



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION
AGENDA

September 11, 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 clean copy of draft revised landscaping / screening ordinance amendments. Make a recommendation to the Board of Supervisors.	2
II.	7:00 p.m. Meeting Call To Order	
III.	500 Pottstown Pike / Chester Springs Service Center – FINAL Land Development Plan Introduction to the FINAL land development plan. Accept the Plan for consultants' review.	60
IV.	Meeting Updates ~ Reports A. Environmental Advisory Council (EAC) B. Historical Commission (HC)	-- --
V.	Comprehensive Plan 2025 ~ Review Recommendations	--
VI.	Approval of Minutes: August 14, 2025 Meeting minutes	96
VII.	Next Meeting Date: October 9, 2025 7:00 p.m.	
VIII.	Open Session	
IX.	Adjournment	



LANCASTER
53 W. James St.
Suite 101
Lancaster, PA 17603
717.715.1396

YORK
221 W. Philadelphia St.
Suite 108E
York, PA 17401
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PAOLI
41 Leopard Rd.
Suite 300
Paoli, PA 19301
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August 18, 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.

Text that is highlighted in **yellow** has been adjusted after the Planning Commission Workshop on August 14th.

The Tree maintenance section originally as the end of the revised ordinance has been incorporated into the Landscape Maintenance section and is shown as highlighted.

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 Healthy and Viable Tree 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, **maintenance** 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) 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.
- (e) Any plant material that presents high or extreme risk based on ANSI Tree Risk Assessment Standard should be managed to mitigate the risk.

(f) 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:

- i. 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;
- ii. 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
- iii. 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.
- iv. 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 § 162-57 of this chapter.

(5) Notice of violation. 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:

- (a) The name(s) of the property owner(s) of record of the property in violation;
- (b) The address of the property in violation;
- (c) A description of the specific violation under this chapter;
- (d) The steps necessary for compliance and the date by which the compliance must be completed; and
- (e) 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.

(6) 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.

- (7) Violations and penalties; cost of removal. 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:

- (a) 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.
- (b) 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).

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.

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.

§ 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.

For Each Tree to be Removed, at the Following Sizes, dbh (inches)	Minimum Number and Caliper of Replacement Trees
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.

§ 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.¹

- (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.

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.²

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 phaeomopyrum</i>
Highbush blueberry	<i>Vaccinium corybosum</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>

Upper Uwchlan Township Chester County, PA
 Comparative Tree Requirements

Project : Eagle View Lot 1C

Summary: Eagle View Lot 1C is a Flex Building in the Planned Industrial Office District

The applicant received a waiver from section 162-55.B.a. Tree Replacement for Wooded Lot disturbance

Wooded Lot disturbance by Square Footage was determined / Single tree replacement was not able to be calculated because there was no tree survey

100x100 foot square of a Tree Survey from the Fetter Property was used to estimate replacement tree calculations per dbh tree to obtain a comparison

Fetter 100 x100 SF Tree DBH information - broken down **Based on 11.03 AC of Woodland Area to Be Removed (From Civil Plans)**

	Location 1	Location 2	Location 3	Average	
Trees 6"-8"	5	9	5	6	11.03 AC x 43560 SF = 480,467 SF
Trees 9"-12"	6	8	7	7	480,467 SF / 10,000 SF = 48
Trees 13"-18"	10	16	4	10	
Trees 19"-24"	0	1	3	2	Multiply the Average for each size category by 48 to estimate the number
Trees 24" and up	0	0	0	0	of trees in each category that would be removed.

Existing Ordinance

<u>Requirement</u>	<u>Vegetation Type</u>	<u>Calculation</u>	<u>Quantity</u>	<u>Revised Ordinance</u>	<u>Vegetation Type</u>	<u>Calculation</u>	<u>Quantity</u>
Wooded Lot by Area (1 tree / 3 shrubs per 300 SF)	3-3.5" cal Dec. Trees Shrubs	(480467-10000) / 300 (480467-10000) / 300x3	1568 4705	Wooded Lot by Area	NA - removed from Ordinance		

Replacements per DBH Tree

		Replacements per DBH Tree		
6"-8" dbh	3-3.5" cal Dec. Trees	288 (x1)	288	
8"-12" dbh	3-3.5" cal Dec. Trees	336 (x2)	672	8"-12" dbh
12"-18" dbh	3-3.5" cal Dec. Trees	480(x3)	1440	2.5-3" cal Dec. Tree
18"-24" dbh	3-3.5" cal Dec. Trees	96 (x4)	384	576 (x2)
over 24" dbh	3-3.5" cal Dec. Trees	0 (x5)	0	over 24" dbh
		Total:	2784	2.5-3" cal Dec. Tree
				0 (x3)
				Total
				1488

Screening Buffer

Evergreens 10' O.C.	Not calculated	Screening Buffer
		716 ft.
		2.5-3" Dec Tree
		1 per 50 LF
		15
		12-14' Orn. Tree
		1 per 50 LF
		15
		8-10' Evg Tree
		2 per 50 LF
		29
		30"-36" Shrubs
		5 per 50 LF
		72

Perimeter Boundary

		Perimeter Buffer - Boundary
	Shade Tree	1 per 100 LF
	Evg. Tree	2 per 100 LF
	Shrubs	8 per 100 LF
		550 ft.
		2.5-3" Dec Tree
		1 per 100 LF
		6
		12-14' Orn. Tree
		1 per 100 LF
		6
		8-10' Evg Tree
		2 per 100 LF
		11
		30"-36" Shrubs
		5 per 50 LF
		28
		Perimeter Buffer - Basins
		1,150 ft.
		2.5-3" Dec Tree
		1 per 100 LF
		12
		12-14' Orn. Tree
		1 per 100 LF
		12
		8-10' Evg Tree
		2 per 100 LF
		22
		30"-36" Shrubs
		5 per 100 LF
		56

Street Trees

700 LF	3-3.5" cal. Dec. Tree	1 per 50 LF	14	Street Trees
				700 LF 2.5-3" cal. Dec. Tree 1 per 40 LF 18

Building Gross SF

113,000 SF	Shade Tree	2/1000 SF	226	Façade LF
	Evg Tree	1/1000 SF	113	1983 LF
	Shrubs	8/1000 SF	904	8-10' evg or orn.
				1 per 50 LF
				40
				30"-36" shrub
				5 per 50 LF
				198

Parking Lot

407 spaces 223,767 SF	Shade Tree	1 per 5 sp	82	Parking Lot
	Shade Tree	1/2000 SF	112	407 spaces
	Evg Tree	1/2000 SF	112	2.5-3" Dec. Tree
	Shrubs	4/2000 SF	448	1 per 10 sp
				41
				evg or orn.
				1/2000 SF
				112
				30"-36" shrubs
				4/2000 SF
				448

Road Frontage Boundary

700 LF	Shade Tree	2 / 100 LF	14	Road Frontage Boundary
	Evg Tree	1 / 100 LF	7	NA
	Shrub	5 / 100 LF	35	

TOTALS

Dec Trees	4832	TOTALS	Does Not include replacement trees
Ornamental Trees	0	Dec Trees	92
Evergreen Trees	296	Ornamental Trees	33
Shrubs	6348	Evergreen Trees	214
		Shrubs	802

Out of the 6340 - 5860 are replacement trees that were not required on this plan .

Replacement Trees 1488

Vegetation counting toward the Replacement Requirement
 247 trees / 2 evg / orn
 802 shrubs / 6 shrubs
 92 trees 124 trees
 133 trees 349 Trees

Out of 1488 trees 447 can be substituted at 2:1 with evg or orn.

Out of 1488 trees 298 can be shrubs at 6 to 1 ratio

1139 replacement
trees needed

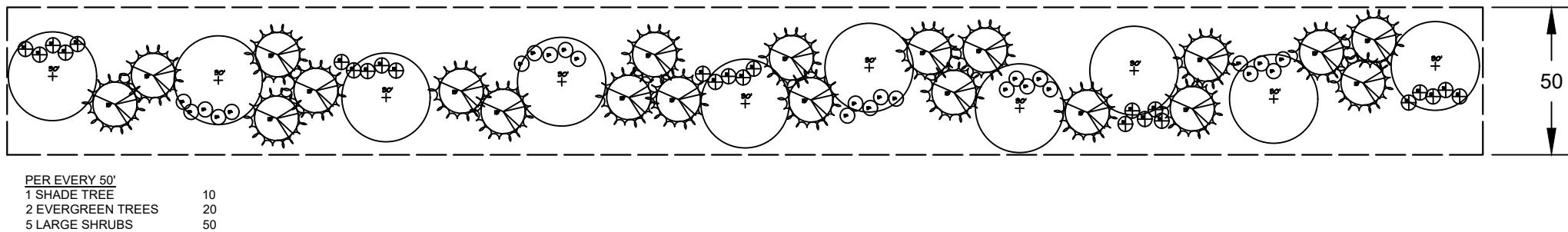
Upper Uwchlan Township Chester County, PA
Comparative Tree Requirements

Project : Fetter's Property (The Preserve at Marsh Creek)

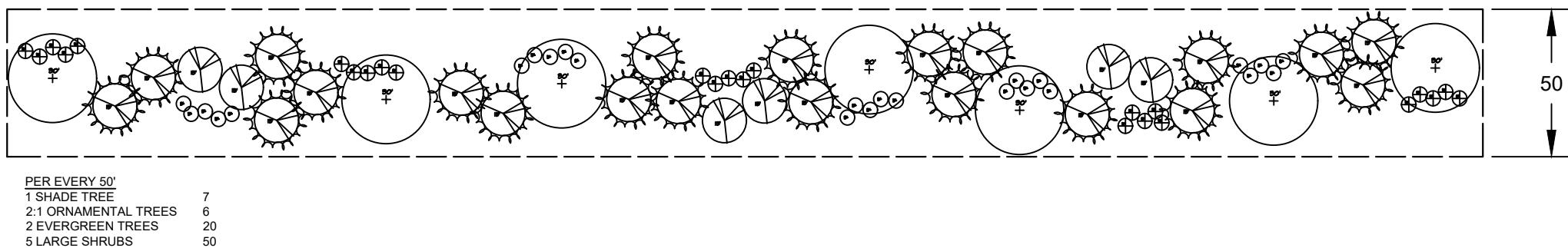
Summary: Residential Subdivision

Existing Ordinance				Revised Ordinance			
Requirement	Vegetation Type	Calculation	Quantity	Requirement	Vegetation Type	Calculation	Quantity
Wooded Lot by Area	3-3.5" cal Dec. Trees		216	Wooded Lot by Area	NA - removed from Ordinance		
	Shrubs		732				
Replacements per DBH Tree				Replacements per DBH Tree			
6"-8" dbh	3-3.5" cal Dec. Trees	113 (x1)	113	8"-12" dbh	2.5-3" cal Dec. Tree	150 (x1)	150
8"-12" dbh	3-3.5" cal Dec. Trees	150 (x2)	300	12"-18" dbh	2.5-3" cal Dec. Tree	272(x2)	544
12"-18" dbh	3-3.5" cal Dec. Trees	201 (x3)	603	18"-24" dbh	2.5-3" cal Dec. Tree	30(x3)	90
18"-24" dbh	3-3.5" cal Dec. Trees	71 (x4)	284	over 24" dbh		Total	784
over 24" dbh	3-3.5" cal Dec. Trees	30(x5)	150				
		Total:	1450				
Screening Buffer				Screening Buffer			
Evergreens 10' O.C.	Evergreen Trees	4586 LF / 10	459	1070 ft.	2.5-3" Dec Tree	1 per 50 LF	22
					12-14' Orn. Tree	1 per 50 LF	22
					8-10' Evg Tree	2 per 50 LF	44
					30"-36" Shrubs	5 per 50 LF	107
Perimeter Boundary				Perimeter Buffer - Boundary			
2,938 LF	Shade Tree	1 per 100 LF	30	5735 ft.	2.5-3" Dec Tree	1 per 100 LF	58
	Evg. Tree	2 per 100 LF	60		12-14' Orn. Tree	1 per 100 LF	58
	Shrubs	8 per 100 LF	238		8-10' Evg Tree	2 per 100 LF	115
					30"-36" Shrubs	5 per 50 LF	287
				Perimeter Buffer - Basins			
				8140 ft.	2.5-3" Dec Tree	1 per 100 LF	82
					12-14' Orn. Tree	1 per 100 LF	82
					8-10' Evg Tree	2 per 100 LF	163
					30"-36" Shrubs	5 per 100 LF	407
Street Trees				Street Trees			
19,025 LF	3-3.5" cal. Dec. Tree	1 per 50 LF	716	19,025 LF	2.5-3" cal. Dec. Tree	1 per 40 LF	956
Building Gross SF				Façade LF			
	NA				NA		
Parking Lot				Parking Lot			
407 spaces	Shade Tree	1 per 5 sp	6	28 spaces	2.5-3" Dec. Tree	1 per 10 sp	3
223,767 SF	NA			223,767 SF	NA		
Road Frontage Boundary				Road Frontage Boundary NA			
1995 LF	Shade Tree	2 / 100 LF	40				
	Evg Tree	1 / 100 LF	20				
	Shrub	5 / 100 LF	100				
				784 deciduous required trees count as the replacement trees			
TOTALS				TOTALS			
Dec Trees		2458		Dec Trees	Does Not include replacement trees		1121
Ornamental Trees		0		Ornamental Trees			162
Evergreen Trees		539		Evergreen Trees			322
Shrubs		1070		Shrubs			801
				Replacement Trees			
							0

500' SCREENING BUFFER

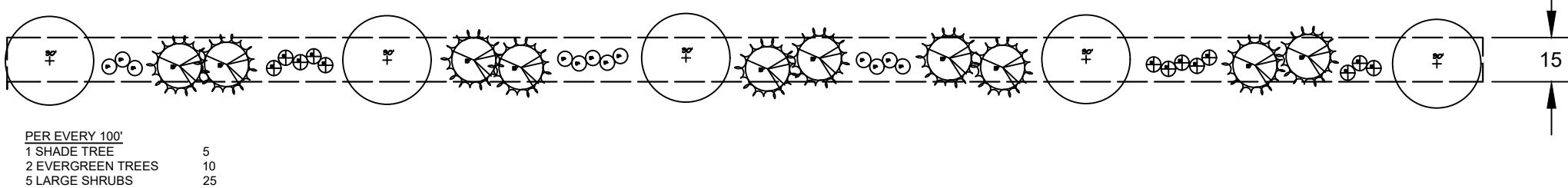


500' SCREENING BUFFER - ALT.

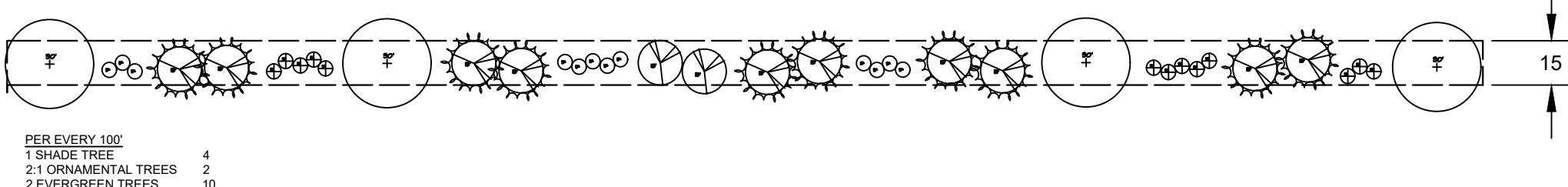


25% OF SHADE TREES CAN BE SUBSTITUTED FOR ORNAMENTAL TREES AT A RATIO OF 2:1

500' PERIMETER BUFFER

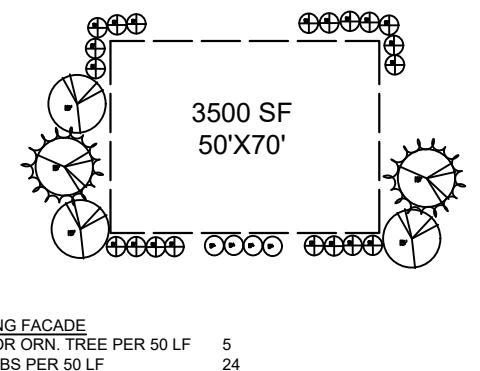


500' PERIMETER BUFFER - ALT.



25% OF SHADE TREES CAN BE SUBSTITUTED FOR ORNAMENTAL TREES AT A RATIO OF 2:1

FOUNDATION PLANTINGS



COMPARISON LIST

Project Name	Township	Trees Removed	Tree Replacement Required	Req. / Rem.	Notes
Franklin Station	Middletown	602	1204	X 2.0	Based on 100x100 averaging of Woodlands
Preserve Marsh Creek	Upper Uwchlan	565	2182	X 3.86	
Hamilton	Radnor	223	392	X 1.75	Only healthy viable trees to be replaced
Valley Creek	West Whiteland	229	778	X 3.39	Other requirements can count toward replacement trees
Granite Parcel	Middletown	168	336	X 2.0	Based on 100x100 averaging of Woodlands
Storage Depot	Middletown	11	22	X 2.0	
Eagles View Lot 1C	Upper Uwchlan	1751	5860	X 3.34	Based on Marsh Creek Woodland Numbers



SUBDIVISION / LAND DEVELOPMENT APPLICATION

Preliminary Submittal

Final Submittal

The undersigned hereby applies for review of the Plan submitted herewith and described below:

1. Name of Subdivision / Development: Chester Springs Service Center
August 1, 2024, last revised September 3, 2025
2. Plan Dated: August 1, 2024, last revised September 3, 2025 County Deed Book/Page No. B: 11052 P: 1945
3. Name of property owner(s): Rockhill Real Estate Enterprises XVII, LP

Address: 4005 West Chester Pike, Newtown Square

State/Zip: PA 19073 Phone No.: (856) 816-2200

Email: rd@rdsautogroup.com; dlebeau@rdsreserve.com

4. Name of Applicant (If other than owner):

Same as owner.

Address: _____

State/Zip: _____ Phone No.: _____

Email: _____

5. Applicant's interest (If other than owner): _____

6. Engineer, Architect, Surveyor, or Landscape Architect responsible for Plan.

Keith Lieberman, P.E., T&M Associates

Address: 1700 Market Street, Suite 3110, Philadelphia

State/Zip: PA 19103 Phone No.: (215) 282-7853

Email: KLieberman@tandmassociates.com

7. Total acreage: +/- 13.79 acres Number of Lots: 1

8. Acreage of adjoining land in same ownership: (If any) N/A

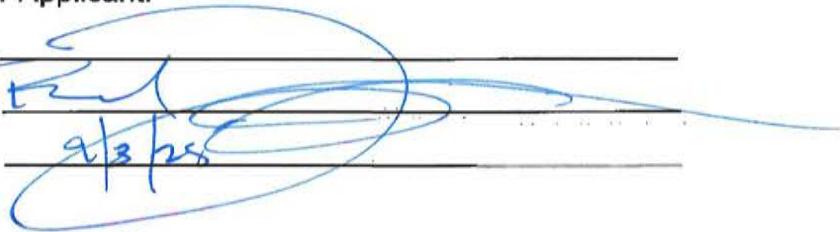
9. Describe Type of Development Planned: An approximately 45,774 SF footprint vehicle sales and service center with associated parking and stormwater management facilities.

10. This Application shall be accompanied by: the Application Fee as listed below, an aerial image of the property, and the quantity of plans/supporting information as detailed in the Township Code §162-8.B.(1)(b) and/or §162-8.C.(1)(d).
[One-half of the required plan submissions may be of a reduced size, i.e. 11 x 17]

11. List all subdivision and zoning standards or requirements which have not been met and for which a waiver or change is requested.
All necessary waivers have been submitted for consideration with the
Preliminary Land Development Plan Application.

12. The Applicant or his/her agent shall enter into a Subdivision / Land Development Review Escrow Agreement (attached) and place into escrow with the Township at the time of application an amount estimated by the Township to cover all costs of engineering and professional planning reviews (not including County application fee), legal services and other professional services used by the Township in connection with the application.

Signature of Property Owner or Applicant:

By: 

Date: 9/3/28

*Development subject to ACT 209 Impact Fee.

*Park & Recreation Fee per residence is levied. Contact Township Offices to determine amount.

SUBDIVISION / LAND DEVELOPMENT APPLICATION FEE

1-2 Lots \$250

3-5 Lots \$500

Plus \$25 for each Lot over 3

Over 5 Lots \$1000

Plus \$50 for each Lot over 5

Form revised January 2015

ALYSON M. ZARRO
alyson@rrhc.com
Ext. 202



September 3, 2025

Via Email and Hand Delivery

Tony Scheivert, Township Manager
Upper Uwchlan Township
140 Pottstown Pike
Chester Springs, PA 19425
tscheivert@upperuwchlan-pa.gov

**Re: Rockhill Real Estate Enterprises XVII LP/500 Pottstown Pike
Final Land Development Plan Application**

Dear Tony:

As you know, this firm represents Rockhill Real Estate Enterprises XVII LP (“Applicant”) in connection with its property located at 500 Pottstown Pike and identified as Chester County UPI No. 32-1-34.1C (“Property”). The Property is currently vacant and zoned C-3 Highway Commercial District. The Applicant proposes to develop the Property as a vehicle service center with storage of inventory for off-premises vehicular sales, as authorized by the Conditional Use Approval granted by the Upper Uwchlan Township Board of Supervisors (“Board”) on July 15, 2024 (“Project”). The Project consists of a building with an approximate footprint of 45,774 square feet, together with stormwater management facilities and associated parking.

The Preliminary Land Development Plan (“Preliminary Plan”) is scheduled for review by the Board on September 15, 2025. The Applicant understands that the filing of this Final Land Development Plan Application (“Application”) is at its own risk and that Preliminary Plan approval is required to be obtained for the Project. Accordingly, the Applicant hereby submits its Final Land Development Plan Application for the Project.

Enclosed for filing in connection with the Application are the following materials:

1. One (1) copy of the Upper Uwchlan Township Subdivision/Land Development Application;
2. Four (4) full size and four (4) 11 x 17 copies of plans entitled “Final Land Development Plans Chester Springs Service Center” prepared by T&M Associates, dated August 1, 2024, and last revised September 3, 2025;

3. Four (4) copies the Stormwater Management Report prepared by T&M Associates, dated September 25, 2024 and last revised September 3, 2025;
4. Four (4) copies of the Township Review Letter Responses prepared by T&M Associates, dated September 3, 2025;
5. Four (4) copies of the Chester Springs Service Center – Plantings Requirement Fee in Lieu prepared by T&M Associates, dated September 3, 2025;
6. Four (4) copies of the Fiscal Impact Analysis prepared by EH Creative Services LLC, dated March 4, 2024 and last revised August 29, 2025;
7. Four (4) copies of the Transportation Impact Assessment prepared by TPD, dated February 14, 2024 and last revised April 10, 2025; and
8. A check made payable to Upper Uwchlan Township in the amount of \$250, the required land development application fee.

An escrow account for Township consultant's review fees is currently established for the Project and will be supplemented by the Applicant at the Township's request.

An electronic version of all Application materials is included with the email version of this letter. Kindly forward the enclosed Application materials to the Township consultants, Planning Commission and Board of Supervisors for review.

As always, please feel free to contact us if you have questions or need additional information. Thank you for your attention to this matter.

Very truly yours,

/s/ Alyson M. Zarro

ALYSON M. ZARRO

AMZ/cpw
Enclosures

cc: Kristin Camp, Esquire, Township Solicitor (*via email w/enclosures*)
Gwen Jonik, Township Secretary (*via email w/enclosures*)
Robert DiStanislao, RDS (*via email w/enclosures*)
Derek Lebeau, RDS (*via email w/enclosures*)
Michael Menkowitz, Esquire (*via email w/enclosures*)
Keith Lieberman, P.E., T&M Associates (*via email w/enclosures*)
Jacob Tackett, T&M Associates (*via email w/enclosures*)

Tony Scheivert, Township Manager
Upper Uwchlan Township
September 3, 2025
Page 3

Cameron P. Wolfson, Esquire, (*via email w/enclosures*)



YOUR GOALS. OUR MISSION.

September 3, 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 – Third 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 August 7, 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. 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.

T&M Response: Comment Acknowledged. We understand this comment to be addressed per the response letter. A multi-use trail has been placed along the property frontage in the Pottstown Pike Right-of-Way to meet the intent of enhancing Upper Uwchlan's Trail Network Master Plan.

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 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.

T&M Response: Comment Addressed. The monument sign detail has been added to the plans. (Sheet 16). The proposed landscaping has been verified.



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 Addressed. Striping along the walking path at the entrance has been added as well as in public parking/access locations throughout the site.

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.

T&M Response: Comment Addressed. The sheets 7A and 7B line type and legend notation have been updated to reflect the wetland flag symbol.

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).

T&M Response: Comment Addressed. The wooded area to be removed has been updated per the limit of disturbance on the Conservation Plan (Sheet 5). The callout has been revised for the well to be decommissioned rather than removed/demolished on the demo plan (Sheet 6).

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.”

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.

T&M Response: Comment Acknowledged. The Historical Commission issued their approval and support of the submitted documentation at their August 5th meeting. We believe this comment to be satisfactorily addressed at this time.



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.

T&M Response: Comment Acknowledged. The revised fiscal impact study has been included with this resubmission. It should be noted that it was updated using 2025 values for Township Expenditures.

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.

T&M Response: Comment Addressed. The labels have been updated to remove the “if required” as all property corners will include stone monuments (Sheets 7A and 7B).

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.

T&M Response: Comment Addressed. The waiver request from Section 162-55.B(3) now indicates subsection (a). The Table (no. 2) has been revised to accurately show the 89,926 SF woodland disturbance.

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

T&M Response: Comment Addressed. The notes have been updated to include “roots shall not be cut within the dripline of any trees to remain”. (Sheets 6 and 13).



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.

T&M Response: Comment Addressed. The calculation for (No. 3) has been revised to accurately show "79,926/300".

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.

T&M Response: Comment Addressed. The number of 3½" caliper trees required has been revised to be 115, with supporting calculations in (No. 4) of the table.

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.

T&M Response: Comment Acknowledged. A cost estimate enumerating the vegetative requirements that cannot be accommodated onsite has been provided as part of the resubmission.

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 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.



T&M Response: Comment Addressed. The proposed buffer has been added to the Landscape Requirements Table. Additionally, the Deficiency Table has been added to show the deficiencies where waivers are requested.

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.

T&M Response: Comment Addressed. The number of street trees has been revised to 6, as is required. The caliper has been revised accordingly. "Street trees" has been added to third column in (No. 5) in the Table.

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.

T&M Response: Comment Addressed. The Tilia Tomentosa have been revised to be 17 Ulmus Americana 'Princeton' (UP) trees. The plans have been revised to show 17 (UP) trees in both the plan view and the schedule. The plans have been revised to show 105 (RAG) shrubs in both the plan view and the schedule. The plans have been revised to show 81 (VB) shrubs in both the plan view and the schedule. The plans have been revised to show 76 (PH) plantings in both the plan view and the schedule.

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.

T&M Response: Comment Addressed. The Plant Schedule has been revised accordingly to show Deciduous Trees with a 3" to 3½" minimum caliper and Shrubs with a 24" to 30" minimum height.



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.

T&M Response: Comment acknowledged. The NPDES permit approval will be provided upon receipt. Both the Conservation District and DEP have confirmed that neither agency will issue opinions on local ordinance waivers, as this is outside their purview.

At the August 14th Planning Commission meeting, it was discussed and agreed that the Township is permitted to consider and support stormwater waivers contingent upon the receipt of the project's NPDES permit.

The Planning Commission subsequently recommended approval of the waivers outlined in the stormwater ordinance. We respectfully request that the Board of Supervisors approve the requested waivers for both preliminary and final plan approval, contingent upon the acquisition of the NPDES permit for this project.

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.

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

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.

T&M Response: Comment Addressed. This waiver request has been added in the updated waiver request letter included in this resubmission.

4. (RW) 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.

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.

T&M Response: Comment Acknowledged. Please see response from comment VI.1.

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.

T&M Response: Comment Addressed. A 6' high, chain link fence has been proposed surrounding the basin on the site plan (Sheet 7B).

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.

T&M Response: Comment Addressed. The Typar detail has been added to the PCSM Detail Sheet (Sheet 30). The DP-001 callout has been relocated to no longer cover the Typar hatching (Sheet 29). The riparian buffers have been added to the PCSM plan and E&S Plans (Sheet 29 and Sheets 24-26).

7. (W) 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.

A waiver should be requested from this section as well.

T&M Response: Comment Addressed. This waiver request has been added in the updated waiver request letter included in this resubmission.



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.

T&M Response: Comment Acknowledged. For clarification, the applicant requests this condition be considered a condition of final approval. To satisfy these requirements, the following responses are offered:

- An O+M plan and Agreement, shall be submitted for review and approval by the Township prior to recordation.
- A blanket easement note (#27) is provided on Sheet 2 (Legend and Notes) for the purposes of inspection and enforcement of the requirements of Chapter 152.
- Required documents shall be recorded as determined necessary.
- It is not anticipated that written approval or easement agreements are required for stormwater discharge

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.

T&M Response: Comment Acknowledged. For clarification, the applicant requests this condition be considered a condition of final approval. To satisfy these requirements, the following are proposed:

- §152-701.D an O+M agreement and PCSM plan shall be recorded as part of the recording process once final approval is granted
- §152-701.E a blanket easement note (#27) is provided on Sheet 2 (Legend and Notes) for the purposes of inspection and enforcement of the requirements of Chapter 152.
- §152-701.F is a comment acknowledged that all O&M and other agreements, covenants, easements and deed restrictions will be submitted for review and approval prior to recordation.
- §152-703.A acknowledges the requirements and process for the O+M. we also acknowledge the requirements in subsection B and C.

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.

T&M Response: Comment Addressed. The bearings and distances have been shown in a table on the Site Plan (Sheet 7A). The legal description is provided in this submission.

2. Verify / remove Reference Plans Note #7, as it is currently blank.

T&M Response: Comment Addressed. Note 7 has been removed from the legend and notes (Sheet 2).

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.



T&M Response: Comment acknowledged. The Traffic Impact Study (TIS), last revised on April 10, 2025, addresses the traffic signal warrant on page 10 (PDF page 14). In addition, the March 7, 2025 meeting minutes with PennDOT and Township representatives (included on PDF page 27) further document discussions regarding the warrant. At that meeting, PennDOT indicated general support for a signal provided the warrants are met, which the April 10 report reflects.

Please refer to the SITE PLAN for clarification of signal implementation, which we understand to be approved by PennDOT based on the warrant analysis in the April 10 report.

It is understood that, should PennDOT ultimately not approve a signal, the applicant will be responsible for implementing alternative intersection improvements as determined through the HOP process.

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.

T&M Response: Comment Acknowledged. This feature has been placed on the plans. As acknowledged previously, the final improvement condition will be reflected on approved HOP plans.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

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.

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.

T&M Response: Comment Acknowledged. This feature has been placed schematically on the plans. As acknowledged previously, the final improvement condition will be reflected on approved HOP plans.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

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

T&M Response: Comment Acknowledged. A multi-use trail has been placed along the property frontage in the Pottstown Pike Right-of-Way to meet the intent of enhancing Upper Uwchlan’s Trail Network Master Plan.

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.

T&M Response: Comment acknowledged. A direct trail connection to Fellowship Fields cannot be accommodated, as it would require access through a private drive in the rear yard of the property. Beyond general safety and security concerns, such a connection would also necessitate zoning relief and state-level permitting to construct within existing regulated wetland areas. This matter has been reviewed and discussed at several Township Planning Commission meetings.

We understand this comment to be addressed based on the response letter. To advance the intent of enhancing Upper Uwchlan's Trail Network Master Plan, a multi-use trail has instead been incorporated along the property frontage within the Pottstown Pike Right-of-Way.

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. As confirmed at the March 7, 2025 meeting with PennDOT and Township representatives, and reflected in the April 10, 2025 revised Traffic Impact Study, the Font Road/Pottstown Pike intersection meets the warrant for a traffic signal. Given the Township's direct benefit from this improvement and because of the significant cost of this work, we are working with the Township to determine an appropriate reduction or potential elimination of the Transportation Impact Fee so that resources are directed toward the signal.

7. The traffic study should be updated relative to the proposed traffic signal at the Pottstown Pike/Font Road intersection.

T&M Response: Comment Acknowledged. This element was addressed in the traffic engineer's April 10th, 2025 revised TIS. A copy of this study has been included with this resubmission package.

