

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
February 13, 2023

The meeting was called to order at 7:30 p.m. by Chairperson Mayme Baumann.

Present: Supervisors: Mayme Baumann, Laura Obenski and Bill Miller; Township Manager Scott Greenly; Assistant Township Manager Katie Churchill; Building & Zoning Official Tara Giordano; Police Chief Scott Alexander; Lieutenant Maureen Evans; and Township Solicitor Mark Freed.

Minutes:

Mrs. Obenski made a motion to approve the minutes of January 17, 2023 & February 6, 2023 meeting and Mr. Miller seconded. Mrs. Baumann asked for public comment, there being none, the motion was carried unanimously.

Reports:

Police: Police Chief Scott Alexander reported that for the month of January 1,213 entries were documented into the call reporting system. The department issued 158 traffic citations, 28 traffic accidents, and made 12 arrests. One motor vehicle carrier detail was conducted with 328 commercial vehicles weighed, none of which were found to be overweight.

Treasurer: Ms. Bernhard reported that for the month of January we collected over 5% of our budgeted revenues and spent 7.5% of our budgeted expenditures.

Public Works:

Mr. Greenly also gave an update on the Senior Park, currently under construction at Lionville Park off of Route 113. The Park will include exercise stations, pickleball courts, bocce ball courts, walking path and sitting areas. Mr. Greenly also gave an update on Eagle Disposal noting at the previous Board meeting it was announced that Eagle would be transitioning their operations to a new name. Eagle Disposal had since contacted the Township that the previous notice was sent in error and Eagle Disposal would continue to operate under the same name. Mr. Greenly also reported that work would be starting soon on the Acker Park retention basin and on the Township's efforts with PennDOT to improve the intersections of Peck Rd & 113.

Fire Marshal: Ms. Giordano reported during the month of January the Building Department issued 57 permits for construction projects, had 88 inspections, had 22 fire code inspections, and issued 35 use and occupancy certificates. There were 22 incidents during working hours.

Lionville Fire Company: Mr. Lam reported that the Fire Company responded to 53 alarms during the month of January. Of those, 29 were in Uwchlan Township, 11 in Upper Uwchlan, 8 in West Pikeland and 5 in other Townships. Also, the Pennsylvania Fire Commissioner recognized Lionville Fire Company in achieving 100% participation as part of the fire service program. All

active members have achieved certification level one status or greater. Lionville Fire company is one of 3 companies in Chester County to receive this status and one in 31 in the state.

Uwchlan Ambulance Corps: Ms. Giordano reported that for the month of December Uwchlan Ambulance had 434 calls, 138 of those were in Uwchlan Township.

Mrs. Obenski made a motion to approve the reports as given and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

BUSINESS:

1. Life Saving Recognition

Chief Alexander spoke of the events of June 11, 2022 at a 5K where Diva Soleman collapsed and was not breathing due to a cardiac arrest. The Chief spoke of those who rushed to aid Ms. Soleman in that moment to save her life. Police Chief Alexander, Lieutenant Evans and Ms. Soleman honored these individuals with Life Saving Awards and thanked them for all they do.

Life Saving Awards were presented to:

Uwchlan Police Sargent Ryan Murphy
Lionville Fire Captain Michael Lam
Uwchlan Ambulance Medic Edmund Angelio
Uwchlan Ambulance Advanced EMT Andrew Chambers
Uwchlan Ambulance Advanced EMT Joe Crawford
Uwchlan Ambulance EMT Ryan Campbell

Mrs. Baumann also thanked the volunteers for all they do and mentioned a course at the Uwchlan Ambulance that is free to the public. Mr. Chambers said it will be on February 27th and for more information, visit station87.com

No motion required

2. Downingtown Area Recreation Consortium (DARC)

Bill Fagan, who is the DARC representative for Uwchlan Township, was present and gave an update on what is offered to residents and what is happening at DARC. He asked that Uwchlan help get the word out on their website, social media and in the newsletter.

No motion required

3. Permission to Transfer Excess General Fund 2022 Surplus to Capital Improvement and Insurance Trust Funds

Mr. Greenly said that there is a surplus of just under 1.5 million dollars for 2022. The staff is asking permission from the Board to transfer \$1,250,000.00 to the capital improvement fund and \$150,000 to the insurance trust fund.

Mr. Miller made a motion to approve to transfer \$1,250,000.00 to the capital improvement fund and \$150,000 to the insurance trust fund. Ms. Obenski seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

4-8. **Permission to Advertise Bid for Township Street Sweeping**

Mr. Greenly explained this is for yearly sweeping of Township Roads.

