

**UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
MAY 8, 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; Treasurer Susan Bernhard; Building & Zoning Official Tara Giordano; Lieutenant Maureen Evans; Fire Marshal Mike Holmes and Township Solicitor Mark Freed.

Minutes:

Mrs. Obenski made a motion to approve the minutes of the April 10, 2023 & May 1, 2023 meeting and Mr. Miller seconded. Mrs. Baumann asked for public comment, there being none, the motion was carried unanimously.

Reports:

Police: Lieutenant Maureen Evans reported that for the month of April, 2023, the Uwchlan Township Police Department officers documented 1,113 entries in the police department call reporting system. During the reporting period the officers issued 117 traffic citations, they investigated 30 motor vehicle crashes and arrested 15 individuals.

Additionally, for the month of April, the department members conducted 1 motor carrier detail at the weigh station, resulting in 292 commercial motor vehicles being weighed, 1 of which was found to be overweight. During the details, the officers also performed 3 inspections and found numerous violations.

Sergeant McBride conducted an additional 11 commercial vehicle inspections during his normal workdays, resulting in 4 vehicles being placed out of service.

Treasurer: Ms. Bernhard reported that for the month of April we collected over 32% of our budgeted revenues and spent 31% of our budgeted expenditures.

Public Works: Mr. Greenly reported that for the month of April the daily average flow was 1.5 million gallons per day. There was no new connection to the DARA treatment plant or the Eagleview treatment plant. The Township has received 4.86 inches of rain during the month of April. Normal for April is 3.8 inches. The year-to-date rain fall in Uwchlan Township is 10.98 inches.

The Public Works Department for the month of April has completed storm water management work, replacing storm pipe on Welsh Ayres Way and Sean Drive; blacktopped over all pipe replacement work; haul spoil to Cedar Hollow recycling; Hauled in stone for pipe replacement work; and was called in for a downed tree on the evening of 4/28/23 on Bausman Road. The department also preformed state inspections of trucks and trailers as well as regular maintenance and service of equipment as necessary.

Fire Marshal: Mr. Holmes reported during the month of April the Building Department issued 84 permits for construction projects, conducted 89 inspections, total of 12 fire code inspections, and issued 25 use and occupancy certificates. There were 17 incidents during working hours and conducted 5 burning complaints.

Lionville Fire Company: Mr. Holmes reported that the Fire Company responded to 63 alarms during the month of April. Of those, 36 were in Uwchlan Township, 10 in Upper Uwchlan, 2 in West Pikeland and 15 in other Townships. Total responses year to date is 199.

Uwchlan Ambulance Corps: Ms. Whiteman reported that for the month of April Uwchlan Ambulance had 411 calls, 135 of those were in Uwchlan Township. Year to date there have been 1,762 calls which is up 600 calls from this time last year.

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. Ted Gacomis Senior Park Presentation

Mrs. Baumann gave the background on the Senior Park and why it is named after Ted Gacomis. Mrs. Baumann also thanked Bruce McKenney for organizing and following this project through and to the Downingtown Area School District Art department for their help. Mrs. Baumann then presented the winner Julianna Upham, Downingtown East Class of 2023, with the \$500 prize for her illustration for the new sign that will hang in the park. Mrs. Baumann then asked Mr. Hanley to speak about Ted Gacomis. Mr. Hanley spoke about how Ted Gacomis started with the Township and went through the years of all he has done for Uwchlan Township, what kind of person he was and how thankful he was for all the people in his life. Thank you to the Board of Supervisors for going forward with this project.

2. Appointments to the Planning Commission and Park & Recreation Committee

Mrs. Baumann made a motion to appoint Bill MacLaughlin and Michael Freed to the Planning Commission as ex-officio members and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

Mrs. Baumann made a motion to appoint Bill LaBarge to the Park & recreation Committee as ex-officio member and Mrs. Obenski seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

3. Ratifying Amendment of Operation and Maintenance Agreement for Operation of the Eagleview Wastewater Treatment Plant

Mr. Greenly said that since the Eagleview plant is aging, it is essential for EEMA to be at the plant more. EEMA was contracted by the Township to help operate the Eagleview plant. In the past there were there a few hours in the morning and a few hours on the weekend. We are asking to extend the hours.

Mrs. Obenski made a motion to ratify the maintenance agreement with EEMA and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

4. Resolution Revision to #2023-10 – Downingtown East High School East – Preliminary / Final Land Development Plan – New Resolution #2023-14

Mrs. Giordano said that Downingtown East High School was before the Board in February for the addition to the high school and traffic improvements on Devon Drive. At that time the plan was approved. While reviewing the final plan, some discrepancies were noticed in the notes so this is before the Board to approve it under a new resolution #2023-14.

Mrs. Obenski made a motion to approve resolution #2023-14 Downingtown East High School East – Preliminary / Final Land Development Plan and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

5. Ordinance #2023-03 - Hotels, Motels and Inns Maintenance Regulations

Mr. Freed said that the Township has decided to revise the ordinance and will present a rewritten ordinance. We will have another hearing on the revised ordinance. Mr. Freed asked if anyone had a comment.

Julie Hetzel spoke about concerns with this ordinance.

Hearing was closed.

Mr. Miller made a motion to readvertise the Hotels, Motels and Inns Maintenance Regulations and Mrs. Obenski seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

6. YMCA – 100 Devon Drive – Conditional Use Decision

Mr. Freed gave background on this property up to this point. The recommendation if the Board is inclined to approve, Mr. Freed stated what conditions would be on this property. The Board could add additional conditions to those that were stated.

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

Mrs. Obenski stated that the conditions that are laid out will limit noise, having and the Township can revisit and ask for a noise study if necessary if this becomes an issue. The pedestrian improvements will increase safety and accessibility.

Mr. Miller agreed with Mrs. Obenski., The decision was limited to what was allowed, not about opening the pool. There are concerns but the noise mitigation conditions will help with the disturbances.

Public Comments:

Karen Koller – Devon Drive – Can the YMCA alter those hours? Will they move those hours? If it is too hot during the day, will they play later in the evening? How long until the sound study is done?

Mike Simonetti – Horne Place – How will they monitor the 4 hours? Sound will go over the

wall. YMCA should have to provide a study before it is put in. Had his phone to show how loud pickle ball is.

Benjamin Joseph – William Salesbury Drive - Agreed with Mr. Simonetti. YMCA has not presented any evidence at all that noise would not be an issue. Pool is a valuable resource. The Township provided funding for the indoor pool. I requested records for the outdoor pool and the records were lost. Closing the pool has no merit.

Judy Haupt – Eagleview - Why can they not do a sound study before approval?

Barbara Coleman – Eagleview - Pickleball can be heard all the way at the apartments.

YMCA is putting up a facility for pickle ball on Skelp Level Road, why do we want to disturb that area?

Leah Joseph – William Salesbury Drive – Pool is a wonderful resource.

Marianne Marino – Horne Place -Does not understand how you can approve with no sound study. Noise is bad and we need to know how you will manage it.

Kathy Gram – Watch Hill Rd – How many complaints until a sound stay? Do they get to pick the company for a sound study? What are the repercussions for the YMCA?

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

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

1. 05/09 – Community Day Committee – 7:00 pm
2. 05/11 – Historical Commission – 7:30 pm – *Cadwalader House*
3. 05/16 – Primary Election Day – Township Offices close at noon
4. 05/17 – Zoning Hearing Board – 7:00 pm – C&J Auto 181 Eagleview Blvd - sign variance; 529 W. Uwchlan Ave. – multi-family apartment building
5. 05/18 – Environmental Advisory Council Meeting – 7:00 pm
6. 05/24 – Yoga in the Park – 9:30 am – Baird Park
7. 05/29 – Memorial Day – Township Offices closed
8. 06/05 – Board of Supervisors Meeting – 7:30 pm (Rescheduled from 6/12)
9. 06/07 – Planning Commission Meeting – 7:30 pm
10. 06/08 - Historical Commission – 7:30 pm – *Cadwalader House*

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

- Art Rothe – Shelmire Rd – Asked for update on Jones Pond and what is being done.

