



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
MEETING
February 15, 2022
6:30 p.m.
Minutes
Approved

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

Attending:

Board of Supervisors

Sandra M. D'Amico, Chair
Jennifer F. Baxter, Vice Chair
Andrew P. Durkin, Member

Tom Oeste, Esq., Township Solicitor

Township Administration

Tony Scheivert, Township Manager
Shanna Lodge, Assistant Township Manager
John DeMarco, Chief of Police
Jill Bukata, Township Treasurer
Rhys Lloyd, Building Code Official
Anthony Campbell, Zoning Officer
Dave Leh, Township Engineer

Ms. D'Amico called the meeting to order at 6:30 PM, led the Pledge of Allegiance and offered a moment of silence. No one planned to record the meeting.

Approval of Payments

Ms. Baxter moved, seconded by Mr. Durkin, to approve the payments to all vendors listed February 11, 2022. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported the balance sheet remains strong; at the end of January, year-to-date revenues total 3.7% of the budget, year-to-date expenditures total 5% of the budget. She noted that January routinely reflects negative due because neither real estate tax nor trash bills have been issued. The Township real estate tax bills were mailed later than usual due to a supply chain delay in the County's envelope supply. Due date for discount period for these bills is the beginning of April – still plenty of time to meet that deadline.

Supervisor's Report

Ms. D'Amico read the following published calendar items: 100 Greenridge Road Conditional Use Hearing on February 22, 2022 at 6:30 PM at Pickering Valley Elementary School; Board of Supervisors workshop on March 8, 2022 at 4:00 PM; Board of Supervisors meeting on March 21, 2022 at 7:00 PM; Yard waste will be collected on February 16, March 2, 16, and 30.

Administration Reports

Township Engineer's Report

Dave Leh reported that Gilmore has received a sketch plan for the Fetter property on the north side of Milford Road, proposing a 6-lot subdivision. The sketch plan has been reviewed by the Planning Commission and their comments will be incorporated by the applicant before a formal review by the Planning Commission.

The Township has also received a lot line change plan for the Shryock Brothers property, which would transfer some land to Marsh Creek State Park to put the Struble Trail on the Park property. This plan is under consultant review.

A Land Development plan for 11 Senn Drive has been received. It would place a gravel parking area adjacent to the property. The Planning Commission has recommended approval, and the plan will be before the Board at a future meeting.

Ms. D'Amico asked if the Shryock request indicates movement on the Struble Trail project. Mr. Leh said that is the indication.

Building and Codes Department Report

Rhys Lloyd reported that January was busy; 83 permits were issued totaling \$88,199 in fees. In January there were 151 scheduled inspections, 5 real estate transfers. The department also handled the usual zoning complaints, including one about a coyote.

Police Department Report

Chief DeMarco reported that in January there were 1,234 incidents including 160 citations, 6 reported crimes, and 9 criminal arrests. He advised residents to be cognizant that street parking is prohibited during snow events and cautioned motorists to remove snow from vehicles before driving.

Public Works Department Report

Tony Scheivert offered the report. There were 93 work orders in January. A new employee, Bradley Richmond, started this week. Mr. Scheivert noted that the department was called out 7 times for snow and ice in January

Gerry Stein, Greenridge Road, inquired how many of the approximately 1,000 building permits issued last year were newly constructed homes. Mr. Lloyd estimated about 20%.

ADMINISTRATION

Termination of Declaration – Alyson Zarro presented on behalf of her client, Michelle Gunther. Ms. Gunther owns two adjacent properties at 500 Fellowship Road and 641 Red Bone Road. One property is improved with a barn and accessory barn structures; the other is improved with a single-family home. Ms. Gunther is seeking to terminate a restrictive covenant that binds the properties together so the properties can be sold separately. To allow the agricultural property to stand on its own, a required size and setback zoning variance has been received. The last step to separate the properties is for the Board to approve the Termination of the Declaration that joined the properties in 2007. Tom Oeste confirmed that the necessary documentation is in legal order. Ms. Baxter moved to approve the Termination of Declaration. Mr. Durkin seconded. The motion carried unanimously.

Marsh Creek State Park Sewer Facilities Planning Module Resolution – Mr. Oeste informed the Board that this is a standard resolution required by the DEP. Marsh Creek State Park is upgrading an on-lot septic system, and the Township Board must approve concurrence with the 537 Plan. Mr. Scheivert stated that this resolution and application have been reviewed by ARRO, the Township wastewater engineer. Ms. Baxter moved to adopt **Resolution #02-15-22-01**. Mr. Durkin seconded. The motion carried unanimously.

Social Media Policy – Mr. Scheivert presented this policy, which was drafted by Township staff and had been presented at the recent Board workshop. Since that time, there has only been one change, regarding comments, which was requested by the Board. Ms. Baxter moved to adopt the policy. Mr. Durkin seconded. The motion carried unanimously.

Profound Technology Stormwater Management Agreement Amendment – Ms. Zarro informed the Board that this project is close to complete. As part of construction, Profound was required to get a highway occupancy permit for installation of a minor section of pipe and a new manhole. The original design was slightly modified due to field conditions. Consequently,

PennDOT asked that Profound enter into a new Stormwater Management Agreement for maintenance of the facilities. This document modifies the Operations and Maintenance Agreement, adding two small sections of pipe and a manhole that will be a maintenance obligation of the property owner. Ms. Baxter moved to execute the amendment. Mr. Durkin seconded. The motion carried unanimously.

YSM Landscape Architects Contract – Mr. Scheivert presented this contract with a landscape architect, YSM, to design improvements to Hickory Park. After presentation at the recent Board workshop, Township counsel Kristin Camp had revisions to the terms and conditions of the contract, which YSM has accepted, and are included in the Board agenda packet for this meeting.

Mr. Scheivert noted that he has met with Glenmoore Eagle Youth Association (GEYA) Baseball, who requested consideration of batting cages. Present at the meeting was Bill Mackiewicz of GEYA, who commended the plans, but requested that lighting on a baseball field be considered. A discussion of the length of GEYA seasons followed. Mr. Scheivert asked whether GEYA would offer funding, as this could assist in grant applications. Mr. Mackiewicz indicated that this could be considered in further conversations. Mr. Scheivert noted that including either or both the batting cages and field lights will not impact the contract before the Board, but rather will be incorporated in conversations in the design process.

Regarding next steps the contract, YSM will work with Gilmore to survey the park. There was an inquiry from the public about pickleball courts, which are included in the design. The Board discussed which fields would be the best candidates for lights. Mr. Mackiewicz indicated that any field could be better utilized with lights, but that HP3, the larger field, was selected because older players use that field. Staff indicated that HP2 and HP1 are less ideal due to proximity to both the Turnpike and residential properties.

Ms. Baxter moved to execute the contract with YSM. Mr. Durkin seconded. The motion carried unanimously.

Fire and EMS Service Area Study – In order to seek funding for a Fire and EMA Survey Area study, the Emergency Management Coordinator, Byron Nickerson, asked Mr. Scheivert to send a letter of intent to the Department of Community & Economic Development (DCED). This will allow the Township/EMC to request technical assistance with the study. Ms. Baxter moved to approve the issuance of the letter of intent. Mr. Durkin seconded the motion. The motion carried unanimously.

Chester County Multi-Jurisdictional Hazard Mitigation Plan – Byron Nickerson, Emergency Management Coordinator, presented. The Upper Uwchlan Township Emergency Management Planning Commission (EMPC) provided input to this plan, which will be submitted to federal agencies. Adoption of this plan will allow the County and participating municipalities to apply for certain grants. Mr. Nickerson reported that given the assessments during the planning process, the Township is performing average or above average, and is already conducting ongoing work in certain areas, e.g., education. Ms. Baxter moved to adopt **Resolution #02-15-22-02**. Mr. Durkin seconded. The motion carried unanimously.

OPEN SESSION

Sue Quake, Lauren Lane, inquired whether a virtual option will be offered for the upcoming Conditional Use hearing. The Board, along with counsel Mr. Oeste, discussed the challenges of the hybrid format, noting both the technical challenges and concerns regarding due process. Mr. Oeste clarified for the attendees that due process in this case refers to attendees having the ability to fully participate in the hearing, hear testimony, be recognized, and view exhibits. In

light of the discussion and recommendations of counsel, it was the consensus of the Board that the upcoming hearing be held in-person only for participation, with an observation-only virtual option. The Township will provide advance announcement of the format.

Mr. Scheivert noted that the transcript of the hearings will be available for inspection only at the Township Building. Most of the other exhibits are and will continue to be posted online. Copies of transcripts can be purchased from the transcriptionist.

Gerry Stein, Greenridge Road, inquired about the sequence of agenda items. Mr. Scheivert noted that there is no agenda for Conditional Use hearings but surmised that the applicant's engineer will likely speak again, and parties to the application will then cross examine. Whether other witnesses will be called depends upon timing. Mr. Scheivert will reach out to Ms. Zarro for information on potential persons to be called at the upcoming hearing. Ms. Baxter asked Mr. Stein how the Zoom option was at the last meeting. He answered that there was a volume issue.

Adjournment

There being no further business to be brought before the Board, Ms. D'Amico adjourned the meeting at 7:26 PM.

Respectfully submitted,

Shanna Lodge
Assistant Township Manager