

November 14, 2022

Caernarvon Township Planning Commission
c/o Joan Bair, Township Secretary
3307 Main Street
P.O. Box 294
Morgantown, PA 19543-0294

Re: Magnolia Greene Development
Tentative Plan Review
Received: October 24, 2022
Public Hearing: January 10, 2023
KE File -Z 206

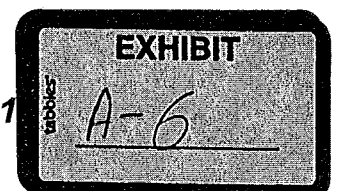
Dear Planning Commission Members:

We have reviewed the Tentative Plan for the Mangolia Greene Development. The Applicant and Developer is Greene Hills Land, LLC. The Plan was prepared by Stackhouse Bensinger, Inc., and includes two (2) plan sheets and dated October 20, 2022. Supplemental information was provided in the submission package and a completeness letter was provided to the Applicant on November 4, 2022. The Applicant approved the extension of hearing to January 10, 2023 at the Board of Supervisors meeting on November 9, 2022.

The subject 56.674 acre parcel is located on Main Street (SR 0023) opposite the Lowes/Walmart shopping center. The proposal includes the construction of a 135 single family detached dwelling units, 86 Townhomes, and 332,670 square feet of potential IOP commercial space. The parcel is in the Industrial Office Park Mixed-Use Residential Housing Overlay District. Based upon our review, we offer the following comments for your consideration:

ZONING ORDINANCE

1. The Plan represents a submission of a Planned Residential Development in the IOP Mixed Use Housing Residential Zoning District as permitted by §628.12.
2. The Caernarvon Township Planning Commission and the Berks County Planning Commission shall issue a review and recommendation of the Tentative Plan. (§628.4)
3. **MODIFICATION REQUEST:** The first stage and all subsequent stages shall contain at least twenty (20) percent of the dwelling units given tentative approval. Each stage, to the extent possible, shall have the same ratio mix of dwelling unit as approved in the Tentative Plan. (§628.8.b)



Per the request letter, the ratio requested is due to economics and the efficiency of the construction. It should be noted the total of the percentages in the modification request is less than 100% and therefore needs slight modification.

4. **MODIFICATION REQUEST:** At least fifty (50) percent of all the dwelling units proposed shall be rented or sold prior to the construction of any commercial development. (§628.8.c)

Per the request letter, the commercial property is proposed for Phase 1 and developed simultaneously with the 58% of dwelling units proposed for the same phase.

5. **MODIFICATION REQUEST:** The gross stage residential density may be varied from stage to stage by a maximum of ten (10) percent of the gross residential density as the entire Planned Residential Development as approved. Where it is necessary to allocate Common Open Space to residential densities, the developer shall be required to grant Common Open Space easements or covenants to the Municipality, specifying the amount and location of such Common Open Space required to satisfy the density requirements of the plan. (§628.8.d)

Per the request letter, the Applicant is proposing greater than ten (10) percent but does not provide the percentages that are requested for any of the stages. This requirement includes the option of establishing the necessary percentage of Common Open Space with an easement or covenant in order to avoid the need for modification of this section.

6. A high-level schedule was submitted in the narrative. As stages progress, the detail of each stage shall be refined and updated accordingly. (§628.8.e)
7. **MODIFICATION REQUEST:** The landscaping for each approved stage must be eighty (80) percent completed before proceeding to the next stage. No more than two (2) stages may be incomplete at any time. (§628.8.f)

Although the Applicant is requesting a modification of this section, the intent also states the street trees will be installed along a street at once the dwellings are complete. It seems the intent complies with the section and modification is unnecessary. Clarification of the request may be necessary.

8. Completion of improvements, guarantees, and maintenance shall comply with §628.9.
9. The Plan does not appear to provide a description of the existing use and/or the proposed use although the mixed-use information is indicative of intent. Please note, the description of the proposed use shall also include the commercial component of the development. (§628.10.a and §401.3.e)

10. **The proposed Common Open Space is disjointed and appears secondary to the layout of the residential units and the layout of the street network. The exception is the walk/bike path, which is proposed within Stage 1. Access to each open space is undefined. Some areas appear accessible to just the few adjacent lots which abut them, e.g. Open Space A, K, O and L. The open space areas are spread throughout the development as opposed to a few larger centralized areas that could be accessed by all residents or accommodate permitted recreational facilities. (§628.10.d)**
11. **The feasibility of the water supply, sanitary sewer disposal and storm water management must be included on the Plan. Service letters from the Caernarvon Township Municipal Sewer Authority and the Caernarvon Township Authority should be provided to demonstrate adequate capacity for water and sewer. The Plan does not demonstrate a preliminary utility layout similar to the water shown. (§628.10.f)**
12. **The covenants and easements included in the Declaration of Covenants and Structures shall include access provided to the Township as applicable for such facilities as stormwater and open space. (§628.10.g)**


Also, the Pennsylvania Turnpike has revised drawings within the 2022 calendar year and provided those to the Applicant. The PRD Plan indicates design Plans from the Turnpike dated 2015. Clarification is needed as to the proposed layout of Willow Glen Road, the Turnpike design including proposed right-of-way, current coordination and feasibility of the PRD Plan as shown.

13. **The Plan does not clearly identify the intent of street parking or dedication of proposed streets. This clarification is necessary to determine certain minimum design requirements. (§628.10.h)**
14. **Any required modifications or waivers of the Municipal Land Use regulations (i.e. Zoning or SALDO) shall be shown on the Plan or submitted in writing. (628.2.b and §628.10.i)**
15. **Common Open Space is shown on the Plan but there are no recreation facilities in accordance with §628.10.m. Sample recreational facilities listed in §598.G.3.a and §598.E.4 are mirrored on the Plan. The Common Open Space does not demonstrate whether any of the suggested recreation facilities could be accommodated by the area afforded. A discussion of what recreation facilities may be appropriate for the area or consistent with the Township's Parks and Recreation planning would be beneficial to both the Applicant and the Township.**
16. **The Applicant provided a narrative titled "Caernarvon Township Impact Evaluation" in accordance with §628.10.n. This should be identified as Exhibit N to be**

consistent with the Tentative Plan Submission Narrative. Comments are as follows:

- A. As required by §302.5 of the SALDO, the Township's Police, Fire and Roads Department may provide written comments relative to their specific interests regarding this narrative and the Plan. The same representatives may attend the Planning Commission to provide comments.
- B. The Transportation and Circulation section of the narrative does not indicate whether an active bus program passes through the Township. If one exists, the Plan should demonstrate access is provided to the bus stop.
- C. Stormwater management areas are identified on the Plan with no anticipated design. An NPDES permit will be required by DEP and the development will be required to comply. As shown, stormwater compliance and impacts are indeterminate.
- D. **The Parks and Recreation narrative states the taxes generated from the PRD development can be allocated to provide recreation facilities to this development. The PRD development should include the recreation facilities as noted in §628.10.m.**

Also, the narrative states the open space is to be dedicated. The Township is not required to accept dedication of open space generated by residential developments.



- E. The Education section of the narrative calculates the projected students per housing unit on a national calculation and the number of projected students seems low. The School District or a regional study may have historical data that is more representative of the anticipated impact to the school system.
17. All design standards and requirements contained in the Township's Subdivision and Land Development Ordinance and elsewhere in the Zoning Ordinance shall apply, except as may be modified by this section §628.21.
18. **All structures on the IOP parcel shall demonstrate access. As shown, there is no access to the lot and therefore the lot is non-compliant. (§603)**

PennDOT issued comments on September 19, 2022 regarding the Scoping Application for the subject property. Those comments indicated necessary revisions to the access points, as well as restrictions to the access points onto Main Street (S.R. 0023). As shown, the access points of proposed Road A and Road H are not complaint with PennDOT requirements. Furthermore, the Scoping Application is inconsistent with the Tentative Plan specific to the access drive not shown on the Tentative Plan, but indicated to the west of the 4th leg of the Crossing Boulevard traffic signal.

19. **The IOP parcel is proposed as a single lot. More than one principal structure and use is proposed (as detailed in the Scoping Application from August 2022) but no details provided regarding any of the uses, buildings, or layout. More than one principal structure is permitted on a single use if yard and other requirements of the Zoning Ordinance are met for each structure as if it were on an individual lot. (§604)**
20. Access and access points will be subject to the requirements of §608. Again, no access to the parcels is shown, and therefore, the Plan cannot be verified for compliance.
21. The loading area and parking requirements associated with the IOP parcel cannot be verified for compliance with §612 and §613 since the parcel provides no geometric layout or improvements for the proposed uses or buildings.
22. Screen plantings shall be maintained permanently, and plant material which does not live shall be replaced within one year. (§609.3)
23. Any portion of the site that is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas, shall be planted with an all-season ground cover and shall be landscaped according to the overall plan. (§609.4)
24. **25% to 35% of the Common Open Space shall be improved for active recreational facilities. The areas identified as active recreation calculate to 34% of the Open Space in the chart (the chart is the discrepancy noted in the previous comment). The active recreation areas identified include proposed and existing stormwater management facilities and do not appear to qualify as “improved for active recreational facilities.” (§598.G.3.a)**
25. The Plan shall demonstrate that no more than 25% of the Common Open Space shall be comprised of stormwater management facilities. A calculation should be provided to demonstrate this requirement is satisfied, as well as the other Common Open Space percentages required. (§598.G.3.c)
26. All design standards and requirements in the Township SALDO and elsewhere in the Zoning Ordinance shall apply, except as may be modified by Section §589.L.1. B.
27. **Streets shall have a minimum cartway width of 28 feet and right-of-way (ROW) width of 33 feet for all streets not intended to be dedicated. Roads C, D, E, F, G or Internal Street have a cartway width of 24 feet and a ROW width of 28 feet. The Plans shall clearly specify the intent of each street regarding dedication. (§598.L.1.d)**

28. The Home Owners Association(s) (HOAs) shall maintain all private streets within the proposed development pursuant to a Declaration to be reviewed and approved by the Township Solicitor. (§598.L.1.f)
29. The plan shall note if parking will be permitted on any streets within the proposed development. Additionally, if parking is restricted to one side of the street, then that shall be noted and signage added as required. As shown, no parking will be permitted on Roads C, D, E, F, G or Internal Street I since widths are less than the Township minimum. (§598.L.1.g)
30. An open space management plan shall be submitted with an application for final subdivision and land development in accordance with §598.M.2.
31. Consideration should be given to screening common open spaces from the proposed dwelling lots as suggested in §598.N.1.
32. Additional screening shall be added to the three (3) properties just east of Road B. Only the rear of these properties proposes landscaping. The eastern property boundary is also lacking the required screening, specifically along the properties identified as Burkholder Ventures, LLC and Jamsky Holdings, LLC. (§598.N.3.b) Additional improvements such as berms or fences may be appropriate at these locations in consideration of the close proximity and the uses. (§598.N.7.b and c)
33. The Plan does not include a reference to woodland disturbance and whether replacement plantings will be required in accordance with §598.N.6.a.
34. The total linear footage of new and existing public and private road frontage on both sides is noted as 11,687 feet total. As scaled from the Plan, the total amount of linear foot frontage is closer to 18,000 feet total. The discrepancy could result in an additional 63 trees. Stationing on the Plan could help clarify the distances. (§598.N.6.a)
35. §598.N.6.a allows for required plantings to be dispersed throughout the tract to meet certain objectives. The positioning of evergreen trees to create a year-round buffer from adjacent properties should be considered when designating specific trees on the Landscape Plan.
36. **As shown, the Plan does not demonstrate complaint yard, density and other zoning requirements for the potential IOP commercial space in accordance with §628.5.b. The residential areas also require additional verification of the density provided for open space.**
37. **The purpose, location and amount of Common Open Space shall be further determined to meet the Zoning requirements and whether the areas identified are appropriate for the residential development in accordance with §628.5.c.**

38. **The Plan must provide a physical design in which it provides adequate control over vehicular traffic in accordance with §628.5.d. As presented, the trip generation evaluation and Plan do not present any control of vehicular traffic. A Traffic Impact Study will be required by SALDO §516 as well as by PennDOT. Anticipated vehicular impacts to the adjacent roadway network have not been evaluated and therefore have not identified the anticipated improvements, or in accordance with this section, adequate controls over vehicular traffic.**
39. **The Plan provides for Common Open Space, but recreation facilities are not proposed in accordance with §628.5.d.**
40. **The development proposes modifications to the staging requirements and, therefore, would not be consistent with the terms and conditions required by the Zoning Ordinance intended to protect the interests of the public and residents of the PRD. Unless the requested modifications are approved, compliance with §628.5.f cannot be verified.**

