



**UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION
AGENDA**

**November 11, 2021
7:00 p.m.**

**LOCATION
Upper Uwchlan Township Building
140 Pottstown Pike, Chester Springs PA 19425**

Masks / face coverings are required.

	Packet Page #
I. Call To Order	
II. Approval of Minutes:	
September 9, 2021 Meeting	2
October 14, 2021 Meeting	6
III. 100 Greenridge Road Conditional Use Application	9
Review and discuss the Township consultants' comments of the Conditional Use Plan as revised October 4, 2021. Potentially draft a recommendation for the Board of Supervisors to use when considering the Plan during upcoming Hearings.	
IV. Alpha Phlyte Fitness Conditional Use Application	24
Review the Conditional Use Application for an existing personal training business in the Limited Industrial (LI) District to expand to include a fitness center/gym requiring membership. Provide a recommendation for the Board of Supervisors to use when considering the Application at an upcoming Hearing.	
V. Next Meeting Date:	December 9, 2021 7:00 p.m.
VI. Open Session	
VII. Adjournment	



UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

September 9, 2021

7:00 p.m.

Minutes

Draft

LOCATION: The meeting was held in person at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425

In attendance:

Members: Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi, Jim Dewees, Stephen Fean, Jim Shrimp, Jeff Smith

Dave Leh, Township Engineer
Kristin Camp, Esq., Township Solicitor (via phone)
Tony Scheivert, Township Manager
Gwen Jonik, Planning Commission Secretary

Vice-Chair Joe Stoyack called the meeting to order at 7:00 p.m. A quorum was present. Approximately 40 citizens were in attendance.

Outdoor Storage Tank Ordinance Amendments – August 16, 2021 Draft

The Commission reviewed the August 16, 2021 Draft prepared by the Township Solicitor, reflecting the Planning Commission's August 12 meeting revision recommendations.

Joanne McNaughton, Moore Road resident, made comment that: the terms non-toxic, non-corrosive and non-ignitable are not defined in the Code and should be; safety regulations in Sections 200-80 and 200-90 are for new tanks only, not existing tanks; only outdoor tanks are addressed and suggested addressing indoor aboveground storage tanks. There are multiple areas in the township that allow outdoor tanks and there's no need to expand to the Planned Industrial/Office District (PI/O). That wasn't the intent of Eagleview Corporate Center.

Ms. Camp noted that the terms and text had been reviewed and addressed by the experts; a zoning ordinance cannot be retroactively applied so existing tanks can't be made to comply; this ordinance was to address outdoor tanks; indoor tanks were not a goal of the Board of Supervisors and other requirements cover indoor tanks, which are highly regulated at different levels of government and industries.

Discussion included: define or remove the terms non-toxic, non-corrosive, non-ignitable; the definition of inert includes those terms so it was determined to remove them.

Joe Stoyack commented the Commission could look at the topic of indoor tanks in the future.

Jeff Smith moved to submit to the Board of Supervisors for approval the amended draft with non-toxic, non-corrosive, non-ignitable terms removed. David Colajezzi seconded and the motion carried unanimously.

Joe Stoyack announced the Approval of Minutes would be next and we'd forego Old Business.

Approval of Minutes

Jeff Smith moved, seconded by Chad Adams, to approve as presented the minutes of the Planning Commission's August 12, 2021 Meeting. The motion carried unanimously.

Toll Brothers / 100 Greenridge Road ~ Conditional Use Application

Joe Stoyack explained that the Land Development Plan Approval process is multi-phased, and in this case begins with a Conditional Use Application, proposing 64 homes on a 65-acre parcel. The residential use is allowed on this property in the R2 Residential District (1 dwelling/acre) with the F1 Flexible Development Overlay, allowing a higher density through the conditional use process. The conditional use hearing is tentatively scheduled for October 25. The Application was reviewed by township consultants and the township planning commission and could be reviewed by other commissions or consultants at the Board of Supervisors' preference. The Planning Commission is advisory and provides recommendations to the Board, who has the approval authority. Tonight's discussion of the consultants' comments is in preparation for the conditional use hearing. If the conditional use is approved, Toll Brothers would then submit Land Development Plans that address the conditions outlined in the Conditional Use Decision & Order. They could be preliminary or preliminary/final plans that require further design, reviews, etc. before they are approved. The Commission appreciates and encourages residents to participate at all levels of the approval process and we'll try to hear everyone's comments this evening.

Alyson Zarro presented the Conditional Use Application and Plan submitted August 11, 2021. Also in attendance were Andrew Semon – Toll Brothers, Justin Barnett -- ESE Consultants and Pete Spisszak – Traffic Planning & Design (TPD). The Conditional Use Plan addresses a number of comments from the Sketch Plan review.

The 2 parcels, totaling 65 acres, are singly owned and contain a non-historic dwelling and driveway. The Plan proposes 64 single detached homes. Base zoning (R2) would allow 65 homes and additional 9 units from the F1 Flexible Development Overlay – clustering the homes. The Plan shows treated wastewater disposal fields, which will exceed the disposal capacity required and could be used for other neighborhoods. The wastewater will be treated at the Route 100 facility via the Font Road extension. The access was initially proposed via Lauren Lane but this Plan shows full access from Greenridge and Lauren Lane as an emergency access. They'll need a waiver for a single access street but could also revert to full access through Lauren Lane. Building separation from the shared property with Stonehedge was increased from 20' to 50' buffer; there may be a trail going through that buffer; trail connection to the existing driveway; sidewalks on one side of street; a tot lot is proposed near Lauren Lane which would be restricted to this Homeowners Association; most other comments they'll be able to comply with and there are a few technical revisions to complete. They have submitted for the jurisdictional determination for scope of wetlands and 150' buffer.

Discussion with Planning Commission members included:

Relocate or add another tot lot; it might be relocated which will be proposed during land development; they continue to analyze the grading of the access road through the precautionary slopes; they may need to seek a Zoning variance; the road would be offered for dedication to the township; they've increased the buffer and there is a tree line along the Stonehedge properties; they won't place the trail within the 50' buffer, they'll relocate it; the buffer will be owned by the Homeowners Association (HOA) who will be responsible it and property markers will delineate where the open space starts; Aqua has confirmed they'll provide public water service; they've requested a waiver from providing an historic resource impact statement as the nearest historic resource isn't within 250' of the proposed development; the sidewalk width is increased to 5' so 2 people can walk side-by-side, and they're requesting a waiver to provide sidewalk on only 1 side of the street; there are inconsistencies in the Fiscal and Recreational Impact Study that will be updated; the paved trail will be for public use if the road is dedicated to the township; if the road remains private, the trail will be private; the traffic study should be updated with school in session or use figures from 2019; TPD calculated the counts using historical data and increased the

percentages resulting in very conservative counts and agreed to by McMahon; several members are concerned with Greenridge Road's safety due to increased traffic on the narrow road; proposing 32' cartways but it was suggested to reduce to 28' cartways; a Commission member suggested keeping the road wider and having parking on both sides because parking is at a minimum on the Plan; Toll noted perhaps widen within the homesites and reduce width in the open area; the units are proposed with 2-car garages and 2 spaces in the driveway; there will be no connection to neighboring Shea Lane cul-de-sac as there's no land or easement to do so; they'll provide an easement for the potential future connection with the Brandywine Trail; the stormwater management measures may improve the existing stream flooding conditions; sanitary sewer system comments will be addressed during the design of the system; adding Stonehedge properties into the wastewater treatment/disposal hasn't been discussed; bay windows are not offered anymore; depth of the house should accommodate a nice-size deck without encroaching the rear yard setbacks; size and style of house very similar to Chester Springs Crossing; targeted construction would be 12-18 months from now; no recommendation is being sought this evening.

Comments from citizens:

John Mahoney, Esq., is representing residents adjacent to the property who will become parties during the conditional use hearing. Their main concerns are that the tot lot should be relocated or eliminated, Lauren Lane should be a secondary access – limited or for emergency access only and not full pavement. The walking trail adjacent to the Stonehedge neighborhood, as proposed, eliminates the function of the buffer between the two developments so they appreciate Toll's agreement to relocate it, and it will terminate in a better location as well. Moving the entire development toward the east was suggested. Toll noted that would require retaining walls on quite a few lots and would be difficult to meet road grade. They've located the homes in what's currently open space so they won't disturb as many trees and it was already moved a little to the east, increasing the buffer and distance between Stonehedge houses and proposed houses. Mr. Mahoney suggested a lighting consultant provide a lighting plan. Ms. Zarro thinks lights will only be at intersections. Mr. Mahoney also suggested that both sides walk the tree line to determine which trees would stay and which would go and do the same regarding widening Greenridge Road. The developer should provide the residents with the differences between spray disposal and drip disposal facilities.

Steve Egnacyzk, 64 Stonehedge Drive, is concerned with the traffic and safety on Greenridge Road, which needs to be widened or shoulders installed for pedestrians. Try not to disturb the tree line which supports wildlife and there's a stonewall in there that should remain. Sewer disposal and storm water basins are of concern as they're on steep slopes of clay and stone.

Jackie Stees, 12 Greenridge Road, commented traffic is already a mess and asked the construction timeline. Andrew Semon noted most likely 12 months for site preparation and then house construction would begin.

Dave Smith, 32 E. Indian Springs, asked of the road grade and moving the houses to the east. Mr. Semon said this is the third layout and works the best with the slopes and the roadway.

Kristine Podvia, 47 E. Indian Springs, commented fewer houses would resolve a lot of these issues.

Lee Ann Smith, 32 E. Indian Springs, would like to see fewer houses.

In answer to questions regarding approving, or limiting, the number of proposed houses, Joe Stoyack advised that the property's zoning is what controls the use and density for development. A property owner has the right to develop their property to its highest legal potential. Zoning ordinances would have to be changed in order to limit development. Chad Adams added that what is being proposed is by-right for the most part and the township tries to make it as palatable to the neighbors as possible.

Dave Smith, 32 E. Indian Springs, commented they don't need sidewalks in their development at this time but would if Lauren Lane is an access.

Carl Broege, 136 Devon Circle, the road is already dangerous without adding 64 new households.

Pat Adams, 128 W. Indian Springs, don't disturb the existing vegetation as it supports wildlife that has been enjoyed for generations.

Elizabeth Woodward, 38 E. Indian Springs, commented that the majority of the parcel is wooded, not open land and a 50' buffer isn't much throughout the seasons, especially if mature trees are removed. They'll lose their privacy.

Bonnie Crockett, 23 Stonehedge, commented that the intersection of Font and Greenridge Roads floods regularly. How can that be improved?

Greg Amicon, 301 Deerhaven, asked about public water service through Aqua.

Marianne Krug, 418 Hilltop, suggested fewer houses and increase the buffer.

Joe Stoyack restated the process for this project: a conditional use hearing will be held by the Board of Supervisors to hear testimony from the developer and the residents and if approved, the plan would go through the land development approval process, which provides greater detail and is reviewed by the consultants, the Planning Commission and the Board of Supervisors prior to consideration for approval by the Board of Supervisors.

Mr. Stoyack announced at 9:25 p.m. that a short recess would be taken. He reconvened the meeting at 9:30 p.m.

The Commission asked if an attorney can attend their next meeting to answer legal questions that may arise regarding this conditional use application. Tony Scheivert will look into that request.

Open Session

Joe Stoyack noted the Commission will begin to update the Comprehensive Plan adopted in 2014 and he'll be speaking with the other Township Boards and Commissions for their assistance. He also proposes the Commission look at several ordinances: outdoor dining in the Village, to make approvals easier; make shared parking approval easier; redevelopment.

Mr. Stoyack announced the next meeting is scheduled for October 14, 2021, 7:00 p.m.

Adjournment

Jeff Smith moved, seconded by Chad Adams, to adjourn the meeting 9:41 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik,
Planning Commission Secretary



UPPER UWCHLAN TOWNSHIP
Planning Commission Meeting
October 14, 2021
7:00 p.m.
Minutes
Draft

LOCATION: The meeting was held in person at the Township Building
140 Pottstown Pike, Chester Springs PA 19425

In attendance:

Members: Sally Winterton, Chair; Chad Adams, David Colajezzi, Jim Shrimp

Bill Bohner, P.E., ARRO

Gwen Jonik, Planning Commission Secretary

Sally Winterton called the meeting to order at 7:00 p.m. A quorum was not present but was expected.

Sally Winterton announced the meeting would proceed slightly out of agenda order, awaiting a quorum, and that the next Commission meeting date is November 11, 2021, 7:00 p.m.

Act 537 Plan Update

The Planning Commission had reviewed at their August meeting the draft Act 537 Plan Update – the planning document for future sewage facility needs throughout the Township -- prepared by ARRO on behalf of the Municipal Authority. The Commission's comments and questions were provided to ARRO August 18, 2021 and ARRO responded to those questions and comments in a letter dated September 9, 2021. Bill Bohner read through the response letter and noted that the County Planning Commission and County Health Department had also reviewed the Plan. The review letters and ARRO's responses will be included in the draft Plan to be reviewed by the PaDEP.

Township Comprehensive Plan Update

Sally Winterton advised that Sheila Fleming/Brandywine Conservancy has sent an estimate to assist the Township with updating the 2014 Comprehensive Plan ("Comp Plan"); update just the areas that are outdated or no longer valid/feasible, not a total reworking of the document. The consultants' estimates will be included in the 2022 budget.

The Commission reviewed the Implementation Matrix – Chapter 7 – of the 2014 Comp Plan and the tasks of which the Commission was the "lead", discussing which tasks had been accomplished, could be removed, retained or redirected.

Task #	Action
2-1	The Zoning Ordinance Map will be reviewed and amended as necessary
2-3	Retain the task of instituting ordinance amendments that encourage developers to establish pocket parks and other civic spaces within densely settled areas
2-5	Retain the task and include the Township Manager (T.M.) in promoting redevelopment of underutilized properties

- 2-7 Redirect the task to the T.M. to develop building checklists for projects with a focus on energy conservation
- 2-8 Redirect the task to the T.M. and/or Zoning Officer to encourage appropriate use of the F-1 and F-2 flexible development overlay design options or remove some of the overlay districts
- 2-9 Retain the task to ensure zoning ordinance amendments made in support of the Village of Eagle/Byers areas promote a wide variety of housing options.
- 2-11 Retain the task of working with developers during the planning process to ensure that restrictive covenants discouraging energy conservation (such as hanging laundry), creating backyard gardens or against seasonal mowing are not instituted with final subdivision or land development approvals. The Commission would like to promote these quality of life activities, however is unsure how to encourage developers to allow these activities and provide space to do so.
- 2-12 Remove task as it's been completed with recent revisions to C-1 Village Commercial District use amendments: enacting standards to specifically allow accessory dwelling units, as well as upper-story residential uses over commercial uses.
- 2-13 Retain task to continue to promote the construction of energy and water-efficient buildings and neighborhoods. The alternate energy ordinance revisions, and cluster development address this to a point. Do building codes promote this?
- 2-15 Retain 2-15, 2-16 and 2-17 to review and update the uses in the Limited Industrial (LI) District and Planned Industrial/Office (PI/O) District.
- 3-1 Retain 3-1, which has been partially achieved by the Adaptive Reuse ordinance, for greater historic resource protection and discouraging historic resource demolition.
- 3-4 Retain 3-4 as the Commission updates detailed design guidelines for the C-1 Village Commercial and C-3 Highway Commercial districts.
- 3-12 Retain 3-12 as the Commission reviews parking ordinances in and around the Villages
- 3-13 Retain 3-13 as the Commission reviews area and bulk requirements in the C-1 and C-3 districts and encourages shared/mixed uses.
- 3-15 Retain 3-15 for review regarding increasing the building height in the Village.
- 3-16, 3-17 Retain – mirrors task 3-4
- 3-19 Retain and discuss with the Board of Supervisors (BoS) establishing an Historic District/Historic Architecture Review Board.
- 3-20 Retain - review of the sign ordinance for suitability for a mix of desired village uses.
- 3-21 Remove as it's believed to have been completed – update the C-1 and C-3 districts to provide incentives for applications to construct residential above commercial / retail / office.
- 4-8 Retain and continue to work on incorporating 'green streets' designs to minimize runoff
- 5-10 Retain and continue to review ordinances to ensure roadways, sidewalks and trail standards are current and aligned with the township's transportation goals
- 6-1 Retain and in conjunction with Historical Commission work to protect historic resources and discourage demolition by neglect
- 6-2 Retain and work to establish standards for open spaces for native plant use, eliminate invasive species, allow removal of existing invasive wooded vegetation and require replacement of wooded areas with native species, add native fruit and nut trees to lists of allowed species.
- 6-3, 6-4, 6-5 Retain and work on woodland/resource protection, encourage developers to plant trees and improve protections for existing woodlands, recommend reforestation, though the Commission is unsure how they'd do that.

6-8 Review this task relating to riparian buffer protection as it may have been addressed in the 2015 amendments to the stormwater and/or floodplain ordinances.

Alexandra Rose, Shea Lane, asked why the Township doesn't tell developers our vision rather than the developers bringing in their ideas and that's what we have to work with.

Steve Egnaczyk, Canon Woods, commented the Planning Commission is the first line of defense for the residents and would like it to be in proactive mode, rather than reactive. Commission members noted that the trail network and planning for trail connections was proactive over the years.

Open Session

Ms. Rose and Mr. Egnaczyk thanked the Commission for their work.

Sally Winterton noted that the Commission may need to set aside time to work specifically on updating the Comp Plan and asked for preferences of holding a workshop the 1st Thursday or meeting earlier on the regular meeting night. Chad Adams noted workshops would be his preference; David and Jeff have a conflict the 1st Thursday. If separate workshops are held, they wouldn't start until February 2022.

Sally Winterton noted the Commission would like to start reviewing outdoor dining ordinances to see if amendments can be made to ease the approval process for eateries; look at shared parking regulations, and redevelopment.

Mrs. Winterton summarized the County Planning Commission's recent Fall Forum.

Approval of Minutes

A quorum was not present, therefore approval of the minutes was tabled until the November meeting.

Adjournment

David Colajezzi moved, seconded by Jim Shrimp, to adjourn the meeting at 8:54 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

November 4, 2021

File No. 21-06024T

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

Reference: Greenridge Road Conditional Use Plan (Toll)
Conditional Use Plan Review (2nd Review)
Upper Uwchlan Township, Chester County, PA

Dear Tony:

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

- Letter from Riley Riper Hollin & Colagreco to Upper Uwchlan Township dated October 4, 2021, outlining submitted items and requested waivers.
- Plan set consisting of thirteen (13) sheets titled "Conditional Use Subdivision Plan for Greenridge Road" prepared by ESE Consultants, Inc. and dated August 10, 2021, last revised October 4, 2021
- Water Availability Letter from AQUA dated May 19, 2021.
- Fiscal & Recreation Impact Analysis Greenridge Development prepared by David C. Babbit & Associates, LLC and dated October 3, 2021.
- Response Letter from ESE Consultants dated October 4, 2021.

G&A, as well as the other Township Consultants, have completed our second review of the above referenced Conditional Use Application for compliance with the applicable sections of the Township's Zoning and Subdivision / Land Development Ordinances, and wish to submit the following comments for your consideration.

Please note that comments with an **(RW)** or **(V)** may require relief from the Township Ordinances. An **(RW)** denotes a requested waiver, and a **(V)** denotes a required variance.

BUILDING ON A FOUNDATION OF EXCELLENCE

184 W. Main Street | Suite 300 | Trappe, PA 19426
Phone: 610-489-4949 | Fax: 610-489-8447
www.gilmore-assoc.com

File No. 21-06024T
November 4, 2021

I. OVERVIEW

The proposed project consists of 64 single-family homes on two (2) existing parcels totaling 65.95 acres at 100 Greenridge Road. The project site is located within the R-2 Residential District with and F1-Flexible Development Overlay. The application is proposing to utilize the F-1 Flexible Overlay District.

The larger (63.07 acres) existing lot includes existing structures, pool, tennis court (all proposed to be removed) and driveway from Greenridge Road to the dwelling (a portion of which is to remain, to be utilized as part of a community trail network). The Applicant is proposing to improve this lot with a loop road (Road "B") and cul-de-sac (Road "A"), with access from Greenridge Road and a right-of-way extension of Lauren Lane to Road "A" as a potential emergency access. The applicant is also proposing to create a 5.4 acre Sanitary Sewer Disposal Lot (Lot 65), indicated to be conveyed to Upper Uwchlan Township. The smaller (2.88 acres- Lot 66) existing lot is also proposed to be a sanitary sewer disposal area, to be conveyed to Upper Uwchlan Township. The larger existing lot contains wetlands and a FEMA-delineated Zone A floodplain. The plans note that a Wetlands Jurisdictional Determination from US Army Corps of Engineers is pending.

II. ZONING ORDINANCE REVIEW

1. *Section 200-54.A(2)[3] – The site contains a Zone A (General) Floodplain. No development is proposed within the Floodplain, and a 150-foot DEP Buffer is shown.*
2. *Section 200-69.C(5) – For any proposed activity requiring the submission of a wetland delineation report, stream or wetland encroachment permit, or mitigation plan to the Pennsylvania Department of Environmental Protection (DEP) and/or U.S. Army Corps of Engineers or successor agencies, a copy of all such documentation shall be submitted to the Township. Note #5 on Sheet 2 indicates that a Wetlands Jurisdictional Determination from US Army Corps of Engineers is pending. A copy shall be provided to the Township upon receipt.*

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3. *Section 200-69.D(4) – The proposed tot lot seems to be rather smaller relative to the size of the development. It also is rather isolated. We defer to the Township Planning Commission on this matter.*

The Applicant has relocated the tot lot to a more centralized location on the site. In addition, the size of the lot has been increased to approximately 5,300 SF. For reference, this would be more than twice the size of the tot lot located at the Reserve at Chester Springs.

4. *Sections 200-72.C(2)(a)[1] and (b)[1] – Where permitted by the Board of Supervisors as a conditional use, an applicant may utilize the flexible/open space development option for development of any of the uses permitted within the R-2 zoning district. Single-family detached dwellings are proposed and are permitted in the R-2 and F-1 Districts.*
5. *Section 200-72.C(2)(a)[3] and (b)[3] – Open space uses as set forth in § 200-69 of this chapter is permitted within the F-1 District. The plan proposes 29.19 AC. of Restricted Open Space; 26.38 AC. is required.*
6. *Section 200-72.D(2)(a)[3][b] – Any area comprising wetlands under the jurisdiction of the U.S. Army Corps of Engineers and/or the Pennsylvania Department of Environmental Protection shall be excluded. The plans indicate that a USACE JD is pending for the site; therefore, the acreage listed on the plans may change slightly.*
7. (V) *Section 200-107.D(2) – Prohibitive Steep Slopes will be disturbed to construct at least Road A. A variance would be required for this disturbance and the applicant indicates one will be sought.*
8. *Section 200-107.D(3)(b)[2] - Although this section does permit disturbance of “Precautionary” Steep Slopes for the construction of a primary access as part of a conditional use process, the applicant has not requested this relief in their conditional use application. If it is being sought, the application should be updated accordingly.*

Relief is now being requested from this section. Disturbance is permitted “when no practical alternative exists in an area of lesser slope.” While a connection to Lauren

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Lane would most likely not require disturbance of steep slopes, disturbance cannot be avoided with any connection to Greenridge Road.

9. Section 200-107.D(3)(b)[4] – *Although this section does permit disturbance of “Precautionary” Steep Slopes for the construction of a sanitary and stormwater conveyance systems as part of a conditional use process, the applicant has not requested this relief in their conditional use application. If it is being sought, the application should be updated accordingly.*

Relief is now being requested from this section. As it is not possible to avoid these slopes to construct the required storm and sanitary sewer systems, for the development, we have no objection to the granting of this relief.

10. Section 200-117.E – *The applicant shall provide verification adequate screening is provided between the site and the surrounding properties to screen the facility from view, preclude any glare from lighting or excessive noise from being ascertainable beyond the boundaries of the property. We defer to the Township Planning Commission and Brandywine Conservancy as to whether or not this requirement has been met.*

11. Section 200-117.I – *The applicant is requesting relief from the requirement to submit an historic impact statement that documents conformance to all requirements of Section 162.9.H of Chapter 162. We defer to the Township Planning Commission and Historic Commission on this matter.*

The Township Historic Commission reviewed the application at their October 25, 2021 meeting and offered the following comments:

- Waive historic resource impact statement since only historic resource near proposed development is historic resource #16 and it is over 250 feet away
- Condition conditional use application approval on preservation of sight lines related to historic resource #16
- Condition conditional use application approval on further investigation by the Township of stone structure and any other identified possible historic structure, ruin or landscape feature

Upper Uwchlan Township Manager

Reference: Greenridge Road Sketch Plan (Toll)
Conditional Use Plan Review (2nd Review)
Upper Uwchlan Township, Chester County, PA

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- If stone structure and any other structure, ruin or landscape feature determined to be historic resource:
 - Condition conditional use application approval on preservation of historic stone structure and any other identified historic structure, ruin or landscape feature and sight lines thereto through incorporation into development plans and design

III. SUBDIVISION & LAND DEVELOPMENT ORDINANCE REVIEW

1. **(W)** *Section 162-30.A – Maximum grade for a local access road is 10%. The applicant is requesting a waiver to permit a maximum grade of 12%. If this waiver is to be considered as part of the conditional use process, a plan and profile of the roadway should be provided so an evaluation can be made. Otherwise, we would recommend this waiver request be defer until the land development submission.*

As requested, the Applicant has provided a plan and profile indicating the proposed vertical alignment for the roadway. Based on our review of the submitted profile, it appears there may be an opportunity to reduce the slope of the section currently proposed to be constructed at 11% to 10% and increase the section of road currently proposed to be 6.08% to approximately 7% which would eliminate the need for this waiver. While we have no objection to the granting of this waiver to allow the roadway to be constructed as currently designed, we believe our above suggested configuration should be considered first.

2. **(W)** *Section 162-33.D – Single access streets, permanently designed as such, shall be not more than 500 feet in length for lots containing less than one acre. Proposed Road “A” exceeds this length. This section is included in Requested Variances/Waivers on Sheet 4. We defer to The Township Traffic Engineer as well as the Township Fire Marshall as to the acceptability of this waiver.*
3. **(W)** *Section 162-39.E – All curbs shall conform to specification for Class A concrete. This section is included in Requested Variances/Waivers on Sheet 4, to permit Belgian block curbing. We have no objection to this waiver as Belgian Block is a suitable*

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material substitute and has been successfully installed in several other developments in the Township.

4. (W) Section 162-41.A – *Sidewalks may be required on both sides of new streets in residential subdivisions or land developments. The plans propose sidewalk on only one side of Road A and Road B. This section is included in Requested Variances/Waivers on Sheet 4. We defer to the Township Planning Commission on this matter.*
5. (W) Section 162-46.B(1) – *All lots shall have direct access to a public street. This section is included in Requested Variances/Waivers on Sheet 4, to permit Lot 65 (The sanitary sewer disposal Lot) to exist as an interior lot accessed only via an easement. We defer to the Township Planning Commission and Township Sewer Consultant on this matter.*

V. FINANCIAL AND RECREATIONAL ANALYSIS REVIEWS

Recreation Impact Analysis

- (W) Section 162-54.D(3). - This section provides recommended guidelines for the provision of playground or neighborhood park acreage in residential land developments. With 64 proposed dwelling units, a total of 3 acres of active recreation area is recommended. The Recreation Impact Analysis states that 3.29 acres of active recreation land, which includes a tot lot and walking trails are proposed. The applicant is requesting a waiver to permit active recreation land to be comprised of greater than 25% environmentally sensitive areas. The plans (sheet 4 of 13) show private nature trail included in the active recreation land. However, the definition of Active Recreation in the Zoning Ordinance includes playground, ball courts, and swimming pools while passive recreation is defined as “recreational pursuits which can be carried out with little alteration or disruption to the area in which they are performed.” Such uses include, but are not limited to, hiking, biking and picnicking. As such, not all of the active recreation lands required are to be used for active recreation. We defer comment on the suitability of the amount and type of recreation area proposed to the Planning Commission. However, we would recommend computations be provided which indicate how much in excess of the 25% threshold the proposed open space will be for the Township’s use in considering the waiver.

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Fiscal Impact Analysis

Section 162-9.H(4)(a)-(c) - This section requires analyses of potential impacts to Public Works, the Township administration, fire and emergency services, and police services. These sections require detailed analyses of the proposed development's impact on the Township's ability to provide these services, projected cost increases, and increases in staff and infrastructure demands, among other requirements. The submitted Fiscal Impact Analysis does not specifically address these considerations. The October 4, 2021 response letter from ESE Consultants requests that the Board of Supervisors authorize the use of the per capita multiplier method (as currently used in the submitted Fiscal Impact Analysis) as opposed to the methodology provided in the Fiscal Impact Handbook to address these concerns. Per the response letter, the per capita multiplier method "includes an analysis of annual operating expenditures for future residents based on the Township's four operating funds, which include nearly all of the Township's expenditures, including those listed above." While the Fiscal Impact Analysis submitted provides detailed information regarding impact to the four operating funds, and therefore to the services mentioned above, we recommend that at a minimum, a brief statement on the anticipated impact to each of these services should be provided.

VI. TOWNSHIP TRAFFIC CONSULTANT COMMENTS
McMAHON ASSOCIATES, INC.

1. SALDO Section 162-9.H(2) – The traffic study has been revised to provide updated existing traffic counts conducted in October 2021, as well as revised trip generation to match the proposed number of residential units. Since traffic volumes have largely stabilized now that COVID-19 related shutdowns have been lifted for a significant time period, and since PennDOT is no longer requiring adjustments to existing traffic volumes, we support the use of the October 2021 traffic counts as a basis for the analysis.
2. SALDO Section 162-9.H(2) – Based on the results of the traffic study, all of the study intersections will operate at overall LOS A, and all movements will operate at acceptable LOS C or better during the study peak hours in the future with the traffic generated by the proposed homes. In addition, no auxiliary turn lanes are warranted at the site access intersection.

Upper Uwchlan Township Manager

Reference: Greenridge Road Sketch Plan (Toll)
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3. SALDO Section 162-9.H(2) – Please verify the orientation of the traffic counts used in the traffic study at the intersection of Font Road and Greenridge Road/St. Andrews Lane. If revisions are needed, we do not believe this will impact the traffic study results appreciably.
4. SALDO Section 162-28.A – Greenridge Road currently provides an approximate 20 to 21-foot cartway width along the site frontage, which does not meet the Township's requirements for a local road of 32 feet. As such, with Greenridge Road classified as a Distributor Road, the southbound Greenridge Road travel lane should be widened along the site frontage to provide a 16-foot half width cartway. The submission includes a Greenridge Road Widening Exhibit, which shows the widening along the site frontage. This plan is conceptual in nature, and more detailed review comments and revisions will be determined during land development. Further, the need to widen the road should be reviewed in light of the existing topography along Greenridge Road and the overall character of the road.
5. SALDO Section 162-28.A – Roads A and B each provide a 32-foot wide cartway, which meets the Township's cartway width requirements for a local road. However, as with other recent residential developments in the Township, we could support a 28-foot wide cartway for Roads A and B, provided parking is only allowed on one side of the street. A 28-foot wide cartway would require a waiver. Furthermore, there is a long section of Road A with no homes, and with an excessively wide road, there is a greater chance for increased speeding.
6. SALDO Sections 162-30.A – The applicant is requesting a waiver to allow an 11 percent grade along a section of Road A between Lots 4 and 64, which exceeds the required maximum grade along local streets of 10 percent. Based on our review of the detailed vertical design information provided on sheet 9, please note the following:
 - a. The K-value for the sag vertical curve provided at approximately STA 8+50 should be revised to be 37 in order to provide 200 feet of stopping sight distance.
 - b. Based on the vertical profiles provided, it appears possible to revise the design to provide a maximum 10 percent grade (between STA 8+87.5 and STA 15+25) by increasing the 6.08% grade (between STA 17+50 and STA 24+65) to seven percent, which would no longer require the

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requested waiver. As such, at this time, we do not support the waiver to allow the 11 percent grade until this is examined further, and unless additional information is provided to justify the waiver.

7. SALDO Sections 162-32.F – During land development, please label all curb radii, which should be a minimum of 35 feet.
8. SALDO Section 162-33.A – A single access shall not be approved wherever a through street is practical, except where the single access is clearly the basic principle for design of the subdivision. In this case, it appears a roadway connection to Lauren Lane is feasible, and if so, we recommend providing the road connection. Historically, the Township has endorsed connecting adjacent developments when feasible for creation of better access options, emergency access and community planning purposes. The applicant's proposed plan shows this connection as an emergency access only, which would be a reasonable solution only if the full connection is not feasible or approved for some other reason.
9. SALDO Section 162-33.D – The applicant is requesting a waiver to allow a single access street that exceeds 500 feet. In order justify the waiver request, the applicant proposes the emergency grass paver connection to Lauren Lane, as well as offer a 50-foot wide right-of-way for an extension of Lauren Lane in the future, which would intersect Road A opposite the southern Road A/Road B intersection. Our office supports the full road connection to Lauren Lane. Also, the Township's emergency service personnel should review the proposed community layout and emergency access.
10. SALDO Section 162-33.J – No driveway locations are shown on the plan. However, it is noted that no more than four lots are permitted to access the cul-de-sac turnaround.
11. SALDO Section 162-41 – The applicant is requesting a waiver to allow sidewalk along only one side of Roads A and B in areas that provide homes on both sides of the road. We will defer to the Township on this; however, it has been our experience that sidewalk on both sides of the road is generally welcomed by the residents, especially in those areas where homes are located.
12. The existing on-site trail requires two midblock pedestrian crossings, as currently proposed. We recommend relocating the trail in the vicinity of the Road

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A/Greenridge Road intersection so that the pedestrian crossing occurs at the intersection. In addition, during land development, the plans should be revised to provide a crosswalk and appropriate advance warning signing at the remaining midblock trail crossing.

13. ZO Section 200-75.H(3) –The following comments are based on the sight distance profile information provided on sheet 13:
 - a. The sight distance line for left-turn vehicles looking ahead (i.e., to the north) should be placed in the center of the northbound Greenridge Road travel lane, 35 feet south of the proposed Road A centerline.
 - b. The sight distance line for left-turn vehicles looking behind (i.e., to the south) should be placed in the center of the northbound Greenridge Road travel lane, 45 feet south of the proposed Road A centerline.
14. Chapter 79-8.C – The proposed redevelopment is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Townships Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. Based on the Institute of Transportation Engineers publication Trip Generation 10th Edition, the proposed 64-unit single family home community will generate 66 new trips during the weekday afternoon peak hour. As such, the number of new weekday afternoon peak hour trips subject to the Township's Transportation Impact Fee is 66, and the resultant Transportation Impact Fee is \$154,044.
15. Upon resubmission, the applicant's engineer should compose a response letter that describes how each comment has been addressed and where any plan and/or report revisions are located.
16. Additional comments regarding the traffic improvements and/or land development plans may follow upon receipt of future submissions.

VII. TOWNSHIP PLANNING CONSULTANT COMMENTS
BRANDYWINE CONSERVANCY

The Applicant proposes to develop the property with 64 single family dwellings pursuant to the F-1 Flexible Development Overlay District. The proposed residential

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use is permitted when approved as a Conditional Use by the Board of Supervisors pursuant to § 200-72.B(2) of the Zoning Ordinance. The application was amended to request Conditional Use approval for sections of the Zoning Ordinance in addition to § 200-72.B(2) including:

- Section 200-107.D(3)(b)[1] to permit dwellings and related improvements within areas of Precautionary Slopes;
- Section 200-107.D(3)(b)[2] to permit roads providing preliminary access to the lots in the development to be located in areas of Precautionary Slopes; and
- Section 200-107.D(3)(b)[4] to permit sanitary and storm sewer conveyances to be located in areas of Precautionary Slopes.

Steep Slope Conservation District

1. Zoning Ordinance § 200-107.E(2) states that in making its determination for Conditional Use approval, the Board shall give consideration to the requirements in § 200-107.E(1). We recommend that the Conditional Use Plan be updated to include the elements listed under § 200-107.E(1), including proposed grading and limit of disturbance.
2. We strongly discourage the proposed 6' wide private nature trail behind the back yards of proposed lots 26-29 and along the northern tract property line. The trail is proposed in the Steep Slope Conservation District with shallow soils and, if cleared, would be subject to severe erosion.

Natural and Historic Features Conservation

3. The SALDO provides for a maximum disturbance of existing woodlands up to 25% per the Natural and Historic Features Conservation ordinance §162-55.B(3)(c). Disturbance in excess of 25% of any existing area of woodland requires woodland replacement in accordance with Subsections B(6) through B(9). The Applicant shall provide calculations for woodland disturbance and woodland replacement plantings at the time of subdivision and land development application.

Open Space

4. Zoning Ordinance § 200-69.E includes standards for ownership of common and/or restricted open space. The Board of Supervisors should consider setting conditions of Conditional Use approval that specify ownership, including a continuing offer of dedication of any restricted open space to the Township.

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5. Open Space Management Plan is provided on Sheet 5. Zoning Ordinance § 200-69.F(2) requires that the Applicant provide a more detailed open space management plan for Township review and approval with the preliminary subdivision and land development plan. The Conservancy would be glad to provide a model open space management plan for the Applicant's reference, if requested.

Recreation

6. Several variances and waivers are requested as shown on Sheet 4, including SALDO § 162.54.D(3) waiver to permit active recreation land to be comprised of greater than 25% environmentally sensitive areas. We are in support of this waiver request provided that the proposed 6' wide private nature trail behind proposed lots 26-29 and along the northern tract property line is not to be included.
7. The location of the tot lot behind proposed lots 19 and 25 is not a suitable location for the following reasons:
 - a. The facility would be isolated, located a distance away from Road B and Road C where community surveillance will be difficult;
 - b. It is not ideal to place a tot lot at the rear of residential lots.

We suggest that the tot lot be relocated as close as feasible to the sidewalk at the intersection of Road B and Road C where it will be more easily monitored from Roads B and C and the paved community trail. A slight modification in the configuration of lot 19 (and/or lot 20) could provide a suitable area for a tot lot with a slightly smaller footprint. Alternatively, the tot lot could be located adjacent to the community trail north of lot 18. The bump-out (at Roads B/C) could be eliminated to reduce impervious surface and to create more space for a tot lot. The tot lot could be reduced to 0.5 acres (for example) in order to avoid impact to prohibitive slopes.

The Fiscal & Recreation impact analysis states that there will be a total of 21.0 acres of usable open space which is in excess of the 9.89 acres of required usable open space. The total active recreation land is proposed to be 3.29 acres which includes the variable width paved trail (0.74 acres), future Greenridge Road trail (0.58 acres), 8 foot wide cleared nature trail (0.91 acres), and tot lot and upland area (1.06 acres). If the 8 foot wide nature trail is not provided, the total active recreation land proposed would be 2.38 acres. In addition, if it is feasible to relocate and reduce the tot lot to 0.5 acres (for example), the total active recreation land proposed would be 1.82 acres. The Township should decide whether a tot lot with a reduced size and total

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active recreation land proposed would satisfy the standards for recreational open space.

Trails

8. We strongly discourage the proposed 6' wide private nature trail behind the back yards of proposed lots 26-29 and along the northern tract property line for reasons (in addition to the impact on steep slopes described above).
 - a. the trail could potentially infringe on the rear yard privacy of neighboring residences that have relatively short rear yards; and
 - b. the trail has no clear destination or purpose and is redundant with the existing driveway to be used as a public trail.

The Fiscal & Recreation impact analysis states that there will be a total of 21.0 acres of usable open space which is in excess of the 9.89 acres of required usable open space. The total active recreation land is proposed to be 3.29 acres which includes the variable width paved trail (0.74 acres), future Greenridge Road trail (0.58 acres), 8 foot wide cleared nature trail (0.91 acres), and tot lot and upland area (1.06 acres). If the 8 foot wide nature trail is not provided, the total active recreation land proposed would be 2.38 acres. The Township should decide whether the proposed recreational open space and trails, not including the nature trail, would satisfy the standards for recreational open space.

9. The proposed trail connection/emergency access along Lauren Lane promotes pedestrian and bicycle access between neighborhoods and facilitates access to the proposed tot lot. We support the Lauren Lane trail connection as a recreational asset for residents on Stonehedge Drive and Greenridge Road residents.
10. We strongly discourage the proposed paved public trail between lot 2 and lot 3. The trail would infringe on the rear yard privacy of the neighboring residences and introduce additional impervious surfaces in a sensitive area of steep slopes. Since the existing driveway surface is not ADA accessible due to steep grades, we suggest providing wooden steps west of lot 4 (roughly in the location of the existing driveway) that would provide access from the proposed 5' wide sidewalk along Road A to the existing driveway/public trail. A proposed grading plan would help the Township determine whether this is a viable alternative for the paved public trail that is not intended to be ADA compliant.

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11. The Applicant has added a 20' wide trail easement to be granted to Upper Uwchlan Township for the future Greenridge Road Trail. We recommend that the Township include a condition of Conditional Use approval that requires the Applicant to design, engineer, and construct a 6' wide paved trail along Greenridge Road as recommended in the Community Trails Master Plan and require a continuing offer of dedication to the Township.

VIII. TOWNSHIP SEWER CONSULTANT COMMENTS **ARRO CONSULTING, INC.**

1. The Developer is proposing 64 Single family detached lots. Utilizing 225 Gallons Per Day/Equivalent Dwelling Unit (GPD/EDU) the sanitary sewer capacity required is 14,400 GPD. The capacity is shown on Sheet 4 of the plan set.
2. Note 15 indicates "*The proposed subdivision will be serviced by the Route 100 Sewage Treatment Plant. Disposal of Effluent will occur on-site through drip irrigation, or, as otherwise directed by the Municipal Authority. The proposed drip irrigation fields will be offered for dedication to Upper Uwchlan Township.*"
 - **Treatment Component** - The required treatment capacity, from the Phase 3 Expansion, will need to be purchased. Reservation of sanitary sewer capacity is not guaranteed until purchased.
 - **Disposal Component** - The Conceptual Plans indicate proposed disposal areas on-site. The ultimate disposal capacity will be subject to the required evaluation design and permitting as required by the Pennsylvania Department of Environmental Protection (PaDEP).
 - **Storage Component** – There appears to be no storage capacity proposed on this Plan. The adequacy of capacity for the project, within the Authority's existing storage capacity will be reviewed pursuant to PaDEP requirements.
 - **Collection and Conveyance System Component** - Review of the capacity within the downstream collection and conveyance system is necessary in order to determine the extent of improvements necessary to accept the proposed flow of 14,400 GPD.

Tony Scheivert

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3. Ultimately, the above item numbers 1 and 2 will need to be formalized into a Developer's Agreement with the Township. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township. The design, sewage planning, permitting and construction shall be to the satisfaction of the Authority, Township and PaDEP.

It is our hope the Township finds these comments useful in their review of this conditional use application. Should you have any questions, please do not hesitate to contact me.

Sincerely,

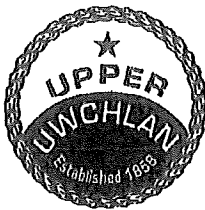
David N. Leh

David N. Leh, P.E.

Municipal Services Manager

Gilmore & Associates, Inc.

cc: Upper Uwchlan Township Planning Commission Members
Upper Uwchlan Township Board of Supervisors
Kristin Camp, Esq. – BBM&M (Via e-mail only)
Sheila E. Fleming, ASLA - Brandywine Conservancy (Via e-mail only)
Christopher J. Williams, P.E. - McMahon Assoc., Inc. (Via e-mail only)
G. Matthew Brown, P.E - ARRO Consulting, Inc. (Via e-mail only)
David Schlott, PE - ARRO Consulting, Inc. (Via e-mail only)
Brian Thierrin- Toll (Via e-mail only)
Michael Downs, PE - Toll (Via e-mail only)
Alyson Zarro, Esq., RRH&C (Via e-mail only)
Guy DiMartino, PE – TPD (Via e-mail only)
Justin Barnett, RLA – ESE (Via e-mail only)
David Babbitt, AICP (Via e-mail only)



UPPER UWCHLAN TOWNSHIP
140 Pottstown Pike
Chester Springs, PA 19425
610-458-9400 Fax 610-458-0307

CONDITIONAL USE APPLICATION

Tax Parcel Number: 32-6-49 Date: 10/6/21
Name of Applicant: John Bennett, Keith Longenecker, Alpha Phlyte Fitness
Address: 782 Dorlan Mill Road, Downingtown, PA 19335
Telephone: _____ Email: _____

Owner of Parcel: Shryock Brothers, Inc. 256 Eagleview Blvd., Suite 506 Exton PA 19341
Address / Location of Parcel: 770 -806 Dorlan Mill Rd. Downingtown PA 19335
Zoning District: LI Existing Use: Adaptive Reuse for Historic Preservation
Zoning Article XI, LI Limited Industrial District § 200-44.
Article / Section Authorizing Conditional Use: Use regulations. I. (7) fitness centers
Description of Proposed Conditional Use: Expansion and USE of leased premises to offer
full service fitness center

This Application shall be accompanied by:

1. A fee of \$500.00 for Non-Commercial or \$1,000.00 for Commercial/Industrial;
2. Four (4) printed copies and an electronic copy of:
 - parcel plot plans (half of which can be of reduced size, i.e. 11 x 17)
3. Three (3) printed copies and an electronic copy of:
 - impact statements (if applicable pursuant to the Township's Zoning Ordinance §200-83),
 - and any other information pursuant to Zoning Ordinance §200-116, §200-117 (Conditional Uses, Conditional Use Standards).

- The Applicant will be responsible for reimbursing the Township for Consultants' Fees and Legal Fees, and if additional Hearings are necessary, a Fee will be charged for each Additional Hearing:
Non-Commercial \$250.00/Hearing; Commercial/Industrial \$500.00/Hearing

I hereby depose and say that all of the above statements, and the statements contained in any papers submitted herewith, are true to the best of my knowledge and belief.

John Bennett & Keith Longenecker
Printed Name of Applicant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CHESTER

Sworn to and subscribed before me this
10 day of 10, 2021

Susan Lauro
Notary Public

John Bennett
Signature of Applicant



§ 200-116. Conditional uses.

- A. An application for a conditional use shall be filed with the Board of Supervisors, and shall state:
- (1) The name and address of the applicant.
 - (2) The name and address of the owner of the real estate to be affected by the proposed conditional use application.
 - (3) A description and location of the real estate on which the conditional use is proposed.
 - (4) A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof.
 - (5) A statement of the section of this chapter which authorizes the conditional use.
 - (6) An accurate description of the present improvements and the additions intended to be made under the application for conditional use, including the size or proposed improvements, material and general construction features. The application shall be accompanied by a proposed plan showing the size and location of the proposed use, the location of all proposed buildings, all proposed facilities, including access drives and parking areas, and dimensional features demonstrating compliance with the applicable area, width, coverage, yard and design standards.
- B. The application for a conditional use shall be filed with the Secretary of the Township on such forms as may be prescribed for that purpose, and shall be accompanied by the application fee, prescribed from time to time, by the Board of Supervisors. No application shall be received for filing unless accompanied by the required filing fee. The Secretary shall submit the application to the Township Planning Commission within five days of receipt, and the Planning Commission shall review the application and make a recommendation to the Board of Supervisors within 30 days thereafter.
- C. The Board of Supervisors shall hold a public hearing on the conditional use application in accordance with the following procedures:
- (1) Notice of the hearing shall be given to the public by publication in newspaper of general circulation in the Township at least twice, the first such notice to be not less than 10 days prior to the date of the scheduled hearing. Additionally, like notice thereof shall be given to the applicant, the Zoning Officer, and to any person who has made timely written request for same. Notice of the hearing shall be conspicuously posted on the affected tract of land. The Board of Supervisors shall conduct its first hearing on the application within 60 days from the date the application is filed with the Township Secretary.
 - (2) The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of the record before the Board of Supervisors, and any other person, including civic or community organizations, permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter written appearances on forms provided by the Board for that purpose.
 - (3) The Chairman or Acting Chairman of the Board shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the

production of relevant documents and papers, including witnesses and documents requested by the parties.

- (4) Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
 - (5) The Board of Supervisors shall keep a stenographic record of the proceedings and a transcript of the proceedings and copies of the graphic or written material received in evidence shall be made available to any party at cost.
 - (6) The Board shall render a written decision within 45 days after the last hearing before the Board. Where the application is contested or denied, the decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor.
 - (7) A copy of the final decision shall be delivered to the applicant and the parties before the Board personally or mailed to them not later than the day following the date of the decision.
 - (8) The provisions of this Subsection C are meant to be directory and not mandatory.
- D. In granting or denying a conditional use or establishing conditions with reference to such grants, the Board of Supervisors shall use as a guide in evaluating a proposed conditional use, and may determine to be mandatory, those standards established for review of special exception applications by § 200-126J of this chapter. The burden of establishing compliance with those enumerated standards shall be upon the applicant by a fair preponderance of the credible evidence. The standards required by this subsection shall be deemed a part of the definitional aspect under which a conditional use may be granted, and the failure of the applicant to establish his compliance with all of the standards shall, in the discretion of the Board, be deemed either a basis for the establishing of conditions or limitations on an approval or the basis for a determination that the applicant has not met the requirements for which a conditional use may be granted. [Amended 1-17-2006 by Ord. No. 06-01]
- E. Nothing in this section shall be construed to relieve the applicant for a conditional use approval from obtaining other required approvals mandated by Chapter 162, Subdivision and Land Development, or other applicable ordinances.
- F. Appeals from a determination of the Board pursuant to any application for conditional use shall be only as prescribed within such times permitted by the applicable provisions of the Pennsylvania Municipalities Planning Code.
- G. In granting an application for conditional use, the Board may attach such additional reasonable conditions and safeguards as it deems necessary and appropriate to insure compliance with the provisions of this chapter and to protect the health, safety and general welfare of the community. The Board of Supervisors, in granting an application for conditional use may approve modifications to applicable area and bulk regulations when said modifications are deemed by the Board of Supervisors to be in the public interest and in furtherance of the goals set forth in this chapter of Upper Uwchlan Township. In approving such modifications, the Board of Supervisors may attach any conditions deemed necessary by the Board to ensure adequate screening, landscaping, buffering of neighboring properties, or other means to mitigate potential impacts

resulting from modifications to area and bulk regulations. [Amended 5-1-2000 by Ord. No. 00-01²¹]

- H. Where a conditional use application involves land development and/or subdivision approval, any conditional use approval granted by the Board of Supervisors shall be governed in a manner consistent with § 917 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10917, which provides that the applicant shall be entitled to rely upon the ordinances in effect at the time of conditional use approval if the applicant submits land development and/or subdivision plans within a period of six months from the date of such conditional use approval. A conditional use approval that does not involve or require land development and/or subdivision approval shall expire if the applicant fails to obtain a building permit or a use and occupancy permit, as the case may be, within six months from the date of the Board of Supervisors' conditional use approval. The Board of Supervisors may authorize an extension of time to obtain such permits, or to submit land development/subdivision plans, at the time of the hearing, or upon a future written request by the applicant which may be acted upon by the Board by motion at a regularly scheduled public meeting. [Added 6-18-2018 by Ord. No. 2018-08]

§ 200-117. Conditional use standards. [Added 5-18-1998 by Ord. No. 98-04]

In addition to any information as required by this chapter, the applicant shall provide information to prove by a preponderance of evidence that the proposed use will comply in all respects with the zoning and subdivision/land development standards and regulations and the Township's future Land Use Plan and Open Space and Recreation Plan.

- A. The applicant shall establish by a fair preponderance of credible evidence that the use intended at the location intended shall not be contrary to the public health, safety and welfare.
- B. The applicant shall establish by a fair preponderance of credible evidence that the capacity of the road network providing access to the premises in question, when the incremental increase in traffic attributable to the proposed use is superimposed upon the existing use of the road network, shall not lower the level of service of the roads or any portion thereof below the level of service that would occur in the future without the proposed development.
- C. The applicant shall establish by a fair preponderance of credible evidence that the external access locations and interior traffic circulation for the proposed use at the proposed location, including but not limited to acceleration and deceleration lanes and parallel access road where required at the proposed entrances to the location, shall be adequate to provide safe and convenient circulation for users of the facility, visitors to the facility, employees of the facility and all emergency vehicles that may require entrance thereon.
- D. The applicant shall establish by a fair preponderance of credible evidence that the facility provides safe and convenient pedestrian access and internal circulation within

21. Editor's Note: Section 2 of this ordinance also provided "Applications to the Board of Supervisors to waive certain applicable area and bulk regulations shall be reviewed and commented on by the Township's Planning Commission."

the grounds of the facility and particularly for points of access from the facility to the parking areas.

- E. The applicant shall establish by a fair preponderance of credible evidence that adequate screening is provided between the lands in question and surrounding residential uses and residentially zoned districts to screen the facility from view, preclude any glare from lighting or excessive noise from being ascertainable beyond the boundaries of the property.
- F. The applicant shall establish by a fair preponderance of credible evidence, which shall include but not necessarily be limited to a certificate from the chief of the fire company providing services to the facility, that the said company has adequate facilities to reach the highest points of the building with ladders and hoses or, in the alternative, that such facilities satisfactory to the fire company will be provided by the owner or operators of the facility.
- G. The applicant shall establish by a fair preponderance of credible evidence that adequate water storage is available at the facility for fire-fighting purposes without impairing the uses of the water supply for ordinary purposes on the premises. The evidence shall include but not be limited to a water supply plan, a fire plan and a certificate of the adequacy of both executed by the chief of the fire company providing services to the facility, and the plans shall be prepared and certified as correct by a registered professional engineer and approved by the Township Engineer.
- H. The applicant shall establish by a fair preponderance of credible evidence the adequacy of public water supply (Chapter 183, Article I, Public Water Supply), sanitary sewer facilities, stormwater management facilities, and all other utilities that the development will access or otherwise utilize. The applicant shall specifically document the availability of capacity within the sanitary sewage system that will service the proposed facility. **[Amended 12-15-2003 by Ord. No. 03-05]**
- I. The applicant shall submit information that documents conformance to all requirements of § 162-9H of Chapter 162 (impact statements - traffic, recreation, and historic, as well as fiscal impact statements), as established in both § 162-9H of Chapter 162 and the following Subsection J. **[Added 12-15-2003 by Ord. No. 03-05]**
- J. The applicant shall submit a site analysis and impact plan, pursuant to § 162-9D of Chapter 162, Subdivision and Land Development. **[Added 12-15-2003 by Ord. No. 03-05]**
- K. A fiscal impact analysis shall be prepared for all conditional uses identifying the likely impact of the development on the Township's tax revenue and expenditure patterns. Included shall be a determination of the revenues to accrue to the Township as a result of a proposed development, as well as an identification of the costs associated with delivering services to the proposed development. The analysis shall deal with the impact of the proposed development on the ability of the Township to deliver fire, police, administrative, public works and utility services to the development. The applicant shall utilize one or more methodologies described as appropriate for the proposed land use(s) in *The Fiscal Impact Handbook* (Rutgers Center for Urban Policy Research, 1978), *The New Practitioner's Guide to Fiscal Impact Analysis* (Rutgers Center for Urban Policy Research, 1985), *The Development Impact Assessment Handbook* (Urban Policy Research, 1994), or a more recent publication/methodology as may be available. Population and other demographic multipliers used in preparing the analysis should be developed from local sources when available (such as from Upper Uwchlan Township, the Downtown Area School District and the Chester County Planning Commission) or from the most recent information published by the U.S. Department of Commerce,

Bureau of the Census. In the preparation of the fiscal impact analysis, the applicant shall also solicit information from Upper Uwchlan Township officials (administration, public works, police, fire and emergency services, parks and recreation) regarding the need to add staff, facilities or equipment in order to properly service the development proposal and the associated costs of providing these services. **[Amended 12-15-2003 by Ord. No. 03-05]**

- L. The Board of Supervisors may impose such conditions, in addition to those required, as are necessary to assure that the intent of this chapter is complied with, which conditions may include, but are not limited to, harmonious design of buildings, planting and its maintenance as a sight or sound screen, the minimizing of noxious, offensive or hazardous elements, adequate standards of parking and sanitation. **[Amended 12-15-2003 by Ord. No. 03-05]**

§ 200-83. Impact statements. [Amended 12-15-2003 by Ord. No. 03-05]

All uses permitted by this chapter shall be subject, when applicable, to the impact statement requirements of Chapter 162, Subdivision and Land Development, § 162-9H, or § 200-117, Conditional use standards. Where the use is part of a request for a zoning permit, the Zoning Officer shall not issue such a permit until the terms of § 162-9H or § 200-117, and any conditions imposed upon the use of the property at the time of subdivision or land development approval, are satisfied.

Conditional Use Standards

Responses To The Section Of The Application Titled "200-117 Conditional Use Standards [Added 5-18-1998 by Ord. No 98-04]"

The Letters Below Correspond With The Letters In The Section Named Above

A. We are currently a personal consulting and nutritional training facility, which has and will continue to improve the overall health & well-being of all of our clients. We also host events to benefit local charities such as, our most recent event, which raised over \$1600 for the ASPCA. We now wish to expand our facility and become a full service fitness center, due to demand within our township (Upper Uwchlan). This expansion will also allow us to expand our working relationship with the Chester County Intermediate Unit's CHAAMP Program which allows students with autism to build skills to transition from school to independent, adult life. The expansion would enable us to bring more students in at one time.

B. We are located in the Dorlan Mill adaptive reuse project. We have ample parking spaces in the rear of the building and side of the Building which is where are located. Parking spaces for our gym are located on the eastern and southern sides of the building. Since our opening, we have not disturbed any flow of traffic and we continue to see no issue while our client base grows. (See attachments labeled "B" for photo verification)

C. The property has one entrance in and two exits out. Speed limit signs, stop signs, directional signs, no entrance signs are clearly posted. (See attachments labeled "C" for photo verification)

D. Since our existing business has secured Use of Occupancy permit and therefore has completed inspection, we have the necessary ADA compliant entrances and exits. Our new space features only an exit door which has been outfitted with a cement pad to ensure ADA compliance as well as house our trash and recycle bins. Weekly trash removal is through A. J. Blosenski account number 3194872. Collection will occur every Tuesday. (See attachments labeled "D" for photo verification).

E. We politely request this section to be waived. We are not located in a residential area. We are located in a building which is bordered by the Struble Trail, Brandywine Creek and the PA State Park game lands. We have also been operating for nearly one year without any noise complaints.

F. Since our existing business has secured a Use of Occupancy permit and therefore has completed inspection, we have the necessary equipment (fire extinguishers and signage) on hand and inspected in case of a fire. We are also directly located in front of a creek, so the fire department would pump water from there. (See attachment labeled "F + G" for photo verification)

G. Fire Plan - We would usher anyone inside the facility to outside via our five exits and would call 911. (See attachment labeled "F + G" for photo verification)

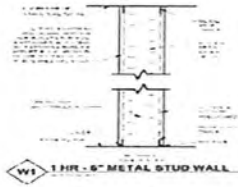
I, J, & K. We politely request these sections to be waived. They appear to be related to construction. Our space does not require any tenant fit out or construction. We just wish to convert from being a specialized personal training / nutritional counseling business to a membership gym.

Adaptive Reuse For Historic Preservation LEASED SPACE and 911 Address PLAN

N/L COMMONWEALTH
OF PENNSYLVANIA
UPI 32-6-49.1
DBV 7782 P 179E

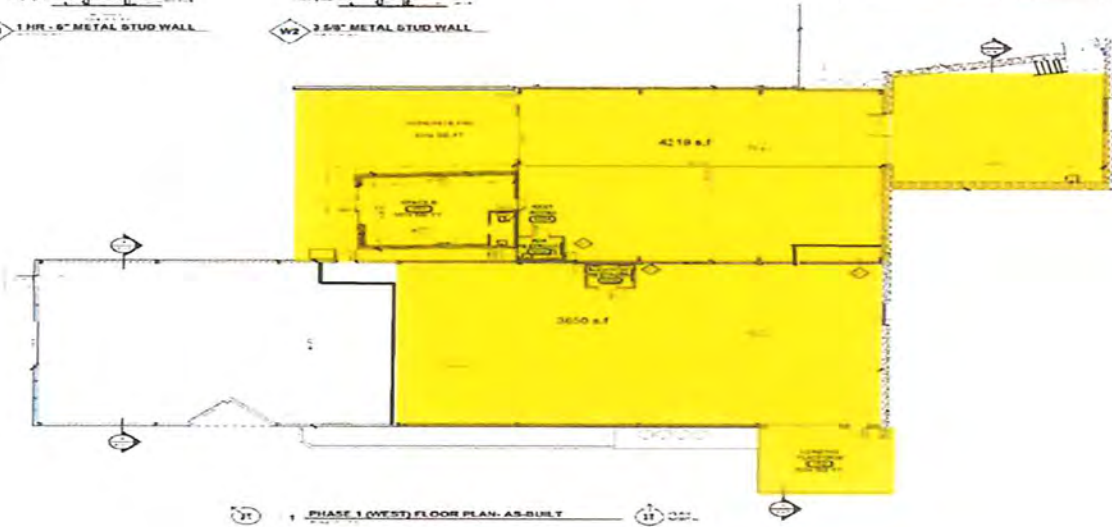


SITE INFORMATION: UPI 32-6-49
Record Owner: Shryock Brothers, Inc.
256 Eagleview Blvd.
Suite 506
Exton, PA 19341
Phone: 610-458-9440



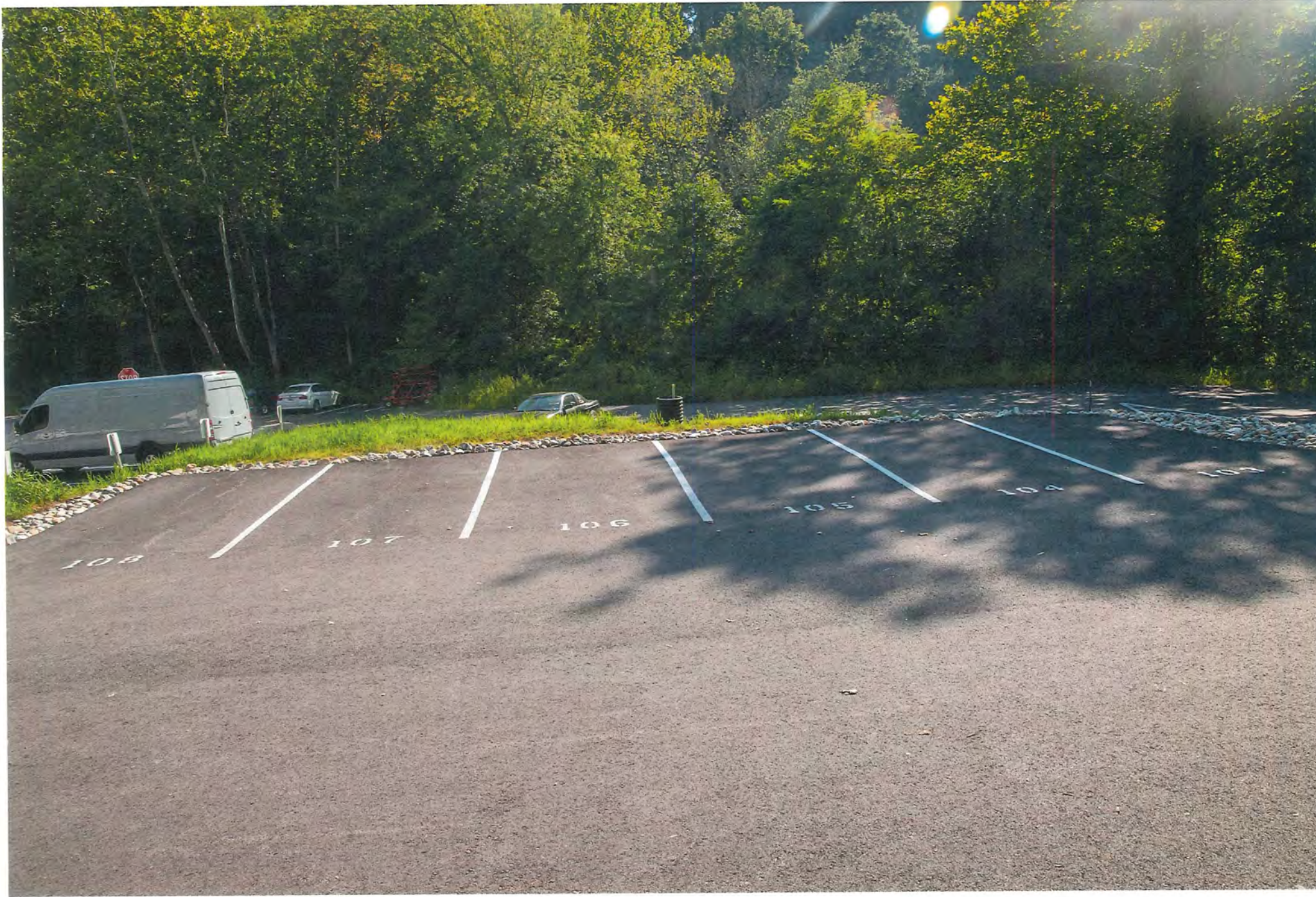
NOTE:
DUE TO THE AGE OF
MATERIALS USED AND
IRREGULAR SHAPE OF
THE EXISTING BUILDING,
ALL STEPS UP AND DOWN
AND DIMENSIONS SHOWN
ARE APPROXIMATE

WALL KEY PLAN	
	EXISTING WALL
	NEW WALL
	EXISTING FOUNDATION
	NEW FOUNDATION
	EXISTING FLOOR
	NEW FLOOR



























B







C



C



**SLOW
DOWN**
SPEED LIMIT
5 MPH

**PRIVATE
PROPERTY**
**NO
TRESPASSING**
VIOLATORS WILL
BE PROSECUTED



C



C



✓





c



5






















786





786

786



PROPERTY OF
A.J.
BLOSENSKI
610-942-2707



D



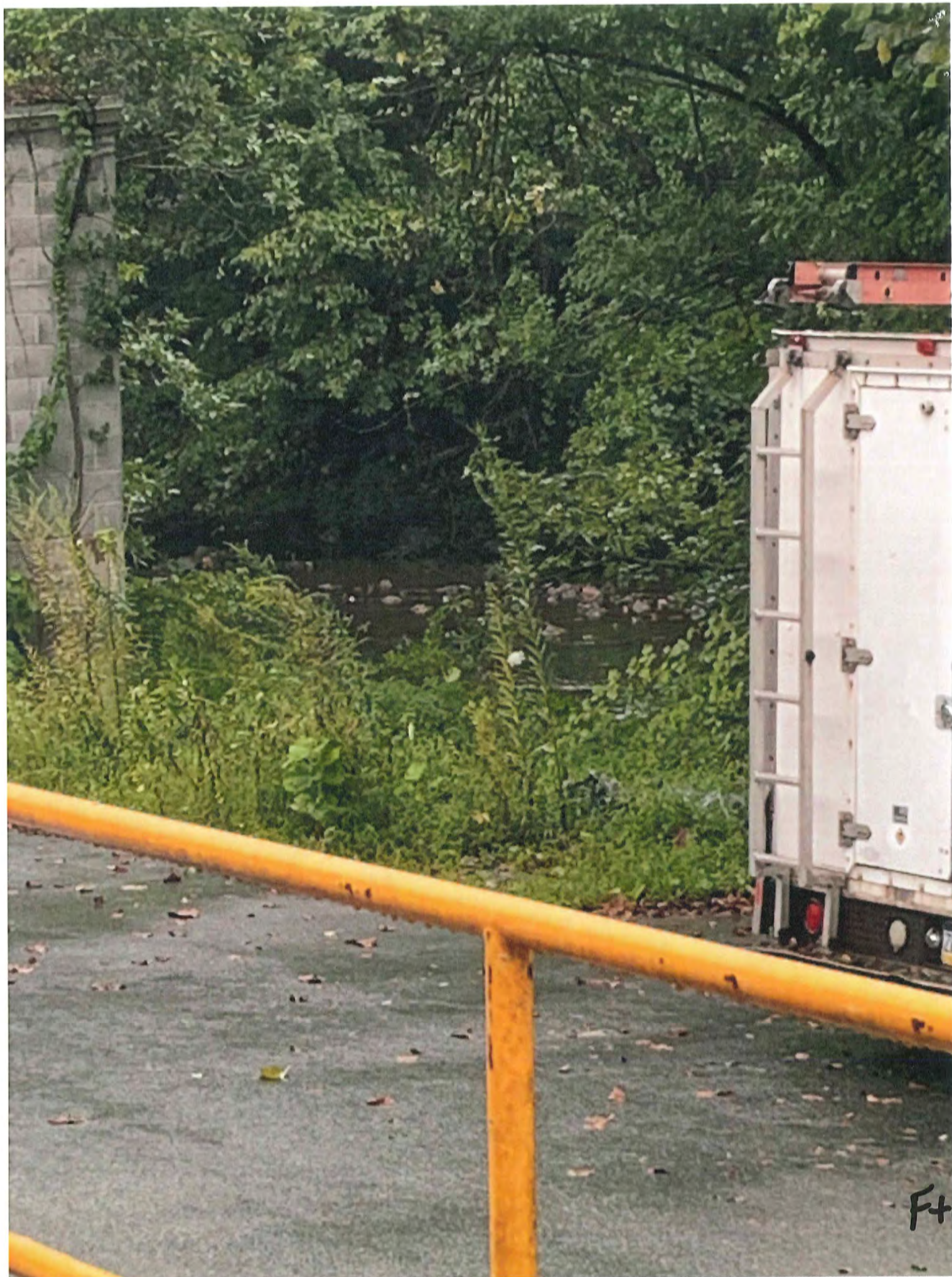
D



G+F



F+6



F+6



F+G



F+G



7+9



F + G

16 September 2021

Alpha Phlyte Fitness Expansion

Dear Members of the Upper Uwchlan Township Board,

This letter is intended to speak to the potential benefits of the formalized expansion of Alpha Phlyte Fitness, as well as their outreach and involvement within the Downingtown community. I am a current employee of the Chester County Intermediate Unit (CCIU), overseeing the CHAAMP Program. CHAAMP is a community-based educational program, through the CCIU, serving students ages 14-21 with severe intellectual disabilities and Autism Spectrum Disorders. The CHAAMP Program provides students with a functional curriculum which includes meaningful vocational and job sampling experiences within local businesses across Chester County.

I recently approached the management of Alpha Phlyte Fitness to inquire about their willingness to establish a Community Partnership with CHAAMP, in order to provide vocational sampling and volunteer opportunities for one of our students. Without hesitation, owners Stacie and Keith Longenecker, and John Bennett welcomed the opportunity to provide such valuable community-based volunteer experiences for our students. This partnership with Alpha Phlyte will not only improve the quality of functional, educational programming that our students receive, it's ensuring the provision of real-world volunteer experiences that will support our students in their pursuit of a meaningful, adult life.

While we are thrilled to be able to place one of our students at Alpha Phlyte Fitness for a community-based vocational sampling experience, we have many other students that are need of vocational sampling experiences within our local community. As a result of the COVID-19 pandemic, CHAAMP has seen a significant decrease in our Community Partnerships, as local businesses are unable to accommodate student volunteers. The potential of expansion of Alpha Phlyte Fitness's facility would allow their team to take on additional CHAAMP student volunteers, provide students with a wider variety of vocationally patterned tasks, and increase our visibility amongst members of both the gym and the Downingtown community. The potential for us to provide more than just one student with these meaningful volunteer opportunities would provide direct, positive impact on our students' programming, through CHAAMP's partnership with Alpha Phlyte Fitness.

I sincerely appreciate your time and consideration of this matter. Please do not hesitate to reach out to me with any questions regarding the substantial impact that Alpha Phlyte Fitness's expansion would have on the CHAAMP Program and our students. I would welcome the opportunity to discuss this matter further.

Respectfully,

Kim Ring
Kimberlyri@cciu.org
610-505-8672



**Chester County
Intermediate Unit**

Partners in Education

**455 Boot Road
Downingtown, PA 19335**

Kimberly Ring
Program Coordinator

Phone: 610-518-6862

FAX: 610-518-1094

E-mail: KimberlyRi@cciu.org
www.cciu.org



"You have engineered a right-fit change for Matthew at CHAAMP. Thank you for doing this work, which quite literally makes a different life, a significantly better life, possible for Matthew and his schoolmates."

CHAAMP

COMMUNITIES HELPING ADOLESCENTS WITH AUTISM MAKE PROGRESS

CHAAMP is an innovative, community-based program in which students with autism use the community as their classroom. Working with specialized staff, students ages 14-21 with moderate to severe autism build skills to transition from school to independent, adult life.

Our goal at CHAAMP is to help students become fully participating members of their surrounding community.

1:8 TEACHER-TO-STUDENT RATIO

1:1 BEHAVIOR MENTOR-TO-STUDENT RATIO

In addition to teachers and behavior mentors, our staff includes: a nurse, physical and occupational therapists, speech and language therapists and a board-certified behavioral analyst consultant.

DEBBIE AND MICHAEL

PARENTS OF MATTHEW
LOWER MERION SCHOOL DISTRICT

CHAMPIONS for your child

AGES 14-21

CHAAMP SUPPORTS FIVE COMPONENTS OF YOUR CHILD'S DEVELOPMENT

- Functional Academics:** The academic component of CHAAMP is focused on teaching the reading, math and writing skills that allow our students to enjoy the highest degree of participation in everyday life.
- Community Living:** Our goal is for students to master the skills necessary to lead an independent life after the program. One of these skills is the ability to safely navigate and acclimate to the community.
- Independent Living:** We have a full kitchen facility and life style room that simulates apartment-living. Students receive one-on-one guidance in developing the living skills necessary to be independent in their adult life.
- Recreational/Leisure Skills:** A fulfilling social life with leisure activities is a vital aspect of life after the program. At CHAAMP, our students have opportunities to participate in a variety of recreational and leisure activities, such as bowling, miniature golf and nature trails.
- Pre-vocational training:** Students are involved in pre-vocational exploration in the community as appropriate to meet individual educational needs and build interests and strengths.



Learn more: www.cciu.org/CHAAMP



A PROGRAM OF THE CHESTER COUNTY INTERMEDIATE UNIT
An Equal Opportunity Employer and Educator