

# **TILDEN TOWNSHIP PLANNING COMMISSION**

Tuesday, November 18, 2014  
Regular Meeting

The Tilden Township Planning Commission met in the Township Municipal Building with the following present, Dale Keener, JoAnn Rahausser, William Byassee, Anna Shollenberger, township engineer, Greg Haas and several citizens. Absent: Thomas Hojnowski A copy of the attendance roster is on file with the secretary.

Chairman, Dale Keener called the meeting to order at 7:35 P.M. followed by the pledge of allegiance.

## **APPROVAL OF MINUTES**

A motion was made by JoAnn Rahausser and seconded by William Byassee to approve the minutes of September 16, 2014. Upon roll call, Rahausser voted yes, Keener voted yes and Byassee voted yes.

## **BLUE MOUNTAIN Academy – Water Treatment Building Land Development**

Scott Miller, Stackhouse Bensinger, Inc., was present at the meeting relative to the above captioned subdivision. He had presented a copy of the review letter from the Berks County Planning Commission dated November 17, 2014. He stated that the proposed 32'x44' building is located along Mountain Road and is located on the same tract of land.

After discussing the township engineer's comments, a motion was made by William Byassee, seconded by JoAnn Rahausser to recommend conditional approval based upon the following comments:

### **Chapter 25 – Stormwater Management**

1. Drainage easements and stream buffers with plantings shall be provided for all existing watercourses located on the property. [Sec. 301.(f) and Sec. 306.(d)]

The Applicant's Engineer has stated that there are no defined watercourses on the property, thus easements and buffers are not required. A watercourse is defined within the ordinance as "A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow." It is not clear as depicted on the plan if the areas of concentrated flow within the property have 'bed and banks'. The Applicant's Engineer has also stated that if easements and buffers are required, that they request a waiver from the planting requirements of the ordinance.

2. The erosion and sediment pollution control plan shall be deemed adequate by the Berks County Conservation District. A copy of the adequacy letter shall be provided. [Sec. 303.(a) and Sec. 403.(a)(4)]

3. A detailed soils evaluation report shall be provided for the soils at the location of the proposed infiltration basin. [Sec. 305.(b)]

The Applicant's Engineer has requested a waiver from this requirement. There are no engineering issues with this request for this project.

4. Calculations shall be provided which show the infiltration basin can detain the post-developed 2-year peak discharge rate to below the pre-developed 1-year peak discharge rate. [Sec. 307.]

The Applicant's Engineer has requested a waiver from this requirement. I have no engineering issues with this request for this project.

5. The proposed 'Storm Drain Easement' shall extend around the entire infiltration basin area beyond the '552' (top of berm) contour line. [Sec. 403.(b)(19), Sec. 403.(e)(2)(i) and Sec. 704.(b)]

6. The 'Stormwater Management Landowner's Acknowledgement' certification provided on sheet 1 of 4 shall be signed. [Sec. 403.(b)(22) and Sec. 403.(e)(5)]

7. The Design Engineer's statement provided on sheet 1 of 4 shall be completed and signed. [Sec. 403.(b)(23)]

8. A 'Stormwater Control and BMP Operations and Maintenance Agreement' shall be provided. [Sec. 403.(c)(1)(vi), Sec. 403.(e), Sec. 702., Sec. 703., Sec. 705., and Part 10]

A draft copy of an agreement has been provided. The term "trench" shall be revised to "basin" to correspond to the proposed facility.

9. 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.]

10. A specified amount shall be paid to the 'Township Stormwater Control and BMP Operation and Maintenance Fund'. Attached is a computation that determines \$2,477.37 shall be provided. [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. [Sec. 301.(b), Sec. 303.(a) and Sec. 304.(a)]

The Applicants' Engineer has requested a waiver to allow for this submittal procedure. There are no engineering issues with this chosen submittal procedure for this project. Therefore, the plan was reviewed according to all preliminary and final plan requirements.

3. The erosion and sediment pollution control plan shall be deemed adequate by the Berks County Conservation District. A copy of the adequacy letter shall be provided. [Sec. 303.(c)(2)(iii), Sec. 304.(d)(2), Sec. 402.(e), Sec. 403.(d)(12), and Sec. 508.(c)(2)]
4. Approval for the proposed connection to the existing sanitary sewer system shall be obtained from the PA DEP. [Sec. 303.(d)(10), Sec. 403.(d)(10), Sec. 505.(c) and Sec. 602.(e)(2)]
5. 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)]
6. The sheet size of the plans exceeds the allowable size. [Sec. 402.(a)(2) and Sec. 403.(a)(2)]
7. The plans shall be signed and sealed by the Engineer and Surveyor responsible for their preparation. The Surveyor's 'Certificate of Accuracy' statement provided on sheet 1 of 4 shall also be signed and dated. [Sec. 402.(c)(4), Sec. 403.(c)(4) and Sec. 403.(c)(7)]
8. Requirements for the R-1 Zoning District shall also be noted on the plan as the portion of the property north of Mountain Road lies within this district. [Sec. 402.(c)(8) and Sec. 403.(c)(8)]
9. The zoning district boundary lines through the property shall be shown on the plans. The "Project Site" area as depicted on the 'Location Map' provided on sheet 1 of 4 does not appear to be in the correct location. [Sec. 402.(c)(8) and Sec. 403.(c)(8)]

10. The existing cartway width of Mountain Road shall be labeled on the plan. [Sec. 402.(c)(13) and Sec. 403.(c)(9)]
11. The building setback lines as shown shall be revised based on individual zoning district requirements for the entire property. [Sec. 402.(c)(14)(iii) and Sec. 403.(c)(14)]
12. The locations of proposed survey markers and monuments shall be shown on the plan. [Sec. 403.(c)(15), Sec. 602.(h)(4) and Sec. 602.(k)]
13. Since the proposed water treatment plant building and water lines are intended to also serve the adjacent property, easements shall be shown and labeled on the plan for these facilities. [Sec. 403.(c)(16) and Sec. 508.(b)]
14. The 'Certificate of Ownership, Acknowledgement of Plan, and Offer of Dedication' provided on sheet 1 of 4 shall be signed and notarized. [Sec. 403.(c)(18)]
15. Approval for the proposed water system shall be obtained from the PA DEP. [Sec. 506. and Sec. 602.(f)(2)]

Upon roll call, Byassee voted yes, Rahausser voted yes, Keener voted yes and Shollenberger voted yes.

A motion was made by JoAnn Rahausser, seconded by William Byassee to recommend to the Board of Supervisors that the following waivers be approved:

**Township's Subdivision and Land Development - Chapter 27:**

**Sections 303 and 304 – Waiver to allow the plans to be reviewed and approved as a combined Preliminary and Final Plan.**

This request is to allow the land development procedure as a one step process with a combined preliminary/final plan verse separate submittals for Preliminary and Final plans. Give the small scope of the project and with no lot subdivision and new road ways this seems a reasonable request The combined plan will still comply with all the township requirements for each individual step.

**Township's Storm Water Management – Chapter 25:**

**Section 301(f) and 306(d) – Planting in the Buffer Strips**

These sections of the ordinance requires buffers be provided along any watercourses

and that those buffers contain required plantings meeting township requirements. No defined watercourses are located on the 74 acre tract, however if one should be required the waiver is being requested for the planting requirements. This is due to the limited disturbance and the site retaining most of its existing natural features. (The township engineer will make an on-site inspection.)

### **Section 305(b) – No Detailed Soil Evaluation Infiltration Testing**

This section requires that detailed soil testing and evaluation be done to determine the design criteria for the storm water facilities. Given the small size of the development and that the soil type is consistent in the project area we request the use of the standard conservative soil characteristics from the Berks County Custom Soil Resources Report.

### **Section 307 – Stream Bank Erosion Requirements**

The project cannot meet all the requirements of this section specifically the requirement to detain the proposed conditions 2-year peak flow to the existing condition 1-year peak flow. Given the location of the improvements and the natural infiltration before it reaches the tract boundary or watercourse, there should not have an impact on downstream stream bank erosion.

### **Section 402- Exemptions from Drainage Plan Requirements**

Since the property is 74 acres, and the proposed impervious area is only 3,300 S.F., the project meets the requirements for an exemption from the Stormwater Quantity Control per Section 402(b), which allows a total exemption of 15,000 S.F. of new impervious area.

Upon roll call, Byassee voted yes, Rahausser voted yes, Keener voted yes and Shollenberger voted yes.

### **CABELA'S OUT-PARCELS – PRELIMINARY/FINAL PLAN**

Mark Magrecki, Penn Terra Engineering, Inc., was present at the meeting relative to the above captioned subdivision. Comments had been received from the Berks County Planning Commission.

Mr. Magrecki and the Commission discussed and reviewed the engineer's comments, dated November 17, 2014, relative to the installation of water lines and facilities, sanitary sewer conveyance facilities, buffer yards within Lot 2, and sewer

capacity etc. The township engineer stated it is the responsibility of the Subdivider to install the utilities.

Pete Eisenhower was present at the meeting and requested the Commission to move forward on the Cabela's subdivision because there is a pending deadline with Nissan.

Also stated that, he had attended the public hearing and pushed to have the zoning changes adopted and at that time revealed his plans to build a car dealership. The residents had voiced their objections at the meeting but after he informed residents what he plans on doing, the residents had no objections.

Following the discussion on the engineer's comments, a motion was made by JoAnn Rahouser, seconded by William Byassee to table action on the Cabela's Out-parcel Subdivision to resolve the out-standing engineering review comments. It was requested that the applicant submit a letter requesting additional time to process the proposed subdivision plan. Upon roll call, Rahouser voted yes, Byassee voted yes, Keener voted yes and Shollenberger voted yes.

At the meeting, Mr. Magrecki, PennTerra Engineering, Inc., on behalf of Cabela's Retail Inc. presented a letter requesting a thirty (30) day time extension since the proposed plan will expire on December 14<sup>th</sup>. The letter will be presented to the Board of Supervisors for their approval.

### **ADJOURNMENT**

Since there was no further business, a motion was made by JoAnn Rahouser, seconded by Dale Keener to adjourn the meeting. The meeting was adjourned at 10:05 P.M. Upon roll call, Rahouser, Keener, Byassee and Shollenberger voted yes.

Attest:

Anna M. Shollenberger,  
Secretary