

TILDEN TOWNSHIP PLANNING COMMISSION

Tuesday, February 21, 2012
Regular Meeting

The Tilden Township Planning Commission met in the Township Municipal Building on February 21, 2012 with the following present: Dale Keener, JoAnn Rahouser, Thomas Hojnowski, William Byassee, Anna Shollenberger and township engineer, Greg Haas from Carbon Engineering. A copy of the roster is on file with the secretary.

Chairman, Dale Keener, called the meeting to order at 7:34 P.M. followed by the pledge of allegiance. Mr. Keener extended a welcome to Anna Shollenberger as the new member of the commission.

APPROVAL OF MINUTES

A motion was made by William Byassee, seconded by JoAnn Rahouser to approve the minutes of January 17, 2012. Upon roll call, Byassee voted yes, Hojnowski voted yes, Rahouser voted yes, and Keener voted yes.

LAND DEVELOPMENT PLANS

1. CIGARS INTERNATIONAL, INC. – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

The following were present on behalf of Cigars International, Inc.: Craig Reynolds, President, Dave Delphia, Brian Stauffer, Mat Cook, Michael Barone and Maureen Mahlman; Costas J. Hrousis and Shawn Donahue, of Veraxia; Kevin Cain, of Capstone Real Estate Group; Mark Magrecki, of PennTerra Engineering Inc.; Jamie D. Smith and Scott Dillow of Lobar Design and Engineering and Daniel McGee, Esquire.

Mr. Costas stated that Cigars International plans to break ground in May and open late October and/or early November, 2012 and in order to meet that deadline, they will need final plan approval at the Board of Supervisors meeting on April 3rd .

Mr. Reynolds presented a brief history on the company that has been in business for 16 years, there are 2 stores and hires 200 employees plus the company is involved in the community.

Mr. Cook explained the different types of cigars, packaging and design and also stated that they want to give back to the community, including helping organization and inquired about the other businesses and how they contributed to the Community.

Mr. Keener thanked the Company for being willing to participate/ contribute to the Community.

Mr. Magrecki stated that the following modifications have been made to the plan: moved the access point back, additional sidewalk along Cabela Drive and Mountain Road, increased the green area around the building and parking area, redesigned the parking lot including overflow parking, the elimination of the retaining wall due to regarding of the area, lighting, and addressed stormwater issues etc. Mr. Magrecki stated that the township engineer's comments will be addressed in the final plan submission. Also, requested the Commission to schedule a special meeting in March because of their commitment issues.

Mr. Magrecki requested the following waivers:

1) Requested a waiver from the requirement of a preliminary plan submission & submit the plan as a final plan.

2) Parking Lot Pavement (Section 602.(a)(2)(iii) – Ordinance requires that all parking lots be paved with a minimum of 3-inches of a bituminous base course and 1-1/2 inches of bituminous wearing course. The applicant is required to have 55 parking spaces per the zoning ordinance requirements. However, the applicant wishes to provide additional parking on site to accommodate overflow during peak seasons and also to accommodate larger vehicles that may use the facility. For the additional 45 spaces provided on the plan, the applicant is requesting relief from the ordinance provisions and in lieu offering to provide a 3-inch bituminous binder course and not install the 1-1/2 inch wearing course in these areas. It is the applicant's position that since this is not required parking by the terms of the Ordinance there would be no adverse impact to the public health, safety and welfare

3) Curbing with Parking Lots (Section 602. (b)(1) – The ordinance requires that all parking lots in commercial and industrial developments be curbed. The applicant is requesting relief from this requirement only for the areas indicated on the attached rendering. It is the Applicants position that curbing is not needed in these locations to neither control vehicle movement nor contain stormwater. In fact, the Applicant is requesting these curbs be removed to help facilitate pollutant removal from the parking lot runoff through the use of a grass filter strip within the parking area and also utilizing "sheet flow" into an infiltration area directly adjacent to the parking lot. It is the Applicants position that the removal of curbing from these areas would have no adverse impact on the public health, safety and welfare and that this design is consistent with Low Impact Development best management practices for Stormwater management design.

The Township engineer reviewed the preliminary/final land development plan and his comments were as follows:

Chapter 16 - Impact Fees

1. A 'Traffic Impact Fee' shall be paid prior to final plan approval. Also, the proposed number of trips shall be computed to verify that the number will be less than the assumed within the Cabela's Traffic Impact Study (T.I.S.). [Sec. 105. and Sec. 108.]

Chapter 23 - Sewers and Sewage Disposal

1. A "Sewage Tapping Fee" shall be paid for the proposed connection to the sanitary sewer system. [Sec. 104.]

Chapter 25 - Stormwater Management

1. An erosion & sediment pollution control plan must be deemed adequate by the Berks County Conservation District (BCCD). [Sec. 303. (a) and Sec. 403. (a) (4)]

2. An NPDES Permit for Stormwater Discharges Associated with Construction Activities must be approved by the BCCD or the PA DEP. [Sec. 303.(c), Sec. 303.(d), Sec. 306.(e), and Sec. 404.]

3. The Designer shall verify that the proposed bottom of the infiltration beds are each a minimum of twenty-four (24) inches above a limiting zone. [Sec. 305.(a)(2)(i) and Sec. 305.(b)]

4. Field tests for the proposed infiltration beds shall be conducted at their bottom elevations to determine the appropriate design infiltration rate. If percolation tests are performed, then a safety factor shall be applied to the infiltration rate after the computed reduction factor. The locations of all field tests for proposed infiltration beds shall be shown on the plan. [Sec. 305.(b)(2)]

5. The 5-year storm event shall be analyzed within the Stormwater Management Narrative & Calculations. [Sec. 308.(b)]

6. The input data for the existing Basin #3 contained within the Stormwater Management Narrative & Calculations including stage/storage/culvert/orifice structures, and weir structures information shall correspond to actual conditions in the field, not design information from the Cabela's Outparcel Stormwater management calculations from November 2003. [Sec. 308.(b)]

7. The 'Infiltration Stone Bed' detail provided on sheet no. 10.1 shall show the perforated pipe to be either lowered to be within the AASHTO No. 3 Aggregate (inverts revised), or surrounded with AASHTO No. 3 Aggregate instead of Perm DOT Type 2A Aggregate (as depicted for all drainage pipes at the 'Storm Trench Detail'). [Sec. 403.(a)(2) and Sec. 403.(d)(I)]

8. A copy of the Erosion and Sediment Pollution Control Plan shall be provided. [Sec. 403.(a)(4) and Sec. 403.(c)(2)]

9. The proposed drainage easements shall be revised to be fifteen (15) feet around all facilities and to provide ingress to and egress from a public right-of-way. Drainage easements shall also be provided for existing facilities that enter the site from the Mountain Road right-of way. [Sec. 403.(b)(19) and Sec. 704.(b)]

10. A note shall be provided on the plan to be recorded indicating the responsibility for maintenance of all existing and proposed drainage and stormwater management facilities. Specific maintenance provisions for all drainage and Stormwater management facilities shall be noted on the plan. [Sec. 403.(b)(21) and Sec. 403.(e)]

11. A statement signed by the Landowner acknowledging that any revision to the approved Drainage Plan must be approved by the Township and Conservation District shall be provided on a plan to be recorded. [Sec. 403.(b)(22)]

12. The 'Engineer's Drainage Certification' on the cover sheet shall be completed and signed. [Sec. 403.(b)(23)]

13. A 'Stormwater Control and BMP Operations and Maintenance Agreement¹ must be provided. [Sec. 403.(c)(I)(vi), Sec. 403.(e), Sec. 702., Sec. 703., Sec. 705., and Part 10]

14. Financial guarantee of the installation of all required Stormwater management facilities shall be provided. A construction cost estimate shall be provided. The presentation of As-Built Plans shall be included within these items. [Sec. 701.]

15. 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. 3012.(a), Sec. 303.(c)(2)(ii), 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. The Applicant's Engineer has requested a waiver from the requirement of a preliminary plan submission. I have no engineering issues with this request. I have reviewed the plan according to all preliminary and final plan requirements. [Sec. 303.]
3. An erosion and sediment pollution control plan must be deemed adequate by the BCCD. [Sec. 303.(c)(2)(iii), Sec. 304.(d)(2), Sec. 403.(d)(12), and Sec. 508.(c)(2)]
4. A copy of the Erosion and Sediment Pollution Control Plan shall be provided. [Sec. 304.(d)(2), Sec. 402.(e), and Sec. 403.(d)(12)]
5. An NPDES Permit for Stormwater Discharges Associated with Construction Activities must be approved by the BCCD or the PA DEP. [Sec. 304.(d)(3) and Sec. 508.(c)(2)]
6. An agreement between the Applicant and Blue Mountain Water Cooperative for water supply must be provided. Blue Mountain Water Cooperative must also approve the proposed water supply design. [Sec. 304.(d)(4) and Sec. 506.(a)]
7. A construction cost estimate shall be provided for the required 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)]
8. The plans shall be signed and sealed by the Engineer and Surveyor responsible for their preparation. [Sec. 402.(c)(4), Sec. 403.(c)(4), and Sec. 403.(c)(7)]
9. The location and elevation of the datum to which contour elevations refer shall be indicated on the plan. [Sec. 402.(c)(10)]
10. The cartway (pavement) widths of all existing abutting streets shall be labeled on the plan. [Sec. 402.(c)(13) and Sec. 403.(c)(10)(ii)]
11. A statement regarding the presence of wetlands shall be provided on the plan. [Sec. 402.(c)(15) and Sec. 403.(c)(24)]
12. The locations of all field tests for proposed infiltration beds shall be shown on the plan. [Sec. 402.(f)(6) and Sec. 403.(d)(9)]

13. Evidence that the proposed landscape plan is acceptable to Cabela's shall be provided. [Sec. 403.(c)(13) and Sec. 403.(d)(5)]

14. The proposed drainage easements shall be revised to be fifteen (15) feet around all facilities and to provide ingress to and egress from a public right-of-way. Drainage easements shall also be provided for existing facilities that enter the site from the Mountain Road right-of way. [Sec. 403.(c)(16) and Sec. 508.(b)(l)]

15. The 'Statement of Ownership and Acknowledgement of Plan' on the cover sheet must be signed and notarized. [Sec. 403.(c)(18)]

16. Locations of proposed underground electric and telephone lines shall be shown on the Utility Plan and Lighting Plan. These lines shall not be located through or beneath the proposed infiltration beds. [Sec. 508.(b)(5)]

17. A note shall be added to the plan stating that all materials and workmanship involved in the construction of the site work shall be in accordance with the latest edition, including supplements, of the Pennsylvania Dept. of Transportation Specifications Pub. Form 408, unless otherwise noted. [Sec. 601.(c)]

Chapter 32 - Zoning Ordinance

1. The proposed parking aisles consisting of eight (8)/nine (9) spaces each to the east of the building shall be separated by a physical barrier permanently fixed to the ground. [Sec. 1803.(e)(9)]

2. The proposed percentage of interior landscaped area within the parking lot shall be indicated on the Landscape Plan. [Sec. 1803.(j)(2)(ii)]

3. The Landscape Plan shall be prepared by a registered Landscape Architect. [Sec.1803.(k)(i)]

4. The Landscape Plan should propose a variety of flowering, deciduous, and evergreen plant materials. The plan currently shows ten (10) deciduous trees and six (6) evergreen trees. [Sec. 1803.(k)(3)]

5. The Lighting Plan shows that glare will extend into the Mountain Road and Cabela Drive right-of-way areas, which is not permitted. [Sec. 1803.(1)(2)]

6. The heights of proposed site lights shall be indicated on the Lighting Plan. [Sec. 1803.(1)(4), Sec. 2003.(a), and Sec. 2003.(d)]
7. Details for the proposed site lights shall be provided on the Lighting Plan. [Sec. 2003. (c)(l)]
8. Locations of proposed underground electric lines shall be shown on the Utility Plan and Lighting Plan. These lines shall not be located through of beneath the proposed infiltration beds. [Sec. 2003. (e)(l)]
9. Proposed site light poles shall be placed a minimum of five (5) feet outside paved areas or be placed on thirty (30) inch high concrete pedestals. Appropriate details shall be provided on the Lighting Plan. [Sec. 2003 .(e)(2)]

General

1. The Site Layout Plan currently shows a twenty-five (25) foot depressed curb at the eastern edge of proposed parking lot. The Applicant should explain the purpose of this depressed curb. It should be noted that the sketch plan informally presented to us in January showed an additional 1 10-foot of parking lot area between the currently proposed lot and the detention basin which was depicted with dashed lines, perhaps indicating an overflow parking area or a future parking area. The Grading Plan also shows filling and leveling this area.
2. The proposed sidewalk along the south side of Mountain Road extends to the east past the Wilderness Road intersection. A cross-walk is then proposed at that location. The Township should concur with the location of the sidewalk end and cross-walk.
3. The width shown at the 'Standard Duty Cement Concrete Sidewalk Paving' detail on sheet no. 10.0 should be revised to correspond to the plan.

Comments had not been received from the Berks County Planning Commission. The Commission took no action on the preliminary/final plan.

A motion was made by William Byassee, seconded by JoAnn Rahausser to schedule a special meeting on Tuesday, March 6, 2012, @ 7:30 p.m., to review the land development plan for Cigars International, Inc. and to conduct any other business that may come before the Board. Upon roll call, Byassee voted yes, Rahausser voted yes, Hojnowski voted yes, Keener voted yes and Shollenberger voted yes.

Following the discussion on the waivers, a motion was made by Dale Keener, seconded by William Byassee to deny the waiver on the parking lot pavement. Upon roll call, Keener voted yes, Byassee voted yes, Hojnowski voted yes, Rahausser voted yes and Shollenberger voted yes.

A motion was made by Dale Keener, seconded by Thomas Hojnowski to deny the waiver on the parking lot paving. Motion not carried.

A motion was made by Dale Keener, seconded by Thomas Hojnowski to rescind the above motion and to deny the waiver on curbing within parking lots. Upon roll call, Keener voted yes, Byassee voted yes, Hojnowski voted yes, Rahausser voted yes and Shollenberger voted yes.

Mr. Keener inquired if the building is two stories, requested to see a schematic drawing of the inside of the building and if they would be serving alcohol beverages.

The Commission was informed that the building is only 1 story with a 12' wide "U" shape mezzanine to the outside deck and the roof color is burgundy. Also, in the process of applying for a liquor license.

ADOURNMENT

Since there was no further business, a motion was made by JoAnn Rahausser seconded by William Byassee to adjourn the meeting. The meeting was adjourned at 9:46 P.M. Upon roll call, Hojnowski voted yes, Rahausser voted yes, Byassee voted yes and Keener voted yes and Shollenberger voted yes.

Attest:

Anna M. Shollenberger
Secretary