractor.

R. SIGN, WALL Any sign erected against the wall of any building, or displayed on doors, or displayed with the exposed face thereof in a plane parallel to the face of said wall or door and which sign is mounted at a distance measured perpendicular to said wall not greater than 12 inches.

SINGLE-ACCESS STREET

An interior residential street, including, but not limited to, cul-de-sac and loop designs, which is designed to provide only one point of intersection with an existing road.

SITE

A lot, tract or parcel of land on which grading, construction or land development is taking place, or is proposed to take place; the location of the work.

SLOPE STABILIZATION

Any means of establishing permanent vegetation on a slope, including but not limited to sodding, anchored mulching (wood-fiber blanket or plastic and jute mesh, straw tack-coated with emulsified asphalt, etc.), hydroseeding with wood fiber mulch in the slurry, including application of temporary vegetation.

SLOPE, PRECAUTIONARY

Those land areas with slopes between 15% and 25%, and as further defined and delineated by Chapter 200, Zoning. [Added 12-15-2003 by Ord. No. 03-06]

SLOPE, PROHIBITIVE

Those land areas with slopes of 25% or greater, and as further defined and delineated by Chapter 200, Zoning. [Added 12-15-2003 by Ord. No. 03-06]

SOIL PERCOLATION TEST

A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

SPECIMEN TREE (Kept definition – relocated)

See Tree, Specimen. Any tree equal to or exceeding 24 inches dbh or any other unique or otherwise specifically selected plant or tree which most typically represents a class or

~~group in terms of shape, form, historical importance or other characteristics, and which may be designated as such by the Township.~~

~~[Amended 6-17-2002 by Ord. No. 02-04]~~

STATUTORY REVIEW PERIOD

The length of time designated by the Pennsylvania Municipalities Planning Code^[2] in which the municipal review of the preliminary and final plans for subdivision and land development must occur.^[3]

STORAGE CAPACITY

The volume of silt or water capable of being impounded in a sediment basin after deducting the required freeboard.

STORMWATER

Any precipitation, but usually rainfall, which is sufficient to flow on any natural or impervious surface; frequently termed "runoff."

STREET

Includes street, avenue, boulevard, road, highway, freeway, lane, alley, viaduct, and any other way used or intended to be used by vehicular traffic or pedestrians, whether public or private.

STREET LINE

The right-of-way, or the dividing line between a lot and the outside boundary of a public street, road, or highway, legally open or officially plotted, or between a lot and a privately owned street, road or way over which the owners or tenants of two or more lots each held in single and separate ownership have the right-of-way.

STREET, COLLECTOR

A street used primarily as the means of access for through traffic between residential neighborhoods, major streets, districts within the Township, and areas immediately adjacent thereto.

STREET, COMMERCIAL

A street used primarily as the means of access to abutting commercial lots.

STREET, IMPROVED

A street wherein paving and other required improvements exist and are in accordance with Township standards.

STREET, MAJOR

A state or federal highway or thoroughfare for through traffic between collector streets, neighborhoods and districts within the Township and other towns, villages and centers of population.

STREET, RESIDENTIAL

A street used primarily for local traffic as the means of access to abutting residential lots.

STREET TREE

See Tree, Street.

STREET, UNIMPROVED

A street wherein paving or other required improvements do not exist in accordance with Township standards.

STRUCTURE

Any form or arrangement of building materials erected on or attached to the ground or in water or land, involving the necessity of providing proper support, bracing, typing, anchoring or other protection against the forces of the elements, including, but not limited to, buildings, sheds, mobile homes, and other similar items, but excluding fences.

SUBDIVIDER

A person who is the registered owner, or authorized agent of the registered owner, of the land to be subdivided.

SUBDIVISION

The division or redivision of a lot, tract or parcel of land, by any means, into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer or ownership of building or lot development. The subdivisions by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, or any residential dwelling, shall be exempted.

SUBDIVISION, MAJOR

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A subdivision wherein lots abut existing streets of insufficient width, unimproved streets, or proposed streets.

SUBDIVISION, MINOR

A subdivision wherein lots abut existing improved streets of sufficient width and not involving the layout or improvement of any new street.

SUBGRADE

Any finished surface or elevation of compacted fill or natural earth upon which materials of construction are placed.

SUBSOIL

Clay, sand, gravel, or other natural earth material below the surface soil and low in organic matter.

SUBSTANTIAL IMPROVEMENT

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the fair market value of the structure either:

- A.** Before the improvement or repair is started; or
- B.** If the structure has been damaged and is being restored, before the damage occurred.

SURVEYOR

A licensed surveyor registered by the Commonwealth of Pennsylvania.

THEME LIGHTING

Exterior fixtures and posts which are manufactured to a high level of design and craftsmanship from material such as (but not limited to) wrought iron, cast aluminum, brass or copper, and installed to be consistently used throughout designated areas of Upper Uwchlan Township, including, for example, locations where promotion of a particular village character or historical theme is desired.

[Added 6-17-2002 by Ord. No. 02-04]

TOPSOIL

Natural and friable loam containing sufficient nitrogen, phosphorus and potassium to support plant growth and extending in depth to the extent of penetration of feeder roots of the prevailing native grasses.

TOWNSHIP

The Township of Upper Uwchlan, Chester County, Pennsylvania.

TRACT

One or more lots assembled for the purpose of unified development, including a planned residential development, shopping center, office or industrial park.

TREE, SHADE

Any deciduous tree capable of reaching a height of 25 feet, and canopy spread of 10 feet at maturity. The tree may exhibit any branching or fruiting characteristics.

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TREE, SPECIMEN

Any tree equal to or exceeding 24 inches dbh or any other unique or otherwise specifically selected plant or tree which most typically represents a class or group in terms of shape, form, historical importance or other characteristics, and which may be designated as such by the Township.

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[Amended 6-17-2002 by Ord. No. 02-04]

TREE, STREET

Any deciduous tree capable of reaching a height of at least 20 feet, and canopy spread of at least 10 feet at maturity. The tree should not be of a weeping form, have low branching characteristics (unless it will be limbed up regularly). Street trees should be tolerant of atmospheric pollutants, salts, heat and drought conditions, and soil compaction, and shall have a root structure that is compatible with and shall not cause damage to adjacent pavement, curbing, piping, and utilities.

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TURNAROUND

A paved circle or square, terminating a cul-de-sac, with a minimum 100-foot diameter or side of the square.

USE

Any purpose for which a building or other structure or tract of land may be designed, arranged, intended, maintained or occupied, or any activity or occupation carried on, or intended to be carried on, in a building or other structure or a tract of land.

UTILITIES

Sanitary sewer lines, water lines, fire hydrants, street lights, storm sewer lines, manholes, inlets, catch basins, gas lines, electric lines/conduits, telephone lines/conduits, cable lines/conduits and other facilities of the same general character.

[Amended 12-15-2003 by Ord. No. 03-06]

VEGETATION, PERMANENT

Perennial grasses, legumes or other long-lived plant materials, such as Crown Vetch, Fescues, etc., and Bluegrasses, depending upon the degree of refinement desired.

VEGETATION, TEMPORARY

Fast-growing grasses, usually annuals, such as rye, oats, Sudan, or other appropriate cover to prevent erosion until permanent vegetation can be installed.

WATERCOURSE

That channel on the land surface, or other plainly observable evidence on the ground, where water flow is visibly definable, but not necessarily present, as a result of seasonal or ongoing hydrologic events such as, but not including, runoff, melting, springs, or ponding.

[Amended 12-15-2003 by Ord. No. 03-06]

WATER HAZARD AREA

Any area of land which is or may be hazardous to the public health, safety or welfare as result of any of the following conditions:

A. HIGH WATER TABLE Soil in which the groundwater exists at, or periodically rises to, a level too near the surface of the ground to permit a particular type of construction or installation.

B. MAN-MADE AREA Areas of land which have been disturbed or changed by grading or filling to such extent that the natural soil conditions no longer prevail.

WATER SUPPLY

A. INDIVIDUAL A safe and healthful supply of water, to a single user from a private well located on the lot in which the use is located.

B. COMMUNITY A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on site and/or off site and may be publicly or privately owned.

C. PUBLIC A system for supplying water in sufficient quantities to all dwellings and other buildings within a development, which is administered by a municipality, municipal authority or public utility as defined and regulated by the Pennsylvania Public Utility Commission.

WETLANDS

Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

[Added 12-15-2003 by Ord. No. 03-06]

WOODLAND

A tree mass or plant community in which tree species are dominant or codominant. Any area, grove, or stand of mature or largely mature trees covering an area of 1/4 of an acre or more, or consisting of more than ~~10-20~~ individual trees larger than ~~42-8~~ inches dbh, shall be considered a woodland. For the purposes of this chapter, the extent of any woodland plant community or any part thereof shall be measured from the outermost dripline of all the trees in the community. "Woodland" shall include any area where timber has been harvested within the previous three years and/or woodland disturbance has occurred within the previous three years which would have met the definition of "woodland" prior to timbering or disturbance. Woodlands do not include nursery stock, orchards, or oldfields, except where natural succession has been allowed to occur and where most naturally occurring trees are larger than six inches dbh.

[Added 6-17-2002 by Ord. No. 02-04]

WOODLAND DISTURBANCE

Any activity which alters the existing structure of a woodland or hedgerow; alterations include the cutting or removal of canopy trees, subcanopy trees, understory shrubs and vines, woody and herbaceous woodland floor species. Also includes any activity which constitutes a land disturbance (exposes soils, alters topography) within a woodland or hedgerow. "Woodland disturbance" does not include the selective cutting or removal of invasive alien trees, shrubs, vines or herbaceous species, including, but not limited to, *Rosa multiflora* (multiflora rose), *Eleagnus umbellata* (autumn olive), *Lonicera japonica* (Japanese honeysuckle), *Celastrus orbiculatus* (oriental bittersweet), and *Polygonum perfoliatum* (mile-a-minute weed).

[Added 6-17-2002 by Ord. No. 02-04]

WORKING DRAWING

A working layout and construction plan for all improvements, at scale not smaller than one inch equals 100 feet, prepared by a registered engineer or surveyor, including complete information sufficient in detail to obtain bona fide bids and for construction, including such as-built corrections after construction as may be applicable.

YARD

An open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky, except for permitted signs and fences.

[1]*Editor's Note: See 68 Pa.C.S.A. § 3101 et seq.*

[2]*Editor's Note: See 53 P.S. § 10101 et seq.*

[3]*Editor's Note: The former definition of "steep slope" of the 2006 Code, which immediately followed this definition, was repealed 12-15-2003 by Ord. No. 03-06. See now the definitions of "slope, precautionary" and "slope, prohibitive."*

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INITIATIVE IN PRACTICE®

September 26, 2025

Via Hand Delivery

Board of Supervisors
Upper Uwchlan Township
140 Pottstown Pike
Chester Springs, PA 19425

Re: Subdivision Application (Sketch Plan Review) for 127 St. Andrews Road
Jeffrey A. and Susan M. Behrndt

Dear Members of the Board:

Enclosed please find the following submitted on behalf of Jeffrey A. Behrndt and Susan M. Behrndt, the owners of 127 St. Andrews Road (the "Property") in Upper Uwchlan Township:

- Application for Subdivision (Sketch Plan Review), including signed Escrow Agreement
- Sketch Plan by JMR Engineering, LLC dated 9/3/2025 (six copies)
- Prior subdivision plan for the Property dated 5/1/95, recorded at Book 13141, Page 1 in the Chester County Recorder of Deeds
- Memorandum from Dave Leh, PE dated 6/25/09, which enclosed:
 - Letter from Solicitor John E. Good, Esq. dated 5/18/09 to Planning Commission
 - Letter of Support from William T. Teti and Michele Teti for Behrndts' 2009 Subdivision Plan

Please note that checks for the \$250.00 application fee and \$5,000.00 escrow for professional review were already delivered to the Township by Mr. Behrndt. Additionally, an electronic copy of the application materials will be emailed to Mr. Ley, Mr. Campbell, and Ms. Camp in PDF format.

By way of brief background, the Behrndt's are seeking to subdivide the Property as shown on the 9/3/2025 sketch plan in order to build their retirement house on the 1.48-acre "Lot 2". As a threshold matter, the Behrndt's seek Township approval to strike a note on the recorded 5/1/95 subdivision plan restricting further subdivision for purposes of non-accessory residential construction. The Behrndt's previously attempted this subdivision in 2009; the enclosed letters of Mr. Ley and Mr. Good explain their professional opinions regarding the restriction to the Planning Commission at that time. In 2009 the Behrndt's obtained a letter of support from the Tetis, the owners of "Lot 9" as shown on the 5/1/95 subdivision plan, Lot 9 having been the property that conveyed the land which the 5/1/95 plan restricts. More recently, in 2025, Mr. Ley opined that the restriction on the 5/1/95 plan was imposed by the Township because SALDO Section 162-7.A.(1).(e), requires that minor subdivision plans – which the 5/1/95 plan was -- must restrict the subject lots against further subdivision. The Behrndts recall that they discontinued the 2009 subdivision application for financial reasons, meaning that the restriction on further subdivision was never fully resolved and remains in place.

MacElree Harvey, Ltd.
Attorneys at Law
17 West Miner Street
West Chester, PA 19382
610-436-0100 | main
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Matthew M. McKeon
mmckeon@macelree.com
d | 610-840-0225
f | 610-430-8245

Upper Uwchlan Township Board of
Supervisors
September 26, 2025

As the Tetis previously demonstrated their support for this exact subdivision, the Behrndt's now ask the Township to agree to strike the aforementioned restriction on subdivision so that the Behrndt's can build their retirement home.

Thank you. Please let me know if you have any questions.

Very truly yours,

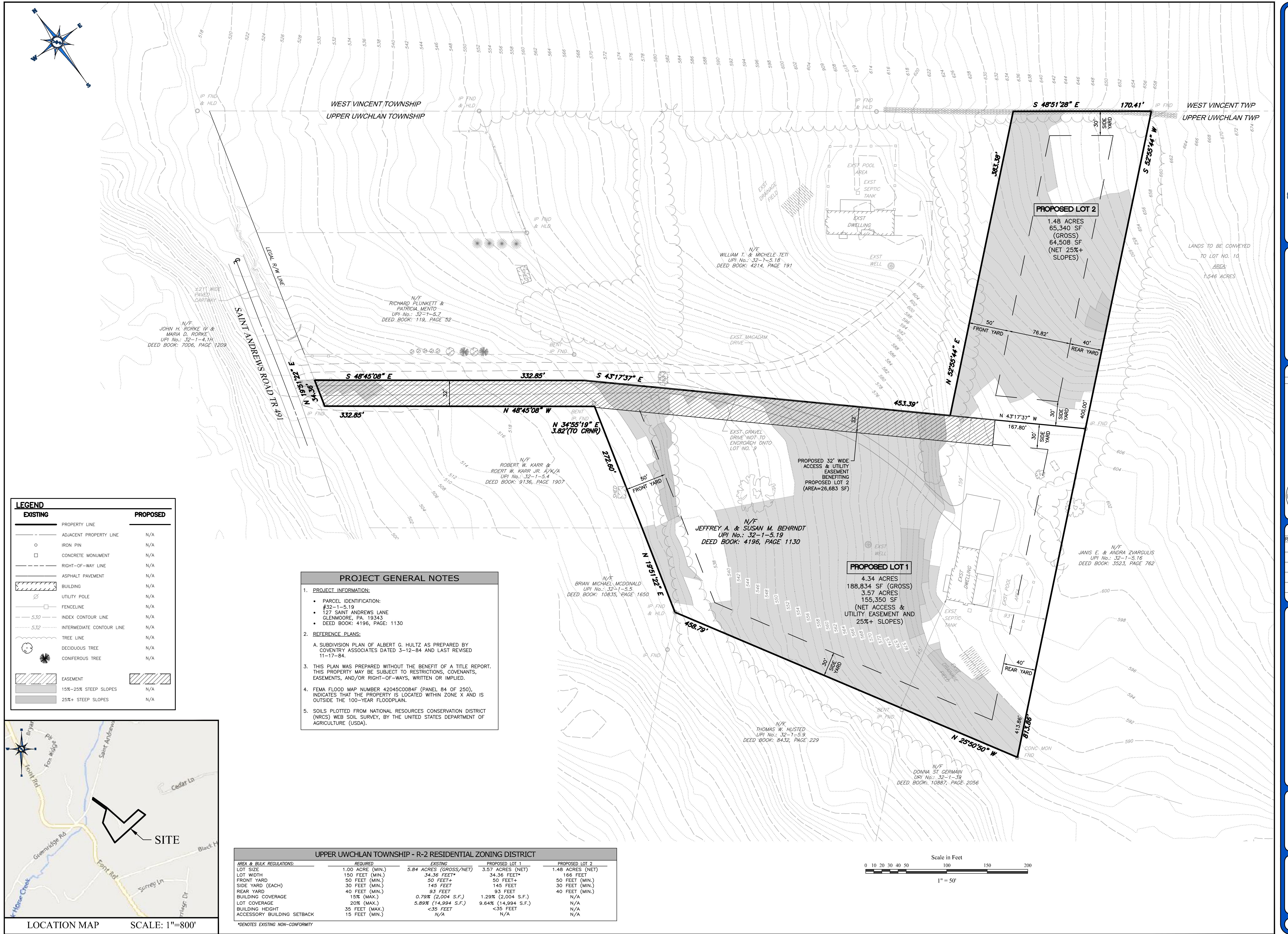


Matthew M. McKeon

/cfg

Enclosures

cc: David Ley, PE (w/enclosures) *[via Electronic Mail Only]*
Anthony Campbell (w/enclosures) *[via Electronic Mail Only]*
Kristin Camp, Esq. (w/enclosures) *[via Electronic Mail Only]*



PROFESSIONAL CIVIL ENGINEERING • LAND PLANNING SERVICES
106 SCHUBERT DRIVE ~ DOWNTON, PA 19335
VOICE: (484) 880-7342
EMAIL: ADMIN@JMRENGINEERING.COM
WEBSITE: WWW.JMRENGINEERING.COM

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ELITY USERS LIST

PLAN REVISIONS

CT:
SITE PLAN
FOR

ON:
**27 ST. ANDREWS ROAD
GLENMOORE, PA 19343
ER UWCHLAN TOWNSHIP
CHESTER COUNTY, PA**

MAX PARCEL NUMBER:
32-1-5.19

CT No.: 1888-B
Y REF.: 95105(COVENTRY)
BY: ECR
ED BY: JMR
DATE: SEPTEMBER 3, 2025
SCALE: 1" = 50'

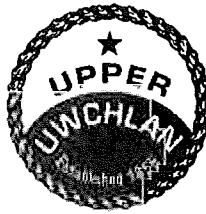
TITLE:

SITE PLAN

NUMBER:

1 **1**
OF

Plot Date: Wed. Sep. 03, 2025
File: 1888_EX_FROM OTHERS.DWG



SUBDIVISION / LAND DEVELOPMENT APPLICATION

Preliminary Submittal (Sketch Plan Review) Final Submittal

The undersigned hereby applies for review of the Plan submitted herewith and described below:

1. Name of Subdivision / Development: 127 St. Andrews Road Subdivision
2. Plan Dated: 9/3/2025 County Deed Book/Page No. N/A
3. Name of property owner(s):
Jeffrey and Susan Behrndt
Address: 127 St. Andrews Road, Glenmoore, PA 19343
State/Zip: PA 19343 Phone No.: 484-624-7385
Email: behrndt@comcast.net
4. Name of Applicant (If other than owner):
Same as owners
Address: Same as owners
State/Zip: Same as owners Phone No.: Same as owners
Email: Same as owners
5. Applicant's interest (If other than owner): Owners
6. Engineer, Architect, Surveyor, or Landscape Architect responsible for Plan.
JMR Engineering, LLC
Address: 1906 Schubert Drive, Downingtown, PA 19335
State/Zip: PA 19335 Phone No.: 484-880-7342
Email: admin@jmreengineering.com
7. Total acreage: 5.84 acres Number of Lots: 2 proposed
8. Acreage of adjoining land in same ownership: (If any) N/A
9. Describe Type of Development Planned:
Owners seek to subdivide the existing parcel into two parcels, building a single-family home on the to-be-subdivided parcel shown as "Proposed Parcel 2" on the plan.

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.

Owners seek a waiver from or removal of the restriction imposed by the Board of Supervisors in its approval of a prior subdivision application from 1989 (see 1989 subdivision plan and BOS decision enclosed herein). Applicant seeks determination on this threshold issue before proceeding further into subdivision process and/or seeking any zoning relief deemed necessary.

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: 
Matthew M. McKeon, Esq., Attorney-in-Fact for Owners/Applicants

Date: September 26, 2025

*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

June 1st, 2009

William T. Teti
Michele Teti
121 Saint Andrews Road
Glenmoore, PA 19343

Upper Uwchlan Township
Board of Supervisors
Planning Commission
140 Pottstown Pike
Chester Springs, PA 19425

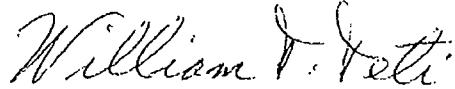
Re: Behrndt Subdivision

To whom it may concern:

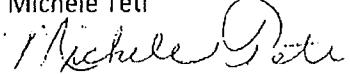
As the owners of lot 9, we are writing regarding the potential subdivision/ building lot of our neighbors Jeffrey and Susan Behrndt. The lot is located to the rear or southeast of our lot, containing approximately 1.5 acres. We have discussed with the Behrndt's their intentions of utilization of the parcel as a building lot. We have reviewed the potential building envelope, setbacks, driveway location, water and septic ect. and foresee no potential problems. The Behrndts have our full support and approval to proceed with their project.

Sincerely,

William T. Teti



Michele Teti



RECD:WV

JUN - 5 2009

UPPER UWCHLAN TOWNSHIP

LAW OFFICES
JOHN E. GOOD ASSOCIATES
331 WEST MINER STREET
WEST CHESTER, PENNSYLVANIA 19382-2832
—
(610) 436-6565
FAX (610) 344-9381

JOHN E. GOOD

May 18, 2009

Upper Uwchlan Township
Planning Commission
140 Pottstown Pike
Chester Springs, PA 19425

Re: Berhndt Subdivision

Dear Members of the Planning Commission:

Dave Leh has sent me a memo, a copy of which I enclose. After receiving the memo, I spoke to Dave to get further information.

It appears to me the note is rather clear although I must admit the language is a bit confusing. What is clear is that no residential construction excepting an accessory use shall be permitted on the 1.546 acre parcel, i.e. not a new home. What is somewhat unclear is whether the original Lot 10 containing approximately four acres was intended to be restricted against subdivision. The note so states but the next sentence in the note says that the intention of this acquisition is only a transfer of land and not to create an additional building parcel or lot.

Nevertheless the note says what it says and in my view the only way to remove the notation is by agreement of the Township and the owner of the lot from which the 1.546 acre parcel was subdivided from.

If there's any question, please don't hesitate to call me.

Very sincerely yours,

John E. Good

JEG:rd
Enclosure

pc: David Leh, P.E.
Kevin Kerr, Chief Administrator





GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: June 25, 2009
To: Board of Supervisors
From: Dave Leh
cc:
Reference: Behrndt Subdivision

Board Members:

The Planning Commission received a plan for a two (2) lot Minor subdivision for a property located at 127 St. Andrews Road and owned by Jeffery Behrndt. This is actually the second "subdivision" of the subject property. The first subdivision occurred in 1995 and was actually an annexation of 1.5 acres from the adjacent property. (Lot 9 on the attached plan) The applicant would now like to subdivide off that same 1.5 acres and create a new building lot.

However, there is a note on the 1995 subdivision plan which states: "Lot No. 10 [*The subject property*] will be restricted from ever being subdivided in the future. The intention of this acquisition is only a transfer of land and is not to create additional buildable parcels or lots. No residential construction (except accessory) shall be permitted on the 1.546 acre tract."

At the Planning Commissions direction, I have spoken to John Good regarding whether or not the restriction from further subdivision can be revoked and if so, what is the process for doing so. John's written opinion is attached but he basically said so long as the owners of Lot 9 as well as the Board of Supervisors are agreeable to overturning the restriction, it can be overturned.

Mr. Behrndt has obtained a letter from the owners of Lot 9 stating they are aware of his intentions and support same. (A copy of the letter is attached) Mr. Behrndt would now like to attend the Boards June 30th Workshop and receive feedback from the Board as to whether they would support overturning the condition.

I will be in attendance at the Boards June 30th meeting to discuss further. However, should you have any questions or need any further information in the interim, please give me a call.

Attachments : Subdivision Plan

Letter from John Good (May 18th, 2009)
Letter from Mr. & Mrs. Teti, Owners of Lot 9 (June 1, 2009)

BUILDING ON A FOUNDATION OF EXCELLENCE

350 E. Butler Avenue | New Britain, PA 18901 | 215-345-4330 | 215-345-8006
184 W. Main Street, Suite 300 | Trappe, PA 19426 | 610-489-4949 | 610-489-8447
221B Gale Lane | Kennett Square, PA 19348 | 610-444-9006 | 610-444-7292
8 Bartles Corner Road | Suite 022 | Flemington, NJ 08822 | 908-237-0004 | 908-237-0005
5100 Tilghman Street | Suite 150 | Allentown, PA 18104 | 610-366-8064 | 610-366-0433
370 E. Maple Avenue | Suite 201 | Langhorne, PA 19047 | 215-369-3955 | 215-369-3956
33 Stokes Avenue | East Stroudsburg, PA 18301 | 670-421-7670 | 570 421-7687



October 1, 2025

File No. 09-05068T

VIA E-MAIL ONLY

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

Reference: 127 St. Andrews Road (Behrndt Tract)
Sketch Plan Review
Upper Uwchlan Township, Chester County, PA

Dear Tony:

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

- Cover letter to Upper Uwchlan Township from Mathew McKeon dated September 16, 2025.
- Sketch Plan titled "Site Plan for 127 St. Andrews Road" dated September 3, 2025.
- Subdivision / Land Development Application dated September 26, 2025.

G&A have completed our first review of the above referenced items 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 subject property, located at 127 St. Andrews Road, is zoned R-2 (Residential) and contains a single-family home and associated improvements. The applicant would like to create a minor subdivision to allow for the construction of a second dwelling. The existing parcel is approximately 5.84 Acres in size and is proposed to be subdivided into two (2) lots. The first lot (Lot 1) will be 4.34 Acres in size and will contain the existing home. The second lot (Lot 2) will be 1.48 Acres in size and intended for the construction of a new home.

Reference: 127 St, Andrews Road (Behrndt Tract)
Sketch Plan Review
Upper Uwchlan Township, Chester County, PA

File No. 09-05068T
October 1, 2025

II. COMMENTS

1. The area shown as Lot 2 was is generally a parcel of land which was annexed from the adjacent parcel (UPI 32-1-5.18 [N/L William and Michele Teti]) as part of a minor subdivision which was approved in 1995. The approved plan contains a note which states "*Lot 10 [The subject Parcel] will be restricted from ever being subdivided in the future. The intent of this acquisition is only a transfer of land and not to create additional developable parcels or lots. No residential construction (except accessory) shall be allowed on the 1.546 Acre tract.*" This is a standard requirement and must be included on all minor subdivision plans. (SALDO Section 162-7.A.(1).(e)) The applicant is looking to have the Board rescind this condition / requirement so a home may be constructed.
2. It is important to note that development of this parcel may require zoning relief to disturb the Prohibitive Steep Slopes and will definitely require a conditional use to disturb the Precautionary Steep Slopes. (ZO 200-107)

This concludes our first review of the above referenced sketch plan application. 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
Gwen Jonik – Township Secretary
Rhys Lloyd – Director of Code Enforcement
Anthony Campbell – Zoning Officer
Kristin Camp, Esq. – BBM&M, LLC
Jeffrey and Susan Behrndt - Applicant

Mr. Tony Scheivert
Upper Uwchlan Township Manager

Page - 3 -

Reference: 127 St, Andrews Road (Behrndt Tract)
Sketch Plan Review
Upper Uwchlan Township, Chester County, PA

File No. 09-05068T
October 1, 2025

Mathew McKeon, Esq.,- MacElree Harvey
Jack Robinson, PE – JMR Engineering



OCT - 1 2025

SUBDIVISION / LAND DEVELOPMENT APPLICATION

Sketch Plan

Preliminary Submittal

Final Submittal

The undersigned hereby applies for review of the Plan submitted herewith and described below:

1. Name of Subdivision / Development: 199 Fellowship Rd. & 480 Pottstown Pike
2. Plan Dated: 9.30.2025 County Deed Book/Page No. B. 11346, P. 1901,1907
3. Name of property owner(s): Oscar Senn Irrevocable Trust

Address: P.O. Box 2773, Huntersville

State/Zip: NC 28070 Phone No.: (724) 757-5168

Email: ericsenn2@hotmail.com

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

Hat Trick Properties, LLC

Address: 55 Waterview Drive, Glenmoore

State/Zip: PA 19343 Phone No.: (610) 587-5568

Email: toddchescocuts@comcast.net

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

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

Howell Engineering

Address: 1250 Wrights Lane, West Chester

State/Zip: PA 19380 Phone No.: (610) 918-9002

Email:

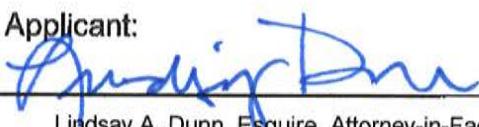
7. Total acreage: 7.58 +/- Number of Lots: 2
8. Acreage of adjoining land in same ownership: (If any) N/A
9. Describe Type of Development Planned: Active Recreation Facility and existing USPS

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.

N/A

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: Lindsay A. Dunn, Esquire, Attorney-in-Fact

Date: October 1, 2025

*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

PROPOSED LAND DEVELOPMENT

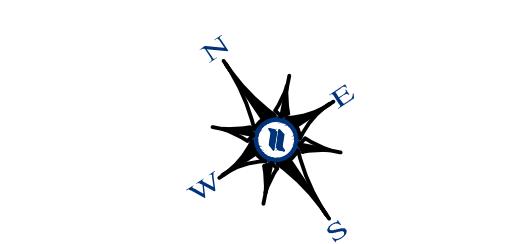
DATE:	09/30/2025
SCALE:	1" = 40'
DRAWN BY:	RBV
CHECKED BY:	RBV
PROJECT NO.:	5249
CAD FILE:	5249 SK-3C 2025-09-30.dwg
PLOTTED:	09/30/2025
DRAWING NO.:	SK-3C
SHEET:	1 OF 1



EQUITABLE OWNER/APPLICANT:
HAT TRICK PROPERTIES, LLC
35 WATERLOO DRIVE
GLENMOORE, PA 19343
ATTN: TODD CLIGGETT
PH: 610-587-5568
EMAIL: todd@hatscouts.comcast.net

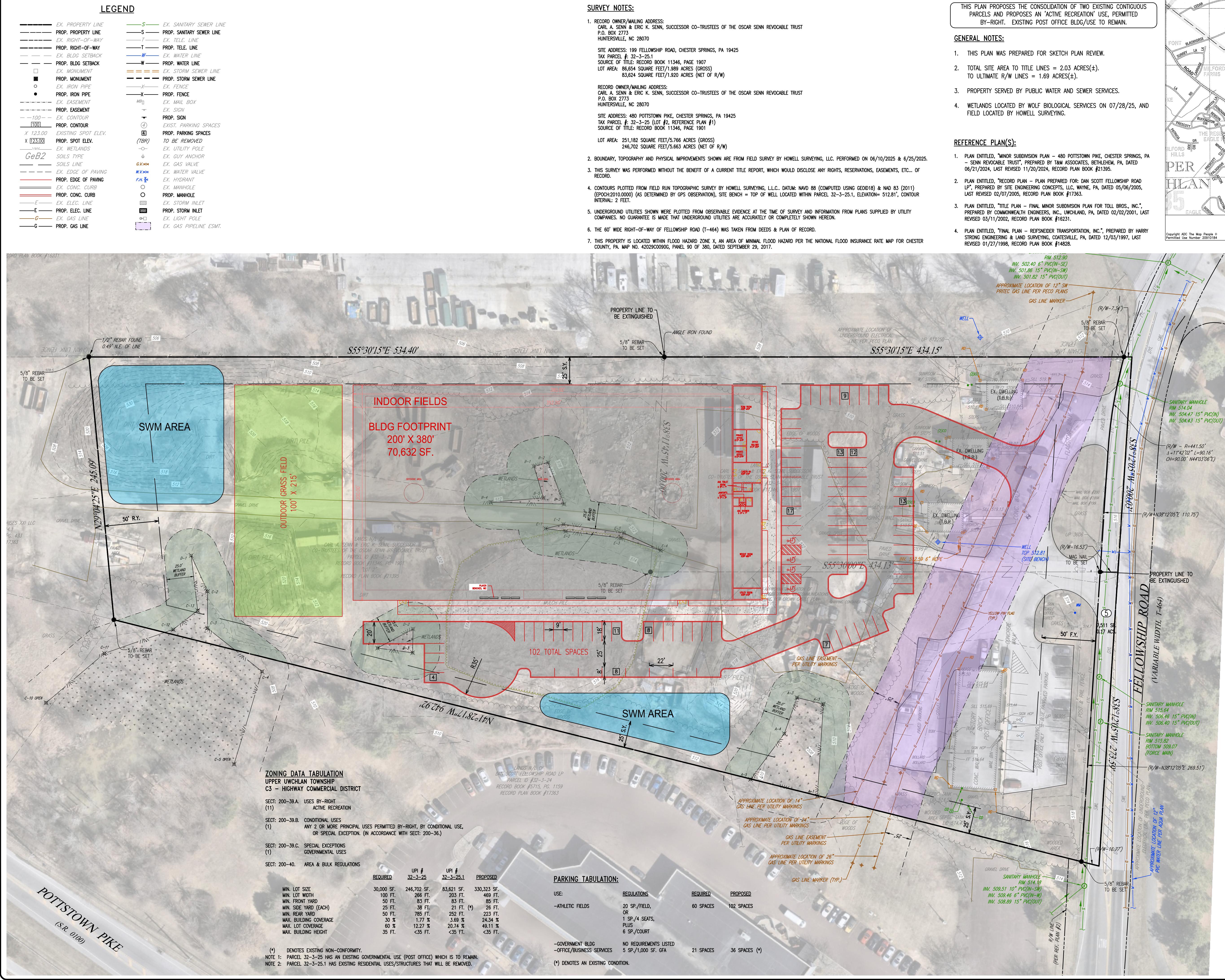
NATURAL RESOURCE LEGEND

	EXISTING WETLANDS
	25' WIDE WETLAND BUFFER



PROPOSED LAND DEVELOPMENT

SCALE:	1" = 40'
GRAPHIC SCALE	1 inch = 40 feet





Upper Uwchlan Township

Attn: Lindsay Dunn, Esquire (Via Email)
Dunn Law, LLC
41 Waterview Drive
Glenmoore, PA 19343

August 28, 2025

Re: 199 Fellowship Road, Chester Springs PA 19425, Upper Uwchlan Township, Chester County, PA, Tax parcel ID no. 32-3-25 & 32-3-25.1

Ms. Dunn,

I have reviewed the letter you had emailed on Friday 8/22/2025 relating to a proposed use at 199 Fellowship Road. UPI # 32-3-25 & 32-3-25.1.

Active recreation as defined in the township zoning code is a permitted use in the LI – Limited Industrial district provided that all standards are met including but not limited to 200-47 Design Standards and 200-68 Recreational land use. These uses are primarily outdoor activities where the land is modified to accommodate the field or playing surface(s). The use of Sports team practice(s) on such fields would classify as Active recreation.

Individual clinics, small group clinics, and positional clinics in an indoor facility would fall under the definition of Athletic Club as defined in section 200-7 of the Upper Uwchlan Township code. An Athletic club is permitted by right in the LI district under section 200-44.A(9) provided the building is less than 10,000 S.F. An Athletic club is permitted by conditional use in the LI district under section 200-44.B(6) if the building is over 10,000 s.f.

A subdivision may be feasible to separate the existing business uses from the proposed recreational use provided all applicable regulations, area and bulk requirements, etc. have been met for all proposed lots. Without a plan to review I cannot say with certainty that your proposal would meet those requirements.

If you have any further questions, please do not hesitate to contact me.

Sincerely,


Anthony Campbell
Zoning Officer



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 1, 2025

File No. 23-01103

VIA E-MAIL ONLY

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

Reference: 500 Pottstown Pike – Chester Springs Service Center
Final Land Development Plan – First Review
Upper Uwchlan Township, Chester County, PA

Dear Tony:

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

1. Letter from Riley Riper Hollin & Colagreco to Upper Uwchlan Township dated September 3, 2025 regarding Final Land Development Plan submission.
2. Letter to Upper Uwchlan Township dated September 3, 2025, responding to review comments in G&A's August 7, 2025 review letter.
3. Letter to Upper Uwchlan Township dated September 3, 2025, regarding revision to the Stormwater Report.
4. Letter regarding Plantings Fee in Lieu Upper Uwchlan Township dated September 3, 2025.
5. Subdivision / Land Development Application Final Submittal signed and dated September 3, 2025.
6. Fiscal Impact Analysis (Updated) Memorandum from EH Creative Services LLC to T and M Associates dated August 29, 2005.
7. Plan set consisting of thirty-nine (39) sheets titled "Final Land Development Plans Chester Springs Service Center," dated August 1, 2024, and last revised September 3, 2025.
8. Chester Springs Service Center Stormwater Management Report dated September 25, 2024, and last revised September 2, 2025.
9. Automotive Service Center Development Transportation Impact Assessment dated April 10, 2025 prepared by TPD.

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401 Plymouth Road | Suite 150 | Plymouth Meeting, PA 19462
Phone: 610-489-4949 | Fax: 610-489-8447
www.gilmore-assoc.com

Mr. Tony Scheivert
Upper Uwchlan Township Manager
Reference: 500 Pottstown Pike – Chester Springs Service Center
Final Land Development Plan – First Review
Upper Uwchlan Township, Chester County, PA

File No. 23-01103
October 1, 2025

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G&A as well as the other Township Consultants have completed our first review of the above referenced documents 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 within the G&A portion of the letter with an **(RW)** require relief from the Township Ordinances. An **(RW)** denotes a requested waiver. Comments in *italics* are from our previous review letter, and comments in **bold text** require resolution from the applicant. Previous comments that have been satisfactorily addressed are not repeated herein.

I. OVERVIEW

The application proposes the construction of a Service Center building ($\pm 45,774$ SF) with associated parking and a stormwater management basin on a 13.79-acre parcel (TMP# 32-1-34.1C). The property, currently vacant, is located at 500 Pottstown Pike in the C-3 Highway Commercial District.

II. TOWNSHIP ZONING OFFICER COMMENTS

No comments at this time.

III. CONDITIONAL USE ORDER REVIEW

1. *Conditions of Approval #11 requires that an attempt be made to provide a location for a public trail to provide a connection to the trails at the Township's Park at Fellowship Road. Nothing is shown on the plans per this requirement.*

Per the response letter, a trail connection to Fellowship Fields could not be accommodated as requested as it is infeasible to connect to the private drive located in the rear yard of the property. In addition to general safety and security concerns, any trail would require zoning relief and special permitting with the state to construct within existing regulated wetland areas.

We defer to the Township as to whether this Condition of Approval has been adequately satisfied.

2. *Conditional Use Condition of Approval #13 requires an entrance feature consistent with other entrance features in the vicinity of the property.*

Plans show a "Monument Sign" location at the entrance to the property.

A "Monument Sign" detail has been added (Sheet 17). **We understand that a "decorative wall" is also proposed; a detail for this wall shall be provide and added to the plans to permit the Township to determine whether this Condition of Approval has been satisfied.**

File No. 23-01103
October 1, 2025

**IV. TOWNSHIP ENGINEER'S COMMENTS – ZONING ORDINANCE
GILMORE & ASSOCIATES**

No comments at this time.

**V. TOWNSHIP ENGINEER'S COMMENTS – SUBDIVISION & LAND DEVELOPMENT ORDINANCE
GILMORE & ASSOCIATES**

1. (RW) Section 162-9.H(5) – An historic resources impact statement is required when land development plans which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource. The site is within 250 feet of the “John Keeley House”.

An Historic Resources Impact Statement dated June 17, 2025, prepared by kd2 has been submitted. A waiver is being requested from this section to omit historic resource background information for the John Keeley House (WSFS bank). We defer to the Historical Commission on this matter.

It is our understanding that the Historical Commission is satisfied with the submitted documentation and supports the waiver.

2. Section 162-9.H.(4) – The Fiscal Impact Study shall be revised per comments in the CU review letter dated April 8, 2024.

Per the response letter, the revised fiscal impact study (included with this resubmission) was updated using 2025 values for Township Expenditures.” Clarify “NOTES: 2. Township cost information from Upper Uwchlan Township Budget, 2024” under Table 3, pg. 5 of the study. Additionally, the Fiscal Impact Analysis has two separate tables labeled as “Table 4”. The “Table 4 – Summary of Project Details and Fiscal Impacts” on page 8 should revised to “Table 5.”

3. (RW) Section 162-55.B(3)(a) – Woodland and hedgerow disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract shall require woodland replacement in accordance with Subsections B(6) through B(9). The plans show that 89,926 SF of existing woodland is proposed for disturbance.

A waiver is requested to provide a fee in lieu of required plantings that cannot be accommodated onsite pursuant to Section 162-55.B(12).

4. (RW) Section 162-55.B(6) – Where woodland or hedgerow disturbance involves more than the maximum area permitted, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, in excess of the maximum permitted area of disturbance.

A waiver is requested from Section 162-55.B(6) to the extent required to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12).

Based on 89,926 SF of woodland disturbance proposed, 79,926 SF is in excess of the permitted area. Therefore, 266 trees (3½" caliper) and 532 shrubs (24"-30" in height) are required to be planted (as indicated in the Landscape Requirements Table). A Plantings Requirement Fee in Lieu cost summary has been provided by the applicant. The Fee-in-lieu of 266 Deciduous Trees and 532 Shrubs was calculated to be \$119,700. **However, we recommend that \$500 be used as the cost for the 3½" caliper deciduous trees; the Fee in Lieu should be revised accordingly.** We calculate the Fee to be \$172,900.

5. (RW) Section 162-55.B(7) – *In addition to the vegetation replacement standards established in B(6), for each tree greater than six inches dbh removed, replacement trees shall be planted based on the requirements in this section. A waiver is being requested from Section 162-55.B(7) to the extent required to provide a fee in lieu of required plantings.*

A waiver is requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12).

Based on the 90 trees (6" - 18" caliper) proposed for removal in the Landscape Requirements Table, the Table indicates 115 (3½" caliper) trees are required to be planted, or (66) 3½" caliper trees, (46) 4½" caliper trees and (1) 5½" caliper tree are required to be planted. A Plantings Requirement Fee in Lieu cost summary has been provided by the applicant; however please note that the Fee-in-lieu of 115 Deciduous Trees (3½" caliper) was incorrectly calculated (used incorrect price for deciduous tree); \$34,500 appears to be what the amount should have been. **However, we recommend a cost of \$500 for 3½" caliper deciduous trees be used; the Fee in Lieu should be revised accordingly. The Demolition Plan appears to show 87 trees to be removed, which should be verified.** If 90 trees is correct, we calculate the Fee to be \$57,500.

6. Section 162-55.B(12) – *In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter. The applicant shall discuss this with the Township.*

A Plantings Requirement Fee in Lieu cost summary has been provided. Based on this, the total Fee-in-lieu of 473 Deciduous Trees, 112 Evergreen Trees and 532 Shrubs appears to be incorrectly totaled as \$226,200 (\$204,200?). **However, we recommend that \$500 be used as the cost of 3½" caliper deciduous trees and that \$350 be used as the cost for evergreens; the Fee in Lieu should be revised accordingly.**

Reference: 500 Pottstown Pike – Chester Springs Service Center
Final Land Development Plan – First Review
Upper Uwchlan Township, Chester County, PA

File No. 23-01103
October 1, 2025

7. (RW) Section 162-57.A(2) – *The entire perimeter of any tract subject to land development approval shall include a minimum 20-foot-wide perimeter buffer planting strip which will act as an effective separation between uses. The width of the proposed buffer along the northern property line appears to be less than required with only shrubs proposed along the property line.*

A waiver is requested to provide less than the required buffer width along the northern perimeter of site adjacent to the Styer Propane operation.

This section is in the Landscape Requirements Table twice: No. 1 and No. 5, which shall be verified / revised.

8. (RW) Section 162-57.D(1) – *All required landscaping shall meet the minimum planting requirements outlined herein. A waiver is being requested to permit providing less than the required number of plantings.*

The total number of plantings required shall be no less than the total calculated from all columns in the table herein and shall be in addition to any required replacement plantings due to woodland disturbance.

The Landscape Requirements Table (Sheet 12) indicates that 198 deciduous trees, 180 evergreen trees and 896 shrubs are the required minimum plantings, and that 110 deciduous trees, 68 evergreen trees and 896 shrubs are proposed; this results in a required plantings deficit of 88 deciduous trees and 112 evergreen trees. The required replacement trees for woodland disturbance are (140) 3½" caliper trees or (67) 3½" caliper trees, (23) 4½" caliper trees and (1) 5½" caliper tree. A waiver is being requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). If this waiver is granted, a fee shall be determined prior to Final Plan Approval.

A Plantings Requirement Fee in Lieu cost summary has been provided. Based on this, the Fee-in-lieu of 92 Deciduous Trees and 112 Evergreen Trees was calculated to be \$50,000. However, the number of deficient deciduous trees should be verified as it appears to be incorrect. Additionally, we recommend that \$500 be used as the cost of 3½" caliper deciduous trees and that \$350 be used as the cost for evergreens; the Fee in Lieu should be revised accordingly. If 92 deciduous trees is correct, we calculate the Fee to be \$85,200.

**VI. TOWNSHIP ENGINEER'S COMMENTS – STORMWATER MANAGEMENT ORDINANCE
GILMORE & ASSOCIATES**

1. (RW) Section 152-301.T – *Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc. The plans show disturbance less than 75-feet from wetlands. The applicant is seeking a waiver from this requirement.*

A waiver from this section is being requested. Being as the water bodies in question are all manmade and a product of the fuel containment areas from the previous use of the site, we have no objection to this waiver.

2. Section 152-303.A(1) – A "letter of adequacy" from the Conservation District and an NPDES permit are required for the project. Copies of all correspondence shall be provided to the Township.
3. (RW) Section 152-305.A – The post-construction total runoff volume shall not exceed the predevelopment total runoff volume for all storms equal to or less than the two-year, twenty-four-hour duration precipitation (design storm). Infiltration is not proposed, as the testing showed the site does not infiltrate. Please provide verification the required volume will be managed by the MRC Basin.

Infiltration testing results have been provided which show that the site does not provide acceptable infiltration rates; as such a waiver must be requested. We would support the waiver as an MRC (Slow Release Basin) is being proposed.

While the response letter states that a waiver has been requested, it is not included in the waiver request letter.

While the response letter states that this waiver request has been added in the updated waiver request letter included in this resubmission, no such letter was included. We note that this section is included on Sheet 1 under "Following Waivers Are Pending". Due to the results of the on-site infiltration testing indicating the site will not infiltrate, we have no objection to this waiver.

4. (RW) Section 152-306.D – Only if a minimum infiltration of the first $\frac{1}{2}$ inch of runoff volume cannot be physically accomplished on the site, shall a waiver from Section 152-306 be considered by the municipality. Infiltration testing indicates the site does not infiltrate.

As stated above, due to the results of the on-site infiltration testing indicating the site will not infiltrate, we have no objection to this waiver.

5. (RW) Section 152-311.H(1) – The maximum depth of water in a detention or retention basin shall be two feet as a result of a 2-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event. The plans and report indicate there will be a permanent water depth in the basin of five feet, with a total depth of 6.65-feet during the 2-yr. storm event and a total depth of 8.48-feet during the 100-yr. storm event. Therefore, the water depth maximums have been exceeded and a waiver will need to be sought.

A waiver from this section is being requested. If this waiver is granted, we would recommend a minimum 6-foot high chain-link, or other suitable fencing, be placed around the basin to prohibit unauthorized access to the basin.

Upper Uwchlan Township Manager

Reference: 500 Pottstown Pike – Chester Springs Service Center

Final Land Development Plan – First Review

Upper Uwchlan Township, Chester County, PA

File No. 23-01103

October 1, 2025

6. (RW) Section 152-311.H(3) – Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm. Revise the spillway detail accordingly.

A partial waiver from this section is being requested to not require providing monoslab pavers within the wetland buffer area (on the downslope side of the emergency spillway), but to provide Typar Grassprotecta on the downslope side of the spillway without disturbance of land within the buffer. We have no objection to this waiver request.

7. (RW) Section 152-402.B(8)(g) – Boundaries of a seventy-five-foot construction non-disturbance buffer to protect streams (intermittent and perennial), wetlands and other water bodies during construction of the proposed regulated activity shall be shown on the PCSM plan. We note the applicant is requesting a waiver from this requirement in Section 152-301.T.

A waiver should be requested from this section as well.

While the response letter states that this waiver request has been added in the updated waiver request letter included in this resubmission, no such letter was included. We note that this section is included on Sheet 1 under “Following Waivers Are Pending”. As stated above, being as the water bodies in question are all manmade and a product of the fuel containment areas from the previous use of the site, we have no objection to this waiver.

8. Section 152-402.F – The documents outlined in this section shall be prepared and submitted to the municipality for review and approval as part of the SWM site plan for each BMP and conveyance included in the SWM site plan. Verify that all applicable items are provided.

Per the response letter, these will be provided prior to final plan approval.

As this is a Final Plan Application, these documents should be provided at this time.

9. Sections 152-701.D, 152-701.E, 152-701.F and 152-703 – All agreements and plans (i.e., O&M agreement, O&M plan, deed restrictions, right of entry, covenants, etc.) shall be provided for approval and recorded as outlined in these sections.

Per the response letter, these will be provided prior to final plan approval.

As this is a Final Plan Application, these documents should be provided at this time.

**VII. TOWNSHIP ENGINEER'S COMMENTS – GENERAL
GILMORE & ASSOCIATES**

1. *Verify/provide the location of proposed bearings and distances related to the Ultimate Right-of-way and verify whether a legal description is required.*

The bearings and distances have been shown in the “Required Right-of-Way (To Be Deeded To Upper Uwchlan Township” table on the Site Plan (Sheet 7A). **The Township should determine whether this will be accepted; if not the right-of-way will need to be clarified.** Per the response letter, the legal description is provided in this submission. However, no legal description was provided.

2. **The PECO UP 10 5 6903 with lamp and overhead lines is located within the entrance drive should not be shown on proposed conditions plans and shall be shown to be removed.**
3. **The light pole at the entrance is located on the curb and should be relocated.**
4. **The three (3) light poles along the northern parking spaces should be aligned with striping.**
5. **Four (4) light poles (along north and east parking) are in conflict with the proposed fencing, which should be revised.**

VIII. TOWNSHIP TRAFFIC ENGINEER'S COMMENTS
BOWMAN

Based on our review, we offer the following comments for the Township's consideration.

1. Condition 6 – The applicant shall fund and install a traffic signal at the site access intersection with Pottstown Pike/Font Road. If PennDOT ultimately does not approve a traffic signal, then the applicant shall be responsible to fund and install other intersection improvements or restrict turning movements at the access intersection. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT.

The plans include a leader arrow to the intersection and a note on Sheet 7B which reads “Intersection to be signalized”. The plans also include a note on Sheet 1 which reads “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township”. Furthermore, at a March meeting with the applicant's team, the Township and PennDOT, PennDOT offered support for the traffic signal at this intersection. Based on all of this, our office is comfortable with the applicant's intent to install a traffic signal at this location. However, we note that formal approval of the signal warrant by PennDOT in writing has not yet occurred, as this will occur as part of the HOP plan submission. At this time HOP plans have not yet been submitted to the Township or PennDOT. As discussed at a meeting with the applicant's team on September 10, 2025, Township land development approval should be delayed until HOP plans have been submitted and at least one round of PennDOT comments have been received. In this manner, the Township should have confidence that PennDOT will approve the traffic signal and the improvements design has progressed sufficiently to ultimately obtain the HOP permit.

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2. Condition 7 – As required by this condition, the land development plans show a 125-foot southbound Pottstown Pike left-turn lane for traffic entering the site. The access improvements design will be reviewed further during the HOP plan review. The plans include a leader arrow and note on Sheet 7B which reads “Improvements to Route 100 are conceptually shown. Refer to plans by others”. Please amend the note to reference the HOP application number and the engineer preparing the plans.
3. Condition 8 – Subject to PennDOT approval, the plans shall be revised to show a northbound Pottstown Pike right-turn deceleration lane or taper at the driveway intersection. The land development plans have been revised to show a 125-foot long, 10-foot wide curbed right-turn deceleration lane. There is limited information on the land development plans to complete a full review, and therefore, this lane shall be reviewed as part of the PennDOT HOP plans. However, we note that PennDOT typically requires a 14-foot wide curbed right-turn lane. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT. The land development plans should be revised to reflect the layout of the final access improvements subject to further evaluation and coordination with the Township and PennDOT.
4. Condition 10 – As required by this condition, the land development plans show a 10-foot-wide multi-use trail along the site frontage.
5. Condition 11 – As required by this condition, the applicant shall coordinate with the Township to provide a public trail on this property to provide a connection to the trails at the Township Park on Fellowship Road. As discussed with the applicant’s team at a meeting with the Township on September 10, 2025, the applicant shall provide to the Township an easement along the northern and western property line for future construction of a trail, as well as a fee in lieu of actually building the trail.
6. Condition 12 – The proposed development is located in the Township’s Act 209 Transportation Service Area, and as such, this development is subject to the Township’s Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. Based on the traffic study, the site will generate 96 weekday afternoon peak hour trips, and therefore, the Transportation Impact Fee is \$224,064.
7. The plans should show the existing legal right-of-way along Route 100.
8. The location of the proposed 10-foot wide asphalt trail along Route 100 should be revised to provide a minimum five-foot wide verge area between the back of the curb and the trail as recommended in the Township’s Active Transportation Plan.
9. As part of the traffic signal design at the site access intersection with Route 100, a pedestrian crossing should be provided across Route 100, as recommended by the Township’s Active

Reference: 500 Pottstown Pike – Chester Springs Service Center
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Transportation Plan. The pedestrian crossing should connect the proposed multi-use trail with the existing trail on the southwest corner of the intersection.

10. ZO Section 200-75.H(3) – The information provided on Sheet 5 is insufficient to complete a full review of the available sight distances at the site access intersection. Additional information is required, as follows:

- a. The plans should dimension and label the required and available sight distances for traffic exiting the proposed driveway looking to the right.
- b. The plans should dimension and label the required and available sight distances for left-turn vehicles entering the proposed driveway looking ahead and behind.
- c. The plan should show the site access layout and the lane improvements along Route 100.
- d. Based on the information provided on the plans, it appears the sight distance for traffic exiting the access looking to the left may be obstructed by vegetation and a wall on the adjacent property. This should be further reviewed as part of the HOP design.
- e. The plans should include the following sight distance note. The available and required sight distances shown on the plan should match the information provided in the traffic study.

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

11. The Township’s Active Transportation Plan envisions a “Yield Roadway” along the alignment of the private drive through the northern edge of the property. As discussed with the applicant’s team at the meeting with the Township on September 10, 2025, provide a 30-foot-wide easement along the existing private drive to accommodate this future yield roadway.

12. Detailed designs for all proposed curb ramps located within public right-of-way or for public use 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. In addition, label all proposed curb ramp types, and provide the appropriate PennDOT curb ramp details and notes on the detail sheets. The applicant’s engineer indicates this information will be provided as part of the PennDOT HOP design.

13. Based on the truck turning templates shown on Sheets 37 and 38, a WB-67 vehicle will require the entire width of the driveway to enter the site via a right-turn. As such, we recommend deliveries to the site should occur during off-peak hours in order to avoid conflicts between traffic exiting the site and entering delivery vehicles. In addition, all delivery and car carrier trucks must be prohibited

from stopping/parking along Route 100. A note should be added to the plans noting these restrictions.

IX. TOWNSHIP PLANNER COMMENTS
BRANDYWINE CONSERVANCY

The Conservancy notes that the applicant has acknowledged our prior comments from August 2025 and has addressed them to the best of their ability given the constraints of the site. We have no further comments on this proposal.

We also note the applicant has requested a fee in lieu of the vegetative requirements given the irregularity of the lot, location of existing wetlands and vegetation, and the proposed layout. The Conservancy suggests the Township accept this fee for plantings at more suitable sites elsewhere in the Township.

X. TOWNSHIP SEWER AUTHORITY ENGINEER COMMENTS
ARRO

1. The plans propose the construction of a 45,774 square foot (SF) service center, with a lot for vehicular sales and service uses of 358 spaces on the site. The capacity needed for the proposed site is 600 gallon per day (GPD), which is generated by employees on-site. The required capacity will need to be purchased by the applicant prior to connection into the sanitary sewer system.
2. The sanitary sewer rim elevation at the proposed building should be verified.
3. Landscaping shrubbery and/or tree should not be located within the proposed 20-feet sanitary sewer easement.
4. The existing gravity main as it should be shown to be 8-inches in diameter.
5. General note should be revised as follows:
 - a. No. 8 Contractor shall contact *ARRO Consulting* when sewer piping is being tested on site.
 - b. No. 9 all proposed sanitary sewer shall comply with *the Upper Uwchlan Township Municipal Authority Technical Specifications for Construction of Sewer Mains and Appurtenances*.
6. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

XI. TOWNSHIP FIRE MARSHAL COMMENTS

Comments (if any) will be provided under separate cover.

Mr. Tony Scheivert
Upper Uwchlan Township Manager
Reference: 500 Pottstown Pike – Chester Springs Service Center
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XII. HISTORICAL COMMISSION COMMENTS

Comments (if any) will be provided under separate cover.

This concludes our first review of the above referenced final 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 Board of Supervisors
Upper Uwchlan Planning Commission
Gwen Jonik – Township Secretary
Rhys Lloyd – Director of Code Enforcement
Anthony Campbell – Zoning Officer
Mathew Brown, PE – Upper Uwchlan Township Authority
Kristin Camp, Esq. – BBM&M, LLC
Chris Williams, PE Bowman Associates
Dave Schlott, PE – Arro Consulting
Rob Daniels – Brandywine Conservancy
Robert DiStanislao – RDS (Applicant)
Alyson Zarro, Esq. – RRH&C
Erik Hetzel AICP/PP – EH Creative Services LLC.
Matt Hammond, PE – TPD
Jacob Tackett – T&M Associates, Inc. Cameron Wolfson, Esq. – RRHC

LANDSCAPE & PSM PLAN

LANDSCAPING LEGEND

REFER TO PLANT SCHEDULE ON SHEET LSP-DL-1 FOR PLANT SYMBOLS

- - - - - PROPERTY LINE
 - - - - - WOODLAND BOUNDARY
 - - - - - STRUCK LINE
 - - - - - EXISTING LINE
 - - - - - PROP. CURB
 - - - - - PROP. FENCE
 - - - - - RIPARIAN BUFFER/SEEDING MIX (ERINAC-178)
 - - - - - FARM MEADOW/SEEDING MIX (ERINAC-178)
 - - - - - PROP. CONCRETE AREA
 - - - - - PROP. STRIPPING
 - - - - - DUSTING TREE TO REMAIN

RECORD PLAN SHEET 8 OF 22

LSP

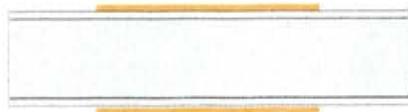
11

OF 39

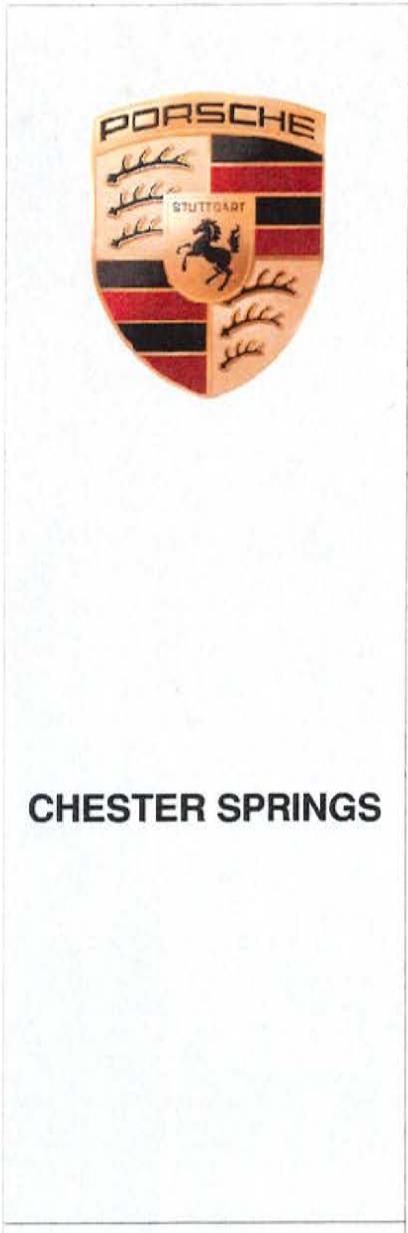
Service Center ± 45,774 SF ± 358 Auto Spaces

Fire Truck Turning Plan

CFD 100' Aerial Platform Pierce Velocity



Top View



TYPICAL PORSCHE MONUMENT SIGN

NOT TO SCALE

NOTES: PROPOSED MONUMENT SIGN SHALL COMPLY WITH UPPER UWCHLAN ORDINANCE REQUIREMENTS OR SEEK VARIANCE APPROVAL TO DEVIATE FROM PERMITTED ALLOWANCES INCLUDING BUT NOT LIMITED TO SIGN AREA AND/OR HEIGHT.

TYPICAL SIGN SHOWN FOR INFORMATIONAL PURPOSES ONLY



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION WORKSHOP, MEETING
August 14, 2025
Minutes
Approved

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

Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair (Meeting); Chad Adams, David Colajezzi, Steve Fean, Jeff Smith, Jessica Wilhide, Taylor Young
Gwen Jonik, Planning Commission Secretary

Invited Guest: Michele Welch, RGS (Workshop)
Mary Lou Flickinger, P.E., Township Engineer (Meeting)

6:00 p.m. Workshop

Sally Winterton called the Workshop to order at 6:04 p.m. There were no citizens in attendance.

Landscaping / screening regulations. The Commission reviewed landscaping / screening regulation amendments prepared by Chris Garrity and Michele Welch of RGS. Michele was present to answer questions. The amendments will make regulations easier to understand and comply. Current regulations cause double the tree count if replacing woodlands and regular landscaping requirements. Proposed landscaping and screening requirements were weighed against other townships. Trees can be replaced with deciduous, evergreens, shrubs, plugs, etc., providing a more balanced plan.

Discussion included:

screening/fencing. Items stored shouldn't be seen above the screening./fencing. How high are fences or screening allowed to be?

Maintenance. All landscaping and screening needs to be maintained – pruned, trimmed, etc.

Propose planting shorter trees – not all trees need to be a tall variety that can fall on people, roads, houses. We do want aesthetically pleasing landscaping but consider where they are being planted. Shade trees. weigh the use, purpose, benefits, drawbacks.

Location. Don't plant street trees right next to the road or sidewalk – move back several feet. Michele noted we do have a street tree ordinance and suggests trees be planted outside the right-of-way, which puts them in people's yards – they or the HOA are responsible for maintenance.

Proposed "Tree Maintenance" regulations are proposed (page 29 of the proposed amendments). Street trees do not need to grow tall. Michele noted including references to use Cornell University's or Penn State Extension's recommended tree lists as they are updated regularly and allow for different situations.

Shade trees, in commercial settings, block signage, road signs, shop signs, shopping center signs; they also drop leaves which can clog or impede storm water infrastructure.

Several Planning Commission members expressed they favor the proposed amendments. The amendments will address our current needs. Michele noted the amendments will provide a nice balance and opportunities for variety and options. Planting native species is the big push; beech leaf disease is coming; unfortunately, it'll decimate the trees quickly.

Michele compared what was required for the Preserve at Marsh Creek when it was approved and what would be required using the proposed regulations. At the time, 500 trees were removed, requiring 2,182 trees planted between the woodland replacement and standard landscaping regulations. The plants have to stay alive or be replaced for 18 months. If they are planted too close they choke each other out. Tree sizes, same thing. They planted smaller sized trees at the Preserve.

They also ran a “test case” using Eagleview Lot 1C, which is constructed. The site was wooded; it’d be impossible to replace the number of trees and the size required (“dbh” = diameter at breast height, typically 4.5’). They would’ve needed 1,568 additional trees on top of what was on 1C’s plan plus 4,292 for regular landscaping.

For 1C they’d propose using alternative trees and plantings, some evergreens, some shrubs, etc. With perimeter buffer with a similar use, screening buffer against the residential boundary, basin buffers, street trees, parking vegetation, building façade vegetation, they would’ve needed 1,488 trees. They didn’t provide that amount and would’ve asked for “in lieu of” replacement.

Discussion included using understory or ground covers instead of trees and shrubs; ground covers can be used but typically in mulched beds; seed mix in meadows or riparian buffers.

Michele noted several revisions were within Zoning; screening amendments were moved to Subdivision/Land Development (SALDO); in SALDO rather than Zoning, applicant would ask for a waiver not a variance.

Everyone was in agreement that the proposed amendments bring us very close to what is desired. The next step is for RGS to provide a clean copy of the proposed amendments to the next PC meeting for review, discussion, and a possible recommendation to the Board of Supervisors. Staff and the Township Solicitor would also review prior to the Board of Supervisors.

The “in lieu of” funds go in to the General Fund, to be used for perhaps township property trees that have died, need maintenance, etc. Michele can add the maintenance of trees to that section.

7:00 MEETING

Sally Winterton called the meeting to order at 7:00 p.m.

500 Pottstown Pike / Chester Springs Service Center – Revised Land Development Plans

Cameron Wolfson, Riley Riper Hollin Colagreco, Jake Tackett, T&M Associates, Mr. Kerchner and Mr. LeBow, were in attendance. Mr. Wolfson and Mr. Tackett presented revised plans (July 17, 2025) and are seeking a recommendation for preliminary plan approval. Mr. Wolfson provided a brief introduction, distributed a drawing of a draft Porsche monument sign and an updated (August 14, 2025) waiver request letter. The proposed building, as revised, is 45,774 SF with associated parking for storage of vehicles and stormwater infrastructure. There are 358 parking spaces; 30% total impervious coverage and parking is in accordance with Township requirements. The adjacent property at 480 Pottstown Pike is not included or considered with this plan, though they might enhance the Route 100 frontage.

Discussion included:

the curved access/egress seemed awkward, though necessary to accommodate the change in elevation without running into the building; car carriers only carry 3-5 cars, not the typical sized trailer; small delivery trucks in/out, off hours.

This site is for repairs and services, not body work. Pre-delivery inspections might occur occasionally but most are done at their main sales location.

The rear parking field is for storage of inventory for off-site sales.

Signage and striping will be coordinated with the township engineer.

The lighting plan does or will comply with ordinances regarding spill over to adjacent properties.

The Gilmore letter (August 7, 2025) containing consultants’ comments was reviewed. Mr. Wolfson advised the majority of items will be complied with. However, several require discussion, as follows.

Conditional Use

No trail to Fellowship Fields is provided as it's not feasible to connect to the private drive to the rear, and any trail would require zoning relief and special permitting with the State to construct within existing regulated wetlands.

They will install the largest permissible sign, a monument sign, standard Porsche, stone, internally illuminated.

Zoning Ordinance

They will install a 10' wide multi-use trail along Route 100.

Subdivision and Land Development Ordinance (SALDO)

A partial waiver from providing an historic resource impact statement was requested. They met with the Historical Commission (HC) August 5 and the HC recommended granting the waiver.

Waivers are requested from providing woodland, hedgerow, and vegetation disturbance replacements. Planting over 1,000 trees and 900 shrubs would be required. They'd like to provide a fee in lieu of those plantings. They will work with the Township Engineer to provide a cost estimate for the fee and enter a financial agreement before Final Plan approval. A rough estimate of \$350/tree that should be replaced was suggested. Quite a bit of the existing vegetation along Route 100 will remain.

Waivers are requested from various stormwater management items. Environmental studies had been completed which showed some metals but not at levels of concern to residential uses, no contamination. Stormwater will leave the site in the same way it goes today but via a controlled path. They will comply with NPDES permitting.

Joe Stoyack had forwarded the environmental study to Neil Phillips, Chair of the Township's Environmental Advisory Council, for comments. Sally Winterton read aloud Mr. Phillips' email and she'll forward it to Gwen for inclusion in the proceedings and files and to be forwarded to the Applicant.

Brief discussion included adding revised lighting to the Final Plan, receiving updated comments from the Fire Marshall regarding fire truck maneuverability.

A traffic light on Route 100 is proposed, they are coordinating the transportation impact fee with the Township Solicitor, sight distance triangles will comply with PennDOT regulations.

They will comply with all of ARRO's comments regarding wastewater treatment and disposal.

The Historical Commission's comments were attached to Gilmore's letter and they support a partial waiver from the historic resource impact statement.

Taylor Young moved, seconded by Jeff Smith, to recommend Preliminary Plan approval and granting the waivers conditioned on a fee being established in lieu of planting the required number of replacement trees and adding the photo metrics to the Final Plan submission. Gerry Stein inquired of the location of the battery burn shed, which is exterior to the building. Any removed battery – during repairs or being replaced -- might be corroded and is held in this "shed" for safety until it is picked up for disposal elsewhere. The motion carried unanimously.

They will proceed to the Board of Supervisors to seek Preliminary Plan approval.

Meeting Updates ~ Reports

Environmental Advisory Council (EAC). Jessica advised the EAC is speaking with the sustainability director at the County to approach HOAs about sustainable activities; there is a litter cleanup event September 27; October 11 is the next e-waste collection and shredding event.

Historical Commission (HC). David advised the next presentation in the lecture series is September 9 with Bob Wise speaking on historical architecture in the County. The lectures have had a nice attendance of 60-80 and the museum open houses have 10-15 attendees each month.

Sally Winterton announced a letter had been received from the owner of 164 Byers Road, located in the C-1 Village District, who is requesting we return to allowing residential-only use on that property instead of allowing residential in a mixed use. Sally summarized and read a portion of the letter. The Commission members are not in favor of changing zoning to allow a residential-only use on that property or in the C-1 Village District. The property owner could perhaps seek a variance.

Comprehensive Plan 2025 ~ Review Recommendations

The Commission received the list of implementation recommendations where the Commission is to lead the action/task. They discussed how to determine priorities. They will look at tasks determined to be "short-term".

Sally Winterton and Joe Stoyack have sent an email to the Township Manager and the Board of Supervisors regarding the potential impacts from neighboring townships' developments – large housing developments planned in Glenmoore and beyond, Lionville Station Road. They suggest an updated traffic study is necessary. Suggestions for relieving congestion include roundabouts, Route 100 being 2 lanes in 1 direction and Graphite Mine Road being 2 lanes in the other direction, with plenty of cross streets – Darrell Drive, Park Road / Station Boulevard, Byers Road --; and perhaps limiting truck tonnage that goes through the Village. Joe suggested forming a small focus group to come up with ideas, the Township working with our neighbors; swapping Route 100 and Graphite Mine Road which should take a lot of traffic out of the Village; and Jessica reminded them of the existing Eagle Mobility Study which is looking at some of these concerns.

Sally suggested the Commission should focus on traffic-related recommendations first, then historical-related tasks such as the Historic Resource Preservation and Protection Plan. An Official Map can be drafted following updating the traffic study and the Open Space, Recreation and Environmental Resource (OSRER) Plan.

Approval of Minutes

Jeff Smith moved, seconded by Jessica Wilhide, to approve as presented the minutes of the July 10, 2025 Planning Commission meeting. The motion carried unanimously.

Sally announced the next Planning Commission meeting will be held September 11, 2025.

Open Session

No comments were offered.

Adjournment

Jeff Smith moved to adjourn the meeting at 8:40 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary



YOUR GOALS. OUR MISSION.

September 3, 2025

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

**RE: 500 Pottstown Pike – Chester Springs Service Center
Preliminary Land Development Plan – Third Review
Upper Uwchlan Township, Chester County, PA
T&M Associates Project No. PORS00021**

Dear Mr. Scheivert:

The following is our response to the review comments in the Gilmore & Associates, Inc. review letter dated August 7, 2025, regarding the above referenced project. (Original comments are depicted below following the format of the review letter. Our responses are provided in **bold**.)

III. CONDITIONAL USE ORDER REVIEW

1. Conditions of Approval #11 requires that an attempt be made to provide a location for a public trail to provide a connection to the trails at the Township's Park at Fellowship Road. Nothing is shown on the plans per this requirement.

Per the response letter, a trail connection to Fellowship Fields could not be accommodated as requested as it is infeasible to connect to the private drive located in the rear yard of the property. In addition to general safety and security concerns, any trail would require zoning relief and special permitting with the state to construct within existing regulated wetland areas.

T&M Response: Comment Acknowledged. We understand this comment to be addressed per the response letter. A multi-use trail has been placed along the property frontage in the Pottstown Pike Right-of-Way to meet the intent of enhancing Upper Uwchlan's Trail Network Master Plan.

2. Conditional Use Condition of Approval #13 requires an entrance feature consistent with other entrance features in the vicinity of the property.

Plans show a "Monument Sign" location at the entrance to the property. The response letter states the final sign location shall be in conformance with the approved HOP plans. Details shall be provided for the proposed entrance feature.

Per the response letter "the monument sign still requires internal franchise approval and will be circulated under separate cover when it becomes available." We recommend the detail be provided on the plans prior to Final Plan approval. Once the detail has been provided, the proposed landscaping should be verified; i.e., will it work as currently shown.

T&M Response: Comment Addressed. The monument sign detail has been added to the plans. (Sheet 16). The proposed landscaping has been verified.



IV. TOWNSHIP ENGINEER'S COMMENTS – ZONING ORDINANCE GILMORE & ASSOCIATES

1. Section 200-73.B(3) – Pedestrian paths shall be provided from the parking areas to the entrances of buildings and adjacent street sidewalks. Pedestrian walks crossing any parking and driveway aisles shall be delineated by either stripes or a different paving material.

The Applicant has indicated “Final locations of pedestrian paths will be clearly delineated prior to final plan approval.”

T&M Response: Comment Addressed. Striping along the walking path at the entrance has been added as well as in public parking/access locations throughout the site.

V. TOWNSHIP ENGINEER'S COMMENTS – SUBDIVISION & LAND DEVELOPMENT ORDINANCE GILMORE & ASSOCIATES

1. Sections 162-9.D(1)(d) and (f) – General Notes #10 (Sheet 4) states that watercourses and wetlands shown are under review by the US Army Corps (PJD Application NAP-2009-01363-100). This note shall be on a Record Plan, updated to cite required information on the Assessment, and shall include the date of the JD (when obtained). Wetlands shall be clearly indicated on all plan view sheets, with Legends defining all wetland flag / data point symbols.

All applicable sheet Legends shall be verified / revised to include the wetlands line type / symbol; for example, Sheet 7 Legend defines the line type used for Wetlands on the plan view as an Easement Line.

Sheets 7A and 7B should be revised to use the wetland flag / data point symbol line type used on all other plan sheets for the wetlands; revise the Legends on these Sheets as well.

T&M Response: Comment Addressed. The sheets 7A and 7B line type and legend notation have been updated to reflect the wetland flag symbol.

2. Sections 162-9.E(1)(f) – The Conservation Plan (Sheet 4) shall show all applicable items from these sections.

The ephemeral features to be filled are shaded on the Conservation Plan which shall be clarified. The LOD appears incorrect on the Conservation Plan as well (excludes an area of woods to be removed and does not appear to completely include the well TBR).

T&M Response: Comment Addressed. The wooded area to be removed has been updated per the limit of disturbance on the Conservation Plan (Sheet 5). The callout has been revised for the well to be decommissioned rather than removed/demolished on the demo plan (Sheet 6).

3. (RW) Section 162-9.H(5) – An historic resources impact statement is required when land development plans which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource. The site is within 250 feet of the “John Keeley House.”

An Historic Resources Impact Statement dated June 17, 2025, prepared by kd2 has been submitted. A waiver is being requested from this section to omit historic resource background information for the John Keeley House (WSFS bank). We defer to the Historical Commission on this matter.

T&M Response: Comment Acknowledged. The Historical Commission issued their approval and support of the submitted documentation at their August 5th meeting. We believe this comment to be satisfactorily addressed at this time.



4. Section 162-9.H.(4) – The Fiscal Impact Study shall be revised per comments in the CU review letter dated April 8, 2024.

Per the response letter the revised fiscal impact study will be revised prior to final plan approval.

Per the response letter, “this comment is acknowledged, and it should be clarified that this item will be provided prior to final approval of plans, not necessarily at the time of approval issued by the Board of Supervisors. We request this element be considered a condition of approval and not necessarily be required prior to the Township issuing an approval with conditions.” We are unclear on this response. If the intent to permit final plan approval with the condition the study will be revised, we continue to recommend the study be revised beforehand.

T&M Response: Comment Acknowledged. The revised fiscal impact study has been included with this resubmission. It should be noted that it was updated using 2025 values for Township Expenditures.

5. Section 162-47.A(1) &(4) – 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. Currently rebar is proposed. Sheet 7 should be revised to clearly show where stone or concrete monuments are proposed.

Sheets 7A and 7B label the proposed stone monuments “if required.” The “if required” shall be removed unless there are existing monuments at these locations.

T&M Response: Comment Addressed. The labels have been updated to remove the “if required” as all property corners will include stone monuments (Sheets 7A and 7B).

6. (RW) Section 162-55.B(3)(a) – Woodland and hedgerow disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract shall require woodland replacement in accordance with Subsections B(6) through B(9). The plans show that 40,287 SF of existing woodland is proposed for disturbance. A waiver is being requested from Section 162-55.B(3)(a) to the extent required to provide a fee in lieu of required plantings.

A waiver is requested to provide a fee in lieu of required plantings that cannot be accommodated onsite pursuant to Section 162-55.B(12). The waiver request from Section 162-55.B(3) in the Table (Sheet 12) should be revised to indicate subsection (a). Additionally, the Table (No. 2) indicates 40,287 SF existing woodland disturbed for this section but indicates 89,926 SF woodland disturbance (No. 3 in the Table) which shall be clarified.

T&M Response: Comment Addressed. The waiver request from Section 162-55.B(3) now indicates subsection (a). The Table (no. 2) has been revised to accurately show the 89,926 SF woodland disturbance.

7. Section 162-55.B(5)(a) – Revise the Landscape Plan (Sheet 10) to include tree protection fencing. The Tree Protection and Pruning detail as well as the Orange Construction Fence / Tree Protection Fence (TPF) detail shall be added to the Landscaping notes and details sheet.

Tree protection fencing and details have been provided. However, note 17 on the Demolition Plan (Sheet 6) and Note 18 on the Landscape Plan (Sheet 13) shall be revised to include “roots shall not be cut within the dripline of any trees to remain” to demonstrate compliance with the ordinance.

T&M Response: Comment Addressed. The notes have been updated to include “roots shall not be cut within the dripline of any trees to remain”. (Sheets 6 and 13).



8. (RW) Section 162-55.B(6) – Where woodland or hedgerow disturbance involves more than the maximum area permitted, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, in excess of the maximum permitted area of disturbance. A waiver is being requested from Section 162-55.B(6) to the extent required to provide a fee in lieu of required plantings.

Based on 89,926 SF of woodland disturbance proposed, 79,926 SF is in excess of the .permitted area. The Landscape Requirements Table calculation for this section (No. 3) is incorrectly shown as "72,926/300" which shall be revised to "79,926/300"; the quantity is correct. Therefore, 266 trees (3½" caliper) and 532 shrubs (24"-30" in height) are required to be planted (as indicated in the Landscape Requirements Table). A waiver is requested from Section 162-55.B(6) to the extent required to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). If this waiver is granted, a fee shall be determined prior to Final Plan Approval.

T&M Response: Comment Addressed. The calculation for (No. 3) has been revised to accurately show "79,926/300".

9. (RW) Section 162-55.B(7) – In addition to the vegetation replacement standards established in B(6), for each tree greater than six inches dbh removed, replacement trees shall be planted based on the requirements in this section. A waiver is being requested from Section 162-55.B(7) to the extent required to provide a fee in lieu of required plantings.

Based on the 91 trees (6" - 24" caliper) proposed for removal, the Table indicates 140 (3½" caliper) trees are required to be planted, or (67) 3½" caliper trees, (23) 4½" caliper trees and (1) 5½" caliper tree are required to be planted. Applicant shall indicate how the quantity of 140 trees was computed. A waiver is requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). If this waiver is granted, a fee shall be determined prior to Final Plan Approval.

T&M Response: Comment Addressed. The number of 3½" caliper trees required has been revised to be 115, with supporting calculations in (No. 4) of the table.

10. Section 162-55.B(12) – In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter. The applicant shall discuss this with the Township.

T&M Response: Comment Acknowledged. A cost estimate enumerating the vegetative requirements that cannot be accommodated onsite has been provided as part of the resubmission.

11. (RW) Section 162-57.A(2) – The entire perimeter of any tract subject to land development approval shall include a minimum 20-foot-wide perimeter buffer planting strip which will act as an effective separation between uses. The width of the proposed buffer along the northern property line appears to be less than required with only shrubs proposed along the property line.

A waiver is requested to provide less than the required buffer width along the northern perimeter of site adjacent to the Styer Propane operation. However, Landscape Requirements Table does not list what is proposed / what is deficient. Prior to the Township considering this waiver, the Table shall be revised to include the number of plantings required / the number deficient.



T&M Response: Comment Addressed. The proposed buffer has been added to the Landscape Requirements Table. Additionally, the Deficiency Table has been added to show the deficiencies where waivers are requested.

12. Sections 162-57.C(6)(b) and (c) – Street trees. Any subdivision or land development shall provide street trees along the entire length of any public street. The spacing between street trees shall be no greater than 50 feet. At the time of planting, street trees shall be at least 14 feet to 16 feet in height and three-inch to three-and-one-half-inch caliper in size. The Landscape Requirements Table (No. 4, Sheet 12) lists this section; however, "Street Trees" should be added to the third column, the "Requirement" section as it appears incomplete. Verify the number of street trees "Proposed" as the existing road frontage is 315 LF (therefore 6 trees appear to be required) and revise the caliper of the Street Trees in the Plant Schedule.

T&M Response: Comment Addressed. The number of street trees has been revised to 6, as is required. The caliper has been revised accordingly. "Street trees" has been added to third column in (No. 5) in the Table.

13. (RW) Section 162-57.D(1) – All required landscaping shall meet the minimum planting requirements outlined herein. A waiver is being requested to permit providing less than the required number of plantings.

The total number of plantings required shall be no less than the total calculated from all columns in the table herein and shall be in addition to any required replacement plantings due to woodland disturbance.

The Landscape Requirements Table (Sheet 12) indicates that 198 deciduous trees, 180 evergreen trees and 896 shrubs are the required minimum plantings, and that 108 deciduous trees, 68 evergreen trees and 896 shrubs are proposed; this results in a required plantings deficit of 90 deciduous trees and 112 evergreen trees. The required replacement trees for woodland disturbance are (140) 3½" caliper trees or (67) 3½" caliper trees, (23) 4½" caliper trees and (1) 5½" caliper tree. A waiver is being requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). If this waiver is granted, a fee shall be determined prior to Final Plan Approval.

Additionally, the following discrepancies were found on the Plant Schedule (Sheet 14) that shall be revised:

- a. 17 Tilia Tomentosa "Sterling" (TS) only 16 are shown on the plan.
- b. 105 Rhus aromatica 'grow-low' (RAG) only 99 shown on the plan.
- c. 81 Vaccinium angustifolium 'Brunswick' (VB) only 75 are shown on the plan.
- d. 76 Panicum virgatum 'Heavy Metal' (PH) only 71 are shown on the plan.

T&M Response: Comment Addressed. The Tilia Tomentosa have been revised to be 17 Ulmus Americana 'Princeton' (UP) trees. The plans have been revised to show 17 (UP) trees in both the plan view and the schedule. The plans have been revised to show 105 (RAG) shrubs in both the plan view and the schedule. The plans have been revised to show 81 (VB) shrubs in both the plan view and the schedule. The plans have been revised to show 76 (PH) plantings in both the plan view and the schedule.

14. Section 162-57.D(4)(a) – Plantings used to comply with the minimum number of plantings required per 162-57.D(1) shall be as listed below; revise the Planting Schedule accordingly.
 - a. Deciduous trees: 3" to 3½" caliper, minimum.
 - b. Shrubs: 24" to 30" in height, minimum.

T&M Response: Comment Addressed. The Plant Schedule has been revised accordingly to show Deciduous Trees with a 3" to 3½" minimum caliper and Shrubs with a 24" to 30" minimum height.



1. (RW) Section 152-301.T – Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc. The plans show disturbance less than 75-feet from wetlands. The applicant is seeking a waiver from this requirement. Per Section 152-111.C, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.

Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.

A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP.

T&M Response: Comment acknowledged. The NPDES permit approval will be provided upon receipt. Both the Conservation District and DEP have confirmed that neither agency will issue opinions on local ordinance waivers, as this is outside their purview.

At the August 14th Planning Commission meeting, it was discussed and agreed that the Township is permitted to consider and support stormwater waivers contingent upon the receipt of the project's NPDES permit.

The Planning Commission subsequently recommended approval of the waivers outlined in the stormwater ordinance. We respectfully request that the Board of Supervisors approve the requested waivers for both preliminary and final plan approval, contingent upon the acquisition of the NPDES permit for this project.

2. Section 152-303.A(1) – A "letter of adequacy" from the Conservation District and an NPDES permit are required for the project. Copies of all correspondence shall be provided to the Township.

T&M Response: Comment Acknowledged. Approval will be provided upon receipt.

3. (W) Section 152-305.A – The post-construction total runoff volume shall not exceed the predevelopment total runoff volume for all storms equal to or less than the two-year, twenty-four-hour duration precipitation (design storm). Infiltration is not proposed, as the testing showed the site does not infiltrate. Please provide verification the required volume will be managed by the MRC Basin.

Infiltration testing results have been provided which show that the site does not provide acceptable infiltration rates; as such a waiver must be requested. We would support the waiver as an MRC (Slow Release Basin) is being proposed.

While the response letter states that a waiver has been requested, it is not included in the waiver request letter.

T&M Response: Comment Addressed. This waiver request has been added in the updated waiver request letter included in this resubmission.

4. (RW) Section 152-306.D – Only if a minimum infiltration of the first $\frac{1}{2}$ inch of runoff volume cannot be physically accomplished on the site, shall a waiver from Section 152-306 be considered by the municipality in accordance with Section 152-111 (the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District). Infiltration testing indicates the site does not infiltrate. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.



The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.

A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP.

T&M Response: Comment Acknowledged. Please see response from comment VI.1.

5. (RW) Section 152-311.H(1) – The maximum depth of water in a detention or retention basin shall be two feet as a result of a 2-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event. The plans and report indicate there will be a permanent water depth in the basin of five feet, with a total depth of 6.65-feet during the 2-yr. storm event and a total depth of 8.48-feet during the 100-yr. storm event. Therefore, the water depth maximums have been exceeded and a waiver will need to be sought. In accordance with Section 152-111, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.

The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.

A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP. However, if this waiver is considered, we would recommend a minimum 6-foot high chain-link, or other suitable fencing, be placed around the basin to prohibit unauthorized access to the basin.

T&M Response: Comment Addressed. A 6' high, chain link fence has been proposed surrounding the basin on the site plan (Sheet 7B).

6. (RW) Section 152-311.H(3) – Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm. Revise the spillway detail accordingly.

A partial waiver from this section is being requested to not require providing monoslab pavers within the wetland buffer area (on the downslope side of the emergency spillway), but to provide Typar Grassprotecta on the downslope side of the spillway without disturbance of land within the buffer. A detail for Typar Grassprotecta is provided on Sheet 27; this detail shall also be provided on the PCSM Detail Sheet. Relocate the "DP-001" label, which is currently "over" the limits of the Typar Grassprotecta on the PCSM Plan (Sheet 29), and show the riparian buffers. Show the riparian buffers on the E&S Plans. We have no objection to this waiver request.

T&M Response: Comment Addressed. The Typar detail has been added to the PCSM Detail Sheet (Sheet 30). The DP-001 callout has been relocated to no longer cover the Typar hatching (Sheet 29). The riparian buffers have been added to the PCSM plan and E&S Plans (Sheet 29 and Sheets 24-26).

7. (W) Section 152-402.B(8)(q) – Boundaries of a seventy-five-foot construction non-disturbance buffer to protect streams (intermittent and perennial), wetlands and other water bodies during construction of the proposed regulated activity shall be shown on the PCSM plan. We note the applicant is requesting a waiver from this requirement in Section 152-301.T.

A waiver should be requested from this section as well.

T&M Response: Comment Addressed. This waiver request has been added in the updated waiver request letter included in this resubmission.



8. Section 152-402.F – The documents outlined in this section shall be prepared and submitted to the municipality for review and approval as part of the SWM site plan for each BMP and conveyance included in the SWM site plan. Verify that all applicable items are provided.

Per the response letter, these will be provided prior to final plan approval.

T&M Response: Comment Acknowledged. For clarification, the applicant requests this condition be considered a condition of final approval. To satisfy these requirements, the following responses are offered:

- An O+M plan and Agreement, shall be submitted for review and approval by the Township prior to recordation.
- A blanket easement note (#27) is provided on Sheet 2 (Legend and Notes) for the purposes of inspection and enforcement of the requirements of Chapter 152.
- Required documents shall be recorded as determined necessary.
- It is not anticipated that written approval or easement agreements are required for stormwater discharge

9. Sections 152-701.D, 152-701.E, 152-701.F and 152-703 – All agreements and plans (i.e., O&M agreement, O&M plan, deed restrictions, right of entry, covenants, etc.) shall be provided for approval and recorded as outlined in these sections.

Per the response letter, these will be provided prior to final plan approval.

T&M Response: Comment Acknowledged. For clarification, the applicant requests this condition be considered a condition of final approval. To satisfy these requirements, the following are proposed:

- §152-701.D an O+M agreement and PCSM plan shall be recorded as part of the recording process once final approval is granted
- §152-701.E a blanket easement note (#27) is provided on Sheet 2 (Legend and Notes) for the purposes of inspection and enforcement of the requirements of Chapter 152.
- §152-701.F is a comment acknowledged that all O&M and other agreements, covenants, easements and deed restrictions will be submitted for review and approval prior to recordation.
- §152-703.A acknowledges the requirements and process for the O+M. we also acknowledge the requirements in subsection B and C.

VII. TOWNSHIP ENGINEER'S COMMENTS – GENERAL GILMORE & ASSOCIATES

1. Verify/provide the location of proposed bearings and distances related to the Ultimate Right- of-way and verify whether a legal description is required.

T&M Response: Comment Addressed. The bearings and distances have been shown in a table on the Site Plan (Sheet 7A). The legal description is provided in this submission.

2. Verify / remove Reference Plans Note #7, as it is currently blank.

T&M Response: Comment Addressed. Note 7 has been removed from the legend and notes (Sheet 2).

VIII. TOWNSHIP TRAFFIC ENGINEER'S COMMENTS BOWMAN

1. Condition 6 – The applicant shall fund and install a traffic signal at the site access intersection with Pottstown Pike/Font Road. If PennDOT ultimately does not approve a traffic signal, then the applicant shall be responsible to fund and install other intersection improvements or restrict turning movements at the access intersection. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT.



T&M Response: Comment acknowledged. The Traffic Impact Study (TIS), last revised on April 10, 2025, addresses the traffic signal warrant on page 10 (PDF page 14). In addition, the March 7, 2025 meeting minutes with PennDOT and Township representatives (included on PDF page 27) further document discussions regarding the warrant. At that meeting, PennDOT indicated general support for a signal provided the warrants are met, which the April 10 report reflects.

Please refer to the SITE PLAN for clarification of signal implementation, which we understand to be approved by PennDOT based on the warrant analysis in the April 10 report.

It is understood that, should PennDOT ultimately not approve a signal, the applicant will be responsible for implementing alternative intersection improvements as determined through the HOP process.

2. Condition 7 – As required by this condition, the land development plans show a 125-foot southbound Pottstown Pike left-turn lane for traffic entering the site. The access improvements design will be reviewed further during the HOP plan review.

T&M Response: Comment Acknowledged. This feature has been placed on the plans. As acknowledged previously, the final improvement condition will be reflected on approved HOP plans.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

3. Condition 8 – Subject to PennDOT approval, the plans shall be revised to show a northbound Pottstown Pike right-turn deceleration lane or taper at the driveway intersection. The detailed design of the access intersection and the right-turn deceleration taper (or lane) will be reviewed as part of the PennDOT HOP plan submission. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT. The land development plans should be revised to reflect the final access improvements subject to further evaluation and coordination with the Township and PennDOT.

Furthermore, we understand the applicant proposes to modify and expand operations at this site in the future to also allow auto sales. At that time, an updated traffic study will be required to verify the access operations, including an updated evaluation of the warrants for a right-turn deceleration lane.

T&M Response: Comment Acknowledged. This feature has been placed schematically on the plans. As acknowledged previously, the final improvement condition will be reflected on approved HOP plans.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

4. Condition 10 – As required by this condition, the land development plans show a 10-foot-wide multi- use trail along the site frontage.

T&M Response: Comment Acknowledged. A multi-use trail has been placed along the property frontage in the Pottstown Pike Right-of-Way to meet the intent of enhancing Upper Uwchlan’s Trail Network Master Plan.

5. Condition 11 – As required by this condition, the applicant shall coordinate with the Township to provide a public trail on this property to provide a connection to the trails at the Township Park on Fellowship Road. The



applicant's engineer states this was discussed with the Planning Commission in May, and it was determined to be infeasible. As stated in our prior review letter, we recommend the applicant schedule a meeting with our office and Township staff to review this further. If it is agreed the trail connection is infeasible, then it may be appropriate to consider other options in lieu of a full trail connection.

T&M Response: Comment acknowledged. A direct trail connection to Fellowship Fields cannot be accommodated, as it would require access through a private drive in the rear yard of the property. Beyond general safety and security concerns, such a connection would also necessitate zoning relief and state-level permitting to construct within existing regulated wetland areas. This matter has been reviewed and discussed at several Township Planning Commission meetings.

We understand this comment to be addressed based on the response letter. To advance the intent of enhancing Upper Uwchlan's Trail Network Master Plan, a multi-use trail has instead been incorporated along the property frontage within the Pottstown Pike Right-of-Way.

6. Condition 12 – The proposed development is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Township's Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. Based on the traffic study, the site will generate 96 weekday afternoon peak hour trips, and therefore, the Transportation Impact Fee is \$224,064.

T&M Response: Comment noted. As confirmed at the March 7, 2025 meeting with PennDOT and Township representatives, and reflected in the April 10, 2025 revised Traffic Impact Study, the Font Road/Pottstown Pike intersection meets the warrant for a traffic signal. Given the Township's direct benefit from this improvement and because of the significant cost of this work, we are working with the Township to determine an appropriate reduction or potential elimination of the Transportation Impact Fee so that resources are directed toward the signal.

7. The traffic study should be updated relative to the proposed traffic signal at the Pottstown Pike/Font Road intersection.

T&M Response: Comment Acknowledged. This element was addressed in the traffic engineer's April 10th, 2025 revised TIS. A copy of this study has been included with this resubmission package.

8. As part of the traffic signal design at the site access intersection with Route 100, a pedestrian crossing should be provided across Route 100, as recommended by the Township's Active Transportation Plan. The pedestrian crossing should connect the proposed multi-use trail with the trail on the existing trail on the southwest corner of the intersection.

T&M Response: Comment Acknowledged; this will be addressed as part of the HOP review and approval process. The Township will be provided copies of HOP plans with each cycle of review and submission.

A note has been to the cover sheet which states "No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township."

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

9. ZO Section 200-75.H(3) – As previously requested, the limits of the plan information along Pottstown Pike should be expanded to show the full extent of the labeled sight distances. As currently shown, we are unable to verify the sight distance lines. At minimum, the plans should be updated to show the site layout overlaid onto an aerial photograph in order to label the full length of the sight distances. The plans should also dimension and label the sight distances for left-turn vehicles entering the proposed driveway looking ahead and behind. Furthermore, the plans should include a PennDOT-style sight distance note. The available and required sight distances shown on the plan should match the information provided in the traffic study.



T&M Response: Comment Addressed. The sight distances have been shown on the conservation Plan (Sheet 5). Please note that due to traffic signalization implementation it is anticipated that only a right-turn-on-red stopping site distance is warranted for this driveway connection. Should adequate distance not be provided, it is understood that right-turn-on-red may not be permitted.

10. SALDO Section 162-28.A – The ultimate right-of-way shown along the PA Route 100 frontage should be dedicated to the Township and it should be labeled as “Required Right-of-Way (To Be Deeded to Upper Uwchlan Township)”.

T&M Response: Comment Addressed. The Ultimate Right of Way has been relabeled as “Required Right-of-Way (To Be Deeded to Upper Uwchlan Township)” (Sheet 7A & 7B).

11. The Township's Active Transportation Plan envisions a “Yield Roadway” along the alignment of the private drive through the northern edge of the property. We recommend a 30-foot-wide easement should be provided along the existing private drive to accommodate this future yield roadway. The applicant's engineer indicates that this comment requires additional coordination with the Township and shall be satisfied prior to final plan approval. We recommend the applicant set up a meeting with the Township to discuss prior to the next plan submission.

T&M Response: Comment Acknowledged. The applicant takes no exception to the requested 30-foot-wide easement. Post final approval, but prior to the issuance of a certificate of occupancy, the engineer will submit a legal description and easement exhibit for the approval of the Township.

12. Detailed designs for all proposed curb ramps located within public right-of-way or for public use 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. In addition, label all proposed curb ramp types, and provide the appropriate PennDOT curb ramp details and notes on the detail sheets. The applicant's engineer indicates this information will be provided as part of the PennDOT HOP design.

T&M Response: Comment Acknowledged; this will be addressed as part of the HOP review and approval process. The Township will be provided copies of HOP plans with each cycle of review and submission.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

IX. TOWNSHIP PLANNER COMMENTS BRANDYWINE CONSERVANCY

Comments will be provided under separate cover.

X. TOWNSHIP SEWER AUTHORITY ENGINEER COMMENTS ARRO

1. The plans propose the construction of a 45,774 square foot (SF) service center, with a lot for vehicular sales and service uses of 358 spaces on the site. The capacity needed for the proposed site is 600 gallon per day (GPD). This should be shown on the plan. The required capacity will need to be purchased by the applicant prior to connection into the sanitary sewer system.

T&M Response: Comment Acknowledged. Note 6 has been added to the Utility Plan (Sheet 10) stating the 600 GPD capacity requirement.



2. The applicant has opted to tie directly into the sanitary sewer system rather than use a temporary holding tank. The proposed sanitary sewer piping including both the on-site and off-site portions, where connection occurs into the sanitary sewer main, needs to be shown in plan and profile within the plan set. The design shall be in accordance with the Authority's sanitary sewer specifications and needs to be reviewed by the Authority's Engineer.

T&M Response: Comment Addressed. The temporary holding tank has been removed from scope and a private connection to the existing gravity fed sanitary infrastructure has been designed and submitted to the Sewer Authority for approval. The proposed connection to the exiting sanitary system has been shown in plan view on sheet 10 and in profile view on sheet 36. The design has been preliminarily vetted and conceptually approved by the Sewer Authority.

3. The location of the proposed oil and water separator needs to be shown on the plan.

T&M Response: Comment Addressed. The oil and water separator has been added to the Utility plan sheet (Sheet 10).

4. The appropriate Standard Authority Sanitary Sewer Details shall be added to the plans.

T&M Response: Comment Addressed. The appropriate Standard Authority Sanitary Sewer Details have been added to the Sanitary Sewer Details plan (Sheet 20).

5. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

T&M Response: Comment Acknowledged.

XI. TOWNSHIP FIRE MARSHAL COMMENTS

Comments (If any) will be provided under separate cover.

XII. HISTORICAL COMMISSION COMMENTS

Comments attached following this letter.

Thank you very much for the opportunity to respond to these comments. If you have any questions, please feel free to contact me.

Very truly yours,
T&M Associates

A handwritten signature in black ink that reads "Jacob Tackett".

Jacob Tackett
Principal Staff Designer



YOUR GOALS. OUR MISSION.

August 14, 2025

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

RE: Waiver Request Letter – Chester Springs Service Center
500 Pottstown Pike
Upper Uwchlan Township, Chester County, Pennsylvania
T&M Project No. PORS00021

Below is a list of ten (10) waiver requests for the Chester Springs Service Center Project. The list below identifies ordinance chapter, ordinance section, ordinance requirement, waiver request and the justification for the request. We are requesting that the Upper Uwchlan Planning Commission review and make a recommendation to approve this waiver request as a part of the Application for Preliminary/Final Land Development.

WAIVER #1

Chapter: Chapter 152, Stormwater Management

Section: 152-301.T – General Requirements

Requirement: Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc.).

Request: To develop within 75 feet of wetlands.

Justification: Due to the site's irregular shape, the location of wetlands, manmade slopes, and existing vegetation, the site design necessitated encroachment into the 75-foot buffer required by Section 152-301.T. The proposed layout—presented during the Conditional Use Hearing on June 10, 2024, and approved on July 15, 2024—includes development within this buffer. Additionally, the layout was discussed at the August 28, 2024 Zoning Hearing, during which it was confirmed that the 25-foot riparian buffer surrounding wetlands would not be disturbed. All proposed impervious cover within 75 feet of wetlands will be contained by curbing and collected by a conveyance system that directs runoff to a constructed wetland stormwater BMP, improving water quality prior to discharge into existing wetlands.

WAIVER #2

Chapter: Chapter 152, Stormwater Management

Section: 152-305.A – Water Quality and Runoff Volume Requirements

Requirement: The Post-construction total runoff volume shall not exceed the predevelopment total runoff volume for all storms equal to or less than the two-year, twenty-four-hour duration precipitation (design storm).

Request: To provide a slow-release basin in lieu of infiltrating the volume required.

Justification: Extensive stormwater infiltration testing has occurred, and results demonstrate this project location does not provide acceptable infiltration rates. The Township Engineer has confirmed support of the waiver contingent upon the stormwater basin being a slow-release design.

Mr. Tony Scheivert
Township Manager, Upper Uwchlan Township
Chester Springs Service Center
Page 2

WAIVER #3

Chapter: Chapter 152, Stormwater Management

Section: 152-306.D – General Requirements

Requirement: Infiltration of the first 1/2 inch of runoff volume

Request: To not infiltrate stormwater runoff.

