

TILDEN TOWNSHIP PLANNING COMMISSION

**Tuesday, July 21, 2020
Regular Meeting**

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, July 21, 2020 with the following present: Dale Keener, Sharon Enevoldson, Greg Kozlowski, Chris Forte and township engineer, Greg Haas. Absent – Josh Breslin and Anna Shollenberger, secretary. One members of the public was present and a copy of the 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 Dale Keener to approve the minutes of June 16, 2020 as presented. Upon roll call, Kozlowski, Enevoldson and Keener voted yes.

WALNUT ACRES SUBDIVISION

There was no one present relative to the Walnut Acres final plan. According to the Board of Supervisors minutes of July 8, 2020, Mr. & Mrs. Steven Skolodá, Jeremy Hoagland, Crossroads Group and Allen Shollenberger, Attorney, were present and had requested conditional approval on the final plan. The township engineer stated that he joined the meeting via speaker phone for consultation. During the discussion, the Engineer had stated that the sewage permit could change items on the plan. The applicant agreed and to the items in the review letter dated June 15, 2020. The township supervisors gave conditional final plan approval on the Walnut Acres Final Plan subject to the satisfaction of the Township Engineer review comments in a letter dated June 15, 2020.

The Township engineer also stated that the Supervisors had not placed a time limit on the conditional approval. Also, discussed with the members Item #2 Water Quality Management permit, under the Item Subdivision & Land Development Ordinance. He stated that submittal has not been made to PA DEP. A motion was made by Dale Keener, seconded by Greg Kozlowski to table action on the Walnut Acres Plan due to lack of action on the sewage permit. Upon roll call, Keener, Kozlowski, Forte & Enevoldson voted yes.

HOA – Homeowner’s Association Agreement – The Township engineer stated that he has a few minor changes and the Township solicitor recommended some changes. Briefly discussed the HOA and had no comments.

BASS PRO SHOPS CABELA’S AMENDED LAND DEVELOPMENT PLAN

Ray Myers representing Bass Pro Shops Cabala's was present at the meeting. The review comments of July 20, 2020 were discussed as follows:

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 proposed additional flow in gallons per day (GPD). The number of GPD shall be as determined and inputted on a new 'Wastewater Survey for Nonresidential Establishments – Application for Wastewater Discharge Permit' which shall be provided. Note that if the additional sewage flows from this project exceed the already approved (allocated) flows for the entire site, then sewage planning through the Township and the PA DEP will be necessary. [Sec. 104.]

Chapter 25 – Stormwater Management (SWM)

1. The Erosion Control Plan shall be deemed adequate by the Berks County Conservation District (BCCD). A copy of the final Erosion Control Plan and adequacy letter shall be provided. [Sec. 303.(a) and Sec. 403.(a)(4)](same as SALDO comment # 1)

Chapter 27 – Subdivision and Land Development Ordinance (SALDO)

1. The Erosion Control Plan shall be deemed adequate by the BCCD. A copy of the final Erosion Control Plan and adequacy letter shall be provided. [Sec. 303.(c)(2)(iii), Sec. 304.(d)(2), Sec. 403.(d)(12), and Sec. 508.(c)(2)] (same as SWMcomment # 1)
2. An agreement between the Applicant and Blue Mountain Water Cooperative for continued, updated water supply to the site shall be provided if necessary. Blue Mountain Water Cooperative must also approve the proposed realignment of the water supply system on the site. [Sec. 304.(d)(4), Sec. 506.(a), and Sec. 602.(f)(1)]
3. An 'Improvement Agreement' which includes financial security must be executed between the Township and the Developer. A construction cost estimate for all proposed site improvements shall be provided. [Sec. 304.(d)(10), Sec. 305.(a), Sec. 403.(d)(7), Sec. 406., and Sec. 601.(b)]

The Applicant's Architect has responded that there are no proposed "public improvements" and thus financial security should not be required. The township engineer does not concur with this response. The SALDO does not differentiate between "public" and "private" improvements. It states that financial security must be provided for the "improvements as

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shown on the approved plan”, or the “required improvements”, or the “necessary and appropriate improvements.”

4. All zoning district requirements and provided values shall also be noted on the Plan. [Sec. 402.(c)(8) and Sec. 403.(c)(8)] (*same as ZO comment # 2*)
5. A ‘Statement of Ownership and Acknowledgement of Plan’ shall be provided on the Plan and shall be signed and notarized.[Sec. 403.(c)(18) and Appendix I]

The Applicant’s Architect has responded that they do not believe the certification is necessary. The township engineer does not concur with this response. Every Plan must contain a notarized statement from the Owner acknowledging the Plan.

Chapter 32 – Zoning Ordinance (ZO)

1. The two (2) proposed building additions for “motor or recreational vehicle sales establishment” and “motor or recreational vehicle repair facility” are uses that are permitted when authorized as a conditional use by the Township Board of Supervisors. [Sec. 8-202.(f)(14) and Sec. 8-202.(f)(15)]

A Special Exception was obtained from the Zoning Hearing Board at a hearing held on November 29, 2007 to establish a “Motor Vehicle Sales Establishment” on the property for “preparation and repair work to utility terrain vehicles, all-terrain vehicles, and powered boats”. However, the repair work could “be done only on new and used motor vehicles sold by the Applicant”. Also, and more importantly, the Special Exception obtained has now expired because the Applicant did not submit formal permit applications to the Township within 18 months of the date of the Certification of Order.

A ‘Daily Trip Calculation’ has been provided on sheet L100 that shows the proposed additional trips associated within this Plan remains within the allowable trips as determined within the overall trip generation for the original Cabela’s Land Development. The engineer concurs with this conclusion and thus believes that the requirement for the presentation of a formal Traffic Impact Study for the conditional use application has been satisfied.

2. All zoning district requirements and provided values shall also be noted on the Plan. [Sec. 8-203.] (*same as SALDO comment # 4*)

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3. The required parking calculations provided on sheet L100 shall be revised to clarify if the 246,700 square feet of gross floor building area includes the 15,155 square foot area of the two (2) proposed building additions. [Sec. 1801.(II)]

General

1. The plans to be recorded should be indicated at the 'Sheet Index' provided on sheet A0-0.0. At a minimum, sheets A0-0.0, L100, and L301 should be recorded.
2. At the Planning Commission meeting held on June 16, 2020 there was discussion regarding the possibility of limiting access to the boat service area by providing bollards with a chain across the depressed curb, paint striping within the access drive adjacent to the depressed curb, and/or no access signs. The Plan does not depict any of these items.

Following the discussion, Ray Myers agreed upon limiting access to the boat service area by providing movable bollards with a chain across the depressed curb, paint striping within the access drive adjacent to the depressed curb and no access signs. The plan will depict these items.

Following the discussion, a motion was made by Dale Keener, seconded by Chris Forte to recommend to the Board of Supervisors that conditional plan approval be given based upon the township engineer's review comments dated July 20, 2020, and based upon Mr. Myers agreeing to limit access to the boat service area by providing three moveable bollards with a chain across the depressed curb, paint striping within the access drive adjacent to the depressed curb, and no access signs, as discussed at the meeting on July 21, 2020. The plan to depict these items. Upon roll call, Keener, Forte, Kozlowski and Enevoldson voted yes.

EDGE SELF STORAGE PRELIMINARY/FINAL PLAN

The plan is scheduled to be on the agenda for the August meeting. The engineer stated he spoke with their engineer and was informed that they are required to get a Highway Occupancy Permit from PennDOT.

LETTER/CHIEF McELLROY

Mr. Keener stated that the secretary had prepared a letter to be sent to Chief McEllroy expressing the Planning Commission's appreciation for his assistance at the May 19th meeting during the Covid-19 pandemic.

PRD – PLANNED RESIDENTIAL DEVELOPMENT ORDINANCE

The review on the PRD was tabled until the August meeting.

SALDO – UPDATED COPY

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The township engineer stated the SALDO is 99% complete with some minor issues to be addressed and recommended that the Board of Supervisors begin the formal process for the adoption of the SALDO. The engineer stated that the Township Supervisors need to formally present the SALDO to the Township Planning Commission and the Berks County Planning Commission.

A motion was made by Dale Keener to recommend to the Board of Supervisors that they begin the formal process for the adoption of the SALDO, draft date June 19, 2020. The motion was seconded by Greg Kozlowski. Upon roll call, Keener, Kozlowski, Forte and Enevoldson voted yes.

ADJOURNMENT

A motion was made by Greg Kozlowski, seconded by Chris Forte to adjourn the meeting. The meeting was adjourned at 8:35 p.m. Upon roll call, Kozlowski, Forte, Keener and Enevoldson voted yes. Upon roll call, the vote was affirmative.

Attest:

**Sharon Enevoldson
Anna Shollenberger, Secretary**

Note: Anna Shollenberger transcribed the minutes from Ms. Enevoldson notes and the tape.