

TILDEN TOWNSHIP PLANNING COMMISSION

**Tuesday, January 26, 2016
Regular Meeting**

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, January 26, 2016 with the following present: Dale Keener, JoAnn Rahauer, William Byassee, Joshua Breslin, Christopher Forte, secretary, Anna Shollenberger, township engineer, Greg Haas and several citizens. A copy of the roster is on file with the secretary.

Chairperson Dale Keener called the meeting to order at 7:38 P.M. followed by the pledge of allegiance.

Chairperson Dale Keener appointed Anna Shollenberger as temporary chairperson.

Secretary, Anna Shollenberger, asked for nominations for Chairperson for 2016. JoAnn Rahauer nominated Dale Keener for Chairperson, and William Byassee seconded the motion. There were no other nominations received. Upon roll call, Rahauer, Byassee, Breslin and Forte voted yes to elect Dale Keener as chairperson.

A motion was made by William Byassee to nominate JoAnn Rahauer for Vice Chairperson and seconded by Dale Keener. There were no other nominations received. Upon roll call, Byassee, Keener, Breslin and Forte voted yes to elect JoAnn Rahauer as vice chairperson.

A motion was made by JoAnn Rahauer to appoint Anna Shollenberger as secretary, seconded by William Byassee. Upon roll call, Byassee, Rahauer, Keener, Breslin and Forte voted yes.

APPROVAL OF MINUTES

A motion was made by Christopher Forte, seconded by JoAnn Rahauer to approve the minutes of December 15, 2015. Upon roll call, Byassee, Rahauer, Forte, Breslin and Keener voted yes.

WALNUT ACRES SKETCH PLAN FOR CLUSTER DEVELOPMENT

Present at the meeting were Steven and Marlene Skolada and Jeremiah Hoagland of Crossroads Group relative to the sketch plan for a proposed cluster development. The developer is proposing a 30 lot cluster development (single family detached development) on a 73 acre tract of land located along Walnut Road.

The Commission discussed the engineer's comments as follows:

Chapter 10 – Floodplain Management

1. The Agricultural Lot (Lot 30) requires access that crosses the existing unnamed tributary watercourse and floodplain/wetlands areas as depicted on the Plan from the proposed access easement through Lots 26 & 29. An encroachment permit will need to be obtained by the Pennsylvania Department of Environmental Protection (PA DEP) and/or Army Corps of Engineers (ACOE) for this crossing. Details for the crossing will need to be provided on the Plan. [Sec. 204. and Sec. 205.] (*same as Chapter 25, comment # 11 and Chapter 27, comment # 5*)

Chapter 16 – Impact Fees

1. A 'Traffic Impact Fee' will need to be paid prior to final plan approval. [Sec. 105. and Sec. 108.]

Chapter 23 – Sewers and Sewage Disposal

1. A Sewage Facilities Planning Module will need to be approved by the PA DEP for the proposed community collection system and on lot treatment facility. [Part 2]

Chapter 25 – Stormwater Management

1. Stormwater management analysis calculations and drainage design calculations will need to be provided for all proposed facilities. [Part 3 and Part 4] (*same as Chapter 27, comment # 12*)
2. A drainage easement and stream buffer will need to be provided for the existing unnamed tributary watercourse that traverses the site. [Sec. 301.(f), Sec. 306.(d) and Sec. 403.(b)(4)]
3. The proposed stormwater management facilities are located in close proximity to ("adjacent to") wetlands and may require permits from the PA DEP and/or ACOE. [Sec. 301.(g)]
4. An erosion and sediment pollution control plan will need to be prepared and deemed adequate by the Berks County Conservation District (BCCD). [Sec. 303.(A) and Sec. 403.(A)(4)] (*same as Chapter 27, comment # 2*)
5. A National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities will need to be approved by the

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BCCD or the PA DEP. [Sec. 303.(c), Sec. 303.(d), Sec. 306.(e), and Sec. 404.]
(*same as Chapter 27, comment # 4*)

6. A separate 'Existing Resource and Site Analysis Map' will need to be provided. [Sec. 304.(b)(1)]
7. The existing unnamed tributary watercourse that traverses the site will need to be accurately depicted on the Plan. [Sec. 304.(b)(1) and Sec. 403.(b)(3)]
8. The infiltration, water quality and streambank erosion protection objectives will need to be met. Infiltration testing will be necessary. [Sec. 304.(b)(6), Sec. 304.(b)(7), Sec. 305. and Sec. 306.]
9. The site lies within 'Management District B'. Thus, the proposed condition (post-developed) 2-, 5-, 10-, 25-, 50- and 100-year design storm peak discharge rates will need to be decreased to below the existing condition (pre-developed) 1-, 2-, 5-, 10-, 25- and 50-year rates. [Sec. 308.]
10. Due to complexity of the stormwater management design for this site, the TR-55 (USDA NRCS) method should be utilized as the calculation methodology. [Sec. 309.]
11. The Agricultural Lot (Lot 30) requires access that crosses the existing unnamed tributary watercourse and floodplain/wetlands areas as depicted on the Plan from the proposed access easement through Lots 26 & 29. An encroachment permit will need to be obtained by the Pennsylvania Department of Environmental Protection (PA DEP) and/or Army Corps of Engineers (ACOE) for this crossing. Details for the crossing will need to be provided on the Plan. [Sec. 310.(c)] (*same as Chapter 10, comment # 1 and Chapter 27, comment # 5*)
12. All proposed utility lines will need to be shown and detailed on the Plan. [Sec. 403.(b)(5)]
13. Access easements will be needed from Walnut Road, T-742, to all proposed stormwater management facilities. [Sec. 403.(b)(19)]
14. A 'Stormwater Control and BMP Operations and Maintenance Agreement' will need to be provided. [Sec. 403.(c)(1)(vi), Sec. 403.(e), Sec. 702., Sec. 703., Sec. 705., 99 and Part 10]

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15. Financial guarantee of the installation of all required stormwater management facilities will need to be provided. A construction cost estimate will need to be provided. The presentation of As-Built Plans should be included within these items. [Sec. 701.]
16. A specified amount will need to 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 will need to review the Plan and provide comments. [Sec. 301.(a), Sec. 303.(c)(2)(ii), Sec. 303.(d)(1) and Sec. 304.(c)(2)]
2. An erosion and sediment pollution control plan will need to be prepared and deemed adequate by the 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 # 4*)
3. Approval of the method of water supply and sewage disposal will need to be obtained from the PA DEP for all proposed lots. [Sec. 303.(d)(10), Sec. 304.(d)(3), Sec. 403.(d)(10), Sec. 505., Sec. 506. and Sec. 902.(b)]
4. An NPDES Permit for Stormwater Discharges Associated with Construction Activities will need to be approved by the BCCD or the PA DEP. [Sec. 304.(d)(3) and Sec. 508.(c)(2)] (*same as Chapter 25, comment # 5*)
5. The Agricultural Lot (Lot 30) requires access that crosses the existing unnamed tributary watercourse and floodplain/wetlands areas as depicted on the Plan from the proposed access easement through Lots 26 & 29. An encroachment permit will need to be obtained by the Pennsylvania Department of Environmental Protection (PA DEP) and/or Army Corps of Engineers (ACOE) for this crossing. Details for the crossing will need to be provided on the Plan. [Sec. 304.(d)(3) and Sec. 403.(d)(8)] (*same as Chapter 10, comment # 1 and Chapter 25, comment # 11*)
6. A construction cost estimate will need to be provided for the required site improvements. An 'Improvement Agreement' will then need to be executed. [Sec. 304.(d)(10), Sec. 305.(a), Sec. 403.(d)(7), Sec. 406. and Sec. 601.(b)]
7. The application for this sketch plan submittal states that the proposed street is to be dedicated to the township. normally, the supervisors would need to determine if they are willing to accept dedication and, if so, a maintenance guarantee and offer of dedication Right-of-Way deed of dedication) would be required. [Sec. 306. and Sec. 403.(d)(4)] (*However, see 'Certification of Order' comment # 3*)

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8. All existing utilities for the existing dwelling within Lot 26 will need to be depicted on the Plan. [Sec. 402.(c)(11)]
9. The locations, types and sizes of all proposed water and sanitary lines, structures and facilities will need to be shown and labeled on the plan. [Sec. 402.(c)(14)(vii), Sec. 403.(c)(17), Sec. 505.(b), Sec. 506.(a), Sec. 602.(e) and Sec. 602.(f)]
10. Recreation facilities will need to be provided. [Sec. 402.(c)(14)(viii), Sec. 402.(c)(14)(ix), Sec. 602.(11) and Sec. 905.(a)(4)]
11. A profile for the proposed street will be required. [Sec. 402.(f)(2), Sec. 403.(d)(2), Sec. 502.(e) and Sec. 502.(g)]
12. Stormwater management analysis calculations and drainage design calculations will need to be provided for all proposed facilities. [Sec. 402.(f)(3), Sec. 402.(f)(4) and Sec. 507.] (*same as Chapter 25, comment # 1*)
13. Lot 30 is noted to be an "Agricultural Lot w/ Conservation Easement". Restrictions for this lot will need to be noted in its deed. [Sec. 403.(c)(13)]
14. The Plan depicts an access easement for Lot 30 through Lots 26 & 29. Terms of use for this easement will need to be noted in the deeds for all three (3) lots. [Sec. 403.(c)(13) and Sec. 403.(c)(16)] (*However, see Chapter 32, comment # 4*)
15. Proposed easements necessary for the locations of water mains and sanitary sewers will need to be provided on the Plan. [Sec. 403.(c)(16) and Sec. 508.(b)]
16. Any proposed deed restrictions will need to be provided. [Sec. 403.(d)(5)]
17. The site is located within one-quarter (1/4) mile of a documented water test having a nitrate-nitrogen concentration between 5 and 10 mg/l, thus a preliminary hydrogeologic evaluation will be required. [Sec. 405.(a) and Sec. 405.(b)]
18. As-built Plans will be required to be provided. [Sec. 406.]
19. The minimum centerline radius for all street horizontal curves is two-hundred fifty (250) feet (for a minor street). The Plan will need to demonstrate this requirement is being met. [Sec. 502.(f)(2)]
20. A clear sight triangle will need to be provided at the proposed street intersection with Walnut Road, T-742. [Sec. 502.(i)] (*same as Chapter 32, comment # 6*)
21. Cul-de-sac streets shall furnish access to not more than twenty (20) dwelling units. The proposed street furnishes access to twenty-eight (28) lots as depicted on this Sketch Plan. [Sec. 502.(j)(4)]

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22. A street name will need to be presented. [Sec. 502.(k)]
23. All lots shall have direct access to an existing or proposed street. Access to proposed Lot 30 is via a proposed access easement through Lots 26 & 29 (not direct access). However, Lot 30 also “fronts” onto the proposed street between Lots 20 & 21, but this is the location of the existing Sunoco Pipeline easement. Is access for Lot 30 allowed through the existing easement area? [Sec. 504.(b)(1) and Sec. 901.(c)] (*same as Chapter 32, comment # 1*) (*However, see Chapter 32, comment # 4*)
24. Drainage easements will be required to be provided. [Sec. 508.(b)(1)]
25. Underground electric and telephone lines will need to be shown on the Plan. [Sec. 508.(b)(5)]
26. Street signs and traffic regulatory signs will need to be shown on the Plan. [Sec. 602.(i) and Sec. 602.(j)]
27. Street lights will be required. [Sec. 602.(l)]
28. Shade trees should be provided in accordance with conditions to be agreed upon by the Township. [Sec. 603.(a)]
29. Adequate, safe and convenient arrangement for pedestrian circulation throughout the site should be provided. [Sec. 901.(e) and Sec. 906.(a)(2)(ii)] (*same as Chapter 32, comment # 2*)
30. Curbs along the proposed street may be required. [Sec. 901.(e)]
31. A breakdown of the proposed area of “common space” will need to be provided which shows the exact area being greater than 50% of the total existing tract area. No more than 50% of floodplain, wetlands and steep slope areas can be utilized for the computation. [Sec. 903.(b)]
32. A restriction enforceable by the Township will need to be recorded to ensure that “common land” cannot be developed in the future. [Sec. 903.(e)]
33. A Homeowners’ Association will need to be established. [Sec. 904. and Sec. 906.(a)(2)(iv)] (*see also ‘Certification of Order’, comment # 3*)
34. This Sketch Plan does not delineate restrictive (steep) slopes as they relate to onlot sewage disposal, the existing unnamed tributary watercourse that traverses the site, or views into and out of the site. [Sec. 905.(a)(3) and Sec. 906.(a)(2)(ii)]

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35. The Plan will need to demonstrate natural planted buffers will be provided between each housing unit (lot). Also, architectural controls will need to be developed to ensure housing units complement each other. [Sec. 906.(a)(2)(i)]
36. A 'Farm Plan' will need to be provided for proposed Lot 30. [Sec. 906.(a)(2)(iii)]
37. A 'Community Impact and Project Feasibility' analysis will need to be provided. [Sec. 906.(a)(2)(v)]

Chapter 32 – Zoning Ordinance

1. All lots shall have direct access to an existing or proposed street. Access to proposed Lot 30 is via a proposed access easement through Lots 26 & 29 (not direct access). However, Lot 30 also "fronts" onto the proposed street between Lots 20 & 21, but this is the location of the existing Sunoco Pipeline easement. Is access for Lot 30 allowed through the existing easement area? [Sec. 504.(b)(1) and Sec. 901.(c)] (*same as Chapter 27, comment # 23*) (*However, see Chapter 32, comment # 4*)
2. Adequate, safe and convenient arrangement for pedestrian circulation throughout the site should be provided. [Sec. 404.(b)(5)] (*same as Chapter 27, comment # 29*)
3. All lots shall be set back from the Walnut Road, T-742, right-of-way by a twenty-five (25) foot wide buffer strip that is to be part of the "open or common space". Landscaping will need to be provided within the buffer strip and depicted on a landscape plan, or the required 'Farm Plan'. The layouts for Lots 26, 27, 28 and 29 will need to be revised. [Sec. 404.(c)(6)]
4. No lots within this cluster subdivision can have direct access to Walnut Road, T-742. Lots 26, 27 and 28 therefore must access the proposed street. This will need to be specified on the Plan and within the deeds for these lots. Lots 29 and 30 will need to be re-arranged so that they can achieve access from the proposed street. [Sec. 404.(c)(6)]
5. Generally, sidewalks and curbs will be required in the area adjacent to the housing and may not be required on approach roadways. [Sec. 404.(c)(8)]
6. A clear sight triangle will need to be provided at the proposed street intersection with Walnut Road, T-742. [Sec. 1606.] (*same as Chapter 27, comment # 20*)

'Certification of Order'

The following items are conditions imposed by the Zoning Hearing Board in their 'Certification of Order' dated May 27, 2011 which granted a special exception to allow for the construction of a residential cluster development.

1. "All lots ... shall contain only one single family detached dwelling."

The existing buildings within proposed Lot 26 should be described on the Plan to verify that only one (1) dwelling exists.

2. "No lots ... shall be further subdivided other than as shown on the Sketch Plan."

This provided Sketch Plan now is different than the Sketch Plan presented to the Zoning Hearing Board. But, I believe the intent of this condition is to prevent further subdivision to occur following the formal subdivision of the property.

3. "The Applicant shall establish a Homeowners' Association in accordance with applicable law including, but not limited to, the Tilden Township Subdivision and Land Development Ordinance. The Homeowners' Association shall be responsible for and attend to required maintenance and improvements of streets, sidewalks, storm water drainage areas, on-site septic systems, water systems (if any), "common" areas, and address related matters."

Please note that this condition requires the proposed street to be ***private*** and owned and maintained by the Homeowners' Association.

General

1. The proposed street intersection with Walnut Road, T-742, may have sight distance problems.
2. The size of the proposed on lot sewage system appears very small for the proposed development.
3. Curve and intersection warning signs should be provided along Walnut Road, T-742, by the Applicant.

Following the dialogue on the Walnut Acres sketch plan, a motion was made by Dale Keener, seconded by JoAnn Rahausser recommending that the engineer's comments as well as the concerns raised by the Planning Commission be addressed. Upon roll call, Keener, Byassee, Rahausser, Forte and Breslin voted yes.

ADJOURNMENT

Since there was no further business, a motion was made by Josh Breslin, seconded by Chris Forte, to adjourn the meeting. The meeting was adjourned at 8:55 P.M. Upon roll call, Rahouser, Byassee, Keener, Breslin and Forte voted yes.

Attest:

**Anna M. Shollenberger
Secretary**