



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS MEETING,
CONDITIONAL USE HEARINGS

June 19, 2023

7:00 p.m.

Approved

Attending:

Board of Supervisors

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

Township Administration

Tony Scheivert, Township Manager
Gwen Jonik, Township Secretary
Jill Bukata, Township Treasurer
Anthony Campbell, Zoning Officer
Mike Esterlis, Director of Public Works
Tom Jones, Police Chief
Dave Leh, P.E., Township Engineer
John Yurick, P.E., Traffic Engineer

Kevin McKenna, Esq., Township Solicitor
Gale Fitzpatrick, Court Stenographer

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

Mrs. D'Amico called the evening to order at 7:03 p.m., led the Pledge of Allegiance and offered a moment of silence. No one planned to record the meeting. There were 14 citizens in attendance.

Approval of Minutes

Mrs. Baxter moved, seconded by Mr. Durkin, to approve as presented the minutes of the May 15, 2023 Board of Supervisors Meeting. The motion carried unanimously.

Approval of Payments

Mrs. Baxter moved, seconded by Mr. Durkin, to approve the payments to all vendors listed June 15, 2023. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's financial position remains strong; year-to-date revenues are at 57.4% of budget; year-to-date expenses are at 39.5% of budget; earned income revenue at the end of May is \$17,000 lower than the same time last year.

Supervisor's Report

Mrs. D'Amico announced an Executive Session was held earlier this evening regarding real estate and legal matters, and read the following calendar: June 26, 2023 7:00 p.m. Zoning Hearing ~ Buccino – Township Line Road; July 4, 2023 Office Closed ~ Independence Day; July 9, 2023 5:00-7:00 p.m. Summer Live Music Concert #2 at Upland Farm Park; July 11, 2023 4:00 p.m. Board of Supervisors Workshop; July 17, 2023 7:00 p.m. Board of Supervisors Meeting; yard waste collection dates June 21, 28, July 12, 26.

Administration Reports

Township Engineer

Dave Leh reported a revised Land Development Plan for 164 Byers Road/QBD Venture was received and is under review by the consultants.

Building and Codes Department Report

Anthony Campbell reported 82 building permits were issued last month, totaling \$38,301 in permit fees; the department conducted 212 scheduled inspections; there were 9 resale inspections and 14

new homes settled. Six fire safety inspections were conducted, and 13 zoning complaints investigated. Several substantial commercial building permits are expected shortly. The upcoming Zoning Hearing is for the conversion of a single-family home into 2 individual units.

Police Chief's Report

Chief Jones reported there were 1,055 incidents last month, including 14 arrests and 185 traffic citations; all Officers, other than the 2 newly hired, have completed Crisis Intervention Training (CIT), a week-long extremely intensive training. We're the only Department in the County with that many Officers trained. Chief Jones congratulated Mike Esterlis for completing Leadership Training Class, and Junior Police Academy starts tomorrow.

Tammy Whiteman, Chief of Uwchlan Ambulance, reported last week's opening of their substation in Upper Uwchlan, at 520 Milford Road, after working 1.5 years to bring to fruition. They've already answered 35 calls.

Public Works Department Report

Mike Esterlis reported the Department received and completed 178 work orders, assisted with an electronics waste event, repaired 13 inlets and began base repairs, began roadside mowing, and opened the line painting bid.

The 2023 pavement marking bids were opened June 14, with 4 contractors bidding – Zone Striping, D.E. Gemmill Inc., A-1 Traffic Control Products and Alpha Space Control Co. A-1 Traffic Control Products was the low bidder at \$73,995.00. We have used them before. Mrs. Baxter moved, seconded by Mr. Durkin, to award the 2023 Pavement Marking Contract to A-1 Traffic Control Products at \$73,995.00. The motion carried unanimously.

Land Development

Eagleview Corporate Center Lot 1A Preliminary/Final Land Development Plan. Neal Fisher of the Hankin Group had presented the Plan a few months ago, solidified a few items, revised the plans and is seeking the Board's approval for a 60,600 SF flex building at the end of Arrowhead Drive in Eagleview Corporate Center. They'll comply with the comments in the consultants' reviews and acquire outside agency approvals. Dave Leh advised there are no issues that can't be addressed. The Planning Commission recommended approval at their June 8, 2023.

Mrs. Baxter moved, seconded by Mr. Durkin, to grant Preliminary/Final Land Development Approval for a plan prepared by Chester Valley Engineers, Inc. titled, "Preliminary/Final Land Development Plan Eagleview Lot 1A for the Hankin Group" dated February 2, 2023 and last revised April 25, 2023 with the following conditions:

1. The plans shall be revised to address the comments raised in Gilmore & Associates' May 30, 2023 review letter.
2. The Applicant shall obtain all applicable permits from the Chester County Conservation District and PaDEP.
3. The Applicant shall pay a transportation contribution fee equal to \$0.35 per square-foot of office space and \$0.20 per square-foot of warehouse space. The amount shall be determined and paid at the time of building permit issuance.

The motion carried unanimously.

Open Session

Tony Scheivert commented the Block Party this past Saturday was a great collaboration of Staff, led by Kathi McGrath.

Mrs. D'Amico called for a 15-minute recess before the Conditional Use Hearings commence.

Mrs. D'Amico reconvened the evening at 7:42 and requested Kevin McKenna, Esq., conduct the Hearing for Chester County Park and Facilities' conditional use application seeking approval for governmental use for public recreational use and open space in the Limited Industrial (LI) District.

Mr. McKenna advised the procedures for the Hearing. Gale Fitzpatrick recorded the proceedings. Her transcript is the official Record. The following notes are a summary.

Mr. McKenna advised that the Board's Exhibits (B1 through B35) and the testimony for the Chester County Park and Facilities hearing will be incorporated into the Natural Lands Trust Hearing. Bob Tucker, of MacElree Harvey, attending on behalf of Shryock Bros. requested Party status. Brett Boden, adjacent property owner, requested Party status. Ari Christakis, of Buckley Brion McGuire & Morris, represents the County, and Natural Lands Trust. Mr. McKenna distributed the Board's Exhibits to Mr. Christakis, Mr. Tucker, Mr. Boden and the Board, and entered them into the Record as a whole.

Dave Stauffer, Chester County - Director of Parks and Preservation was sworn in and provided testimony. The Applicant's Exhibits A1 through A4 were entered into the Record.

A-1 Chester County's map of the Struble trail as it exists today.

A-2 Natural Land Trust's permission for the County to place the Struble Trail extension on their property

A-3 Sheet 3 shows previously condemned land for the trail easement. The revised plan moves the trail to the north, away from the water lines and negates need for retaining wall; a new easement will be struck

A-4 New trail easement

A-5 Nick Feola's C.V.

The Township Planning Commission's recommendation regarding the conditional use applications and the County's Land Development Plan was included in the testimony.

Nick Feola, Bursich & Associates, the County's Engineer, was sworn in and provided testimony.

There were 2 Shryock Exhibits entered into the Record.

Shryock 1 – Letter from Brian Nagle to Ari Christakis regarding approval conditions

Shryock 2 – Mr. Christakis email

Brett Boden, Gerry Stein, and Steve Egnaczyk had questions or comments regarding the extension of the Struble Trail or regarding the Dorlan Mill miller's house ruins.

The Hearing was paused at 8:45 p.m. to allow Mr. Tucker and Mr. Christakis to discuss off the Record Shryock Exhibit 1. At 9:05, the Hearing reconvened. Mr. Christakis read into the Record the Shryock conditions agreed upon by the County. There are several conditions that will need the Board's decision.

Mr. McKenna closed the Record and the County's Hearing.

Mr. McKenna called the Natural Lands Trust Hearing to order at 9:13 p.m. and again, explained the procedures and announced incorporation of all testimony, evidence and exhibits from the County Hearing into this Hearing. Natural Lands Trust is seeking conditional use approval for governmental use on their property, namely extension of the Struble Trail. Mr. Tucker requested Party status for this Hearing. Mr. Boden was not interested in being a Party to this Hearing. Mr. Christakis represents Natural Lands Trust.

Jack Stefferud, Senior Director of Land Protection – Natural Lands Trust, d.b.a. Natural Lands, was sworn in and provided testimony.

Board Exhibits B-1 through B-24 were entered into the Record. Shryock Exhibits 1 and 2 were entered into the Record.

Mr. McKenna closed the Record and closed the Hearing. It's the Board's intent to make Decisions for both Hearings at their July 17, 2023 meeting.

Nick Feola briefly presented the County's Preliminary/Final Land Development Plan for the Struble Trail Extension. Discussion included where the warning signs and signals will be placed regarding the Trail crossing Dorlan Mill Road. They'll need to get the PennDOT permit renewed. There's also a flashing signal for pedestrians. Consultants reviewed the Plan and the County will address any outstanding comments. The Planning Commission recommended approval.

Mr. Christakis advised they'll wait for Plan Approval at the time of the Conditional Use Decision.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the evening at 9:47 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary