



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

March 17, 2025

7:00 p.m.

Approved

Attending:

Board of Supervisors

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

Township Administration

Tony Scheivert, Township Manager
Gwen Jonik, Township Secretary
Jill Bukata, Township Treasurer
Rhys Lloyd, Director of Code Enforcement
Anthony Campbell, Zoning Officer
Mike Esterlis, Director of Public Works
Tom Jones, Police Chief
Dave Leh, Township Engineer

Kristin Camp, Esq., Township Solicitor
Melissa Bailey, Court Stenographer

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

Mrs. Baxter called the evening to order at 7:02 p.m., led the Pledge of Allegiance, and offered a moment of silence. No one planned to record the meeting. There were 19 citizens in attendance. Mrs. Baxter announced Executive Sessions were held March 11, 2025 and March 17, 2025 regarding personnel and legal matters.

Recognition of Will Howard

Mr. and Mrs. Howard attended on their son's behalf as he's preparing for the Draft. Will led the Ohio State football team to the National Championship. Mrs. Baxter presented them with a Resolution recognizing Will's accomplishments. He was able to Facetime for a few minutes and thanked everyone for their support.

Conditional Use Hearing ~ Verner Application re: 116 Christine Drive

Kristin Camp, Esq., introduced Ms. Bailey, Court Stenographer. Ms. Bailey's transcript is the official record of the Hearing. My notes are a summary of the Hearing regarding the request to continue using 116 Christine Drive as a short-term rental pursuant to Section 200-17.B.(4) of the Township Codes.

Ms. Camp entered the following Board exhibits into the Record:

- B1 Conditional Use Application;
- B2 Public Notice in the Daily Local News;
- B3 Aerial tax map of the property;
- B4 Property posted;
- B5 Email from the Township Secretary that the Planning Commission recommended approval to the Board of Supervisors.

One couple, Mr. and Mrs. DeWald requested and were granted Party Status. Mr. Verner explained his application, that he renovated the property, inside and out, has been renting the property since last year and has operated it without incident, mainly to local people or folks visiting local people. Ms. Camp questioned Mr. Verner regarding the number of pets allowed, size of pets, safeguards already in place, typical length of rentals – which is long weekends, mainly for weddings or several

weeks/months while people's houses are being renovated or from fire. Mr. DeWald provided a statement in favor of the application being approved.

Seven neighbors made comments not in favor of the application and want to keep their neighborhood private.

The Hearing was closed. The Board has 45 days to make their Decision. The Board commented they appreciate the neighbors' concerns and will consider them during deliberations.

Approval of Minutes

Mr. Durkin moved, seconded by Mrs. D'Amico, to approve as presented the minutes of the February 11, 2025 Board of Supervisors Workshop and the February 18, 2025 Board of Supervisors Meeting. The motion carried unanimously.

Approval of Payments

Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the payments to all vendors as listed March 13, 2025. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported a strong balance sheet; year-to-date revenues are at 15.8% of the budget; year-to-date expenses are at 14.8% of the budget.

Transfer from the General Fund to the Capital Fund. Ms. Bukata requested authorization to make a planned transfer of \$200,000 from the General Fund to the Capital Fund to cover capital expenditures in January and February. Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the transfer of \$200,000. The motion carried unanimously.

Supervisor's Report

Hankin Library Branch Manager Carey Bresler and Hankin Library Branch Assistant and Circulation Manager Pam Shauger provided upcoming events: crafts, Food Bank representative coming with a recipe to share, a comic book illustrator teaching a class, spirit week(s) for the Staff, etc. They also called attention to April 6-12 as National Library Week. Mrs. Baxter read a Proclamation (**Resolution #03-17-25-04**) describing the benefits of the Chester County Library System and the Township's support and encouragement to residents to visit their local library and take advantage of the vast array of resources and variety of enrichments programs.

Mrs. Baxter read the published calendar: March 24, 2025 6:00 p.m. "The Early Iron Age of Chester County" lecture at Upland Farm Park hosted by the Historical Commission; March 30, 2025 1:00-4:00 p.m. Farmhouse Museum open at Upland Farm Park hosted by the Historical Commission; April 5, 2025 9:00-11:00 a.m. E-Waste Recycling and Shredding Event at the Public Works facility hosted by the Environmental Advisory Council; April 8, 2025 4:00 p.m. Joint Boards & Commissions Workshop; April 12, 2025 11:00 a.m. 7th Annual Easter Egg Hunt at Hickory Park hosted by the Park & Rec Board; April 18, 2025 Office Closed ~ Good Friday; April 21, 2025 7:00 p.m. Board of Supervisors Meeting; April 26, 2025 11:00-2:00 p.m. Earth Day Celebration at Upland Farm Barn hosted by the Environmental Advisory Council; yard waste collection dates March 19, April 9, April 23.

Administration Reports

Township Engineer's Report

Dave Leh reported the Township should receive the NPDES permit for the Hickory Park improvements project; a revised highway occupancy permit (HOP) was submitted by the County to PennDOT for the Struble Trail and utility infrastructure crossing of Dorlan Mill Road.

Building and Codes Department Report.

Rhys Lloyd reported that 42 building permits were issued last month, totaling \$29,544 in permit fees; he and Anthony Campbell performed 136 scheduled inspections; there were 7 resales; 3 new homes settled; and 15 zoning complaints were addressed.

Police Chief's Report

Chief Jones reported there were 906 calls for service last month, 10 adult arrests, 1 juvenile arrest; prepared for re-accreditation assessment the last week of March; all Township staff were recertified in CPR and first aid; motorcycle units' assistance was requested by Philadelphia for the Super Bowl and subsequent parade activities

Public Works Department Report

Mike Esterlis reported 114 work orders were received and completed; responded to 6 snow / ice events; addressed downed trees during storms; patching potholes; completed Act 101 Report; and hired Authority Facility Maintenance personnel.

Land Development

Windsor Baptist Church Parsonage Demolition Permit Request.

Pastor O'Toole and Ric Bassler from the Church were in attendance. The request for the parsonage to be demolished is that they want to install the walking trail and beautify the corner of Park Road and Little Conestoga Road. They presented their request to the Historical Commission, the Planning Commission and previously to the Board of Supervisors.

Mrs. Baxter read the following prepared Motion of Approval with 5 conditions; a 6th condition was added this evening:

MOTION OF THE BOARD OF SUPERVISORS TO PERMIT DEMOLITION OF PARSONAGE (Historic Resource #85) ON WINDSOR BAPTIST CHURCH PROPERTY LOCATED AT 213 LLITTLE CONESTOGA ROAD

After consideration of the information presented by the Windsor Baptist Church, I move to allow the issuance of a demolition permit for the parsonage (Historic Resource #85). The Board finds that the Church demonstrated that it is not practicable (as defined in Section 200-7 of the Zoning Ordinance) to renovate and restore the parsonage to a condition that is habitable and serves a useful purpose for the Church's mission. The Board approves the issuance of the demolition permit subject to the following conditions;

1. Applicant shall attempt to use stones from the foundation of the swelling in a feature to be constructed on the property such as a retaining wall or a wall with signage;
2. Applicant shall allow the Township Historical Commission access to the parsonage to document the historic resource prior to demolition;
3. Applicant shall make available to the Historical Commission items within the dwelling which may be historically significant and allow Township staff access to remove these items;
4. Applicant shall install signage in the general location of where the parsonage is located to demarcate its location and explanation of history of the parsonage;
5. Within 60 days of the motion, Applicant shall submit design plans for the trail that the Church is required to install pursuant to the final approved plans for the Church expansion;
6. The Church shall make a good faith effort for a minimum of 30 days to seek interest from an individual or entity to relocate and reuse the parsonage.

Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the Motion with the 6 conditions. Gerry Stein and Vivian McCardell questioned the determination of it to be impracticable and that the Ordinance doesn't require the owner to have a use for the structure. Mrs. Baxter and Ms. Camp noted the Church does not have a practical use for the structure, which is in disrepair, and the Board wasn't going to make a financially cumbersome business decision for another entity. Each historic resource demolition permit will be reviewed on a case by case basis, considering all types of factors, before approving or denying the permit. In this case, the owner does not have a use for

March 17, 2025 Board of Supervisors Meeting, Conditional Use Hearing

the structure, the ability to move the structure is questionable, the community will benefit from the improvements that the Church will undertake on their property and it will open the view of the historic church building. The Board discussed at length all the factors in this case and did not make the Decision lightly. The Board appreciates the Historical Commission's passion.

The Motion to approve the parsonage demolition permit with the 6 conditions cited above carried unanimously.

241 Park Road Escrow Release #1.

Gilmore & Associates received and reviewed an escrow release for the Duckling Daycare project for site work completed – erosion and sedimentation controls and stormwater management infrastructure. They recommend releasing \$108,491.85 for this work. Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the release of \$108,491.85 for 241 PR Partners. The motion carried unanimously.

Open Session

Gerry Stein questioned the separation of the Municipal Authority's funds and the Township's funds. Mr. Scheivert confirmed they are separate.

Steve Egnacyzk made comments regarding demolition by neglect and does the Township warn property owners of their maintenance responsibilities and a demo permit could be denied. Mrs. Baxter noted that during the Comprehensive Plan (CompPlan) update, an historic resource protection and preservation plan (HRPP) was developed which includes stronger parameters. Once the CompPlan is adopted, the HRPP will be drafted into an historic resource protection ordinance. The Township doesn't specifically target maintenance issues; it's usually a complaint-based issue and then they speak with and work with the owners about the condition of the property.

Sue Quake queried the status of the Font Road sewer expansion. The contractor will be resuming work soon.

Adjournment

There being no further business to be brought before the Board, Mrs. Baxter adjourned the Meeting at 8:42 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary