

TILDEN TOWNSHIP PLANNING COMMISSION

**Tuesday, July 19, 2016
Regular Meeting**

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, July 19, 2016 with the following present: Dale Keener, William Byassee Christopher Forte, Greg Kozlowski, township engineer, Greg Haas and secretary, Anna Shollenberger. Absent: Joshua Breslin A copy of the attendance roster is on file with the secretary.

Chairperson 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 Christopher Forte, seconded by Greg Kozlowski, to approve the minutes of May 17, 2016. Upon roll call, Forte, Kozlowski, and Keener voted yes.

VALENTI MID-ATLANTIC REALTY – Preliminary/Final Land Development Plan

Mark Magrecki, PennTerra Engineering, Inc., was present at the meeting and stated that Valenti Mid-Atlantic had a change of tenants for the 14,000+ square foot multi-tenant building on 4.25 acre lot. There will be a 2,000 sq. ft. drive-thru coffee shop (Starbucks) with four (4) employees and 32 seats and the remaining area will be a medical/ urgent care facility with a staff of six (6) physicians and 20 employees.

There was a discussion relative to crosswalks and markings so there is a natural pedestrian flow, landscaping, handicap spaces, the maintenance of Dave's Way and roadway to be brought up to township's standards and the time extension will expire on August 17, 2016. Mr. Magrecki indicated that a letter will be submitted requesting an extension of time.

The township engineer's comments were as follows:

Chapter 16 – Impact Fees

1. A 'Traffic Impact Fee' shall be paid prior to final plan approval. The amount shall be \$824.00 times the number of PM peak hour trips. The number of trips has been determined to be eighty-three (83) within the provided Traffic Impact Study. Thus the fee to be paid shall be \$68,392.00. [Sec. 105. and Sec. 108.]

Chapter 23 – Sewers and Sewage Disposal

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1. A 'Sewage Tapping Fee' shall be paid prior to final plan approval. The amount shall be \$8.01 times the number of gallons per day (GPD). The number of GPD been determined to be six-thousand (6,000) as per the provided 'Wastewater Survey for Nonresidential Establishments – Application for Wastewater Discharge Permit'. Thus the fee to be paid shall be \$48,060.00. [Sec. 104.]

Chapter 25 – Stormwater Management (SWM)

1. 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 # 1*)
2. An NPDES Permit for Stormwater Discharges Associated with Construction Activities must be approved by the BCCD or the PA DEP. A copy of the permit once obtained and all supporting information shall be provided. [Sec. 303.(c), Sec. 303.(d), Sec. 306.(e) and Sec. 404.] (*same as SALDO comment # 3*)
3. The slope for 'Culvert/Orifice Structure [A]' inputted in the 'Pond Report' for proposed Bed # 2 within the Post Construction Stormwater Management Report does not correspond to the detail provided on Plan sheet no. 10.2. [Sec. 403.(a)(2) and Sec. 403.(d)(1)]
4. The length and slope for 'Culvert/Orifice Structure [A]' inputted the 'Pond Report' for proposed Bed # 3 within the Post Construction Stormwater Management Report does not correspond to the detail provided on Plan sheet no. 10.2. [Sec. 403.(a)(2) and Sec. 403.(d)(1)]
5. The proposed storm easement shall include the drainage system from existing Inlet 5 to existing Inlet 3. [Sec. 403.(b)(19) and Sec. 403.(e)(2)(i)]
6. The 'Owners Drainage Certification' statement provided on the cover sheet shall be signed. [Sec. 403.(b)(22)]
7. The 'Engineer's Drainage Certification' statement provided on the cover sheet shall be completed and signed. [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. 702., Sec. 703., Sec. 705., and Part 10]
9. Financial guarantee of the installation of all required stormwater management facilities shall be provided. A construction cost estimate shall be

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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'. A previous computation determined the amount to be \$3,478.37 . [Sec. 706.(a)]

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. 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. 402.(e), Sec. 403.(d)(12) and Sec. 508.(c)(2)] (*same as SWM comment # 1*)
2. Approval of the method of sewage disposal must be obtained from the PA DEP. [Sec. 303.(d)(10), Sec. 403.(d)(10), Sec. 505.(c) and Sec. 602.(e)(1)]

The Township has received a 'Technical Deficiency Letter' from the PA DEP regarding the sewage facilities planning for this project. The Township will address these deficiencies and provide responses to the Applicant's Engineer.

3. An NPDES Permit for Stormwater Discharges Associated with Construction Activities must be approved by the BCCD or the PA DEP. A copy of the permit once obtained and all supporting information shall be provided. [Sec. 304.(d)(3) and Sec. 508.(c)(2)] (*same as SWM comment # 2*)
4. 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)]
5. The plans shall be provided at a scale of 1" = 50'. They are shown at 1" = 30'. [Sec. 402.(a) and Sec. 403.(a)]

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

6. The 'Surveyor's Certificate of Accuracy' and the 'Engineer's Certificate of Accuracy' statements provided on the cover sheet shall be signed and dated. [Sec. 402.(c)(4), Sec. 403.(c)(4) and Sec. 403.(c)(7)]

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7. The 'Wetlands Certification' statement provided on the cover sheet shall be signed and dated. [Sec. 402.(c)(15) and Sec. 403.(c)(24)]
8. The 'Traffic Signal Construction Plans' for SR 0061 and Jetson Drive/Cabela Drive have been updated and have recently been signed by the Supervisors. The proposed improvements include the installation of backplates with retroreflective borders, the replacement of all left turn protected-prohibited vehicular signals, the replacement of signs and pavement markings, and the updating of clearance interval timings. The Traffic Impact Study shall incorporate the timing upgrades into the 'Projected (Build) Condition' if applicable. [Sec. 402.(g)(6)(iv)(d) and Sec. 402.(g)(6)(vi)]
9. The Traffic Impact Study shall include a tabulation of accidents during the most-recent three (3) year period within the study area intersections. [Sec. 02.(g)(6)(v)(d)]
10. The Traffic Impact Study shows various drops in Level of Service from the 2016 Existing to the 2017 Build-Out Year, Projected condition. A description of specific proposed improvements to remedy these deficiencies shall be included in the report. [Sec. 402.(g)(6)(xi)]
11. Monuments shall be set on the right-of-way lines of streets. [Sec. 403.(c)(15) and Sec. 602.(h)(4)]

The Applicant's Engineer has requested a waiver from this requirement. I do not recommend granting this request. A monument shall be set at the Jetson Drive / SR 0061 intersection and at the Jetson Drive / Dave's Way intersection. Also, the iron pin (to be set) at the eastern corner of Lot 2 (at the 90 degree bend in Dave's Way) shall be revised to be a monument.

12. A General Note on the cover sheet for the original Wendy's Land Development Plan states that the access drive (easement area) (Dave's Way, a private, minor street) will be maintained by the Owners of Lot 15 (the existing Wendy's lot now) and Lot 16 (the Kmar Properties Inc. lot now). A similar note shall be provided on this Plan stating rights of use and maintenance responsibilities. Since this Plan changes the use of the existing access easement, evidence shall be provided from Kmar Properties Inc. stating that they concur with the proposed changes based on this proposed Plan. [Sec. 403.(c)(16) and Sec. 403.(d)(5)] (*see also SALDO comment # 16*)

The Applicant's Engineer has responded that "This comment will be addressed under separate cover from Pepper Hamilton, LLP."

13. The Plan proposes a shared access drive from Dave's Way to be utilized by both

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proposed lots. Also, the Plan proposes “joint parking” between both lots. An access easement and/or shared, joint parking lot use agreement shall be provided and recorded with the Plan. [Sec. 403.(c)(16) and Sec. 403.(d)(5)]

14. The ‘Statement of Ownership and Acknowledgement of Plan’ provided on the cover sheet shall be signed and notarized. [Sec. 403.(c)(18)]
15. A note shall be provided on the Plan stating that a copy of the final approved Plan shall be provided by the Subdivider to all lot purchasers. Furthermore, the note shall state that Kmar Properties Inc. shall also receive a copy of the Plan. [Sec. 403.(c)(23)]

The Applicant’s Engineer has responded that “This comment will be addressed under separate cover from Pepper Hamilton, LLP.”

16. A General Note on the cover sheet for the original Wendy’s Land Development Plan states that the access drive (easement area) (Dave’s Way, a private, minor street) will be maintained by the Owners of Lot 15 (the existing Wendy’s lot now) and Lot 16 (the Kmar Properties Inc. lot now). The note further states that the Owners “will conduct regularly scheduled inspections of the access easement, at least annually, and correct any problems that may affect its operation.” It is not known if these inspections have been occurring, however, the condition of the access drive is currently not acceptable. The following deficiencies exist and shall be corrected and proposed as improvements in conjunction with this land development. [Sec. 502.(a)(7), Sec. 502.(c) and Sec. 502.(h)(6)]

a. The radius at the Jetson Drive intersection is not sufficient for truck traffic entering and turning into the Kmar Properties Inc. site at either of that site’s entrances as evident by the bent and run-over white markers along the curve. The radius shall be increased and the new travelway surface paved with bituminous paving in accordance with the requirements for ‘Heavy-Duty Bituminous Paving’.

The Plan now does depict the radii at this intersection to be reconstructed. The Plan shall depict ‘Heavy-Duty Bituminous Paving’ at areas for new paving along the curb lines.

The movement of the WB-65 vehicle onto Dave’s Way from Jetson Drive as depicted on sheet no. 13 only provides for approximately one (1) foot of distance from the vehicle to both curb lines at the closest points. The radii and proposed curbing should be increased to provide for more room for this movement.

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b. The existing broken concrete curbing at the Jetson Drive intersection shall be removed and replaced.

The Plan now does depict new curb in this location.

c. The gravel area and existing concrete blocks at the Jetson Drive intersection shall be removed from the site.

The Plan now does depict these items to be removed.

d. The radii at the Industrial Drive intersection are not sufficient and shall be reconstructed.

e. Sections of the existing wearing surface, particularly in the vicinity of the intersections with Jetson Drive and Industrial Drive are breaking up and need repairs. The Plan shall specify these repair areas and then propose a wearing surface overlay for all of Dave's Way.

The Plan now does depict a proposed mill and overlay of the portion of Dave's Way along the site within the property boundary (half of Dave's Way), but no proposed improvements at Industrial Drive.

The Applicant's Engineer has responded that "This comment will be addressed under separate cover from Pepper Hamilton, LLP."

17. A utility easement shall be shown on the Plan for the existing overhead electric line and poles within the site along SR 0061. The Applicant's Engineer shall contact the utility company regarding this issue. [Sec. 508.(b)(1)]

18. Curbing shall be provided along both sides of the entire private, minor street (Dave's Way) where none currently exists. [Sec. 602.(b)(1)]

The Applicant's Engineer has requested a waiver from this requirement.

19. A sidewalk shall be provided from the pedestrian crossing at the SR 0061/Jetson Drive intersection along Jetson Drive. I further recommend that a sidewalk and crosswalk area from the pedestrian crossing down to the proposed building be provided. [Sec. 602.(c)]

The Applicant's Engineer has requested a waiver from this requirement.

20. A sidewalk shall be provided along one side of Dave's Way. [Sec. 602.(c)(1)(i)]

The Applicant's Engineer has requested a waiver from this requirement.

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21. Metal markers (iron pins) shall be set at all Lot 1 corners not currently labeled or required to have a monument. [Sec. 602.(k)]
22. Street lights shall be provided along the east side of Dave's Way between the site and Industrial Drive. [Sec. 602.(l)]

The Applicant's Engineer has requested a waiver from this requirement.

General

1. The existing vacant lot as shown on this Plan was designated on the original industrial park subdivision as "Proposed Jug Handle" and an agreement was in place which pertained to the construction of improvements at the SR 0061/Jetson Drive intersection within that area. Since the time when the agreement was executed, improvements to the SR 0061/Jetson Drive/Cabela Drive intersection have occurred because of other developments, but not within the "Proposed Jug Handle" area. As a result, the jug handle area was not necessary and the agreement, after several extensions, has expired. The Township Solicitor has been reviewing this matter and any required language relating to the "Proposed Jug Handle" area determined to be necessary by the Township Solicitor should be noted on the Plan.

The Applicant's Engineer has responded that "This comment will be addressed under separate cover from Pepper Hamilton, LLP."

2. The following comments relate to sheet no. 13 (Truck Movement Plan).
 - (a) The continuation of the movement of the WB-65 vehicle into Lot 1 to the proposed Loading Space should be shown on the Plan.
 - (b) The movement of the Garbage Truck in the vicinity of the proposed Lot 1 Dumpster Area is unclear. This should be better depicted on the Plan.
 - (c) A movement for a WB-65 vehicle to and from the Lot 2 Loading Space should be shown on the Plan.
 - (d) A movement for a Garbage Truck to and from the Lot 2 Dumpster Area should be shown on the Plan.
3. A portion of the proposed underground electric line to an 'A' site light fixture is shown through/underneath proposed Underground Storm Bed # 2. This line should be revised to be located around the bed.

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4. The sheets to be recorded should be indicated on the cover sheet. At a minimum the cover sheet and sheet nos. 4, 5, 7 and 12.1 should be recorded.
5. Sheet no. 7 still has references to "Pine Grove" Township in the 'Utility Notes'.

Following the review, a motion was made by Chris Forte, seconded by Greg Kozlowski recommending that the above plan be rejected based upon the township engineer's comments dated July 15, 2016, unless a letter requesting a time extension be submitted prior to August 5, 2016, the Board of Supervisors meeting. Upon roll call, Forte, Kozlowski, Byassee and Keener voted yes.

A motion was made by Greg Kozlowski, seconded by Chris Forte recommending to the Board of Supervisors to approve the waiver request that the plans shall be provided at a scale of 1"=50'. Upon roll call, Kozlowski, Forte, Byassee and Keener voted yes,

ADJOURNMENT

Since there was no further business, a motion was made by William Byassee and seconded by Chris Forte, to adjourn the meeting. The meeting was adjourned at 9:27 P.M. Upon roll call, Kozlowski, Forte, Byassee and Keener voted yes.

Attest:

**Anna M. Shollenberger
Secretary**