



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
MEETING  
February 21, 2017  
7:00 p.m.  
**Approved**

In Attendance:

Board of Supervisors

Kevin C. Kerr, Chair

Jamie W. Goncharoff, Vice-Chair

Kristin Camp, Esquire

Dave Leh, P.E., Township Engineer

Chris Williams, P.E., Township Engineer

Township Administration

Cary B. Vargo, Township Manager

Shanna Lodge, Assistant Township Manager

Gwen A. Jonik, Township Secretary

Jill Bukata, Township Treasurer

John DeMarco, Police Chief

Al Gaspari, Codes Administrator

Mike Heckman, Director of Public Works

Mr. Kerr called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, offered a moment of silence, and announced Mr. Donatelli wouldn't be in attendance.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mr. Kerr, to approve as presented the minutes of the January 10, 2017 Board of Supervisors Workshop, January 17, 2017 Board of Supervisors Meeting and Conditional Use Hearing, and January 30, 2017 Board of Supervisors Special Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Goncharoff moved, seconded by Mr. Kerr, to pay all vendors as listed February 16, 2017. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported a strong balance sheet with revenues at 2.4% of budget and expenses at 6.9%; January month end shows a net loss because there's basically no income in January. Mr. Goncharoff inquired of year end 2016 with Mrs. Bukata replying we were on budget.

Supervisor's Report

Mr. Kerr announced that an Executive Session was held February 14, 2017, regarding personnel. He read the following published calendar: March 14, 2017 4:00 p.m. Board of Supervisors Workshop; March 20, 2017 7:00 p.m. Board of Supervisors Meeting; June 17, 2017 6:00 p.m. 9<sup>th</sup> Annual Block Party on Route 100; and yard waste collections are scheduled for March 1 and March 15. Mr. Kerr introduced Shanna Lodge, Assistant Township Manager, who began January 30. There were over 80 resumes received for the position. Mr. Kerr announced the Electronics (E-Waste) Recycling Event scheduled for March 11 at the Public Works facility.

ADMINISTRATION REPORTS

Township Engineer's Report

Dave Leh reported that construction of the Reserve at Chester Springs is coming along; adjustments will have to be made to add cluster mailboxes as there's no more door to door mail delivery in the newer developments; we anticipate McKee Group/Fetters land development plan submission in the near future.

### Building and Codes Department Report

Al Gaspari reported that 36 building permits were issued last month, totaling \$27,889 in permit fees; the ACME store renovations are moving along to accommodate the "Frosted Mug Restaurant"; next to the ACME a Tae Kwon Do business is opening; and Windsor Baptist Church has been busy rehabilitating the building for the classrooms.

Steve McNaughton asked if the Township is receiving any compensation from Sunoco from their Mariner 2 project. Cary Vargo replied the Township is receiving compensation similar to the previous Columbia Gas pipeline project.

### Police Chief's Report

Chief DeMarco reported the Department handled 1,066 calls, including 8 reported crimes, and affecting 3 arrests. A part-time Officer candidate is moving through the hiring process, which takes approximately 2-3 months.

### Public Works Department Report

Mike Heckman reported that along with routine maintenance, the Department completed work orders in the following categories: Municipal Authority 1, PA 1 calls 26; general Public Works 20; Parks 8; and trash/recycling 18. They also are trimming trees in Byers Station, stripped decals off the police vehicle that was for sale; met with contractor to repair traffic signal communications. The new street sweeper and 10-wheel dump truck have been ordered and should be delivered in the next month or two.

Cary Vargo advised that our Solicitor is researching street trees in the newer developments and we may revise our ordinances to make it clearer who owns and maintains the street trees.

### Land Development

T. Richard Moser Land Developers / Marsh Lea Conditional Use Decision & Order. Kristin Camp summarized the Conditional Use Application, seeking approval to disturb certain areas of precautionary steep slopes in order for T. Richard Moser Land Developers to construct "Marsh Lea", a 21-lot residential subdivision in Upper Uwchlan Township (plus 6 lots in Wallace Township). A Hearing was held January 17, 2017, the Decision & Order presented for approval this evening was drafted by Mrs. Camp and includes 5 Conditions of Approval as summarized below. The Decision and Conditions will permit the construction of portions of structures and infrastructure in steep slopes. Mr. Goncharoff moved, seconded by Mr. Kerr, to approve the Decision & Order as presented this evening. The Motion carried unanimously.

