



## UPPER UWCHLAN TOWNSHIP

Planning Commission Meeting

January 13, 2022

7:00 p.m.

Minutes

Approved

LOCATION: The meeting was held virtually only, via Zoom audio/video conferencing.

In attendance:

Sally Winterton, Joe Stoyack, Chad Adams, David Colajezzi, Jim Dewees, Stephen Fean, Jim Shrimp

Aaron Stoyack – Historical Commission Liaison

Matt Brown, P.E., DEE – ARRO Consulting

Dave Leh, P.E. – Gilmore & Associates

Mike Crotty, Esq. – Special Counsel to the Planning Commission

Tony Scheivert, Township Manager

Gwen Jonik, Planning Commission Secretary

Absent: Ravi Mayreddy, Jeff Smith

Sally Winterton called the meeting to order at 7:00 p.m. and advised attendees to enter questions in the Chat. There were 40 participants.

### Reorganization for 2022

Gwen Jonik asked for nominations for 2022 Chairperson. Chad Adams nominated Sally Winterton. David Colajezzi seconded. There were no other nominations. Sally Winterton accepted the nomination and was elected Chairperson 2022 by unanimous vote.

Sally Winterton asked for nominations for 2022 Vice-Chairperson. Chad Adams nominated Joe Stoyack. Jim Dewees seconded. There were no other nominations. Joe Stoyack accepted the nomination and was elected Vice-Chairperson 2022 by unanimous vote.

Sally Winterton asked for nominations for Planning Commission Secretary. Jim Dewees nominated Gwen Jonik. Jim Shrimp seconded and Gwen Jonik was elected Secretary 2022 by unanimous vote.

### Draft Act 537 Plan Update

Matt Brown, Municipal Authority Administrator, was in attendance to answer questions or receive comments regarding the Township's draft Act 537 Plan Update. Mr. Brown reiterated that the 537 plan is a roadmap, to guide the planning for extending public sanitary sewer to neighborhoods with numerous, failing on-lot systems. Not all areas depicted will get sewered. The PaDEP pushes for public sanitary sewers wherever possible to minimize the number of failing systems. The Authority is trying to extend public sewer to as many areas of the Township as they can via the Route 100 wastewater treatment facility. When an area is depicted in the Plan, it is next to an already sewered area or where there have been requests for public sewer. We continue to complete Phase 2 extensions, the Byers Road extension currently underway and the Milford Farms extension along Font Road between Milford Road and Black Horse Road. Comments were offered to extend sewer to residential properties prior to considering any to Senn Drive (non-residential). Mr. Brown explained that some businesses on Senn Drive had asked about public sewer and PaDEP asked the Authority to include it in the Plan Update. We are interested in extending sewers to residential properties east of Senn Drive and perhaps some of the properties on Senn Drive. There are also some areas that do not want public sewer, and

those comments will be included in the Plan. No projects proposed in this draft Plan would happen for at least 5 years as funding needs to be put in place and the scope and designs are defined. Jim Dewees commented that the older residential properties, especially those on quarter-acre lots, should go first before any commercial, daytime use properties. Mr. Brown noted that when the time comes, they'll conduct another survey and the most cost-effective areas will be planned.

#### 11 Senn Drive ~ Preliminary / Final Land Development Plan

Chris Daily of D.L. Howell and Alyson Zarro, Esq., representing Scott Johnson of JTech were in attendance to introduce a land development plan proposing a 20,000 SF gravel parking area behind the existing building at 11 Senn Drive, formerly Summit Fitness, to store hardscaping supplies on pallets, and store machinery. This is a by-right use and gravel area for materials storage is allowed. There will be no chemicals stored in this area. It is for a wholesale supplier with 3 employees and only weekday operation, not weekends. The area will be fenced.

Joe Stoyack moved, seconded by Chad Adams, to accept the Preliminary / Final Land Development Plan Application for consultants' review. The motion carried unanimously.

#### 100 Greenridge Road – Revised Conditional Use Plan

Alyson Zarro, Esq., Brian Thierrin - Toll, Justin Barnett – ESE and John Baionno - ESE were in attendance to discuss the consultants' January 7, 2022 review letter of the Conditional Use Plan last revised December 15, 2021. Justin Barnett explained that the major changes were trail placement and expansion of the tot lot. They moved the trail south of Road A and added a nature trail behind lots 10-18, which ties into an existing logging trail. They decreased the roadway 'bulb' and expanded the tot lot / pocket park to provide more room for play structures, an open area – for picnic tables, etc. The house lot configuration remains the same. Mr. Barnett pointed out where the stone structures were that the historical commission was investigating. There are additional waivers suggested by the consultants in this review letter. Some waivers will be decided now and some during the land development process.

Ms. Zarro reviewed the consultants' review letter and provided clarifications. They are not proposing any development within the floodplain area on the property; they'll obtain a jurisdictional determination of the wetlands from the Army Corps of Engineers, which will be part of land development process; they enlarged the pocket park between lots 18-19; prohibitive slope disturbed by the roadway – they'll seek the Planning Commission's (PC) recommendation then go to the Zoning Hearing Board (ZHB) for a variance; precautionary slope disturbance for sanitary and storm water systems is part of this application; proposing a 50' wide landscape buffer/screen at the back of the property lines; no historic resources listed on the Township's inventory are on this site and the Historical Commission(HC) is okay waiving the historic study; the closest historic resource is 400-500' away; as part of the HC conversations, a site visit took place and Bob Wise's report indicates a stone well and stone walls on the property; Ms. Zarro thinks they can comply with most of the recommendations put forth by the HC; the wall along Greenridge Road would be impacted with road widening so that will effect preservation; making the access look like a simple farm road might not be attainable; they wouldn't conduct an archaeological study at this time.

Waivers are requested regarding the grade for the local access road being greater than 10%, single access street greater than 500' in length, and using Belgian block instead of concrete curbs. The primary access will be from Greenridge Road with an emergency access from Lauren Lane. Also requesting waivers for sidewalks on 1 side of the street throughout the development, proposing 5' width; and Lot 65, the reserved sanitary sewer Lot, not having direct access to a public street – there will be an access easement over the open space lot between it and the street rather than building an access that might not be needed. With the 2 areas of natural trail and a future Greenridge Road trail, there is plenty of pedestrian access, @ 1 mile of trails, not including sidewalks.

They've updated the fiscal and recreation analysis and request a waiver regarding 56% of the active recreation land involves environmentally sensitive areas; widening of Greenridge Road will be defined during land development – 3-4' shoulders; providing a 20' wide trail easement along the road and Toll would install at their expense if desired. Screening standards will be met by planting evergreens within the 50' vegetative buffer between the proposed Lots and those on Stonehedge Drive and on Shea Lane.

Building separation distances, accessory structures and impervious surface tracking will be detailed and included in Homeowners Association documents. Driveways will be delineated during land development. The Act 209 traffic impact fee is applicable for this development @ \$154,000; the open space management plan and concept sketch of the pocket park will be detailed in land development; providing 6' wide nature trails within a 20' easement; the emergency access at Lauren Lane will not be a trail connection and might be made of grass pavers rather than paved; the trail between lots 2 & 3 gives access vertically to the old driveway and would be screened to provide some privacy; wooden steps were suggested west of lot 4 due to the grade but those are not proposed – they'd be a liability for either the HOA or the Township and maintenance is expensive. One wastewater disposal field will be installed and used by this development; an additional disposal field will be left in reserve for future use as determined by the Municipal Authority/Township.

Tony Scheivert read questions and comments submitted in the "Chat":

Dave Leh answered a question that if the Army Corps of Engineers determines a greater area would be disturbed, the design would have to be adjusted.

Alyson Zarro advised a pocket park sketch could be prepared during the Hearing process.

Alexandra Rose commented on the need for the second disposal field and its impact on wildlife. Brian Thierrin (Toll) advised it's being set aside in case the Township needs it in the future and it would most likely be a drip field where trees wouldn't be removed but the drip lines curve around the base of the trees.

D. Fitzgerald questioned the design of the Lauren Lane emergency access. Brian Thierrin advised details will be determined during land development and will most likely be grass pavers rather than pavement.

Dave Leh – some of the requested waivers can be decided during the Conditional Use process and some would be held until the Land Development Approval process.

Dave Butte, Shea Lane, questioned the buffer between his lot and the development. Justin Barnett advised there will be a 50' vegetative buffer between the proposed development and the homes on Stonehedge Drive and the homes on Shea Lane. They'll plant evergreens in the 10' closest to the new lots within the 50' vegetative buffer to provide year-round screening. The Shea Lane property line will have the same buffer as Stonehedge Drive.

Alexandra Rose, Shea Lane, questioned slope disruption for the second disposal field. Alyson Zarro noted that if they install it, they'll comply with applicable standards and design requirements.

The Historic Commission's comments and recommendations will be posted on the website along with the other documents for this project.

Gerry Stein, Greenridge Road, commented on Lauren Lane as the primary cartway. Alyson Zarro advised it was shown on the Plan as a full access in the event the Township prefers that, but most public comments to date want the primary access from Greenridge Road.

David Butte, Shea Lane, questioned how close to the property line structures could be built on lots 26 and 27. Alyson Zarro advised that there's the 50' vegetative buffer and then 25' in from that, for a total 75' from the property line.

Steve Egnaczyk, didn't favor decreasing the 50' buffer to plant evergreen trees.

D. Fitzgerald requested the Plans be posted on the website. Mr. Scheivert advised the Plans are posted on the Planning Commission's page of the website.

The size of the homes will be similar to those in Chester Springs Crossing, 3,000 - 4,000 SF and it's too early to estimate pricing but most likely will start in the \$600,000s.

John Mahoney, Esq., Stonehedge residents don't favor a trail connection through Lauren Lane.

Steve Egnaczyk, Stonehedge Drive, any details available regarding the soils and test pits? Brian Thierrin noted some preliminary tests have been conducted but too early for details. More tests and a lengthy process through PaDEP occur during land development.

Marlowe Schaeffer, Lauren Lane is shown as a full access on the Plan and that's not what Toll stated previously. Ms. Zarro clarified that Toll is not proposing Lauren Lane as a full access.

Kevin - where is the road widening exhibit mentioned in the review letter. Ms. Zarro advised there was a preliminary sketch submitted and will be presented in the Hearing.

John Mahoney, Esq., - when will the Township make decisions regarding the Lauren Lane use and the Lot 65 disposal field in reserve. Tony Scheivert said those decisions will be part of the Hearings.

If the waivers aren't granted, what happens to this development? The reply was that this isn't an excessive number of waivers.

Elizabeth Woodward questioned the vegetation buffer. Justin Barnett noted that if they left all 50' of the natural vegetation, it is all deciduous and there wouldn't be screening in the winter. Also, evergreens are part of the screening requirements.

John Quake, Lauren Lane, questioned buffer plantings.

Jon Long, Esq., what area does stormwater basin 1 serve. Brian Thierrin and John Baionno replied it is designed to capture the flow from the upper basins.

Leann Smith questioned the on-site park and rec facilities. Justin Barnett didn't believe the location of the nature trails or park would be a security issue.

John Mahoney, Esq., commented that Stonehedge residents do not want Lauren Lane to be a full access and they don't want the trail connection to Stonehedge Drive.

Dave Butte – any studies done on effects on neighbors drain fields from runoff from the proposed development. He wants assurance that his or neighbors' properties won't be harmed by stormwater after the developer leaves. John Baionno advised that no studies have been done other than preliminary review of the existing patterns; they cannot increase the amount of runoff from this site onto anyone else's property. Ms. Zarro advised that there are post-construction stormwater management plans that get recorded and there are documents that require the HOA to properly maintain the stormwater facilities and a Declaration that gives the DEP authority to enforce any violations.

Mike Crotty, Esq., added that those stormwater documents are recorded after the land development plan is approved, they're a public record. If there was any issue with his drain field in the future due to stormwater from this development, Mr. Butte would need to seek legal advice. Gerry Stein, Greenridge Road, questioned the pricing of the homes. Brian Thierrin replied they'll start in the \$600,000s.

Kelly Owen, Shea Lane, wanted clarification regarding deciduous vs evergreen trees. Ms. Zarro clarified that the existing vegetation is deciduous, and Toll proposes adding evergreens in the buffer so there will be year-round screening.

Gerry Stein, what is the pump station easement for and will there be holding tanks? Brian Thierrin noted it's for access to the pump station that will pump the effluent to be treated. Ms. Zarro noted there won't be holding ponds. Toll's wastewater expert will provide testimony at the Hearing.

Mike Crotty, Esq., special counsel for the Planning Commission, recommended they walk through the issues raised this evening and if possible, for the Commission to make recommendations via motions.

1. Is the Commission in agreement with the location of the sidewalks as depicted on the Plan? Discussion included agreement with sidewalks on 1 side of Road A from Greenridge Road to Lauren Lane and then on 2 sides within the majority of homes. Concerned with adequate lot size if both sides have sidewalks – does that leave room for accessory structures without creating zoning issues. All lots are roughly 115' deep with structure setbacks at 25' from the curb and 50' between principal structure and principal structure. Providing homeowners with plot plan showing the impervious coverage and what room remains for accessory structures – decks, patios, sheds, etc. was suggested. Road widths are all 32' with on-street parking on both sides. Individual homeowners are responsible for sidewalks along their frontage and HOA for those along common space.

Joe Stoyack moved to recommend allowing sidewalks along the north side of Road A from Greenridge Road to Lauren Lane and to Lot 64 and Lot 5 and then on both sides for the remaining lots. There was no second.

Chad Adams moved that the sidewalk waiver be supported as presented on the Plan. David Colajezzi seconded. The motion carried with five (5) in favor (Adams, Shrimp, Dewees, Fean, Colajezzi) and (2) opposed (Stoyack, Winterton).

Mike Crotty: the placement of buildings and accessory structure setbacks would be best conveyed within the HOA Declaration; setbacks can be specifically stated for each Lot. Alyson Zarro: they're going to comply with the setbacks in the zoning ordinance and detail those in the HOA documents.

This should be a Condition of Approval that these setbacks are detailed in the HOA Declaration and the buyers are made aware when considering purchasing the property.

2. Percentage of active recreation area within environmentally sensitive areas. Less than 25% is standard; the waiver requests allowing 56%. Joe Stoyack suggested a condition should be that trees and vegetation be planted in equal amount on another part of the property.

Joe Stoyack moved to recommend granting that waiver with the condition that the environmentally sensitive area in excess of 25% be compensated with vegetation / landscaping elsewhere on the property with the equivalent area to be decided during the land development process. David Colajezzi seconded and the motion carried with five (5) in favor (Stoyack, Adams, Dewees, Shrimp, Colajezzi), one (1) opposed (Fean) and one (1) abstention (Winterton).

3. Lauren Lane access. Proposed is as an emergency access only with no trail connection. Bollards and chain, with a lock for emergency personnel to gain entry, will deter vehicular traffic.

Jim Dewees moved to recommend that the connection to Lauren Lane be used as an emergency access only, that the HOA's maintenance responsibilities are detailed in the land development process, and that measures be taken to delineate the access so it's not mistaken for private property. Joe Stoyack seconded, and the motion carried unanimously.

4. The waivers regarding the Greenridge Road widening, maximum road grade and the trail along Greenridge Road be deferred until the land development process. These engineering details would normally be discussed during that process. Memorialize in the Conditions of Approval that this will be discussed during land development.

Jim Shrimp moved to recommend that the discussions concerning the Greenridge Road widening, the maximum road grade and the potential for a multi-use trail be deferred until the land development process and that the Applicant works with the Township's Boards during that process to determine the need for and location of a multiuse trail along the Greenridge Road frontage. If it's determined a trail is desired, it shall be installed at the Applicant's expense. Joe Stoyack seconded, and the motion carried unanimously.

5. The screening between the boundaries of the proposed development and Stonehedge and Shea Lane properties.

David Colajezzi moved to recommend that the Applicant should verify the adequacy of the screening between the site and the Stonehedge Drive and Shea Lane properties to

establish compliance with zoning section 200-117.E. during the land development process and as part of that, they preserve and/or augment existing vegetation within the 50' setback area along with those boundaries together with any other necessary enhanced plantings such as evergreens. Jim Dewees seconded, and the motion carried unanimously.

6. Joe Stoyack moved that the Planning Commission is generally in favor of the development as proposed related to the Conditional Use Approval for the precautionary steep slopes encroachments under Section 107.D.3. and the Flexible/Open Space Development Option under Section 72.B subject to the conditions and comments, that the Planning Commission defers to the Historical Commission on its assessment under 117.I, that the applicant comply with all conditions previously discussed at this evening's meeting and approved by the Planning Commission, that the Commission is in favor of the township consultants' recommendations associated with the Belgian block curb, payment of the traffic impact fee, the calculations of the woodland disturbance to be reviewed and assessed during the land development process, that the open space be owned by the HOA, that the trails within the development be subject to a public trail easement, that the applicant submit a sketch of the pocket park during the land development process, that the portion of the trail between lots 2 and 3 be supplemented with plantings to provide screening for those lots which will be assessed during the land development process, that the disposal area on lot 65 be subject to an offer of dedication to the Township subject to the access easement, and that the waiver from direct access to the street for Lot 65 (162-46.B.1.) is also recommended for approval.

Alexandra Rose, Shea Lane, expressed concern with environmental issues related to Lot 65, the second disposal field, and believes construction there would be detrimental to that property as well as hers.

Jim Dewees seconded, and the motion carried unanimously.

Sally Winterton thanked Mike Crotty for his guidance.

Tony Scheivert answered a question in the "Chat" that the next Hearing for 100 Greenridge Road is January 18, 2022, which will be in person at Pickering Valley Elementary School with a virtual option available if desired.

#### Open Session

Joe Stoyack noted that the Commission will be working on updating the Comprehensive Plan throughout 2022, gathering input from other Township Boards/Commissions and with consultants' assistance.

#### Approval of Minutes

Joe Stoyack moved to approve as presented the minutes of the December 9, 2021 meeting. Stephen Fean seconded, and the motion carried unanimously.

Sally Winterton thanked the members for their support. They'll work on ordinances next month. She announced the next meeting is February 10, 2022 and we'll start at 6:00 p.m. to work on the ordinances.

#### Adjournment

Jim Dewees moved to adjourn the meeting at 10:39 p.m. David Colajezzi seconded. All were in favor.

Respectfully submitted,  
Gwen A. Jonik,  
Planning Commission Secretary  
January 13, 2022 Planning Commission Meeting