Permission to Advertise Bid for 2023 Road Paving Project

Mr. Greenly said the Township is looking to advertise for the upcoming road projects.

Permission to Advertise Bid for Beech and Maple Sanitary and Stormwater Infrastructure Replacement

Mr. Greenly stated that these are listed as separate on the agenda but will be the same project.

Permission to Advertise Bid for Peck Road Sewer Pipe Replacement & Permission to Advertise Bid for Peck Road Culvert Stormwater Pipe Replacement

Mr. Greenly said this is one project that would be bid out separately.

Mr. Miller made a motion to approve the permission to advertise for all items listed on the agenda and Mrs. Obenski seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

9. **Permission to join Line Painting Bid**

Mrs. Churchill explained that Uwchlan Township would be joining the bid with Westtown, East Goshen & West Goshen for line painting maintenance.

Mrs. Obenski made a motion to approve joining the bid for line painting and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

10. **Resolutions:**

#2023-06 – East Goshen Milling Equipment Bid – Ms. Churchill explained this resolution will approve that shared expense of renting or leasing road repair equipment with East Goshen Township.

Mrs. Obenski made a motion to approve resolution #2023-06 and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

#2023-07 – Video Retention Policy – Mr. Greenly explained this resolution would establish a policy for the retention of video recordings of meetings.

Mr. Miller made a motion to approve resolution #2023-07 and Mrs. Obenski seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

#2023-08 – Conduct for Public Meeting Policy – Mr. Greenly explained this resolution is approving public participation rules and guidelines for public meetings. Establishes time limit for public comment, comments for those joining hybrid, and addressing the Board and staff.

Mrs. Obenski made a motion to approve resolution #2023-08 and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

11. **Permission to Advertise – Stop Signs at Rice Blvd & Stockton Dr. and at Pennsylvania Dr & Rice Blvd.**

Mrs. Giordano indicated that as part of previous approvals for both the development of Lot 24 and Hamilton Apartments (Eagleview Town Center II), stop signs are required at both Rice Blvd. and Stockton Dr. and Pennsylvania Dr. and Rice Blvd. The Township is requesting permission to advertise the proposed ordinances at the next meeting.

Mrs. Obenski made a motion to approve permission to advertise the YMCA conditional use hearing and Mr. Miller seconded. Mrs. Baumann asked for public comment.

Peg McCorry asked about why there is a need for the stop sign there. Mrs. Giordano said that the conditional use decision required a traffic light was there but it is not warranted at this time.

There being no other comments, the motion was carried unanimously.

12. **Permission to Advertise – YMCA – 100 Devon Dr. - Request for Conditional Use Hearing**

Mrs. Giordano said that the YMCA is looking to convert their outdoor swimming pool to an exterior multi-purpose family activity area. The Township is asking for permission to advertise a hearing for the March Meeting.

Mrs. Obenski made a motion to approve permission to advertise the YMCA conditional use hearing and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

13. **430 Valley Hill Rd – Waiver Request for Subdivision/Land Development**

Mrs. Giordano explained that the Applicant attended the recent Planning Commission meeting and Jack Robinson of JMR Engineers presented a plan for a three-lot subdivision which consists of 0.83 acres located in Uwchlan Township and 3.3 acres located in West Whiteland Township. There is an existing single-family dwelling located in West Whiteland Township with access off Valley Hill Rd. The Applicant is proposing to consolidate the two lots (Uwchlan parcel and West Whiteland parcel) and then subdivide them into three lots. Access for the two lots will also be off Valley Hill Rd in Uwchlan Township by a shared driveway. With the proposed subdivision, no development is planned at this time and being that much of the future development is located in West Whiteland Township, the applicant is requesting a waiver of Subdivision and Land Development in Uwchlan Township.

Ms. Giordano explained that since the property is in both Uwchlan and West Whiteland, the plan must be signed by both Townships. Since the Applicant is going through the Subdivision/Land Development process in West Whiteland Township, a waiver request from Uwchlan Township can be considered as long as the applicant obtains a driveway/road opening permit from Uwchlan at the time of construction and the applicant shall submit a Shared Driveway Maintenance Agreement to the Township for review prior to recording as indicated in the EB Walsh review letter.

Mrs. Obenski made a motion to recommend the granting of the waiver of the Subdivision and Land Development process for the plan pursuant to compliance with the EB Walsh review letter dated January 27, 2023 and obtaining a road opening/driveway permit at the time of construction as well as provide a shared driveway maintenance agreement for Township to review prior to recording. Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

14. **Chick Fil A – 211 Eagleview Blvd. – Preliminary/Final Land Development Plan - Resolution # 2023-09**

Mrs. Giordano explained that in February at the Planning Commission meeting, the Applicant presented the plan for improvements to Chick-Fil-A site and obtained variances from the Zoning Hearing Board in November, for a variance to have less parking spaces than the ordinance requires. The Applicant is requesting a waiver from Section 301.5 in order to have the plan

considered and approved as Preliminary/Final Land Development. The Applicant agrees to comply with all comments noted in the review letters from the Township Consultants. Ms. Giordano indicated that a lighting plan was not submitted and since a few light poles are being relocated, a plan should be submitted for review. The Applicant agreed to submit a lighting plan accordingly.

The improvements for the property include a 415-sf building addition to increase the size of the kitchen as well as altering the existing traffic flow in the parking lot to allow for dual drive-thru lanes and one way circulation. The restaurant is also reducing the indoor seating from 140 seats to 72 seats as indicated in the testimony at the hearing.

Mrs. Bauman asked about the trash, plastics ordinance, and the pedestrian traffic.

Mrs. Obenski asked about the landscaping.

Mr. Miller asked about the traffic flow.

Chris Regal, engineer representing Chick-Fil-A answered the Boards questions.

Mrs. Obenski made a motion to approve the Preliminary/Final Land Development pursuant to compliance with the EB Walsh review letter dated January 25, 2023, McMahon review letter dated January 25, 2023, Theurkauf review letter dated January 24, 2023, Gannett Fleming review letter dated January 11, 2023, Uwchlan Township Police review letter dated January 10, 2023, Uwchlan Township Fire Marshal letter dated January 24, 2023 as well as submission and review of a lighting plan and the exploration of additional trash receptacles. Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

Mrs. Obenski made a motion to approve resolution #2023-09 Preliminary/Final Land Development Plan and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being no other comments, the motion was carried unanimously.

15. **Downingtown High School East – 50 Devon Dr. – Preliminary/Final Land Development Plan - Resolution # 2023-10**

Mrs. Giordano explained the Preliminary/Final Land Development Plan proposes changes to Downingtown East High School which include building additions as well as the enclosure of one of the courtyards in order to implement blended learning, expanded classrooms for project based learning and indoor/outdoor space. The proposal also includes improvement to traffic patterns within the parking lot and at the intersection at Devon Dr.

The on-site reconfiguration of the parking areas will be completed first so that when school is in session in the fall of 2023, the new traffic pattern will be utilized. Parking permits for the students will be controlled so that a parking problem does not occur while the building is under construction for the 2023-24 school year. An interior construction phasing plan will be provided with the building permit application as well in order to keep the contractors and the students separate and safe during construction.

Improvements to Devon Dr which include widening the existing crosswalk from the student lot to the LYA park, adding a crosswalk along the entrance road of the high school, adding a median

island and crosswalk to the west side of the entrance to the school as well as an additional median island and crosswalk in the area of the entrance to the YMCA.

Mr. Miller made a motion to approve resolution #2023-10 Preliminary/Final Land Development Plan for Downingtown High School East and Mrs. Obenski seconded. Mrs. Baumann asked for public comment.

Mrs. Obenski asked about a button activated crosswalk and if the traffic study will include Devon Drive and Route 113 from the elementary school to the middle school. Mrs. Giordano replied yes to both Mrs. Obenski's questions.

Resident Steven Swymer questioned the need for the school addition with the decreasing population and suggested that the crosswalks on Devon Drive be raised and that the crosswalks be pedestrian activated.

There being no other comments, the motion was carried unanimously.

ANNOUNCEMENTS: *All meetings will be at the Township building unless otherwise noted*

1. 02/14 – Community Day Committee – 7:00 pm
2. 02/15 – Zoning Hearing Board – 7:00pm – 203 Mitchell Rd. – Front Yard Variance
3. 02/16 - Environmental Advisory Council Meeting – 7:00 pm
4. 02/20 – Presidents Day – Township Offices Closed
5. 03/01 - Planning Commission Meeting – 7:30 pm
6. 03/06 - Park & Recreation Committee Meeting – 7:30 pm
7. 03/09 – Historical Commission Meeting – 7:30 pm – Cadwalader House
8. 03/06 – Board of Supervisors Workshop Meeting – 12:00 pm
9. 03/13 – Board of Supervisors – 7:30 pm

PUBLIC QUESTIONS AND COMMENTS:

There being no other business Mrs. Obenski made a motion to adjourn at 9:17 p.m., Mr. Miller seconded and the motion was carried.

Respectfully submitted,

Kate Churchill