#### Conditions of Approval (summarized)

1. The development shall be designed and built generally in accordance with the Conditional Use Plan admitted as Exhibit A-5, as such plans may be revised to comply with conditions imposed herein and to obtain land development approval.
2. The development shall be designed and built generally in accordance with the testimony and evidence presented during the Hearing except if it conflicts with conditions imposed herein or during land development approval.
3. The Applicant shall address to the Board's satisfaction all outstanding comments in the Township Engineer's January 11, 2017 review letter.
4. The Applicant shall comply with and obtain all federal, state and locals approvals/permits.
5. The Applicant and its successors are strictly bound by this Decision.

Mr. Kerr proceeded out of agenda order.

Gunner Properties 270-290 Park Road - Extension of Conditional Use Approval. Alyson Zarro requested an extension to September 21, 2017 of the Conditional Use Approval. The Applicant has to submit to and receive approval from the State for the sanitary sewer system. The current Decision expires March 21, 2017 and the State's approval may not occur by then. Mr. Goncharoff

moved, seconded by Mr. Kerr, to approve the extension until September 21, 2017, of Gunner Properties' Conditional Use Approval. The Motion carried unanimously.

Mr. Goncharoff moved, seconded by Mr. Kerr, to adopt Resolution #02-21-17-01 which approves the submission to PaDEP of the Gunner Properties 270-290 Park Road Sewage Facility Planning. The Motion carried unanimously.

Byers Station Parcel 5C "Village at Byers Station" Subdivision and Final Land Development Plan. Bob Dwyer, of LandTrust Properties, was in attendance, representing the equitable owner (Equus) with Toll Brothers for the Byers Station Parcel known as 5C, the vacant parcel north of the Township Building and bordered by Pottstown Pike, Graphite Mine Road and Station Boulevard. The parcel is 30 acres and the Plan proposes subdividing into 2 parcels, one residential with 121 townhomes and one commercial. The parcel was included in Byers Station's 1999 tentative Plan Approval and the Plan has been revised/updated through various meetings with Township Staff, Engineers, and the Planning Commission. They will comply with the comments in the Engineers' review letter of November 2016. If approval is received tonight, the residential section will move forward; the commercial tenants are still tentative but it will be constructed as presented in the Plan. Utilities and roadways will be installed with the residential construction; Graphite Mine Road access will be right-in/right-out and left in; full access at Darrell Drive but may restrict to right-in/right-out in the future; in the future there will be a right-in/right-out on Route 100 for the commercial parcel; 121 2-story townhomes with 1-2 car garages; plenty of parking; a Homeowners Association for residential; trail connections dedicated to the Township but the interior roads and street trees will be the HOAs; a tot lot, and in lieu of providing the surface courts in the residential parcel, funds will be contributed to construct the Village Park on township property. The residential parcel will be sold to a national builder and Equus will focus on the commercial/retail - 60,000-65,000 square feet -- 30,000 square feet for anchor store(s). The anchor store(s) has not yet been confirmed.

Mr. Kerr inquired of the deletion of some of the crosswalks. Chris Williams advised that at this time they are not recommended due to speed, volume and lack of traffic control at several locations, and there are existing alternatives for pedestrians to access trails/sidewalks into the Village, to Upland Farm, and to Byers Station.

The trail segment and location of the crossing on Station Boulevard was discussed. Chris Williams and Bob Dwyer will coordinate efforts to avoid having to cross the stream for the Station Boulevard crossing at the commercial driveway and if that's too cost prohibitive, the crossing will be located at the Pickering Valley Elementary School access.

The Applicant is requesting a waiver from providing a retaining wall and grading at the northwest corner of the parcel. If granted, those funds would be put toward the trail crossing on Station Boulevard.

Mr. Goncharoff moved, seconded by Mr. Kerr, to grant preliminary/final approval to the Subdivision and Amended Final PRD Plan for Byers Station Parcel 5C "Village at Byers Station" prepared by Bohler Engineering dated May 20, 2016 and last revised September 12, 2016, accompanied by the following 15 conditions. The Motion carried unanimously.

1. The plans shall be revised to comply with Gilmore & Associates, Inc. review letter dated November 3, 2016.
2. The applicant shall secure all required outside agency permitting prior to plan recording.
3. The Applicant hereby agrees to make a contribution in the amount of \$206,000 to be utilized for the construction of Eagle Park. This contribution shall be made prior to the release of plans for recordation.
4. A multi-use trail shall be provided along Darrell Drive from Graphite Mine Road to Pottstown Pike.
5. A tot lot similar to that which is provided in the Windsor Ridge Development shall be provided within the residential portion of the development.

6. The following proposed crosswalks shall be eliminated:
  - Darrell Drive and Pottstown Pike (Northwest corner of project)
  - Darrell Drive and Graphite Mine Road (Northeast corner of project)
  - Station Boulevard and Graphite Mine Road (Southeast corner of project)
7. The proposed street light at Darrell Drive and Pottstown Pike (Northwest corner of project) shall be eliminated.
8. An ADA compliant ramp for the trail shall be provided on the western side of the driveway access on Station Boulevard.
9. The trail segment currently depicted adjacent to Station Boulevard shall be eliminated from the east side of Station Boulevard driveway access to Graphite Mine Road.
10. Applicant shall revise the plans to provide a trail crossing over Station Boulevard to connect the trail on Lot # 2 to an existing trail on the south side of Station Boulevard, unless Applicant can demonstrate to the Board that such trail connection is prohibitively costly and creates an undue financial burden in which case Applicant shall provide a trail connection in a different location accepted by the Board.
11. If Applicant does not install a retaining wall along Route 100 and the slopes exceed 3(H):1(V), geotechnical computations shall be provided confirming the proposed slope will be stable. In addition, the areas disturbed shall be planted with low maintenance vegetation to stabilize the area disturbed.
12. A waiver from Section 162-39.E to permit Belgian block curbing is hereby granted.
13. A waiver from Section 162-41.A which requires sidewalk to be provided on both sides of new streets is hereby granted. Sidewalks shall be provided on one (1) side of all internal streets.
14. A waiver from Section 152-311.G.(1) to permit the use of HDPE piping within the ROW instead of RCP is hereby granted.
15. A waiver from Section 152-311.H.(3) to permit the use of naturalized spillway lining instead of concrete block is hereby granted.

#### ADMINISTRATION

Sunoco Mariner II Project Roadway Bonding Agreement. Cary Vargo advised that there are 9 miles of Township roadway that Sunoco will need to use to access their work areas for the Mariner II project. A Roadway Bonding Agreement was drafted which provides for Sunoco posting a bond for potential road damage. The roadway segment conditions will be assessed and documented pre- and post-construction by ARRB. The Board is requested to approve execution of the Roadway Bonding Agreement with Sunoco. Mr. Goncharoff moved, seconded by Mr. Kerr, to approve execution of the Roadway Bonding Agreement with Sunoco for the Mariner II project. The Motion carried unanimously.

Disposition of Township property. The following Township property had been posted for sale on Municibid, an electronic auction. The electronic auction was advertised in the Daily Local News. The Board was asked to approve the sale of each item to the high bidder. Quantity 22 - Vertical Edge 700 Digital Desk Phones, replaced in 2016: the high bid was \$183.00; 2011 Ford Expedition (VIN 1FMJU1G2BEF32593), Police vehicle: the high bid was \$4,800.00. Mr. Goncharoff moved, seconded by Mr. Kerr, to accept the bids and approve the sales to the high bidders. The Motion carried unanimously.

#### Open Session

A Boy Scout was in attendance completing requirements for a merit badge.

#### Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting At 8:11 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary