

TILDEN TOWNSHIP PLANNING COMMISSION

**Tuesday, March 19, 2019
Regular Meeting**

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, March 19, 2019 with the following present: Dale Keener, Josh Breslin, Sharon Enevoldson. Christopher Forte, Greg Kozlowski, secretary, Anna Shollenberger and several citizens. A copy of the roster is on file with the secretary. Absent: Greg Haas, township engineer.

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

PUBLIC PARTICIPATION

Ben Mitten, Jackie Mitten and Kelly Steinke were present relative to the property at 725 Hex Highway. Mr. Mitten stated that he is currently in negotiations with the current property owner and is requested an opinion from the members relative to keeping the present zoning variance in place. The property, 7.9 acres, is presently zoned R-3 Residential. He stated this is a multi-face project and would be starting with the self-storage units and the long term plan is for a data center. Stated that he will be applying for a zoning variance. Mr. Keener suggested that Mr. Mitten contact the township engineer for his opinion and to attend the next meeting so it can be discussed further.

APPROVAL OF MINUTES

A motion was made by Greg Kozlowski, , seconded by Chris Forte to approve the minutes of February 19, 2019 as presented. Upon roll call, Kozlowski, Forte and Breslin voted yes.

WALNUT ACRES LAND DEVELOPMENT PLAN

A motion was made by Dale Keener, seconded by Greg Kozlowski that the planning commission recommends to the Board of Supervisors that the Walnut Acres Plan be rejected at their meeting to be held on April 10, 2019 with the condition that the plan rejection shall become void if a formal Final Plan is submitted to the Township before the end of the day on Tuesday, April 30, 2019.

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

CABELA'S OUTPARCEL SUBDIVISION - Preliminary/Final Plan

Mark Magrecki, Penn-Terra Engineering, was present at the meeting relative to the above captioned subdivision. He stated that he agrees with the installation of sidewalks including the township engineer's comments as follows:

Chapter 23 – Sewers and Sewage Disposal

1. The following note shall be added to sheet no. 6. “The proposed layout of the sanitary sewer system shown on this plan is different than depicted on the approved, recorded subdivision plan for Lots 1, 2, & 3. Final location and design of the sanitary sewer system shall be provided at the time of a land development plan submittal for Lot 4, 5, or 6. The sanitary easements as necessary for the layout depicted on the future land development plans shall govern over those shown on this plan or the approved, recorded subdivision plan for Lots 1, 2, & 3.” [Sec. 107.] (*same as Chapter 27 comment # 15*)
2. The following statements shall be added to the Note at the bottom of sheet no. 6. [Sec. 107.] (*same as Chapter 27 comment # 16*)
 - “If Lot 6 is proposed to be developed first, then that plan shall propose to install the entire sanitary sewer system from Mountain Road.”
 - “If Lot 5 is proposed to be developed first, then that plan shall propose to install the sanitary sewer system from Mountain Road to manhole MH-4.”
 - “If Lot 4 is proposed to be developed first, then that plan shall propose to install the sanitary sewer system from Mountain Road to manhole MH-3.”

Chapter 25 – Stormwater Management

1. The erosion & sediment pollution control (ESPC) plan (sheet no. 8) shall be deemed adequate by the Berks County Conservation District (BCCD). [Sec. 303.(a) and Sec. 403.(a)(4)] (*same as Chapter 27 comment # 1*)

The Applicant’s Consultant has requested a deferment for the submittal of the ESPC Plan until the time of land development plan submittals for proposed Lots 4, 5, & 6. Engineer has no engineering issues with this request. Furthermore, as no earth disturbance activities are proposed as part of this subdivision plan, sheet no. 8 shall be removed from the plan set and the sheet index listing provided on the cover sheet.

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. The erosion & sediment pollution control (ESPC) plan (sheet no. 8) shall be deemed adequate by the Berks County Conservation District (BCCD). [Sec. 303.(c)(2)(iii), Sec. 304.(d)(2), Sec. 402.(e), Sec. 403.(d)(12), and Sec. 508.(c)(2)] (*same as Chapter 25 comment # 1*)

The Applicant’s Consultant has requested a deferment for the submittal of the ESPC Plan until the time of land development plan submittals for

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proposed Lots 4, 5, & 6. Engineer has no engineering issues with this request. Furthermore, as no earth disturbance activities are proposed as part of this subdivision plan, sheet no. 8 shall be removed from the plan set and the sheet index listing provided on the cover sheet.

2. Approval of the method of sewage disposal must be obtained from the PA DEP for proposed Lots 4, 5, & 6. [Sec. 303.(d)(10), Sec. 403.(d)(10), and Sec. 505.(c)]
3. An agreement between the Applicant and Blue Mountain Water Cooperative for water supply to proposed Lots 4, 5, & 6 shall be provided. [Sec. 304.(d)(4) and Sec. 506.(a)]
4. The 'Surveyor's Certification of Accuracy' and the 'Engineer's Certification 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. Lots 2 & 3 shall be labeled as "Ex." (existing) on all sheets. The owners and recording information for those two (2) lots shall be noted on sheet no. 2. [Sec. 402.(c)(5) and Sec. 403.(c)(5)]
6. Sheet no. 2 shall clearly show that the two (2) small areas west of Cabela Drive to the north and south of Laurel Avenue are part of the existing Lot 1 by the use of "Z" lines as were shown on the Lot 1, 2, & 3 subdivision plan. [Sec. 402.(c)(4) and Sec. 403.(c)(7)]
7. The phrase "Lots 2 and 3" shall be revised to "Lots 1, 2, and 3" in General Note # 11 provided on the cover sheet. [Sec. 402.(c)(5)]
8. The existing N36°11'05"E, 50.13' property line separating Lot 2 from the small area west of Cabela Drive and south of Laurel Avenue (part of existing Lot 1) shall be shown on sheet no. 1. [Sec. 402.(c)(7) and Sec. 403.(c)(7)]
9. The "Existing Property Size" note under the 'Zoning/Site Data' listing provided on the cover sheet shall be revised to "48.998 acres (2,134,337 Sq. Ft.) (Ex. Lot 1) (Lot 1 from Cabela's Outparcel Subdivision for Lots 1, 2, & 3)". [Sec. 402.(c)(7)]
10. The shared existing right-of-way line delineating the Laurel Avenue and Cabela Drive right-of-way lines shall be shown on all plans. [Sec. 402.(c)(13) and Sec. 403.(c)(10)]
11. The 'Wetlands Certification' provided on the cover sheet shall be signed and dated. [Sec. 402.(c)(15) and Sec. 403.(c)(24)]

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12. Sheet no. 3 shall clearly show that the two (2) small areas west of Cabela Drive to the north and south of Laurel Avenue shall be part of proposed Lot 4. The proposed areas for Lots 1 & 4 shall be revised accordingly. [Sec. 403.(c)(11)]
13. The “Proposed Property Size” note under the ‘Zoning/Site Data’ listing provided on the cover sheet for proposed Lot 1 shall be revised to “40.070 acres (1,745,434 Sq. Ft.)”, unless changed due to addressing Chapter 27 comment # 11. [Sec. 403.(c)(11)]
14. The “Proposed Property Size” note under the ‘Zoning/Site Data’ listing provided on the cover sheet for proposed Lot 4 shall be revised to “1.896 acres”, unless changed due to addressing Chapter 27 comment # 11. [Sec. 403.(c)(11)]
15. The phrase “Lot 2” shall be revised to “Lots 4, 5, and/or 6” in Storm Easement Note # 3 provided on the cover sheet. [Sec. 403.(c)(16) and Sec. 508.(b)]
16. The proposed sanitary manhole MH-4 shall be shifted approximately 65 feet to the south to be located within the last existing access lane opening. This location is more towards the southern end of proposed Lot 5. [Sec. 403.(c)(17)]
17. The following note shall be added to sheet no. 6. “The proposed layout of the sanitary sewer system shown on this plan is different than depicted on the approved, recorded subdivision plan for Lots 1, 2, & 3. Final location and design of the sanitary sewer system shall be provided at the time of a land development plan submittal for Lot 4, 5, or 6. The sanitary easements as necessary for the layout depicted on the future land development plans shall govern over those shown on this plan or the approved, recorded subdivision plan for Lots 1, 2, & 3.” [Sec. 403.(c)(17) and Sec. 505.(b)] (same as Chapter 23 comment # 1)
18. The following statements shall be added to the Note at the bottom of sheet no. 6. [Sec. 403.(c)(17) and Sec. 505.(b)] (same as Chapter 23 comment # 2)
 - “If Lot 6 is proposed to be developed first, then that plan shall propose to install the entire sanitary sewer system from Mountain Road.”
 - “If Lot 5 is proposed to be developed first, then that plan shall propose to install the sanitary sewer system from Mountain Road to manhole MH-4.”
 - “If Lot 4 is proposed to be developed first, then that plan shall propose to install the sanitary sewer system from Mountain Road to manhole MH-3.”
19. The ‘Statement of Ownership and Acknowledgement of Plan’ provided on the cover sheet shall be signed and notarized. The sentence regarding the previous dedication of right-of-way area for Cabela Drive shall be deleted from the statement. [Sec. 403.(c)(18)]

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20. The following note shall be added to sheet no. 7. “The proposed layout of the water line supply system shown on this plan is slightly different than depicted on the approved, recorded subdivision plan for Lots 1, 2, & 3 (extended to the south along Lots 2 & 6). Final location and design of the water line supply system shall be provided at the time of a land development plan submittal for Lot 4, 5, or 6. The water easements as necessary for the layout depicted on the future land development plans shall govern over those shown on this plan or the approved, recorded subdivision plan for Lots 1, 2, & 3.” [Sec. 506.(a) and Sec. 602.(f)]
21. The following statements shall be added to the Note on the right side of sheet no. 7. [Sec. 506.(a) and Sec. 602.(f)]
- “If Lot 6 is proposed to be developed first, then that plan shall propose to install the entire water line supply system from Mountain Road.”
 - “If Lot 5 is proposed to be developed first, then that plan shall propose to install the water line supply system from Mountain Road to the fire hydrant at the end of Cabela Drive.”
 - “If Lot 4 is proposed to be developed first, then that plan shall propose to install the water line supply system from Mountain Road to the fire hydrant at the end of Cabela Drive.”
22. Sidewalks shall be provided along Cabela Drive and Mountain Road. [Sec. 602.(c)]

The Applicant’s Consultant has requested a deferment from this requirement until the time of land development plan submittals for proposed Lots 4, 5, & 6. The Engineer has no engineering issues with this request, but recommends the following.

- The same action shall be taken regarding this matter as was taken for the subdivision plan for Lots 1, 2, & 3 (the same language for the motion by the Supervisors should be made and noted on this plan).
- A note shall be provided on the Plan which states, “The sidewalks along Cabela Drive shall be installed as part of the first land development plan submitted for Lots 4, 5, or 6.”
- As discussed at the February 19, 2019 Planning Commission meeting, proposed sidewalks shall be shown on the Plan along both sides of the main Cabela’s entrance access drive from the southeast corner of Lot 5 and the northeast corner of Lot 6 to the existing sidewalks at the main entrance to the Cabela’s store. Notes shall be added to the Plan stating that the installation of the northern sidewalk shall be the responsibility of Lot 5 and

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the southern sidewalk that of Lot 6 and that those sidewalks will be installed as part of land development plans for those lots.

23. A note shall be added to sheet no. 6 stating “The sanitary sewer system to serve Lots 4, 5, & 6 shall be a public system (dedicated to the Township). All necessary documentation concerning this dedication shall be coordinated with the Township Solicitor at the time of land development plan submittal for any of those lots.” [Sec. 602.(e)(2)]

Chapter 32 – Zoning Ordinance

1. The buffer yard established and shown on the approved and recorded subdivision plan for Lots 1, 2, and 3 shall be clearly depicted on the this plan. The buffer yard lies within Lots 2 and the portion of proposed Lot 4 west of Cabela Drive and south of Laurel Avenue. [Sec. 8-204.(a) and Sec. 1609.]
2. Future off-street parking and loading areas within Lots 4, 5, and 6 will need to be located a minimum of eight feet (8’) from the Cabela Drive right-of-way. This shall be noted on the Plan. [Sec. 1803.(e)(2)]

General

1. The ‘Purpose Statement’ provided on the cover sheet should be revised to “This Plan will subdivide the existing Cabela’s Lot 1 (48.998 acres) into a total of four (4) new lots (Lots 1, 4, 5, and 6). There are no uses proposed on Lots 4, 5, and 6 with this Plan.”
2. The phrase “Lot 5” should be revised to “Lot 4 or 5, whichever is developed first,” in General Note # 3 provided on the cover sheet.
3. The proposed 6’ high fence and call-out within Lot 2 should be deleted from this Plan as it is shown on the approved, recorded subdivision plan for Lots 1, 2, and 3.
4. Temporary construction easements should be shown on the Plan within the Lot 1 area around the limits of Lots 4, 5, & 6.
5. A note should be added to the Plan stating that future access to Lots 4, 5, & 6 shall only be permitted from the 50’ access easements surrounding those lots and not from Cabela’s Drive or the 80’ easement through the main Cabela’s entrance access drive.

Mr. Magrecki requested conditional plan approval and stated that revised plans will be submitted to the township engineer within the next few days.

A motion was made by Chris Forte, seconded by Josh Breslin to table action on the Cabela's plan until the April Planning Commission meeting. Upon roll call, Forte, Breslin, Enevoldson, Kozlowski and Keener voted yes.

NORTHERN BERKS COMPREHENSIVE PLAN

Kozlowski gave a brief report relative to the discussion at the Board of Supervisors meeting on the Northern Berks Comprehensive Plan. He stated that Fred Herman is the representative for the Board of Supervisors and the cost for each participating municipality is approximately \$50,000.

Mr. Keener asked for a volunteer to serve on the Committee. Mr. Kozlowski volunteered. A motion was made by Dale Keener, seconded by Chris Forte to appoint Greg Kozlowski as the township planning commission's representative on the Berks County Comprehensive Plan review committee.

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

SALDO UPDATES

Copies of the SALDO updates with the comment colors are in the process of being printed. Members will receive their copy prior to the next meeting.

ADJOURNMENT

A motion was made by Greg Kozlowski, seconded by Josh Breslin to adjourn the meeting. The meeting was adjourned at 8:40 P.M. Upon roll call, Kozlowski, Breslin, Forte, Enevoldson and Keener voted yes.

Attest:

**Anna M. Shollenberger
Secretary**