Justification: Extensive onsite infiltration testing has demonstrated that infiltration is not a viable stormwater management strategy for this site. As such, a waiver is requested due to the inability to accommodate infiltration onsite. The proposed stormwater management solution is a constructed wetland basin, which is specifically designed not to infiltrate. Both the County Conservation District and PADEP have reviewed and indicated that the constructed wetland basin is an acceptable and appropriate management measure for this project. Without approval of this waiver, the site would not be developable under current stormwater requirements.

WAIVER #4

Chapter: Chapter 152, Stormwater Management

Section: 152-311.H(1) – Other Conveyance and System Design Standards

Requirement: Maximum depth of detention or retention basins. The maximum depth of water in a detention or retention basin shall be two feet as a result of a two-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event.

Request: To pond greater than the maximum permitted depth of basins.

Justification: The constructed wetland basin features a permanent water surface with varying depths across different zones (low marsh, high marsh, and permanent pool). The additional depth to the permanent water surface elevation complies with section 152-311.H(1) (1.63 feet in a 2-year event, and 3.42 feet in a 100-year event). This waiver is essential as there is no feasible method to exclude these permanent water depths from consideration.

WAIVER #5 (Partial Waiver)

Chapter: Chapter 152, Stormwater Management

Section: 152-311.H(3) – Other Conveyance and System Design Standards

Requirement: Emergency spillway. All stormwater flow into any permanent detention, retention or infiltration facility exceeding design capacity shall be handled by an emergency spillway. Whenever possible, any emergency spillway shall be constructed on undisturbed ground. Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm.

Request: Partial waiver to provide a material that is not monoslab pavers within the wetland buffer.

Justification: The downslope side of the proposed emergency spillway is located partially within a riparian wetland buffer where disturbance is not permitted. The proposed solution is to line the downslope side of the emergency spillway with the "Typar Grass Protecta" product, which is a non-disturbance measure that protects and reinforces grass from accelerated erosion. To enforce the applicant to line the area in the riparian buffer with monoslab pavers, would require a variance from the Zoning ordinance. The proposed alternate solution would meet the spirit of the ordinance.

Mr. Tony Scheivert
Township Manager, Upper Uwchlan Township
Chester Springs Service Center
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WAIVER #6

Chapter: Chapter 152, Stormwater Management

Section: 152-402.B(8)(q) – SWM Site Plan Contents

Requirement: Boundaries of a seventy-five-foot construction nondisturbance buffer to protect streams (intermittent and perennial), wetlands and other water bodies during construction of the proposed regulated activity.

Request: To develop within 75 feet of wetlands

Justification: Due to the site's irregular shape, the location of wetlands, manmade slopes, and existing vegetation, the site design necessitated encroachment into the 75-foot buffer required by Section 152-301.T. The proposed layout—presented during the Conditional Use Hearing on June 10, 2024, and approved on July 15, 2024—includes development within this buffer. Additionally, the layout was discussed at the August 28, 2024 Zoning Hearing, during which it was confirmed that the 25-foot riparian buffer surrounding wetlands would not be disturbed. All proposed impervious cover within 75 feet of wetlands will be contained by curbing and collected by a conveyance system that directs runoff to a constructed wetland stormwater BMP, improving water quality prior to discharge into existing wetlands.

WAIVER #7 (Partial Waiver)

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-9.H(5) – Historic Impact Statement

Requirement: A historic resources impact statement is required when a subdivision or land development plan which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource as identified in the document entitled "Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001)."

Request: To omit historic resource background information for the John Keeley House (WSFS bank).

Justification: The John Keeley House, a recognized historic resource located at 210 Font Road, has been adaptively redeveloped and currently operates as a WSFS Bank. As part of that redevelopment effort, background information regarding the historic resource was previously prepared and provided to the Township. The requested waiver seeks relief from repeating that effort, as the information already exists and remains relevant. In support of the current application, the applicant has prepared a Historic Impact Statement that addresses the requirements for assessing the potential effects of the proposed development at 500 Pottstown Pike and providing background information about 500 Pottstown Pike, as requested by the Historical Commission. Therefore, requiring the applicant to prepare the same information as previously provided for the John Keeley House would be duplicative.

Mr. Tony Scheivert

Township Manager, Upper Uwchlan Township

Chester Springs Service Center

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WAIVER #8

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-55.B(3)(a) – Woodland Replacement

Requirement: Where woodland and hedgerow disturbance exceeding 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract, replacement requirements shall be required.

Request: To provide a fee in lieu for required plantings that cannot be accommodated onsite pursuant to Section 162-55.B(12)

Justification: The site has been designed to meet the operational needs of the owner. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Because a fee in lieu option is permitted under subsection 162-55.B(12), applicant is seeking approval to provide a fee in lieu so other planting requirements can be met to the extent practicable. It should be noted that existing wooded areas are proposed to remain and be protected to the extent practicable. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

WAIVER #9

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-55.B(6) – Woodland Replacement

Requirement: Where woodland or hedgerow disturbance involves more than the maximum area permitted under Subsection B(3) above, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, or fraction thereof, in excess of the maximum permitted area of disturbance.

Request: To provide a fee in lieu for required plantings pursuant to Section 162-55.B(12)

Justification: The site has been designed to maximize the number of plantings that can be reasonably accommodated for this project. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

WAIVER #10

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-55.B(7) – Woodland Replacement

Requirement: In addition to subsection B(6), for each tree removed that is greater than six inches DBH, replacement trees shall be planted in accordance with requirements of this section.

Request: To provide a fee in lieu for required plantings pursuant to Section 162-55.B(12)

Justification: The site has been designed to maximize the number of plantings that can be reasonably accommodated for this project. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

Mr. Tony Scheivert

Township Manager, Upper Uwchlan Township

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WAIVER #11

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-57.A(2) – Landscape design, installation and maintenance standards.

Requirement: Perimeter buffer requirement. The entire perimeter of the tract shall be provided with a minimum twenty-foot-wide buffer planting strip which will act as an effective separation between uses.

Request: To provide less than the required buffer width along the northern perimeter of site adjacent to the Styer Propane operation.

Justification: The site has been designed to accommodate the operational needs of the owner, including providing employee parking in close proximity to the service center. The proposed improvements in this area respect the required 15-foot parking setback, and the 15 feet between the property line and the edge of parking will be buffered to meet the intent of the applicable ordinance section. Additionally, the adjacent zoning district and existing land use are consistent with the proposed use for this project. Requiring a 20-foot buffer along this area would necessitate significant changes to the layout that was generally approved during the Conditional Use process. The employee parking in this location cannot be reasonably relocated elsewhere on site without compromising its intended function.

WAIVER #12 (Partial Waiver)

Chapter: Chapter 162, Subdivision and Land Development

Section: 162-57.D(1) – Minimum Planting Standards

Requirement: The total number of plantings required shall be no less than the total calculated from all columns in the table located in section D.1 and shall be in addition to any required replacement plantings due to woodland disturbance. The total number of required plantings may be dispersed throughout the tract to meet the objectives of this section.

Request: To provide less than the required number of plantings set forth in this section.

Justification: The site has been designed to meet the operational needs of the owner. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the recent Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate the required number of plantings set forth in 162-57.D(1). It should be noted that the proposed plantings have been practicably maximized on site. Approximately 84% of the required plantings in this section are proposed onsite (176 trees and 896 shrubs) and proposing more would create a density that jeopardizes the health of proposed vegetation. To require the applicant to plant trees required to comply with 162-57.D(1) would substantially change the layout presented and generally approved as part of the Conditional Use process for this project.

If you have any questions or require any additional information, please do not hesitate to contact me by phone at 215-282-7853 or by email jtackett@tandmassociates.com.

Sincerely,
T&M Associates



Jacob Tackett
Supervising Designer



| YOUR GOALS. OUR MISSION.

September 3, 2025

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

**RE: 500 Pottstown Pike – Chester Springs Service Center – Plantings requirement Fee in Lieu
Final Land Development Plan
Upper Uwchlan Township, Chester County, PA
T&M Associates Project No. PORS00021**

Dear Mr. Scheivert:

Due to the irregular shape of the site, location of existing wetlands and vegetation, the proposed layout which was approved as part of both conditional use and zoning applications cannot reasonably accommodate the required number of plantings set forth in Sections 162-55.B(6), 162-55.B(7), and 162-57.D(1). Providing additional planting to comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation, a fee in lieu of the required planting pursuant those sections has been requested.

The following is a breakdown of the estimated prices for plantings required for fee-in-lieu:

- *Average price for 3½" caliper deciduous tree = \$300*
- *Average price for 8-10' evergreen tree = \$200*
- *Average price for 24-30" shrub = \$75*

162-55.B(6) Woodland Replacement

Deficiency: 266 Deciduous Trees; 532 Shrubs
Fee-in-lieu: 266 x 300 = \$79,800; 532 x 75 = \$39,900

162-55.B(7) Woodland Replacement

Deficiency: 115 Deciduous Trees
Fee-in-lieu: 115 x 200 = \$23,000

162-57.D(1) Minimum Planting Standards

Deficiency: 92 Deciduous Trees ;112 Evergreen Trees
Fee-in-lieu: 92 x 300 = \$27,600; 112 x 200 = \$22,400

Total

Deficiency: 473 Deciduous Trees ;112 Evergreen Trees; 532 Shrubs
Fee-in-lieu: $473 \times 300 = \$141,900$; $112 \times 200 = \$22,400$; $532 \times 75 = \$39,900$
Total fee in lieu: \$226,200

Very truly yours,
T&M Associates

Jacob Tackett
Supervising Designer



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION WORKSHOP, MEETING
September 11, 2025
Minutes
DRAFT

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

Attendees:

Sally Winterton, Chair; Chad Adams, Jim Dewees, Steve Fean, Jessica Wilhide, Taylor Young (Meeting)

Invited Guests: Michele Welch and Chris Garrity - RGS (Workshop)
Anthony Campbell – Zoning Officer (Workshop)
Mary Lou Flickinger, P.E., Township Engineer (Meeting)
Gwen Jonik, Planning Commission Secretary

Absent: David Colajezzi, Jeff Smith, Joe Stoyack

6:00 p.m. Workshop

Sally Winterton called the Workshop to order at 6:07 p.m. There were 3 citizens in attendance.

Landscaping / screening regulations.

Michele Welch and Chris Garrity of RGS presented a revised draft ordinance amendment, incorporating the decisions from the August workshop. Michele displayed a tree survey from the Preserve at Marsh Creek to help determine what might have been needed at Eagleview Corporate Center Lot 1C when it was going through the approval process, then used an averaging method and prepared a screening buffer mock up. That project was the 'test case' to compare what they were required to provide when approved vs. what they would need to provide with these proposed ordinance amendments. Also discussed were maintenance issues and property owner's responsibility for trimming trees and shrubs on their property, and the 'fee in lieu of planting' could count toward existing tree maintenance. Anthony noted that enforcement regulations don't belong in the Subdivision/Land Development chapter as they are included in the Property Maintenance Code chapter, or that's the best place for it if it's not already; keep notice of violations and enforcement in one spot.

Sally commented on invasive growth along most roads in the County and was curious how to get them cleared. Anthony noted we need to look at our property maintenance code to see if there is room for improvement in this area.

It was decided that the text that spoke of planting trees inside the right-of-way would be removed; and street trees on both sides of the road does not mean they have to be linear, they can be grouped and staggered per side, providing flexibility to each situation.

Kristin Camp, Township Solicitor, had comments regarding this draft and RGS will review them with her and bring a 'clean' draft to the October 9 workshop.

Sally adjourned the Workshop at 6:59 p.m.

7:00 Meeting

Sally Winterton called the Meeting to order at 7:05 p.m. There were 4 citizens in attendance.

500 Pottstown Pike / Chester Springs Service Center ~ Final Land Development Plan

Alyson Zarro, Esq., introduced the Final Land Development Plan, noting there were just a few things to address from the preliminary plan review, nothing substantive, so they have submitted a Final Plan for review. There are several waivers requested; they met with Tony Scheivert, Chris Williams, and Kristin Camp to address traffic improvements and PennDOT highway occupancy permit items; the lighting plan has been updated. The Board of Supervisors wants them to do a combined preliminary/final plan, which they will do. They'll address the proposed decorative wall at the entrance, calculate the 'fee in lieu of landscaping', add traffic improvements such as the turn lane into the site, the traffic light at Route 100 and Font Road, and the deceleration taper or lane to the Final Plan. Her client bought the property next door at 480 Pottstown Pike but that property is not part of this development.

Jim Dewees moved, seconded by Taylor Young, to accept the Final Plan dated September 3, 2025 for consultant review. The motion carried unanimously.

Meeting Updates ~ Reports

Environmental Advisory Council (EAC). Jessica Wilhide reported a litter cleanup morning is scheduled for September 27, and an E-waste and shredding event is scheduled for October 11, which will include lithium battery recycling.

Historical Commission (HC). Gerry Stein reported that the HC is working on a historic resource preservation and protection plan; crafting a self-guided driving tour of @ 25 resources in the Township that existed in 1800 or earlier to celebrate America's 250th anniversary – they're meeting with the Police Dept to check safety issues at those properties; the farmhouse museum was open at last summer concert; a 1910 singer sewing machine and stand was donated; they collected artifacts from the Windsor Baptist Church parsonage; @ 40-50 people attended the September 9 lecture by Bob Wise re: historic styles of architecture; and on October 18, the Chester County History Center is open for free to all Township residents.

Comprehensive Plan 2025 – Review Recommendations

Sally Winterton reiterated last month's conversation that traffic-related recommendations should take priority, followed by historic-related recommendations. Jessica noted the Eagle Village Mobility group hasn't met recently but is scheduled to meet next month.

As the Commission works on updating ordinances, traffic calming could be included. Updating the Act 209 Transportation Impact Fee study is also recommended. We'll find out how to get that authorized.

Gerry Stein noted the HC crafted a historic resource protection plan but an ordinance is needed so that the regulations are followed and enforceable. He advised that Jim Buczala of the County Historic Preservation Network is sending some other townships' ordinances for our information.

Sally commented direction is requested from the Board of Supervisors as to what ordinances to pursue.

Approval of Minutes

Chad Adams moved, seconded by Taylor Young, to approve as presented the minutes of the August 14, 2025 Planning Commission meeting. The motion carried unanimously.

Next Meeting Date

Sally announced October 9, 2025 is the next meeting date.

Open Session

Sally commented that she told the Joint Boards and Commissions that the Planning Commission was going to work on the CompPlan recommendations each month and all boards and commissions should also work on the recommendation so things don't fall by the wayside.

Gerry Stein asked the relationship between the Board of Supervisors and the Municipal Authority. Chad Adams noted the Authority is a separate entity, overseen by the State Department of Environmental Protection and the County Health Department. Gwen Jonik added the Board of Supervisors authorizes the Authority to design and operate wastewater facilities; the Township owns the facilities.

Steve Egnacyk asked who oversees the Authority's structure placement and aesthetics as the Milford Farms pump station doesn't seem to consider the nearby historic structures.

Adjournment

Jim Dewees moved, seconded by Taylor Young, to adjourn the meeting at 7:47 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary