



Upper Uwchlan Township  
Board of Supervisors Workshop  
June 13, 2017  
4:00 p.m.  
Minutes  
Approved

In attendance:

Kevin Kerr, Chair

Jamie Goncharoff, Vice-Chair

Guy Donatelli, Member

Cary Vargo, Township Manager

Shanna Lodge, Assistant Township Manager

John DeMarco, Police Chief  
Gwen Jonik, Township Secretary  
Al Gaspari, Codes Administrator

Kevin Kerr called the Workshop to order at 4:02 p.m.

Gunner Properties 160 Park Road – Conditional Use Application

Kevin Kerr provided background on this project. A Conditional Use Hearing was held May 15, 2017, to consider Gunner Properties' request for permission to operate a seasonal, temporary beer garden (eating and drinking establishment) on his property at 160 Park Road – northwest corner of Pottstown Pike and Park Road. The proposed beer garden would be open Thursday through Sunday, Noon to 11:00 PM, June through October 2017. The beer garden would be operated by a Brewer who holds a brewer's liquor license. The Board favored the Use at the conclusion of the Hearing, a draft Decision & Order was prepared for approval, or adjustment, this afternoon. Jamie Goncharoff asked what measures would be taken if the Use got out of hand. Mr. Kerr was advised that security guards have been hired. Guy Donatelli advised the Police would handle any incidents and the Decision & Order would be reviewed and adjusted. Jamie Goncharoff questioned the process for potential renewal in the future, since this is seasonal and temporary. There's a paragraph in the draft Decision that addresses annual renewal.

Mr. Gunther advised the Board that the beer garden would be known as "Lavante at the Stables".

Mr. Goncharoff moved, seconded by Mr. Kerr, to grant Conditional Use Approval subject to the following conditions. The Motion carried unanimously.

Conditional use approval of the eating and drinking establishment pursuant to Section 200-33.B(8) of the Upper Uwchlan Township Zoning Ordinance is hereby granted subject to the following conditions:

1. The eating and drinking establishment use shall be conducted generally in accordance with the testimony and exhibits provided at the May 15, 2017 hearing.
2. Applicant shall comply with all applicable Township ordinances and regulations.
3. Applicant shall obtain all applicable Township permits and approvals for the eating and drinking establishment use.
4. Applicant shall obtain all required third party permits and approvals, including, but not limited to any applicable Chester County Health Department and Pennsylvania

Liquor Control Board permits or approvals, and shall provide copies of any such permits and approvals to the Township.

5. Applicant shall stripe the two paved parking areas on the Property in compliance with applicable Township ordinances.
6. Applicant shall provide ADA accessible parking spaces in the paved parking area(s) in accordance with applicable Township ordinances.
7. After the eating and drinking establishment is open and operational, Applicant and the Township shall monitor the traffic operations of the Property access as well as Park Road between Pottstown Pike and Little Conestoga Road and shall implement traffic operations measures if necessary to direct the flow of traffic during the times that the use is operational in order to insure that safe traffic operations are provided.
8. Applicant shall coordinate with the Township Traffic Engineer to confirm whether any increase in trip generation is estimated to result from the eating and drinking establishment use that would require the payment of a Traffic Impact Fee pursuant to the Township's Act 209 Traffic Impact Fee Ordinance.
9. Applicant shall provide, operate and maintain bathroom facilities in accordance with the testimony and exhibits presented at the hearing and in accordance with any third party approvals required for such facilities, such as the Chester County Health Department.
10. The eating and drinking establishment shall be permitted to operate from June through October, on Thursdays through Sundays, from the hours of 12:00 p.m. to 11:00 p.m.
11. Applicant shall be required to seek annual approval from the Township for the seasonal eating and drinking establishment use, but such approval shall not require the reopening of the conditional use hearing or additional conditional use approval, provided that Applicant provides copies of any required third party permits and approvals that are required to be renewed in connection with the continued operation of the eating and drinking establishment.

#### Commercial Safety Program - Introduction

Al Gaspari introduced a Commercial Safety Program that is being considered for implementation in Upper Uwchlan Township. This is a pro-active safety inspection program, with the intent to increase awareness of commercial safety standards and prevent incidents that may endanger the health, safety and welfare of the community and/or cause property damage. Inspections would be scheduled once every 3 years; more frequently if there's an issue; educational and group assembly uses will be inspected more frequently. There are 186 commercial businesses in the Township at this time. Outside storage tanks will be documented through this program. Existing outside storage tanks have been checked to assure that they have been Certified and that inspection reports are being received from the County and State Agencies. Any hazardous material storage will be documented and shared with local and County emergency service providers. This Program will be implemented in the near future.

#### Township Manager's Report

Cary Vargo provided updates on the following projects:

Sunoco Mariner II. Sunoco's Mariner II Newsletter has been distributed via our website. The Township's Solicitor, John Good, plans to retire in the near future. He's been the Township's Solicitor for 50 years. The current Alternate Solicitor, Kristin Camp of Buckley Brion McGuire & Morris will become the primary solicitor and a new Alternate will be appointed.

Sunderland Avenue Extension. Toll Brothers lost their appeal of Upper Uwchlan's Decision that they were to build Sunderland Avenue from the boundary with Upper Uwchlan to Eagle Farms Road in West Vincent Township, which was a condition of the original Conditional Use Approval

for the Ewing Tract. The West Vincent Township Planning Commission will review the revised Land Development Plan this week and the roadway may be under construction late summer, Eagleview Boulevard/Route 100 Traffic Signal. The traffic signal at this intersection, in Uwchlan Township, is part of Upper Uwchlan's adaptive traffic signal system, operationally, but Uwchlan Township maintains it. They use a different contractor, which can affect the function of the system. We'd like to take over the maintenance and inspection of it, Uwchlan Township is agreeable, and they'll reimburse the costs associated with that light. This is an example of best management practices of inter-municipal operation.

Park & Recreation Board. The recently reinvigorated Board's 7 candidates are to be appointed at the Supervisors' June 19 meeting. A few of the projects they'll work on are updating the Field Use Policy and discussing lighting of Hickory Park, in partnership with GEYA.

The sweeper/vacuum truck was delivered and immediately put to use May 18.

Walkworks ChesCo. The Upper Uwchlan Team has walked @ 6.5 million steps since the beginning of April when the County challenged residents and those working in Chester County to collectively walk 1 billion steps by the end of the year.

McKee-Fetters Land Development. McKee will submit revised preliminary Plans for the Planning Commission's review July 13 and potential approval by the Board of Supervisors July 17. The Sewer Agreement details are being finalized.

Park Road Trail. Some of the PECO poles are in private rights of way and their relocation may be covered by the Grant; easement appraisals are being updated and we'll begin meeting this summer with property owners to complete the process.

The Jankowski Tract (Black Horse ELU) conditional use hearing, seeking approval to build 55 single-family homes on the tract, is scheduled for June 19 at 7:00 PM.

Ordinance amendments regarding medical marijuana dispensary and grower/processor facilities and the keeping of chickens will be considered for adoption June 19.

Guy Donatelli spoke of a request for a stop sign in Byers Station. The Police Department is checking the intersection for speeding and safety concerns.

#### Open Session

Janet Yeager and Mimi Weller presented information of their work with "Fair Districts PA", seeking the fair re-distribution of political districts through a citizens commission rather than by political parties; they're trying to prevent gerrymandering from either Party. Every vote should count. Every citizen and every municipality is affected by the State's legislation. The State Legislature currently creates the Congressional District maps; a Commission of five (four Party leaders and a Chair) creates the State House and Senate District maps. Pennsylvania races are becoming less competitive. Fair Districts PA asked the Board to pass a Resolution of support for an independent citizens' redistricting commission. The Board members thanked Ms. Yeager and those working with Fair Districts PA for their efforts and they'll consider supporting this work as individuals. Citizens should contact their Representatives regarding the need for change to this process.

#### Adjournment

There being no more business to be brought before the Board, Kevin Kerr adjourned the Workshop at 5:24 PM.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary