



August 11, 2021

Justin Keller, Borough Manager
Pottstown Borough
100 E. High Street
Pottstown, PA 19464

RE: 14 Robinson Street – Permabond, LLC
Minor Land Development Review
Pottstown Borough
PTB-20-281

Dear Mr. Keller,

CEDARVILLE Engineering Group, LLC (CEG) has completed a review of the Minor Land Development Plans for 14 Robinson Street – Permabond, LLC. The site (Parcel 16-00-24718-50-2) is located on the south side of Robinson Street. The parcel occupies approximately 2.50 acres within the Flex Office (FO) Zoning District. The site contains an existing building and parking areas. The current application proposes to remove a storage container (198 square feet) and add a storage building, shed, and generator on concrete pad, which will add approximately 885 square feet of additional impervious area to the eastern side of the property. The net new impervious area to the property will be 687 square feet.

The following information was received by our office on July 9, 2021:

- Full size plan set consisting of four (4) sheets titled “PermaBond, LLC – 14 Robinson Street” prepared by All County and Associates, Inc., and dated June 22, 2021.
- MCPC Applicant Request for County Review, dated July 7, 2021.
- Planning Applications – Application for Review of a Minor Subdivision/Land Development Plan dated July 8, 2021.
- Full size Architectural plan set consisting of seventeen (17) sheets titled “PermaBond Engineering Adhesives, Hazardous Materials Enclosure” prepared by Village Architecture & Preservation dated January, 2021.
- Quote for prefabricated storage unit/shed from U.S. Chemical Storage
- Memorandum Decision & Order issued by Pottstown Borough Zoning Hearing Board, dated, May 4, 2021.

The submitted plans propose the construction of a storage building, shed, and generator on a concrete pad for a net change of 695 square feet of impervious area. No changes to the existing stormwater management system are proposed with this application.

No Ordinance Modifications (Waivers) have been requested by the Applicant.

The Plans have been reviewed in accordance with Chapter 9 - Grading and Excavating, Chapter 22 - Subdivision and Land Development (latest Amendment March 11, 2019), Chapter 26 Water Part 2 Stormwater Management (latest Amendment, Ordinance 2194 dated March 9, 2020), and Chapter 27 - Zoning of the Borough of Pottstown Ordinances.



This plan has been reviewed in accordance with Sections 204.B (1) and (2) of the Borough of Pottstown Subdivision and Land Development Ordinance as applicable for Minor Land Development Plans, as referenced:

1. § 22-204.B(1) – *All minor plans shall be considered to be preliminary plans for the purposed of submission for review and approval and shall comply with the requirements of Part 2.*
2. § 22-204.B(2) – *When a minor plan qualifies for approval or for approval subject to conditions, in accordance with this part, the minor plan may be granted concurrently preliminary and final plan approvals, provided that the plan includes the final plan certifications required by Section 402.*

The following comments are offered for your consideration:

Chapter 9 Grading and Excavating:

1. § 9-109.1 *The plan for a grading permit shall include:*

A – A map or maps describing the topography of the area, the proposed alteration to the area and the erosion and sedimentation control measures and facilities.

B – A narrative report describing the project and giving the purpose and the engineering assumptions and calculations for control measures and facilities.

The following information shall be provided:

- Additional grading shall be provided for the pad associated with the proposed shed. The plans reference a finished floor elevation of 209.50, however existing grades in the area of the shed range from 208 to 210. Areas of proposed fill shall be clearly shown.
- Silt sock shall be provided downslope of fill required for the shed building pad.

Chapter 22 Subdivision and Land Development:

2. § 22-400.3.A *Existing features off site. The plan shall:*
 - A. *Show physical features and topography on the property surrounding the subject parcel for 100 feet unless a greater distance is deemed necessary by the Zoning Officer because of unconventional topographic conditions.*

§ 22-A402.1 – Within 100 feet of any part of the land being subdivided or developed: the location, names, width, radii, curbs, sidewalks, and surface conditions of existing streets and alleys; the location and dimensions of existing rights-of-way and easements; the location of watercourses, floodplains, floodways, sanitary sewers, storm drains and catchments, utilities above and below ground; the location and width of existing curb cuts and/or driveways; the location of any zoning district boundary, municipal or county boundary, or recreational area; and other similar features.

§ 22-A402.2 – Within 100 feet of any part of the land being subdivided or developed: contour lines and elevation data; the location of existing structures and their use; parking areas; and significant landscape features.

The Plan shall be revised per the above referenced Ordinance section, or appropriate relief must be requested. CEG offers no objection to consideration of a waiver of the above Ordinance requirements, conditioned upon:



- The Applicant shall provide the request in writing, with justification as to why relief shall be considered.
- Requested Ordinance relief shall be shown on the Plan which is to be recorded. Plans shall be updated as required to reference applicable action taken by Council prior to recording.

3. §22-400.4.A.2(a) – *From the proposed building(s) to front, side and rear property lines.*
(b) - From the proposed building(s) to existing building(s) on adjacent properties and building(s) to remain on the lot.

The referenced dimension shall be shown on the Plan.

4. §22-400.4.A.3(a)– *[All Plans shall clearly note:] "The proposed building(s) shall be staked in the location as shown on the plan and approved by the Building Inspector/Zoning Officer prior to the issuance of a building permit. Also, setback or separation dimensions as indicated on the plan shall be maintained throughout the construction. Field adjustments for building location may require an amended plan, subject to the discretion of the Borough or its representatives."*

The above referenced note must be shown on the Plan.

5. §22-400.5. – *Certificates and Assurances*

- A. *Certification of a "Phase One" Environmental Site Assessment shall be attached in accordance with ASTM (American Society for Testing and Materials) standards.*
- B. *The plan shall include the seal and signature of the engineer or surveyor who prepared the plan and a statement verifying the accuracy of the survey. The plan shall also include blocks for the certification of the owner and approval of Borough Council, the Pottstown Planning Commission, and the Montgomery County Planning Commission. Samples are included in Appendix A4, Section A408, located at the end of this chapter.*

The following information shall be provided on the Plans:

- The Plans shall be signed and sealed by the Engineer responsible for preparing the Plan.
- Certification blocks, as referenced in §A408.19 of the Ordinance, shall be provided on the Plan which is to be recorded.
- A certification of a “Phase One” Environmental Site Assessment shall be provided, if applicable.

6. § 22-A401.10 – *A key map relating the site to the existing street network, waterways, railroads, or other known landmarks. The key map shall be titled and shall show a graphic and written scale and north point. In the case of a subdivision or land development located less than 1,500 feet from the boundaries of the Borough, the name and approximate distance of all other municipalities and counties within 1,500 feet perimeter shall be indicated.*

The Location Map shown on Sheet 1 shall include graphic and written scale.

7. § 22-402.B.(9) – *Legend sufficient to indicate clearly between existing and proposed conditions*

The Legend shall be updated to clearly show and differentiate between:

- Existing and proposed buildings
- Existing and proposed contours



8. § 22-A404.18 – *Final landscape plan showing the location, number, size, and species of all trees, shrubbery, ground cover, and ornamental plantings that will be planted on the site and along public streets. All plants shall be identified by both their common and scientific names.*

§ 22-503.1 – *Total Number. The total number of trees required by this chapter shall be determined by computing the number of trees needed for street frontage, parking lots, and open space, and adding the results. When the sum results in a fraction, the fraction shall be rounded up to the next higher whole number. Existing trees more than three inches in caliper may be counted toward the total.*

§ 22-504 – *In areas of any developed lot where there are no buildings, one shade tree shall be provided for every 8,000 square feet of total lot area. This shall be in addition to trees required for street frontage and parking lots.*

§ 22-505.1 – *Except as modified by Chapter 25, Trees, of the Code of Ordinances of the Borough of Pottstown, as amended, shade trees shall be provided along street frontage as follows:*

<i>Street Frontage (feet)</i>	<i>Number of Trees</i>
<i>Less than 40</i>	<i>1 tree minimum</i>
<i>40 to 59</i>	<i>2 trees minimum</i>
<i>60 or more</i>	<i>At least 3 trees, with a minimum of 1 tree every 30 feet with an average spacing of at least 1 tree every 30 feet</i>

§ 22-508.1 – *Trees shall be uniformly distributed along the perimeter of parking areas and within the interior of parking areas in a quantity of not less than one tree per every eight parking spaces.*

The Landscape Plan shall be revised as follows:

- A chart shall be provided to demonstrate compliance with the minimum number of street trees, in accordance with the above referenced Ordinance section.
- Existing trees shall only be considered upon approval by the Borough and shall be deemed an acceptable species per Exhibit A, Attachment 11 of the Subdivision and Land Development Ordinance.

9. § 22-503.2 – *Planting Specifications. When planted, all trees must be at least 12 feet high, with a minimum caliper of 2 1/2 to three inches in diameter measured six inches above the ground. The trees shall be deciduous, symmetrical in shape, with a trunk that is clean and straight, and without branches for a distance of seven feet above the ground. All trees must be guaranteed for a minimum of 18 months and conform with the recent edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.*

The Plant Schedule, Sheet 3, shall be revised to reference the minimum height requirement.

10. 22-A504.4 – *A minimum of 0.01 acre of land shall be offered for dedication for each 1,000 square feet of building, structure or improvement proposed for any nonresidential land development plan.*

§ 22-A505.1 – *Subject to the discretion of Borough Council, an applicant may elect to contribute a fee in lieu of dedication of such land. Such fee shall help the Borough defray the costs of providing open space and public recreational facilities to serve the residents and workers in the Borough.*

§ 22-A505.3 – *The value of any fee in lieu of land for opens space shall be equal to the average fair-market value of the land required by Section A504 above or the property value thereof. The formula to be used in*



computing the fee shall be fair-market value of one acre multiplied by the percent (in acres) of land to be dedicated. As an alternative, when agreed upon by the Borough, the Borough may elect to accept a flat fee of \$500 per dwelling unit or lot created for residential subdivisions/land developments that create less than five dwelling units/lots.

The following shall be addressed:

- A note shall be provided on the Plan indicating that a fee in lieu of land offered for dedication is to be provided.
- The referenced fee shall be based upon fair market value of the open space required, in accordance with the criteria set forth in Section 22-A505 of the Ordinance, or a fee as otherwise determined acceptable by the Borough. The open space required shall be computed based upon the additional building area proposed.

11. § 22-510.1.A, D – *The following uses must be screened with a fence or wall:*

- *Storage areas, including trash storage*
- *Loading areas and parking area adjacent to streets*

§ 22-510.2.A-F – *Fences or walls shall be constructed of the following materials:*

- A. *Brick*
- B. *Stone*
- C. *Wood*
- D. *Concrete-based stucco*
- E. *Wrought iron*
- F. *Vinyl designed to look like wood:*

§ 22-510.3 – *Fences shall be higher than the material being screened, other than buildings. Fences shall have a minimum height of four feet. Although trees, shrubs and other landscaping are encouraged, they may not be used to substitute for fences.*

The following information shall be provided to demonstrate compliance with the above referenced section of the Ordinance:

- The location of proposed fences or walls shall be shown on the Plan. Screening shall be required in the following areas:
 - To the east and north of the new storage buildings.
- A detail of the fence shall be provided on the Plan, to demonstrate compliance with the referenced Ordinance requirements.

12. § 22-A525.1– *Sidewalks and/or graded areas shall be required depending on road classification and intensity of development.*

§ 22-A525.2– *Sidewalks shall be placed in the right-of-way and parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows an alternative pedestrian system that provides safe and convenient circulation. In commercial and in high-density residential areas, sidewalks may abut the curb. There shall be a grass strip of a minimum of four feet and a maximum of six feet between the curb and sidewalk.*



The Borough shall determine whether sidewalks are appropriate and are to be provided along the frontage of Robinson Street. If sidewalks are to be provided:

- A sidewalk detail shall be shown to demonstrate compliance with the dimensions and specifications set forth in Sections A525.3 and A525.4 of the Ordinance.
- Concrete driveway aprons will be required at the entrances of both driveways. A detail of the apron shall be provided on the Plan.

If the Applicant is not proposing sidewalk be included in this project, the Applicant must request a waiver from this Ordinance requirement. CEG defers this to the Borough of Pottstown Planning Commission.

13. § 22-A700.1 – *No plan shall be approved finally unless the streets, walkways, curbs, gutters, streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, and other improvements as are required by this Chapter, or are depicted on the plan, have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees required by subsection (2), immediately below, the developer shall deposit with the Borough financial security in an amount sufficient to cover the costs of such improvements or common amenities include, but not limited to, roads, storm water detention and /or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen planting that may be required.*

Completion of site improvements or deposit of financial security of an amount acceptable to Borough Council must be provided to the Borough prior to Plan recording. If financial security is to be posted, it shall be incorporated into a Developer's Agreement to be executed prior recording of the Plan. The Applicant or Applicant's Counsel shall contact the Borough Solicitor regarding preparation of the agreement.

To determine the amount of financial security, a construction cost estimate of improvements shall be submitted for review and approval. The Applicant's Engineer shall contact the Borough Engineer to confirm the improvements to be included as part of the estimate.

Chapter 26 Water - Part 2 Stormwater Management:

14. § 26-221.1(A-B) – *For all regulated activities, unless preparation of an SWM site plan is specifically exempted in Section 222*

- *Preparation and implementation of an approved SWM site plan is required.*
- *No regulated activities shall commend until the municipality issues written approval of an SWM site plan, which demonstrates compliance with the requirements of this Part 2.*

§ 26-221.6– *Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner(s) by the developer. Such stormwater flows shall be subject to the requirements of this Part.*

§ 26-221.12 – *For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this Part and to meet all requirements under Title 25 of the Pennsylvania Code, the Clean Streams Law,¹¹ and the Storm Water Management Act.*

§ 26-222.1 (Amended per Ordinance #2194) – *Regulated activities that result in cumulative earth disturbance of less than 1,600 square feet are exempt from the requirements in Sections 223 and 224 and subpart D of this part.*



The Applicant shall recalculate disturbance limit based upon the applicable preceding comments. Additional comments in accordance with the Borough Stormwater Management Ordinance may be warranted in subsequent submissions based upon the resultant limit of disturbance.

Chapter 27 Zoning:

15. § 27-336.5– *Requirements for lot area, building setbacks, and building size:*

Standard	Size
Front Setback	20 feet

As referenced in Note 10 of the Findings of Fact in the Memorandum Decision for the Zoning Hearing held on May 4, 2021:

Both buildings will be located approximately 140 feet from the nearest side property line and greater than 90 feet from the front property line. Neither proposed building will be located closer to the front property line than the distance between the front of the existing principal building and the front property line'

The proposed shed as shown on the Land Development Plan is located 77 feet from the front property line, which does not comply with the above referenced Findings of Fact statement. The above is subject to review and determination by the Pottstown Zoning Officer.

16. § 27-600.1 – *Off Street Parking*

Off-street parking and loading provisions as set forth in these Parts shall be required in all instances, except the remodeling of existing buildings as follows:

- A. *In the event of a change of an existing use in an existing building, no additional off-street parking shall be required if the total floor space does not increase and if the new existing use does not require any more spaces under this Part than the use it replaces.*
- B. *On-street parking spaces shall not be used to satisfy the requirements of this Part unless the Zoning Officer determines, in writing, that sufficient on-street parking exists along the frontage of the property line/lines. No more than 10% of the required parking spaces shall be on-street parking.*

§ 27-800 *Continuation of Use*

A use or structure which is nonconforming, as defined in Section 800, at the time this Chapter and subsequent amendments become law, may be continued except as otherwise set forth in these Sections.

§ 27-802 – *Regulation of Nonconforming Uses*

Any nonconforming use, building or structure may be enlarged by not more than 10% of its floor and/or use area as it existed at the time of passage of this Chapter; provided that the lot or lots were in single ownership and purchased prior to the enactment of this Chapter. Any such enlargement shall conform to all regulations of the district where it is located. This provision may be used only once for each zoned lot.

The plans indicate that a total of 15 parking spaces are required, that the lack of existing parking represents an existing non-conformity, and that the non-conformity is not being expanded due to the proposed project. Confirmation shall be provided by the Pottstown Zoning Officer that no Ordinance relief is required.

Consistency with Zoning Hearing Decision and Order Architectural Drawing (Exhibit C):



17. Dimensions for the shed, storage, and concrete pad for generator to be provided on the Plan to demonstrate compliance with the building orientation shown on the architectural drawings.
18. The location of utilities to serve the proposed buildings shall be shown on the Plan and shall be included within the limit of disturbance.
19. A note on the Architectural Drawing Site Plan (Sheet A-1) indicates that indicates “Contractor shall remove all material as required to provide min. 25 feet clearance to all combustible materials and vegetation”. The following shall be provided on the Land Development Plan:
 - The 25-foot offset line, shown on the referenced Architectural Plan must be shown on the Land Development Plan. The Plan shall clearly show that no vegetation encroaches within this area.
 - The limit of tree clearing that may be required to maintain the 25-foot separation shall be clearly shown. Tree protection fencing will be required to delineate this area; location and a detail of the fencing, along with reference to its installation shall be included on the Plan.
 - The Limit of Disturbance shall be revised as required to encompass the area of tree clearing along with any required erosion and sedimentation perimeter controls.

General Comments:

20. The Sheet Index on Sheet 1 of 4 shall be revised to coincide with the sheets included in the Plan set.
21. All references to “Township Engineer” on the Plan shall be updated to read “Borough Engineer”.
22. The following certification shall be provided on the Plan and signed as applicable prior to Plan recording:
 - Borough Engineer’s Certification:

BOROUGH ENGINEER REVIEW

THIS PLAN WAS REVIEWED BY THE BOROUGH OF POTTSTOWN ENGINEER

THIS _____ DAY OF _____ 20__.

BOROUGH ENGINEER

Other agency approvals:

Approvals or permits from the following agencies may also be required. Written evidence of these approvals, acceptance, or exemptions shall be provided to the Borough:

- A. Fire Marshall, Borough of Pottstown
- B. Zoning Officer, Borough of Pottstown

Consideration of Minor Land Development Plan approval shall be conditioned on resolution of all outstanding comments referenced in this letter and appropriate action on any waiver requests that may be provided by the Applicant.



Please contact me with any questions or concerns.

Best Regards,
CEDARVILLE Engineering Group, LLC

Robert E. Flinchbaugh, P.E.
Senior Municipal Manager

cc: Stephanie Drobbins, Pottstown Borough Licensing and Inspections
Charles D. Garner, Esquire, Pottstown Borough Solicitor
Keith A. Place, Pottstown Borough Director of Licensing and Inspections
Winter Stokes, Pottstown Borough Zoning /Planning Administrator
Ginny Takach, Pottstown Borough Secretary
Jason K Bailey, P.E., All County and Associates, Inc.
Amy Sutryn – Permabond LLC, Applicant