



## UPPER UWCHLAN TOWNSHIP

Planning Commission

February 13, 2025

6:00 p.m. Workshop

7:00 p.m. Meeting

Minutes

Approved

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

### Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi, Jim Dewees, Steve Fean, Jeff Smith, Jessica Wilhide

Anthony Campbell, Zoning Officer  
Kristin Camp, Esq., Township Solicitor – Workshop  
Gwen Jonik, Planning Commission Secretary

Absent: Taylor Young

### 6:00 Workshop

Sally Winterton called the Workshop to order at 6:00 p.m. There were 2 citizens in attendance.

Miscellaneous amendments to the C1 Village Commercial and C3 Highway Commercial Zoning Districts ordinances continued from last month.

The word “practicable” used in 200-36.A.(2) is defined in 200-7. The Board of Supervisors is the “Township”, who approves or denies a demolition permit for a historic resource in the C1 Village Commercial District. Practicable is not just about money/costs, it’s also about neglect, is there a viable use that goes with the owner’s purposes or operations. There should be criteria delineated in the Ordinance. She suggested the Commission look at Birmingham Township’s ordinance. Does the classification of the historic resource matter? No, just as long as it’s on the Township’s historic resource inventory list. What if it’s on the National Register, or State Register? These things should be spelled out in the criteria.

There’s a section on the Seller’s disclosure where they should tell Buyers that the property is historic; most people know that their property is historic. It was suggested that the Township should send those property owners a letter reminding them they own an historic resource. (This is for the Historic Commission to discuss further, not part of this ordinance amendment.)

Kristin Camp explained the overarching reasons for the C1 and C3 amendments. There were a number of sections giving the Supervisors discretion or power to modify zoning-related items, which fall within the Zoning Hearing Board’s purview. There weren’t standards for the Supervisors to weigh against. Those sections were removed.

Joe Stoyack asked if references to the Village Concept Plan and Village Design Guidelines could be added. The answer was no as those Plans have not been adopted as part of the Zoning Ordinance. We have to adopt both of them as part of the Zoning Ordinance, wherever they apply. The Supervisors might not favor both documents being part of the C3 Commercial District.

It was suggested that the amendments drafted by Kristin Camp move forward toward adoption and consider adding the Village Concept Plan and Village Design Guidelines once they’ve been adopted within the Comprehensive Plan. The Village Concept Plan is a Chapter (Chapter 3) in the

Comprehensive Plan; the Village Design Guidelines (VDG) are not a Chapter but they are an Appendix (Appendix E).

Vivian McCardell commented that the VDG would be added to the C1 ordinances. Establishing an Architectural Review Board (ARB) was suggested. Gerry Stein made comment that the Board of Supervisors does not favor an ARB/HARB; they are not supportive.

The Planning Commission will not suggest further edits to the C1 and C3 at this time. They'll make a recommendation to move forward with the edits Kristin draft and the Planning Commission and Historical Commission will keep working on 200-36 and design guidelines.

Jim Dewees moved to recommend that the Board of Supervisors approve the C1 and C3 ordinance amendments drafted by Kristin Camp without Joe Stoyack's edits. Joe Stoyack seconded; the motion carried unanimously (7 – David hadn't arrived).

Ordinance amendment regarding "fee in lieu of". Kristin Camp explained the concept of negotiations between the Board of Supervisors and developers to provide funds, perhaps to plant trees elsewhere, if there isn't room to plant all required trees/shrubs on the parcel(s) being developed. Our ordinance is overly stringent. Our landscaping ordinance is currently under review by RGS. The discussion will resume once the consultant has provided their comments.

If a "fee in lieu of tree planting" would be enacted, the fees could not go into a 501.c.3.

Sign ordinance amendments. Anthony Campbell and Kristin Camp edited several sections of the sign ordinance, to correct contradictions, inconsistencies, and to bring the regulations up to today's standards. Some of the dimensional regulations do not make sense. Kristin will prepare a line-item memo for next month's meeting.

#### 7:00 Meeting

Sally Winterton called the meeting to order at 7:03 p.m. There were 5 citizens in attendance.

#### Windsor Baptist Church ~ Parsonage Demolition Permit Application.

Pastor Ben O'Toole, Ric Bassler, and Ed Theurkauf presented a site plan for the southwest corner of Little Conestoga Road and Park Road. They'd like to demolish the parsonage, which hasn't been occupied as a residence for years. They'd install the trail along Park Road and a portion of Little Conestoga Road, and install a path from the corner through an elm allee toward an outdoor sitting area with low plantings, enhanced flagpole area, short walls with 'Windsor Baptist Church' on one and some Latin phrases.

They were to provide 4 things since the December meeting. A cost estimate to bring the parsonage up to Code, a site plan or engineered plans, a historical marker and donation of artifacts to the Historical Commission.

The Pastor said removal of the asbestos siding was @ \$17,000; they did not yet have quotes to reinforce the floor to hold 100 lbs/SF, install an accessible bath and other fire and life safety measures; demolition @ \$50,000; renovation @ \$250,000

The Church has no use for the building and they'd rather enhance the view of the corner and church for the public. It hasn't been used as a residence for years and was used for storage only until last year. The building is historical because of its age, not because of its architecture. Installing the trail is part of their land development approval to build the school, which would need a retaining wall that could impact the foundation. They don't know the costs of the retaining wall or the trail installation. A fence would be needed on top of the retaining wall. Trying to renovate the parsonage is not a good use of their resources. They have no plans to use the structure. The Pastor mentioned a court case -- City of Boerne v. Flores -- and said the church won the case, February 13, 2025 Planning Commission Workshop, Meeting

property rights. They'd give the parsonage away if someone wants to move it. The Historical Commission is welcome to any artifacts.

Anthony Campbell noted that residential uses are not allowed in the C1 District. They'd need a Zoning Hearing if they thought they could renovate. To turn it into a commercial building, they'd need to re-engineer the floor to hold 100 lbs/SF, reconfigure the layout to accommodate an ADA bathroom, have room for ADA parking, etc. The whole building would need to be reconstructed, including upgrading all utilities. A change in use would require a Conditional Use Approval.

Vivian and Gerry noted the vote was 6-1 for the Historical Commission's recommendation to deny the permit.

Jim Dewees noted installing the trail is going to be costly; moving the house would be challenging due to its age and the back addition is just built at grade and wouldn't move with it; it's not economically feasible.

Jim Dewees moved to recommend the Board of Supervisors approve the demolition permit. Chad Adams seconded, and the motion carried unanimously.

Ed Theurkauf will meet with Staff to work on the trail and the school warning sign, if the demolition permit is approved.

Ordinance amendments. A recommendation to the Board of Supervisors regarding the C1 and C3 Zoning District ordinance amendments was voted on during the Workshop.

#### Meeting Updates

Environmental Advisory Council (EAC) Jessica attended the meeting. They have quite a calendar of events: shredding and E-Waste April 5 at 9:00 a.m.; Earth Day April 26; they're having trouble communicating their events to the community.

Historical Commission (HC). David advised the next lecture is scheduled for March 24 – Early Iron Age of Chester County; the Museum openings have been attended by @ 10 each time and they'll be open on Earth Day as well.

Planned Industrial/Office District subcommittee (PI/O). Joe noted the subcommittee has met twice to discuss what the market is looking like; manufacturing is limited by-right; others are by Conditional Use; trying to expand; there are 2 parcels in that District that could be used for some type of residential – they are thinking on that.

Joe Stoyack, a liaison to the Brandywine Creek Greenway from Wilmington to Honeybrook, talked about our section being the Struble Trail area. Working with Marsh Creek State Park. Early February, he and Jessica went to Brandywine to talk about trail connections with regional trails such as the Horseshoe Trail, Schuylkill River Trail; Hickory Park could be an official trailhead for the Greenway perhaps and connect through Eagleview to Uwchlan and such. He's talking with Tony Scheivert about these ideas. There may be grant funds.

Gerry Stein inquired if the County is going to connect the Struble Trail to Marsh Creek State Park. Joe noted they are trying to connect with the west side of the Lake. The trail extension is still on the County's plans.

#### Approval of Minutes

Jim Dewees moved, seconded by Joe Stoyack, to approve as presented the minutes of the January 9, 2025 Planning Commission Meeting. The motion carried with seven (7) in favor and one (1) abstention (Smith).

Sally announced the next meeting: March 13, 2025 Workshop 6:00 p.m., Meeting 7:00 p.m.

Open Session

Gerry Stein commented that at a recent Supervisors Workshop it was announced that the Township was thinking of buying the Diamant property on Byers Road for Administration to move to and the Police will use the entire existing building at 140 Pottstown Pike.

Jeff Smith commented that it's been said the Lionville Station Farm property may be a 55+ community and warehouse through a by-right plan; and a developer trying to buy Exton Square Mall wants to turn it in to residential -- West Whiteland Township is changing ordinances to thwart that plan.

Adjournment

Jeff Smith moved, seconded by David Colajezzi, to adjourn at 8:07 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary