



Upper Uwchlan Township
Board of Supervisors
Workshop
August 9, 2022
4:00 p.m.
Minutes
Approved

Attendees:

Sandy D'Amico, Chair
Jenn Baxter, Vice-Chair
Andy Durkin, Member

Tony Scheivert, Township Manager
Shanna Lodge, Assistant Township Manager
John DeMarco, Police Chief
Rhys Lloyd, Building Code Official
Anthony Campbell, Zoning Officer

Kristin Camp, Esq., Township Solicitor
MaryLou Lowrie, Township Engineer
Jeff Gehman, Township Traffic Engineer

The Workshop was held at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425.

Sandy D'Amico called the Workshop to order at 4:00 p.m., led the Pledge of Allegiance and offered a moment of silence. No one planned to record the Workshop.

Outdoor Dining Ordinance Amendment - Introduction

Ms. Camp presented a draft of an ordinance amendment regarding eating and drinking establishments and outdoor dining. This was prompted by a Planning Commission discussion.

Ms. Camp reported that the changes proposed would amend use and regulation requirements in the C1 and C3 districts. New definitions for "restaurant" and "drive-through restaurant" are being contemplated. As currently drafted, the amendment would also allow restaurants by right instead of by conditional use. The amendment cleans up language regarding ATMs at banks. The Board may ponder further amending the ordinance to also allow banks by right in the C1 district. Mr. Campbell noted that banks are more suited in C1 than anywhere else in the township. Ms. Camp noted the complexity and expense of the Conditional Use process, and advised that, in general, by right provisions should be applied for any and all appropriate uses in a district.

In addition, the draft amendment adds provisions for outdoor dining, with specifics for safety, noise, and parking. Ms. Camp advised the Board to contemplate other suggestions for this ordinance.

The Planning Commission has discussed this ordinance amendment but has not yet provided a recommendation. The amendment will be before the Board again when a final draft is prepared.

Process and Marketing Contract for Recyclables

Ms. Lodge presented to the Board regarding a renewal of the inter-municipal agreement for the processing and marketing of recyclables. It is a cost-share benefit-share agreement based upon

the regional market for recyclables with the materials recovery facility. The contract is administered by Chester County, which is expected to award the bid to J.P. Mascaro and Sons later this month. This is the same contractor that has had the contract for the last four years. The delivery location will remain the Total Recycle facility in Birdsboro. Mr. Durkin moved to approve the renewal for the contract for recyclables. Ms. D'Amico seconded the motion.

Historic Structures Report

Mr. Scheivert shared a proposal from Bob Wise for a Historic Structures Report for the Dorlan Mill Miller's House. The price for the work and report totals \$4,798. Mr. Durkin moved to approve the contract. Ms. D'Amico seconded the motion. There were no comments and the motion passed.

Glen Moore Fire Company Funding Request

Mr. Scheivert introduced a request referred from the EMPC. Glen Moore Fire Company is seeking a donation of \$50,000 toward the purchase of a new fire truck. Paul DeCarlo, the Fire Chief, indicated that the Company is replacing a 1990 MAC with a fire engine that will be capable of fire and rescue. Delivery is expected by the end of summer 2023. Price has been locked since January. The total cost of the truck is \$870,000. Mr. Scheivert advised that funding can be spread over several years. Mr. Durkin moved to approve the \$50,000 request. Ms. D'Amico seconded the motion. Ms. D'Amico noted that she likes the process of these requests going first to the EMPC. The motion passed. Mr. Scheivert noted that on a recent visit to their facility, he was impressed by how GMFC uses their space – efficiency in a small space.

East Brandywine Fire Company Funding Request

Mr. Scheivert introduced another funding request referred to the Board from the EMPC. This request from EBFC is for funding toward their new building. In 2021, the Company came for a donation of 150k toward a generator. The EMPC recommends that the Board approve a 25k donation toward this purchase. Mr. Durkin moved to approve this donation, Ms. D'Amico seconded, and the motion passed without comment.

Human Resources Employee Handbook and Policies

Mr. Scheivert provided an update regarding the Employee Handbook and Policies. Available for Board review is the most recent draft, which they have seen at a previous meeting. This document will be on the agenda for approval at the upcoming regular monthly meeting. Any comments from the Board can be incorporated before then.

Byers Station Parcel 5C Lot 2B Commercial Revised PRD Plan

Alyson Zarro presented on behalf of Prosperity Property Investments LLC. The former owner, Equus, has sold the property; the applicant is now Celebree Schools, a daycare center, who will also be the owner/operator of the site. Parcel 5C is part of the Byers Station Planned Residential Development (PRD). A plan submitted by Equus had previously been approved, but this new design has the daycare center as the anchor.

The new plan includes a 10,500 square foot daycare center, two retail pad sites conceptualized with multiple retail stores, and a separate restaurant with drive through. The restaurant site is smaller than the standard fast-food restaurant and expected to be more akin to a coffee shop type establishment. The Planning Commission has seen this plan multiple times and has offered a recommendation for approval.

Ms. Camp outlined the PRD regulations that were existent in 1999. This process combines zoning and subdivision into a single process that results in a tentative plan approval. This tentative plan approval was structured to come before the Board again for final land development approval. Parcel 5C Lot 2B is the final section of the Byers Station PRD that has not received final land development. She reiterated that Equus did receive final plan approval but did not move forward with that plan. Therefore, this request is for an amendment to final plan approval. All the uses proposed in this plan have been approved under the tentative plan approval.

Ms. Zarro summarized the notes from review letters in the discussion that followed.

- Façades greater than 150' are required to be broken up with roofline changes, broken up offsets, etc. Façade elevations show roofline changes both in the front and the back of the daycare building, which is the side that faces Pottstown Pike. This is a one-story building, but with a design that mimics a 1.5 story building. The daycare center contains about ten classrooms. Color scheme and renderings have been chosen to match the Village aesthetic. Ms. Baxter offered input on the farmhouse village design, consistency with the village, suggestions for a high, dormered roofline to break up the lines, and input on the color scheme.

Allan Greenberg of Celebree noted that the developer has been asked to use consistent streetlights. Kevin Michals of Celebree advised that they are willing to match the aesthetic and have flexibility in branding. Mr. Durkin noted that residents may appreciate a commercial building that obstructs the view of the identical rows of townhomes. Ms. D'Amico noted the variety of color and pattern of the Eagle Eye Associates building, which fits in the community, and emphasized that visual appeal should be prioritized.

Ms. Camp inquired about flexibility for aesthetics for the buildings for tenants not yet identified. The applicants indicated that branding and color schemes have not been determined as tenants are unknown.

- A tenant has not yet been identified for the restaurant. This is the one area of the plan that is a little more open to change. The rendered elevation is conceptual. Drive-through stacking is therefore under discussion. The Planning Commission recommends that this part of the plan be revisited when a tenant is identified. Ms. Zarro noted that it is possible that a non-restaurant tenant could even be interested in the site. Based upon the site, the tenants are limited. Ms. D'Amico inquired about approving a drive through design without knowing the tenant, concerned that unknowns could be a problem. Ms. Camp suggested that a reconsideration could be built into the decision. Ms. Zarro noted that specific parking will not be allocated to specific buildings. Ms. Camp advised that when a tenant is identified, they can be required to prove things like stacking and parking needs. Ms. D'Amico expressed concerns about parking and inquired if the daycare parking lot can be used as public parking after daycare hours. Ms. Zarro reported that it has not been contemplated for the parking to be used for offsite locations, and further noted that specific regulations apply for shared parking. A discussion of parking garages and shared parking followed. Mr. Greenberg inquired about replacing the restaurant pad site with a parking structure. Discussion of towing and private parking and shared parking followed. Mr. Michals introduced the suggestion of changing the lot to a municipal lot from 6 pm to midnight.

- Ms. Zarro noted that a designated pick up and drop off location has not been included in the design for the daycare. However, loading zones for retail spaces (box trucks – not tractor trailers) have been designated.

Ms. Zarro introduced Mike Baginski of Bohler Engineering who indicated locations of designated crosswalks with signage on the plan. Speed limits in the area are low. Ms. Baxter inquired about slowing down as exiting off of Pottstown Pike. Chris Williams, the Township Traffic Engineer, had advised moving the crosswalk away from the intersection of Iris and Begonia to a location where people are expected to walk. A second crosswalk will be situated to get from the parking lot to the daycare center. Crosswalks across or parallel to Begonia are in place or will be constructed as a part of the residential development. Ms. Zarro noted that none of the internal roadways are dedicated as per the plan. Ms. D'Amico inquired about traffic calming devices along Iris Lane and suggested a center landscaping strip. Guy DiMartino of TPD advised that a four-foot median would limit the cartways. Rhys Lloyd mentioned Belgian block, indicating that the Township could issue a waiver if needed. A discussion of traffic calming devices followed. Circulation as related to the planned restaurant was discussed.

- Ms. Zarro indicated that sewer and lighting on the property will comply with Township requirements. Ms. D'Amico noted that she likes the lighting fixtures in the rendering. Developers indicated they will comply with the Code.
- The Planning Commission expressed concern about the left turn lane into the site off Pottstown Pike to Iris and whether it was adequate. The left turn lane is fully permitted and has always been shown on the plan. A valid Highway Occupancy Permit was secured by Equus. The Planning Commission recommended a post development study. Ms. Zarro advised that the developer prefers details be ironed out now. Ms. Camp advised that this is prudent to do now and suggested that the developer instead submit the plan to PennDOT for confirmation that the left turn lane is sufficient. Mr. DiMartino advised that running the adjustments shows that the lane is still adequate. While this plan does add more traffic during peak hours, a new analysis is consistent with the 2019 study; this can be resubmitted to the Planning Commission and the Township Traffic Consultant.
- Regarding the rest of the comments, Ms. Zarro noted that the developer will comply. She advised that the decision from 1999 allows ground signs or three pylon signs 16 square feet on three sides. The developer is looking for one sign that combines that square footage on the corner. Ms. Camp asked for the specific dimensions to be submitted before the decision is issued.
- Ms. Camp requested signage to warn of the left turn lane and noted that PennDOT can review and require changes if the Township identified problems. Mr. Durkin inquired about expectations for Iris to be used as a cut through.
- Ms. Baxter inquired about the daycare outdoor play area, and it was confirmed that this will be fenced.

Ms. Zarro indicated that the goal is to move to action by the Board. The Developer would like to be on the September agenda for consideration.

Ms. D'Amico and Ms. Camp offered a summary of the issues to be addressed: after hours parking; island/median on Iris Lane when coming off of Pottstown Pike; Daycare center frontage improved via color variety and dormers/height adjustments on engaged rooflines; signage area and dimensions; loading spaces are designated and signage for certain hours and will otherwise be used for parking; review of drive-through tenant to re-evaluate adequate parking, stacking, etc. Mr. DiMartino will submit to McMahon new renderings for the left turn lane.

This plan will be back on the agenda for the September 13 workshop and September 19 meeting.

Resident Gerry Stein commented on warning sign coming south on Route 100. This is not a part of this particular development, but it could be addressed by PennDOT if an issue arises. Ms. Camp further noted that this is a state road, and a review of the roadway would be required.

Open Session

There were no comments.

Adjournment

The meeting adjourned at 5:49 PM.

Respectfully submitted,

Shanna Lodge
Assistant Township Manager