



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS MEETING
April 21, 2025
7:00 p.m.
Approved

Attending:

Board of Supervisors

Jennifer F. Baxter, Chair
Andrew P. Durkin, Vice-Chair

Kristin Camp, Esq., Township Solicitor
Rob Daniels, Brandywine Conservancy
Olivia Falcone, Brandywine Conservancy

Township Administration

Tony Scheivert, Township Manager
Lindsay Yeager, Assistant 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

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

Mrs. Baxter 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 5 citizens in attendance.

Comprehensive Plan 2025 ~ Adoption

Mrs. Baxter spoke of the several years and many volunteers who worked on drafting, revising, and contributing to this plan. Kristin Camp, Esq., noted that all Pennsylvania Municipal Planning Code requirements were met to adopt the plan this evening and she entered the following Exhibits into the record:

- B-1 Proof of Publication in the *Daily Local News* on April 9, and April 14, 2025
- B-2 Minutes from the Upper Uwchlan Township Planning Commission meeting on September 12, 2024 recommending the Board approve the Plan
- B-3 Chester County Planning Commission Review Letter dated March 24, 2025
- B-4 Letters to Downingtown Area School District and Adjoining Municipalities dated February 27, 2025
- B-5 Response Email from Downingtown Area School District dated February 28, 2025
- B-6 Response Emails from Adjoining Municipalities:
 - a. West Vincent Township dated March 21, 2025
 - b. Uwchlan Township dated March 24, 2025
 - c. East Brandywine Township dated April 7, 2025

Rob Daniels, Assistant Director of Community Services - Brandywine Conservancy, gave a presentation providing an overview of the process, which began in Spring 2023 and ended late 2024; several other plans were updated during the process – Active Transportation Plan, Village Concept Plan and Village Design Guidelines; there were several opportunities during the process for public input; the document includes Plan Contents and Appendix, Vision and Key Values, Future Land Use Map; chapters including the Village Concept Plan, historic resource preservation, transportation, community facilities and services, natural resources and open space, parks and recreation, and the Plan Implementation which includes 139 recommendations, assigning lead parties and whether the implementations are on-going, short-term, mid-term or long-term.

Resident Gerry Stein asked of the comments made by Chester County Planning Commission and East Brandywine Township. Mr. Daniels replied they were formatting and clarifications for the future land use map and regional trails.

Tony Scheivert read an email from Sandy D'Amico in support of adopting the Comprehensive Plan 2025. Mrs. D'Amico thanked Sally Winterton and Joe Stoyack and the whole group for their collaboration updating the Plan.

Mr. Durkin moved, seconded by Mrs. Baxter, to adopt **Resolution # 04-21-25-05**, "A Resolution of the Upper Uwchlan Township Board of Supervisors to adopt the Upper Uwchlan Township Comprehensive Plan of 2025". The motion carried unanimously.

Approval of Minutes

Mr. Durkin moved, seconded by Mrs. Baxter, to approve as presented the minutes of the March 11, 2025 Board of Supervisors Workshop and the March 17, 2025 Board of Supervisors Meeting and Conditional Use Hearing. The motion carried unanimously.

Approval of Payments

Mr. Durkin moved, seconded by Mrs. Baxter, to approve the payments to all vendors listed April 16, 2025. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported a strong balance sheet; we are 25% through the year; year-to-date revenues are 36.4% of budget; year-to-date expenses are 22.5% of budget. The 2024 audit is complete

Supervisor's Report

Mrs. Baxter read the published calendar: April 26, 2025 11:00 a.m. - 2:00 p.m. Earth Day Celebration at Upland Farm Barn hosted by the Environmental Advisory Council; April 27, 2025 1:00-4:00 p.m. Farmhouse Museum open at Upland Farm hosted by the Historical Commission; May 4-7, 2025 Pennsylvania State Association of Township Supervisors (PSATS) Annual Educational Conference in Hershey; May 13, 2025 4:00 p.m. Board of Supervisors Workshop; May 17, 2025 8:30 a.m. Spring Litter Clean Up – meet at the Township Building; May 19, 2025 7:00 p.m. Board of Supervisors Meeting; May 26, 2025 Office Closed ~ Memorial Day; and Yard Waste Collection Dates are April 23, May 7, May 21.

Administration Reports

Township Engineer's Report

Dave Leh reported that revised land development plans are under review for 500 Pottstown Pike / Porsche Service Center; Preserve at Marsh Creek Phases 1 and 2 are substantially complete and construction punch lists are being prepared.

Building and Codes Department Report

Rhys Lloyd reported 72 building permits were issued last month, totaling \$72,825.00 in permit fees; 203 scheduled inspections were performed; 50 zoning complaints were investigated; there were 4 resales and 8 new settlements.

Police Chief's Report

Chief Jones reported there were 1,044 calls for service, 6 adults arrested, no juveniles arrested, 174 citations. The Department's renewed accreditation should be approved tomorrow; the Detectives have been busy with fraud cases and have recovered more than half the losses; an "elder" fraud awareness session will be held May 14 by the Police Department and the FBI for folks over 55 years of age; and the Department's K9 Officer will begin training in a few weeks.

Public Works Department Report

Mike Esterlis reported the Department received and completed 177 work orders; street sweeping is complete; curb is being repaired on Krauser Road; siding and lights have been replaced at the Hickory Park snack shack; stump grinding completed; repaired potholes throughout the township; and Brad Richmond has been deployed with the Air National Guard.

Tony Scheivert thanked the Police and Public Works Departments for the success of the Easter Egg Hunt April 13th.

Land Development

Dave Leh advised that Toll requested a bond reduction (#5) for Preserve at Marsh Creek Phase 3 in the amount of \$78,005.00. The request was reviewed, and he recommends releasing that amount. Mr. Durkin moved, seconded by Mrs. Baxter, to approve the release of \$78,005.00 to Toll for site improvements in the Preserve at Marsh Creek Phase 3. The motion carried unanimously.

ADMINISTRATION

116 Christine Drive Conditional Use Application Decision.

Kristin Camp, Esq., summarized the request for conditional use approval to continue using the property as a short-term rental, the process the Application went through, which includes the public Hearing held March 17, 2025, and the preparation of a draft Decision of Approval with Conditions as follows. Ms. Camp advised that Condition #5 will be modified to not set a minimum square footage for the fenced area, which was agreed to by the Application, Joshua Verner. The Conditions below include the revised Condition #5:

ORDER

And now this 21st day of April 2025, the Board hereby approves a conditional use pursuant to Section 200-17.B(4) of the Ordinance to allow Applicant to use the Property as a short term rental subject to the conditions below.

CONDITIONS OF APPROVAL

1. The short term rental shall be operated and used in accordance with the Application and all testimony and evidence presented at the hearing and the terms of this Order.

2. This approval shall be specific to Applicant and his use of the Property as a short term rental. The approval herein shall not run with the land and shall expire if the Property is transferred to an individual or entity other than Applicant or his wife.

3. If the Property is rented as a short term rental, there shall be a maximum of two dogs allowed at the Property at any one time.

4. Applicant shall not operate the short term rental until he obtains the rental permit from the Township which rental permit must be renewed annually.

5. Applicant shall install a fenced-in area in the rear or side yard of the Property which is enclosed by a minimum four foot tall fence which shall be used for renters to take their dogs outside. Applicant shall include in the rules and regulations for the rental that this area shall be used when taking dogs outside.

6. Applicant shall require the individuals who rent the short term rental to be a minimum of 25 years old.

7. Applicant shall include in all marketing and listings of the short term rental the following: (i) there is no on street parking permitted; (ii) the maximum number of guests is limited to ten (10); and (iii) quiet hours at the short term rental are from 10:00pm to 7:00am.

Mr. Durkin moved, seconded by Mrs. Baxter, to approve the above Order and Conditions of Approval. Tony Scheivert had received an email from Sandy D'Amico stating support of the Approval with the Conditions. Mr. Durkin commented that the Township isn't trying to encourage short term rentals but this owner was very thorough and transparent with his Application. The motion carried unanimously.

C1 Village Commercial and C3 Highway Commercial Zoning District ordinance amendments.

Kristin Camp, Esq., advised that procedures were followed to amend several sections of the above-referenced ordinances, to remove regulations where the Board of Supervisors had discretions that they didn't have standards to guide their considerations, to update outdated requirements regarding on-lot septic (now consistent with the County Health Department). Ms. Camp entered the following Exhibits into the record:

B-1 Proof of Publication in the *Daily Local News* April 7 and April 14, 2025.

B-2 Email dated March 19, 2025 from Jill Kirk to the Chester County Law Library and *Daily Local News* providing proposed amendment for public inspection.

B-3 Minutes from Township planning Commission Meeting held March 13, 2025.

B-4 Chester County Planning Commission review letter dated April 3, 2025.

Mr. Durkin moved, seconded by Mrs. Baxter, to adopt **Ordinance 2025-02** amending various sections of the C1 and C3 Commercial Zoning District regulations. The motion carried unanimously.

Traffic Signal Technical Specifications

Tony Scheivert commented that the Technical Specifications for the Traffic Signal System had been further updated by Harry Orlando of Bowman. This recent revision covers the color of the mast arms. Mr. Durkin moved, seconded by Mrs. Baxter, to approve the "Technical Specifications for Traffic Control Signalization" revised January 14, 2025. The motion carried unanimously.

Open Session

Gerry Stein announced the Upland Farm Farmhouse Museum is open during the Earth Day celebration Saturday, April 26, 11:00-2:00.

Vince McVeigh, of Marsh Harbour, requested a copy of the Comprehensive Plan, not the appendix, for the Marsh Harbour Homeowners Association Library. Kristin Camp gave him her copy of the Plan.

Adjournment

There being no further business to be brought before the Board, Mrs. Baxter adjourned the Meeting at 7:46 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary