

TILDEN TOWNSHIP PLANNING COMMISSION

Tuesday, October 15, 2019
Regular Meeting

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, October 15, 2019 with the following present: Dale Keener, Josh Breslin, Christopher Forte, Greg Kozlowski, Anna Shollenberger, secretary; Greg Haas, township engineer and several members of the public. Absent: Sharon Enevoldson, A copy of the roster is on file with the secretary.

Chairman, Dale Keener, called the meeting to order at 7:30 P.M. followed by the pledge of allegiance.

PUBLIC PARTICIPATION: None

APPROVAL OF MINUTES

A motion was made by Greg Kozlowski, seconded by Josh Breslin, to approve the minutes of September 17, 2019 as presented. Upon roll call, Kozlowski, Breslin and Keener voted yes.

D&S PORTABLE TOILETS LAND DEVELOPMENT PLAN

Nick Henn, P.E. was present at the meeting and stated that the owners plan to construct two (2) buildings to be utilized for storage associated with the current D&S Portable Toilet business being operated from the property as a home occupation. The property is located along the intersection of Mountain Road and Stone Road. Dale Keener suggested that since this is not a commercial property perhaps it should be listed as Dennis & Sara Kline Land Development instead of D&S Portable Toilets in the event the property is sold so as not to be considered as a commercial property. Also, it was suggested that a note be placed on the plan to prevent problems in the future. The engineer will draft a note to be placed on the plan.

The Township Engineer's review comments were as follows:

Chapter 25 – Stormwater Management (SWM)

1. A drainage easement shall be provided for the existing watercourse (creek) within the site along Stone Road. [Sec. 301.(f) and Sec. 306.(d)]
2. The Erosion and Sedimentation (E&S) Control Plan shall be deemed adequate by the Berks County Conservation District (BCCD). A copy of the final E&S Plan and adequacy letter shall be provided. [Sec. 303.(a) and Sec. 403.(a)(4)] (*same as SALDO comment # 3*)
3. A design calculation shall be provided for the proposed infiltration basin emergency spillway. [Sec. 310.(b) and Sec. 403.(d)(3)]

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4. The location of proposed roof drain cleanouts as detailed on sheet 4 of 7 shall be indicated on the Plan. [Sec. 403.(b)(5), Sec. 403.(b)(8), and Sec. 403.(d)(1)]
5. A fifteen foot (15') wide access easement around all proposed stormwater management facilities to allow for ingress to and egress from a township street shall be shown and labeled on the Plan. [Sec. 403.(b)(19), Sec. 403.(e)(2)(i), and Sec. 704.(b)]
6. The 'Land Owner Certification' statement provided on sheet 1 shall be signed and dated. [Sec. 403.(b)(22) and Sec. 403.(e)(5)]
7. The 'Drainage Plan Certification' statement provided on sheet 1 shall be signed and dated. [Sec. 403.(b)(23)]
8. A 'Stormwater Control and BMP Operations and Maintenance Agreement' must be provided. [Sec. 403.(c)(1)(vi), Sec. 403.(e), Sec. 403.(f), Sec. 702., Sec. 703., Sec. 705., and Part 10]
9. A financial guarantee of the installation of all required stormwater management facilities shall be provided. A construction cost estimate shall be provided. The presentation of an as-built plan shall be included in the estimate. [Sec. 701.]
10. A specified amount shall be paid to the 'Township Stormwater Control and BMP Operation and Maintenance Fund'. [Sec. 706.(a)]

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. The Berks County Planning Commission shall review the plan and provide comments. [Sec. 301.(a), Sec. 303.(c)(2)(ii), Sec. 303.(d)(1), and Sec. 304.(c)(2)]
2. The plan shall first be submitted as a Preliminary Plan. The plan has been submitted as a Preliminary/Final Plan. There are no engineering issues with this chosen submittal process for this project. The plan was reviewed according to all preliminary and final plan requirements. [Sec. 301.(b), Sec. 303.(a), and Sec. 304.(a)]
3. The E&S Control Plan shall be deemed adequate by the BCCD. A copy of the final E&S Plan and adequacy letter shall be provided. [Sec. 303.(c)(2)(iii), Sec. 304.(d)(2), Sec. 403.(d)(12) and Sec. 508.(c)(2)] (*same as SWM comment # 2*)
4. An 'Improvement Agreement' which includes financial security must be executed between the Township and the Developer. A construction cost estimate shall be

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provided. The presentation of an as-built plan shall be included in the estimate. [Sec. 304.(d)(10), Sec. 305.(a), Sec. 403.(d)(7), Sec. 406., and Sec. 601.(b)]

5. The plans shall be provided at a scale of 1" = 50' or 1" = 100'. They are shown at 1" = 40'. [Sec. 402.(a) and Sec. 403.(a)]
6. All plans shall be signed and sealed by the Engineer and Surveyor responsible for their preparation. The 'Certification of Accuracy (Plan)' statement provided on sheet 1 shall be signed and dated. [Sec. 402.(c)(4), Sec. 403.(c)(4), and Sec. 403.(c)(7)]
7. The 'Certification of Ownership, Acknowledgment of Plan and Offer of Dedication' statement provided sheet 1 shall be signed and notarized. [Sec. 403.(c)(18)]

General

1. The word "approved" in the 'Certificate for Approval by the Planning Commission' provided on sheet 1 should be revised to "recommended approval of".
2. Consideration should be given to providing an outlet pipe with a valve to allow for dewatering the infiltration basin if necessary for maintenance activities.

A motion was made by Greg Kozlowski, seconded by Chris Forte to recommend to the Board of Supervisors that a waiver be granted to allow the plan application to proceed as a single step Preliminary/Final Plan. Upon roll call, Kozlowski, Forte, Breslin and Keener voted yes.

Impact Engineering Group requested a waiver on the plan scale. A motion was made by Greg Kozlowski, seconded by Chris Forte to recommend to the Board of Supervisors that a waiver be granted on the plan scale of 1" = 40'. Upon roll call, Kozlowski, Forte, Breslin and Keener voted yes.

FISHER DAM ROAD SUBDIVISION FOR KEN SENFT, PRELIMINARY/FINAL PLAN

John Luft from Crossroads Group and Ken Senft were present at the meeting. The site is located at the intersection of Hex Highway and Fisher Dam Road.

The engineer's comments were discussed as follows:

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. The Berks County Planning Commission shall review the plan and provide comments. [Sec. 301.(a), Sec. 303.(c)(2)(ii), Sec. 303.(d)(1), and Sec. 304.(c)(2)]

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2. The plans shall be provided at a scale of 1" = 50' or 1" = 100'. They are shown at 1" = 60'. [Sec. 403. (a)]
3. All plans shall be signed and sealed by the Engineer and Surveyor responsible for their preparation. The 'Certification of Accuracy' statement provided on sheet 1 shall also be signed and dated. [Sec. 403.(c)(4) and Sec. 403.(c)(7)]
4. Closure computations shall be provided for the two (2) proposed lots. [Sec. 403.(c)(7) and Sec. 403.(c)(11)]
5. The specific use of the existing "Commercial Building" (Business) and thus proposed Lot 1 shall be indicated on the Plan. [Sec. 403.(c)(13)]
6. The 'Certification of Ownership, Acknowledgment of Plan' statement provided sheet 1 shall be signed and notarized. [Sec. 403.(c)(18)]
7. A clear sight triangle shall be provided on the Plan at the intersection of Hex Highway and Fisher Dam Road. A note shall be added to the Plan stating that "No vision obstructing object shall be permitted within the clear sight triangle which obscures vision above the height of thirty inches (30") and below the height of ten feet (10'), measured from the centerline grade of the intersecting streets." [Sec. 502.(i)]
8. Concrete monuments shall be specified on the Plan to be set at all required locations along Hex Highway and Fisher Dam Road. Recording Note # 2 provided on sheet 1 states that "All property corners shall be marked with iron pins upon final grading." The note shall be revised to state "All property corners shall be marked with iron pins or concrete monuments as noted upon final plan approval." [Sec. 602.(h)(4)]

Chapter 32 – Zoning Ordinance

1. The existing and proposed use of "Commercial Building" (Business) for proposed Lot 1 within the R-3 Zoning District is not listed as a permitted use or a special exception use. It shall be listed within the "Zoning Data" table provided on sheet 1 as an "Existing Non-Conforming Use" [Sec. 502.]

The engineer requested a waiver for the plan scale at 1"=60'. A motion was made by Chris Forte, seconded by Josh Breslin to recommend to the Board of Supervisors to approve the waiver that the plan be drawn at a scale of 1"= 60'. There are no engineering issues with the plan scale. Upon roll call, Forte, Breslin, Kozlowski and Keener voted yes.

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A motion was made by Josh Breslin, seconded by Greg Kozlowski to recommend to the Board of Supervisors that the plan be approved subject to the township engineer's review letter dated October 14, 2019. Upon roll call, Breslin, Kozlowski, Forte and Keener voted yes.

MCDONALD'S USA L.L.C. – AMENDED LAND DEVELOPMENT

Michael Jeitner, P.E., Bohler Engineering; Robert Godman, President of The Chesapeake Design Group and Eileen Seeburger, McDonald's were present at the meeting. Mr. Jeitner stated that in 2007 the building size was approved for 4,400 sq. ft, but only constructed a 3,800 sq. ft. building. Building size will be increased from 3,800 sq. ft. to approximately 4,200 sq. ft, including two dual drive thru lanes and a total of 44 parking spaces. Also will be upgrading the restaurant area and the exterior of the building.

Members expressed concerns about the traffic flow on the site and there was a general discussion on how improvements could be made.

Township engineer's review comments were as follows:

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. The Berks County Planning Commission shall review the plan and provide comments. [Sec. 301.(a), Sec. 303.(c)(2)(ii), Sec. 303.(d)(1), and Sec. 304.(c)(2)]
2. The plan shall first be submitted as a Preliminary Plan. [Sec. 301.(b) and Sec. 303.]

The Applicant's Engineer has requested a waiver from this requirement to allow the plan to be submitted first as a Preliminary/Final Plan. There are no engineering issues with this request. Therefore, the plan was reviewed in accordance with all preliminary and final plan requirements.

3. A construction cost estimate shall be provided for the proposed site improvements. An 'Improvement Agreement' must then be executed. The presentation of As-Built Plans shall be included within these items. [Sec. 304.(d)(10), Sec. 305.(a), Sec. 403.(d)(7), Sec. 406., and Sec. 601.(b)]
4. The Plan shall be shown at a scale of 1" = 50'. The plan is presented at a scales of 1" = 10' and 1" = 20'. [Sec. 402.(a) and Sec. 403.(a)]

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The Applicant's Engineer has requested a waiver from this requirement to allow the plan to be presented at the larger scales. There are no engineering issues with this request.

5. The Plan shall be provided on sheets that are 22" x 34", or 34" x 44". [Sec. 402.(a)(2) and Sec. 403.(a)(2)]

The Applicant's Engineer has requested a waiver from this requirement to allow the plan to be provided on sheets that are 24" x 36". There are no engineering issues with this request.

6. The 'Surveyor's Certification' and 'Professional Engineer's Certification' statements provided on sheet 1 shall be signed and dated. [Sec. 402.(c)(4), Sec. 403.(c)(4), and Sec. 403.(c)(7)]
7. Existing contour lines shall be shown on the Plan within the limits of the entire property. [Sec. 402.(c)(9)]

The Applicant's Engineer has requested a partial waiver from this requirement to only show contours within the boundaries of the improvements. There are no engineering issues with this request.

8. All existing significant man-made features shall be shown on the Plan within the limits of the entire property. [Sec. 402.(c)(11)]

The Applicant's Engineer has requested a partial waiver from this requirement to only show these features within the boundaries of the improvements. There are no engineering issues with this request.

9. Existing water and sanitary lines and storm sewers shall be shown on the Plan within the limits of the entire property. [Sec. 402.(c)(14)(vii)]

The Applicant's Engineer has requested a waiver from this requirement because there are no new proposed connections to these facilities. There are no engineering issues with this request.

10. The 'Absence of Wetlands Certification Statement' provided on sheet 1 shall be signed and dated. [Sec. 402.(c)(15) and Sec. 403.(c)(24)]
11. Existing soil types and natural drainage patterns throughout the entire site shall be shown on the Plan. [Sec. 402.(d)]

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The Applicant's Engineer has requested a waiver from this requirement due to the limited scope of the project. There are no engineering issues with this request.

12. The existing location, size, materials and invert elevations of all sanitary and/or storm sewers and locations of all manholes, inlets and culverts and the location, size and material of water mains shall be shown and labeled on the Plan. [Sec. 403.(c)(17)]

The Applicant's Engineer has requested a waiver from this requirement because there are no proposed changes to the existing utilities. There are no engineering issues with this request.

13. The 'Owner of Record' statement provided on sheet 1 shall be signed and notarized. [Sec. 403.(c)(18)]

14. The base course thickness for bituminous paving shall be changed from 2.5" to 3" at the 'Concrete & Pavement Sections (On-Site)' detail provided on sheet 5. [Sec. 602.(a)(2)(iii)]

Chapter 32 – Zoning Ordinance (ZO)

1. The proposed building addition and any updates to the exterior of the building must relate harmoniously to the surrounding buildings. [Sec. 8-204.(d) --- Ordinance No. 216-2014]

General

1. A listing of waivers, including section numbers and dates when received from the Supervisors, should be provided on sheet 1.
2. The plan sheets to be recorded should be indicated at the 'Index of Drawings' listing provided on sheet 1. At a minimum sheets 1, 2, and 4 should be recorded.
3. The Professional Engineer seal for Michael E. Jeitner as provided on sheet 1 should reference his Pennsylvania License No., not his New Jersey number.

Bohler Engineer requested the following waivers as per their revised letter dated October 15, 2019:

A motion was made by Greg Kozlowski, seconded by Chris Forte to recommend to the Board of Supervisors that the following waivers be granted as per the revised letter dated October 15, 2019.

- 1) The Applicant's Engineer has requested a waiver from this requirement to allow the plan to be submitted as a preliminary/final plan. There are no engineering issues with this request.**
- 2) A waiver request to allow a combined Preliminary/Final Plan Approval process in lieu of separate Preliminary approval process. There are no engineering issues with this request.**
- 3) A waiver request from this requirement to allow the plan to be presented at a scale of 1" = 20' in lieu of 1" = 50' There are no engineering issues with this request.**
- 4) Applicant's engineer requested a wavier to allow plans to be 24" x 36". There are no engineering issues with this request.**
- 5) The Applicant's Engineer has requested a partial waiver from this requirement to only show contours within the boundaries of the improvements. There are no engineering issues with this request.**
- 6) Applicant's Engineer has requested a partial waiver from this requirement to only provide man-made or natural features within the boundaries of the site. There are no engineering issues with this request.**
- 7) The Applicant's Engineer has requested a waiver from showing the existing water and sanitary lines and storm sewers on the plan, since there are no new proposed connections to these facilities. There are no engineering issues with this request.**
- 8) The Applicant's Engineer has requested a waiver showing the existing soil types and natural drainage patterns throughout the entire site. There are no engineering issues with this request.**
- 9) A waiver is requested from providing the existing location, size, materials and invert elevations of all sanitary and/or storm sewers and locations of all manholes, inlets and culverts and the location, size and material of water mains to be shown and labeled on the Plan. There are no engineering issues with this request.**

Upon roll call, Kozlowski, Forte, Breslin and Keener voted yes.

ADJOURNMENT

A motion was made by Greg Kozlowski, seconded by Chris Forte to adjourn the meeting. The meeting was adjourned at 9:27 P.M. Upon roll call, Breslin, Kozlowski, Forte and Keener voted yes.

Attest:

**Anna M. Shollenberger
Secretary**