Those that had questions and comments on Lionville Station Road property were:

- Kent Empie (Lionville Station Rd) – Asked about Happy Days Farm and why it was approved. It required variance. During Covid people were not paying attention. Traffic studies were done during Covid. Construction activities must be commenced in 1 year. Is that correct? Uwchlan needs to adopt a better way to communicate. Uwchlan should update the noise ordinance.
- Mindy Rhodes – Broad Run Road – Hope you will listen to constituents. Follow the zoning codes and comprehensive plan and do not grant conditional use approval to Audubon Land Development.

- Mark Alloway – Uwchlan Ambulance – Increased traffic for the ambulance
- Ralph Powers – Saddle Lane - Opposed as the surrounding roads are already over capacity.
- Jon Corle – Crimson Place – Resident for 30 years. Concerned and wants the Planning Commission to stop the process. Notify the developer that the conditional use will not be granted. It would be wise to put the developer on notice. Do not lead the developer on.
- Christopher Engle - Valley View Ln – Noise study before anything happens on Lionville Station Road. Mr. Freed, as a solicitor advising on law, if it does not fit community or burden what can be done? What would you tell residents? What can you do on our behalf?
- Mike Simonetti – Horne Place – Expert in noise pollution and traffic. Moved from NYC and does not want to have to move back to NYC.
- Keith Kendall – Valley View Ln – Supports what everyone is saying. You are our representatives and community members. Side with us.
- Diana LeVasseur – Jennifer Drive – 30-year resident. Opposed to this environmental disaster. Also, YMCA studies should be done ahead of time.
- Jim May – Harshaw Dr – Devastating traffic to area will change dynamics. Turnpike & 113 are so loud which are noise violations. Counting on Board support.
- Dee Doherty – Blue Ribbon Way – Warehouses will change the Township forever.
- Ryan Heavener – Silver Fox Ln- Opposed to Lionville Station Road. How does the traffic and environmental study process look? Is it submitted with the application? Who pays for those studies? Would it be good to have an independent study.
- Laura Davis – W. Uwchlan – Traffic study on 113, there are 4 schools impacted. Adding more traffic is catastrophic, please look at school times.
- Mike Santangelo– Newcomen Rd – Opposed to this project. When will this be on the agenda? Can you not hold the meeting here?
- Toby Chadsey – Byers Rd – Happy Days Farm has not residential parcels abutting. However, Lionville Station Road there are. Who will compensate us? Property value will go down.
- Mike Donovan – Orchard Valley Rd – Second Mr. Chadsey’s point.
- Kristine Taylor – Rosetree Dr – Plan effects all of us everywhere. Plan is a disaster.
- Kathy Graham– Watch Hill Rd – There has to be some incentive for people to build big warehouses from the state. There are empty warehouses along 95.
- Rosa Miror – Wagner Dr – Opposed. So close to people’s homes. Crime will increase.
- Mike Hein – Cara Ct – What can you do Was asked and there was not an answer. Read from our ordinance and said this is what you must do.
- Leslie Dwyer – Jennifer Dr – Why was the variance approved on Happy Days Farm? Why was it placed in the front and not the back?
- Denise Shefler – Harshaw – Do we have infrastructure to support everyone who will be working here?
- Matt Haines - Harshaw Dr – Research tractor trailers and the wear on roads. How do you manage where the tractor trailers are going? Who is paying for road

improvements?

- Donna Ricelle – William Salesbury Dr – Supervisors represent us. You know what the area is like. No one has a positive thing to say about it.
- Lisa Culp – Eagles Farm Road - Mega warehouses destroyed where she is from. They do use the smaller roads even know you think they will not.
- Judy Haupt – Wellington Square – Will we need to increase the police force due to the commercial trucks and how many are overweight. Will there be a curfew for noise pollution here as they was one for the YMCA pickleball? Supports an independent study.

There being no other business Mrs. Obenski made a motion to adjourn at 10:08 p.m., Mr. Miller seconded and the motion was carried.

Respectfully submitted,
Katie Churchill