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. The proposed traffic signal and any stormwater facilities within PennDOT ROW will require Caernarvon Township to be the permittee during the submittal process. The Applicant will be expected to enter into a separate agreement with Caernarvon Township addressing the installation and maintenance of specific facilities associated with the HOP. The Applicant should contact the Township Solicitor for further details pertaining to said agreement.
2. Land proposed for Subdivision or development shall not be developed or changed by grading, excavating or by the removal or destruction of the natural topsoil, trees or other vegetative cover unless adequate provisions for minimizing Erosion and sediment are provided as per criteria contained in Title 25, Chapter 102, Rules and Regulations, Pennsylvania Department of Environmental Resources, and the requirements of the Caernarvon Township Ordinance. (§501.5)
3. Prior to the Record Plan being endorsed by the Planning Commission and Governing Body, the Applicant shall submit a completed original copy of the Subdivisions and Land Development Improvements Agreement (Appendix G). (§501.7)
4. All improvements installed shall be constructed in accordance with the design specifications of the Municipality, including promulgated by the Municipal Water or Sewer Authority. (§501.8)
5. Supervision of the installation of the required improvements shall in all cases be the responsibility of the Municipality of the appropriate state regulatory agency. (§501.9)

6. **Road F, where it surrounds Open Space N, varies in width from 24 feet to 42 feet. The varying width is not permitted by Township standards. (§502.3)**
7. The proposed roadway network shall comply with §502.5 (Street Grades).
8. The deflection of street lines should be provided in accordance with §502.8.a.
9. **The intersections of Road B and Road H with Main Street (S.R. 23) are separated by approximately 750 feet. Intersections with Major Streets shall be no less than 1,000 feet apart in accordance with §502.10.e.**
10. **The Plan does not include available sight distance lines at intersections in accordance with §502.11. Absent of these items, the Plan does not demonstrate sight distance could be compliant. There is concern with, but not limited to, the location of the dwelling units, street trees/landscaping and driveways in relation to the line of sight.**
11. The proposed roadway network shall comply with §502.13 (Street Names).
12. **WAIVER REQUEST: Sidewalks having a minimum width of four feet (4') shall be installed in accordance with municipal requirements along both sides of existing or proposed streets. (§502.15)**

Per the request letter, the Applicant is proposing sidewalk on one side of most streets. Sidewalk is excluded from Road A (west of Road B) and Road H. In consideration of the request, the Applicant is offering an asphalt walk/bike path. It should be noted that the path extends from the intersection of Highcroft Drive and Willow Glen Road to just beyond the intersection of Road A and Road B, all of which is within Stage 1.

The asphalt walk/bike path is only four feet (4') in width. This width is insufficient in accordance with typical shared bike/pedestrian facilities per PennDOT guidelines and is not complaint with the Township required concrete sidewalk. The width should be increased to better accommodate the intended use.

13. The proposed roadway network shall comply with §502.16 (Street Signs).
14. Street lights will be required for the proposed residential areas as well as the commercial lots. Agreements and a street lighting tax are expected for the development. (§502.17)
15. The proposed roadway network shall comply with Section 502.18 (Driveways). Lot 48 and 68 do not appear to comply with the corner lot offset of 40 feet. It should be noted the offset as shown is only 38 feet.
16. The proposed development shall comply with §503.3 for crosswalks. Detail is not

provided for any crosswalk. Compliance with ADA standards is required as well.

17. The Applicant must demonstrate the adequate sanitary sewer improvements and submit to the Caernarvon Township Sewer Authority and received approval for the same as required by §505.
18. The Applicant must demonstrate adequate water supply and improvements submit to the Caernarvon Township Authority and received approval for the same as required by §508.
19. The Plan shall be submitted to the Fire Chief and the Fire Commissioner for comment. (§509)
20. The proposed development shall comply with Section 510 (Storm Drainage).
21. The Applicant shall forward a copy of the Plan to the appropriate electric utility company for review. A letter from said utility company verifying the receipt of the Plan must be provided to the Township prior to Final Tentative Plan approval per §511.4(a)(1) and (2).
22. All review letters and the subsequent approval from the Berks County Conservation District for the Erosion and Sediment Control Plan and NPDES permit shall be provided to the Township per §512.1. A review by the District has not yet been provided at the time of this review.
23. The proposed development shall comply with Section 513 (Monuments).
24. The forthcoming Transportation Impact Study shall be submitted to the Township in order to understand if safe and efficient accesses and circulation can be provided to and from the proposed development. (§516)

STORMWATER ORDINANCE

1. At this time, no stormwater design or layout has been submitted. Therefore, a review of stormwater facilities could not be performed. It should be noted that the Tentative Plan outlines potential locations for stormwater facilities but provides no indication of feasibility.

TRAFFIC

1. A Traffic Impact Study will be required by SALDO §516 as well as by PennDOT. The study has not been completed and the impacts by the mixed-use overlay traffic, nor the previously permitted IOP traffic, have not been evaluated. Therefore the Plan provides no indication of feasibility or improvements.

2. By email dated February 15, 2022 to the Township Solicitor, attorney Charles Haws, Esq. restated Berks Homes willingness to contribute \$70,000.00 to the Township to help the Township address traffic signal coordination along S.R. 23 in the event PennDOT does not require traffic signal coordination along S.R. 23 as part of the HOP process.
3. The Township shall be copied on all correspondence with PennDOT. Additionally, the Township requests to be added as an "Additional Engineer" within EPS to access documents. Kraft Engineering, LLC has the following BPID 016063. Please include the following emails: sanderson@kraftengr.com and zruppert@kraftengr.com.
4. It appears there are typos in the Trip Generation Comparison at the following locations:
 - a. Table 1 weekday PM total trips and Saturday total trips.
 - b. Table 3 PM exiting trips for the proposed use and Saturday total trips for the proposed use.
 - c. Please verify the total internal capture for the potential by-right plan PM peak hour.

GENERAL COMMENT

1. The Declaration of Building Restrictions and Covenants, as well as all other details provided in Exhibit G, shall be reviewed by the Township Solicitor.
2. There are numerous "mailbox clusters" located in locations where no pedestrian accommodations are provided to/from the mailbox cluster. Furthermore, no vehicular pull offs are provided for the mailbox clusters. If parking is not permitted in the location of the mailbox cluster this could cause safety issues within the proposed development. The Applicant should consider the location of the clusters to be shifted further from proposed intersections.
3. The sidewalk termination at Highcroft Drive does not align with the existing sidewalk network on the North Side of the Highcroft Drive and Willow Glen Road intersections. Additionally, the Plan should specify that all sidewalks, crosswalks and curb ramps will be ADA compliant.
4. The requested relief narrative denotes that the Applicant intends to develop 58% of the dwelling units in Stage 1, 19% in Stage 2, and 21% in Stage 3. This is 98% of the dwelling units. Please clarify this discrepancy.
5. The information provided did not address storm sewer, signage, lighting, or traffic impacts to the adjacent roadway network. These will need to be reviewed prior to final plan approval.
6. Please provide the density for each stage of the development on the plan.

7. Detailed calculations and supporting documentation are requested to support the statements made in the Caernarvon Township Impact Evaluation.
8. The linear footage of street shown in the landscape table does not appear to be reflective of the linear feet provided in the county referral. Please clarify the discrepancy.
9. The Planning Commission may consider requesting traffic counts after each stage of the development to confirm the trip generation utilized in the forthcoming Transportation Impact Study.
10. The Planning Commission may want to discuss the extension of the proposed trail network along Highcroft Drive. Furthermore, the proposed width of the trail shall be denoted on the plan.
11. The Applicant will be subject to the installation of fire hydrants and any other improvement necessary for the proposed water line upon review by the Fire Chief and Commissioner as well as the Township Municipal Authority.
12. The termination of the asphalt sidewalk along Road F will create a mid-block crossing. The location of the termination along Road F would only be permitted if a mid-block crosswalk is warranted and all required design parameters provided.
13. The Planning Commission may want to consider sidewalk along the property frontage of Main Street (S.R 0023) as well as sidewalk along Road H to Main Street (S.R. 0023).
14. Street trees exist within the street right-of-way (ROW) on the side of the street where sidewalk is provided. It may be the preference of the Township to move these trees outside of the ROW for consistency and less conflict with infrastructure.
15. The Plan shall include a note in reference to the HOA Agreement, covenants or other document including the appropriate recording information. The note on the Plan regarding maintenance by the HOA should be revised accordingly.

This review letter presented herein should be considered preliminary. Caernarvon Township and Kraft Engineering reserve the right to present additional comments as a result of future design and plan revisions, including outside agency comments. If you have any questions about this review, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott C. Anderson', with a long horizontal line extending to the right.

SCOTT C. ANDERSON
Senior Project Engineer

cc: Gary McEwen, Berks Homes (via email)
Aristides Otero, Stackhouse Bensinger (via email)
Terry Naugle, Zoning Officer (via email)
Michael S. Gill, Esquire (via email)