

## **TILDEN TOWNSHIP PLANNING COMMISSION**

**Tuesday, August 16, 2016  
Regular Meeting**

**The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, August 16, 2016 with the following present: Dale Keener, William Byassee Christopher Forte, Greg Kozlowski, Joshua Breslin township engineer, Greg Haas and secretary, Anna Shollenberger. A copy of the attendance roster is on file with the secretary.**

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

### **APPROVAL OF MINUTES**

**A motion was made by Greg Kozlowski, seconded by Christopher Forte, to approve the minutes of July 19, 2016. Upon roll call, Forte, Kozlowski, Byassee and Keener voted yes.**

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

**Mark Magrecki, PennTerra Engineering, Inc., was present at the meeting and discussed the township engineer's comments.**

**Following the discussion, a motion was made by Greg Kozlowski, seconded by Chris Forte to recommend to the Board of Supervisors that conditional approval be given on the Valenti Mid-Atlantic Realty subdivision based upon the township engineer's comments of August 15, 2016 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-six (86) within the provided Traffic Impact Study. Thus the fee to be paid shall be \$70,864.00. [Sec. 105. and Sec. 108.]

#### **Chapter 23 – Sewers and Sewage Disposal**

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 has been determined by the Applicant's Engineer to be one-thousand two-hundred (1,200). Thus the fee to be paid shall be \$9,612.00. [Sec. 104.]

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**Chapter 25 – Stormwater Management (SWM)**

1. The 'Owners Drainage Certification' statement provided on the cover sheet shall be signed. [Sec. 403.(b)(22)]
2. The 'Engineer's Drainage Certification' statement provided on the cover sheet shall be completed and signed. [Sec. 403.(b)(23)]
3. 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]
4. 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.] *(same as Chapter 27, comment # 2)*

An 'Opinion of Probable Cost' has been presented by PennTerra Engineering, Inc. dated July 29, 2016. I will review this cost estimate in the near future.

5. 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. 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)]
2. 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)] *(same as Chapter 25, comment # 4)*

An 'Opinion of Probable Cost' has been presented by PennTerra Engineering, Inc. dated July 29, 2016. I will review this cost estimate in the near future.

3. The plans shall be provided at a scale of 1" = 50'. They are shown at 1" = 30'. [Sec. 402.(a) and Sec. 403.(a)] **[Waiver request was approved by the Board of Supervisors at their meeting on August 10, 2016]**

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4. 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)]
5. The 'Wetlands Certification' statement provided on the cover sheet shall be signed and dated. [Sec. 402.(c)(15) and Sec. 403.(c)(24)]
6. General Note # 15 provided on the cover sheet states "Refer to Section 2 of the Declaration of Restrictions, Easements and Covenants dated February 27, 1996 by and between Carac, Inc. and Wendy's Old Fashioned Hamburgers of New York, Inc. for information regarding the rights and responsibilities of the Owner of Lot 15 (shown on this Plan as Lots 1 & 2) with respect to Dave's Way." Because Lot 1 involves a new user of the street and Lot 1 is a separate lot which could be sold to a new Owner in the future, a mechanism should be in place to clearly make the new Owner aware of their rights and responsibilities, if any, with respect to the street. I recommend that a new agreement be provided that clearly states the rights and responsibilities between Kmar Properties Inc. and Lots 1 & 2. The Township's Solicitor should provide guidance regarding this matter. [Sec. 403.(c)(16) and Sec. 403.(d)(5)]
7. The Plan proposes a shared access drive from Dave's Way to be utilized by both 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)]
8. The 'Statement of Ownership and Acknowledgement of Plan' provided on the cover sheet shall be signed and notarized. [Sec. 403.(c)(18)]
9. The proposed curbing along Dave's Way shall be extended to the limits of the property around the curve (adjacent to Inlet 3 – approximately another sixty-five feet (65')). [Sec. 602.(b)] **[Valenti rescinding previous waiver request]**
10. Sidewalks shall be provided along Jetson Drive, starting at the pedestrian crossing at the SR 0061/Jetson Drive intersection, and along Dave's Way to the limits of the property, if deemed necessary in the public interest by the Supervisors. [Sec. 602.(c)(1)(ii)]

The Applicant's Engineer has requested a waiver from this requirement based on a previous review comment stating that sidewalks shall be required along both sides of Dave's Way in its entirety. It is known that a few pedestrians do walk along Industrial Drive to Jetson Drive and then across SR 0061. Industrial Drive has wide shoulders providing a relatively

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safe area for pedestrians. But currently there is no safe location for pedestrians along Jetson Drive – they either walk along the edge of the paved cartway itself, on top of the curbing, or up onto the grass sloped area behind the curbing (either side depending on where their ultimate destination would be west of SR 0061). If sidewalk is provided as per this comment, it would be the hope that pedestrians would realize that there would be a safer route from Industrial Drive to the SR 0061/Jetson Drive intersection (along Dave’s Way to Jetson Drive). Previous land development plans for McDonald’s and Russell Stover Candies (west of SR 0061) did require sidewalks be installed leading to the SR 0061/Jetson Drive intersection. However, the land development plan for Burger King (east of SR 0061) did not (of course there was no development west of SR 0061 at the time that the Burger King plan was approved). It should be noted that pedestrian crossings were incorporated into the reconstruction of the entire intersection as part of the Cabela’s and Tilden Ridge land developments. At a minimum, I believe a sidewalk shall be provided from the SR 0061/Jetson Drive intersection along Jetson Drive then along Dave’s Way to the proposed shared access drive for Lots 1 & 2. This would still require that a modification be granted by the Supervisors, but not a full waiver.

**A motion was made by Greg Kozlowski, seconded by Josh Breslin not to support the waiver on sidewalks. Upon roll call, Kozlowski, Breslin, Byassee, Breslin and Keener voted yes.**

11. Street lights shall be provided along Dave’s Way adjacent to the property if required by the Supervisors. [Sec. 602.(l)]

The Applicant’s Engineer has requested a waiver from this requirement. Dave’s Way is not well illuminated at nighttime. Street lights shall be provided at approximately half-way around the bend in Dave’s Way, at the existing Wendy’s, and approximately seventy feet (70’) from the Jetson Drive right-of-way. I do not recommend the waiver for street lights be granted. **[Applicant’s engineer to work with the township engineer on the street light issue]**

**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

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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 Attorney has responded that a note shall be added to the Plan addressing this matter. The Township’s Solicitor should concur with the proposed language of this note once it is drafted.

2. The ‘Truck Movement Plan’, sheet no. 13, depicts several movements of the WB-62 vehicle extending through parking spaces. I assume this shows deliveries to the Lots 1 & 2 which will occur after hours. If this is the case, a note should be added to the Plan stating such.
3. The following comments relate to signage along Dave’s Way.
  - (a) The existing ‘Traffic Must Turn Left’ sign as labeled on the Plan is actually a sign that reads ‘All Traffic to SR 61 Must Turn Left’. This sign shall be removed and replaced with a ‘No Right Turn’ sign (R3-1) and an ‘All Traffic Must Turn Left’ sign (R3-7-1L).
  - (b) A ‘Do Not Enter’ sign (R5-1) shall be provided at the location where the existing sign has been bent over in the vicinity of the existing concrete blocks (approximately eight-five feet (85’) from Jetson Drive).
  - (c) ‘No Parking’ signs (R7-1) shall be added along Dave’s Way along the project site. I recommend at least three (3) signs be provided.
  - (d) A ‘Left Turn’ sign (W1-1L) and a ‘Right Turn’ sign (W1-1R) shall be added before the bend in Dave’s Way in the vicinity of existing Inlet 4.
  - (e) A speed limit sign (R2-1) shall be added to Dave’s Way approximately one-hundred fifty feet (150’) from Jetson Drive.
4. The ‘Waivers Requested’ heading and listing provided on the cover sheet should be revised based on actions by the Supervisors.

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

**WALNUT ACRES PRELIMINARY PLAN**

Mr. Hoagland, Crossroads Group, requested to be removed from tonight's agenda & plan on attending the October meeting. Requested to schedule a meeting with the township engineer to review technical issues as noted in the township engineer's comments. The commission did not object to the request.

**BLUE MOUNTAIN IPG, ASSOCIATES, L.P. – NOTICE OF APPEAL APPLICATION**

The Commission reviewed the Notice of Appeal Application. The applicant proposes to construct a Mavis Tire Facility at 1790 Tilden Ridge Drive. There were no comments from the Commission but a motion was made by Dale Keener, seconded by William Byassee that the members of the Commission attend the Zoning Hearing Board meeting. Upon roll call, Keener, Byassee, Forte, Breslin and Kozlowski voted yes.

**ADJOURNMENT**

Since there was no further business, a motion was made by Greg Kozlowski and seconded by Josh Breslin, to adjourn the meeting. The meeting was adjourned at 8:58 P.M. Upon roll call, Kozlowski, Forte, Byassee, Breslin and Keener voted yes.

**Attest:**

**Anna M. Shollenberger  
Secretary**