



UPPER UWCHLAN TOWNSHIP  
PLANNING COMMISSION  
AGENDA

August 14, 2025

6:00 p.m. Workshop; 7:00 p.m. Meeting

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

		Packet Page #
I.	6:00 p.m. Workshop Review landscaping / screening ordinance amendments and 'test' project comparing existing requirements vs. proposed requirements.	2
II.	7:00 p.m. Meeting Call To Order	
III.	500 Pottstown Pike / Chester Springs Service Center – Revised Land Development Plans Review revised (July 17, 2025) preliminary land development plans and consultants' comments. Potentially, make a recommendation to the Board of Supervisors.	59
IV.	Meeting Updates ~ Reports A. Environmental Advisory Council (EAC) B. Historical Commission (HC)	
V.	Comprehensive Plan 2025 ~ Review Recommendations	--
VI.	Approval of Minutes: July 10, 2025 Meeting minutes	119
VII.	Next Meeting Date: September 11, 2025 7:00 p.m.	
VIII.	Open Session	
IX.	Adjournment	



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## Draft Print

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August 6, 2025

The Township of Upper Uwchlan has engaged RGS Associates to update the local township ordinance in respect to landscape requirements. The following text is a draft of the revised sections of the Upper Uwchlan Ordinance that pertain to landscape requirements.

Text that is highlighted in **red** has been added to the ordinance.

Text that is highlighted in **blue** was in the ordinance and has moved locations.

Township of Upper Uwchlan,  
Chapter 200. Zoning

Article XV. Common Regulations

§ 200-77. Screening.

A. Screening requirements shall be applicable under the following circumstances:

- (1) As applicable under Section 162-67.B.
- (2) Any other instance where screening is required by this chapter or by the Township. Landscape screening requirements shall be applicable and shall comply with the requirements outlined under Section 162-67.B.
- (3) Water towers, storage tanks, processing equipment, fans, skylights, cooling towers, vents and any other structures or equipment which rises above the roof line shall be architecturally compatible or effectively shielded from view from any public or private dedicated street by an architecturally sound method which shall be approved, in writing, by the Township before construction or erection of said structures or equipment.

§ 200-78. Landscaping.

[Amended 6-17-2002 by Ord. No. 02-04]

A. Applicability.

- (1) Except for individual lots existing at the time of adoption of this section and occupied or intended to be occupied by single-family or two-family dwellings, the provisions of § 162-57 of Chapter 162, Subdivision and Land Development, shall apply to all uses and to any change in use in Upper Uwchlan Township, such standards incorporated herein by this reference.
- (2) Where any use or activity requires approval of any building or zoning permit, zoning variance, special exception or conditional use, such approval or permit shall be conditioned upon compliance with the provisions of said § 162-57, including submission of a landscaping plan as set forth in § 162-57. Plans accompanying conditional use application may be conceptual in nature but shall demonstrate the ability to achieve the objectives of § 162-57.
- (3) It is the intention of this section that the provisions of said § 162-57 shall apply independently under this chapter only where Chapter 162, Subdivision and Land Development, does not otherwise apply to the proposed use or activity. Therefore, where any use, activity, permit or approval is also subject to subdivision or land development review, there shall be no requirement for additional review under this chapter. Further, where and to the extent that modification(s) of any of the provisions of said § 162-57 has/have been approved by the Upper Uwchlan Board of Supervisors in connection with any subdivision or land development review, the said requirements shall not be independently enforced pursuant to this chapter.

B. Modifications.

- (1) For any use or activity subject to subdivision or land development review, modification(s) to the provisions of § **162-57** of Chapter **162**, Subdivision and Land Development, may be requested, which modification(s) may be granted at the discretion of the Board of Supervisors pursuant to the provisions of that chapter.
- (2) For any use or activity not subject to subdivision or land development review, but where the use or activity is subject to application for approval of a conditional use, special exception, or zoning variance, modification(s) to the provisions of said § **162-57** may be requested as part of such application.
- (3) For any use or activity not otherwise subject to permit or approval as provided in Subsection **B(1) or (2)** above, modification(s) to the provisions of said § **162-57** may be requested in the form of an application for grant of a special exception by the Upper Uwchlan Zoning Hearing Board. Such applications shall be submitted to the Upper Uwchlan Planning Commission for review and comment prior to formal special exception application to the Zoning Hearing Board.
- (4) In approving any application pursuant to Subsection **B(2) or (3)** above, the Zoning Hearing Board or Board of Supervisors, as applicable, as a condition of approval of such application, may permit specific modification(s) to the provisions of said § **162-57** subject to the following:
  - (a) The Zoning Hearing Board or Board of Supervisors, as applicable, shall determine that the specific nature of the lawful use or activity, existing site conditions, and/or safety considerations warrant such modification(s); and
  - (b) Permitted modifications shall be consistent with the purposes of said §**162-57**.

**Chapter 162. Subdivision and Land Development****Article VI. Development Design Standards**

- § 162-44 General standards.
- § 162-45 Land requirements.
- § 162-46 Lot design.
- § 162-47 Monuments and iron pins.
- § 162-48 Wastewater treatment and disposal.
- § 162-49 Water supply.
- § 162-50 Other utilities.
- § 162-51 Erosion and sediment control.
- § 162-52 Stripping, piling, replacement or removal of topsoil.
- § 162-53 Design standards for land development.
- § 162-54 Community facilities and public open space.
- § 162-55 Natural and historic features conservation.
- § 162-56 Parking.
- § 162-57 Landscape design, installation and maintenance standards.
- § 162-58 Lighting.

§ 162-55 Natural and historic features conservation.

[Amended 12-15-2003 by Ord. No. 03-06]

A. General.

- (1) For all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, consideration shall be shown for the protection of all natural and historic features in Upper Uwchlan Township, including, but not limited to, woodlands, specimen trees, hedgerows, wetlands and watercourses, riparian buffers, prohibitive and precautionary slopes, trails, and historic resources which, if preserved, will add attractiveness and value to developed areas. The values of these natural and historic resources are documented and described in numerous Township documents and publications, most notably, Upper Uwchlan's Comprehensive Plan, as amended. The provisions of this section apply to all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, pursuant to § 200-108. Where any applicant demonstrates to the satisfaction of the Township that strict adherence to the provisions of this section will render the lot or tract unusable or unsuitable for development in accordance with applicable zoning district regulations or demonstrates that alternative design provisions shall achieve similar conservation objectives, the provisions of this section may be waived or modified as determined appropriate by the Board of Supervisors.
- (2) Where the proposed subdivision will be subject to a site analysis and impact plan (§ 162-9D of this chapter), the applicable narrative and plan submittal

requirements of this section can be made part of the site analysis and impact plan. The resource management, protection, and improvement requirements of this section can be included in the open space requirements of this chapter (§ 162-54) or Chapter 200, Zoning (§ 200-69), as applicable to the proposed project.

B. Woodlands and hedgerows. The purpose of this section is to promote conservation of woodlands, including specimen trees and hedgerows, throughout Upper Uwchlan Township through the establishment of specific provisions for land development activities, replacement requirements, and management planning.

- (1) Woodland and hedgerow disturbance resulting from any land development or land use change shall be minimized. No portions of tree masses or trees with a diameter at breast height (dbh) **of 8"** or greater shall be cleared unless demonstrated to be necessary and in accordance with this chapter. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing woodlands and hedgerows.
- (2) No **healthy, viable** specimen tree(s) shall be removed from any lot or tract except where the applicant demonstrates to the satisfaction of the Board of Supervisors that such removal is essential to eliminate hazardous condition(s) or otherwise permit lawful use of the lot or tract; where permitted, removal of specimen trees shall be minimized.
- (3) Woodland and hedgerow disturbance **of healthy and viable trees** shall require woodland replacement in accordance with Subsections B(6) through B(9) below.
- (4) In determining where necessary woodland or hedgerow disturbance shall occur, applicants shall consider the following:
  - (a) The location(s) and benefit of conservation of healthy mature woodland or hedgerow stands;
  - (b) The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas, especially woodlands and hedgerows exceeding 10 acres in area; and
  - (c) The location of hedgerows relative to exterior or perimeter property lines as well as to existing or future trails, as consistent with applicable Township criteria such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended).
- (5) **Calculation and estimation of existing trees shall be performed before any clearing commences and shall be based on the following procedure:**
  - (a) Trees greater than 8" DBH, as measured at 4'-6" above natural grade, will be documented individually and noted on the landscape plan or existing conditions plan, unless section 162-55.B(7) is applicable.

(b) The quantity of all trees greater than 8" DBH in groupings larger than 20 trees may be estimated by the following method:

- i. Three 100' by 100' square areas will be staked out in locations acceptable to the owner/developer and the Township Engineer, Township Arborist or Township Landscape Architect.
- ii. The quantity of trees in each area will be counted and the totals of each size range (8" to 12" DBH, 13" to 23" DBH and 24" DBH and above) will be averaged to determine the average number of trees per 10,000 sqft of wooded area.
- iii. This average quantity per area will be used to determine both the quantity of trees being removed and the quantity of trees to remain in large masses.

(6) In areas of permitted woodland or hedgerow disturbance and areas adjacent to permitted woodland and hedgerow disturbance, care shall be exercised to protect remaining trees from damage. To the maximum extent practicable, procedures shall be utilized during construction in order to protect the remaining trees.

(a) Where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees. Tree protection fencing shall be chain-link or wire mesh fence, 4'-6' in height and anchored 2' in the ground. Fencing shall have clear signage stating that area is in tree protection zone and no disturbance can occur without authorization from the Township. Fencing shall be placed at the dripline of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity.

- i. The holes for the posts shall be hand-excavated taking care not to disturb roots larger than 1.5" in diameter. If necessary, post spacing may be adjusted to not damage or injure roots.
- ii. A minimum of one 3' wide lockable gate shall be provided for each fenced area. The location of the gates shall be approved by the Township
- iii. The tree protective zone signage shall have rigid or metal sheet signage legibly printed with nonfading lettering. The signage shall be weatherproof and at least 10" by 12" in area. The signage shall read: "TREE PROTECTION ZONE (TPZ) - KEEP OUT, No grade change, material storage, or equipment is permitted within this TPZ. The tree protection barrier must not be removed without the authorization of the Township. Call the Township to report violations."

- iv. One tree protection zone sign shall be installed per fence side spaced every 50'.
- (b) Roots shall not be cut within the dripline of any trees to remain.
- (c) Trees within 25' of a building, or bordering entrances or exits to building sites, shall be protected tree protection fencing to be maintained in place throughout the duration of construction activity.
- (d) No boards or other material shall be nailed or otherwise attached to trees during construction.
- (e) Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the driplines of trees to remain, except for mulched vegetative matter used to prevent soil compaction.
- (f) Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage through immediate treatment in accordance with accepted professional landscape procedures.

(7) Where woodland or hedgerow disturbance involves each tree greater than 8" dbh removed, replacement trees shall be planted in accordance with the following schedule.

For Each <b>Healthy and Viable Tree</b> to be Removed, at the Following Sizes, dbh (inches)	Minimum Number and Caliper of Replacement Trees
One, 8"-12" dbh	One, 2.5"-3" inch caliper tree
One, 13"-23" dbh	Two, 2.5"-3" inch caliper tree
One, greater than 24" dbh	Three, 2.5"-3" inch caliper tree

(8) **Permitted Tree Replacement Substitutions**

- (a) A maximum of 30% of the replacement trees may be replaced with ornamental or evergreen trees at a ratio of two flowering trees (10'-12' ht.) or two evergreens (8-10' ht.) per required 2.5"-3" caliper shade tree.
- (b) A maximum of 20% of the replacement trees may be replaced as shrubs with a minimum size of 24" ht. at a ratio of 6 shrubs per required 2.5"-3" caliper shade tree.
- (c) A maximum of 10% of the replacement trees may be replaced as groundcover at a ratio of 40 plants to one 2.5"-3" caliper shade tree. The minimum size of the ground cover shall be 1 gallon.

(d) A maximum of 5% of the replacement trees may be replaced with plugs at a rate of 240 plugs 1.25" x 1.25" x 2.5" deep root zone for every 2.5"-3" caliper shade tree.

(9) Applicant shall include provisions, in narrative and/or graphic form, of sufficient detail to satisfy the Township, for the long-term management of any woodland and hedgerow area not subject to woodland and hedgerow disturbance and any area selected for introduction of replacement plantings in accordance with this section. The submission shall include a statement of woodland and hedgerow management objectives and shall demonstrate the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive species, and means to minimize any future woodland and hedgerow disturbance. Additional requirements include:

- (a) The manner in which the woodland area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary). See section 162-64.B. for further requirements.
- (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
- (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the woodland area.
- (d) Applicants and Responsible Parties are strongly encouraged to seek woodland management assistance through the Pennsylvania "Forest Stewardship Program" administered by the Pennsylvania Bureau of Forestry.

(10) Installation of woodland and hedgerow replacement plantings shall be installed, maintained, and guaranteed along with all other site improvements in accordance with §§162-57, 162-61(Release from Performance Guarantee), 162-63 (Dedication and Acceptance of Public Improvements), and 162-64 (Maintenance Guarantees) of this chapter. The costs of planting material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with this section. In addition, an escrow may be required for the removal and replacement of woodlands, specimen trees, or hedgerows damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements. At its sole discretion, the Township may remedy failure to complete installation or to maintain required woodland and hedgerow replacement plantings in accordance with the provisions of this chapter.

(11) Any new trees, (such as but not limited to the required trees per section 162-57) placed on the property may be credited toward the compensatory tree requirement, provided that such new trees meet the following size requirements:

- (a) Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper.
- (b) Multi-stem shade or ornamental trees shall have a minimum height of 10'-12'.
- (c) Evergreen trees shall have a minimum height of 8'.
- (d) Large Shrubs 30" minimum height
- (e) Small Shrubs 24" minimum height

(12) In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter.

## SALDO

### **§ 162-57 Landscape design, installation and maintenance standards.**

A. Applicability. An on-site investigation by the design professional shall determine the adjacent land uses along each property boundary and street frontage. In the case of vacant land, the existing zoning shall be used. The existing or zoned uses shall be noted on the plan. In the case when several uses are allowed on a site, the most restrictive landscaping requirements identified in the Table below shall apply as determined by the Director of Building and Planning. Landscaping conforming to the provisions of this section shall be provided in any of the following situations:

- (1) Required screening.
  - (a) Where any use or activity is subject to the screening requirements of Subsection (B) below shall be provided with a minimum fifty-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section.

- (b) Any situation where screening is imposed by the Zoning Hearing Board or otherwise by the Township as a condition of any approval or permit. In consideration of any approval or permit, the Township may require screening or buffering for the purpose of providing privacy for dwellings, separating incompatible land uses, shielding unattractive structures from view, noise abatement or reduction in light or glare.
- (5) Perimeter buffer requirement. The entire perimeter of any tract subject to subdivision or land development approval, or any tract occupied by a use subject to the provisions of **Sub Section B below**, shall be provided with a minimum fifteen-foot-wide buffer planting strip which will act as an effective separation between uses. The buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section.
- (6) General landscaping requirement. On any tract subject to subdivision or land development approval, or any lot or tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, any part or portion of such lot or tract which is not occupied by buildings nor used for loading and parking spaces and aisles, sidewalks and designated storage areas shall be landscaped according to an overall landscape plan, prepared and approved as provided in this section or shall be left in its natural state.
- (7) Parking lot landscaping requirement. On any tract subject to subdivision or land development approval, or any lot or tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, all parking lots or areas shall be landscaped subject to the provisions of Subsection D below.

B. **Perimeter Buffer, Screening Buffer and Site Element Screens.**

Landscaped perimeter buffers and screening buffers shall be used to mitigate views between a development and its surroundings and to provide opportunities for green links between properties. Site element screens are used to screen specific elements from views within the tract or views of said elements from other tracts. Three types of such landscaping are hereby established: screening buffer, perimeter buffer, and site element screen. The minimum planting requirements for these buffers and screens are contained in this section. Buffers between adjoining land uses shall be in accordance with the following table.

## Adjoining Land Use

Proposed Use	Com.	Ind.	Inst.	Ag./Pr.	Rec.	Mun.	Res. SF	Res. MF	FLEX	Util.	Hist
Commercial	P	S	S	S	S	S	S	P	S	S	
Industrial	S	P	S	S	S	S	S	P	P	S	
Institutional	S	S	P	S	P	P	S	S	S	S	
Agriculture /Preservation	S	S	S	P	P	S	S	S	S	S	P
Recreation	S	S	P	P	P	S	S	S	S	S	P
Municipal	S	S	P	P	P	P	S	S	S	S	S
Residential SF	S	S	S	S	S	S	P	P	S	S	S
Residential MF	S	S	S	S	S	S	P	P	S	S	S
Flex Space	P	P	S	S	S	S	S	S	P	P	S
Utilities	S	P	S	S	S	S	S	S	S	P	S
Historic	S	S	S	P	P	S	S	S	S	S	P

S= Screening Buffer

P=Perimeter Buffer

### (1) Perimeter Buffer and Screening Buffer Requirements

- (a) Any of the following elements may be used in buffers and screens, provided that the minimum standards prescribed herein are met:
  - i. Existing vegetation and natural features;
  - ii. Proposed new or transplanted vegetation;
  - iii. Existing or proposed fences or walls; and
  - iv. Existing or proposed grading, including berms.
- (b) Preserved existing natural features and transplanted material may be credited as prescribed in Section 162-57.G. of this chapter.
- (c) Fences, walls and berms shall be used in conjunction with required landscaping, not to replace it.
- (d) If berms are proposed, they shall conform to the following standards:
  - i. Berms shall be a minimum of 2' in height and shall not be steeper than 3' horizontal distance to one-foot vertical distance.
  - ii. Berms should be located to work in conjunction with vegetation, fences and/or natural features to provide an effective buffer. They

shall be laid out to replicate naturally occurring landforms. Their locations shall not adversely affect stormwater management.

- (e) The following methods shall be used for the purpose of calculating the amount of plant material required within a perimeter buffer or screening buffer:
  - i. A buffer length shall be measured at the property line or right-of-way line and shall include all existing or proposed driveway openings or easements.
  - ii. Where buffer yards overlap, as in the case of a front and side yard buffer, the most stringent requirement shall apply. For example, when a screening buffer and a perimeter buffer overlap at a property corner, the screening buffer length shall be calculated for the entire length required, and the perimeter buffer shall be reduced by the amount of the overlap.
- (f) The length of the perimeter buffer of stormwater management basins shall be measured along the elevation of the center of the top of the berm, around the circumference of the basin.
- (g) Site element screens, existing natural features, structural garden elements (such as gazebos and trellises), water features, sculpture, and project identification signs may be placed within the buffer, provided they do not replace or diminish the intended screening effect of the buffer.

(2) Screening Buffer:

Screening buffers shall be used between incompatible zoning districts, between land uses as required by § 162-57.B above, and adjacent to the higher classified street right-of-way on reverse frontage nonresidential lots, where a high level of visual buffering is desirable, as determined by the Township. Screening buffers shall be 50' in width, adjacent to the property line. Screening buffers shall comply with the following planting requirements:

- (a) One deciduous tree per 50' of length.
- (b) One ornamental tree per 50' of length.
- (c) Two evergreen trees per 50' of length.
- (d) Ten small shrubs or five large shrubs per 50' of length.

- (e) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.
- (3) Perimeter Buffers:
  - Perimeter buffers shall be used along all property boundary lines or residential subdivision tract boundary lines, along arterial street right-of-way lines, and around the entire perimeter of stormwater management basins, and shall be used adjacent to the higher classified street right-of-way on reverse frontage residential lots, where a low level of visual buffering is desirable, as determined by the Township.
  - (a) The Township may reduce or eliminate the perimeter buffer requirement where any tract abuts similar uses such that the Board agrees that buffering is not necessary or where the applicant can demonstrate to the satisfaction of the Board that existing vegetation, structural and/or topographic conditions will, on a year-round basis, buffer the subject development or use from view from adjacent tracts.
  - (b) Perimeter buffers shall be 15' in width, placed at the property line, right-of-way line, or around the circumference of stormwater management basins. Perimeter buffers shall comply with the following planting requirements:
    - i. One deciduous tree per 100' of length.
    - ii. One ornamental tree per 100' of length.
    - iii. Two evergreen trees per 100' of length.
    - iv. Five large shrubs per 100' of length.
  - (c) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.
  - (d) Perimeter buffers shall be placed around stormwater management basins with the following additional considerations:
    - i. The plantings should be clustered to approximate naturally occurring groupings. The intention is not to screen the basin, but rather to help it blend into the development by softening its appearance.

- ii. The basin headwall and other structures should be screened with required plantings; however, plantings shall not impede the basin's function.
- iii. Trees and shrubs shall not be permitted on the constructed berms for basins. In cases where the perimeter buffer coincides with a constructed berm, required buffer plantings shall be placed in the area downslope and adjacent to the berm.
- iv. Naturalistic basins shall be designed as natural areas with 100% native plantings to promote habitat and aesthetics, and shall be graded to resemble naturally occurring landforms, with constructed banks no steeper than one foot vertical to 4' horizontal. When approved by the Township, naturalistic basins may be installed within the required yard areas, and no perimeter buffer shall be required. Naturalistic basins shall not be planted in turf but shall have appropriate native plantings including species recommended in the PA Department of Environmental Protection Stormwater Best Management Practices Manual Appendix B - Pennsylvania Native Plant List. Plantings in naturalistic basins shall be demonstrated to be at least equal in monetary value to that of the required perimeter buffer vegetation.

(4) Site Element Screen - All electrical, mechanical, and utility equipment, and all loading and storage not enclosed in a building, shall be fully and completely screened from view from any adjacent streets or residential districts or uses, in a manner compatible with the architectural and landscaping style employed on the lot. Such screening shall be subject to site plan and/or architectural review by the Township

- (a) Site element screens shall be placed to screen the element to the satisfaction of the Township, when such elements are proposed within 200' of a property or right-of-way line. Site element screens may be located within required buffer areas. Screen plantings used around parking lots shall be placed to provide a snow stockpile area. Site element screens may be eliminated if they are adjacent to or within screen buffers, when the screen buffer effectively screens views of the site element.
- (b) Site element screens shall be one of the following types, according to use. If a use is not listed, the screen most suited to the use shall be used.

- i. Low screens shall be used around the perimeters of all parking lots or other similar vehicular use areas, including service stations, sales lots for motorized vehicles, vehicular stacking lanes associated with a drive-through, and around trash enclosures or storage buildings when decorative walls, such as brick, latticework or split-face concrete block, are proposed.
- ii. High screens shall be used adjacent to loading areas, around trash enclosures and storage buildings, when fencing or plain concrete masonry units are proposed, and around transformers, maintaining the required clear distance. High screens or six-foot-high opaque fencing shall also be required to buffer accessory structures from the higher classification street on reverse frontage lots.
- iii. Yard screens shall be placed around vehicular storage areas that are not used as parking lots or sales areas, around the perimeter of tank farms and similar facilities, and around utility towers and equipment yards.

(c) Site element screens shall be measured at the base of the element being screened. This might be the base of a trash enclosure or the surface of a parking lot closest to the screen.

(d) Low screens shall conform to the following:

- i. They shall be comprised of evergreen or dense deciduous shrubs to form a continuous screen or hedge, which shall reach a minimum height of 3', after two years' growth. For example, if a parking lot elevation is higher than the adjacent street and the screen plantings are placed at a lower elevation on the slope between the two, then the screen must consist of either larger plants, a taller species or be maintained higher to provide a three-foot-high screen as measured from the surface of the parking lot. Conversely, if a berm is used in conjunction with screen plantings, they may be shorter plants, as long as an effective screen is provided.
- ii. Small shrubs shall be spaced no farther than 3' on center. Large shrubs shall be spaced no farther than 5' on center.

(e) High screens shall be comprised of either of the following:

- i. Large evergreen shrubs, spaced no farther than 5' on center, or as needed to form a continuous screen at a height of 6' after 5 years' growth.
- ii. Evergreen trees spaced 12'-15' on center.

(f) Yard screens shall conform to the following. They shall be of the same composition as high screens, except that in addition, large shrubs shall be planted on five-foot centers alongside the evergreen trees.

### C. Street Trees

- (1) Street trees provide many benefits, including shading streets and parking lot drives, adding beauty to a neighborhood, biodiversity, and creating separation from the roadway and individual yards. Shade trees should be selected with particular emphasis on hardiness, minimum need for maintenance and capability of providing significant shade. Large canopy trees have wide canopies to provide cooling, stormwater benefits and shade for pedestrians when grown to maturity. Planting shade trees and large canopy trees is preferred, unless space is limited. Providing space for trees includes both allowing room above and below ground, i.e., soil volume/verge size and space for healthy canopy without growing into utility transmission lines.
- (2) Shade trees shall be located to provide shade along linear areas of pavement.
  - (a) Shade trees or large canopy trees shall be required along both sides of all existing and proposed streets when said streets abut or lie within the proposed subdivision or land development.
  - (b) Shade trees or large canopy trees shall be required along both sides of all proposed streets, whether public or private.
  - (c) Large canopy trees shall be required along common driveways that serve five or more residential dwelling units.
  - (d) Large canopy trees shall be required on both sides of drive aisles that serve nonresidential properties or uses.
- (3) Shade Tree Locations:
  - (a) Trees shall be planted at a rate of at least one tree per 40' of public or private street frontage, common driveway, or portion thereof. Trees shall be distributed along the entire length of the public or private street

frontage, access driveway, or walkway, although they need not be evenly spaced.

(b) Shade trees shall be located within the right-of-way. The preferred placement is in a verge, with a minimum width of 6' for such verge. Shade trees shall be selected and located so as not to interfere with the installation and maintenance of sidewalks and utilities.

(c) When trees may not be planted in accordance with §162-57C(3)(b) above, the following placement of trees may be considered:

i. Shade trees or large canopy trees shall be planted a minimum distance of 6' from the inside edge of the right-of-way, public or private street, drive aisles, common driveways or walkways, and a distance no greater than 10' from the edge of the curb or cartway.

ii. Where there are existing trees along the road, new trees shall be planted in-line to supplement them.

iii. If no sidewalk exists or where sidewalks are unlikely to be installed, shade trees shall be located at a minimum distance 6' from the inside edge of the right-of-way.

(4) Shade trees and large canopy trees shall be planted at least 15' from buildings, when feasible, or at a similar distance appropriate for the building height and species.

(a) Tree species shall be selected based on appropriate growth rates and mature heights for use under or adjacent to overhead utility lines, see Arbor Day guidelines for planting distances and recommended tree species. <https://www.arborday.org/perspectives/planting-right-tree-right-place>

(b) Selected street tree species shall be hardy indigenous varieties with minimal maintenance requirements, and shall be selected such that, at maturity, they shall provide adequate summer shade along the public road.

(c) Refer to Cornell Universities Recommended Urban Trees Publication for Street Trees. DCNR / Native Plants | Department of Conservation and Natural Resources| Commonwealth of Pennsylvania for recommended tree types

- (d) At the time of planting, street trees shall be at least 2.5"-3" caliper in size.
- (e) Street trees can be grouped to provide sight lines to Commercial Signage and do not need to be evenly spaced along the Street.

D. Parking lot landscaping.

All off-street parking areas, except those intended solely for use by individual single-family residences, shall be landscaped with trees and shrubs of varying species, in accordance with the following:

- (1) Off-street parking areas shall be landscaped to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to ameliorate stormwater drainage problems; to replenish the groundwater table using bioretention islands; to provide for a more attractive setting; to protect the character and stability of residential, business, institutional, and industrial areas; and to conserve the value of land and buildings on surrounding properties and neighborhoods.
- (2) No parking or paved area, except for permitted accessways, shall directly abut a public street. Each such area shall be separated by a site element screen meeting § 152-67.B(4) of this chapter.
- (3) Any parking for five or more vehicles on a lot which abuts a residential district or a lot for residential purposes, whether single-family or multifamily, shall be screened from the adjacent property by an effective vegetative screen the entire length of said parking lot, in accordance with the requirements of §152-67.B(4) this chapter.
- (4) The interior of each parking area or lot shall have at least one shade tree for every 10 parking spaces. Such shade trees shall meet the standards provided for street trees in Subsection **C(6)** above.
- (5) One evergreen or ornamental tree and four shrubs shall be required per every 2,000 sqft of off-street parking or loading area, excluding driveways less than 18' wide; residential subdivisions are exempt from this requirement.
- (6) Planting areas shall be placed so as to facilitate snow removal and to provide for safe movement of traffic without interference of proper surface water drainage. Planting areas shall be bordered appropriately to prevent erosion or damage from automobiles. Bollards may be used to afford protection of trees from vehicular movement.

- (7) Planting areas utilized for stormwater management/bioretention can count toward parking lot landscaping minimum requirements. Such planting area design and maintenance shall be clearly described in the applicant's stormwater management plan submitted as part of a subdivision or land development application.
- (8) The landscaping and planting areas shall be reasonably dispersed throughout the parking lot, except where there are more than 20 spaces in which case the following shall apply:
  - (a) Landscaped areas at least 10' wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary access ways, to prevent the encroachment of moving vehicles into parking areas.
  - (b) Landscaped islands at least **10'** wide shall be provided between each set of two parking bays, except as otherwise approved by the Township.
  - (c) Landscaped islands shall be provided at the end of each parking bay where such parking bay abuts or opens onto any street or accessway. Such landscaped islands shall be at least **10'** in width and shall extend parallel to the parking spaces in each abutting parking area the length of one parking space. No more than 20 parking spaces shall occur between islands. Parking bays providing more than 20 spaces in a single bay shall be broken by a similar landscape island.
  - (d) 2' of each parking stall adjacent to planting strips required in Subsection **D.(6)(a) and (b)** above shall be of a permeable surface (e.g., concrete paver blocks filled with stone) to allow water to percolate into the ground.
- (9) Parking lots which do not conform to the criteria listed above shall be planted with the same ratio of trees to parking spaces as conventional parking lots but these may be planted in more varied configurations.
- (10) All parking lots shall be designed to provide for safe, reasonable pedestrian access. Parking lots with more than 50 spaces shall include paved pedestrian walkways. Pedestrian walkways may be located along or through landscaped islands or other landscaped areas adjacent to the parking lot.

## E . Foundation Plantings

- (1) The total number of foundation plantings required may be dispersed throughout the tract to meet the objectives of this section. Additional plantings may be provided.
- (2) The minimum planting requirement for foundation plantings shall be one shade, ornamental or evergreen tree per 50' of building facade plus five small shrubs per 50' of building facade. In lieu of shrubs, 50 herbaceous perennial plantings may be provided per 50' of building facade.
- (3) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

F. Landscape plan.

- (1) All required landscaping and screening shall be installed and maintained in accordance with a landscape plan prepared, signed and sealed by a registered landscape architect in the Commonwealth of Pennsylvania and approved by the Township. The landscape plan shall depict all proposed plantings required to complement, screen or accentuate building, roads, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, entry road treatments, and other site features and/or structures. Plant sizes, spacing and types shall be in accordance with this section, especially Subsection **G** below, Landscape design standards.
- (2) All required landscape plans shall be submitted at the time when all other required applications and/or plans are submitted (e.g., sketch, preliminary, or final land development plan submission, conditional use approval application, change in use, etc.). Plans shall be based on and reflect the following objectives:
  - (a) A design which is responsive to the functional and aesthetic characteristics of the tract or lot, and existing and proposed principal and accessory buildings and other structures.
  - (b) A design which respects/incorporates existing topography, landscape, and other natural features such as hedgerows and woodlands.
  - (c) A design which demonstrates an effective proposal for screening the proposed use or activity from the adjoining properties.

- (d) A design which creates visual interest for the users and/or residents of the proposed project and enhances views.
- (e) A design which promotes effective management of stormwater to minimize soil erosion and sedimentation and creates opportunities for infiltration to the groundwater system.
- (f) The use of plant material which is acclimated to local conditions; located and spaced to achieve required screening, compatible groupings and other effective purposes; and not injurious of persons or pedestrians and vehicular circulation.

(3) Submitted landscape plans shall include notes, diagrams, sketches or other depictions appropriate to demonstrate consideration and analysis of the following:

- (a) Consistency with the objectives stated in Subsection B, C, D, and E , above, as well as the design standards of Subsection G below.
- (b) Planting plans shall include a planting schedule which summarizes the quantity, type, size and root conditions of all plantings.
- (c) Analysis of the site in terms of existing site conditions, including topography and vegetation, and existing views to and from the areas which are proposed for development.
- (d) Analysis of any need(s) for screening related to the proposed development or use.
- (e) Consideration of the use of introduced landscaping to provide visual interest, define outdoor spaces, complement architectural features, blend into surrounding landscapes and/or other aesthetic purposes.
- (f) A compliance chart showing dimensions, calculations and quantities based on landscape requirements of the Upper Uwchlan Ordinance.

(4) Landscape plans should show the location of tree protection fencing in accordance with Section 162-55.B.(5). A tree protection fence detail shall be provided in the plan set.

G. **Landscape design standards.** All required landscaping shall be designed, installed and maintained in accordance with the standards herein, including specific standards for screening, street trees, perimeter buffer and parking area landscaping, foundation plantings and replacement trees as applicable.

- (1) Existing trees and shrubs to be retained and protected may be credited towards the minimum planting standards, subject to review and approval of the Township. Where existing trees have been identified for credit, the Township may require the applicant to commit to a tree replacement program for non-surviving plants.
  - (a) Credits for existing preserved healthy and viable vegetation. Preserved deciduous trees shall be credited toward shade and street tree requirements, evergreen trees shall be credited toward evergreen requirements, and shrubs shall be credited toward shrub requirements. No credit shall be given for weedy, brittle or invasive species unless otherwise approved by the Township.
  - (b) Preserved healthy and viable trees shall be credited toward satisfying the requirements of this § 162-57. in the area that they are preserved. That is, if a tree is preserved along a property line, it shall be credited toward the buffer or screen requirements along that property line. A tree preserved within a parking area may not be counted toward satisfying buffer requirements.
  - (c) The applicant shall note, on all appropriate submittals, the location, type, extent, and condition of the existing plant materials or other means of landscaping that would be the basis for the proposed credit. Should the Township issue credit, the approved, existing plant materials or other means of landscaping shall be protected during construction from impacts such as, but not limited to, root compaction, debarking, and soil stripping in accordance with section 162-55.B.(5)(a).
  - (d) Preserved and healthy and viable trees shall be credited toward satisfying the requirements of this section as follows:
    - i. 8"-12" diameter equals two trees.
    - ii. 13"-24" diameter equals four trees.
    - iii. 24" diameter or greater equals six trees.
- (2) Mitigation of development impacts. Consistent with the terms of this section the applicant shall plant trees and shrubs and make other landscape improvements (e.g., berms, fencing) as necessary to mitigate any adverse impacts of the proposed action or project, including visual impacts on the subject property, adjoining properties, and the Township in general, and otherwise address landscape issues identified through the required landscape planning process.
- (3) General landscape design.

- (a) Plantings and other landscape improvements shall be provided in arrangements and locations to have an overall benefit to the landscape and in response to specific site conditions. Additional considerations shall include feasibility of using native species, proximity to existing dwellings, compatibility of adjacent uses and landscaping, nature of views into and across the subject site, and in consideration of privacy of neighboring residential development.
- (b) Use of linear measurements for purposes of calculation is not intended to specify linear arrangement of plantings. Groupings of plantings are encouraged in lieu of linear arrangement, consistent with the provisions of this section.
- (c) In selecting the location and mix of required plantings, consideration shall be given to the natural landscape characteristics of the setting, the environmental conditions to be created following site disturbance, and the texture, coloration and compatibility of different plant species. It is strongly encouraged that improved landscapes be designed in such a manner as to be creative and attractive while maintaining the integrity of the natural landscape within which such work is proposed.
- (d) The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight. In selecting locations for shade trees, consideration also shall be given to aesthetic qualities of the site and to the protection of solar access.
- (e) Plantings shall be limited or carefully selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include but shall not be limited to the edges of parking areas; public street rights-of-way; underground and aboveground utilities; and sight triangle areas required for unobstructed views at street intersections. No trees shall be planted closer than 15' from fire hydrants, streetlights, or stop signs.
- (f) Planting guidelines from Arbor Day Foundation "The Right Tree in the Right Place" can be utilized for direction in selecting tree species and the optimal distance to plant from overhead power lines and other utilities.

(4) Plant Material.

- (a) Plant sizes used to comply with the standards required above shall be:
  - i. Deciduous shade or ornamental trees shall be a minimum of 2.5"-3" caliper.
  - ii. Multi-stem shade or ornamental trees shall have a minimum height of 10'-12'.
  - iii. Evergreen trees shall have a minimum height of 8'.
  - iv. Large Shrubs 30" minimum height.
  - v. Small Shrubs 24" minimum height
- (b) Plantings and their measurement shall conform to the standards of the publications "American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section.
- (c) The Township shall conduct a post-construction inspection and reserves the right to require additional plantings if the existing plant material or other means of landscaping are damaged or did not survive construction.

#### H. Criteria for selection of plant material.

- (1) Species selected by the applicant shall reflect careful evaluation of the required site analysis plan and in particular the following considerations:
  - (a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
  - (b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.
  - (c) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, availability, and drought and salt resistance.

- (2) Use of native plants, because of their many benefits (such as ease of maintenance, longevity, wildlife habitat, etc.), is encouraged to meet the requirements of this section.
- (3) Species for shade trees, including street trees, shall be selected with particular emphasis on hardiness, growing habit for pedestrian and vehicle passage, minimal need for maintenance, and compatibility with other features of the site and surrounding environs.
- (4) For the purposes of promoting disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under more or less natural conditions on sites comparable to those where the trees and shrubs are to be planted.
- (5) Invasive and watch-list species listed on any governmental list of invasive species, including the Pennsylvania Department of Conservation and Natural Resources' DCNR Invasive Plant List, shall be prohibited from being planted in any subdivision or land development in the Township.
- (6) Invasive plants shall be required to be removed when present on a site under development, and such plants shall not be used to satisfy any landscaping requirement of this chapter.

I. Site maintenance and guarantee.

- (1) All landscape improvements, to be provided in accordance with this section, shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate, but not necessarily be limited to, provisions for surface mulch, guy wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.
- (2) Applicant shall make arrangements acceptable to the Township that all landscaping incorporated into the landscape plan and proposed in accordance with this chapter shall be maintained in a healthy and/or sound condition or otherwise be replaced by equivalent improvements. After installation and prior to Township acceptance of the site improvements, representatives of the Township shall perform an inspection of the finished site for compliance with approved landscape plan(s).

- (a) Landscape improvements approved for commercial, institutional, townhouse and/or multifamily residential subdivisions and land developments shall be perpetually maintained in a healthy and/or sound condition. Applicants shall record a covenant on the property in a form acceptable to the Township Solicitor to guarantee this requirement.
- (b) Landscape improvements approved for all other projects, including one- and two-family dwellings, shall be maintained in a healthy and/or sound condition for a period of 18 months, or shall be replaced once by equivalent improvements.
- (c) Upon completion of the project and prior to commencement of the eighteen-month guarantee period set forth above, the Township Arborist shall perform an inspection of the finished site for compliance with the approved planting plan. Provided that the finished site is found to be acceptable, the eighteen-month guarantee period shall commence five days from the date of inspection. During or immediately following the eighteen-month guarantee period, plants found to be in poor health or lacking normal growth habit shall be replaced with a substitute plant material determined by the Township to be more suitable for the planting scheme. Replacement plants shall be inspected by the Township Arborist after installation. All plants shall be in a vigorous and thriving condition at the end of the eighteen-month period, as determined above. Final inspection of the site following the eighteen-month period will be made by the Township Arborist and final approval given.
- (d) Replacement plant material shall be installed within 20 days of notification by the Township Arborist to do so. Such notification shall give deference to weather conditions adverse to new planting. Failure to replace plant material as required shall subject the person(s) responsible for such replacement to the fines and penalties provided in § 101-19 below, except the minimum fine shall be \$50 per day, per site.
- (e) Where accidental damage or vandalism of plants occur, the applicant shall replace the damaged plant material in accordance with the original or modified planting plan. In such cases, the eighteen-month replacement policy required above may be waived.

(3) Installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with §§ 162-61, 162-63, and 162-64 of this chapter. The costs of landscape material and installation shall be

considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with Subsection **G(1)** above. In addition, an escrow may be required for the removal and replacement of specimen vegetation damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements. At its sole discretion, the Township may remedy failure to complete installation or to maintain required landscape improvements in accordance with the provisions of this chapter.

(4) Maintenance. Prior to final approval of the site's landscape plan, the developer shall sign and record an operation and maintenance agreement or covenant, as outlined in **162-64**. The agreement shall cover ongoing maintenance of all required plantings on the site in accordance with the approved plan. The agreement shall be subject to review and approval by the Township Solicitor.

- (a) It shall be the responsibility of all property owners to maintain all plantings and architectural elements to ensure a safe environment.
- (b) Plantings shall be selected, located, and maintained so as not to contribute to conditions hazardous to public safety. Such conditions include, but are not limited to, public street rights-of-way, underground and above ground utilities, and sight triangle areas required for unobstructed views at street intersections.
- (c) Within required sight triangles, shrubs must be maintained at a maximum height of 2', and trees must be maintained so that the lowest branches are a minimum of 7' above grade.
- (d) Any plant material that presents high or extreme risk based on ANSI Tree Risk Assessment Standard should be managed to mitigate the risk.

J. Suggested Tree Species / Recommended Publications: The following are recommended publications for selecting tree species according to their role in the landscape.

- (1) Arbor Day Foundation, Planting the Right Tree in the Right Place for recommendations on planting near utilities and database of tree information (<https://www.arborday.org/perspectives/planting-right-tree-right-place>)

- (2) Pennsylvania DCNR for information on native plant species and invasive plant a species. (<https://www.pa.gov/agencies/dcnr/conservation/wild-plants/landscaping-with-native-plants.html>)
- (3) Cornell University Recommended Urban Trees. (<http://www.hort.cornell.edu/uhi/outreach/recurbtree/>)
- (4) Penn State Extension Publications are great resources to find up to date information on issues regarding plant health or threats to specific species to be aware of as they continually develop.

**Upper Uwchlan Existing SALDO**

162-64 Maintenance guarantees.

- A. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the Board shall require the posting of financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications as depicted on the final plan. The security shall be in the form authorized for the deposit of the performance guarantee, as described in § 162-8G hereof, and shall be for a term of 18 months from the date of the acceptance of dedication and shall be in an amount equal to 15% of the actual cost of installation of the improvements so dedicated.
- B. Where maintenance of subdivision and land development improvements is to be the responsibility of individual lot owners, homeowners' association or similar entity, or an organization capable of carrying maintenance responsibilities, the Board shall require that such responsibilities shall be set forth in perpetual covenants or deed restrictions binding on the landowner's successors in interest, and may further require maintenance funds be established.
- C. Where subdivision and land development improvements are located on an individual lot, it is the responsibility of that landowner to maintain and assure the performance is guaranteed in accordance with § 162-8G of this chapter and Subsections A and B of this section. Obligations shall include the perpetuation of natural drainage and may include perpetuation of infiltration facilities and/or the maintenance of facilities constructed by the individual lot owner under terms of this building or stormwater permit, e.g., cisterns, downspout connections, seepage pits, etc. [Amended 1-17-2006 by Ord. No. 06-01]
- D. On or before the completion of subdivision or land development improvements, the permanent stormwater management system for a tract shall be installed or constructed in accordance with the approved stormwater management plan. All such work shall be as specified in the approved plan. Continued functioning of these facilities shall be guaranteed and maintained, as necessary, performed in

accordance with § 162-8G of this chapter and Subsection B of this section.

- E. If the Township determines at any time that stipulated permanent stormwater management facilities have been eliminated, altered, or improperly maintained, the owner shall be advised of corrective measures required within a period of time set by the Township Engineer. If such measures are not taken by the owner, the Township may cause the work to be done and lien all costs against the property.
- F. Where the maintenance of stormwater management facilities and systems is the responsibility of an individual lot owner, the terms of that maintenance agreement and a description of the facilities and systems on the lot, as called for in Subsection C of this section, shall be set forth in perpetual covenants or deed restrictions binding on the landowner's successors in interest and shall be noted on the final plan to be recorded.

Possible New Section in the Code About Street Tree Maintenance / Responsibility

Would need to format to Upper Uwchlags Numbering System.

### **Chapter XXX TREE MAINTENANCE**

#### **§ XXX Maintenance required.**

- A. The maintenance, care or removal of any tree, including all costs related thereto, and the required compliance with any provision of this chapter shall be the responsibility of the owner(s) of the property upon which the tree is located, inclusive of any area of public right-of-way extending to the paved cartway of any public street.
- B. The condition of any tree, or portion thereof, is declared to constitute a public nuisance wherever and whenever the same shall cause or contribute to the causing of any of the following conditions to exist:
  - (1) Upon inspection by a certified arborist, a determination that the tree creates a hazardous or dangerous condition or poses a threat to the health and safety of the public;
  - (2) The lowest branch or limb of any tree or other overhanging part thereof is maintained less than 8' from the surface of any sidewalk or less than 11' from the surface of any public roadway; or
  - (3) Irrespective of height, a determination is made that the tree interferes with or obstructs the illumination or view of any public streetlight, traffic signal or other traffic control device.
- C. In the event it is determined that the condition of a tree, or any part thereof, constitutes a public nuisance, the Township shall notify the property owner(s), in writing, of said determination, and the property owner(s) shall remediate the condition within 30 days of the notice. If the property owner(s) fails to remediate the nuisance within the required time, a notice of violation will be provided to the property owners(s) in accordance with § 220-2 of this chapter.

**§ XXX-2 Notice of violation.**

- A. In the event that the Code Enforcement Officer of the Township determines that an apparent violation of this chapter exists, the Code Enforcement Officer shall provide the property owner(s) with a written notice of violation, by certified and regular mail, containing the following minimum information:
  - (1) The name(s) of the property owner(s) of record of the property in violation;
  - (2) The address of the property in violation;
  - (3) A description of the specific violation under this chapter;
  - (4) The steps necessary for compliance and the date by which the compliance must be completed; and
  - (5) That failure to comply within the time and manner specified constitutes a violation of this chapter, and the Township shall invoke one or both of § 220-4A or B of this chapter necessary to enforce the provisions hereof.

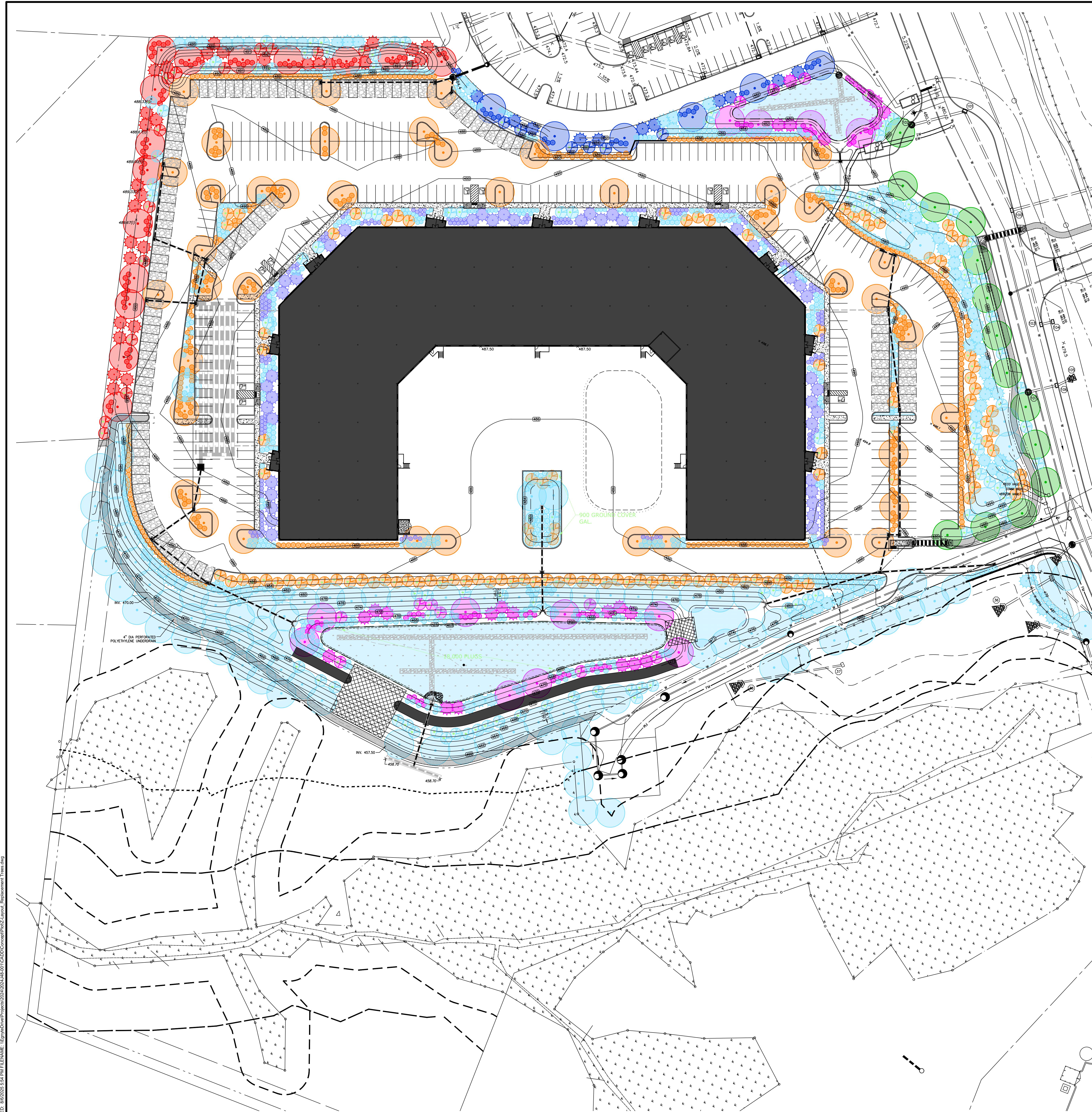
**§ XXX-3 Emergency removal.**

- A. In the event that the Township shall determine that a violation of this chapter is occurring within a public right-of-way and poses an immediate or imminent threat to the health, safety or general welfare of the public, and the written notice required in § 220-2 hereof is not possible given the emergency nature of the violation, the Township may, without prior notice, correct the violation.
- B. The Township may charge the costs of such emergency action under this section to the property owner(s) responsible for the violation. If such costs are not paid in full within 90 days, such costs may be filed as a lien against the property and collected in the same manner as other municipal liens or by personal action commenced in the Court of Common Pleas of Delaware County.
- C. In the event that the Township corrects a violation under this section, the Township shall leave all logs, cordwood, branch wood or other forms of wood resulting from the emergency action on the property. It is the responsibility of the property owner(s) to remove the logs, cordwood, branch wood or other forms of wood resulting from the emergency action on the property left within the public right-of-way within 10 days of the Township's emergency action taken hereunder.
- D. Nothing in this chapter shall prevent the Township from removing obstructions or roadside trees or vegetation which may be thrown down by wind or weather or lodged in a position so as to be a nuisance to public travel or which by reason of any other cause may become a source of danger to the public. The Township shall leave all logs, cordwood, branch wood or other forms of wood resulting from the emergency action on the property. It is the responsibility of the property owner(s) to remove the logs, cordwood, branch wood or other forms of wood resulting from

the emergency action on the property left within the public right-of-way within 10 days of the Township's emergency action taken hereunder.

§ 220-4 Violations and penalties; cost of removal.

- A. In the event that said notice of violation is not complied with as directed, the Township shall take any of the following actions as it may deem necessary to enforce the provisions of this chapter:
  - (1) Commence a summary enforcement proceeding before the Magisterial District Justice against the property owner(s), and upon conviction thereof, be punishable by a fine of up to \$200 for each violation thereof. Violators shall also be responsible for court costs and reasonable attorneys' fees of the Township, as permitted by law.
  - (2) Cause the condition to be removed or abated by the Township, the costs for which removal plus a service fee will be charged to the property owner(s). If such costs are not paid in full within 90 days, such costs may be filed as a lien against the property and collected in the same manner as other municipal liens or by personal action commenced in the Court of Common Pleas of Delaware County. Any voluntary action taken by the Township pursuant to this section shall not create any obligations on the part of the Township to continue such action, nor shall it limit, ameliorate or change the obligation of the property owner(s).



## LANDSCAPE COMPLIANCE CHART

SECTION	CATEGORY	REQUIRED and PROVIDED			
		Shade Trees	Multi-Stem / Ornamental Trees	Evergreen Trees	Shrubs
SALDO:162-57.B	50' WIDE SCREENING BUFFER (SB) (1) Shade tree + (1) Ornamental tree + (2) Evergreen trees + (10) small or (5) large shrubs / 50 LF West Property Line (416 LF) North Property Line (300LF)	9 6	9 6	17 12	42 30
SALDO:162-57.B	25' WIDE PERIMETER BUFFER ("PB") (1) Shade tree + (1) Ornamental tree + (2) Evergreen trees + (10) small or (5) large shrubs / 100 LF North Property Line (550 LF) Infiltration Basin 1 (761 LF) Bio-Filtration Area (354 LF)	6 8 4	6 8 4	11 15 7	28 38 18
SALDO:162-57.C	STREET TREES ("S") (1) Shade Tree / 40 LF Roadway Swedesford Road West Not Vegetated ( $\pm$ 915 LF)	14	--	--	--
SALDO:162-57.D	PARKING LOT LANDSCAPING (1) Shade tree / 10 Parking spaces, (1) Ornamental tree + (4) Large shrubs / 2000SF (223,767 SF, 407 Spaces)	41	112	--	448
SALDO:162-57.E	BUILDING FACADE (1) Evergreen tree + (5) Small shrubs / 50 LF (1,983 LF)	--	--	40	198
SALDO:162-55.B	REPLACEMENT TREES See Below for Replacement Tree Calculations	--	--	--	--

Detailed woodland information was not provided for this plan set. Replacement tree quantities were calculated using a sample of woodland information from the Preserve at Marsh Creek Property. Section 162-55.B.(7) was used to calculate an average for various dbh sizes. Using an alternative properties woodlands for calculations is not a recommended practice nor sanctioned by the revised code it was used in this situation to provide missing information.

Section 162-55.B.(7) The quantity of all trees eight inches and over standing in masses of over 20 trees may be estimated by the following method:

- (a) Three one-hundred-foot-by-one-hundred-foot-square areas will be staked out in locations acceptable to the owner/developer and the Township Engineer, Township Arborist or Township Landscape Architect.
- (b) The quantity of trees in each area will be counted and the totals of each size range (8" to 12" dbh, 13"-23" dbh and 24" dbh and above) will be averaged to determine the average number of trees per 10,000 square feet of wooded area.

Based on the Marsh Creek Woodlands the Average number of trees per 10,000 SF are as follows:

<u>SIZE</u>	<u>Quantity</u>	<u>Multiplier</u>	<u>Total Removal</u>
Trees 6"-8"	6	48	288
Trees 9"-12"	7	48	336
Trees 13"-18"	10	48	480
Trees 19"-24"	2	48	96
Trees 24" and up	0	48	0

The Eagleview Plans show that the woodland removal for the site was 11.03 AC  
Convert that to square feet:  $11.03 \text{ AC} \times 43,560 \text{ SF} = 480,466.8 \text{ SF}$  than divide by 10,000 SF to get the multiplier of 48.

## COMPLIANCE WITH SECTION 162-55.B

TREE REPLACEMENT	# TREES REMOVED	REPLACEMENTS REQUIRED	Canopy	REPLACEMENTS PROVIDED			
				Orn./Evg. 2:1	Shrubs 6:1	G.C. 40:1	Plugs 240:1
1 Replacement tree required for every 8"-12" DBH tree removed	336	336	88	178/2 = 89	660/6=110	5960/40=149	18000/240=75
2 Replacement trees required for every 13"-23" DBH tree removed	576	1152					
3 Replacement trees required for every 24"+ DBH tree removed	0	0					

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912 1488 TOTAL REQUIRED 511 TOTAL PROVIDED / 34% of required replacements

## LEGEN

- SCREENING BUFFER VEGETATION
- PERIMETER BUFFER VEGETATION
- STORMWATER PERIMETER
- STREET TREES
- PARKING LOT VEGETATION
- BUILDING FACADE VEGETATION
- REPLACEMENT TREES

# Draft Print

08/06/2025 6:03:11 PM

July 25, 2025

The Township of Upper Uwchlan has engaged RGS Associates to update the local township ordinance in respect to landscape requirements. The following text is a copy the landscape section 162-57.

Text that has been highlighted in red has been removed.

Text that has been highlighted in blue is still in the ordinance but has changed location.

Text that is green has been revised.

**§ 162-57. Landscape design, installation and maintenance standards. [Added 6-17-2002 by Ord. No. 02-04]**

A. Applicability. Landscaping conforming to the provisions of this section shall be provided in any of the following situations:

- (1) Required screening.
  - (a) **Where any use or activity is subject to the screening requirements of § 200-77 of Chapter 200, Zoning;**
  - (b) Any situation where screening is imposed by the Zoning Hearing Board or otherwise by the Township as a condition of any approval or permit. In consideration of any approval or permit, the Township may require screening or buffering for the purpose of providing privacy for dwellings, separating incompatible land uses, shielding unattractive structures from view, noise abatement or reduction in light or glare.
- (2) Perimeter buffer requirement. The entire perimeter of any tract subject to subdivision or land development approval, or any tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, shall be provided with a minimum twenty-foot-wide buffer planting strip which will act as an effective separation between uses. The perimeter buffer strip shall be designed, installed, and maintained in compliance with the requirements of this section.
- (3) General landscaping requirement. On any tract subject to subdivision or land development approval, or any lot or tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, any part or portion of such lot or tract which is not occupied by buildings nor used for loading and parking spaces and aisles, sidewalks and designated storage areas shall be landscaped according to an overall landscape plan, prepared and approved as provided in this section or shall be left in its natural state.
- (4) Parking lot landscaping requirement. On any tract subject to subdivision or land development approval, or any lot or tract occupied by a use subject to the provisions of § 200-78 of Chapter 200, Zoning, all parking lots or areas shall be landscaped subject to the provisions of Subsection C(7) below.

B. Landscape plan.

- (1) All required landscaping and screening shall be installed and maintained in accordance with a landscape plan prepared by a qualified landscape architect and approved by the Township. The landscape plan shall depict all proposed plantings required to complement, screen or accentuate building, roads, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, entry road treatments, and other site features and/or structures. Plant sizes, spacing and types shall be in accordance with this section, especially Subsection C, Landscape design standards.
- (2) All required landscape plans shall be submitted at the time when all other required applications and/or plans are submitted (e.g., sketch, preliminary, or final land development plan submission, conditional use approval application, change in use, etc.).

Plans shall be based on and reflect the following objectives:

- (a) A design which is responsive to the functional and aesthetic characteristics of the tract or lot, and existing and proposed principal and accessory buildings and other structures.
- (b) A design which respects/incorporates existing topography, landscape, and other natural features such as hedgerows and woodlands.
- (c) A design which demonstrates an effective proposal for screening the proposed use or activity from the adjoining properties.
- (d) A design which creates visual interest for the users and/or residents of the proposed project, and enhances views.
- (e) A design which promotes effective management of stormwater to minimize soil erosion and sedimentation and creates opportunities for infiltration to the groundwater system.
- (f) The use of plant material which is acclimated to local conditions; located and spaced to achieve required screening, compatible groupings and other effective purposes; and not injurious of persons or pedestrians and vehicular circulation.

(3) Submitted landscape plans shall include notes, diagrams, sketches or other depictions appropriate to demonstrate consideration and analysis of the following:

- (a) Consistency with the objectives stated in Subsection B(2), above, as well as the design standards of Subsection C below.
- (b) Analysis of the site in terms of existing site conditions, including topography and vegetation, and existing views to and from the areas which are proposed for development.
- (c) Analysis of any need(s) for screening related to the proposed development or use.
- (d) Consideration of the use of introduced landscaping to provide visual interest, define outdoor spaces, complement architectural features, blend into surrounding landscapes and/or other aesthetic purposes.

C. Landscape design standards. All required landscaping shall be designed, installed and maintained in accordance with the standards herein, including specific standards for screening, street trees, perimeter buffer and parking area landscaping, as applicable.

(1) Total plantings required. The minimum number of plantings required shall be determined in accordance with Subsection D below. Required plantings may be utilized anywhere on the subject site for purposes of compliance with general landscape standards as well as specific standards for screening, perimeter buffer and parking area landscaping, as applicable. Additional plantings may be provided to further the purposes of this section. Plantings provided in excess of the minimum required need not comply with the dimensional standards herein. Existing trees and shrubs to be retained and protected may be credited towards the minimum planting standards, subject to review

and approval of the Township. Where existing trees have been identified for credit, the Township may require the applicant to commit to a tree replacement program for nonsurviving plants.

- (2) Mitigation of development impacts. Consistent with the terms of this section and especially with the results of the screening analysis conducted in accordance with Subsection B(3)(c), applicant shall plant trees and shrubs and make other landscape improvements (e.g., berms, fencing) as necessary to mitigate any adverse impacts of the proposed action or project, including visual impacts on the subject property, adjoining properties, and the Township in general, and otherwise address landscape issues identified through the required landscape planning process.
- (3) General landscape design.
  - (a) Plantings and other landscape improvements shall be provided in arrangements and locations to have an overall benefit to the landscape and in response to specific site conditions. Additional considerations shall include feasibility of using native species, proximity to existing dwellings, compatibility of adjacent uses and landscaping, nature of views into and across the subject site, and in consideration of privacy of neighboring residential development.
  - (b) Use of linear measurements for purposes of calculation is not intended to specify linear arrangement of plantings. Groupings of plantings are encouraged in lieu of linear arrangement, consistent with the provisions of this section.
  - (c) In selecting the location and mix of required plantings, consideration shall be given to the natural landscape characteristics of the setting, the environmental conditions to be created following site disturbance, and the texture, coloration and compatibility of different plant species. It is strongly encouraged that improved landscapes be designed in such a manner as to be creative and attractive while maintaining the integrity of the natural landscape within which such work is proposed.
  - (d) The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight. In selecting locations for shade trees, consideration also shall be given to aesthetic qualities of the site and to the protection of solar access.
  - (e) Plantings shall be limited or carefully selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include but shall not be limited to the edges of parking areas; public street rights-of-way; underground and aboveground utilities; and sight triangle areas required for unobstructed views at street intersections. No trees shall be planted closer than 15 feet from fire hydrants, streetlights, or stop signs.
- (4) Perimeter buffer.
  - (a) Except where screening is required, the perimeter buffer need not be planted entirely with trees and shrubs, but is intended to blend into the surrounding

landscape.

- (b) The Township may reduce or eliminate the perimeter buffer requirement where any tract abuts similar uses such that the Board agrees that buffering is not necessary or where the applicant can demonstrate to the satisfaction of the Board that existing vegetation, structural and/or topographic conditions will, on a year-round basis, buffer the subject development or use from view from adjacent tracts.
- (c) Except for post-and-rail or board fences less than four feet in height and stone landscape walls, no fences or walls shall be located within any required perimeter buffer along any public street or road. Fences and walls provided for security or access control purposes, and constructed of chain link or any solid material and/or exceeding four feet in height, may be located behind the perimeter buffer and shall be screened from view in accordance with the provisions of this section.
- (d) The perimeter buffer strip may include or coincide with areas where screening is otherwise required and may be included in private yard space, common open space, or a combination thereof; the perimeter buffer strip may also be part of any required setback areas as well as be part of any established usable lot area.

(5) Screening. Where specific requirement(s) for visual screening have been identified, the following design standards shall be employed. See Appendix I for the minimum screening standards sample calculation.<sup>1</sup>

- (a) Vegetative screening shall include a variety of evergreen species so as to provide a year-round visual barrier. Evergreen plantings shall be provided that are at least seven to eight feet in height, planted at intervals no less than 10 feet on center. Where the Township agrees that an eventual screen (in three to five years) is acceptable in lieu of an immediate screen (to buffer future development, for example), evergreen plantings shall be at least four to five feet in height, substituted at a ratio of three to one and planted at intervals of five feet on center. See Appendix I for the minimum screening sample calculation. **[Amended 1-17-2006 by Ord. No. 06-01]**
- (b) Screening shall incorporate earthen mounds or berms where appropriate to improve sound as well as visual buffering. Where earthen berms are used, they should be designed to be low-profile, and supplemented with plantings so that an effective visual barrier of at least eight feet in height measured from the crown of the adjoining public street is created in appropriate locations, particularly where used to screen outdoor storage, truck or heavy equipment parking, storage and loading areas or trash dumpsters from public view. If berms are used as a landscape or screening feature, plantings are to be installed on both sides of the berm, not solely at the ridgeline or top of the berm, and shall be subject to the review and approval of the Township. Side slopes shall not exceed a 4:1 ratio, and berms shall be designed to blend with adjoining property topographic conditions or similarly landscaped buffer rather than end abruptly at the property line.

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1. Editor's Note: Appendix I is included as an attachment to this chapter.

- (c) Other than street trees, no trees shall be placed with their center less than five feet from any property line, and no shrubs with their center less than two feet from any property line.
- (d) Screening shall be designed so as not to obstruct sight distances at intersections.
- (e) Vegetative screening shall be continuously maintained for the duration of operation of the use for which screening is required. During such period, any plant material which does not survive shall be replaced prior to the start of the next growing season.

(6) Street trees. Any subdivision or land development shall provide street trees along the entire length of any public street. Street trees of varying species shall not be planted so close to the cartway edge that they become a maintenance problem, but close enough to the cartway edge to provide shade. The arrangements and locations of all street trees should be shown on the landscape plan and are subject to review and approval by the Township. The arrangements and locations of tree plantings shall respond to specific site conditions and development design objectives and shall comply with the following:

- (a) Selected street tree species shall be hardy indigenous varieties with minimal maintenance requirements, and shall be selected such that, at maturity, they shall provide adequate summer shade along the public road. The Township may consider approval of nonindigenous species on a case-by-case basis. Selected street tree species shall be of the nongrafted type. Refer to Subsection H for a suggested species list.
- (b) The spacing between street trees shall be no greater than 50 feet.
- (c) At the time of planting, street trees shall be at least 14 feet to 16 feet in height and three-inch to three-and-one-half-inch caliper in size.

(7) Parking lot landscaping. All off-street parking areas, except those intended solely for use by individual single-family residences, shall be landscaped with trees and shrubs of varying species, in accordance with the following:

- (a) Off-street parking areas shall be landscaped to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to ameliorate stormwater drainage problems; to replenish the groundwater table using bioretention islands; to provide for a more attractive setting; to protect the character and stability of residential, business, institutional, and industrial areas; and to conserve the value of land and buildings on surrounding properties and neighborhoods.
- (b) Any parking for five or more vehicles on a lot which abuts a residential district or a lot for residential purposes, whether single-family or multifamily, shall be screened from the adjacent property by an effective vegetative screen the entire length of said parking lot, in accordance with the requirements of this section.
- (c) The interior of each parking area or lot shall have at least one shade tree for every five parking spaces. Such shade trees shall meet the standards provided for street

trees in Subsection C(6) above.

- (d) Planting areas shall be placed so as to facilitate snow removal and to provide for safe movement of traffic without interference of proper surface water drainage. Planting areas shall be bordered appropriately to prevent erosion or damage from automobiles. Bollards may be used to afford protection of trees from vehicular movement.
- (e) Planting areas utilized for stormwater management/bioretention can count toward parking lot landscaping minimum requirements. Such planting area design and maintenance shall be clearly described in the applicant's stormwater management plan submitted as part of a subdivision or land development application.
- (f) The landscaping and planting areas shall be reasonably dispersed throughout the parking lot, except where there are more than 20 spaces in which the following shall apply:
  - [1] Landscaped areas at least 10 feet wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary access ways, to prevent the encroachment of moving vehicles into parking areas.
  - [2] Landscaped islands at least 15 feet wide shall be provided between each set of two parking bays, except as otherwise approved by the Township.
  - [3] Landscaped islands shall be provided at the end of each parking bay where such parking bay abuts or opens onto any street or accessway. Such landscaped islands shall be at least 15 feet in width and shall extend parallel to the parking spaces in each abutting parking area the length of one parking space. No more than 20 parking spaces shall occur between islands. Parking bays providing more than 20 spaces in a single bay shall be broken by a similar landscape island.
  - [4] Two feet of each parking stall adjacent to planting strips required in Subsection C(7)(f)[1] and [2] above shall be of a permeable surface (e.g., concrete paver blocks filled with stone) to allow water to percolate into the ground.
- (g) Parking lots which do not conform to the criteria listed above shall be planted with the same ratio of trees to parking spaces as conventional parking lots but these may be planted in more varied configurations.
- (h) All parking lots shall be designed to provide for safe, reasonable pedestrian access. Parking lots with more than 50 spaces shall include paved pedestrian walkways. Pedestrian walkways may be located along or through landscaped islands or other landscaped areas adjacent to the parking lot.

**D. Minimum planting standards. All required landscaping shall meet the minimum planting standards, criteria for selection of plant material, and design standards of this section.**

(1) The total number of plantings required shall be no less than the total calculated from all columns in the following table and shall be in addition to any required replacement plantings due to woodland disturbance. The total number of required plantings may be dispersed throughout the tract to meet the objectives of this section. Additional plantings may be provided. See Appendix II for the minimum planting standards sample calculation.<sup>2</sup>

Improvement/Conditions	Deciduous Trees	Evergreen Trees	Shrubs
Per 1,000 square feet gross building area, ground floor only (building "footprint"); residential subdivisions exempt	2	1	8
Per 2,000 square feet off-street parking or loading area, excluding driveways less than 18 feet wide; residential subdivisions exempt	1	1	4
Per 100 linear feet of new and existing public or private road frontage, measured on both sides where applicable	2	1	5
Per 100 linear feet of existing tract boundary, where not coincident with existing or proposed road frontage	1	2	8

(2) Where applicant can demonstrate to the satisfaction of the Township that existing vegetation, structural and/or topographic conditions located within 100 feet of existing tract boundaries or within 100 feet of the cartway of existing or new roadway segments will conceal, on a year-round basis, adjacent development from view from such tract boundary or roadway segments, the linear footage of such tract boundary or roadway segments may be excluded from calculation of required plantings as above.

(3) Where calculation of the minimum number of plantings required as above results in fractions of plants required, the minimum number of plants required shall be rounded up to the nearest whole number.

(4) Plantings.

(a) Plantings used to comply with the minimum number of plantings required as above shall be:

[1] Deciduous trees: three-inch to three-and-one-half-inch caliper, minimum.

[2] Evergreen trees: seven feet to eight feet in height, minimum

[3] Shrubs: 24 inches to 30 inches in height, minimum.

(b) Plantings and their measurement shall conform to the standards of the publications

2. Editor's Note: Appendix II is included as an attachment to this chapter.

"American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section. At the discretion of the Township, plantings required as above may be waived or reduced if applicant can demonstrate to the satisfaction of the Township that retaining existing plant material or other means of landscaping substantially achieves the objectives of this section. The applicant shall note, on all appropriate submittals, the location, type, extent, and condition of the existing plant materials or other means of landscaping that would be the basis for the proposed waiver or reduction. Should the Township issue a waiver or reduction, the approved, existing plant materials or other means of landscaping shall be protected during construction from impacts such as, but not limited to, root compaction, debarking, and soil stripping. The Township shall conduct a post-construction inspection, and reserves the right to require additional plantings if the existing plant material or other means of landscaping are damaged or did not survive construction.

**E. Criteria for selection of plant material.**

- (1) Species selected by the applicant shall reflect careful evaluation of the required site analysis plan and in particular the following considerations:
  - (a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
  - (b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.
  - (c) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, availability, and drought and salt resistance.
- (2) Use of native plants, because of their many benefits (such as ease of maintenance, longevity, wildlife habitat, etc.), is encouraged to meet the requirements of this section. A suggested plant list is included in Subsection H.
- (3) Species for shade trees, including street trees, shall be selected with particular emphasis on hardiness, growing habit for pedestrian and vehicle passage, minimal need for maintenance, and compatibility with other features of the site and surrounding environs.
- (4) For the purposes of promoting disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under more or less natural conditions on sites comparable to those where the trees and shrubs are to be planted.

**F. Conservation of existing vegetation and natural features.** Consistent with § 162-55A of this chapter, all landscape plans shall be designed to conserve woodlands, hedgerows,

watercourses, specimen trees, and riparian buffer areas, and to minimize woodland disturbance. Applicants shall make all reasonable efforts to harmonize their plans with the conservation of existing vegetation and natural features. Care shall be exercised to protect remaining vegetation from damage during construction, in accordance with the procedures set forth in § 162-55.

**G. Site maintenance and guarantee.**

- (1) All landscape improvements, to be provided in accordance with this section, shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate, but not necessarily be limited to, provisions for surface mulch, guy wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.
- (2) Applicant shall make arrangements acceptable to the Township that all landscaping incorporated into the landscape plan and proposed in accordance with this chapter shall be maintained in a healthy and/or sound condition, or otherwise be replaced once by equivalent improvements, for one complete growing season after the date of construction completion. After installation and prior to Township acceptance of the site improvements, representatives of the Township shall perform an inspection of the finished site for compliance with approved landscape plan(s).
- (3) Installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with §§ 162-61, 162-63, and 162-64 of this chapter. The costs of landscape material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with Subsection G(2) above. In addition, an escrow may be required for the removal and replacement of specimen vegetation damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements. At its sole discretion, the Township may remedy failure to complete installation or to maintain required landscape improvements in accordance with the provisions of this chapter.

**H. Suggested plant list (not an exclusive list).** Examples of species appropriate for use where screening is required are indicated with an asterisk (\*). Street tree specifications, as referenced in Subsection C(6) of this section and § 200-78 of Chapter 200, Zoning, include, but are not limited to, the following species, noted by "ST": **[Amended 1-17-2006 by Ord. No. 06-01]**

Common Name	Latin Name
Evergreen Trees:	
Eastern redcedar*	<i>Juniperus virginiana</i>
Canadian Hemlock	<i>Tsuga canadensis</i>
Red (Eastern or Yellow) spruce*	<i>Picea rubens</i>

Common Name	Latin Name
Norway spruce*	<i>Picea abies</i>
Eastern White Pine*	<i>Pinus strobus</i>

Common Name	Latin Name
Shade Trees:	
Red maple, ST	<i>Acer rubrum</i>
Sugar maple, ST	<i>Acer saccharum</i>
White ash, ST	<i>Fraxinus americana</i>
Green ash, ST	<i>Fraxinus pennsylvanica</i>
Sycamore	<i>Platanus occidentalis</i>
White oak, ST	<i>Quercus alba</i>
Northern red oak, ST	<i>Quercus rubra</i>
Tulip poplar	<i>Liriodendron tulipifera</i>
Scarlet oak, ST	<i>Quercus coccinea</i>
Pin oak, ST	<i>Quercus palustris</i>
Shagbark hickory	<i>Carya ovata</i>
American basswood	<i>Tilia americana</i>
American beech	<i>Fagus grandifolia</i>
London plane tree	<i>Platanus acerifolia</i>

Common Name	Latin Name
Small Trees and Shrubs:	
Rhododendron	<i>Rhododendron</i> sp.
Black cherry	<i>Prunus serotina</i>
Shadbush/Serviceberry*	<i>Amelanchier canadensis</i>
Redbud	<i>Cercis canadensis</i>
Flowering dogwood*	<i>Cornus florida</i> white
Winterberry	<i>Ilex verticulata</i>
Washington hawthorn*	<i>Crataegus phaeomophyllum</i>
Highbush blueberry	<i>Vaccinium corymbosum</i>
Sourwood	<i>Oxydendrum arboreum</i>

Common Name	Latin Name
Ironwood	<i>Ostrya virginiana</i>
Arrowwood	<i>Viburnum dentatum</i>
Black Haw	<i>Viburnum prunifolium</i>

**§ 200-77. Screening.**

- A. Screening requirements shall be applicable under the following circumstances:
  - (1) Where a proposed commercial, industrial or institutional use abuts an existing residential use or residential district.
  - (2) Where any proposed multifamily residential use abuts another residential district or an existing single-family or two-family dwelling.
  - (3) Any other instance where screening is required by this chapter or by the Township.
- B. Screening shall comply with the following requirements:
  - (1) The portion of the tract that abuts a use or district intended to be screened shall be provided with a minimum of thirty-foot planting strip which will act as an effective screen separating uses. The planting strip may be included in private yard space and shall be based upon the following criteria:
    - (a) Vegetative screening shall include a variety of evergreen species (but no more than three) which are indigenous to the area so as to provide a year-round visual barrier.
    - (b) Vegetative screening shall incorporate earthen mounds or berms, wherever possible, to improve sound as well as visual buffering, and shall be broken at points of vehicular or pedestrian access.
    - (c) Plant materials used in the screen planting shall be at least six feet in height when planted and be of a species which will produce within two years a complete visual screen of at least eight feet in height.
    - (d) No plantings shall be placed with their center closer than five feet from the property line of the tract.
    - (e) All existing trees within the required planting strip above three inches in caliper and/or eight feet in height shall be preserved wherever possible.
    - (f) Screening shall be designed so as not to obstruct sight distances at intersections.
    - (g) Screening design, including the type of plant materials to be used, spacing of plant materials, and the use and location of earthen berms, shall be subject to review and approval by the Board of Supervisors upon the recommendation of the Planning Commission.
    - (h) Vegetative screens shall be perpetually maintained during the period the principal use causing the need for screening is in operation. Any plant material which does not survive shall be replaced within six months.
  - (2) Water towers, storage tanks, processing equipment, fans, skylights, cooling towers, vents and any other structures or equipment which rises above the roof line shall be architecturally compatible or effectively shielded from view from any public or private dedicated street by an architecturally sound method which shall be approved, in writing, by the Township before construction or erection of said structures or equipment.

**§ 200-78. Landscaping. [Amended 6-17-2002 by Ord. No. 02-04]****A. Applicability.**

- (1) Except for individual lots existing at the time of adoption of this section and occupied or intended to be occupied by single-family or two-family dwellings, the provisions of § 162-57 of Chapter 162, Subdivision and Land Development, shall apply to all uses and to any change in use in Upper Uwchlan Township, such standards incorporated herein by this reference.
- (2) Where any use or activity requires approval of any building or zoning permit, zoning variance, special exception or conditional use, such approval or permit shall be conditioned upon compliance with the provisions of said § 162-57, including submission of a landscaping plan as set forth in § 162-57A and B. Plans accompanying conditional use application may be conceptual in nature but shall demonstrate the ability to achieve the objectives of § 162-57A and B.
- (3) It is the intention of this section that the provisions of said § 162-57 shall apply independently under this chapter only where Chapter 162, Subdivision and Land Development, does not otherwise apply to the proposed use or activity. Therefore, where any use, activity, permit or approval is also subject to subdivision or land development review, there shall be no requirement for additional review under this chapter. Further, where and to the extent that modification(s) of any of the provisions of said § 162-57 has/have been approved by the Upper Uwchlan Board of Supervisors in connection with any subdivision or land development review, the said requirements shall not be independently enforced pursuant to this chapter.

**B. Modifications.**

- (1) For any use or activity subject to subdivision or land development review, modification(s) to the provisions of § 162-57 of Chapter 162, Subdivision and Land Development, may be requested, which modification(s) may be granted at the discretion of the Board of Supervisors pursuant to the provisions of that chapter.
- (2) For any use or activity not subject to subdivision or land development review, but where the use or activity is subject to application for approval of a conditional use, special exception, or zoning variance, modification(s) to the provisions of said § 162-57 may be requested as part of such application.
- (3) For any use or activity not otherwise subject to permit or approval as provided in Subsection B(1) or (2) above, modification(s) to the provisions of said § 162-57 may be requested in the form of an application for grant of a special exception by the Upper Uwchlan Zoning Hearing Board. Such applications shall be submitted to the Upper Uwchlan Planning Commission for review and comment prior to formal special exception application to the Zoning Hearing Board.
- (4) In approving any application pursuant to Subsection B(2) or (3) above, the Zoning Hearing Board or Board of Supervisors, as applicable, as a condition of approval of such application, may permit specific modification(s) to the provisions of said § 162-57 subject to the following:

- (a) The Zoning Hearing Board or Board of Supervisors, as applicable, shall determine that the specific nature of the lawful use or activity, existing site conditions, and/or safety considerations warrant such modification(s); and
- (b) Permitted modifications shall be consistent with the purposes of said § 162-57.

**§ 162-55. Natural and historic features conservation. [Amended 12-15-2003 by Ord. No. 03-06]**

A. General.

- (1) For all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, consideration shall be shown for the protection of all natural and historic features in Upper Uwchlan Township, including, but not limited to, woodlands, specimen trees, hedgerows, wetlands and watercourses, riparian buffers, prohibitive and precautionary slopes, trails, and historic resources which, if preserved, will add attractiveness and value to developed areas. The values of these natural and historic resources are documented and described in numerous Township documents and publications, most notably, Upper Uwchlan's Comprehensive Plan, as amended. The provisions of this section apply to all uses, activities, or improvements subject to this chapter or Chapter 200, Zoning, pursuant to § 200-108. Where any applicant demonstrates to the satisfaction of the Township that strict adherence to the provisions of this section will render the lot or tract unusable or unsuitable for development in accordance with applicable zoning district regulations, or demonstrates that alternative design provisions shall achieve similar conservation objectives, the provisions of this section may be waived or modified as determined appropriate by the Board of Supervisors.
- (2) Where the proposed subdivision will be subject to a site analysis and impact plan (§ 162-9D of this chapter), the applicable narrative and plan submittal requirements of this section can be made part of the site analysis and impact plan. The resource management, protection, and improvement requirements of this section can be included in the open space requirements of this chapter (§ 162-54) or Chapter 200, Zoning (§ 200-69), as applicable to the proposed project.

B. Woodlands and hedgerows. The purpose of this section is to promote conservation of woodlands, including specimen trees and hedgerows, throughout Upper Uwchlan Township through the establishment of specific provisions for land development activities, replacement requirements, and management planning.

- (1) Woodland and hedgerow disturbance resulting from any land development or land use change shall be minimized. No portions of tree masses or trees with a diameter at breast height (dbh) **of six inches** or greater shall be cleared unless demonstrated to be necessary and in accordance with this chapter. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing woodlands and hedgerows.
- (2) No specimen tree(s) shall be removed from any lot or tract except where the applicant demonstrates to the satisfaction of the Board of Supervisors that such removal is essential to eliminate hazardous condition(s) or otherwise permit lawful use of the lot or tract; where permitted, removal of specimen trees shall be minimized. Specimen trees to be retained shall be credited toward any tree replacement required under Subsections B(6) through B(9) below.
- (3) **Woodland and hedgerow disturbance exceeding any of the following standards shall require woodland replacement in accordance with Subsections B(6) through B(9) below. (For purposes of this section, the extent of any woodland or hedgerow**

disturbance shall be measured to include the entire area within the dripline of any tree where any part of the area within the dripline of said tree is subject to woodland or hedgerow disturbance.)

- (a) Woodland disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract. As an example, where two principal uses are permitted, woodland disturbance may involve up to 20,000 square feet (10,000 x 2) before replacement is required.
- (b) Woodland disturbance in excess of 50% of any existing area of woodland or hedgerow on any single lot that is part of a tract subject to subdivision.
- (c) Woodland disturbance in excess of 25% of any existing area of woodland or hedgerow on any tract subject to subdivision, measured in its entirety, or on any single lot or tract subdivided prior to enactment of this section.

(4) In determining where necessary woodland or hedgerow disturbance shall occur, applicant shall consider the following:

- (a) The location(s) and benefit of conservation of healthy mature woodland or hedgerow stands;
- (b) The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas, especially woodlands and hedgerows exceeding 10 acres in area; and
- (c) The location of hedgerows relative to exterior or perimeter property lines as well as to existing or future trails, as consistent with applicable Township criteria such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended).

(5) In areas of permitted woodland or hedgerow disturbance and areas adjacent to permitted woodland and hedgerow disturbance, care shall be exercised to protect remaining trees from damage. To the maximum extent practicable, the following procedures shall be utilized during construction in order to protect remaining trees:

- (a) Where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees. Appropriate fencing four feet in height shall be placed at the dripline of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity. Roots shall not be cut within the dripline of any trees to remain.
- (b) Trees within 25 feet of a building, or bordering entrances or exits to building sites, shall be protected by a temporary barrier to be maintained in place throughout the duration of construction activity.
- (c) No boards or other material shall be nailed or otherwise attached to trees during construction.

- (d) Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the driplines of trees to remain, except for mulched vegetative matter used to prevent soil compaction.
- (e) Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage through immediate treatment in accordance with accepted professional landscape procedures.
- (6) Where woodland or hedgerow disturbance involves more than the maximum area permitted under Subsection B(3) above, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, or fraction thereof, in excess of the maximum permitted area of disturbance. All specimen trees to be retained on any tract proposed for subdivision or land development shall be credited toward any tree replacement requirement, at a ratio of three trees credited for each individual specimen tree retained. Further, plant materials used to comply with the required minimum number of replacement plantings shall be three-and-one-half-inch caliper, minimum (trees); and 24 to 30 inches in height, minimum (shrubs).
- (7) In addition to the vegetation replacement standards established in Subsection B(6) above, and for each tree greater than six inches dbh removed, replacement trees shall be planted in accordance with the following schedule.

<b>For Each Tree to be Removed, at the Following Sizes, dbh (inches)</b>	<b>Minimum Number and Caliper of Replacement Trees</b>
One, 6 to 8 dbh	One, 3 to 3 1/2 inch caliper
One, 8 to 12 dbh	One, 4 to 4 1/2 or two 3 to 3 1/2 inch caliper
One, 12 to 18 dbh	One, 5 to 5 1/2 or three 3 to 3 1/2 inch caliper
One, 18 to 24 dbh	One, 6 to 6 1/2 or four 3 to 3 1/2 inch caliper
One, greater than 24 dbh	Two, 6 to 6 1/2 or five 3 to 3 1/2 inch caliper

- (8) Woodland and hedgerow replacement plantings and their measurement shall conform to the standards of the publications "American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or USAS Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section. At the discretion of the Township, replacement trees as required above may be substituted by trees of at least 1 1/2 inch caliper at a ratio of three trees for each one tree otherwise required. Species of replacement plantings selected and planting locations shall reflect careful site evaluation, and, in particular, the following considerations:
  - (a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.

- (b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to: replacement of woodland and hedgerow area removed; enhancement of existing woodland, hedgerow, or oldfield area(s); reforestation of riparian buffer areas; provision for landscape buffer; visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values (e.g., autumn coloration, type of flowers and fruit, bark and crown characteristics, amount of dieback present); or wind resistance.
- (c) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, and availability.
- (d) Because of the many benefits of native plants (ease of maintenance, longevity, wildlife habitat, etc.), their use is encouraged. Species selection should reflect species diversity characteristic of the native woodland and hedgerow.

(9) Applicant shall include provisions, in narrative and/or graphic form, of sufficient detail to satisfy the Township, for the long-term management of any woodland and hedgerow area not subject to woodland and hedgerow disturbance and any area selected for introduction of replacement plantings in accordance with this section. The submission shall include a statement of woodland and hedgerow management objectives and shall demonstrate the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive species, and means to minimize any future woodland and hedgerow disturbance. Additional requirements include:

- (a) The manner in which the woodland area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary).
- (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
- (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the woodland area.
- (d) Applicants are strongly encouraged to seek woodland management assistance through the Pennsylvania "Forest Stewardship Program" administered by the Pennsylvania Bureau of Forestry.

(10) Installation of woodland and hedgerow replacement plantings shall be guaranteed along with all other site improvements in accordance with §§ 162-61, 162-63, and 162-64 of this chapter. The costs of planting material and installation shall be considered in determining the amount of any performance guarantee required. At the Township's discretion, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed or existing vegetation in accordance with this section. In addition, an escrow may be required for the removal and replacement of woodlands, specimen trees, or hedgerows damaged during construction. These escrows shall be in addition to any financial security posted for dedication of other required improvements. At its sole discretion, the Township may remedy failure to complete installation or to maintain required woodland and hedgerow replacement

plantings in accordance with the provisions of this chapter.

(11) **Required replacement plantings shall be in addition to and consistent with any required landscape plan, street trees, or any other landscape material, improvements, or related requirements stipulated by applicable provisions of this chapter or of Chapter 200, Zoning.**

(12) In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter.

C. Wetlands and watercourses. The purpose of this section is to promote protection of the Township's wetlands and watercourses through the establishment of specific limitations to land development activities and management planning provisions.

(1) No wetlands or watercourses shall be regraded, filled, piped, diverted, channeled, built upon, or otherwise altered or disturbed except where all applicable state or federal permits have been obtained.

(2) In addition to applicable permit requirements, the applicant shall consider the following standards relative to on-site wetlands or watercourses:

(a) The presence or absence of wetlands or watercourses shall be determined, and, if applicable, the boundaries delineated, by a qualified wetland biologist, soil scientist, or environmental professional of demonstrated qualifications.

(b) Such professional shall submit a complete wetlands and watercourses report to the Township; such report shall be subject to the approval of the Township Engineer or other qualified Township consultant.

(c) The wetlands and watercourses report shall certify that the methods used to establish the presence and delineate the boundaries of wetlands and watercourses correctly reflect currently accepted technical concepts, including identification and analysis of wetlands vegetation, hydric soils, and hydrologic indicators.

(d) The wetlands and watercourses report shall include: the determination of whether wetlands or watercourses are present on the site; a plan showing surveyed location of any boundaries of wetlands or watercourses; area measurement of wetlands; lineal extent of watercourses; and, narrative description of the functions and values of the wetlands or watercourses.

(3) Where a permit for fill, regrading, or other activity in or near wetlands or watercourses is not required pursuant to state or federal regulation, the applicant shall provide evidence that the appropriate state or federal agencies were contacted and concur with the fact that a permit is not required.

(4) All applicants shall specify the long-term management provisions that will be

established for any wetlands or watercourse area, developed to minimize future land disturbance to the wetlands or watercourse area and improve the area's ecological functions and values as needed. Such management provisions shall be indicated in narrative and/or graphic form of sufficient detail to satisfy the Township that the following issues are adequately addressed:

- (a) The manner in which the wetlands or watercourse area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary).
- (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
- (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the wetlands or watercourse area.

D. Riparian buffer areas. The purpose of this section is to promote protection of the Township's riparian buffer areas through the establishment of specific limitations to land development activities and management planning provisions.

- (1) No structures shall be placed within any riparian buffer area, and no land disturbance shall be permitted within any riparian buffer area except for any of the following:
  - (a) Timber harvesting in accordance with a woodland management plan prepared by a professional forester and approved by the Township. Applicants are strongly encouraged to seek woodland management assistance through the Pennsylvania "Forest Stewardship Program" administered by the Pennsylvania Bureau of Forestry.
  - (b) Vegetation management in accordance with: an approved landscape plan; an approved open space management plan approved pursuant to Chapter 200, Zoning (§ 200-69); or Subsection D(2) of this section.
  - (c) Customary agricultural practices in accordance with a soil conservation plan approved by the Chester County Conservation District.
  - (d) Regulated activities permitted by applicable state or federal regulations, and, as applicable, in accordance with Subsection C of this section.
- (2) Vegetation management, or other plant-related disturbance, is not allowed within riparian buffer areas except for the following:
  - (a) Regulated activities permitted by state or federal regulation.
  - (b) Unpaved trail access, as stipulated in the Township's Open Space, Recreation, and Environmental Resources Plan (as amended), the Township's Comprehensive Plan (as amended) or Trail Feasibility/Master Plan documents (as amended); an open space management plan approved pursuant to Chapter 200, Zoning; or as approved by the Township.
  - (c) Selective removal of hazardous or invasive alien vegetative species.

(3) All applicants shall specify, in narrative and/or graphic form of sufficient detail to satisfy the Township, the long-term management provisions that will be established for any riparian buffer area, developed to minimize future land disturbance to the riparian buffer area and to improve the area's ecological functions and values as needed. Specific considerations include:

- (a) The manner in which the riparian buffer area will be owned and by whom it will be managed, maintained, and improved (the latter as necessary).
- (b) The conservation and/or land management techniques and practices that will be used to conserve and protect such areas, as applicable.
- (c) The professional and personnel resources that are expected to be necessary to, and will be committed to, maintain and manage the riparian buffer area.

E. Prohibitive and precautionary slopes (i.e., steep slopes). All uses, activities, or improvements subject to this chapter that affect or are in the vicinity of prohibitive or precautionary slopes as defined by Chapter 200, Zoning, shall be subject to the requirements of § 200-107 of Chapter 200, Zoning.

F. Trails.

- (1) When a subdivision or land development proposal is traversed by or abuts an existing trail customarily used by pedestrians and/or equestrians, the applicant shall make provisions for the continued recreational use of the trail. Where trails do not exist, but are planned on property proposed for subdivision or land development in accordance with applicable Township criteria such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended) or Trail Feasibility/Master Plan documents (as amended), applicants shall make every effort to plan for and construct such planned trails.
- (2) The applicant may alter the course of the trail within the tract for which development is proposed under the following conditions:
  - (a) The points at which the trail enters and exits the tract remain unchanged.
  - (b) The proposed alteration exhibits quality trail design according to generally accepted principals of landscape architecture. The Township recommends the Department of Environmental Protection publication, Nonmotorized Trails, prepared by the Pennsylvania Trails Program of the Bureau of State Parks, as a guide for the development of high-quality trails.
  - (c) The proposed alteration may parallel at a safe distance from, but may not be within the same paved area as, a road used, or intended for use, by motorized vehicles.
- (3) The location, surface, use, and maintenance of new trails shall be consistent with applicable Township documents such as the Open Space, Recreation, and Environmental Resources Plan (as amended), Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended).
- (4) An applicant may propose and develop a new trail, if said trail is available for use by

the general public; meets Subsection F(3) above; connects with an existing trail; and is consistent with applicable Township criteria, such as the Open Space, Recreation, and Environmental Resources Plan (as amended), the Comprehensive Plan (as amended), or Trail Feasibility/Master Plan documents (as amended); the easement for said trail may be credited toward the open space requirement established in § 162-54, subject to approval by the Board of Supervisors. Said trail shall be located in an easement or right-of-way with a minimum width of 20 feet. The trail easement or right-of-way width may be decreased at the discretion of the Board of Supervisors.

- (5) New trails and improvements to existing trails shall demonstrate adherence to Subsection F(3) and (4) above, as applicable; principles of quality trail design, enhancing the enjoyment of the rural qualities of the Township; and the following design parameters. The Township also recommends the Department of Environmental Protection publication, Nonmotorized Trails, prepared by the Pennsylvania Trails Program of the Bureau of State Parks as a guide for the development of high quality trails.
  - (a) Trails shall have a vertical clearance of no less than 10 feet.
  - (b) Width and type of trail surface may vary depending upon type of use to be accommodated, but in no case shall be less than four feet nor any greater than 10 feet. Determination of appropriate trail surface and width is subject to Board of Supervisors approval, consistent with all other applicable provisions of this section.
- (6) No trail shall be designed with the intent to accommodate motorized vehicles. Further, trails along roadways may parallel said roadway, but shall be located at a safe distance from, and not within the same paved area as, the roadway.
- (7) Public trails or trails intended for public use and their easements, as applicable, shall be dedicated to the Township in order to assure continuing maintenance of the trail and trail easement.
- (8) Provision for the ongoing maintenance of private trails shall be established at the time of subdivision approval.

G. Historic features. Historic features and other related points of interest shall be preserved and maintained in accordance with the following criteria. Further, historic feature preservation may be credited toward the applicable open space and density bonus requirements of Chapter 200, Zoning, if the following criteria are met:

- (1) The historic feature being preserved shall be listed upon a Township, county, state, and/or national roster or inventory of historic features, monuments, or places of historic or general interest; included in the document entitled "Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001)"; or the applicant shall by some other means demonstrate to the satisfaction of the Board of Supervisors that the said historic feature is of sufficient public interest to warrant preservation. Historic features may include, but shall not necessarily be limited to, historically, culturally, or architecturally significant buildings, monuments, or sites

or potential archeological sites as determined by the Pennsylvania Historical and Museum Commission; unique or historic landscape elements, such as historic gardens or Penn oaks; archaeological sites; or any other historic feature which shall be deemed by the Board of Supervisors to be of historic or cultural value to the Township.

- (2) The applicant shall consider all available adaptive reuse options as permitted by Chapter 200, Zoning, and that may keep the historic resource viable, as well as tax and other incentives available to preserve the historic resource.
- (3) The historic feature shall be situated upon a tract of land of sufficient size, with sufficient separation distance between the historic and proposed structures, to preserve the historic landscape, although not necessarily the exact condition, or the environs of the said historic feature prior to construction of the proposed development. The amount of credit toward open space requirements shall be equivalent to the size of this tract.
- (4) The historic feature shall not be moved unless it is not possible to preserve it in place. Professional building movers experienced in moving historic resources shall undertake any move. Professional archeologists shall undertake the extraction of artifacts. The historic feature shall be documented by a professional archeologist prior to moving or extraction. Preferably, the new location shall be within the same general historic landscape area as the historic feature's original location.
- (5) As determined appropriate by the Board of Supervisors, the applicant shall be required to provide interpretive signage explaining the significance of the historic feature.
- (6) The applicant shall donate an easement on the historic feature, including the general historic landscape, to a qualified conservation organization or to Upper Uwchlan Township.
- (7) The historic feature and the tract upon which it is located shall be maintained by the owner of the tract, a community association, a public agency, or a private conservation group which shall be responsible for the maintenance of the historic feature and its grounds.
- (8) The applicant shall be responsible for improvements to the site deemed necessary by the Board of Supervisors to protect public safety.
- (9) Upon receipt of final development approvals, the applicant shall contribute all applicable data to the Township which shall support any Township-specified system of recording historic features which have been credited to open space requirements, the amount of land per historic feature so credited, or any other appropriate and related data category.



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

August 7, 2025

File No. 23-01103

VIA E-MAIL ONLY

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

Reference: 500 Pottstown Pike – Chester Springs Service Center  
Preliminary Land Development Plan – Third Review  
Upper Uwchlan Township, Chester County, PA

Dear Tony:

Gilmore & Associates, Inc. (G&A) is in receipt of the following documents prepared by T&M Associates, unless otherwise stated:

1. Letter to Upper Uwchlan Township dated July 17, 2025, responding to review comments in G&A's May 21, 2025 review letter.
2. Waiver Request Letter to Upper Uwchlan Township dated July 17, 2025.
3. Letter from PADEP to Groundwater and Environmental Services Inc. dated March 27, 2000.
4. Cover Letter to T&M Associates from the Department of the Army (US Army Corps of Engineers) regarding the Preliminary Jurisdictional Determination NAP-2009-01363-100 dated October 22, 2024.
5. Appendix 2 Preliminary Jurisdictional Determination (PJD) Form completion date October 15, 2024.
6. Plan sheet titled "500 Pottstown Pike Wetlands Location Plan" dated August 4, 2023 and last revised September 20, 2024.
7. Letter from PADEP to T&M Associates regarding Act 537 Sewage Facilities Planning.
8. Plan set consisting of thirty-nine (39) sheets titled "Preliminary Land Development Plans Chester Springs Service Center," dated August 1, 2024, and last revised July 17, 2025.
9. Chester Springs Service Center Stormwater Management Report dated September 25, 2024, and last revised July 14, 2025.
10. Historic Resources Impact Statement dated June 17, 2025, prepared by kd2.

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G&A as well as the other Township Consultants have completed our third review of the above referenced documents for compliance with the applicable sections of the Township's Zoning Ordinance, Subdivision and Land Development Ordinance, and Stormwater Management Ordinance, and wish to submit the following comments for your consideration.

Please note that comments within the G&A portion of the letter with a **(V)** or **(RW)** require relief from the Township Ordinances. A **(V)** denotes a variance is required, and **(RW)** denotes a requested waiver, and a **(W)** denotes a waiver that may be required. Comments in *italics* are from our previous review letter, and comments in **bold text** require resolution from the applicant. Previous comments that have been satisfactorily addressed are not repeated herein.

**I. OVERVIEW**

The application proposes the construction of a Service Center building ( $\pm 45,774$  SF) with associated parking and a stormwater management basin on a 13.79-acre parcel (TMP# 32-1-34.1C). The property, currently vacant, is located at 500 Pottstown Pike in the C-3 Highway Commercial District.

**II. TOWNSHIP ZONING OFFICER COMMENTS**

No comments at this time.

**III. CONDITIONAL USE ORDER REVIEW**

1. *Conditions of Approval #11 requires that an attempt be made to provide a location for a public trail to provide a connection to the trails at the Township's Park at Fellowship Road. Nothing is shown on the plans per this requirement.*

Per the response letter, a trail connection to Fellowship Fields could not be accommodated as requested as it is infeasible to connect to the private drive located in the rear yard of the property. In addition to general safety and security concerns, any trail would require zoning relief and special permitting with the state to construct within existing regulated wetland areas.

2. *Conditional Use Condition of Approval #13 requires an entrance feature consistent with other entrance features in the vicinity of the property.*

*Plans show a "Monument Sign" location at the entrance to the property. The response letter states the final sign location shall be in conformance with the approved HOP plans. Details shall be provided for the proposed entrance feature.*

Per the response letter "the monument sign still requires internal franchise approval and will be circulated under separate cover when it becomes available." **We recommend the detail be**

Reference: 500 Pottstown Pike – Chester Springs Service Center  
Preliminary Land Development Plan – Third Review  
Upper Uwchlan Township, Chester County, PA

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**provided on the plans prior to Final Plan approval.** Once the detail has been provided, the proposed landscaping should be verified; i.e., will it work as currently shown.

**IV. TOWNSHIP ENGINEER'S COMMENTS – ZONING ORDINANCE  
GILMORE & ASSOCIATES**

1. **Section 200-73.B(3) – Pedestrian paths shall be provided from the parking areas to the entrances of buildings and adjacent street sidewalks. Pedestrian walks crossing any parking and driveway aisles shall be delineated by either stripes or a different paving material.**

The Applicant has indicated “Final locations of pedestrian paths will be clearly delineated prior to final plan approval.”

**V. TOWNSHIP ENGINEER'S COMMENTS – SUBDIVISION & LAND DEVELOPMENT ORDINANCE  
GILMORE & ASSOCIATES**

1. **Sections 162-9.D(1)(d) and (f) – General Notes #10 (Sheet 4) states that watercourses and wetlands shown are under review by the US Army Corps (PJD Application NAP-2009-01363-100). This note shall be on a Record Plan, updated to cite required information on the Assessment, and shall include the date of the JD (when obtained). Wetlands shall be clearly indicated on all plan view sheets, with Legends defining all wetland flag / data point symbols.**

*All applicable sheet Legends shall be verified / revised to include the wetlands line type / symbol; for example, Sheet 7 Legend defines the line type used for Wetlands on the plan view as an Easement Line.*

**Sheets 7A and 7B should be revised to use the wetland flag / data point symbol line type used on all other plan sheets for the wetlands; revise the Legends on these Sheets as well.**

2. **Sections 162-9.E(1)(f) – The Conservation Plan (Sheet 4) shall show all applicable items from these sections.**

**The ephemeral features to be filled are shaded on the Conservation Plan which shall be clarified. The LOD appears incorrect on the Conservation Plan as well (excludes an area of woods to be removed and does not appear to completely include the well TBR).**

3. (RW) **Section 162-9.H(5) – An historic resources impact statement is required when land development plans which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource. The site is within 250 feet of the “John Keeley House.**

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An Historic Resources Impact Statement dated June 17, 2025, prepared by kd2 has been submitted. A waiver is being requested from this section to omit historic resource background information for the John Keeley House (WSFS bank). We defer to the Historical Commission on this matter.

4. **Section 162-9.H.(4) – The Fiscal Impact Study shall be revised per comments in the CU review letter dated April 8, 2024.**

*Per the response letter the revised fiscal impact study will be revised prior to final plan approval.*

Per the response letter, “this comment is acknowledged, and it should be clarified that this item will be provided prior to final approval of plans, not necessarily at the time of approval issued by the Board of Supervisors. We request this element be considered a condition of approval and not necessarily be required prior to the Township issuing an approval with conditions.” **We are unclear on this response. If the intent to permit final plan approval with the condition the study will be revised, we continue to recommend the study be revised beforehand.**

5. **Section 162-47.A(1) &(4) – Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided. Currently rebar is proposed.**

*Sheet 7 should be revised to clearly show where stone or concrete monuments are proposed.*

**Sheets 7A and 7B label the proposed stone monuments “if required.” The “if required” shall be removed unless there are existing monuments at these locations.**

6. (RW) **Section 162-55.B(3)(a) – Woodland and hedgerow disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract shall require woodland replacement in accordance with Subsections B(6) through B(9). The plans show that 40,287 SF of existing woodland is proposed for disturbance. A waiver is being requested from Section 162-55.B(3)(a) to the extent required to provide a fee in lieu of required plantings.**

A waiver is requested to provide a fee in lieu of required plantings that cannot be accommodated onsite pursuant to Section 162-55.B(12). **The waiver request from Section 162-55.B(3) in the Table (Sheet 12) should be revised to indicate subsection (a). Additionally, the Table (No. 2) indicates 40,287 SF existing woodland disturbed for this section but indicates 89,926 SF woodland disturbance (No. 3 in the Table) which shall be clarified.**

7. **Section 162-55.B(5)(a) – Revise the Landscape Plan (Sheet 10) to include tree protection fencing. The Tree Protection and Pruning detail as well as the Orange Construction Fence / Tree Protection Fence (TPF) detail shall be added to the Landscaping notes and details sheet.**

Tree protection fencing and details have been provided. **However, note 17 on the Demolition Plan (Sheet 6) and Note 18 on the Landscape Plan (Sheet 13) shall be revised to include “roots**

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**shall not be cut within the dripline of any trees to remain" to demonstrate compliance with the ordinance.**

8. (RW) Section 162-55.B(6) – *Where woodland or hedgerow disturbance involves more than the maximum area permitted, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, in excess of the maximum permitted area of disturbance. A waiver is being requested from Section 162-55.B(6) to the extent required to provide a fee in lieu of required plantings.*

Based on 89,926 SF of woodland disturbance proposed, 79,926 SF is in excess of the .permitted area. The Landscape Requirements Table calculation for this section (No. 3) is incorrectly shown as "72,926/300" which shall be revised to "79,926/300"; the quantity is correct. Therefore, 266 trees (3½" caliper) and 532 shrubs (24"-30" in height) are required to be planted (as indicated in the Landscape Requirements Table). A waiver is requested from Section 162-55.B(6) to the extent required to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). **If this waiver is granted, a fee shall be determined prior to Final Plan Approval.**

9. (RW) Section 162-55.B(7) – *In addition to the vegetation replacement standards established in B(6), for each tree greater than six inches dbh removed, replacement trees shall be planted based on the requirements in this section. A waiver is being requested from Section 162-55.B(7) to the extent required to provide a fee in lieu of required plantings.*

Based on the 91 trees (6" - 24" caliper) proposed for removal, the Table indicates 140 (3½" caliper) trees are required to be planted, or (67) 3½" caliper trees, (23) 4½" caliper trees and (1) 5½" caliper tree are required to be planted. **Applicant shall indicate how the quantity of 140 trees was computed.** A waiver is requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). **If this waiver is granted, a fee shall be determined prior to Final Plan Approval.**

10. Section 162-55.B(12) – *In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter. The applicant shall discuss this with the Township.*

11. (RW) Section 162-57.A(2) – *The entire perimeter of any tract subject to land development approval shall include a minimum 20-foot-wide perimeter buffer planting strip which will act as an effective separation between uses. The width of the proposed buffer along the northern property line appears to be less than required with only shrubs proposed along the property line.*

A waiver is requested to provide less than the required buffer width along the northern perimeter of site adjacent to the Styer Propane operation. However, Landscape Requirements Table does not

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list what is proposed / what is deficient. **Prior to the Township considering this waiver, the Table shall be revised to include the number of plantings required / the number deficient.**

12. Sections 162-57.C(6)(b) and (c) – Street trees. Any subdivision or land development shall provide street trees along the entire length of any public street. The spacing between street trees shall be no greater than 50 feet. At the time of planting, street trees shall be at least 14 feet to 16 feet in height and three-inch to three-and-one-half-inch caliper in size. **The Landscape Requirements Table (No. 4, Sheet 12) lists this section; however, “Street Trees” should be added to the third column, the “Requirement” section as it appears incomplete. Verify the number of street trees “Proposed” as the existing road frontage is 315 LF (therefore 6 trees appear to be required) and revise the caliper of the Street Trees in the Plant Schedule.**

13. **(RW)** Section 162-57.D(1) – *All required landscaping shall meet the minimum planting requirements outlined herein. A waiver is being requested to permit providing less than the required number of plantings.*

The total number of plantings required shall be no less than the total calculated from all columns in the table herein and shall be in addition to any required replacement plantings due to woodland disturbance.

The Landscape Requirements Table (Sheet 12) indicates that 198 deciduous trees, 180 evergreen trees and 896 shrubs are the required minimum plantings, and that 108 deciduous trees, 68 evergreen trees and 896 shrubs are proposed; this results in a required plantings deficit of 90 deciduous trees and 112 evergreen trees. The required replacement trees for woodland disturbance are (140) 3½" caliper trees or (67) 3½" caliper trees, (23) 4½" caliper trees and (1) 5½" caliper tree. A waiver is being requested to provide a fee in lieu of required plantings pursuant to Section 162-55.B(12). **If this waiver is granted, a fee shall be determined prior to Final Plan Approval.**

Additionally, the following discrepancies were found on the Plant Schedule (Sheet 14) that shall be revised:

- a. 17 Tilia Tomentosa ‘Sterling’ (TS) only 16 are shown on the plan.
- b. 105 Rhus aromatica ‘grow-low’ (RAG) only 99 shown on the plan.
- c. 81 Vaccinium angustifolium ‘Brunswick’ (VB) only 75 are shown on the plan.
- d. 76 Panicum virgatum ‘Heavy Metal’(PH) only 71 are shown on the plan.

14. Section 162-57.D(4)(a) – **Plantings used to comply with the minimum number of plantings required per 162-57.D(1) shall be as listed below; revise the Planting Schedule accordingly.**

- a. Deciduous trees: 3" to 3½" caliper, minimum.
- b. Shrubs: 24" to 30" in height, minimum.

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Preliminary Land Development Plan – Third Review  
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**VI. TOWNSHIP ENGINEER'S COMMENTS – STORMWATER MANAGEMENT ORDINANCE  
GILMORE & ASSOCIATES**

1. (RW) Section 152-301.T – Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc. The plans show disturbance less than 75-feet from wetlands. The applicant is seeking a waiver from this requirement. Per Section 152-111.C, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.

*Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.*

**A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP.**

2. Section 152-303.A(1) – A "letter of adequacy" from the Conservation District and an NPDES permit are required for the project. Copies of all correspondence shall be provided to the Township.

3. (W) Section 152-305.A – The post-construction total runoff volume shall not exceed the predevelopment total runoff volume for all storms equal to or less than the two-year, twenty-four-hour duration precipitation (design storm). Infiltration is not proposed, as the testing showed the site does not infiltrate. Please provide verification the required volume will be managed by the MRC Basin.

*Infiltration testing results have been provided which show that the site does not provide acceptable infiltration rates; as such a waiver must be requested. We would support the waiver as an MRC (Slow Release Basin) is being proposed.*

**While the response letter states that a waiver has been requested, it is not included in the waiver request letter.**

4. (RW) Section 152-306.D – Only if a minimum infiltration of the first ½ inch of runoff volume cannot be physically accomplished on the site, shall a waiver from Section 152-306 be considered by the municipality in accordance with Section 152-111 (the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District). Infiltration testing indicates the site does not infiltrate. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.

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Preliminary Land Development Plan – Third Review  
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*The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.*

**A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP.**

5. (RW) Section 152-311.H(1) – The maximum depth of water in a detention or retention basin shall be two feet as a result of a 2-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event. The plans and report indicate there will be a permanent water depth in the basin of five feet, with a total depth of 6.65-feet during the 2-yr. storm event and a total depth of 8.48-feet during the 100-yr. storm event. Therefore, the water depth maximums have been exceeded and a waiver will need to be sought. In accordance with Section 152-111, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.

*The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.*

**A waiver from this section is being requested. As indicated previously, we are not sure the Board may take action on this waiver, without prior concurrence from PA-DEP. However, if this waiver is considered, we would recommend a minimum 6-foot high chain-link, or other suitable fencing, be placed around the basin to prohibit unauthorized access to the basin.**

6. (RW) Section 152-311.H(3) – Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm. Revise the spillway detail accordingly.

A partial waiver from this section is being requested to not require providing monoslab pavers within the wetland buffer area (on the downslope side of the emergency spillway), but to provide Typar Grassprotecta on the downslope side of the spillway without disturbance of land within the buffer. **A detail for Typar Grassprotecta is provided on Sheet 27; this detail shall also be provided on the PCSM Detail Sheet. Relocate the “DP-001” label, which is currently “over” the limits of the Typar Grassprotecta on the PCSM Plan (Sheet 29), and show the riparian buffers. Show the riparian buffers on the E&S Plans. We have no objection to this waiver request.**

7. (W) Section 152-402.B(8)(g) – Boundaries of a seventy-five-foot construction non-disturbance buffer to protect streams (intermittent and perennial), wetlands and other water bodies during construction of the proposed regulated activity shall be shown on the PCSM plan. We note the applicant is requesting a waiver from this requirement in Section 152-301.T.

**A waiver should be requested from this section as well.**

8. Section 152-402.F – *The documents outlined in this section shall be prepared and submitted to the municipality for review and approval as part of the SWM site plan for each BMP and conveyance included in the SWM site plan. Verify that all applicable items are provided.*

*Per the response letter, these will be provided prior to final plan approval.*

9. Sections 152-701.D, 152-701.E, 152-701.F and 152-703 – *All agreements and plans (i.e., O&M agreement, O&M plan, deed restrictions, right of entry, covenants, etc.) shall be provided for approval and recorded as outlined in these sections.*

*Per the response letter, these will be provided prior to final plan approval.*

**VII. TOWNSHIP ENGINEER'S COMMENTS – GENERAL  
GILMORE & ASSOCIATES**

1. Verify/provide the location of proposed bearings and distances related to the Ultimate Right-of-way and verify whether a legal description is required.
2. Verify / remove Reference Plans Note #7, as it is currently blank.

**VIII. TOWNSHIP TRAFFIC ENGINEER'S COMMENTS  
BOWMAN**

1. Condition 6 – The applicant shall fund and install a traffic signal at the site access intersection with Pottstown Pike/Font Road. If PennDOT ultimately does not approve a traffic signal, then the applicant shall be responsible to fund and install other intersection improvements or restrict turning movements at the access intersection. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT.
2. Condition 7 – As required by this condition, the land development plans show a 125-foot southbound Pottstown Pike left-turn lane for traffic entering the site. The access improvements design will be reviewed further during the HOP plan review.
3. Condition 8 – Subject to PennDOT approval, the plans shall be revised to show a northbound Pottstown Pike right-turn deceleration lane or taper at the driveway intersection. The detailed design of the access intersection and the right-turn deceleration taper (or lane) will be reviewed as part of the PennDOT HOP plan submission. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT. The land development plans should be revised to reflect the final access improvements subject to further evaluation and coordination with the Township and PennDOT.

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Furthermore, we understand the applicant proposes to modify and expand operations at this site in the future to also allow auto sales. At that time, an updated traffic study will be required to verify the access operations, including an updated evaluation of the warrants for a right-turn deceleration lane.

4. Condition 10 – As required by this condition, the land development plans show a 10-foot-wide multi-use trail along the site frontage.
5. Condition 11 – As required by this condition, the applicant shall coordinate with the Township to provide a public trail on this property to provide a connection to the trails at the Township Park on Fellowship Road. The applicant's engineer states this was discussed with the Planning Commission in May, and it was determined to be infeasible. As stated in our prior review letter, we recommend the applicant schedule a meeting with our office and Township staff to review this further. If it is agreed the trail connection is infeasible, then it may be appropriate to consider other options in lieu of a full trail connection.
6. Condition 12 – The proposed development is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Township's Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. Based on the traffic study, the site will generate **96** weekday afternoon peak hour trips, and therefore, the Transportation Impact Fee is **\$224,064**.
7. The traffic study should be updated relative to the proposed traffic signal at the Pottstown Pike/Font Road intersection.
8. As part of the traffic signal design at the site access intersection with Route 100, a pedestrian crossing should be provided across Route 100, as recommended by the Township's Active Transportation Plan. The pedestrian crossing should connect the proposed multi-use trail with the trail on the existing trail on the southwest corner of the intersection.
9. ZO Section 200-75.H(3) – As previously requested, the limits of the plan information along Pottstown Pike should be expanded to show the full extent of the labeled sight distances. As currently shown, we are unable to verify the sight distance lines. At minimum, the plans should be updated to show the site layout overlaid onto an aerial photograph in order to label the full length of the sight distances. The plans should also dimension and label the sight distances for left-turn vehicles entering the proposed driveway looking ahead and behind. Furthermore, the plans should include a PennDOT-style sight distance note. The available and required sight distances shown on the plan should match the information provided in the traffic study.

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10. SALDO Section 162-28.A – The ultimate right-of-way shown along the PA Route 100 frontage should be dedicated to the Township and it should be labeled as “Required Right-of-Way (To Be Deeded to Upper Uwchlan Township)”.
11. The Township’s Active Transportation Plan envisions a “Yield Roadway” along the alignment of the private drive through the northern edge of the property. We recommend a 30-foot-wide easement should be provided along the existing private drive to accommodate this future yield roadway. The applicant’s engineer indicates that this comment requires additional coordination with the Township and shall be satisfied prior to final plan approval. We recommend the applicant set up a meeting with the Township to discuss prior to the next plan submission.
12. Detailed designs for all proposed curb ramps located within public right-of-way or for public use should be provided for review. The detailed designs should include separate grading details (including spot elevations at all proposed grade changes), and all dimensions for construction, including widths, lengths, and all slopes. In addition, label all proposed curb ramp types, and provide the appropriate PennDOT curb ramp details and notes on the detail sheets. The applicant’s engineer indicates this information will be provided as part of the PennDOT HOP design.

**IX. TOWNSHIP PLANNER COMMENTS  
BRANDYWINE CONSERVANCY**

Comments will be provided under separate cover.

**X. TOWNSHIP SEWER AUTHORITY ENGINEER COMMENTS  
ARRO**

1. The plans propose the construction of a 45,774 square foot (SF) service center, with a lot for vehicular sales and service uses of 358 spaces on the site. The capacity needed for the proposed site is 600 gallon per day (GPD). This should be shown on the plan. The required capacity will need to be purchased by the applicant prior to connection into the sanitary sewer system.
2. The applicant has opted to tie directly into the sanitary sewer system rather than use a temporary holding tank. The proposed sanitary sewer piping including both the on-site and off-site portions, where connection occurs into the sanitary sewer main, needs to be shown in plan and profile within the plan set. The design shall be in accordance with the Authority’s sanitary sewer specifications and needs to be reviewed by the Authority’s Engineer.
3. The location of the proposed oil and water separator needs to be shown on the plan.
4. The appropriate Standard Authority Sanitary Sewer Details shall be added to the plans.
5. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
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**XI. TOWNSHIP FIRE MARSHAL COMMENTS**

Comments (If any) will be provided under separate cover.

**XII. HISTORICAL COMMISSION COMMENTS**

Comments attached following this letter.

This concludes our third review of the above referenced preliminary land development application. We would recommend the plans be revised to address the above referenced comments. If you have any questions, please do not hesitate to contact me.

Sincerely,

*David N. Leh*

David N. Leh, P.E.  
Vice President  
Gilmore & Associates, Inc.

cc: Upper Uwchlan Township Board of Supervisors  
Upper Uwchlan Planning Commission  
Gwen Jonik – Township Secretary  
Rhys Lloyd – Director of Code Enforcement  
Anthony Campbell – Zoning Officer  
Mathew Brown, PE – Upper Uwchlan Township Authority  
Kristin Camp, Esq. – BBM&M, LLC  
Chris Williams, PE Bowman Associates  
Dave Schlott, PE – Arro Consulting  
Rob Daniels – Brandywine Conservancy  
Robert DiStanislao – RDS (Applicant)  
Alyson Zarro, Esq. – RRH&C  
Erik Hetzel AICP/PP – EH Creative Services LLC.  
Matt Hammond, PE – TPD  
Jacob Tackett – T&M Associates, Inc. Cameron Wolfson, Esq. – RRHC

**Upper Uwchlan Township  
Historical Commission  
8/1/2025**

**Historic Resources Impact Statement Worksheet and Report  
500 Pottstown Pike — Porsche Service Center  
Revised Historic Resources Impact Statement Dated 6/17/2025**

**A. Is Historic Resources Impact Statement (HRIS) under Section 162-9H(5) Required? **YES****

Ordinance Requirement	Yes	No	Comments
1. Is there one or more historic resources identified in the "Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001)" on or within 250 feet of the proposed action (see #2 immediately below)?	<b>YES, THE JOHN KEELEY HOUSE, CLASS II IS ACROSS POTTSTOWN PIKE ON A SEPARATE TAX PARCEL</b>  If yes, continue Worksheet	If no, stop! No HRIS required!	<b>JOHN KEELEY BARN, CLASS II, RECENTLY ADDED TO HISTORIC RESOURCE INVENTORY, ADJACENT TO PROPERTY</b>
2. Is the Historic Resource within 250 feet of the proposed action?	<b>YES</b>  If yes, continue Worksheet	If no, stop! No HRIS required!	250 foot requirement has been measured from closest property line of property where proposed action will take place to Historic Resource

<p>3. Is the proposed action subdivision or land development plans that lead to new construction of buildings, structures, roads, driveways, parking area, etc.?</p>	<p><b>YES, NEW + or - 45,774 SQ. FT. CAR SERVICE CENTER WILL BE BUILT W/ 358 PARKING SPACES</b></p> <p><b>Also, trash enclosure and battery burnout shelter</b></p> <p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	<p>See definition of subdivision, land development and structure in section 162-5 if unclear proposed action is covered</p> <p><b>Note increase in proposed building's size and reduction on parking spaces.</b></p>
<p>4. Is the proposed action subdivision or land development plans that propose adaptive reuse or demolition of historic resources as identified in this chapter?</p>	<p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	
<p>5. Is the proposed action general bridge or road construction or substantial repair?</p>	<p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	
<p>6. Is the proposed action another land development, land disturbance, or exterior structural alteration?</p>	<p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	
<p>7. Is the proposed action any conditional use application?</p>	<p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	
<p>8. Is the proposed action any planned credential development application?</p>	<p>If yes, skip to Section B</p>	<p>If no, continue this Section A</p>	
<p>9. Is the proposed action any special exception or zoning variance request?</p>	<p>If yes, continue to Section B</p>	<p>If no, stop! No HRIS required!</p>	

**B. May the HRIS be Waived? SEE BELOW**

In the Decision and Order for the conditional use approval, the BoS stated in the Discussion Section that the applicant has requested a waiver from the HRIS requirement, although required under the Ordinance. The BoS also stated that during the land development process, the BoS would examine the historical studies and reports that had been submitted to the Township when the John Keeley House was approved for adaptive reuse as a bank. In addition, the BoS stated that it would analyze if additional information that Section 162-9H would require applicant to include in an HRS would be helpful or meaningful to the BoS's review of the land development plans and impact the proposed development of the property on the historic resource across the street. It would appear that the BoS has already decided to not grant a total waiver, but may grant a partial waiver based on its analysis of the information submitted for the John Keeley House's 2006 adaptive reuse as a barn.

Please note that the applicant has submitted an HRIS that omits information otherwise required on the John Keeley House. The applicant is requesting a partial waiver for that information which seems reasonable.

Ordinance Requirement	Yes	No	Comments
Are specific requirements inapplicable to preliminary or land development application?	<p><b>SEE COMMENTS</b></p> <p>If yes, BoS or Zoning Hearing Board, as applicable, may modify requirements, and waive HRIS.</p>	If no, HRIS is required and continue to Section C.	<p>Although historical information on the John Keeley House is required, reliance on the 2006 HRIS seems reasonable since this information would be largely duplicative.</p> <p>Also, see comment below regarding “qualified professional.”</p> <p>This provision has been viewed as permitting the BoS to waive all or part of the HRIS requirements.</p>

### C. Has the HRIS Been Presented to the Historical Commission?

**YES – APPLICANT SUBMITTED AN HRIS, DATED APRIL 10, 2025, AND A REVISED HRIS, DATED JUNE 7, 2025**

Ordinance Requirement	Yes	No	Comments
Has the HRIS been presented by the applicant for discussion at an Upper Uwchlan Historical Commission meeting?	<b>YES</b>	If yes, continue to Section D.	If no, applicant must satisfy requirement.

## D. Is the HRIS Preparer a Qualified Professional? **NO, BUT PARTIAL WAIVER MAY APPLY**

Ordinance Requirement	Yes	No	Comments
Is the preparer a qualified professional in historic preservation, historical architecture, planning or related disciplines?	<p><b>PREPARER IS KEVIN DOWELL, AN ARCHITECT.</b></p> <p><b>INFORMATION PROVIDED FAILS TO SHOW THAT MR. DOWELL IS A “QUALIFIED PROFESSIONAL” IN HISTORIC PRESERVATION, HISTORICAL ARCHITECTURE, PLANNING OR RELATED DISCIPLINES.</b></p> <p>If yes, continue to Section D.</p>	If no, the HRIS must be rejected and resubmitted by a qualified professional.	<b>ALTHOUGH, PREPARER DOES NOT APPEAR TO BE A “QUALIFIED PROFESSIONAL” IN HISTORIC PRESERVATION, HISTORIC ARCHITECTURE, PLANNING OR RELATED DISCIPLINES AS REQUIRED, IF THE BOS GRANTS THE REQUESTED PARTIAL WAIVER FOR PROVIDING INFORMATION ON THE HISTORIC ASPECTS OF THE JOHN KEELEY HOUSE — THIS REQUIREMENT COULD CONCEIVABLY BE WAIVED.</b>

## E. Does the HRIS Satisfy the Content Requirements?

Each of the Ordinance requirements listed below must be satisfied, subject to the exception in Section F of the Worksheet.

**The HC's review below is based on whether the information submitted in the applicant's revised June 17, 2025 HRIS, plus the 2006 HRIS submitted for the John Keeley House in connection with its adaptive reuse, taken together satisfy the HRIS requirements for the proposed project.**

Ordinance Requirement	Yes	No	Comments
1. Unless otherwise provided by applicant, does the HRIS have the general site plan and description, including topography, watercourses, vegetation, landscaping, existing drives etc.		<b>NO. UNLESS, THE APPLICANT ALREADY PROVIDED THIS INFORMATION WITH ITS LAND DEVELOPMENT PLAN</b>	<b>It is our understanding that this information has already been provided separately to the Township in the Preliminary Land Development Plan, but the Township should confirm.</b>
2. Does the HRIS have a general description and classification of all historic resources, including archeological resources as may be identified by Pennsylvania Historical and Museum Commission located on subject tract, on tracts immediately adjacent to subject tract or road or within 250 feet of subject tract or road?	<b>YES, THE JOHN KEELEY HOUSE AND BARN ARE COVERED IN THE 2006 HRIS. PRESUMABLY, IF THERE WERE ANY HISTORIC RESOURCES (OTHER THAN ON THE INVENTORY) THEY WOULD HAVE BEEN COVERED.</b>		Although only an historic resource on the Township's inventory triggers an HRIS, this provision has been interpreted to apply a broader meaning to "historic resource" for purposes of this requirement and others that refer to it.

3. Does the HRIS have a physical description of significance of all historic resources identified in #2 immediately above?	<b>YES, COVERED IN 2006 HRIS.</b>		
4. Does the HRIS have a statement of significance of each historic resource, both relative to the Township and region in general?	<b>YES, COVERED IN 2006 HRIS.</b>		
5. Does the HRIS have a narrative description of historical development of subject tract or road?	<b>YES, BUT LIMITED BACK TO THE 1950s WHEN THE TANK FARM WAS INSTALLED.</b>		<b>HC NOTES THAT 1860 AND 1873 HISTORIC MAPS SHOW THE SUBJECT PROPERTY WITHOUT STRUCTURES. HOWEVER, THE 1883 AND 1934 MAPS APPEAR TO SHOW THAT THERE WAS ONCE A STRUCTURE ON THE PROPERTY ALONG POTTSTOWN PIKE THAT HAS SINCE BEEN DEMOLISHED.</b>
6. Does the HRIS have sufficient number of 8-inch by 10-inch photographs to show every historic resource identified in #2 above in its setting?	<b>YES, 2006 PHOTOS OF JOHN KEELEY HOUSE, PLUS SEVERAL CURRENT PHOTOS SHOWING THE VIEW OF THE JOHN KEELEY HOUSE FROM SUBJECT TRACT.</b>		
7. Does the HRIS have a general description of the project, including a timetable of phases?	<b>YES, PROJECT TO BE COMPLETED IN SINGLE PHASE WITH APPROVALS ANTICIPATED BY END OF JANUARY 2026 AND CONSTRUCTION COMPLETED BY END OF SUMMER 2027 (18 MONTHS).</b>		

<p>8. Does the HRIS have a description of the impact on each historic resource identified pursuant to the HRIS Ordinance Section, with regard to architectural integrity, historic setting or landscape and future use?</p>	<p><b>YES, HRIS STATES “IT IS INTENDED THAT THE LINE OF SITE FROM THE JOHN KEELEY HOUSE REMAINS LARGELY UNCHANGED AS A RESULT OF THE PROPOSED DEVELOPMENT.” (THE HRIS STATES THAT “REGARDING THE LINE OF SIGHT FROM THE HISTORIC RESOURCE IN QUESTION, AN EXISTING DENSE VEGETATIVE BUFFER IS PROPOSED TO REMAIN”)</b></p> <p><b>THE HRIS ALSO STATES THAT “WITH A DENSE VEGETATIVE BUFFER ALONG THE WEST END OF THE PROPERTY LINE SHARED WITH STYER PROPANE, IT IS ANTICIPATED THAT THERE IS NO IMPACT TO THE ARCHITECTURAL INTEGRITY, HISTORIC SETTING OR LANDSCAPE.”</b></p>		
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<p>9. Does the HRIS have a general description of the effect of noise and traffic and any other impacts generated by the proposed change on each historic resource?</p>	<p><b>YES – 2025 HRIS STATES “THERE IS MORE THAN 200-FEET HORIZONTALLY BETWEEN THE PROPOSED BUILDING AND PARKING AREA AND THE JOHN KEELEY HOUSE. AT THAT DISTANCE, SOUND DECIBELS GENERATED ARE ALMOST HALVED FROM THEIR SOURCE. ADDITIONALLY, 500 POTTSTOWN PIKE IS AN ACTIVE ARTERIAL ROADWAY AND DUE TO ITS OPERATION AND DISTANCE TO THE JOHN KEELEY HOUSE, GENERATES NOISE FAR BEYOND WHAT IS ANTICIPATED FROM THE PROPOSED SERVICE CENTER. THE PROPOSED SERVICE CENTER OPERATIONS ARE RESERVED FOR HIGHER-END LUXURY VEHICLES AND TRAFFIC GENERATED BY THE NEW DEVELOPMENT IS ANTICIPATED TO GENERATE SIGNIFICANTLY LOWER VOLUME THAN OTHER BY-RIGHT USES IN THE UNDERLYING ZONING DISTRICT.”</b></p>		
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10. Does the HRIS have recommendations for mitigating the proposed project's impacts on historic resources, including design alternatives, screening in accordance with section 200-77, landscaping in accordance with section 200-78 and any other appropriate measures permitted under the terms of this and other Township ordinances?	<p><b>YES – 2025 HRIS STATES “MITIGATION MEASURES PROPOSED AS PART OF THIS PROJECT INCLUDE MAINTAINING THE EXISTING VEGETATIVE BUFFER BETWEEN PROPERTIES, ADDITIONAL LANDSCAPING IN THE FRONT YARD OF 500 POTTSTOWN PIKE, AND TO LOWER THE FIRST FLOOR ELEVATION OF THE BUILDING TO THE EXTENT PRACTICABLE TO FURTHER MITIGATE IMPACT OF THE VIEWSHED FROM THE JOHN KEELEY HOUSE.</b></p>		

## F. May Some Requirements of the HRIS be Waived?

Ordinance Requirement	Yes	No	Comments
Are specific requirements inapplicable to preliminary or land development application?	<p><b>YES, AS TO INFORMATION IN THE 2006 HRIS THAT WOULD BE DUPLICATIVE AND AS OTHERWISE NOTED ABOVE.</b></p> <p>If yes, BoS or Zoning Hearing Board, as applicable, may modify requirements.</p>	<p>If no, all HRIS requirements must be met.</p>	This provision has been viewed as permitting the BoS to waive or modify all or part of the HRIS requirements.

## G. Has the Historical Commission Reviewed and Provided Report?

**YES**

Ordinance Requirement	Yes	No	Comments
Has the HC reviewed the HRIS and provided its evaluation and recommendations in a written report?	<b>YES. THIS WORKSHEET AND REPORT REFLECT THE HC'S EVALUATION AND RECOMMENDATIONS.</b>		



YOUR GOALS. OUR MISSION.

July 17, 2025

Mr. Tony Scheivert  
Township Manager, Upper Uwchlan Township  
140 Pottstown Pike  
Chester Springs, PA 19425

**RE: Waiver Request Letter – Chester Springs Service Center  
500 Pottstown Pike  
Upper Uwchlan Township, Chester County, Pennsylvania  
T&M Project No. PORS00021**

Below is a list of ten (10) waiver requests for the Chester Springs Service Center Project. The list below identifies ordinance chapter, ordinance section, ordinance requirement, waiver request and the justification for the request. We are requesting that the Upper Uwchlan Planning Commission review and make a recommendation to approve this waiver request as a part of the Application for Preliminary/Final Land Development.

**WAIVER #1**

**Chapter:** Chapter 152, Stormwater Management

**Section:** 152-301.T – General Requirements

**Requirement:** Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc.).

**Request:** To develop within 75 feet of wetlands.

**Justification:** Due to the site's irregular shape, the location of wetlands, manmade slopes, and existing vegetation, the site design necessitated encroachment into the 75-foot buffer required by Section 152-301.T. The proposed layout—presented during the Conditional Use Hearing on June 10, 2024, and approved on July 15, 2024—includes development within this buffer. Additionally, the layout was discussed at the August 28, 2024 Zoning Hearing, during which it was confirmed that the 25-foot riparian buffer surrounding wetlands would not be disturbed. All proposed impervious cover within 75 feet of wetlands will be contained by curbing and collected by a conveyance system that directs runoff to a constructed wetland stormwater BMP, improving water quality prior to discharge into existing wetlands.

**WAIVER #2**

**Chapter:** Chapter 152, Stormwater Management

**Section:** 152-306.D – General Requirements

**Requirement:** Infiltration of the first 1/2 inch of runoff volume

**Request:** To not infiltrate stormwater runoff.

**Justification:** Extensive onsite infiltration testing has demonstrated that infiltration is not a viable stormwater management strategy for this site. As such, a waiver is requested due to the inability to accommodate infiltration onsite. The proposed stormwater management solution is a constructed wetland basin, which is specifically designed not to infiltrate. Both the County Conservation District and PADEP have reviewed and indicated that the constructed wetland basin is an acceptable and appropriate management measure for this project. Without approval of this waiver, the site would not be developable under current stormwater requirements.

**WAIVER #3**

**Chapter:** Chapter 152, Stormwater Management

**Section:** 152-311.H(1) – Other Conveyance and System Design Standards

**Requirement:** Maximum depth of detention or retention basins. The maximum depth of water in a detention or retention basin shall be two feet as a result of a two-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event.

**Request:** To pond greater than the maximum permitted depth of basins.

**Justification:** The constructed wetland basin features a permanent water surface with varying depths across different zones (low marsh, high marsh, and permanent pool). The additional depth to the permanent water surface elevation complies with section 152-311.H(1) (1.63 feet in a 2-year event, and 3.42 feet in a 100-year event). This waiver is essential as there is no feasible method to exclude these permanent water depths from consideration.

**WAIVER #4 (Partial Waiver)**

**Chapter:** Chapter 152, Stormwater Management

**Section:** 152-311.H(3) – Other Conveyance and System Design Standards

**Requirement:** Emergency spillway. All stormwater flow into any permanent detention, retention or infiltration facility exceeding design capacity shall be handled by an emergency spillway. Whenever possible, any emergency spillway shall be constructed on undisturbed ground. Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm.

**Request:** Partial waiver to provide a material that is not monoslab pavers within the wetland buffer.

**Justification:** The downslope side of the proposed emergency spillway is located partially within a riparian wetland buffer where disturbance is not permitted. The proposed solution is to line the downslope side of the emergency spillway with the "Typar Grass Protecta" product, which is a non-disturbance measure that protects and reinforces grass from accelerated erosion. To enforce the applicant to line the area in the riparian buffer with monoslab pavers, would require a variance from the Zoning ordinance. The proposed alternate solution would meet the spirit of the ordinance.

**WAIVER #5 (Partial Waiver)**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-9.H(5) – Historic Impact Statement

**Requirement:** A historic resources impact statement is required when a subdivision or land development plan which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource as identified in the document entitled "Historic Resources Inventory: Upper Uwchlan Township, Chester County, Pennsylvania (Wise Preservation Planning, 2001)."

**Request:** To omit historic resource background information for the John Keeley House (WSFS bank).

**Justification:** The John Keeley House, a recognized historic resource located at 210 Font Road, has been adaptively redeveloped and currently operates as a WSFS Bank. As part of that redevelopment effort, background information regarding the historic resource was previously prepared and provided to the Township. The requested waiver seeks relief from repeating that effort, as the information already exists and remains relevant. In support of the current application, the applicant has prepared a Historic Impact Statement that addresses the requirements for assessing the potential effects of the proposed development at 500 Pottstown Pike and providing background information about 500 Pottstown Pike, as requested by the Historical Commission. Therefore, requiring the applicant to prepare the same information as previously provided for the John Keeley House would be duplicative.

**WAIVER #6**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-55.B(3)(a) – Woodland Replacement

**Requirement:** Where woodland and hedgerow disturbance exceeding 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract, replacement requirements shall be required.

**Request:** To provide a fee in lieu for required plantings that cannot be accommodated onsite pursuant to Section 162-55.B(12)

**Justification:** The site has been designed to meet the operational needs of the owner. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Because a fee in lieu option is permitted under subsection 162-55.B(12), applicant is seeking approval to provide a fee in lieu so other planting requirements can be met to the extent practicable. It should be noted that existing wooded areas are proposed to remain and be protected to the extent practicable. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

**WAIVER #7**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-55.B(6) – Woodland Replacement

**Requirement:** Where woodland or hedgerow disturbance involves more than the maximum area permitted under Subsection B(3) above, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, or fraction thereof, in excess of the maximum permitted area of disturbance.

**Request:** To provide a fee in lieu for required plantings pursuant to Section 162-55.B(12)

**Justification:** The site has been designed to maximize the number of plantings that can be reasonably accommodated for this project. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

**WAIVER #8**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-55.B(7) – Woodland Replacement

**Requirement:** In addition to subsection B(6), for each tree removed that is greater than six inches DBH, replacement trees shall be planted in accordance with requirements of this section.

**Request:** To provide a fee in lieu for required plantings pursuant to Section 162-55.B(12)

**Justification:** The site has been designed to maximize the number of plantings that can be reasonably accommodated for this project. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate planting the required number of plantings set forth in 162-55.B. Providing additional plantings to fully comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation. Strict adherence to the planting requirement would necessitate substantial modifications to the approved layout and hinder the project's functional intent.

**WAIVER #9**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-57.A(2) – Landscape design, installation and maintenance standards.

**Requirement:** Perimeter buffer requirement. The entire perimeter of the tract shall be provided with a minimum twenty-foot-wide buffer planting strip which will act as an effective separation between uses.

**Request:** To provide less than the required buffer width along the northern perimeter of site adjacent to the Styer Propane operation.

**Justification:** The site has been designed to accommodate the operational needs of the owner, including providing employee parking in close proximity to the service center. The proposed improvements in this area respect the required 15-foot parking setback, and the 15 feet between the property line and the edge of parking will be buffered to meet the intent of the applicable ordinance section. Additionally, the adjacent zoning district and existing land use are consistent with the proposed use for this project. Requiring a 20-foot buffer along this area would necessitate significant changes to the layout that was generally approved during the Conditional Use process. The employee parking in this location cannot be reasonably relocated elsewhere on site without compromising its intended function.

**WAIVER #10 (Partial Waiver)**

**Chapter:** Chapter 162, Subdivision and Land Development

**Section:** 162-57.D(1) – Minimum Planting Standards

**Requirement:** The total number of plantings required shall be no less than the total calculated from all columns in the table located in section D.1 and shall be in addition to any required replacement plantings due to woodland disturbance. The total number of required plantings may be dispersed throughout the tract to meet the objectives of this section.

**Request:** To provide less than the required number of plantings set forth in this section.

**Justification:** The site has been designed to meet the operational needs of the owner. Due to the irregular shape of the site, location of the existing wetlands and vegetation, the proposed layout that was presented as part of the recent Conditional Use Hearing dated June 10, 2024, and approved on July 15, 2024, cannot reasonably accommodate the required number of plantings set forth in 162-57.D(1). It should be noted that the proposed plantings have been practicably maximized on site. Approximately 84% of the required plantings in this section are proposed onsite (176 trees and 896 shrubs) and proposing more would create a density that jeopardizes the health of proposed vegetation. To require the applicant to plant trees required to comply with 162-57.D(1) would substantially change the layout presented and generally approved as part of the Conditional Use process for this project.

If you have any questions or require any additional information, please do not hesitate to contact me by phone at 215-282-7853 or by email [jtackett@tandmassociates.com](mailto:jtackett@tandmassociates.com).

Sincerely,  
T&M Associates



Jacob Tackett  
Supervising Designer



YOUR GOALS. OUR MISSION.

July 17, 2025

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

**RE: 500 Pottstown Pike – Chester Springs Service Center  
Preliminary Land Development Plan – Second Review  
Upper Uwchlan Township, Chester County, PA  
T&M Associates Project No. PORS00021**

Dear Mr. Scheivert:

The following is our response to the review comments in the Gilmore & Associates, Inc. review letter dated May 21, 2025, regarding the above referenced project. (Original comments are depicted below following the format of the review letter. Our responses are provided in **bold**.)

### III. CONDITIONAL USE ORDER REVIEW

1. The July 15, 2024 Conditional Use Order allows two principal uses on the property, allowing the development of a vehicular sales establishment being the storage of vehicle inventory from the sales facility located in Newton Square, and allows a vehicular service establishment. The Zoning Data table on Sheet 6 lists the proposed uses as Vehicular Service Establishment and Vehicular Sales Establishment. Per Conditions of Approval #3, “Vehicular Sales Establishment” shall be revised to include “the storage of vehicle inventory for off premises vehicular sales.”

While this note has been added, it has been added under the Parking and Loading Requirements. Please insert into the Zoning Table along with the other proposed uses.

**T&M Response: Comment Addressed. The note has been relocated to the correct location. See Sheet 7B.**

2. Conditions of Approval #11 requires that an attempt be made to provide a location for a public trail to provide a connection to the trails at the Township’s Park at Fellowship Road.

Nothing is shown on the plans per this requirement.

**T&M Response: Comment noted. It was discussed during the May Planning Commission meeting that a trail connection to Fellowship Fields could not be accommodated as requested. A trail has been proposed along the frontage of the property, but it is infeasible to connect to the private drive located in the rear yard of the property. In addition to general safety and security concerns, any trail would require zoning relief and special permitting with the state to construct within existing regulated wetland areas.**

3. Conditional Use Condition of Approval #13 requires an entrance feature consistent with other entrance features in the vicinity of the property. Currently no site signage is shown; the plans shall be revised to be in accordance with this Condition of Approval.

Plans show a “Monument Sign” location at the entrance to the property. The response letter states the final sign location shall be in conformance with the approved HOP plans. Details shall be provided for the proposed entrance feature.



**T&M Response: Comment Acknowledged.**

The monument sign still requires internal franchise approval and will be circulated under separate cover when it becomes available.

**IV. TOWNSHIP ENGINEER'S COMMENTS – ZONING ORDINANCE GILMORE & ASSOCIATES**

1. Section 200-73.B(3) – Pedestrian paths shall be provided from the parking areas to the entrances of buildings and adjacent street sidewalks. Pedestrian walks crossing any parking and driveway aisles shall be delineated by either stripes or a different paving material.

The Applicant has indicated “Final locations of pedestrian paths will be clearly delineated prior to final plan approval.”

**T&M Response: Comment Acknowledged; no response necessary.**

2. Section 200-73.D(5)(a) – Based on the number of proposed parking spaces (358), eight (8) accessible spaces are required. The plan shows 5 accessible parking spaces. The Zoning Officer should confirm how many spaces are required for these uses.

The Applicant has indicated “Approval of the number of ADA parking spaces will be obtained from Zoning Officer prior to final plan approval.”

**T&M Response: Comment Acknowledged. The Zoning Officer confirmed on 7/17/2025 that 5 ADA spaces are acceptable because the proposed service center use requires 5 ADA spaces (114 parking spaces for the service center) and the “storage of vehicle inventory for offsite sales” does not contribute to the overall parking count when considering ADA parking measures. However, any future sales use on the property would require a reassessment of ADA parking compliance for the new use.**

3. Section 200-107.D.(2) – The application proposes disturbance of prohibitive steep slope areas which requires a variance from the Zoning Hearing Board. This variance was granted on October 11, 2024; the Order should be listed (verbatim) on the Record Plan.

The order has been listed under “Waiver from the Zoning Ordinance” on Sheet 1. However, please revise “Waiver from the Zoning ordinance” to “Variance from the Zoning Ordinance”. Also please revise the overall title “Zoning and Stormwater Waivers” to “Zoning Variance and Waivers”. We also note the Order is also located on Sheet 3 under “Zoning Hearing Board Approval”.

**T&M Response: Comment Addressed. The titles on the cover sheet and have been revised accordingly. See Sheet 1.**

**V. TOWNSHIP ENGINEER'S COMMENTS – SUBDIVISION & LAND DEVELOPMENT ORDINANCE GILMORE & ASSOCIATES**

1. Sections 162-9.B(1)(b) and 162-9.B(2)(b)[7] – Dimensions shall be set and curves shall be described as outlined in this section, shall be prepared and certified by a registered professional land surveyor, and shall be shown on a Record Plan.

We note that this information appears to be provided on Sheet 5 (Conservation Plan), which is not to be recorded. The existing boundary information shall be provided on the Existing Conditions Plan and the Site Plan, with any proposed boundary information being provided on the Site Plan (Recorded Plans).

**T&M Response: Comment Addressed. The boundary information is shown on the Existing Conditions Plan and Overall Site Plan. The Overall Site Plan was added to display this information. See Sheets 4 and 7A.**



2. Section 162-9.B(1)(d) – Provide Legends on each plan sheet and verify that all features are included with matching line types / symbols. The Standard Legend on Sheet 2 should be expanded.

Legends are not provided on each plan sheet, e.g., no Legend on Existing Features Plan or on Landscape plan, and there appears to be no change to the Legend on Sheet 2.

The chain link fence line type on the Demo plan is identified as a “FLOW LINE” in Legend Sheet 6, and not all features / symbols / line types are in the Legend as are on plan view.

Regarding trees to remain as shown on the Demo Plan (Sheet 6), the following shall be revised: the plan shows exact outline of the trail across front as only area of trees to be removed, but does not account for grading, which is also not shown on the Grading Plan (Sheet 7); does not show 10-feet horizontal separation between storm pipe and vegetation (note that installation may require more room); there is a proposed 513-contour going through trees to remain in front; the trees along SY parking likely won’t survive; and trees to remain are shown where a retaining wall / dumpster, etc. are proposed. The SAN MH RIM 508.09 (Sheet 6) in FY appears to be removed but is not indicated as such; please verify / revise.

Identify and show the proposed trees to remain line on all proposed conditions plans.

Proposed Storm MH A10 appears to conflict with the existing underground utilities (“UGT” per plan view) across the site frontage.

Show the existing storm inlets and storm piping along Rt. 100 on the Existing Conditions Plan and verify the information matches the Grading Plan.

**T&M Response: Comments addressed. The Standard Legend on Sheet 2 has been removed in favor of providing relevant legends on each plan sheet for relevant information.**

The wooded area on the Demo Plan to be removed has been revised to include all improvements (pedestrian trail, grading, 10-foot horizontal separation from new pipes, improvements along side yard) (Sheet 6). The calculations for revegetation have been revised (Sheet 12).

The sanitary manhole noted has been marked for removal (Sheet 6).

All trees proposed to remain (clusters and individual trees  $\geq 6"$ ) are shown on all proposed conditions plans.

Manhole MH A10 has been relocated to avoid conflict with any underground utility lines. See Sheet 10.

Existing storm inlets in Pottstown Pike have been added to the plans as requested. See Sheet 6.

3. Section 162-9.B(2)(b)[12] – Any proposed improvements requiring a permit from the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection shall be so indicated.

Provide the PJD form referenced in the preliminary Jurisdictional Determination as well the “Wetland Location Plan” prepared by T&M Associates, dated 04-AUG-2023, last revised 20- SEP-2024.

**T&M Response: Comment addressed. The approved PJD documentation, including wetland location plan have been included with the resubmission under separate cover.**

4. Section 162.9.C(2)(a)[11] – Note that all waivers being requested by the applicant, as well as all waivers granted to the applicant by the Board, shall be clearly stated on the first sheet of the final plan submission. Provide a letter to the Township outlining all current waiver requests and reasons for same.



**T&M Response: Comment addressed. The requested waivers have been included on waiver request letter, and also provided on the Cover Sheet (Sheet 1).**

5. Sections 162-9.D(1)(d) and (f) – General Notes #10 (Sheet 4) states that watercourses and wetlands shown are under review by the US Army Corps (PJD Application NAP-2009-01363-100). This note shall be on a Record Plan, updated to cite required information on the Assessment, and shall include the date of the JD (when obtained). Wetlands shall be clearly indicated on all plan view sheets, with Legends defining all wetland flag / data point symbols.

The wetlands evaluation and Preliminary JD are noted on the plans (General Notes #7 & #8 on Sheet 5); these notes shall also be on a sheet to be recorded. A wetlands certification should be added to the signature sheet as well. All applicable sheet Legends shall be verified / revised to include the wetlands line type / symbol; for example, Sheet 7 Legend defines the line type used for Wetlands on the plan view as an Easement Line.

**T&M Response: Comment Addressed. Existing Conditions Plan shows existing wetlands and is included in the existing conditions legend. The wetlands evaluation and Preliminary JD have been added to the General Notes as notes 28 and 29 under General Notes. See Sheet 2.**

6. Sections 162-9.E(1)(f) – The Conservation Plan (Sheet 4) shall show all applicable items from these sections.

All applicable items have been shown with the exception of subsection (f) regarding all trees or portions of tree masses proposed to be cleared, together with reasons for such clearing; all proposed alterations of the natural grade, whether by cut or by fill, exceeding two feet, together with the reasons for such alteration. The response letter states that this requirement is shown on Sheet 6; however, we note that the tree clearing appears to be shown incorrectly on Sheet 6 and is required to be shown on the Conservation Plan. Please revise.

**T&M Response: Comment Addressed. Existing trees and limits of tree masses have been revised on the Conservation Plan. Additionally, tress masses and single trees to be removed along with the rationale for removal has been added to the plan. See Sheet 5 and refer to note 9 on Sheet 5.**

7. Section 162-9.H(5) – An historic resources impact statement is required when land development plans which will lead to the new construction of buildings, structures, roads, driveways, parking area, etc. is proposed within 250 feet of an historic resource. The site is within 250 feet of the “John Keeley House.

An Historic Resources Impact Statement dated April 10, 2025, prepared by kd2 has been submitted. We defer to the Historic Commission in this matter.

**T&M Response: Comment Acknowledged.**

8. Section 162-9.H.(4) – The Fiscal Impact Study shall be revised per comments in the CU review letter dated April 8, 2024.

Per the response letter the revised fiscal impact study will be revised prior to final plan approval.

**T&M Response: Comment Acknowledged. It should be clarified that this item will be provided prior to final approval of plans, not necessarily at the time of approval issued by the Board of Supervisors. We request this element be considered a condition of approval, and not necessarily be required prior to the Township issuing an approval with conditions.**

9. Section 162-47.A(1) &(4) – Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided. Currently rebar is proposed.

Sheet 7 should be revised to clearly show where stone or concrete monuments are proposed.



**T&M Response: Comment Addressed. Callouts at each corner have been added to the Overall Site Plan. See Sheet 7A.**

10. (RW) Section 162-55.B(3)(a) – Woodland and hedgerow disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow for each principal use permitted on any lot or tract shall require woodland replacement in accordance with Subsections B(6) through B(9). The plans show that 39,462 SF of existing woodland is proposed for disturbance. A waiver is being requested from Section 162-55.B to the extent required to provide a fee in lieu of required plantings. We note that the Landscape Requirements Table SALDO on Sheet 18 states “replacement requirements listed below”, but there does not appear to be a quantity provided. The number of required replacement trees shall be provided. Finally, the table does not indicate a Waiver is being requested from this section, which shall be verified. The waiver request from Section 162-55.B should be revised to indicate specific subsections.

The response indicates that a waiver has been requested, and a tree survey is scheduled to measure trees 6 inches or greater and additional calculations for replacement quantities will be provided prior to final plans approval. The number of replacement trees required shall be provided to demonstrate compliance with the conditions of approval.

**T&M Response: Comments Addressed. A tree survey was conducted to determine the number of trees over 6" DBH and the number of replacement trees has been updated accordingly. Quantities for woodland area disturbance have been corrected, and corresponding replacement calculations have been provided. The waiver is still being sought and is included on the plans and waiver letter. See Sheet 12.**

11. Section 162-55.B(5)(a) – Revise the Landscape Plan (Sheet 10) to include tree protection fencing. The Tree Protection and Pruning detail as well as the Orange Construction Fence / Tree Protection Fence (TPF) detail shall be added to the Landscaping notes and details sheet. The Tree Protection and Pruning detail indicates that the TPF is to be installed 15-feet from the tree trunk or 2-feet beyond the dripline of the tree. Tree Protection Notes #4 (Sheet 19) states that feeder roots of trees to be preserved shall not be cut closer than 25-feet from tree trunks. Therefore, we recommend that if accurate driplines are not shown, the TPF be shown a minimum of 25-feet from all trees to remain (conversely, show a minimum 25-foot separation between disturbance and TPF /vegetation to remain). Trees are shown to remain / be protected in the NW front/side of the site where stormwater features and grading are shown; on the southern side of the parking lot grading and plantings are shown in an area of existing vegetation to be preserved. These areas (see snippets below) shall be revised accordingly. Finally, note that if the woodland / hedgerow disturbance area increases, all replacement tree quantities should be increased.

Note has been provided, however, these areas show proposed grading and disturbance within trees labeled as protected with disturbance less than 25 feet from the dripline. The tree protection detail on Sheet 13 indicates “fence to be installed 15 feet from tree trunk”. Plans shall be revised to show trees to remain only if disturbance is less than 25 feet from their trunks in these areas highlighted below to demonstrate compliance with the conditions of the approval and tree protection detail should be revised to be 25 feet.

**T&M Response: Comments addressed. The inconsistency between notes and details. Per professional judgement from the landscape architect responsible for design, the tree protection fence shall be installed at the limit of the anticipated critical root zone, which can be assumed to be 1' per 1" DBH (e.g. 6' for a 6" DBH, hence the 'varies' dimension. Tree protection note #4 has been revised to be consistent with the detail. Treelines to be protected. The applicant intends to protect trees to the extent practicable and Note #17 on the Demo Plan (Sheet 6) directs the contractor to notify the Township and Design Engineer if disturbance occurs in areas marked for protection.**

12. (RW) Section 162-55.B(6) – Where woodland or hedgerow disturbance involves more than the maximum area permitted, one tree and two shrubs shall be planted for each 300 square feet of woodland or hedgerow disturbance area, in excess of the maximum permitted area of disturbance. A waiver is being requested from Section 162-55.B to the extent required to provide a fee in lieu of required plantings. The Landscape Requirements Table SALDO on Sheet 18 indicates “Yes” to Waiver, and that 99 trees and 197 shrubs are required.



**T&M Response: Comment Acknowledged.**

13. (RW) Section 162-55.B(7) – In addition to the vegetation replacement standards established in B(6), for each tree greater than six inches dbh removed, replacement trees shall be planted based on the requirements in this section. A waiver is being requested from Section 162-55.B to the extent required to provide a fee in lieu of required plantings; the Landscape Requirements Table on Sheet 18 indicates “Yes” to a waiver from this section. Per Section 162-9.E(1)(c), specimen trees and individual freestanding trees over six inches dbh should be shown on the plans. However, no sizes of existing trees are noted on the plans; verify whether any trees greater than six inches dbh exist.

The response indicates a tree survey is scheduled and will be completed prior to final plan approval. However, sizes and number of existing trees greater than six inches dbh shall be included on the plan and plans shall be revised to show the required replacement trees to demonstrate compliance with the conditions of the approval.

**T&M Response: Comment Addressed.** A tree survey was conducted to determine the number of trees over 6" DBH and individual trees are shown on the plans accordingly. Refer to the Existing Conditions Plan for individual tree sizes (Sheet 4). Calculations to determine the intensity of the waiver requested has also been added to the Landscape Details. See Sheet 12.

14. Section 162-55.B(12) – In lieu of actual tree replacement, the Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such funds shall be utilized for the purchase and installation of trees elsewhere in the Township at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter.

The applicant shall discuss this with the Township.

**T&M Response: Comment Acknowledged.** This coordination shall occur prior to final plan approval.

15. Section 162-55.D(1)(d) and 162-55.D(2) – No structures shall be placed within any riparian buffer area, and no land disturbance shall be permitted within any riparian buffer area except for regulated activities permitted by applicable state or federal regulations, and, as applicable, in accordance with Subsection C of this section. A waiver from Chapter 105 is being sought to permit the proposed filling of wetlands. Riparian buffer area is defined as any area within 75 feet of the bank of any stream, any wetlands and any area within 25 feet of any wetland; and any area of hydric soil. No structures or land disturbance are permitted within this buffer.

Per the response letter, “PADEP has confirmed that no waiver is required to fill the ephemeral features onsite. The previously noted features are not considered waters of the commonwealth. The waiver request for disturbance within 75 feet is still being sought.”

PADEP has concluded that the ephemeral feature is not a stream; the plans currently show the riparian buffers around the delineated wetlands. Clarify the waiver request noted in the response. Revise the grading around the “WF” wetland area to show proposed 504-contour (near “WF5”) and clarify whether grading will occur inside the buffer related to the 503- contour (near “WF7”). Clarify how the proposed retaining wall will not involve grading in the riparian buffer from the “WCC” wetlands (near “WCC8”). Verify the riparian buffer setback from the “WCC” wetlands as it does not appear correct.

**T&M Response: Comment Addressed.** The state acknowledged that no waiver from Chapter 105 is required to fill ephemeral features onsite. A waiver from Township section 152-301.T is still required (disturbance within 75-feet of wetlands).

The grading around wetland buffers has been revised to avoid encroachment in both wetland buffers onsite. The buffers for wetland areas have been reviewed and updated on the plans. They have been offset 25 feet



away from the wetlands itself, and 25-foot radii have been incorporated at key points along the buffer line, ensuring that the maximum distance from the wetland edge remains 25 feet throughout. See sheet 8.

16. Section 162-57.A(2) – The entire perimeter of any tract subject to land development approval shall include a minimum 20-foot-wide perimeter buffer planting strip which will act as an effective separation between uses. The width of the proposed buffer along the northern property line appears to be less than required with only shrubs proposed along the property line. We note that the Landscape Requirements Table SALDO on Sheet 18 indicates "Yes" to Waiver; however, this section is not listed in the Waiver Request Letter.

The applicant shall confirm whether or not a waiver is being requested.

**T&M Response: Comment acknowledged. A waiver is being sought and is included on the Cover Sheet and waiver letter under separate cover.**

17. (RW) Section 162-57.D(1) – All required landscaping shall meet the minimum planting requirements outlined herein. A waiver is being requested to permit providing less than the required number of plantings and we note that the Landscape Requirements table indicates that 198 deciduous trees, 180 evergreen trees and 896 shrubs are required, and that 99 deciduous trees, 54 evergreen trees and 728 shrubs are proposed.

The shortage of 99 Deciduous trees, 126 evergreen trees and 168 shrubs shall be planted offsite and/or a fee in lieu of providing these trees shall be determined to demonstrate compliance with the approved conditions.

**T&M Response: Comment Addressed. The plans have been updated to show "fee-in-lieu" in the sections that cannot be accommodated onsite. Additionally, a table has been added to the plan that provides a clear quantity for total number of trees and shrubs from each section that a fee in lieu is being requested for. See Sheet 12.**

18. Section 162-58.C(1) Illumination levels. The concrete area at the southwest corner of the proposed service center building does not appear to be adequately illuminated for pedestrian circulation around the building/entrance. The plan shall be revised.

The applicant has indicated that the lighting design will be revised prior to final approval to be within the required illumination levels.

**T&M Response: Comment Addressed. A revised lighting design has been completed to adequately illuminate the building entrance. See Sheet 14.**

19. Section 162-58.C(2)(b) – Fixtures shall meet full-cutoff criteria. Proposed light fixtures have an uplight rating of 2 and are not full cutoff fixtures. An alternate fixture shall be provided.

**T&M Response: Comment Addressed. The proposed fixtures are full cutoff fixtures. See the lighting details for specifications. See Sheet 15.**

20. Section 162-58.C(2)(h) – Requires that LED light sources have a color temperature that does not exceed 3000K in commercial and industrial districts. It is noted that proposed lighting has a color temperature of 4000K. The plan shall be revised.

The Luminaire Schedule indicates a 3000K color temperature whereas the catalog number indicates 4000K color. The plan shall be revised.

**T&M Response: Comment Addressed. The catalog and plan have been updated to include fixtures with a 3000K. See Sheet 15.**

21. Section 162-58.C(4)(b) – Requires that poles for lighting fixtures for parking areas be located a minimum of five feet outside paved area or on concrete pedestals at least 30 inches high above the pavement, or suitably



protected from potential vehicular impact. The Light Base detail provided on Sheet 20 Lighting Details specifies a height of only 2'-0" for lights within 5' of vehicular traffic.

The detail shall be revised.

**T&M Response: Comment Addressed. The light base detail has been revised to be 2'-6" within 5' of vehicular traffic. See Sheet 15.**

22. Section 162-58.D(1)(a) – Requires the lighting plan to show vegetation that might interfere with lighting. It is noted that the proposed vegetation is not shown on Sheet 11 Lighting Plan, however in comparison to Sheet 10 Landscape Plan, it appears there may be multiple conflicts between proposed vegetation and lighting. The plan shall demonstrate that landscape and lighting have been coordinated.

Several canopy trees within the parking area are in close proximity to proposed light fixture locations; landscape and lighting shall be coordinated.

**T&M Response: Comment Addressed. Vegetation has been relocated to avoid conflict with the light fixtures. Additionally, landscaping note #1 has been added to the plan, which directs the contractor to field locate and plant shrubs and trees in such fashion to avoid conflict with lightpole bases. See Sheet 11.**

23. Section 162-58.D(1)(c) – Requires that fixture catalog cut sheets be provided. It appears that the fixture cut sheets provided on Sheet 20 Lighting Details do not coordinate with the catalog numbers of the fixtures listed in the Luminaire Schedule on Sheet 11 Lighting Plan. Cut sheets for all proposed fixtures shall be provided.

Cutsheets for proposed fixtures have been provided; however, the alternative fixtures shall be selected since they do not meet full-cutoff criteria.

**T&M Response: Comment Addressed. The selected fixtures meet full cutoff criteria and are highlighted in the lighting details. See Sheet 15.**

## **VI. TOWNSHIP ENGINEER'S COMMENTS – STORMWATER MANAGEMENT ORDINANCE GILMORE & ASSOCIATES**

1. (RW) Section 152-301.T – Disturbance of existing ground cover during construction of the proposed regulated activity is prohibited within 75 feet of top-of-bank of all perennial and intermittent waterways, water bodies (lakes, ponds, etc.) and wetlands, except for activities otherwise approved by state or local agencies (e.g. stream restoration projects, road crossings, subsurface utility projects, etc. The plans show disturbance less than 75-feet from wetlands. The applicant is seeking a waiver from this requirement. Per Section 152-111.C, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.

Please provide approval from PADEP or the Chester County Conservation District for the Boards consideration.

**T&M Response: Comment Acknowledged. Approval from PADEP will be provided upon receipt.**

2. Sections 152-302.A and C – Permits for all regulated activities subject to permit or regulatory requirements by PADEP under regulations at Title 25 Pennsylvania Code Chapter 102 and any BMP or conveyance that would be located in or adjacent to surface waters of the commonwealth, including wetlands, subject to permit by PADEP under Title 25 Pennsylvania Code Chapter 105 are required prior to construction.

**T&M Response: Comment Acknowledged.**



3. Section 152-303.A(1) – A "letter of adequacy" from the Conservation District and an NPDES permit are required for the project. Copies of all correspondence shall be provided to the Township.

**T&M Response: Comment Acknowledged. A "letter of adequacy" from the Conservation District and an NPDES Permit will be provided upon receipt.**

4. Section 152-305.A – The post-construction total runoff volume shall not exceed the predevelopment total runoff volume for all storms equal to or less than the two-year, twenty-four-hour duration precipitation (design storm). Infiltration is not proposed, as the testing showed the site does not infiltrate. Please provide verification the required volume will be managed by the MRC Basin.

Infiltration testing results have been provided which show that the site does not provide acceptable infiltration rates. As such a waiver must be requested. We would support the waiver as an MRC (Slow Release Basin) is being proposed.

**T&M Response: Comment Acknowledged. A waiver has been requested.**

Please note that PADEP guidance has been revised, the Managed Release Concept (MRC – slow release) element of the constructed wetland proposed is no longer required to demonstrate volume credit. It has been clarified that if a constructed wetland basin generally meets the criteria of the draft PCSM Manual (January, 2023), then the facility will be functionally equivalent to MRC bioretention, which affords the credit. This update is dated June 30, 2025 and is the last revision to the NPDES worksheet instructions. The revised reporting for the basin removes all MRC compliance demonstrations and worksheets. However, the outlet structure remains unchanged, still includes a slow-release (MRC) orifice and was therefore not re-routed. This update to the reporting is anticipated to eliminate PADEP comments related to the design not exactly complying with the bio-retention MRC standards, as they are somewhat similar, but different systems.

5. (W) Section 152-306.D – Only if a minimum infiltration of the first  $\frac{1}{2}$  inch of runoff volume cannot be physically accomplished on the site, shall a waiver from Section 152-306 be considered by the municipality in accordance with Section 152-111 (the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District). Infiltration testing indicates the site does not infiltrate. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.

The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.

**T&M Response: Comment Acknowledged. Approval from PADEP will be provided upon receipt.**

6. Section 152-311.G(6) – At all inlets or manholes, the maximum allowable headwater depth shall be one foot below the top of the inlet grate of the manhole cover. Once the upstream drainage area has been verified, compliance can be determined.

MH A10 and MH A9 appear to be less than one foot headwater depth, which shall be verified.

Drainage computations have been provided for the 100-year storm which show there is surcharging in inlets during this event. This is acceptable, so long as the system can adequately pass the 25- year storm. Computations should be provided confirming this.

MHs A11, A10 and A9 are not shown in the Node Summary for pipe capacity (pg. 320/549) which shall be verified.

**T&M Response: Comment Addressed. MH A10 and MH A9 now show greater than one foot headwater depth. MHA10 has a headwater depth of 2.34 ft, and MH A9 has a headwater depth of 3.50 ft. The conveyance**



system has been revised to no longer result in surcharging in inlets during the 100 year storm. MHs A11, A10, and A9 have been included in the Node Summary.

7. (W) Section 152-311.H(1) – The maximum depth of water in a detention or retention basin shall be two feet as a result of a 2-year, twenty-four-hour storm event and five feet as a result of a 100-year, twenty-four-hour storm event. The plans and report indicate there will be a permanent water depth in the basin of five feet, with a total depth of 6.65-feet during the 2-yr. storm event and a total depth of 8.48-feet during the 100-yr. storm event. Therefore, the water depth maximums have been exceeded and a waiver will need to be sought. In accordance with Section 152-111, the Board of Supervisors cannot grant a waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre unless that action is approved in advance by PADEP or the Chester County Conservation District. Please provide approval from PADEP or the Chester County Conservation District for the Boards' consideration.

The Applicant has indicated in his response letter Approval from PADEP will be forwarded once received. It is important to note, it is our understanding the Board cannot take action on this application until this is received.

**T&M Response: Comment Acknowledged. We respectfully request that the Township and their engineer support the waivers requested, and issue an approval of waivers contingent upon permit receipt. The Applicant's Land Use attorney will be coordinating this further with the Township solicitor.**

**Regardless, approval from PADEP will be provided upon receipt.**

8. Section 152-311.H(3) – Emergency spillways for facilities which may attenuate more than three feet of water, shall be paved with concrete monoslab pavers which shall run off the sides and down each side of the berm. Revise the spillway detail accordingly.

Per the response, the “spillway has been revised to be lined with cable concrete from the interior of the embankment to the outer edge of the spillway. The area from the outer edge of the spillway to the tow of the slope will be lined with Typar Grassprotecta Blanket due to avoid disturbance within the wetland buffer. Earth disturbance shall not occur during installation of the Typar. A partial waiver for this section will be requested. See detail on Sheet 30 (PCSM-DTL-1).” Clarify what partial waiver request is being sought. Show the wetlands, the riparian buffers and the extents of the erosion blanket on the PCSM plan. Show the wetlands and the riparian buffers on the E&S plans. Provide a detail for the erosion blanket.

**T&M Response: Comments Addressed. The partial waiver that is being requested is for section 152-311.H(3) is for NOT providing monoslab pavers within the wetland buffer area (on the downslope side of the emergency spillway). The rationale for this partial waiver is to provide protection lining on the downslope side of the spillway without disturbance of land within the buffer. Lining the slope within the buffer with Typar Grassprotecta would provide protection, without requiring disturbance. The monoslab pavers would be installed up to the buffer line, where the Typar would then be installed within the buffer.**

**The riparian buffer and wetlands extents have been shown on the E&S and PCSM Plans. The erosion blanket extents have been added to the PCSM plans. See Sheets 22-24 and Sheet 29, respectively. A detail for the erosion control blanket has been provided on Sheet 27.**

9. Section 152-402.B(8)(q) – Boundaries of a seventy-five-foot construction non-disturbance buffer to protect streams (intermittent and perennial), wetlands and other water bodies during construction of the proposed regulated activity shall be shown on the PCSM plan. We note the applicant is requesting a waiver from this requirement in Section 152-301.T.

**T&M Response: Comment Acknowledged.**

10. Sections 152-402.B(18)(c), 152-702.A(10), 152-704.A and 152-704.B – Verify that all proposed easement information is shown. We recommend that a blanket easement be provided, which should be noted on the Record Plan as well as the PCSM Plan.



The plans indicate a blanket easement is proposed to be granted. The notes should be revised to include "to grant the municipality the right of access to all BMPs and conveyances for the purposes of inspection and enforcement of the requirements of this chapter, and any applicable O&M plans and O&M agreements."

**T&M Response: Comment Addressed. The note has been revised accordingly on the General Notes #27 (Sheet 2) and Upper Uwchlan Township PCSM Notes (Sheet 29).**

11. Section 152-402.F – The documents outlined in this section shall be prepared and submitted to the municipality for review and approval as part of the SWM site plan for each BMP and conveyance included in the SWM site plan. Verify that all applicable items are provided.

Per the response letter, these will be provided prior to final plan approval.

**T&M Response: Comment Acknowledged.**

12. Section 152-404.H – All of the final approved SWM site plans shall be recorded (as "recorded plans") per the instructions of the municipality. For clarity we recommend a notation be added to the plans stating which SWM plans are to be recorded.

The notation "Record Plan Sheet 18 [through 22] of 22" has been added to the PCSM plans. Unless the applicant intends to record the PCSM plans twice, this should be revised as these plans will be recorded with the stormwater agreement.

**T&M Response: Comment Acknowledged. The PCSM is intended to be recorded as part of the land development recordation, which will serve as the preliminary recording with the County Conservation District. In this case, it may be recorded twice.**

13. Sections 152-701.D, 152-701.E, 152-701.F and 152-703 – All agreements and plans (i.e., O&M agreement, O&M plan, deed restrictions, right of entry, covenants, etc.) shall be provided for approval and recorded as outlined in these sections.

Per the response letter, these will be provided prior to final plan approval.

**T&M Response: Comment Acknowledged.**

14. The I-1.13 UNDIST 0.60AC shall be revised as this area includes proposed parking.

**T&M Response: The I-1.13 UNDIST drainage area has been revised to be "I-1.13". The "UNDIST" has been removed from the label due to this area being disturbed. See the Inlet Drainage Area Plan.**

15. Revise BMP Specifications (Sheet 30) to provide the actual proposed plantings on the plans.

Please revise the plans to include the specified seed mixture and provide cut sheet information showing the actual type of seed mix and percentage of species information for all 3 seed mixtures to satisfy this comment.

**T&M Response: Comment Addressed. Only 2 seed mixtures are being provided See Landscaping Details (Sheet 13) and PCSM Notes (Sheet 33).**

16. Add ID numbers to all stormwater structures and BMPs on the PCSM Plan, show storm manholes and the drywell / seepage pit.

**T&M Response: Comment Addressed. All stormwater structures and BMPs are now identified on the PCSM plan. Manholes and the dry well/seepage pit are shown on the PCSM plan. See Sheet 29.**



17. A Cistern has been added (Detail Sheet 31), no elevations or inverts have been provided. On all plan views, show the riser / manhole and all related discharge piping. Pond Report (pg. 167/549) lists 740 CF as storage whereas detail lists 3,043; however, the cistern is to be modeled as "dead storage". Clarify that the cistern is not modeled as storage; the report shows it being routed to the basin. Clarify location of OCS A2 detail.

**T&M Response:** Comments addressed. The riser/manhole and all associated discharge piping have been added to the plans, see Sheet 9 (DRN).

The OCS A2 detail has been added to Sheet 31 (PCSM-DTL-2).

The stormwater report models the volume (740 CF) in the cistern system above the overflow outlet orifice to demonstrate that the cistern can safely pass the runoff of all storm events, assuming the cistern is already full. There are no credits for storage being taken and the stormwater model considers the "bottom" of the cistern to be the elevation of the outlet orifice (i.e. the volume below the outlet orifice is dead storage). By reporting the cistern this way, it can be demonstrated that there are no anticipated capacity or backflow concerns with the cistern design when it is full, and a rainfall event occurs.

18. Label the structure near MH 1.8A, Sheet 34.

**T&M Response:** Comment Addressed. The structure has been removed from the profile view. See sheet 34.

19. Verify discharge pipe from MRC basin: report routing (186/549) has 24" discharge pipe at 70'; basin profile sheet 32 shows 31 LF; OS detail 35.5 LF; plan view sheet 9 31.2 LF. Clarify how TW in MH 1.10 is accounted for; i.e., offsite bypass flow. Verify size of MH 1.10 (4' per sheet 9), i.e., 24" RCP pipe in, 24" HPDE pipe in, 36" RCP pipe out.

**T&M Response:** Comment Addressed. The TW condition at MH1.10 was obtained from the SSA model output, and plugged into the HydroCAD model for node 5" (MH1.10) as a fixed water surface elevation. Subcat OFFSITE2 in the HydroCAD model represents all of the areas to the existing inlets 1,2 &3.

The 24" discharge pipe (from OCS A1 to MH 1.10) has been corrected in all locations to be 31.2 LF and has also been revised to be 30". MH 1.10 has been revised to be a 5' diameter manhole (to accommodate the 30" RCP pipe in, 24" HPDE pipe in, 36" RCP pipe out). See Sheet 9.

20. Sheet 32 basin profile, clarify why there are two INV OUT and no INV IN for OCS A1.

**T&M Response:** Comment Addressed. There now shows an INV IN and an INV OUT for OCS A1. See Sheet 32.

21. OCS A1 detail (Sheet 30), 6" DIP INV 491, 24"x11" orifice INV 491.90 (0.4' above ID 6" DIP). Verify clearance?

**T&M Response:** Comment Addressed. OCS A1 detail has been revised to include 1' of clearance. See Sheet 30.

22. Rename HW A1 or EW A1; i.e., OCS A1, HW A1, EW A1...

**T&M Response:** Comment Addressed. HW A1 has been renamed to HW A0. See Drainage Plan (Sheet 9) and all associated locations.

23. Remove existing steep slope shading from the PCSM Plan.

**T&M Response:** Comment Addressed. Existing steep slope shading has been removed from the PCSM plan. See Sheet 29.

24. Remove the Proposed Stormwater Management Basin outline (Sheet 7) from the Landscape Plan.

**T&M Response:** Comment Addressed. The Stormwater management Basin outline has been removed from the Landscape Plan. See sheet 11.



## VII. TOWNSHIP ENGINEER'S COMMENTS – GENERAL GILMORE & ASSOCIATES

1. Trees are planted less than 4-feet from retaining walls in numerous locations, located less than 10- feet from utilities (storm, sanitary, etc.) in several locations, and are on the UGE utility line between Pottstown Pike and the parking, all of which should be revised.

The response indicates that "Trees have been relocated to at least 4 feet from retaining walls and 10 feet from utilities where possible. Tree species provided within proximity to retaining walls and underground utilities are selected based on smaller size to avoid conflict to the greatest extent feasible. Trees planted along retaining walls are located at the bottom of the wall at the maximum distance away."

Plans propose 5 Ostrya virginiana less than 2.5 feet away from the top of the wall in the area of the parking lot east of the Service Center. These trees can grow to 25 to 40 feet tall with a spread of 20 to 30 feet wide and should be relocated to the bottom of the wall near elevation 498 and 499 to avoid conflicts to demonstrate compliance with the conditions of the approval.

Additionally there are 2 trees located within four feet of the UGE line along Pottstown Pike that need to be revised to be 10 feet from utilities to demonstrate compliance with the conditions of the approval (highlighted in yellow below).

**T&M Response: Comment Addressed** Trees in the area have been relocated to not conflict with wall. See Sheet 11.

2. The retaining wall is over 4-feet in height; engineered design drawings and details are required. General Notes #2 (Sheet 8) states the contractor to refer to retaining wall plans by others for storm conveyance penetration details; this note shall be on the Record Plan and shall reference the retaining wall plans and calculations (i.e., by title / preparer and note latest approved [revision] date).

Additional retaining walls are proposed, all of which are over 4 feet in height. Provide fencing for the interior retaining walls and verify that the fence along the Basin 1 retaining wall should end as shown. Verify the 497-contour near MH 1.0 and clarify whether depressed curb is proposed along the curb radius. The General Notes #1 on Sheet 7 shall be revised to reference the retaining wall plans and calculations (i.e., by title / preparer and note latest approved [revision] date).

**T&M Response: Comments Acknowledged.** Notes on the Site Plan (Sheet 7B) have been added to clarify that retaining walls are a delegated design that the contractor shall be responsible for coordinating and obtaining approval for. All details associated with the retaining wall design shall be provided by the contractor, or their design engineer.

Depressed curb near MH 1.0 is proposed along the entire radius to allow for maintenance vehicles to access the constructed wetlands basin.

3. Based on proposed stormwater structure depths (i.e., MH A9 and MH A8 less than 3-feet from property line), it appears that grading may occur on the northern adjacent property; this shall be verified.

MH A9 has a proposed RIM 515.42 with the existing pipe INV +514.36 (Sheet 6) and +514.35 (Sheets 4 & 5). Verify the INV IN (EXG-IN1) of 512.35. Finally, INV OUT is 500.17, 15-feet lower than grade. Clarify how no grading will occur on adjacent property. Show the existing pipe to MH A11 on Sheets 4 & 6; while shown on Sheet 5, no pipe information is provided.

**T&M Response: Comment Addressed.** The location of MH A9 has been adjusted so that no grading shall occur on adjacent property. See the Drainage Plan (Sheet 9).

4. Morella Pensylvanica is noted in the plant list and should be corrected to be Myrica Pensylvanica.



**T&M Response: Comment Addressed. The plant species have been updated to Myrica Pensylvanica. See Sheet 12.**

### **VIII. TOWNSHIP TRAFFIC ENGINEER'S COMMENTS BOWMAN**

Conditional Use Decision and Order

1. Condition 6 – Subject to PennDOT approval, the applicant shall fund and install a traffic signal at the site access intersection with Pottstown Pike/Font Road. Based on a meeting with the applicant and PennDOT on March 7th, and based on the revised traffic study, a traffic signal is now recommended as warranted, and is proposed as part of the development. Although unlikely at this time, but per the condition, if PennDOT ultimately does not approve a traffic signal, then the applicant shall be responsible to fund and install other intersection improvements or restrict turning movements at the access intersection. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT.

**T&M Response: Comment Acknowledged.**

2. Condition 7 – As required by this condition, the land development plans show a 125-foot southbound Pottstown Pike left-turn lane for traffic entering the site. This should also be reflected on the PennDOT Highway Occupancy Permit (HOP) plans and within the updated traffic study. The design will be reviewed further during the HOP plan review.

**T&M Response: Comment Acknowledged.**

3. Condition 8 – Subject to PennDOT approval, the plans shall be revised to show a northbound Pottstown Pike right-turn deceleration lane or taper at the driveway intersection. As detailed in this condition, the Township prefers the deceleration lane but also understands that PennDOT review and approval is required. As discussed at a March 7th meeting with the applicant and PennDOT, the Township and PennDOT will review the revised traffic study to determine if a deceleration taper is sufficient in lieu of the warranted right-turn deceleration lane.

The revised traffic study demonstrates acceptable traffic operations with a traffic signal at this location with only a right-turn taper. Subject to agreement by PennDOT, if the right-turn deceleration lane is not required at this time, then we recommend a condition of approval that the right-turn deceleration lane will be required by this applicant if it is determined there is a safety or operational issue at this intersection in the future after the development opens. Furthermore, we understand the applicant proposes to modify and expand operations at this site in the future to also allow auto sales. At that time, an updated traffic study will be required to include evaluation of the warrants for a right-turn deceleration lane. The detailed design of the access intersection and the right-turn deceleration taper (or lane if required by PennDOT) will be reviewed as part of the PennDOT HOP plan submission. The applicant should continue to coordinate with the Township and copy the Township on all correspondence with PennDOT. The land development plans should be revised to reflect the final access improvements subject to further evaluation and coordination with the Township and PennDOT.

**T&M Response: Comment Acknowledged. Final improvements will be governed by the HOP plan approval by PennDOT.**

4. Condition 10 – As required by this condition, the land development plans have been revised to show a 10-foot wide multi-use trail along the site frontage.

**T&M Response: Comment Addressed. A 10-foot wide multiuse trail has been added to the site frontage. See Sheet 7.**

5. Condition 11 – As required by this condition, the applicant shall coordinate with the Township to provide a public trail on this property to provide a connection to the trails at the Township Park on Fellowship Road. The



Township's Active Transportation Plan envisions a "Yield Roadway" which follows the alignment of an existing private driveway, a portion of which is located within the northern portion of this site. The goal of this yield roadway is to provide access to the Township Park on Fellowship Road. The applicant's engineer indicates a trail connection to the Township Park is not feasible at this time. However, we request the applicant explore providing an on-site trail which connects between the proposed Route 100 multi-use trail and the existing private drive along the northern property edge within the 15-foot parking setback. We recommend the applicant schedule a meeting with the Township to review this further.

**T&M Response:** Comment noted. It was discussed during the May Planning Commission meeting that a trail connection to Fellowship Fields could not be accommodated as requested. A trail has been proposed along the frontage of the property, but it is infeasible to connect to the private drive located in the rear yard of the property. In addition to general safety and security concerns, any trail would require zoning relief and special permitting with the state to construct within existing regulated wetland areas.

6. Condition 12 – The proposed development is located in the Township's Act 209 Transportation Service Area, and as such, this development is subject to the Township's Transportation Impact Fee of \$2,334 per weekday afternoon peak hour trip. Based on the traffic study, the site will generate 96 weekday afternoon peak hour trips, and therefore, the Transportation Impact Fee is \$224,064.

**T&M Response:** Comment noted. The Applicant's Land Use attorney will coordinate this item with the Township. Based on our understanding, the cost of the signal would negate the TIF of \$224,064.

#### Transportation Impact Study

7. The traffic study should be updated relative to the Pottstown Pike/Font Road intersection to include the eastbound Font Road channelized right-turn moment as part of the traffic signal.

**T&M Response:** Comment noted and will be addressed prior to final plan approval.

#### Land Development Plans

8. ZO Section 200-75.H(3) – As previously requested, the limits of the plan information along Pottstown Pike should be expanded to show the full extent of the labeled sight distances. As currently shown, we are unable to verify whether the sight distance lines are shown correctly. In addition, the plans should dimension and label the sight distances for left-turn vehicles entering the proposed driveway looking ahead and behind. Furthermore, the plans should include a PennDOT-style sight distance note. The available and required sight distances shown on the plan should match with the information provided in Table 4 of the traffic study.

**T&M Response:** Comment Addressed. The plans have been revised to show the PennDOT Accessible and Desirable sight distance. See Sheet 7A. However, it should be noted that a traffic signal is proposed and warranted. Should the required sight distances not be attainable, the new driveway intersection may need to be restricted from right turn movements on red lights.

9. SALDO Section 162-28.A – The applicant's engineer should verify whether the right-of-way line along the site frontage is an ultimate right-of-way (as currently labeled) or the existing legal right-of-way line.

**T&M Response:** Comment Acknowledged. There are multiple rights of ways, including both an existing and ultimate right-of-way. For planning, only the ultimate right of way is shown to demonstrate site setback requirements are being satisfied. The existing right of way line is located approximately at the eastern edge of Pottstown Pike; the ultimate right of way is accurately depicted on the plans.

10. The Township's Active Transportation Plan envisions a "Yield Roadway" along the alignment of the private drive through the northern edge of the property. We recommend a 30-foot wide easement should be provided along the existing private drive to accommodate this future yield roadway. The applicant's engineer indicates that this comment requires additional coordination with the Township and shall be satisfied prior to final plan



approval. We recommend the applicant set up a meeting with the Township to discuss prior to the next plan submission.

**T&M Response: Comment Acknowledged. This meeting will occur prior to final plan approval.**

11. Detailed designs for all proposed curb ramps located within public right-of-way or for public use should be provided for review. The detailed designs should include separate grading details (including spot elevations at all proposed grade changes), and all dimensions for construction, including widths, lengths, and all slopes. In addition, label all proposed curb ramp types, and provide the appropriate PennDOT curb ramp details and notes on the detail sheets. The applicant's engineer indicates this information will be provided as part of the PennDOT HOP design. Preliminarily, we note the following comments regarding the proposed multi-use trail:
  - a. As currently shown, the multi-use trail crossing of the site access occurs behind the stop bar. We recommend the crossing should be moved closer to Route 100 and the stop bar should be placed four feet behind the crosswalk.
  - b. The applicant should consider squaring off the multi-use trail at the southern property line for constructability.

**T&M Response: Comments A and B addressed. Please refer to Sheet 7B.**

12. Since retaining walls are shown throughout the site, we question whether fence is needed in areas of anticipated pedestrian activity, if any. Also, we question whether a railing is needed for the stairs near the northeast corner of the building. Our office will defer to the Township Engineer on this matter.

**T&M Response: Comment Acknowledged.**

## **IX. TOWNSHIP PLANNER COMMENTS BRANDYWINE CONSERVANCY**

1. Given that the applicant simply noted some of the previous comments of the Conservancy, some of these have been left below (in italics) for reference purposes. The Conservancy still encourages the Township to seek a full fee-in-lieu of the required plantings to support additional tree planting elsewhere in the township, especially given the two grass species (a total of 199 plants) are still shown as counting toward the shrub requirement. The general botanical definition of a shrub is a woody plant that is smaller than a tree, typically having multiple stems arising from near its base.

Neither the panicum nor pennisetum meet this definition. The Conservancy also notes the inclusion of a Historic Impact Statement, fulfilling the requirement of Section 162.9.H(5) of the Subdivision and Land Development Ordinance.

**T&M Response: Comment Addressed. Grasses have been removed from shrub count and additional shrubs have been added to the plans. See Sheets 11 and 12.**

2. The Conservancy notes the applicant has requested several waivers to various Township ordinances. These are:
  - a. Chapter 152, Stormwater Management, Section 152-301.T – General Requirements.
    - i. The Brandywine Conservancy suggests the Township seeks advice from its engineer and/or a qualified wetland specialist to determine if the claims of the applicant, that the wetlands are manmade and of poor quality, are accurate and to then base their waiver decision on information obtained from the appropriate professional consultant.
  - b. Chapter 162, Subdivision and Land Development, Section 162-55.B – Woodland Replacement
    - i. The Brandywine conservancy recognizes that the proposed use, development, and layout of the site makes conforming to this Section of the Subdivision and Land Development



Ordinance difficult. If the Township moves to grant this Waiver, the Brandywine Conservancy strongly encourages the Township to seek a full, fee-in- lieu of the required plantings to support additional tree planting elsewhere in the township.

- c. Chapter 162, Subdivision and Land Development, Section 162.57.D(1) – Minimum Planting Standards
  - i. Like the previous Waiver, the Brandywine Conservancy recognizes that the proposed use, development, and layout of the site makes conforming to this Section difficult. The Conservancy suggests the applicant examine whether additional plantings can be made within the constructed stormwater wetland to increase the number of plantings and reach closer to the goal.
  - ii. Related to this item, the Conservancy notes that two grass species (totaling 199 plants) have been included within the shrub table on sheet 18. Without these grasses (which don't meet the definition of a shrub), the shrub total would be lower still.

**T&M Response: Comment Acknowledged. Additional plantings have been added to maintain a number closer to the goal as provided in the minimum planting standards. Grasses have been removed from shrub count and additional shrubs have been added to the plans. See Sheets 11 and 12.**

3. The Brandywine Conservancy notes that the applicant stated in their response letter that vegetative cover and seed mix has been added to the stormwater feature on sheet 33 (PCSM-NTE). However, the only reference found was in note BMP 6.5.1 3, 'seed plant and mulch according to planting plan'. However, the Landscape & PCSM Plan (sheet 11), nor the Landscape Notes and Details (sheet 12) show any indication of a seed mix or vegetative cover for the areas shown as low and high wedge marshes on sheet 32 (PCMS-CWD), or below the elevation of the FACW Meadow Seeding Mix (ERNMX-122) on sheet 11 (LSP). The Conservancy suggests these new details be added to sheet 11.

**T&M Response: Comment Addressed. Seed mixes have been added to the Landscape Plans and the PCSM plans. Seeding is provided up to the permanent water elevation. Details for seeding are shown on the Landscaping Details and PCSM Notes. See Sheets 13 and 33.**

4. The Brandywine Conservancy is pleased to see the incorporation of a 10' wide asphalt trail along Pottstown Pike, consistent with its recently adopted Active Transportation Plan. However, we suggest the Township seek advice from their traffic engineers to determine if the proposed island between the entryway and exit is sufficient in size, and designed and constructed in a manner that it can act as a safety refuge for pedestrians crossing the entrance to the development.

**T&M Response: Comment Acknowledged.**

5. The proposed plant material still contains several non-native species. The Conservancy encourages the applicant to seek alternative native plants for those non-native species currently included in the plan.

**T&M Response: Comment Addressed. Proposed plantings have been swapped to provide all native plantings. See Sheet 12.**

## **X. TOWNSHIP SEWER AUTHORITY ENGINEER COMMENTS ARRO**

1. The plans propose the construction of a 45,774 square foot (SF) service center, with a lot for vehicular sales and service uses of 358 spaces on the site. The applicant's engineer has been working with ARRO to determine the required capacity need for the proposed site. The required capacity will need to be purchased by the applicant prior to connection into the sanitary sewer system.

**T&M Response: Comment acknowledged.**



2. Currently, there is no sewer main within the Pottstown Pike's (SR 0100) right-of way to connect this site to public sanitary sewer. Based on discussions with the applicant's engineer, in the interim they propose, a temporary holding/retaining tank serve the site. We offer the following :

- The temporary holding/retaining tank shall be only for the proposed service center employees, not more than 225 gallon per day.
- The applicant shall be responsible for the ownership, maintenance, and all hauling disposal costs.
- It must comply with all requirements of Upper Uwchlan Township Codes and Ordinances, the Chester County Health Department and Pennsylvania Department of Environment.
- Ultimately the connection into the sanitary sewer system conveying to the Route 100 wastewater treatment plant.
- The proposed design is subject to review and approval. The appropriate construction details shall be provided on the plan.

**T&M Response:** Comments noted. As the Township Sewer Authority is aware. The applicant intends on removing the temporary holding tank from the scope and instead, directly connect to the Route 100 Treatment Plant via connection to an existing sanitary manhole located east of the proposed development.

A waiver of planning was issued by PADEP because the anticipated average daily flow is less than the required amount required for planning or exemptions to be issued.

This design element is ongoing with the Sewer Authority and will be required to be approved as part of the final approval of land development documents.

3. The following notes shall be on the plan:

- All sanitary sewer improvements must be provided and constructed in accordance with the Upper Uwchlan Township Municipal Authority Technical Specifications for the Construction of Sewer Mains and Appurtenances to be connected to the public sewer system.
- The Authority Engineer shall be notified 48 hours prior to the beginning of sanitary sewer construction.
- The existing on-lot septic system shall be decommissioned in accordance with the Chester County Health Department requirements.
- Wastewater discharge shall be in compliance with the Regulations for the Discharge of Non-Residential Waste into the Upper Uwchlan Township Municipal Authority's Sewerage System, Resolution #10-20-04-15, dated October 20, 2004. The Township personnel and/or agents shall have access to site for implementation of this resolution.
- A record (as-built) plan must be submitted to the Authority Engineer.

**T&M Response:** Comment addressed. Please refer to Sheet 10 for all notes listed above.

4. Sewage facilities planning module (SFPM) approval will need to be obtained by the Pennsylvania Department of Environmental Protection (PADEP).

**T&M Response:** Comment noted.

5. The appropriate Standard Authority Sanitary Sewer Details shall be added to the plans.

**T&M Response:** Comment noted.

6. The necessary financial security shall be posted with the Township, which shall be in a form and amount acceptable to the Township.

**T&M Response:** Comment Acknowledged.

## XI. TOWNSHIP FIRE MARSHAL COMMENTS



Comments (If any) will be provided under separate cover.

**T&M Response: Comment noted.**

## **XII. HISTORICAL COMMISSION COMMENTS**

Comments (If any) will be provided under separate cover.

**T&M Response: Comment noted.**

Thank you very much for the opportunity to respond to these comments. If you have any questions, please feel free to contact me.

Very truly yours,  
**T&M Associates**

A handwritten signature in black ink that reads "Jacob Tackett".

Jacob Tackett  
Supervising Designer



architecture  
interiors  
planning

## Historic Impact Statement

June 17, 2025 (Revised)

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

Mr. Scheivert,

The Chester Springs Service Center project is proposed to be completed in a single phase, which includes the construction of a ±45,774-sf vehicular service center with associated parking areas, a trash enclosure, battery burnout shelter, and new driveway connection to Pottstown Pike. Pedestrian walkway elements, stormwater management improvements, and utility connections are also proposed as part of the development.

The viewshed from the street will include landscaping, a parking area, and the front façade of the proposed building.

Regarding the line of sight from the historic resource in question, an existing dense vegetative buffer is proposed to remain. It is intended that the line of site from the John Keeley House remains largely unchanged as result of the proposed development. With a dense vegetative buffer along the West end of the property line shared with Styer Propane, it is anticipated that there is no impact to the architectural integrity, historic setting or landscape.

Additionally, the proposed building will sit roughly 100' behind the front building setback line and between 6' and 7' below street level to further reduce sightline impact to the neighboring property

There is more than 200-feet horizontally between the proposed building and parking area and the John Keeley House. At that distance, sound decibels generated are almost halved from their source. Additionally, 500 Pottstown Pike is an active arterial roadway and due to its operation and distance to the John Keeley House, generates noise nuisance far beyond what is anticipated from the proposed Service Center.

The proposed Service Center operations are reserved for higher-end luxury vehicles and traffic generated by the new development is anticipated to generate significantly lower volume than other by-right uses in the underlying zoning district.

Mitigation measures proposed as part of this project include maintaining the existing vegetative buffer between properties, additional landscaping in the front yard of 500 Pottstown Pike, and to lower the first floor elevation of the building to the extent practicable to further mitigate impact of the viewshed from the John Keeley House.

The timeline for the project anticipates having all approvals in place by the end of January 2026 and a construction competition near the end of Summer 2027 (18 months).

Thank you,

Kevin Dowell AIA, LEED AP BD+C  
Kd2 architects, inc.



YOUR GOALS. OUR MISSION.

July 17, 2025

Mr. Tony Scheivert  
Upper Uwchlan Township Manager  
140 Pottstown Pike  
Chester Springs, PA 19425

**RE: 500 Pottstown Pike – Chester Springs Service Center**  
**Historical Impact Statement – Historical Use of 500 Pottstown Pike**  
**Upper Uwchlan Township, Chester County, PA**  
**T&M Associates Project No. PORS00021**

Dear Mr. Scheivert:

At the request of the Planning Commission during the May 2025 meeting, this statement details the historical use of 500 Pottstown Pike. In addition to the historical Impact Statement submitted separately for the proposed Chester Springs Service Center, the historical use of 500 Pottstown Pike is outlined below:

500 Pottstown Pike, referred to hereafter as the 'site,' has remained in its current, unimproved state since the decommissioning of an above-ground storage tank (AST) farm in the late 1990s, as confirmed by historical aerial photography. The AST farm operated on the site for at least 45 years prior to decommissioning. Previous uses before the AST farm cannot be definitively verified, as the available historical records only extend back to 1951.

The appendix accompanying this statement includes several historical aerial photographs that illustrate the site's recent history.

Very truly yours,  
**T&M Associates**

Jacob Tackett  
Supervising Designer

# APPENDIX



# Chester Springs Service Center

1992

Legend



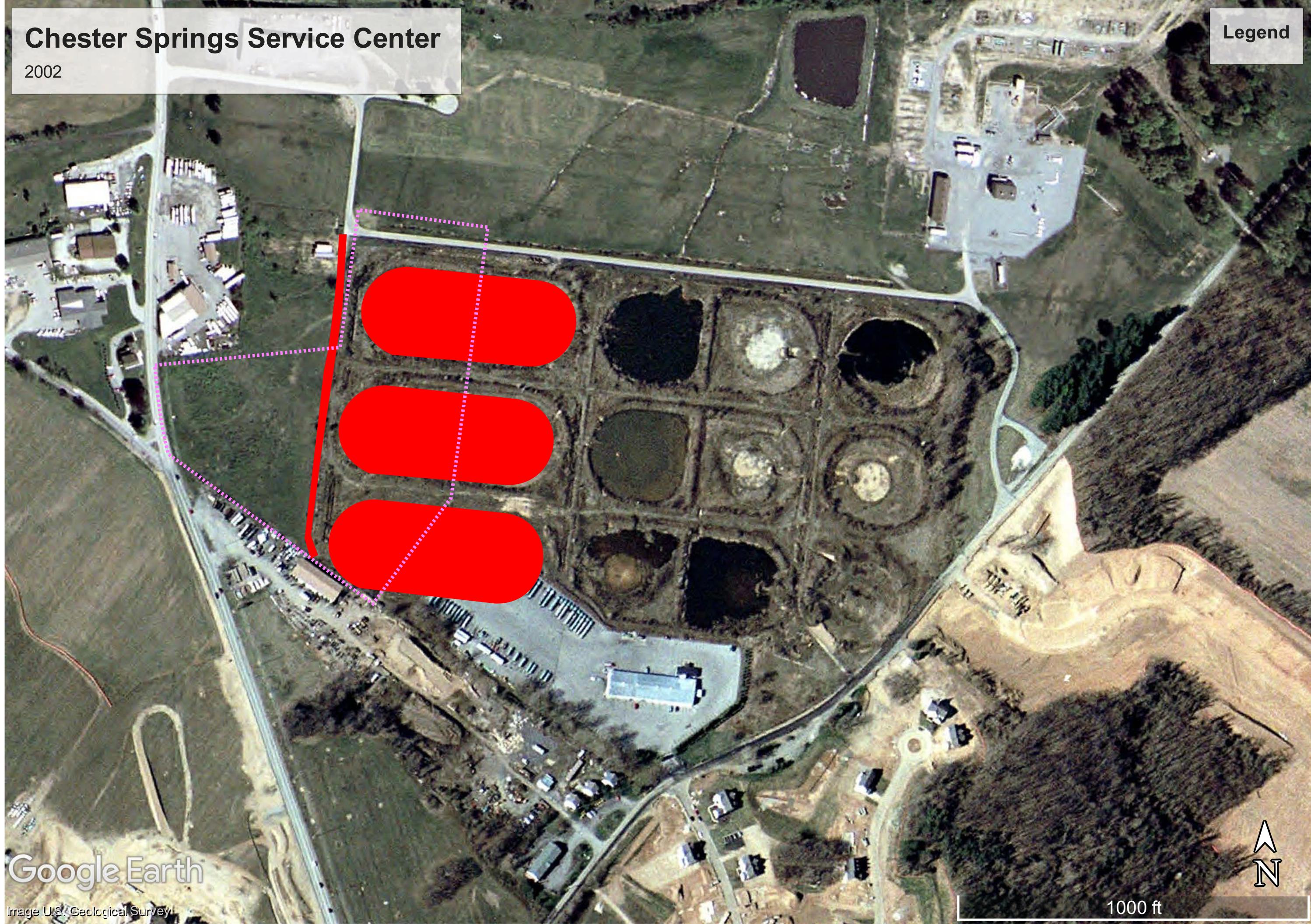
Google Earth

Image U.S. Geological Survey

# Chester Springs Service Center

2002

Legend



Google Earth

Image U.S. Geological Survey

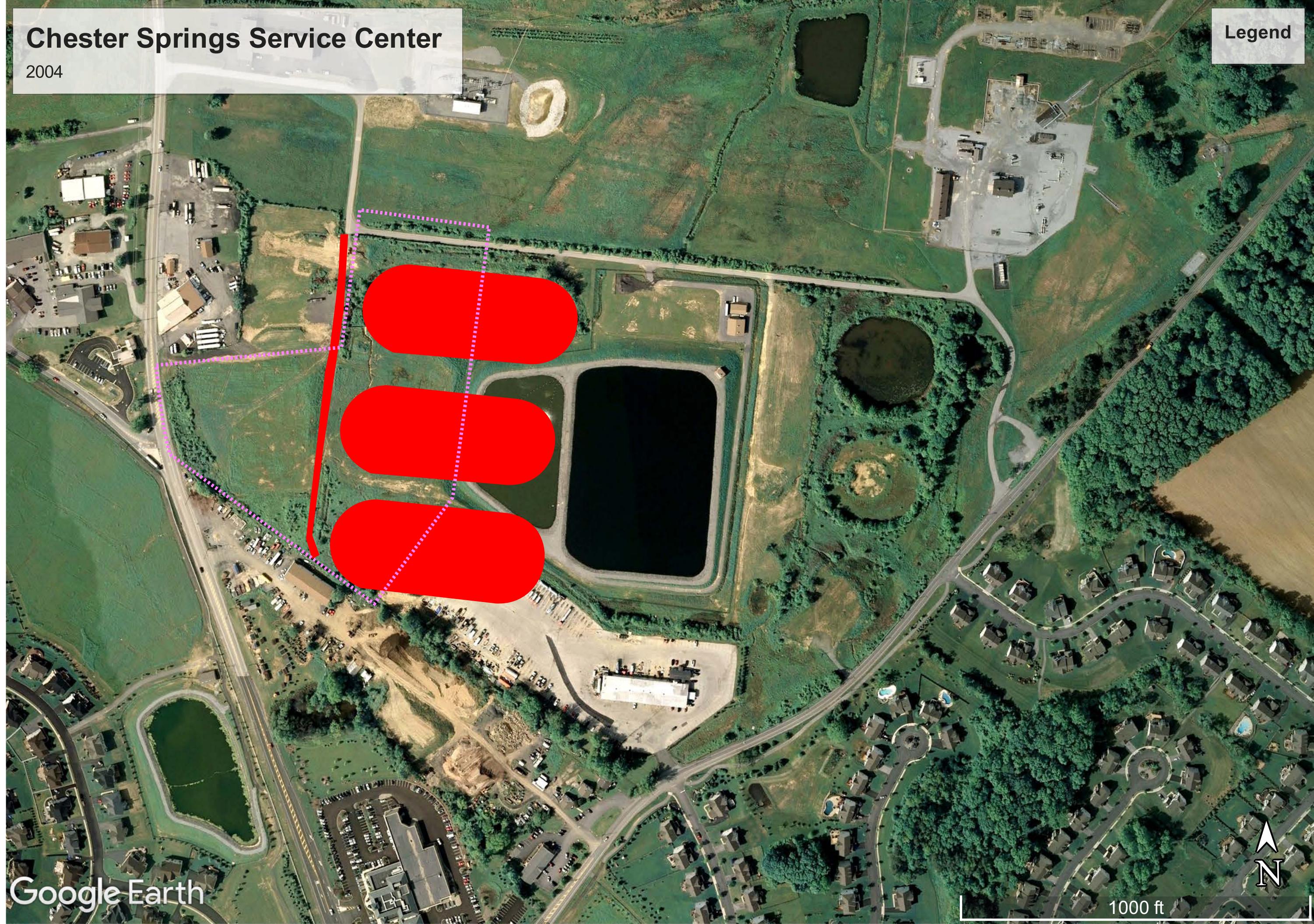
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# Chester Springs Service Center

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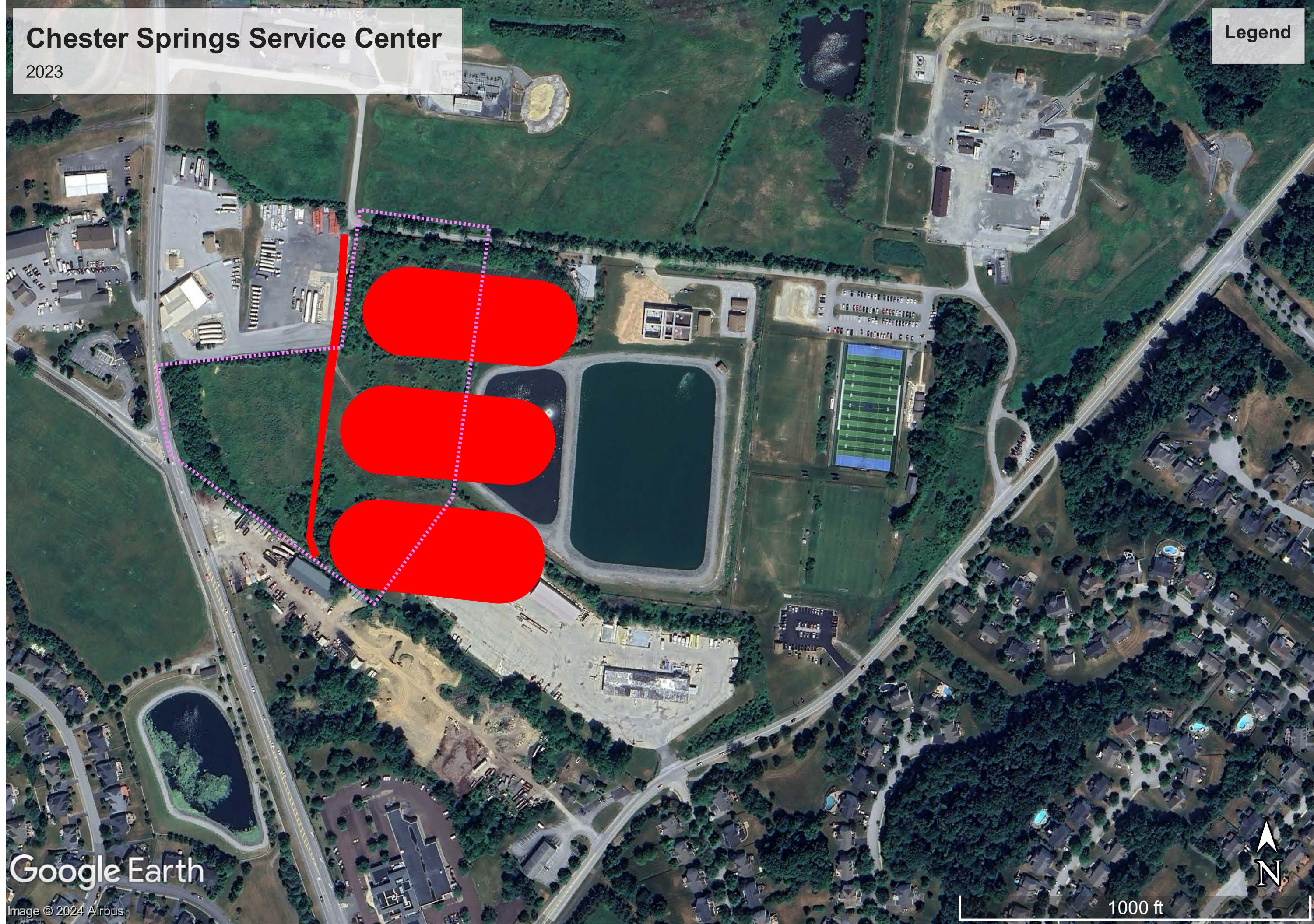
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# Chester Springs Service Center

2023

Legend





## CONDITIONAL USE APPLICATION

## ZONING HEARING BOARD APPROVAL

ORDER

AND NOW, this 15<sup>th</sup> day of July, 2024, the Board hereby approves the Application and grants the following approval:

1. A conditional use pursuant to Section 200-39.B(1) of the Ordinance to allow two principal uses on the Property, namely a vehicular sales and vehicular service establishment.
2. A conditional use pursuant to Section 200-39.B(7) of the Ordinance to allow the development of a vehicular sales establishment, that being the storage of vehicle inventory from Applicant's sales facility located in Newtown Square.
3. A conditional use pursuant to Section 200-39.B(9) of the Ordinance to allow the development of a vehicular service establishment.
4. A conditional use pursuant to Section 200-107.D(3)(b)[1] to disturb precautionary steep slopes in order to install a portion of the proposed Service Building as generally depicted on the Revised Plans.
5. A conditional use pursuant to Section 200-107.D(3)(b)[4] to disturb precautionary steep slopes in order to install sanitary sewers and storm sewers as generally depicted on the Revised Plans.

CONDITIONS OF APPROVAL

1. The development shall be built and designed generally in accordance with the Revised Plans which were admitted as Exhibit A-8 as such plans are revised to comply with this Order and to obtain final land development approval from the Board of Supervisors.

2. Prior to approval of the final land development plans for the proposed development of the Property, Applicant shall address to the satisfaction of the Board all outstanding comments in the Township consultants' review letter dated April 8, 2024 which was admitted as Exhibit B-9.

3. This approval only allows the use of a vehicular service establishment and storage of inventory for off premises vehicular sales. No sales of vehicles may be conducted from the Property until further conditional use approval is obtained from the Board.

4. The final landscaping plan for the development shall be approved by the Board during land development and shall comply with the Township Code unless the Board grants waivers of certain provisions of the Code. At a minimum, the landscaping plan shall retain as much of the existing mature and healthy vegetation along the northwestern corner of the Property as is feasible and sensible given the health of the vegetation. If necessary to provide an effective buffer of the development from Pottstown Pike and the John Keely House, the landscaping plan shall add additional trees and vegetation to this area so that there is a landscape buffer along Pottstown Pike in this location.

5. Applicant shall submit a lighting plan which complies with the Township Code prior to issuance of final land development approval.

6. During the land development approval process, Applicant shall coordinate its efforts with the Township traffic engineer and work with PennDOT to advocate for PennDOT's approval of the installation of a traffic signal at the intersection of the access driveway/For Road and Pottstown Pike. Provided that PennDOT approves the installation of such traffic signal, Applicant shall be responsible for the design, permitting and installation of the same, as well as any associated intersection improvements, as part of the land development for the Property. If PennDOT does not approve the installation of a traffic light at the intersection, Applicant shall coordinate with the Township and PennDOT to identify other appropriate intersection improvements, and the Applicant shall, subject to PennDOT approval of same, be responsible for the design and implementation of the other appropriate road improvements to improve the level of service and design of the intersection. If appropriate improvements are not identified, the Applicant shall restrict driveway turning movements at the intersection, subject to PennDOT approval of same.

7. Subject to PennDOT's approval of the necessary highway occupancy permit, the Revised Plans shall be revised to provide a 125 foot left turn lane on southbound Pottstown Pike as recommended in Applicant's TIA.

8. Subject to PennDOT's approval of the necessary highway occupancy permit, the Revised Plans shall be revised to provide a right turn deceleration lane or taper at the access driveway on northbound Pottstown Pike. Applicant's TIA found that a deceleration lane is warranted but that Applicant does not own sufficient land for the

length necessary and therefore recommends the installation of a taper. The Board prefers the installation of a deceleration lane but recognizes the specifications for the right turn deceleration lane or taper must be approved by PennDOT.

9. No customer test drives may occur from the Property.

10. Applicant shall revise the Revised Plans to provide a shared use path or sidewalk along the frontage of the Property along Pottstown Pike. The specifications for the shared use path or sidewalk shall be approved by the Board as part of the land development plans.

11. Applicant shall coordinate with the Township during land development and attempt to provide a location for a public trail on the Property that would provide a connection to the trails at the Township park at Fellowship Road.

12. Unless another arrangement is agreed upon by the Applicant and Township during land development, Applicant shall pay the Township's transportation impact fee based on Chapter 79 of the Township Code as calculated by the Township Traffic Engineer.

13. Applicant shall design and install an entrance feature to the Property that is consistent with other entrance features that have been installed in the vicinity of the property such as the monument sign for the Lexus dealership at 400 Pottstown Pike and the monument sign for the Reserve at Eagle development.

14. Applicant and its successors and assigns in interest to the Property shall be strictly bound by this Decision.

UPPER UCHLАН TOWNSHIP  
BOARD OF SUPERVISORS

  
Jennifer F. Butler, Chairperson  
  
  
Andrew P. Durkin, Vice Chairperson  
  
  
Sandra M. O'Amor, Supervisor

ORDER

AND NOW, this 11<sup>th</sup> day of October, 2024, upon consideration of the Application and testimony and evidence presented, the Application of Rockhill Real Estate Enterprises XVII, LP, for a variance from the steep slope provisions of Section 200.107.D(2) of the Upper Uchlan Township Zoning Ordinance is hereby GRANTED

UNDER AND SUBJECT to the condition that Applicant will proceed in strict accordance with all of the testimony presented, and in accordance with the applicable Township and state laws, regulations and ordinances.

UPPER UCHLАН TOWNSHIP  
ZONING HEARING BOARD

  
James O'Leary, Chairman  
  
  
Peter Egan, Vice Chairman  
  
  
Joseph Cerebelli, Member

ZACHARY H. RANSTEAD, P.E. LICENSED PROFESSIONAL ENGINEER	
COMMUNEAT OF PENNSYLVANIA LICENSE NO. 062078	
PROJECT INFORMATION: FILE PATH: C:\USERS\ZHR\DESKTOP\PROJECTS\2024\1\Plans LAST SAVED DATE AND TIME: 17-Jul-2024 10:50AM	
RDS AUTOMOTIVE GROUP CHESTER SPRINGS SERVICE CENTER SUBDSTOWN, CHESTER COUNTY, PA 19352 UPPER UCHLАН TOWNSHIP, CHESTER COUNTY, PA	
CONDITION USE ORDER, VARIANCES & WAIVERS	

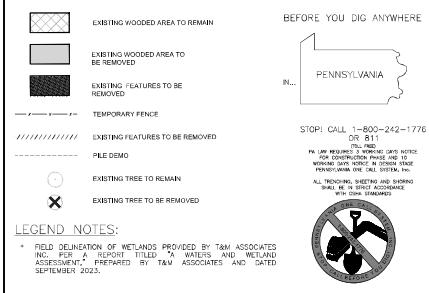
ZACHARY H. RANSTEAD, P.E. LICENSED PROFESSIONAL ENGINEER	
COMMUNEAT OF PENNSYLVANIA LICENSE NO. 062078	
PROJECT INFORMATION: FILE PATH: C:\USERS\ZHR\DESKTOP\PROJECTS\2024\1\Plans LAST SAVED DATE AND TIME: 17-Jul-2024 10:50AM	
RDS AUTOMOTIVE GROUP CHESTER SPRINGS SERVICE CENTER SUBDSTOWN, CHESTER COUNTY, PA 19352 UPPER UCHLАН TOWNSHIP, CHESTER COUNTY, PA	
CONDITION USE ORDER, VARIANCES & WAIVERS	



DESIGNED BY: JOT	DRAWING LEG-2
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DRAWN BY: SEE	SHEET
DATE: 08/01/2024	3
SCALE: AS SHOWN	OF 38
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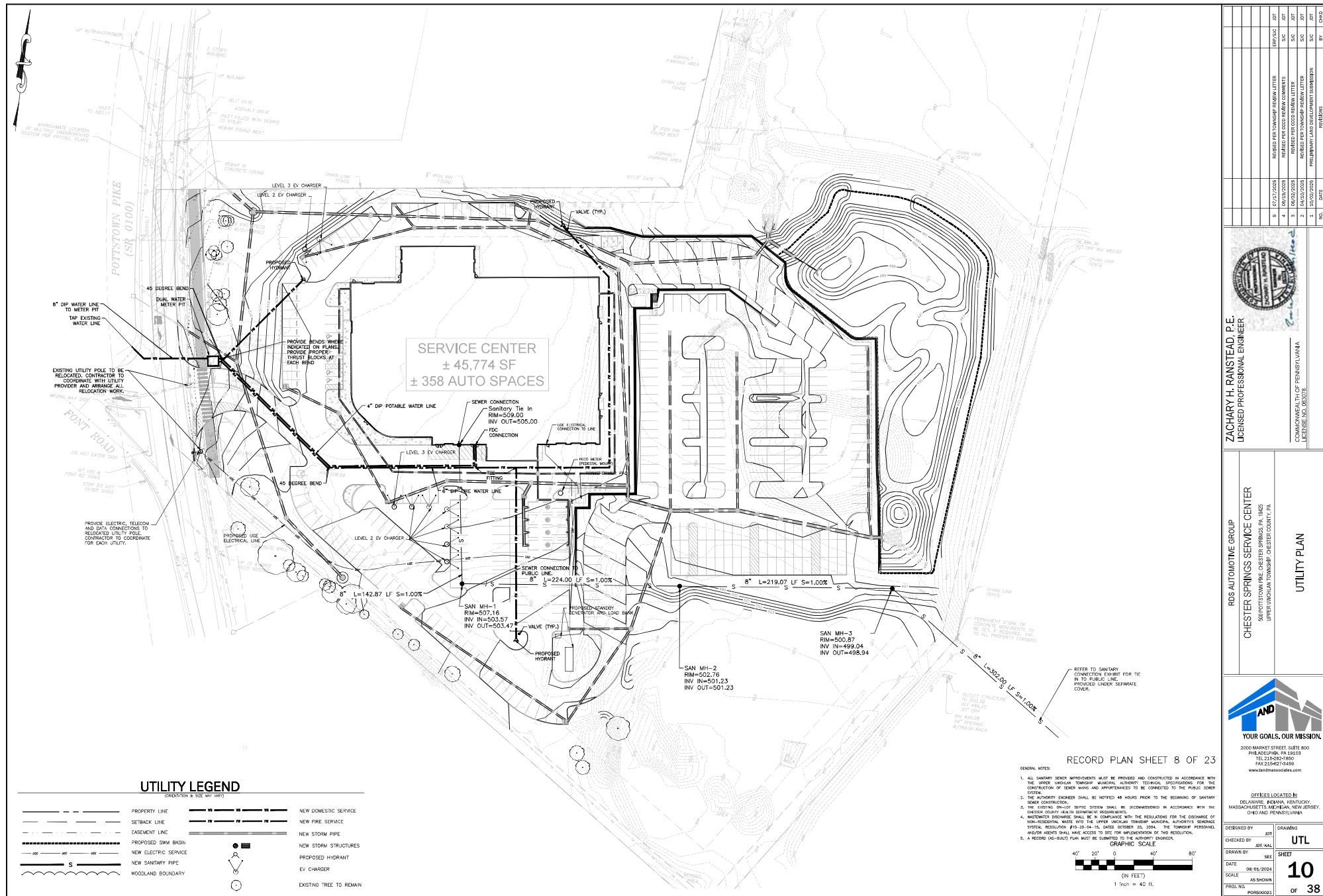
## DEMOLITION PLAN LEGEND



DEMOLITION PLAN

DEM









UPPER UWCHLAN TOWNSHIP  
PLANNING COMMISSION MEETING  
July 10, 2025  
Minutes  
**DRAFT**

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

Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair, Jim Dewees, Stephen Fean, Jessica Wilhide

Mary Lou Lowrie, P.E., Gilmore & Associates  
Gwen Jonik, Planning Commission Secretary

Sally Winterton called the Meeting to order at 7:00 p.m. There were 2 citizens in attendance.

Byers Station Parcel 5C Lot 2B Commercial Amended PRD Plan – Phase 2

Alyson Zarro, Esq., Allan Greenberg, Guy DiMartino, Gary Large, and Chris Puzinas were in attendance. Ms. Zarro noted that Phase 1 -- the Celebree Daycare and 10,500 SF retail building -- are under construction. Phase 2 proposes another 10,500 SF mixed commercial building instead of the drive-through restaurant previously proposed and approved. The newly proposed 10,500 SF building could be all medical-related uses, but the traffic and parking spaces were based on retail and commercial uses. The access to Route 100 / Pottstown Pike has been eliminated.

Discussion of the consultants' review letter, dated July 3, 2025, and other comments included:

- no waivers are requested;
- the stormwater basin on the Graphite Mine Road frontage was designed to be the primary stormwater management for this site. The 2019 plan had greater SF and that's what the stormwater management measures were based upon;
- sanitary sewer disposal capacity was part of the overall Byers Station planning and is accounted for;
- there's a recorded easement for the previously proposed access to Pottstown Pike, but it doesn't have to be built. Begonia Drive was always considered to serve the retail / commercial uses on Lot 2B;
- There is a private agreement with the HOA for maintenance of Begonia Drive.
- Several Planning Commission (PC) members are glad the access to Pottstown Pike is being eliminated;
- PC members recall stormwater management issues in the Villages (Lot 1) and ask the consultants to make sure this one is adequate;
- There was concern regarding the sidewalk on Lot 2 is on the retail / commercial side, not the residential side, pedestrians need to cross Begonia and Station Boulevard. Ms. Zarro explained that during the approval of the Enclave – the townhouses on Lot 2A – they negotiated with the school district the location of the Station Boulevard crossing. The crossing has a flashing signal;
- PC members commented on the location of the dumpster enclosure area being right next to Celebree's play area, concerned with unsanitary conditions. Mr. Puzinas noted it would provide a barrier from cars errantly entering the play area.
- The architecture of the proposed 10,500 SF building will be the same as what was approved for Celebree's building.
- new traffic counts were conducted this Spring. The service levels at the nearby intersections shouldn't see a significant impact. The automated signal operation will adjust for increased traffic.

Jessica Wilhide moved, seconded by Jim Dewees, to recommend the Plan move forward to the Board of Supervisors for approval. The motion carried unanimously.

#### Meeting Updates

Environmental Advisory Council (EAC). Jessica Wilhide reported the EAC did not meet this month. There is a committee working on the Eagle Mobility Study, evaluating Route 100 / Pottstown Pike from the northern Graphite Mine Road intersection to the southern Graphite Mine Road intersection. The committee held a workshop early June with local businesses and had a table at the block party regarding a survey requesting residents' input. They'll have a Zoom meeting later this month to receive results from the survey. Businesses are concerned with the "swap" of Route 100 from Pottstown Pike over to Graphite Mine Road. They hope it will slow things down in Eagle so folks want to "see" the village more. There will be another public meeting.

Historical Commission (HC). Gerry Stein noted they hadn't met due to severe weather.

#### Approval of Minutes

Jessica Wilhide moved, seconded by Joe Stoyack, to approve as presented the minutes of the June 12, 2025 Planning Commission Workshop and Meeting. The motion carried unanimously.

Sally Winterton announced the next meeting is August 14, 2025. A workshop will be held at 6:00 p.m. regarding the landscape ordinance revisions.

#### Open Session

Joe Stoyack commented on prioritization of the Comprehensive Plan recommendations.

Joe Stoyack commented on impacts to traffic now, in 5 years, 10 years, etc. There are 3 intersections that need work – Pennsylvania Drive, Township Line Road and Little Conestoga Road. Fixing the flow at the intersections should improve rush hour conditions.

Are there current traffic counts. There are 800 acres being developed to the west on Little Conestoga Road, near Glenmoore. Ludwigs Corner continues to be developed and there are several proposals for development on Lionville Station Road – one that includes a natatorium that could bring an extreme amount of traffic – impacting Upper Uwchlan intersections along Route 100.

Steve Egnaczyk made comment that the traffic engineer has to expand the vision for future traffic conditions.

Gerry Stein commented on greater circulation of the Eagle Mobility Plan /Study flyer available at the front desk.

Sally Winterton attended the Gunner Properties Zoning Hearing. Attendees were over capacity and the Hearing couldn't be held. They recently withdrew their application.

Sally Winterton received word regarding the township updating the website. She'll forward to the members.

#### Adjournment

Jim Dewees moved to adjourn the meeting at 8:24 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik  
Planning Commission Secretary