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MUNICIPAL ENGINEERING SERVICES

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June 9, 2020

Dawn Nicholson, Chairperson (via email)
Springfield Township Planning Commission
2320 Township Road
Quakertown, PA 18951

Subject: Center Valley Materials (H&K Group) Conditional Use
Springfield Street/Mine Road
TMP #42-4-77, 76, 106, & 107
File No. 21-379

Dear Planning Commission Members,

The following comments and/or recommendations are made with respect the subject Conditional Use Application, which was filed with the Township on March 16, 2020:

SUBMISSION:

Applicant (The H&K Group) seeks Conditional Use approval to permit a Quarry Use (G-7) on four parcels totaling 196.20 acres within the Planned Industrial (PI) Zoning District. All parcels are owned by Liberty Home Development Corporation, Ltd., and are proposed to be leased to the applicant (The H&K Group). TMP #14-4-75 (38.42 acres) & 42-4-76 (55.46 acres) have frontage on Springfield Street, and contain a stone area currently used for parking of tractor trailers. TMP #42-4-106 (42.37 acres) is a land locked, vacant parcel. TMP #42-4-107 (59.95 acres) has frontage on Mine Road, and is vacant. Two overhead utility right of way areas run in an east/west direction thru the site. With the exception of areas cleared for man-made improvements (stone area and utility right of way areas), site is completely wooded, and contains wetlands/regulated waters (tributary of Tohickon Creek) as mapped by Valley Environmental Services, Inc. Site is bounded to the north by industrial uses (zoned PI) along Springfield Street; to the east by residential uses (zoned RR) along Salem Road; to the south by residential uses (zoned RR) along Mine Road; and to the west by the rail trail (under construction), and commercial/industrial uses (zoned HC & PI) along Route 309. Two extraction areas (north area nearest to Springfield Street, and south area nearest to Mine Road) are proposed. Vehicular access is proposed along Springfield Street opposite the existing access to the Coopersburg Materials asphalt plant. No access is proposed along Mine Road. Uses in the vicinity of the site are served by on-lot wells and on-lot sewage disposal systems.

To support the applicant's request for Conditional Use approval, the following documents were submitted with the application:

- Conditional Use Application Plan, sheets 1 thru 8, dated, March 13, 2020, prepared by The H&K Group Engineering & Environmental Services Division.
- Project Narrative, which contains a description of the proposal, and a discussion of how the applicant proposes to satisfy the requirements of the Zoning Ordinance.
- Property deeds, and Plan of Survey, dated November 19, 2019, prepared by Urwiler & Walter, Inc.
- A list of surrounding property owners within 1,000 feet of the site, as of February 13, 2020.
- Trip Generation Letter, dated March 11, 2020, prepared by McMahan Associates, Inc, which includes an analysis of the number of anticipated vehicular trips to/from the proposed facility.
- Wetland/Watercourse Boundary Verification correspondence dated February 13, 2020, prepared by Jason Mease, Professional Wetland Scientist, Valley Environmental Services, Inc.; and accompanying Wetland & Waters Delineation Map, sheets 1 thru 3, dated February 12, 2020, prepared by The H&K Group Engineering and Environmental Services Division, which surveys the limits of wetlands and regulated waters flagged by Valley Environmental Services, Inc.

- Preliminary Groundwater Model Report, dated March 12, 2020, prepared by V.F. Britton Group, LLC, which includes an analysis of the potential effects of the quarry use on existing hydrogeologic conditions within the site and the surrounding area.

DISCUSSION:

1. In accordance with requirements of Section 802 of the Zoning Ordinance, the applicant has the burden of proving that the application complies with various Conditional Use requirements of the Zoning Ordinance. The applicant must present testimony before the Township in order to satisfy the Township that the application meets all applicable standards set forth in Section 802 of the Zoning Ordinance prior to the Township granting conditional use approval. The Township should determine if the application satisfies the following requirements:
 - A. The proposal is appropriate to the tract in question and will not disrupt or destroy the character of stable residential neighborhoods.
 - B. The proposal provides for adequate access to public roads, without creating hazardous conditions at intersections or areas of poor road alignment, and without creating undue congestion. Where a Traffic Impact Analysis is required by the Subdivision and Land Development Ordinance, it shall be submitted with the conditional use application.
 - C. The applicant has provided credible evidence that the proposal conforms to all applicable requirements of this Ordinance.
 - D. The proposed water supply and sewage systems will be adequate and meet applicable requirements. Where applicable, a certificate of adequacy of sewage and water facilities shall be provided. Where a utility or stormwater matter will be required to be addressed under the Township Subdivision and Land Development Ordinance, Stormwater Ordinance or another Township Ordinance, the Board of Supervisors may defer detailed consideration of such matters and instead place a condition on the conditional use approval to require evidence of compliance with such ordinances to be provided when such matters will be before the Township.
 - E. The effects of the proposed change will result in the most appropriate use of land, the conservation of the value of buildings, safety from fire, panic and other dangers; adequacy of light and air, the prevention of overcrowding of land and congestion of population, and the adequacy of public and community services.
 - F. The proposed use will be suitable for the site, considering the disturbance of steep slopes, mature woodland, wetlands, floodplains, lake, pond, watercourse or wetland buffers, springs, seeps, vernal pools, and other important natural features, and considering measures that the applicant proposes to conserve such features as a condition of approval.

In addition to the above requirements, the Board of Supervisors shall determine that access to the site is safe, and may refuse to permit a conditional use where insufficient distance between a curb cut and a street intersection is provided, or may require combining of access with an adjoining land use. The Board of Supervisors may require off-site traffic improvements where a hazardous condition would otherwise be created, if authorized by State law. Additionally, the Board of Supervisors shall require that the proposed use be developed in a manner that is compatible with the surrounding existing uses. Conditions controlling planting of shade trees, evergreen buffers, and planted berms may be imposed to create a buffer beyond the normal requirements of this Ordinance. Further, the Board of Supervisors shall impose conditions on lighting and signs to ensure that glare does not disrupt residential areas, distract motorists, or intrude in the background near traffic lights.

2. Property is comprised of four separate tax map parcels all owned by Liberty Home Development Corporation, Ltd. Site capacity calculations and area/dimensional criteria noted on the Conditional Use Application Plan are based on the parcels being considered one site, which should occur by filing a deed of consolidation. Since the parcels will be leased by the quarry owner from the current landowner, deed of consolidation should be prepared, executed by the current landowner, and be recorded at Bucks County Courthouse.
3. The Project Narrative indicates that the lease agreement between the applicant and property owner allows the current property owner to use the site for current activities (truck storage) for a period of twenty years, until the northern extraction area is developed. (It is unclear to this office whether the existing truck facility has received a Zoning Permit from the Township.) Although multiple principal uses are permitted on sites in the PI Zoning District, each individual use must comply with zoning requirements for each use. The Conditional Use Plan exhibit does not indicate requirements for the existing truck storage activity (which may already be unpermitted and non-conforming). Documentation verifying compliance with multiple uses on the site should be submitted for review.
4. Trip Generation Letter, dated March 11, 2020, prepared by McMahan Associates, Inc., includes documentation to project the total number of new vehicular trips (per day and peak hour) generated by the quarry use. However, the report is lacking information to verify compliance with Traffic Impact Study preparation requirements of Section 406 of the Land Development Ordinance (including existing traffic conditions, future conditions analysis without the proposed development, future conditions analysis with the proposed development, and conclusions/recommended improvements). Trip Generation Letter alludes to the completion of a traffic study, which should be submitted to the Township for review. Trip Generation Letter indicates that projected traffic generated by the quarry use (excluding the number of existing trips that will no longer occur between Naceville Materials in West Rockhill Township and the Coopersburg Materials Asphalt Plant across the street from the proposed quarry site, once the new quarry is in operation) will use the section of Springfield Street between the quarry access and the existing signalized intersection with Route 309. The applicant proposes to be responsible for any intersection and/or traffic signal improvements required at the intersection of Springfield Street and Route 309 that may be warranted as a result of the increased quarry traffic. The applicant states it will also agree to a condition that requires the quarry to enter into an agreement with Springfield Township regarding maintenance of the portion of Springfield Street between the proposed quarry entrance and Route 309. Widening of Springfield Street to ensure that sufficient turning movements for trucks accessing the new driveway should also be proposed.
5. Preliminary Groundwater Model Report, dated March 12, 2020, prepared by V.F. Britton Group, LLC, estimates the zone of impact on existing groundwater levels in the vicinity of the site using limited groundwater and geologic data currently available. The model is based upon only one extraction area being quarried at one time. The report asserts that the estimate is conservative, and more exact determinations will be made once site-specific data is obtained and included in the model. Only minor groundwater withdrawals for use by the mining operation are proposed via onsite wells; the larger impact is anticipated to occur during the mining operation that will result in groundwater level fluctuations that could affect nearby private water supplies, and baseflows within watercourses. Project Narrative (section 13.f on page 11) outlines the steps taken under the "Large Non-Coal Surface Mining Permit" to comply with the required groundwater and surface monitoring program administered by PADEP, which includes how neighbor complaints related to well impacts will be addressed. Township should retain an expert in hydrogeology to review the Groundwater Model Report to verify whether the report accurately represents all groundwater and water supply impacts that may be encountered as part of the quarry use.
6. Site contains areas of wetlands/wetland margins, watercourses (including mapped FEMA Floodplain), and woodlands, which require protection in accordance with the Zoning Ordinance, although the exact area of each resource has not been tabulated on the plan for verification. Information contained in the Project Narrative appears to suggest that the applicant believes that the development of a quarry use does not need to comply with resource protection requirements of the Zoning Ordinance; although the Project Narrative also states that, with the exception of a proposed stream crossing, the limits of disturbance do not encroach within wetlands/margins, and the amount of woodland disturbance will be within the allowable maximum level stipulated by the Zoning Ordinance. However, the applicant acknowledges that an application for Special

Exception to permit the crossing of the watercourse with the driveway connecting the south extraction area and the north extraction area will be filed for review by the Zoning Hearing Board. (If this crossing is not approved, traffic from the south extraction area will most likely need to access Mine Road instead). A Floodplain Permit issued pursuant to Chapter 151 of the Township Code of Ordinances will also be required for crossing/encroachment within the 100-year floodplain associated with the watercourse(s).

7. Information contained within the Project Narrative states that an on-lot sewage disposal system (possibly a holding tank) will be used for the minimal amount of effluent generated by the quarry use. Method of sewage disposal should comply with the Township's Act 537 Plan, and applicable Township Ordinances relative to On-Lot Sewage Disposal Operation and Maintenance, as well as PADEP and BCDH regulations.
8. Section 404.G.(7)(a).1.a of the Zoning Ordinance requires a berm with a minimum height of 15 feet and maximum height of 50 feet surrounding the entire property site. Plan indicates berms in certain locations around the perimeter of the site, except where wetlands/watercourses do not enable construction of the required berm without encroaching into these resources. Information contained in the Project Narrative states that the berm is provided around the perimeter of the property, where feasible; and that the natural vegetation (mature trees) and measured distances to the perimeter of the site will provide adequate buffer between the active extraction areas/mining activities and surrounding parcels. A berm is not proposed adjacent to the proposed haul road, between the northern and southern extraction areas and the rail trail/Ryan Sheetz parcel, apparently due to the necessity to locate the access driveway to avoid wetlands/margin, which does not provide sufficient room for berm construction between the access driveway and adjoining property boundary. A berm complying to design requirements contained in Section 404.G.(7) of the Zoning Ordinance should be proposed around the entire property site, unless a variance to permit partial berm construction as shown on the plan is approved by the Zoning Hearing Board.
9. There is little information within in the Project Narrative related to noise and dust concerns that normally occur with quarry uses. Project Narrative states that proposed buffers, screening berms and equipment enclosures (when warranted) will control noise levels to those levels stipulated by Section 508.B of the Zoning Ordinance. Also, the use of sweeper/vac trucks, on-site water trucks, and spray bars at all transfer points and material discharge points (as mandated by PADEP Air Quality Permit requirements) will be used to manage dust emissions from the site. The Project Narrative does not include information on wind data (directions and percentage of time) that may provide a better idea of the potential impact of noise and dust pollution on the surrounding areas.
10. Applicant acknowledges within the Project Narrative that extraction activity and operation of machinery connected with the processing, shipping, or crushing activities is prohibited between the hours of 10 PM and 6 AM per requirements of the Zoning Ordinance. Narrative should clarify whether the quarry operation is anticipated to occur on Saturdays, Sundays, and holidays, as well as during normal workdays.
11. The Project Narrative does not reference the land development approval process, or compliance with the Township Stormwater Management Ordinance. Pursuant to the definition of "land development" contained in Section 202 of the Township Land Development Ordinance, a land development includes the improvement of one or two or more contiguous lots, tracts, or parcels of land for any purpose involving a group of two or more non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure. Additionally, construction of new or additional impervious surfaces, land development, alteration of the natural hydrologic regime, installation of BMPs and stormwater management facilities, and/or temporary storage of impervious/pervious material are regulated activities requiring compliance with the Township Stormwater Management Ordinance (Ordinance 186) adopted pursuant to PA Act 167. It is also noted that the quarry proposal is governed by the requirements of PADEP's Large Non-Coal Surface Mining Permit, and corresponding NPDES Permit for discharge of stormwater runoff from development activity.

Springfield Township Planning Commission
Subject: Center Valley Materials (H&K Group) Conditional Use
June 9, 2020
Page 5

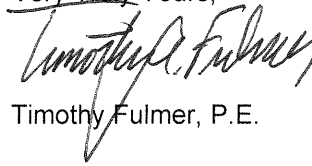
12. The above comments are based on information submitted for review; and additional comments are reserved pending submission of additional documentation, revised information, and presentation to the Planning Commission.

RECOMMENDATION:

Conditional Use approval should not be granted unless the above items are resolved in a manner satisfactory to the Township.

If you have any questions, do not hesitate to contact me.

Very Truly Yours,



Timothy Fulmer, P.E.

TAF/mew

cc: Karen Bedics, Vice-Chairperson, Planning Commission (via email)
Jay Fuggiti, Secretary, Planning Commission (via email)
Bobb Carson, Member, Planning Commission (via email)
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