



March 14, 2019

Mr. Peter Gray, Township Manager
Falls Township Municipal Building
188 Lincoln Highway, Suite 100
Fairless Hills, PA 19030

**RE: Preliminary Land Development
Elcon Recycling Services
Dean Sievers Place – USS Real Estate
TMP #13-51-001-005: Zoned: MPM – Materials Processing and Manufacturing
Township of Falls, Bucks County, Pennsylvania
JEA Project# LD19-02**

Dear Mr. Gray:

As requested, we have reviewed the above referenced 12 Sheet Plan Set and the associated documents listed below, prepared for Elcon Recycling Services dated December 12, 2019 and prepared by Gilmore & Associates, Inc. of New Britain, Pa. The following comments are offered for your consideration.

APPLICATION DOCUMENTS SUBMITTED

- Land Development Plans (Sheets 1-11A) dated 12/12/2019
- Land Development Application dated 1/25/2019
- Stormwater Management Report dated 1/2019
- Traffic Impact Study dated 2/15/2017

ZONING ORDINANCE

Section

Description

- | | |
|---------------------------------|--|
| 209-30 (D) | The plans show dimensions, areas and ratios in the zoning data table that are based on one lot (T.M.P. 13-051-001-005) however the Bucks County Parcel Viewer shows there are two lots that encompass the overall site area. The applicant must provide evidence that the two lots were formally consolidated, or the plans must be revised to include a Subdivision / Lot Consolidation Plan. Additionally, the zoning data table must be updated with corrected information based on 209 Attachment 8, Table 5 of the Zoning Ordinance. |
| 209-30 (E)
209-43 (A thru I) | The plans must be revised to include a note to the effect that the operations at this facility will comply with all of the performance standard requirements from these sections of the ordinance in perpetuity. Section (I) contains specific requirements for "Storage and Waste Disposal", the compliance with which cannot be determined from the site plans submitted. It is unclear what materials will be stored, processed and handled at this facility as well as which storage areas are being proposed within buildings and which are open storage and containment areas. Certain materials storage may be required to be fully enclosed within a building. |

<u>Section</u>	<u>Description</u>
209-30 (F) 209-34 (E)	The plans must be revised to remove the guard house, fence(s) and gate system that are located within the front yard area or a zoning variance will be required.
209-38	The plans must be revised to add grading improvements that clearly show positive drainage away from the proposed retaining wall and to natural drainage ways or local storm sewer systems. Additionally, a note must be added to the record plan that states that all material to be imported and used to bring the site to final grades will be comprised of Clean Fill and or Topsoil as determined by the Falls Township Engineer's office and the Pennsylvania Department of Environmental Protection.
209-42 (B)(1)	The plans must be revised to provide clustered plantings of dense plant material not less than four feet in height which shall be provided and maintained between the off-street parking areas and any lot line or street line. The four-foot height of the plant material must be measured from the elevation of the parking areas.
209-42 (E)	The plans must be revised to provide a maximum driveway width of thirty feet (30.0') at the street line which shall be measured at the straight portion of driveway prior to the radii or a zoning variance will be required.
209-42 (H)(22)	The required parking space calculations must be revised to conform with this section of the ordinance where 1.25 parking spaces are required for each employee / personnel on the major shift with 2 parking spaces provided for each managerial personnel and one additional parking space for each business-related vehicle.
209-42 (I)	The plans must provide and identify area(s) intended for loading of any materials that will be leaving the property in terms of process byproducts as well as area(s) for loading and unloading of office products and materials and materials other than process materials.
209-43 (D)	The plans must be revised to include information in sufficient detail to assure there will be zero light intensity at the property lines. This is mentioned due to the proposed development being elevated by retaining walls where elevated driveways and parking spaces requiring illumination are in close proximity to property lines.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

<u>Section</u>	<u>Description</u>
191-29 (D)	This section of the ordinance requires that certain natural features, including waterways, be preserved by every means and to the fullest extent possible. The drainage easement that contains a waterway as defined by §191-5 of this ordinance, which runs along the Dean Sievers Place property frontage is subject to this requirement. The plans must be revised to eliminate the substantial amount of fill proposed within this waterway in order to construct the automobile parking facility or a waiver from this requirement must be requested.
191-29 (E)	It appears that the design of the improvements will require the import of material in excess of 70,000 C.Y. in order to construct the site improvements at the elevations proposed, which are presumably to elevate the project to a predetermined elevation above the relevant floodplain elevations.
191-29 (H)	This section of the ordinance requires that all construction details to be in accordance with the Falls Township Design Details and Practices, Appendix A of Chapter 191-Subdivision and Land Development Ordinance. The plans must include a note to this effect and add compliant constructible details for all relevant improvements.
191-30 (I)	Comments related to the Traffic Impact Study are deferred to the Township Traffic Engineer.
191-31 (A) 191-31 (D)(2)	This section of the ordinance shows that a forty-foot (40') wide paved cartway is appropriate for the depicted right-of-way width of Dean Sievers Place, which is currently paved to a thirty-six feet (36') wide cartway.
191-36 (A) 191-34 (D)(1)(f)	The plans must be revised to show the required five hundred-foot (500.0') sight distance lines for each driveway intersection with Dean Sievers Place.
191-35 (B)	The plans must be revised to include truck turning templates around the Dean Sievers Place cul-de-sac to assure there is an adequate paved radius for the trucks anticipated for this site to have the ability to turn around without the need to reverse or to enter another property for this purpose.
191-36 (D)	The plans must be revised to include curbs along all driveways or a waiver from this requirement must be requested.
191-37 (B)	The plans must be revised to provide a dimension between the eastern driveway and the adjacent property line which shows a minimum distance of twelve-feet (12'). A dimension must be provided between the parking area and the adjacent building which shows a minimum distance of fifteen-feet (15'). Additionally,

<u>Section</u>	<u>Description</u>
191-37 (B) (Cont'd.)	the plans must be revised to include safety measures for protection against truck traffic impacts to buildings and/or containment walls.
191-37 (C)	The plans must be revised to include dimensions for the parallel parking spaces along the looped driveway that are labeled "Contractor Parking by Permit".
191-37 (D)	The proposed driveway accessing the vehicular parking area and the overall site entrance layout indicate potential conflicting vehicular / truck movements considering where the gated facility access is proposed. The plans must provide operational notes or a flow diagram that indicates vehicles can enter / exit the parking space area when trucks are queued at the entrance gate and weigh station. The flow diagram must also address potential vehicular conflicts at the outgoing weigh station, driveway and the adjacent intersecting driveway. Additionally, the truck stacking configuration must be revised since two trucks are simultaneously situated on the incoming weigh station scale.
191-37 (E)	The plans must be revised to include a dimension between the off-street parking area and the right-of-way of Dean Sievers Place that indicates a minimum distance of five-feet (5').
191-37 (G)(1)	The plans must be revised to include curbed raised planting beds within the parking area as well as at the ends of parking rows or a waiver from this requirement must be requested. Additionally, the raised planting beds must be alternating on each side of the parking area.
191-37 (G)(2)	The plans must be revised to include shade trees for all curbed raised planting beds. Proposed shade tree species must be selected from the approved shade tree listing in section 191-48 (H) of Chapter 191-Subdivision and Land Development Ordinance.
191-38 (A)	The plans must be revised to include the required lighting improvements required by this section of the ordinance. Lighting must be provided for all walkways and driveways in addition to the off-street parking area.
191-38 (B)	The lighting plan must show a minimum of 0.3 footcandle in the areas to be illuminated.
191-38 (C)	The lighting improvements must be shown in sufficient detail to allow determination of the effects on neighboring properties, traffic safety and overhead sky glow.

<u>Section</u>	<u>Description</u>
191-39 (D)	The plans must be revised to include sufficient detail to evaluate compliance with this section of the ordinance that relates to ADA Accessibility. It appears there are internal walkways that require pedestrian safety measures and it is unclear how pedestrian traffic is intended throughout the site processing areas and between buildings. Additionally, the proposed retaining wall will require guards that are designed in accordance with the effective building codes, the location of which must be added to the plans.
191-44 (C)(3)	The waste handling facility is bounded on three sides by 1,766 +/- lineal feet of retaining wall ranging from 0' to 7.7' (+/-) in height. The calculations supporting the design must be submitted with the signature and seal of the engineer who is responsible for the design prior to final approval. Due to the significance that this wall will have on the safety of the site, the applicants engineer prior to design, must confer with the Township Engineer who will set the design standards, design considerations and acceptable assumptions for the design of the wall. Additionally, since this wall will provide support for the driveways, concrete pads, concrete containment areas, walkways and other necessary infrastructure improvements it is recommended that the applicant be required enter into an inspection and maintenance agreement with the Township. The inspection and maintenance agreement must be in a form acceptable to the Township Solicitor and be recorded with the property deed prior to issuance of a certificate of occupancy. The location and of the retaining wall in proximity to the site infrastructure and the adjoining properties will be subject to the Township Fire Marshal's approval. There appears to be limited space between the retaining wall and the northeast property line for future repairs and/or maintenance.
191-44 (D)	The plans must be revised to include an easement for disturbance on the adjacent property, T.M.P. 13-51-001-006 since the limit of disturbance extends onto that property. Additionally, a waiver will be required from this section of the ordinance due to that disturbance.
191-44 (E)	The plans must be revised to provide the required minimum lawn slope of two percent (2%) and shall be in accordance with Chapter 187, Stormwater Management.
191-44 (F)	The plans must be revised to provide additional spot elevations to assure compliance with this section of the ordinance requiring grading improvements that assure adequate site drainage. Additionally, proposed bottom and top of wall elevations must be added along the length of the proposed retaining wall.
191-44 (G)(1)	The plans must be revised to provide ground slopes (positive drainage) away from the outside of the proposed retaining wall.
191-44 (G)(5)	The plans must be revised to include notes that address the management of dust and tracked mud during the grading and overall construction operations.

<u>Section</u>	<u>Description</u>
191-45	This section of the ordinance requires drainage easements to be free of permanent structures yet the design proposes to place fill within the twenty-foot (20') drainage easement that runs along the property frontage along Dean Sievers Place. The proposed fill comprises an earthen embankment to support the proposed vehicular parking area. A waiver must be requested for the placement of this fill, and if granted, a condition of which should be an analysis of the drainage swale considering all flow inputs into the swale, which must be redesigned in accordance with Chapter 187, Stormwater Management of the Falls Township Code and shown to be acceptable for the anticipated and emergency flow conditions.
191-48 (A)	The plans must be revised to include street trees for the entire property frontages. If existing trees are to be counted as serving this purpose they must be identified by size and species on the landscape plan.
191-48 (B)	Street trees must be planted at least forty-feet (40') apart, or an equivalent number shall be planted in an informal arrangement acceptable to the Falls Township Board of Supervisors. Additionally, the plans must be revised to include a calculation that indicates the required number of street trees.
191-48 (D)	The plans must be revised to provide a distance of fifteen-feet (15') between street trees and all driveways.
191-48 (G)	All proposed street trees species are subject to the Falls Township Shade Tree Commission's approval / recommendations.
191-51 (H)(1)	The plans must be revised to include an outdoor collection station(s) for garbage, recycling and trash removal.
191-51 (H)(2)	The plans must provide adequate screening measures for the outdoor collection stations.
191-52	Measures used to control erosion and reduce sedimentation shall, at a minimum, meet the standards and specifications of the Bucks County Conservation District and the Pennsylvania Department of Environmental Protection. The applicant must obtain a letter of adequacy from the Bucks County Conservation District. Additionally, since the Limit of Disturbance is over one acre an NPDES Permit will be required.
191-52.1 (A)	The overall existing features plan must include the natural resources table.

<u>Section</u>	<u>Description</u>
191-52.1 (B)(2)(a)	The plans show a delineated wetland area on the western side of the project site which appear to be taken from a reference plan that is dated in 2006. The applicant must provide confirmation, from a qualified soils scientist, that the historic delineation remains valid or provide an updated delineation performed in accordance with this section of the ordinance. Additionally, the qualified soils scientist must certify by signing the record plan for this development indicating the confirmation of the existing delineation or for the updated delineation. The wetland margin must be adjusted accordingly.
191-52.1 (B)(2)(b)	This project may require a General Permit from the Pennsylvania Department of Environmental Protection for the basin discharge pipe at the wetlands. Additionally, a Chapter 105, dam safety permit may be required for the stormwater management basin berm since the basin could contain fluids other than stormwater. The design must include a means for shut-off of the basin discharge control structure in the case of a spill that, due to the configuration of the site, would cause contaminated fluids to enter the stormwater management facility. The shut-off valve and process for operating the valve must be included in the applicants PPC Plan for the operation of the site as well as noted on the Post Construction Stormwater Management Plan. The basin design must be revised to accommodate access for maintenance vehicles and equipment as well as access for personnel to operate the shut-off mechanism.
191-52.1 (3)	The plans must be revised to depict the steep slope areas accounted for within the natural resource table.
191-52.1 (4)	The plans must be revised to depict the woodland areas accounted for within the natural resource table.
191-52.1 (7)	In addition to the relevant comments above, watercourses shall not be altered, regraded, filled, piped, diverted or built upon except where design approval is obtained from Falls Township and, if required, from the Pennsylvania Department of Environmental Protection. (See comment §191-45)
191-52.1 (8)	The proposed disturbance to the wetland margin must be quantified and included within the table of natural resources, including any disturbance related to maintenance and/or repair.
191-60 (A)	Monuments shall be placed at key points agreed upon between the Township Engineer and the Developer's Engineer.
191-64 (A)	The plans must be revised to include additional detail related to the proposed water distribution system to assure adequate service to each building and for firefighting purposes.

<u>Section</u>	<u>Description</u>
191-69	The applicant must provide a service letter from the appropriate authority indicating adequate sanitary sewer service and adequate water service is available for this project and provide additional details to assure adequate sanitary sewer service is provided to each building within the development requiring service.
191-78 (A)(1)	The plans must be revised to include an overall site plan for recording purposes that shows the entire property with all site improvements. Additionally, the overall existing features plan is unreadable and must be revised to provide clarity.
191-78 (B)(4)	The record plan must be revised to show the adjoining property owners and their respective zoning designations.
191-78 (C)(1)	The plans must be revised to include two coordinate points along the boundary that are referenced to the Pennsylvania State Plane Coordinate System (NAD83).
191-78 (C)(2)	The plans must be revised to include all existing features including the location, names, and widths of streets; the location and names of railroads; the location of property lines, the names of adjacent property owners and the Bucks County Tax Map Parcel Number of each property; and the location of watercourses, sanitary sewers, storm drains and similar features within 200 feet of any part of the land to be subdivided or developed or a waiver must be requested from this requirement.
191-78 (C)(4)	The plans must be revised to include the metes and bounds for all easements and the ultimate delineation of the wetlands.
191-78 (C)(5)	The plans must be revised to include detailed information to determine the drainage patterns throughout the site and on the adjoining properties. There are many existing contours that are not shown on the various design plans and must be included for review of the proposed grading improvements.
191-78 (C)(6)	The plans must be revised to include the location and character of existing buildings (including building dimensions), species of large trees standing alone, the outline of wooded areas, slopes equal to or over fifteen (15) percent and any areas subject to inundation.
191-78 (D)(3)	The plans must be revised to include the dimensions of all buildings, containment areas, and provide dimensions between these elements on the site plan. Additionally, the plans must include multiple Site Sections throughout the processing area to better understand these components of the overall site design.
191-78 (D)(5)	The plans must be revised to include dimensions that are perpendicular or radial to all property lines or street lines from the corners of buildings, structural containment areas, tank farm areas and equipment.

<u>Section</u>	<u>Description</u>
191-78 (D)(7)	The plans must be revised to include the zoning data for this lot based on the current zoning ordinance.
191-78 (D)(10)	The plans must be revised to show the location and size of all existing and proposed water mains, sanitary sewers, waterways and the location of the nearest fire hydrant. Additionally, a note must be added to the Record Plan stating that a sewage planning module mailer has been submitted to the Department of Environmental Protection and provide verification of the submission including the date submitted.

STORMWATER MANAGEMENT ORDINANCE

<u>Section</u>	<u>Description</u>
187-8 (C)	The stormwater management design must include an analysis that concludes there will not be an increase in runoff to the adjacent property, T.M.P. 13-51-001-006 due to the construction of the retaining wall. Additionally, the design must include a downstream hydraulic capacity analysis for the multiple culvert systems between this project site and Biles Creek. The downstream analysis must be completed in accordance with §187-8 (K) and consider stormwater peak rate and volume changes as well as the physical condition of the culverts and the overall impacts to this site due to the flood stage(s) of the Delaware River.
187-8 (G)	The applicant must obtain a determination as to whether a permit from the Pennsylvania Department of Environmental Protection is required for the location of the stormwater management basin and basin discharge pipe adjacent to the wetlands. Additionally, an analysis must be submitted that addresses the potential for adverse effects to the local wetland environment due to the proposed concentration of site runoff within the proposed stormwater management basin and the discharging of the runoff to a concentrated location within the wetland area, whereas the existing site runoff reaches the wetland area in a diffused manner.
187-8 (O)	The stormwater management design must include water quality protection measures and calculations designed and quantified in accordance with §187-17.
187-8 (T)	The plans must be revised to eliminate the fill embankment within the watercourse that runs along the frontage of Dean Sievers Place and provide protective measures against existing stream bank erosion.
187-8 (U)(3)	The stormwater management facility, due to its proximity to the wetlands, appears to be subject to permit by PADEP under 25 Pennsylvania Code Chapter 105.

<u>Section</u>	<u>Description</u>
187-8 (U)(5)	Since the stormwater management basin could impound fluids other than water, the applicant must determine if the stormwater management berm constitutes a dam and is therefore subject to permit by PADEP under 25 Pennsylvania Code Chapter 105.
187-11 (B)(1)	The plans must include a clear and legible Existing Resource and Site Analysis Map for the overall site and include the natural resource table. The plans contain an overall Existing Features Plan apparently for this purpose however the plan does not provide the requisite clarity.
187-12 (D)	The subject site is located within the five-hundred (500) year floodplain according to the effective F.I.R.M. for this area and therefore not subject to the regulatory requirements pertaining to the Special Flood Hazard Area contained in Chapter 131. However, the applicant must consider the potential effects of inundation at this project site based on the existing conditions, culverts and drainage channels in the vicinity of the ultimate discharge point from this property, and design all site and stormwater management improvements accordingly.
187-12 (G)	The plans must include notes that ensure compliance with this section of the ordinance requiring fill to be compacted to ninety-five percent (95%) of the materials maximum dry density as determined by the standard proctor test and provide for embankment fill materials being keyed into virgin soil.
187-12 (J)	The plans must be revised to include energy dissipating devices at all conduit outlet locations. Additionally, the stormwater management design report must contain the design of each riprap apron.
187-12 (L)	The stormwater management report must include an analysis of the emergency spillway such that there will be one foot of freeboard through the spillway for the post development one-hundred-year storm flow routed through the spillway. Additionally, the elevation of the spillway will be subject to the comment above related to potential site inundation (see 187-12 (D)).
187-12 (M)	A note shall be added to the plan that states all stormwater detention facilities and erosion and sedimentation control measures shall be in place prior to the creation of any impervious surface.
187-12 (R)	The plans and design must provide additional detail regarding the trench drain within the truck off-loading area / containment area, indicating how open containment areas and walled outside storage areas will be drained during rainfall events. It is recommended that the design of the parking lot be revised to accumulate runoff along a curb line at the edges of pavement and sloped to inlets as opposed to collection in low points located in the middle of the access driveway where pedestrians will walk to access the office building.

<u>Section</u>	<u>Description</u>
187-13 (A-D)	The plans must be revised to include profile views of all proposed storm sewers and trench drains to assure compliance with this section of the ordinance. Additionally, all pipes must have a minimum of eighteen inches (18") of cover over the pipe and since the majority of the storm sewer pipes are contained in a filled area bounded by retaining walls, all pipes must be constructed water tight. Inlet spread calculations must be included to assure pedestrian walkways will not be in a ponded condition, buildings / walls will not be subjected to ponding / icing nor the driveways be subjected to excessive ponding / icing. The plans must be revised to include some detail related to the Future Expansion Area adjacent to the Maintenance Building for review of the proposed infrastructure.
187-13 (E)	The plans must be revised to include profile views of the watercourse that runs along the frontage of Dean Sievers Place. Additionally, this channel and the proposed driveway culverts must be analyzed / designed for flow from all contributory drainage areas including those from the spillway of the stormwater management basin on the property adjacent to the northeast corner of the property, T.M.P. 13-51-001-006 and the multiple culverts along Dean Sievers Place.
187-14 (C)	The stormwater management analysis must be revised to consider all pre-development cover conditions as "Meadow" in good condition unless the natural ground cover generates a lower curve number. Additionally, the plans and report must contain the time of concentration assumptions and calculations. The assumption of a five-minute pre-development time of concentration is unacceptable.
187-21 (B)(2)(d)	The plans must be revised to show the overland flow path used in time-of-concentration calculations for the pre-development condition.
187-21 (B)(2)(ee)	The plans must be revised to include the referenced owner / applicant's acknowledgement that the stormwater management facility to be a permanent fixture that can be altered or removed only after approval of a revised plan by the Township of Falls.
187-32 (A)	The applicant shall sign an operations and maintenance agreement with the Township covering all stormwater controls and BMPs that are to be privately owned. The maintenance agreement shall be transferred with transfer of ownership and will be provided to the applicant for execution. The operations and maintenance plan, and operations and maintenance agreements shall be recorded in the Office of the Recorder of Deeds for Bucks County along with the Record Plan.

FLOODPLAIN MANAGEMENT ORDINANCE

<u>Section</u>	<u>Description</u>
131-7	The applicant must obtain a permit from the floodplain manager and it is noted that this project will be subject to applicable requirements of this chapter of the Falls Township Code.
131-9 (C)(2)(f) 131-19	The Floodplain Permit Application must include to information contained in this section of the ordinance including, bodies of water or watercourses and, if available, information pertaining to the flow of water including direction and velocities.
131-9 (C)(3)(b)	The plans must identify the Base Flood Elevation(s) for this project site.

TREE PROTECTION STANDARDS

<u>Section</u>	<u>Description</u>
199-4 (A)(1-7)	The plans must include a tree survey plan containing the information required by these sections of the ordinance.
199-4 (B)(6)	The tree survey pan must include a tree replacement calculation in accordance with this section of the ordinance where the required replacement trees are shown and noted on the Landscape Plan.
199-4 (B)(8)	The Landscape Plan shall note that all replacement plantings shall be guaranteed and maintained in a healthy and/or sound condition for at least eighteen (18) months or shall be replaced by the applicant.

GENERAL COMMENTS

1. All comments from the Township Fire Marshal must be addressed.
2. All comments from the Township Traffic Engineer must be addressed.
3. Notes must be added to the plans that states that no operational, storage nor construction activities are allowed outside of the buildable area, as defined by the Falls Township Code and as presented on this site plan, without prior approval of the Falls Township Board of Supervisors.
4. Notes must be added to the plans that state that the future expansion area is not subject to this approval or the plans must be revised to show future improvements in sufficient detail for review.
5. The following Constructible Details must be added to the plans at this time:
 - Weigh Stations Schematics,
 - Schematic Retaining Wall / w Proper Guards,
 - PennDOT Type DW Endwall (all pipe outlets),

- OCS Shut-off Valve,
- Backflow Preventer for Concrete Endwalls,
- Concrete Paving – Off-Loading Area,
- Trench Drain,
- Open Containment Areas w / wall details & elevations,
- ADA Compliant Curb Ramps w/ DWS dimensions & details,
- Sanitary Sewer Lateral / Manhole / Trench & Backfill,
- Water System Type & Size / Fire Hydrant / Fire System Distribution

6. Permit Requirements or Jurisdictional Determinations:

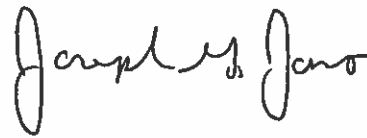
- PADEP Hazardous Waste Operating Permits
- NPDES w/ PNDI Clearance
- Sanitary Sewerage Planning Module
- PADPE GP – Endwall Adjacent to Wetlands
- PADEP Chapter 105 – Stormwater Facility adjacent to Wetlands
- PADEP Chapter 105 – Dam Safety
- ACOE Jurisdictional Determination – Wetlands Update

7. Agreements Required:

- Stormwater Operation and Maintenance
- Retaining Wall Inspection & Maintenance
- Developers Agreement
- Easement – Wetlands
- Easement - Watercourse

Should you have any questions regarding this matter, please contact me at this office.

Very truly yours,



Joseph G. Jones, P.E., CFM
Township Engineer

- c: Mr. Timothy T. Hartman, Executive Director, Township of Falls Authority
Mr. Thomas Bennett, Zoning Officer /Chief Code Enforcement Officer
Mr. Richard Dippolito, Fire Marshal
Michael Clarke, Esq., Rudolph Clarke, LLC
Randall C. Flager, Esq., Flager & Associates, PC
Ms. Lisa Wolff, Bucks County Planning Commission
Mr. Thomas Beach, P.E., Remington & Vernick Engineers
Kim Freimuth, Esq., Fox Rothchild
Mr. James J. Hersh, P.E., Gilmore & Associates, Inc.
Elcon Recycling Services



BCPC

Bucks County Planning Commission

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Executive Director

February 26, 2019
BCPC #12375

MEMORANDUM

TO: Falls Township Board of Supervisors
Falls Township Planning Commission

FROM: Staff of the Bucks County Planning Commission

SUBJECT: Preliminary Plan of Land Development for Elcon Recycling
TMP #13-51-1-5
Applicant: Elcon Recycling Services
Owner: United States Steel
Plan Dated: December 10, 2018
Date Received: January 31, 2019

This proposal has been reviewed by the Bucks County Planning Commission professional staff, which prepared the following comments in accordance with the Pennsylvania Municipalities Planning Code (Section 502).

GENERAL INFORMATION

Proposal: Construct a hazardous waste recycling facility consisting of 157,000 square feet on a 23.69-acre parcel. The proposed facility consists of a two-story office building and buildings housing various industrial processes for the use. A guard house, a cooling tower, diesel emergency fire pumps, a fire water tank, and scrubbers and oxidizers are shown as part of the facility. The plan identifies future plant expansions to the office building, the production plant, and next to the warehouse, maintenance, and lab and break room buildings. Proposed square footage of the future expansion areas is not indicated. Public water and sewer facilities are intended to serve this development.

Location: Along the northwestern side of Dean Sievers Place, within the USX Industrial Park.

Zoning: The MPM Materials Processing and Manufacturing District permits various types of industrial uses on a minimum site area of 5 acres. The permitted maximum building coverage is 40 percent and the maximum impervious surface ratio is 80 percent.

Present Use: Vacant.

COMMENTS

1. **Proposed use**—According to Zoning Data included on Sheet 1 of the plan, the proposed use of the facility is listed as industrial. The Traffic Impact Study (TIS) submitted with the plan references transportation standards for “Hazardous Waste Siting,” and the plan also identifies a “Hazardous



Waste Facility Boundary” that encompasses much of the site, including the proposed buildings, structures, and the stormwater basin. However, the submission does not include a narrative or project description of any type to specifically indicate what the facility will entail. We recommend that the plan submission include a project description so that it can be determined if the proposed facility is a permitted use in this district.

The purpose of the MPM District is to “...protect the existing areas in the Township devoted to integrated, large-scale industrial production of iron, steel or other materials, processing, fabrication and related activities which utilize massive or heavy equipment, manufacture products from primary raw material sources, require larger areas for indoor and outdoor storage of equipment or machinery for manufacturing, production, processing or storage purposes, massive uses of highway, rail or water transportation, including port facilities, or exceptionally large uses of water or waste disposal facilities,...” The MPM District permits Remanufacturing as a permitted use, but specifically excludes the permanent storage, collection, sorting or disposal of mixed municipal solid waste on site (Zoning Ordinance Section 209-30.B.(5)). Township officials should determine if the proposed use meets the intent and use regulations of the MPM District, or if a different district may be more appropriate for the use. It is noted that the RR Resource Recovery District permits several uses related to the operation of municipal and residual waste processing; however, the processing of hazardous waste is prohibited in the RR District.

A project description will also help officials determine potential impacts the proposed facility may have on the site and surrounding area. While the processing of hazardous waste is not permitted in the RR District, applications for permits in the RR District are required to provide a project description detailing the proposed facilities, processes, equipment, estimated useful life, intended hours of operation, estimated costs, estimated volumes of material incoming and to be disposed of, and such other information as is necessary for the Township to evaluate the application. In addition to a project description, proposals in the RR District are also required to submit an environmental impact study, a traffic impact study (which has been included with this plan submission), and a fiscal impact study. Township officials should consider requesting this type of information in order to adequately evaluate the proposed use.

2. **Maximum building coverage**—The plan does not indicate the proposed building coverage on the site. Table 5, as referenced through Section 209-30.D. of the zoning ordinance, permits a maximum building coverage of 40 percent in the MPM District. A notation in Table 5 indicates that the maximum building coverage figure is intended to include the area occupied by buildings, utility structures, fixed equipment not under cover, storage tanks, sheds and accessory structures. The plan should be revised to indicate the proposed building coverage, which should include all buildings, the fire water tank, the cooling tower, and the scrubbers and oxidizers, so that compliance with Section 209-30.D. can be determined.
3. **Lot size**—Information provided on the plan indicates the site, identified as TMP #13-51-1-5, contains 32.297 acres. However, according to Board of Assessment data, TMP #13-51-1-5 contains 23.69 acres. A plan reference on Sheet 1 indicates “Lot 1 combined plan and easement plan prepared for USS Real Estate One New Fairless Hills Drive Morrisville, PA Sheet 2 of 3 prepared by Showalter and Associates dated March 29, 2006 and last revised 01-26-14.” However, the submission does not include the referenced plan, nor does it include sufficient information to verify that the site area is larger than 23.2 acres. This discrepancy should be resolved.

The proposed building coverage and impervious surface ratios should be calculated on the confirmed lot area.

4. **Site capacity calculations**—Section 191-52.1.C of the subdivision and land development ordinance (SALDO) requires site capacity calculations to be submitted with all subdivisions and land developments. The plan should be revised to submit the required calculations so that compliance with the natural resource protection standards in Section 191-52.1.B. can be verified.
5. **Wetlands**
 - a. **Wetlands delineation**—Plan notations indicate that wetlands information for the site has been taken from “Lot 1 combined plan and easement plan prepared for USS Real Estate One New Fairless Hills Drive Morrisville, PA Sheet 2 of 3 prepared by Showalter and Associates dated March 29, 2006 and last revised 01-26-14.” Based on these notations, the wetlands delineation is based on information that is 5 to 13 years old. Since wetlands boundaries can change over time due to various factors, we recommend a more current wetlands delineation be conducted by a qualified professional.
 - b. **Natural resource protection requirement**—The plan shows the proposed limit of disturbance extending slightly into the area delineated as “Wetlands Area A” for installation of a stormwater sewer pipe. Section 191-52.1.B.(2)(b) of the SALDO states that wetlands shall not be altered, regraded, developed, filled, piped, diverted or built upon except where required permits and approvals have been obtained authorizing such activities from the Pennsylvania Department of Environmental [Resources] and/or the United States Army Corps of Engineers.
6. **Floodplain**—Note 6 on Plan Sheet 1 indicates that the entire site is located within “...Zone X, 0.2% annual chance flood hazard per FEMA Map 42017C0467J effective 03-16-2015.” According to county GIS information and Section 131-17.A.(1) of Chapter 131 Floodplain Management of the Falls Township Code of Ordinances, the Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Maps (FIRMS), issued by the Federal Emergency Management Agency (FEMA), are dated March 21, 2017. The plan should be revised to reference the most up to date floodplain map, as well as differences, if any, in the delineated floodplain information.
7. **Emergency Management/Hazard Mitigation**
 - a. **Containment of waste**—The proposed use entails the transport of hazardous waste to the site for processing. Since waste will be trucked to the site and unloaded from tractor trailers, the township should be assured that containment is provided for in the event of leaks or spills. This would help prevent waste material from draining to the surrounding land.
 - b. **Emergency access**—Access to the site is provided by two driveways onto Dean Sievers Place, and an existing cul-de-sac that also serves nearby industrial uses. Consideration should be given to how emergency vehicles and responders would reach the site in the event access to the cul-de-sac were to become blocked. Township officials should determine if an emergency access should be provided, in addition to the two driveways intended for plant operation.
 - c. **Emergency Management needs and responsibilities**—We strongly encourage township officials to require appropriate documentation outlining emergency management needs and responsibilities. This information should clearly identify the first responder that is expected to respond to potential emergencies at the facility and any special equipment and special training that may be needed by emergency response providers.

A stated priority in the *Bucks County 2016 Hazard Mitigation Plan Update* is to continue coordination and planning to mitigate, prepare, and respond to local hazardous materials

facilities. The Plan references the Local Emergency Planning Committee (LEPC) which works to enhance community safety and preparedness, in part, through planning for hazardous materials emergency response. The LEPC meets five times a year and works with emergency response organizations, industry, and the community. We recommend that the LEPC and local emergency response providers be included in discussions regarding emergency response for the proposed facility.

8. Transportation impact study (TIS)

- a. **Tyburn Road/New Ford Mill Road intersection**—The primary route for tractor trailers and other vehicles accessing the site will be from Tyburn Road and New Ford Mill Road. A recommendation in the TIS is for the retiming of the traffic signal at the intersection of Tyburn Road and New Ford Mill Road. The study states that the recommended retiming should be done by Falls Township “as part of their routine maintenance.” This issue should be discussed prior to the governing body taking action on the proposal.
 - b. **Study date**—The TIS submitted with the current preliminary plan proposal is dated February 15, 2017, which is two years old. Upon review, it is noted that some of the data used in the study precedes 2017. We recommend that the study be revised to reference more recent data or to include an analysis demonstrating that traffic conditions have not changed since the dates of the referenced data.
 - c. **Coordination with the Pennsylvania Department of Transportation**—The submission does not include correspondence or any information to indicate that the Pennsylvania Department of Transportation (PennDOT) was consulted in the development of the transportation impact study. If PennDOT has not reviewed the TIS, we recommend that the applicant submit the study to PennDOT for their review. Any concerns identified by PennDOT should be addressed.
- 9. Lighting**—The plan does not include a lighting plan or provide information on proposed lighting for the site. Section 209-40 of the zoning ordinance and Section 191-38.A. of the SALDO require all parking areas, walkways, and driveways serving industrial land developments to be adequately illuminated. Also, Section 191-38.C. of the SALDO requires any other outdoor lighting, such as for building and sidewalk illumination, to be shown on the lighting plan. The plan should be revised to provide this required information.
- 10. Walkway connection for contractor parking**—The plan indicates an area designated for “Contractor parking by permit” along the driveway in the northern portion of the site. If individuals using these spaces will be accessing the buildings, we recommend that walkways connecting this parking area and the buildings be provided.
- 11. Curbs around parking lot**—Section 191-37.B. of the SALDO requires curbing, meeting the specifications of the Falls Township Design Details and Practices, to be installed for all parking facilities except those serving dwellings. The plan should be revised to indicate curbing around the parking lot containing 75 spaces.
- 12. Landscaping**
- a. **Street trees**—Section 191-48.A. of the SALDO requires street trees to be planted along the sides of all streets where suitable street trees do not exist. The plan should be revised to show the required street trees.

- b. **Parking lot plantings**—Section 191-37.G.(4) of the SALDO requires all parking areas to have at least one tree of 1-1/2-inch-caliper minimum for every 6 parking spaces in single rows and one tree of 1-1/2-inch-caliper for every 12 parking spaces in double-loaded rows of parking spaces. The plan should be revised to show the required parking lot plantings.
- c. **Planting between parking areas and lot lines**—Section 191-37.G.(3) of the SALDO requires a clustered planting of dense plant material not less than 4 feet in height be provided and maintained between the off-street parking areas and any lot line or street line where the distance between such area is less than 150 feet. Since parking spaces are located less than 150 feet from the street line, landscaping around the parking areas should be shown.
13. **Tree protection**—Sheet 9 includes a tree protection detail, but the plan does not indicate the proposed location of tree protection fencing on the site. Such fencing should be provided along proposed tree lines and around individual trees intended to remain on the site.
14. **Plan requirements**—The plan should be revised to provide the following information as required in Section 191-78 of the SALDO:
- | | |
|-----------------------|--|
| Section 191-78.C.(8) | site capacity calculations (<i>see Comment 4</i>) |
| Section 191-78.D.(4) | dimensions of all proposed buildings |
| Section 191-78.D.(6) | dimensions showing the closest distances between the buildings |
| Section 191-78.D.(7) | the square footage of each building footprint; building coverage in square feet and percent (<i>see Comment 2</i>) |
| Section 191-78.D.(14) | a lighting plan (<i>see Comment 9</i>) |
| Section 191-78.D.(18) | a tree protection zone (<i>see Comment 13</i>) |
| Section 191-78.D.(20) | a plan of proposed planting (<i>see Comment 12</i>) |
15. **Sewage facilities**—The applicant must submit a Sewage Facilities Planning Module Application Mailer to the Pennsylvania Department of Environmental Protection (PaDEP) to determine if an Act 537 Planning Module must be submitted for this proposed land development.

This review will be included in the Bucks County Planning Commission board materials for the March 6, 2019, meeting. It is not necessary for you to attend this meeting, but you are welcome to do so and to offer comments on the proposal to the BCPC board and staff.

In order that we may be more aware of your concerns, please send us a copy of all municipal decisions sent to this applicant.

LMW:dc/rml

cc: Zvi Elgat, Elcon Recycling Services
 Erik Garton, PE, Gilmore & Associates, Inc.
 Joseph G. Jones, PE, Jones Engineering Associates (via email)
 Thomas A. Bennett, Township Zoning Officer (via email)
 Peter Gray, Township Manager (via email)
 Diane Beri, Township Clerk (via email)