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.

T&M Response: Comment Acknowledged; this will be addressed as part of the HOP review and approval process. The Township will be provided copies of HOP plans with each cycle of review and submission.

A note has been to the cover sheet which states "No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township."

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

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.



T&M Response: Comment Addressed. The sight distances have been shown on the conservation Plan (Sheet 5). Please note that due to traffic signalization implementation it is anticipated that only a right-turn-on-red stopping site distance is warranted for this driveway connection. Should adequate distance not be provided, it is understood that right-turn-on-red may not be permitted.

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)”.

T&M Response: Comment Addressed. The Ultimate Right of Way has been relabeled as “Required Right-of-Way (To Be Deeded to Upper Uwchlan Township)” (Sheet 7A & 7B).

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.

T&M Response: Comment Acknowledged. The applicant takes no exception to the requested 30-foot-wide easement. Post final approval, but prior to the issuance of a certificate of occupancy, the engineer will submit a legal description and easement exhibit for the approval of the Township.

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.

T&M Response: Comment Acknowledged; this will be addressed as part of the HOP review and approval process. The Township will be provided copies of HOP plans with each cycle of review and submission.

A note has been to the cover sheet which states “No certificate of occupancy shall be issued for the project until such time as PennDOT has reviewed and approved the required Highway Occupancy Permit (HOP) for all improvements proposed within the Pottstown Pike right-of-way, and evidence of said approval has been submitted to the Township.”

We request the Township Board of Supervisors support preliminary and final plan approval contingent upon receiving PennDOT approval for the HOP associated with this project.

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.

T&M Response: Comment Acknowledged. Note 6 has been added to the Utility Plan (Sheet 10) stating the 600 GPD capacity requirement.



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.

T&M Response: Comment Addressed. The temporary holding tank has been removed from scope and a private connection to the existing gravity fed sanitary infrastructure has been designed and submitted to the Sewer Authority for approval. The proposed connection to the exiting sanitary system has been shown in plan view on sheet 10 and in profile view on sheet 36. The design has been preliminarily vetted and conceptually approved by the Sewer Authority.

3. The location of the proposed oil and water separator needs to be shown on the plan.

T&M Response: Comment Addressed. The oil and water separator has been added to the Utility plan sheet (Sheet 10).

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

T&M Response: Comment Addressed. The appropriate Standard Authority Sanitary Sewer Details have been added to the Sanitary Sewer Details plan (Sheet 20).

5. 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.

XII. HISTORICAL COMMISSION COMMENTS

Comments attached following this letter.

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
Principal Staff Designer

CONDITIONAL USE APPLICATION

ORDER

AND NOW, this 15th 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 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 from 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/Font 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

ZONING HEARING BOARD APPROVAL

ORDER

AND NOW, this 11th 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 0.107.D(2) of the Upper Uwchlan Township Zoning Ordinance is hereby GRANTED

NDER 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 UWCHLAN TOWNSHIP
ZONING HEARING BOARD

James Greaney, Chairman

Peter Egan, Vice Chairman

Joseph Cerebelli, Member

FDS AUTOMOTIVE GROUP
CHESTER SPRINGS SERVICE CENTER
500 POTTSVILLE RD, CHESTER SPRINGS, PA 19425
UPPER CHALMERS TOWNSHIP, CHESTER COUNTY, PA
CONDITIONAL USE ORDER, VARIANCES &
WAIVERS



YOUR GOALS. OUR MISSION.
2000 MARKET STREET, SUITE 800
PHILADELPHIA, PA 19103
TEL 215-282-7850
FAX 215-627-3459

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**DELAWARE, INDIANA, KENTUCKY,
 MASSACHUSETTS, MICHIGAN, NEW JERSEY,
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FILE NAME: F00021.GRD
DATE: Sun Sep 20 2003
LAST SAVED: DATE AND TIME: 09:48 AM
BY: 2003-09-20 09:48:00
PERMISSION OF: 77461
THE PURPOSE OR INTENDED USE OF THIS DOCUMENT IS PROHIBITED.

GRADING | FGFND

GRADING LEGEND

(ORIENTATION & SIZE MAY VARY)

	
ZACHARY H. RANSTEAD, P.E. LICENSED PROFESSIONAL ENGINEER	
	
COMMONWEALTH OF PENNSYLVANIA LICENSE NO. 063278	
	
6 06/02/2015 REVISED PARTNERSHIP AGREEMENT LETTER	6 06/02/2015 REVISED PARTNERSHIP AGREEMENT LETTER
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RDS AUTOMOTIVE GROUP
ER SPRINGS SERVICE C
STTSTOWN, PA. CHESTER SPRINGS, PA.
WICHIAN TOWNSHIP, CHESTER COUNTY

GRADING PLAN



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OHIO AND PENNSYLVANIA

DESIGNED BY

JDT	GRD
CHECKED BY	JDT/KAL

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08/01/2024

SCALE AS SHOWN

PROJ. NO. P00800021 OF 39

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PROJECT INFORMATION:
FILE PATH: G:\Projects\VPORS\00021\Plans\
FILE NAME: PORS0021_001.dwg
LAST SAVED DATE AND TIME: 27 Aug 2025, 5:01 PM
LAST SAVE BY: academic

CONNECT INFORMATION:

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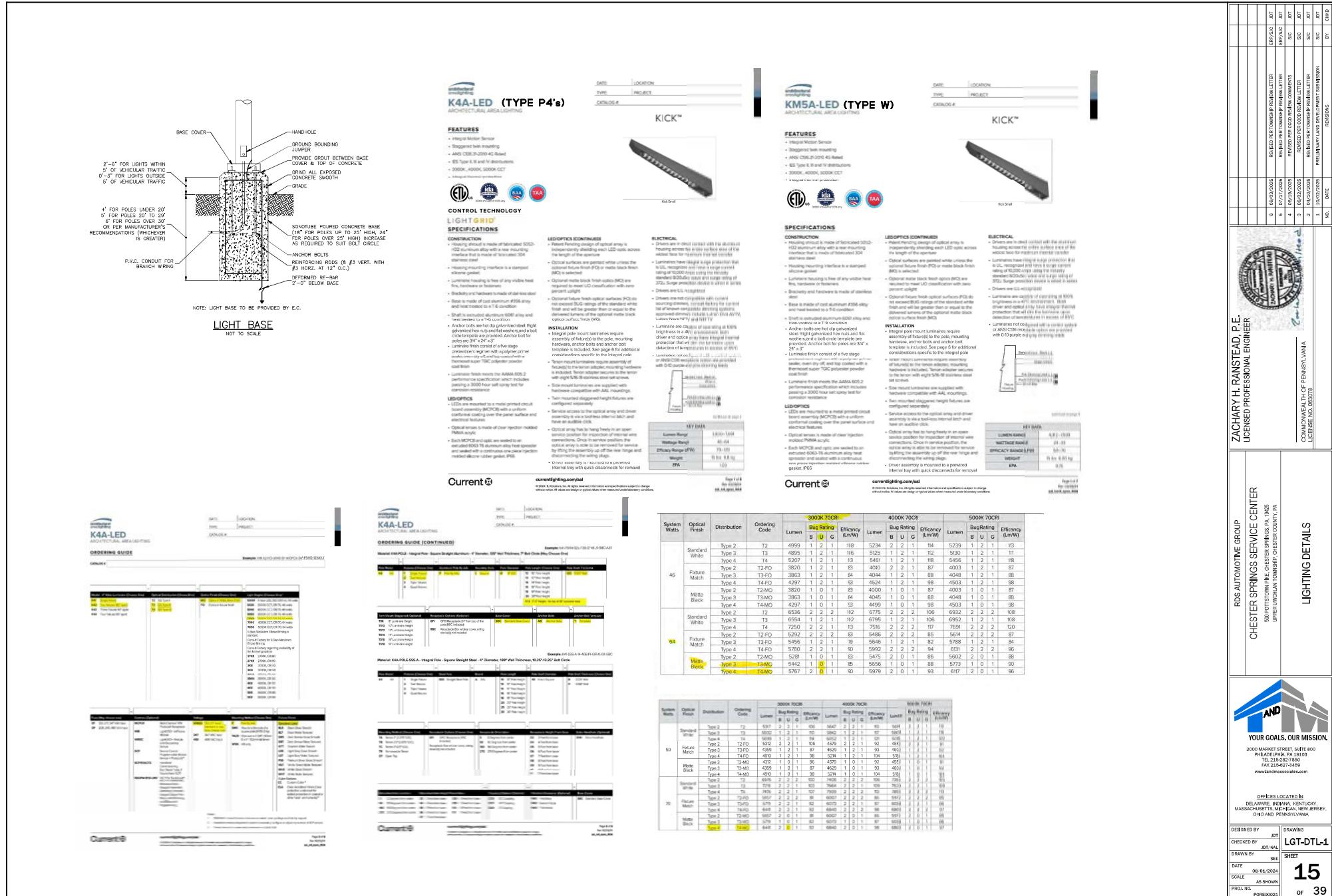
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| YOUR GOALS. OUR MISSION.

September 3, 2025

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

**RE: 500 Pottstown Pike – Chester Springs Service Center – Plantings requirement Fee in Lieu
Final Land Development Plan
Upper Uwchlan Township, Chester County, PA
T&M Associates Project No. PORS00021**

Dear Mr. Scheivert:

Due to the irregular shape of the site, location of existing wetlands and vegetation, the proposed layout which was approved as part of both conditional use and zoning applications cannot reasonably accommodate the required number of plantings set forth in Sections 162-55.B(6), 162-55.B(7), and 162-57.D(1). Providing additional planting to comply with the ordinance would result in excessive density that could compromise the long-term health and viability of the vegetation, a fee in lieu of the required planting pursuant those sections has been requested.

The following is a breakdown of the estimated prices for plantings required for fee-in-lieu:

- *Average price for 3½" caliper deciduous tree = \$300*
- *Average price for 8-10' evergreen tree = \$200*
- *Average price for 24-30" shrub = \$75*

162-55.B(6) Woodland Replacement

Deficiency: 266 Deciduous Trees; 532 Shrubs
Fee-in-lieu: 266 x 300 = \$79,800; 532 x 75 = \$39,900

162-55.B(7) Woodland Replacement

Deficiency: 115 Deciduous Trees
Fee-in-lieu: 115 x 200 = \$23,000

162-57.D(1) Minimum Planting Standards

Deficiency: 92 Deciduous Trees ;112 Evergreen Trees
Fee-in-lieu: 92 x 300 = \$27,600; 112 x 200 = \$22,400

Total

Deficiency: 473 Deciduous Trees ;112 Evergreen Trees; 532 Shrubs
Fee-in-lieu: $473 \times 300 = \$141,900$; $112 \times 200 = \$22,400$; $532 \times 75 = \$39,900$
Total fee in lieu: \$226,200

Very truly yours,
T&M Associates

Jacob Tackett
Supervising Designer

EH CREATIVE SERVICES LLC
16 MANOR ROAD
PAOLI, PA 19301
610.322.7154
erik@erikhetzel.com

Memorandum

To: Jacob Tackett, Principal Staff Designer
T and M Associates

From: Erik Hetzel, AICP/PP, LEED AP

Date: August 29, 2025

Re: Fiscal Impact Analysis (Updated) – Proposed Automotive Service Center, 500 Pottstown Pike, Upper Uwchlan Township

RDS Automotive Group is proposing to construct a 45,774-square-foot automotive service center on the property located at 500 Pottstown Pike in Upper Uwchlan Township, Chester County, Pennsylvania. Along with site improvements that will generate additional real estate tax revenue for the Township and School District, the applicant expects to create approximately 18 full-time equivalent jobs at the site. It is projected that the proposed development will result in beneficial, net-positive annual fiscal impacts to both Upper Uwchlan Township and the Downingtown Area School District, as described in Table 1.

Table 1
Summary of Annual Fiscal Impacts

	Tax Revenues	Expenditures	Net Fiscal Impact
Upper Uwchlan Township	\$4,599	(\$2,092)	\$2,507
Downingtown Area School District	\$93,028	\$0	\$93,028
TOTAL	\$97,627	(\$2,092)	\$95,535

Fiscal impacts presented in this analysis were estimated using a methodology developed by the Rutgers University Center for Urban Policy Research, as originally

described in The New Practitioner's Guide to Fiscal Analysis¹ and further developed in a later publication by the same authors entitled Development Impact Assessment Handbook².

Revenue Impacts

Real Estate Property Tax - At project completion, the improvements are anticipated to have a total market value of approximately \$9 million based on construction costs estimated by the general contractor, which translates to an assessed value of approximately \$3,050,847. This assessment calculation is based on the current (2024-2025) Chester County common-level ratio of 2.95, which estimates assessed value at approximately 33.89% of market value. The Township levies the real estate tax at the rate of 1.121 mills, which will generate approximately \$3,420 annually to the Township. The School District millage rate is currently 30.711 mills, which applied the assessment describe above, will generate approximately \$93,695 in real estate taxes to the School District annually.

Earned Income Tax (EIT) Revenues – Workers who reside in Upper Uwchlan Township pay the EIT at the rate of 1.0%, with 0.5% going to each the Township and School District. The EIT is also levied at the rate of 1.0% on non-residents who do not pay the EIT in their home jurisdictions with the full amount of the tax going only to the Township. The applicant estimates that the proposed use will create 18 full-time equivalent jobs at this location with an estimated mean annual wage of \$55,440 per employee³. We cannot predict where these employees will reside, nor whether they will be paying the EIT to their home jurisdictions. Hence, we conservatively assume that 25% of the workers (or, 5 of the total 18 workers) will be eligible to pay the EIT as Township residents. Under the foregoing assumptions, the EIT will generate revenues totaling \$1,386 to the Township and \$1,386 to the School District.

Local Services Tax (LST) Revenues – The LST is paid only to the School District at the rate of \$10 per employee. With an estimated 18 employees, the proposed

¹ Burchell, Robert W., David Listokin, et al. *The New Practitioner's Guide to Fiscal Impact Analysis*, New Brunswick, NJ: Rutgers, The State University of New Jersey, 1985.

² Burchell, Robert W., David Listokin, et al. *Development Impact Assessment Handbook*. Washington, D.C.: ULI-the Urban Land Institute, 1994.

³ Occupation title “Automotive Service Technicians and Mechanics” from U.S. Bureau of Labor Statistics, *Occupational Employment and Wage Statistics, May 2023 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates, Philadelphia-Camden-Wilmington, PA-NJ-DE-MD* <https://www.bls.gov/oes/current/oes_37980.htm#49-0000>

development would generate approximately \$180 annually in LST revenues to the School District.

Real Estate Transfer Tax – This transfer tax is paid at the rate of 1% and is shared equally by the Township and School District whenever a property is sold. Revenues from this tax source are not included in the estimated annual fiscal impacts described in Table 1 and Table 4 because it is not likely that the property will be sold on such a frequent basis. However, using the estimated market value included herein as the basis for a future sale price, transfer taxes paid would total \$90,000 from a future sale of the property ($\$9,000,000$ sale price x 1% transfer tax rate = \$90,000 in transfer taxes paid). The Township and School district would each receive \$45,000 in transfer tax revenues.

Regional Economic Impacts

The proposed development will have a beneficial economic “ripple effect” in the local economy, as the new employees use goods and services in and around Upper Uwchlan Township. In addition, the development phase of the project will provide construction jobs and result in construction-related consumption expenditures in the local and regional economies. These impacts are not reflected in the summary table included in this memorandum but will provide economic benefits over and above the annual revenues described therein.

Cost Analysis

The cost analysis includes expenses from the Township budget for services most likely to be impacted by the proposed development. These expense items are described in Table 2 on the next page, with percentage discounts applied to certain expense items least likely to be impacted.

Table 2
Upper Uwchlan Township Budget
General Fund Expenses

Expenditure Line Item	Budget Amount	Amount Used in Analysis	
General Government	\$75,775	0%	\$0
Executive	\$980,614	0%	\$0
Audit	\$30,300	0%	\$0
Tax Collection	\$13,000	100%	\$13,000
Legal	\$80,200	100%	\$80,200
Computer	\$174,748	0%	\$0
Engineering	\$169,500	0%	\$0
Township Properties	\$3,646,589	0%	\$0
Police Expenses	\$3,646,589	100%	\$3,646,589
Fire & Ambulance	\$531,670	100%	\$531,670
Codes Administration	\$437,998	10%	\$43,800
Planning & Zoning	\$64,300	0%	\$0
Emergency Operations/Other	\$72,048	100%	\$72,048
Signs	\$9,000	0%	\$0
Signals	\$64,200	0%	\$0
Public Works	\$1,383,871	100%	\$1,383,871
Park & Recreation	\$550,961	0%	\$0
Historical Commission/EAC	\$27,250	0%	\$0
TOTAL	\$10,871,924	-	\$5,771,178

Cost attributable to the proposed development were projected using the “Per Capita Multiplier” methodology from the [Development Impact Assessment Handbook](#). That method differentiates how services are distributed among residential and nonresidential portions of Upper Uwchlan Township based on a ratio of residential to nonresidential uses as described in County assessment data for the Township, using a blended average of total assessments and number of parcels for residential and nonresidential land use classifications. Assessment information for Upper Uwchlan Township was obtained from the Chester County Board of Assessment for this analysis. Details of the cost calculations are described in Table 3 on the next page.

Table 3
Per-Capita Cost Calculation Methodology

A	Number of residential parcels in Township	4,275
B	Number of nonresidential parcels in Township	245
C	TOTAL PARCELS (A + B)	4,520
D	Percentage of nonresidential parcels in Township (B / C)	5.42%
E	Total residential assessment in Township	\$992,503,225
F	Total nonresidential assessment in Township	\$172,997,590
G	TOTAL ASSESSMENT (E + F)	\$1,165,500,815
H	Percentage of nonresidential assessment in Township (F / G)	14.84%
I	Blended average of parcels and assessment, Nonresidential percentage of Township ((D + H) / 2))	10.13%
J	Cost for services likely to impacted by new development	\$5,771,178
K	Cost of Township services allocated to nonresidential uses (I x J)	\$584,723
L	Total employment (number of employees working in Township)	5,031
M	Per capita cost per employee working in Township (K / L)	\$116.22
N	Projected employees working at proposed development	18
O	Township costs attributable to proposed development (M x N)	\$2,092.03

NOTES:

1. Parcel and assessment information obtained from Chester County Board of Assessment.
2. Township cost information from Upper Uwchlan Township Budget, 2024.
3. Township employment estimate from Delaware Valley Regional Planning Commission,
Municipal and County-Level Population and Employment Forecasts, 2015-2050
(<https://www.dvrc.org/webmaps/popempforecasts/>)
4. Projected number of new employees working at proposed automotive service facility
estimated by applicant/operator.

The proposed development of this non-residential use will not generate any school-aged children and hence, will not result in additional costs for the School District.

Erik Hetzel (the author of this report) spoke with Township Manager Tony Scheivert on March 4, 2024 to discuss potential public service demands from the proposed development. Mr. Scheivert noted that, as with any new development there will likely be some additional need for public services; however, based on his understanding of the use and the cost analysis described herein, demand from the proposed development is not anticipated to exceed existing capacity for such Township functions as administration, public works, police, fire and emergency services, and parks and recreation. Mr. Scheivert mentioned that, if a traffic signal is required as part of access to the development, maintenance of that equipment could pose a potential future cost for the Township and might necessitate a shared maintenance arrangement between the applicant and the Township.

Published demand factors are available for Police, Fire and Emergency Medical Services (EMS) personnel, vehicles, and facilities. These factors and the resulting estimated demands for each service are presented in Table 4 on the next page. Planning standards for these calculations are from the Development Impact Assessment Handbook based on a non-residential use with a daytime population of approximately 18 employees. Personnel, vehicles, and facilities for Police and Fire are based on the noted planning standards per 1,000 population per year. EMS planning standards for personnel and vehicles are per 30,000 population per year, and the planning standard for EMS calls is per 1,000 population per year.

Table 4
Public Safety Demand Factors and
Projected Demand from Proposed Development

	Planning Standard	Projected Demand
<i>Police</i>		
Personnel	0.50	0.009
Vehicles	0.15	0.003
Facilities (square feet)	50	0.900
<i>Fire</i>		
Personnel	0.41	0.007
Vehicles	0.05	0.001
Facilities (square feet)	62.5	1.125
<i>EMS</i>		
Personnel	1.03	0.0006
Vehicles	0.25	0.0002
Calls (per year)	9.125	0.16

Conclusions and Summary

In conclusion, the net positive fiscal impact in terms of projected revenues over costs for Upper Uwchlan Township is expected to be approximately \$2,507 annually at project completion, essentially paying for itself in terms of Township services. The projected net positive fiscal impact on the Downingtown Area School District is projected to be more significant at over \$93,000 per year. The combined net positive fiscal impact for both taxing authorities is estimated at over \$95,000 annually. Table 4 on the next page summarizes the project details and fiscal impacts to the Township and School District.

Table 4
Summary of Project Details and Fiscal Impacts

Project Details - 500 Pottstown Pike Auto Svc. Facility	
Non-Residential Square Feet	45,774
Market Value of Proposed Development	\$9,000,000
Assessed Value (approx. 31.84% of market value)	\$2,866,242
New Residential Population	0
New School-Aged Children	0
New Full-Time Equivalent Employees	18
Annual Wages per Employee	\$55,440
Upper Uwchlan Township Fiscal Impacts	
Real Estate Tax Revenue (1.121 mills)	\$ 3,213
Earned Income Tax Revenue (0.5%)	\$ 1,386
Total Township Revenues	\$ 4,599
Total Township Expenditures	\$ (2,092)
Net Township Fiscal Impact	\$ 2,507
Downington Area School District Fiscal Impacts	
Real Estate Tax Revenue (31.91 mills)	\$ 91,462
Earned Income Tax Revenue (0.5%)	\$ 1,386
Local Services Tax (\$10 per resident worker)	\$ 180
Total School District Revenues	\$ 93,028
Total School District Expenditures	\$ -
Net School District Fiscal Impact	\$ 93,028
Total Development-Generated Revenues (Township + School District)	\$ 97,627
Total Development-Generated Expenditures (Township + School District)	\$ (2,092)
Total Net Annual Fiscal Impact (Township + School District)	\$ 95,535



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION WORKSHOP, MEETING
August 14, 2025
Minutes
DRAFT

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

Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair (Meeting); Chad Adams, David Colajezzi, Steve Fean, Jeff Smith, Jessica Wilhide, Taylor Young
Gwen Jonik, Planning Commission Secretary

Invited Guest: Michele Welch, RGS (Workshop)
Mary Lou Flickinger, P.E., Township Engineer (Meeting)

6:00 p.m. Workshop

Sally Winterton called the Workshop to order at 6:04 p.m. There were no citizens in attendance.

Landscaping / screening regulations. The Commission reviewed landscaping / screening regulation amendments prepared by Chris Garrity and Michele Welch of RGS. Michele was present to answer questions. The amendments will make regulations easier to understand and comply. Current regulations cause double the tree count if replacing woodlands and regular landscaping requirements. Proposed landscaping and screening requirements were weighed against other townships. Trees can be replaced with deciduous, evergreens, shrubs, plugs, etc., providing a more balanced plan.

Discussion included:

screening/fencing. Items stored shouldn't be seen above the screening./fencing. How high are fences or screening allowed to be?

Maintenance. All landscaping and screening needs to be maintained – pruned, trimmed, etc.

Propose planting shorter trees – not all trees need to be a tall variety that can fall on people, roads, houses. We do want aesthetically pleasing landscaping but consider where they are being planted. Shade trees. weigh the use, purpose, benefits, drawbacks.

Location. Don't plant street trees right next to the road or sidewalk – move back several feet. Michele noted we do have a street tree ordinance and suggests trees be planted outside the right-of-way, which puts them in people's yards – they or the HOA are responsible for maintenance.

Proposed "Tree Maintenance" regulations are proposed (page 29 of the proposed amendments). Street trees do not need to grow tall. Michele noted including references to use Cornell University's or Penn State Extension's recommended tree lists as they are updated regularly and allow for different situations.

Shade trees, in commercial settings, block signage, road signs, shop signs, shopping center signs; they also drop leaves which can clog or impede storm water infrastructure.

Several Planning Commission members expressed they favor the proposed amendments. The amendments will address our current needs. Michele noted the amendments will provide a nice balance and opportunities for variety and options. Planting native species is the big push; beech leaf disease is coming; unfortunately, it'll decimate the trees quickly.

Michele compared what was required for the Preserve at Marsh Creek when it was approved and what would be required using the proposed regulations. At the time, 500 trees were removed, requiring 2,182 trees planted between the woodland replacement and standard landscaping regulations. The plants have to stay alive or be replaced for 18 months. If they are planted too close they choke each other out. Tree sizes, same thing. They planted smaller sized trees at the Preserve.

They also ran a “test case” using Eagleview Lot 1C, which is constructed. The site was wooded; it’d be impossible to replace the number of trees and the size required (“dbh” = diameter at breast height, typically 4.5’). They would’ve needed 1,568 additional trees on top of what was on 1C’s plan plus 4,292 for regular landscaping.

For 1C they’d propose using alternative trees and plantings, some evergreens, some shrubs, etc. With perimeter buffer with a similar use, screening buffer against the residential boundary, basin buffers, street trees, parking vegetation, building façade vegetation they would’ve needed 1,488 trees. They didn’t provide that amount and would’ve asked for “in lieu of” replacement.

Discussion included using understory or ground covers instead of trees and shrubs; ground covers can be used but typically in mulched beds; seed mix in meadows or riparian buffers.

Michele noted several revisions were within Zoning; screening amendments were moved to Subdivision/Land Development (SALDO); in SALDO rather than Zoning, applicant would ask for a waiver not a variance.

Everyone was in agreement that the proposed amendments bring us very close to what is desired. The next step is for RGS to provide a clean copy of the proposed amendments to the next PC meeting for review, discussion, and a possible recommendation to the Board of Supervisors. Staff and the Township Solicitor would also review prior to the Board of Supervisors.

The “in lieu of” funds go in to the General Fund, to be used for perhaps township property trees that have died, need maintenance, etc. Michele can add the maintenance of trees to that section.

7:00 MEETING

Sally Winterton called the meeting to order at 7:00 p.m.

500 Pottstown Pike / Chester Springs Service Center – Revised Land Development Plans

Cameron Wolfson, Riley Riper Hollin Colagreco, Jake Tackett, T&M Associates, Mr. Kerchner and Mr. LeBow, were in attendance. Mr. Wolfson and Mr. Tackett presented revised plans (July 17, 2025) and are seeking a recommendation for preliminary plan approval. Mr. Wolfson provided a brief introduction, distributed a drawing of a draft Porsche monument sign and an updated (August 14, 2025) waiver request letter. The proposed building, as revised, is 45,774 SF with associated parking for storage of vehicles and stormwater infrastructure. There are 358 parking spaces; 30% total impervious coverage and parking is in accordance with Township requirements. The adjacent property at 480 Pottstown Pike is not included or considered with this plan, though they might enhance the Route 100 frontage.

Discussion included:

the curved access/egress seemed awkward, though necessary to accommodate the change in elevation without running into the building; car carriers only carry 3-5 cars, not the typical sized trailer; small delivery trucks in/out, off hours.

This site is for repairs and services, not body work. Pre-delivery inspections might occur occasionally but most are done at their main sales location.

The rear parking field is for storage of inventory for off-site sales.

Signage and striping will be coordinated with the township engineer.

The lighting plan does or will comply with ordinances regarding spill over to adjacent properties.

The Gilmore letter (August 7, 2025) containing consultants’ comments was reviewed. Mr. Wolfson advised the majority of items will be complied with. However, several require discussion, as follows.

Conditional Use

No trail to Fellowship Fields is provided as it's not feasible to connect to the private drive to the rear, and any trail would require zoning relief and special permitting with the State to construct within existing regulated wetlands.

They will install the largest permissible sign, a monument sign, standard Porsche, stone, internally illuminated.

Zoning Ordinance

They will install a 10' wide multi-use trail along Route 100.

Subdivision and Land Development Ordinance (SALDO)

A partial waiver from providing an historic resource impact statement was requested. They met with the Historical Commission (HC) August 5 and the HC recommended granting the waiver.

Waivers are requested from providing woodland, hedgerow, and vegetation disturbance replacements. Planting over 1,000 trees and 900 shrubs would be required. They'd like to provide a fee in lieu of those plantings. They will work with the Township Engineer to provide a cost estimate for the fee and enter a financial agreement before Final Plan approval. A rough estimate of \$350/tree that should be replaced was suggested. Quite a bit of the existing vegetation along Route 100 will remain.

Waivers are requested from various stormwater management items. Environmental studies had been completed which showed some metals but not at levels of concern to residential uses, no contamination. Stormwater will leave the site in the same way it goes today but via a controlled path. They will comply with NPDES permitting.

Joe Stoyack had forwarded the environmental study to Neil Phillips, Chair of the Township's Environmental Advisory Council, for comments. Sally Winterton read aloud Mr. Phillips' email and she'll forward it to Gwen for inclusion in the proceedings and files and to be forwarded to the Applicant.

Brief discussion included adding revised lighting to the Final Plan, receiving updated comments from the Fire Marshall regarding fire truck maneuverability.

A traffic light on Route 100 is proposed, they are coordinating the transportation impact fee with the Township Solicitor, sight distance triangles will comply with PennDOT regulations.

They will comply with all of ARRO's comments regarding wastewater treatment and disposal.

The Historical Commission's comments were attached to Gilmore's letter and they support a partial waiver from the historic resource impact statement.

Taylor Young moved, seconded by Jeff Smith, to recommend Preliminary Plan approval and granting the waivers conditioned on a fee being established in lieu of planting the required number of replacement trees and adding the photo metrics to the Final Plan submission. Gerry Stein inquired of the location of the battery burn shed, which is exterior to the building. Any removed battery – during repairs or being replaced -- might be corroded and is held in this "shed" for safety until it is picked up for disposal elsewhere. The motion carried unanimously.

They will proceed to the Board of Supervisors to seek Preliminary Plan approval.

Meeting Updates ~ Reports

Environmental Advisory Council (EAC). Jessica advised the EAC is speaking with the sustainability director at the County to approach HOAs about sustainable activities; there is a litter cleanup event September 27; October 11 is the next e-waste collection and shredding event.

Historical Commission (HC). David advised the next presentation in the lecture series is September 9 with Bob Wise speaking on historical architecture in the County. The lectures have had a nice attendance of 60-80 and the museum open houses have 10-15 attendees each month.

Sally Winterton announced a letter had been received from the owner of 164 Byers Road, located in the C-1 Village District, who is requesting we return to allowing residential only use on that property instead of allowing residential in a mixed use. Sally summarized and read a portion of the letter. The Commission members are not in favor of changing zoning to allow a residential-only use on that property or in the C-1 Village District. The property owner could perhaps seek a variance.

Comprehensive Plan 2025 ~ Review Recommendations

The Commission received the list of implementation recommendations where the Commission is to lead the action/task. They discussed how to determine priorities. They will look at tasks determined to be "short-term".

Sally Winterton and Joe Stoyack have sent an email to the Township Manager and the Board of Supervisors regarding the potential impacts from neighboring townships' developments – large housing developments planned in Glenmoore and beyond, Lionville Station Road. They suggest an updated traffic study is necessary. Suggestions for relieving congestion include roundabouts, Route 100 being 2 lanes in 1 direction and Graphite Mine Road being 2 lanes in the other direction, with plenty of cross streets – Darrell Drive, Park Road / Station Boulevard, Byers Road --; and perhaps limiting truck tonnage that goes through the Village. Joe suggested forming a small focus group to come up with ideas, the Township working with our neighbors; swapping Route 100 and Graphite Mine Road which should take a lot of traffic out of the Village; and Jessica reminded them of the existing Eagle Mobility Study which is looking at some of these concerns.

Sally suggested the Commission should focus on traffic-related recommendations first, then historical-related tasks such as the Historic Resource Preservation and Protection Plan. An Official Map can be drafted following updating the traffic study and the Open Space, Recreation and Environmental Resource (OSRER) Plan.

Approval of Minutes

Jeff Smith moved, seconded by Jessica Wilhide, to approve as presented the minutes of the July 10, 2025 Planning Commission meeting. The motion carried unanimously.

Sally announced the next Planning Commission meeting will be held September 11, 2025.

Open Session

No comments were offered.

Adjournment

Jeff Smith moved to adjourn the meeting at 8:40 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary