

Date of Mailing Notice of Decision:

January 18, 2023

Timothy G. Dietrich, Esq.
50 North Fifth Street, 2nd Floor
Reading, PA 19601

Re: Preliminary Land Development Plan Approval
Beyond Meat, Inc.
Charlestown Township, Chester County

Dear Mr. Dietrich:

As required by Section 508 of the Pennsylvania Municipalities Planning Code, this correspondence will serve to memorialize the decision rendered by the Board of Supervisors on January 3, 2023, conditionally approving the preliminary subdivision plan application of Beyond Meat, Inc. for property located 312 Devault Lane, Devault, PA 19355, further identified as Tax Parcel Number 35-04-123.

The conditions of preliminary land development approval are set forth below. Preliminarily, as to each of these conditions, it is the understanding of the Board of Supervisors and the Township Solicitor that each of these conditions is fully acceptable to the applicant based upon communications and discussions which occurred during the meeting of the Board of Supervisors, at which the decision was rendered on the plan approval.

The Plans as referenced in this correspondence include plans and correspondence as prepared by Light-Heigel and Associates, Inc. entitled Alternate Final Subdivision and Land Development Plan for Beyond Meat, dated February 15, 2021, last revised December 22, 2022, consisting of 63 sheets, and as further supplemented by this correspondence (the "Plans").

The Applicant shall comply with the following conditions of preliminary plan approval.

1. Compliance with all outstanding comments set forth in the Township engineer, Montrose Environmental, review letter of September 30, 2022 and attached as Exhibit A.
2. Compliance with all outstanding comments set forth in the Thomas Comitta Associates review letter dated October 4, 2022 and attached as Exhibit B.

3. A note shall be added to the Plans providing for the planting of extra trees on the berm along the Spring Oak property line, not to exceed a total of 100 trees.
4. The Plans shall be modified to include drawings for the inverted “T” wall in accordance with discussions the Applicant’s Engineer and the Township engineer.
5. The Township and Applicant shall work to further refine the language of Note 85 on Plans concerning appearance of building facade.
6. The Applicant shall receive final approvals from the Pennsylvania Turnpike Commission with respect to stormwater.
7. The Applicant shall apply for and obtain an NPDES permit.
8. The Applicant shall be required to purchase parcels of land from SMF Properties LLC, located near the southern terminus of Devault Lane near the PA Turnpike.
9. The Applicant shall comply with the requirements of the Township Subdivision and Land Development Ordinance pertaining to the provision and execution of a subdivision and land development agreement, the submission of appropriate performance, maintenance and/or escrow financial guarantees (in accordance with construction cost estimates agreed to by the Township Engineer), and including the recording of a Stormwater Maintenance Agreement, all in a form acceptable to the Township Solicitor.
10. The payment of any outstanding review fees, pursuant to Section 503 of the Municipalities Planning Code, including, but not limited to, professional consultations, engineering review and reporting, legal documentation preparation and submittal, legal research and other legal services, incurred by the Township, within thirty (30) days after invoicing.
11. The Applicant, with the assistance of the Board of Supervisors, if necessary, shall engage in discussions with Thomas A. Fillippo, owner of Parcel 35-4-57, concerning the relocation and/or improvement of the access drive either:
 - a. As shown on Option “A” of the traffic planning and design report provided by the Township; or
 - b. As the supervisors, Thomas A. Fillippo, and the applicant determine to be safe and adequate.

Timothy G. Dietrich, Esq.
January 18, 2023
Page 3

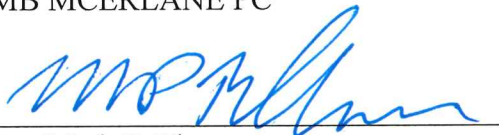
12. The Applicant agrees to reimburse the Township for any and all costs associated with any action taken by the Township related to the vacation and abandonment of the portion of the Devault Lane Right-of-Way noted on the Plan to be abandoned.

13. In lieu of the language of Note 87 on the Plans, the Applicant shall leave open from development the area shown on the Plans to the east of the proposed development on the Property between Milton Drive and Devault Lane identified on the Plans as "50' strip to remain undeveloped for possible future township use for a period of at least ten years from final approval of the Plans."

Waivers are confirmed as being granted from Section 22-406.1.B(1) of the Subdivision and Land Development Ordinance concerning dimensions shown on the plan and from Section 23-303.1(2).F of the Stormwater Management Ordinance regarding minimum cover. Further modification is granted from Section 23-302.1B(1)(J) of the Stormwater Management Ordinance regarding peak flow of the post-construction design storm as set forth on the Plans.

Very truly yours,

LAMB MCERLANE PC

By: 
Mark P. Thompson

cc: Board of Supervisors (w/o attachments)
Chris Heleniak, Township Manager (w/o attachments)

EXHIBIT “A”

24 E. Market Street | PO Box 565 | West Chester, PA 19381 | Phone: 610.430.8000 | Fax: 610.692.0877
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September 30, 2022

2021-4166

Mr. Frank A. Piliero, Chairman
Charlestown Township Board of Supervisors
1018 Green Lane Road
Malvern, PA 19355

RE: Beyond Meat, Inc. Expansion (formerly Devault Foods)
Final Subdivision and Land Development Plan - Alternate Review #5
Fillippo Way & Devault Lane, Devault, PA

Dear Mr. Piliero:

I have reviewed the submitted items listed below and wish to submit the following comments:

Submitted Items:

- Cover Letter from Light-Heigel, dated September 20, 2022
- Response Letters and Supporting Documents, dated September 20, 2022
- Post Construction Stormwater Management Plan Narrative, revised August 10, 2022
- Alternate Final Subdivision and Land Development Plan (Sheets 1-60), revised September 20, 2022
- Set of Exhibits, dated September 6, 2022

Zoning Comments:

6. The perimeter of all off-street parking areas and loading spaces shall be curbed in accordance with Zoning Ordinance 27-1306. The plan proposes to curb only the western portion of Devault Lane, the western edge of the parking lot adjacent to Devault Lane, and the southern access drive. The entire parking area shall be revised to show vertical curb.
- The updated plan shows the outer perimeter of the parking lot to consist of vertical curb and the western edge of the access drive as vertical curb. Flush curb is proposed along the eastern edge of the access drive and adjacent to the building. Several sections of the drive aisles and the emergency access road are not indicated as flush curb and shall be revised accordingly. Parking bumpers shall be shown for all parking stalls along depressed curb on Sheet C-8.
- The plan still provides areas of paving without vertical or flush curb which will require a variance. We do not support this variance.
- This is an open issue.
- The entire parking lot is now curbed with either vertical or flush curb. This item is resolved.**

SLDO Comments:

14. The final timetable, proposed covenants or restrictions, and security for completion and maintenance of improvements shall be provided in accordance with SLDO 22-406.1.C.
- This is an open issue. The Applicant indicates they expect to provide this data once conditional final approval is granted.
- The Applicant indicates they will provide this data once the plans have been determined to be satisfactory. This is an open issue.**

Stormwater Management Comments:

19. The Applicant is requesting a waiver from SMO 23-302.1.B(1)(j) for the 10-year post-developed peak rate reduction to the 2-year pre-developed peak rate and the 2-year post-developed peak rate reduction to the 1-year pre-developed peak rate for the portion of the site draining to Pickering Creek. Stormwater Management Ordinance section 23-302.1.B(1)(n) states that:

If site conditions preclude capture of runoff from limited portions of the disturbed area for achieving the two-, five-, and ten-year storm event peak runoff rate reduction standards for new development required by this Part, the Applicant shall propose alternate methods to mitigate the bypass of the BMPs, subject to the approval of the Municipal Engineer. In no case shall resulting peak rate be greater than the pre-development peak rate for the equivalent design storm.

- A. The 1-year storm event for the post-developed area to Pickering Creek is required to ensure the post-developed 1-year storm event is less than the 1-year pre-developed storm event.
- B. The Applicant shall explain why additional inlets cannot be installed at the intersection of the driveway and Devault Lane that would drain into BMP 1 or 2 to further capture additional runoff. If BMP 1 was lowered to more closely match the infiltration testing elevation, a majority of the intersection pavement could be captured.
- C. The grassed areas through the Fillippo properties that will be disturbed for utility installation can be restored to existing conditions and considered restoration which would allow for the existing and proposed cover numbers to be the same.

Since updated stormwater calculations were not submitted for review, this is an open item.

The Applicant requests a Waiver from the 10-year post-developed peak rate reduction to the 2-year predeveloped peak rate and the 2-year post-developed peak rate reduction to the 1-year predeveloped peak rate since they believe they have done everything possible to capture as much runoff as possible and are not able to capture the disturbed areas below Devault Lane. Since a majority of this uncaptured area consists of lawn or meadow areas and the pavement areas that are undetained consist of existing paved areas that will be disturbed for utility installation and intersection improvements, we do not have an issue with this Waiver. However, in order to grant this waiver, in no case shall resulting peak rates be greater than the predevelopment peak rate of the equivalent design storm. The 1-year post-developed peak rate is currently higher than the predeveloped peak rate. We recommend the Applicant revise their design to consider all area within the utility easement from Whitehorse Road to the site that will be restored to the existing cover type to utilize PADEP's Site Restoration option. The Site Restoration option is listed on Page 6 of the NPDES Individual Permit For Discharges of Stormwater Associated With Construction Activities Application Instructions.

The proposed peak rate for the 1-year storm event is greater than the existing peak rate for the 1-year storm event, so this waiver request cannot be granted in accordance with SMO 23-302.1.B(1)(n). The actual existing conditions cover numbers for the grass and pavement areas north of Devault Lane that will be disturbed and restored to their existing conditions shall be used instead of meadow. This will comply with the site restoration option. A waiver request from SMO 23-302.1(l) 4) b) & c) should also be added to the plans.

The calculations have been updated to ensure the 1-year post developed peak rate is less than the 1-year pre-developed peak rate. This item is resolved, subject to the approval of the waiver request by the Board of Supervisors.

25. The proposed BMPs contain a concrete bottom with 24-inch diameter holes which will significantly impede the ability of the BMPs to infiltrate the stored runoff. For instance, BMP 1 has a footprint of 88' x 105' (9,240 square feet). The Storm Tank detail indicates a total of 54 24-inch diameter holes. The surface area of the holes equates to 170 square feet which is approximately 2% of the bottom surface. The stormwater management routing calculations assume the infiltration rate over the entire surface area which is incorrect since only 2% of the surface area has the ability to infiltrate into the subsoil. In addition, the installation of the concrete slab would need to be completed without compacting the subsoil which has not been addressed on the plans. The proposed infiltration BMPs and calculations shall be revised to document how they will meet the infiltration requirements of

Stormwater Ordinance 23-302.1.B(1)(a), or the BMPs shall be revised to a system with an open bottom to facilitate infiltration.

Per our video call with the Applicant's engineer, we require calculations to take into account the limited flow through the holes to show they will not adversely impact the infiltration capacity of the systems. The response letter indicates that the limiting factor will be the underlying soil which is not correct since only 2 percent of the stored water will have direct contact with the soil. For instance, the BMP 1 footprint is approximately 9,868 square feet. Fifty-four (54) 24 inch diameter holes are proposed for a total area of approximately 170 square feet. The infiltration rate is 0.49 inches/hour (0.04 feet/hour). Therefore, if the entire bottom of the BMP was in contact with the soil like a typical infiltration facility, the infiltration discharge rate would be $9,868 \times 0.04 = 395$ cubic feet/hour versus the flow through the soil in direct contact with the 54 24 inch holes ($170 \times 0.04 = 6.8$ cubic feet/hour).

The HydroCAD model has been updated to show the 24-inch diameter holes as orifices draining into a stone subgrade. The depth of the stone under the StormTraps is not indicated on the basin details or within the HydroCAD routing and shall be provided on the details. Documentation shall be provided demonstrating that the depth of stone will be adequate to disperse stormwater throughout the entire footprint of the system and not create hydraulic loading directly beneath the 24-inch orifices. We still recommend an open bottom system be utilized that is able to withstand an H-20 loading (i.e., RTanks, GeoStorage, etc.).

The depth of stone under the storm traps has still not been added to the details. This is an open issue.

The detail has been updated. This item is resolved.

28. Per SMO 23-303.1.B: For regulated activities with one acre or more of proposed earth disturbance, existing drainage peak rate discharges up to and including the one-hundred-year storm onto or through adjacent property(ies) or downgradient property(ies), including diffuse drainage discharge, shall not be altered in any manner without written permission from, and, where applicable as determined by the Municipality an easement and agreement with, the affected landowner(s) for conveyance of discharges onto or through their property(ies). Such discharge shall be subject to any applicable discharge criteria specified in this Part. Since the proposed development will directly tie into the Turnpike's storm sewer system, the Applicant shall provide written permission from the Turnpike. The Applicant indicates they have provided the plan to the Turnpike. This is an open issue until the Turnpike provides permission.
The Applicant is still waiting on the Turnpike's approval.

33. The Applicant requests a waiver from SMO 23-303.1.F(2)(f) to allow for one structure to have less than two feet of cover from finish grade to the top of pipe. We have no objection to this waiver request, provided that the pipe is switched to a RCP Class V pipe.
The Applicant proposes to install concrete grout over the section of HDPE pipe that does not meet the 2-foot cover requirement. We have no issue with this proposed design.

34. A PCSM operation and maintenance plan meeting the requirements of SMO 23-401.2 shall be added to the plan set. The plan shall be recorded upon final plan approval.
The Applicant indicates this plan will be provided upon satisfaction of the stormwater management design by the Township and Conservation District.
The Applicant responded they have provided the required PCSM Operation and Maintenance Plan on Sheet 25. This plan has a short description of general maintenance but does not comply with all requirements of SMO 23-401.2. For instance, a plan view is required labeling each BMP location and specific operation and maintenance activities must be provided for each type of proposed BMP. A meadow seed mixture shall also be added to the plan.
A PCSM Plan meeting the requirements of SMO 401.2 – The following items data shall be provided:
A. Easements which provide a 20-foot perimeter area around the BMPs along with sufficient vehicular access from a public right-of-way (SMO 23-401.2.A(10) and 23-401.4).
B. A description of each BMP and how they are intended to function (SMO 23-401.2.B(2)).

- C. Inspection and maintenance schedules (SMO 23-401.2.B(5)).
- D. A statement that establishes a reasonable time frame for remedy of deficiencies found during inspections (SMO 23-401.2.D).
- E. Requirements of SMO 23-401.7 shall be added to the plan as a note.

This item is resolved.

36. An operation and maintenance agreement in compliance with SMO 23-401.3.A shall be provided for review.

The Applicant indicates they will provide the agreement once there is general satisfaction of the stormwater management design by the Township and Conservation District.

The standard operation and maintenance agreement is included in the Township's Stormwater Management Ordinance hosted on ECode. This is an open issue.

General Comments:

42. The Proposed Retaining Wall bordering Pennsylvania Turnpike letter by Applied Geoscience & Engineering, Inc. dated August 26, 2020, indicates that the proposed T-Wall retaining wall system will vary in width from 18 feet to 24 feet. According to the Subsurface Investigation and Foundation Report Retaining Wall Devault Foods Plan, prepared by Applied Geoscience and Engineering, Inc., dated November 2004 and last revised August 2020, the wall height will vary from 24 feet to 31.5 feet. Since BMP 4 is only about 22 feet from the face of the retaining wall and the bottom elevation of the BMP is higher than the foundation elevation of the retaining wall, the Applicant shall document how the subgrade under the basin will not be impacted to ensure it will function as an infiltration facility. It shall also be documented how the stone drainage blanket indicated on the T-Wall Cut Section Detail on Sheet C-12 will not short circuit the BMP. The above referenced report indicates in Section 6.6 that "The basin bottom should be constructed with free drain material so that the water can be drained through the perforated pipe placed in the drainage blanket." This statement indicates that the basin will not function as an infiltration basin since the water exfiltrating from the bottom of the basin will be collected and discharged through the blanket drain piping.

A proposed liner system is proposed to prevent migration of infiltrated water through the blanket drain. A portion of the BMP will still be within the wall backfill. The wall design report shall be amended and resubmitted to account for the liner, and the wall designer shall confirm this will not impact the design. The horizontal limits of the liner shall be shown on the plans.

Due to the complicated and complex construction that will be required to construct an infiltration BMP in such close proximity to a retaining wall, we highly recommend the stormwater BMP be relocated out of the stone drainage backfill of the wall. There is adequate space to split the BMP into two BMPs. The first could be installed to the west of the office under the green space and access drive. The second could be located to the east of the office under the parking area and drive aisle.

The Applicant indicates that the BMP cannot be separated into two BMPs since it needs to remain in the lowest part of the site to collect all runoff, and that they are working with the wall designer to confirm acceptability of the BMP placement. We believe the BMP could still be broken into two BMPs since a BMP could be designed to capture runoff at the low point and extend to the west along the southern side of the existing office building without impacting the stone backfill for the retaining wall.

Since the BMP will rely on a layer of clean stone to help disperse runoff from the 24-inch holes into the subgrade, there will now be a stone interface between the clean stone under the BMP directly into the wall backfill. This will short circuit the infiltration from the BMP since the runoff will follow the path of least resistance which is through the stone backfill for the wall and not the existing soil under the BMP.

All portions of this comment are still open issues that must be resolved.

The provided narrative does not demonstrate the basin could not be separated into two BMPs in order to avoid the wall drainage backfill. The second part of this comment is also an open issue.

The Applicant has demonstrated the basin could not be separated into two BMP's. The inverted T-Wall system will provide for adequate separation between the stone for the BMP and retaining wall backfill. This item is resolved.

56. The SoilMax curtain wall installation detail does not match the layout of the BMP 4 to EX STMH-3 profile since the BMP will be within the stone drainage layer and shall be updated. This is still an open issue.
The detail has not been updated. The detail shall be updated to show the required trench and demonstrate how it will be installed in a fill condition in clean stone.
The curtain will now be in a cut condition with the revision of the T-Wall to an inverted system. This item is resolved.
62. The SoilMax curtain wall documents provided with this submission indicate it is designed to be installed in a cut condition of native soils within a trench which is filled with slurry. This will not be the case at the project site, since it will be installed in a fill condition in a clean stone.
The curtain will now be in a cut condition with the revision of the T-Wall to an inverted system. This item is resolved.

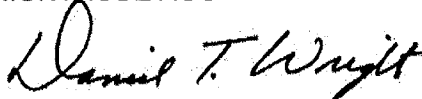
New Comments:

63. **Profiles and section views shall be updated to show the revised inverted T-Wall design. The note on Sheet C-35 shall be revised to indicate the inverted T-Wall layout is required along BMP-4. Sheet C-17 shows the old section views for the non-inverted T-Wall layout and shall be removed. The T-Wall details shall be revised to show only the inverted layout.**

If you have any further questions, please contact me.

Very truly yours,

MONTROSE AGC



Daniel T. Wright, P.E.
Township Engineer/Zoning Officer
Charlestown Township

DTW:

Enclosure

cc: CT Board of Supervisors
CT Planning Commission
Chris Heleniak, CT Manager
Linda Csete
Mark Thompson, Esq.
Light-Heigel & Associates, Inc.
Timothy Dietrich, Esq.
Mr. Eric Strunk, Beyond Meat, Inc.

EXHIBIT “B”

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THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

M E M O R A N D U M

TO: Charlestown Township Officials, Staff, and Consultants
Beyond Meat Applicant Team

FROM: Thomas J. Comitta, AICP, CNU-A, RLA

DATE: June 25, 2021; April 6, 2022; August 4, 2022; **Updated: October 4, 2022**

SUBJECT: **REVIEW COMMENTS - BEYOND MEAT**
ALTERNATE FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN,
DATED REVISED SEPTEMBER 20, 2022; AND RESPONSE LETTER,
DATED SEPTEMBER 20, 2022

Please note the enclosed Review Comments pertaining to the following documents that we received on **September 21, 2022**, unless otherwise noted:

- Alternate Final Subdivision and Land Development Plan for Beyond Meat consisting of **62** sheets dated revised **September 20, 2022**, prepared by Light-Heigel & Associates, Inc.;
- Environmental Impact Assessment dated May 2020 (Final Plan Update), prepared by Light-Heigel & Associates, Inc. (received June 3, 2020);
- Appendix to EIA: "Financial and Economic Considerations for EIA" dated February 27, 2021 prepared by Light-Heigel & Associates, Inc. (received March 4, 2021);
- Updated Site Photos consisting of 11 pages (received May 7, 2021);
- **Rendered Elevation Views, Sheets R100, and R101, dated 9-2-2022;**
- **Rendered Views, Sheets R100A, and R100B, dated 9-2-2022;**
- **Site Plan, Sheet R101, dated 9-2-2022;**
- **Existing Site Plan, Sheet R-101A, dated 9-2-2022;**
- **2005 Site Plan, Sheet 101C, dated 9-2-2022; and**
- **Response Letter, dated September 20, 2022.**

Please let us know if there are any questions.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BEYOND MEAT
ALTERNATE FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN,
DATED REVISED SEPTEMBER 20, 2022; AND RESPONSE LETTER,
DATED SEPTEMBER 20, 2022

June 25, 2021; April 6, 2022; August 4, 2022; **Updated: October 4, 2022**

The Review Comments below pertain to the documents listed on the Cover Memorandum. Items from our **Updated** Review Comments dated **August 4, 2022** that have been **fully** addressed **have been removed**. New and updated text is in **bold** type.

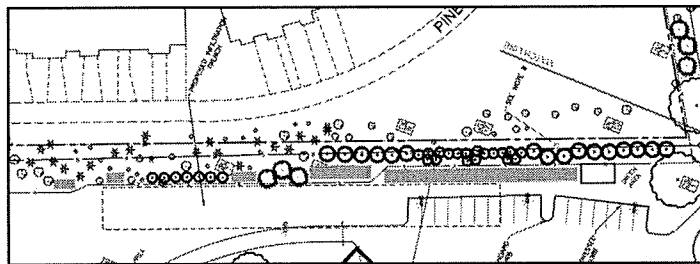
1. Overall Considerations

After discussions and meetings with Township Officials in July, August and September of 2020, the building configuration depicted on the Alternate Final Subdivision and Land Development Plan was endorsed by the Township and by the Applicant. This was done in large part to reduce potential adverse offsite impacts to the Spring Oak TND community. In addition to moving the new building construction further from the shared property line, the Alternate Final Plan configuration provides a substantial amount of additional width adjacent to the property line for more robust buffer planting.

However, several open issues still remain, and are listed on page 5.

2. Buffer Recommendation #1 - Fill in Adjacent to Privacy Fence:

Consistent with discussions with Township Officials in 2020, there are areas adjacent to Spring Oak TND, on either side of the proposed Privacy Fence, where additional evergreen trees should be installed. These areas are shaded in green below.



The revised Plans indicate evergreen plantings in the areas indicated above. However, during the April 12, 2022 Charlestown Township Planning Commission Meeting, Mr. Westhafer requested consideration of adding more plantings to the berm. Please evaluate the possibility of adding plantings to the berm. Thank you.

The White Pine trees have been changed to Norway Spruce Trees. The number of evergreen trees has been increased from 16 to 80. However, it may be possible to add more plantings after the berm is reconstructed, and widened, and raised in height.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

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6. Installed Height of White Pines:

The installed height indicated on the Plant Schedule for White Pine has been increased to eight to ten feet (8'-10').

- 6.A. Upon further evaluation, since the White Pine lose their lower branches over time, we recommend Norway Spruce Trees at 8 to 10 feet in height.

The proposed White Pine trees have been changed to Norway Spruce. Therefore, this item is resolved.

7. Landscape Plan & Plant Schedule

- 7.A. Please double check the Plant Quantities listed in the Plant Schedule on Sheet C-48, compared to those listed and shown on Sheets C-46 and C-47.

Inconsistencies on the Planting Schedule have been corrected. However, if more plantings will fit as described in comment #2, please modify the Plant Schedule.

10. Lighting

- 10.A Please see the attached Lighting Review Comments from Stan Stubbe, Lighting Consultant, dated **October 4, 2022 on pages 6 and 7.**

11. Building Design: OPEN ISSUE / PENDING

- 11.A While this property is not within the TND District, it has a visual impact on the District. As such, the new construction should be consistent, to the extent possible given the use, with the aesthetic vision embedded in TND District Zoning Ordinance text provisions and accompanying General Manual of Written and Graphic Design Guidelines (Exhibit 'B' of the Zoning Ordinance). With this in mind, we recommend that the Applicant Team continue to discuss with the Township the emerging designs for the building facades.

The revised plan set includes four (4) revised sheets depicting the proposed "Rendered Views" and "**Rendered Elevation Views**". We address these sheets below in comments 11.B. through 11.D.

This is still an open issue. However, Note 85 has been added to Sheet 2 of 62 to indicate: "Application documents for Building and Zoning Permits shall include Architectural Drawings, Specification, and Review by authorities having jurisdiction that will coordinate



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

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the appearance of the expanded building with the existing facilities in the Devault Village and Spring Oak Community”.

- 11.B** While the overall massing of the new structures will largely be dictated by their use, there may be reasonable opportunities, particularly via materials, earth tone colors and vertical features such as pilasters to reduce the appearance of this massing when viewed from neighboring properties and roadways.

We appreciate that the exterior building design is not finalized, and that design development relative to building facade is not always demonstrated on a Land Development Plan. However, we still recommend that all reasonable efforts continue be made at this time to **address the building design**.

Sheets **R100** and **R101** depict four (4) Elevations. We recommend the changes described below to the Elevations.

- 11.B.1. Change the green vertical lines to be the medium gray color.

The green vertical lines have been changed to a medium gray color.

- 11.B.2. Add “Panels” that would simulate windows for each vertical color section. The painted color “Panels” could be the medium gray color and be four (4) feet wide and 6 feet in height.

Painted panels have no yet been proposed.

The Architects on the Planning Commission, Bill Westhafer and Dan Ghosh, should also comment on the current proposed building design.

- 11.C** We still recommend that the building designs provide for the screening of rooftop equipment. Depending on their construction and positioning, screen walls or parapets could also attenuate noise generated by rooftop equipment.

The illustrations on **Sheets R100A and R100B** indicate parapets that appear to screen rooftop elements. Depending on the viewing angle, perhaps **the rooftop equipment** would be visible.

We should continue to address the proposed building relative to **the screening of rooftop equipment**.

- 11.D** The Applicant has requested clarification as to whether the addition of a parapet "will be an allowed deviation from the maximum building height" permitted by the Zoning Ordinance.



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The §27-202 (ZO) definition of "Height of Building" states that height is measured "to the level of the top of the highest roof beams of a flat roof of a building."

Chimneys and spires are explicitly excluded from this definition. Therefore, parapets may be excluded as well. However, we **still** defer to the Township Zoning Officer to clarify whether parapets would be included, or not included, in the measurement of building height.

The parapet is shown to be 8 feet above the flat roof height of 38 feet.

13. Environmental Impact Assessment

13.A Truck Circulation: DEFER TO TOWNSHIP ENGINEER

Discussions in 2020 relative to an alternate site layout focused on truck circulation. The Alternate Final Plan **still** appears to be responsive to those discussions with respect to site layout.

A "Truck and Emergency Traffic Circulation Plan" (Sheet C-05) is included with the **9-20-2022** Plan. We **still** defer to the Township Engineer **and Township Traffic Engineer** for additional comments.

13.B Hours of Operation and Truck Idling: OPEN ISSUES FOR CONFIRMATION

The Applicant should provide the Township with specific controls regarding truck idling and other operations that will be implemented by the management. Implementation of such controls, and Township oversight of their continuation, could be addressed in a Resolution of Plan Approval.

We **still** consider this to be an open issue. **However, the Applicant indicates that "No Truck Idling" signs will be placed along the access drive into the loading docks.**

13.F Per §707.C.17 (ZO), the EIA shall describe probable adverse effects of the proposed development "which cannot be precluded."

The EIA **does** note some potential adverse effects, as well as how some prior adverse effects have been mitigated. We **still** defer to the Township Engineer **and the Township Traffic Engineer** with respect to further opportunities to mitigate adverse effects.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BEYOND MEAT
ALTERNATE FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN,
DATED REVISED SEPTEMBER 20, 2022; AND RESPONSE LETTER,
DATED SEPTEMBER 20, 2022

June 25, 2021; April 6, 2022; August 4, 2022; **Updated: October 4, 2022**

15. Conclusion

The submission of the Alternate Final Plan has resolved many of the fundamental issues of overall site design and visual buffering that informed our prior Review Comments. However, we recommend that the submission be revised, clarified or augmented as described herein, with respect to the following:

- 15.A. See comment 2. relative to the possibility of adding plantings to the berm.**
- 15.C. See comment 7. relative to the Plant Schedule Quantities.**
- 15.D. See the 10-4-2022 Review Comments from Stan Stubbe, attached as pages 6 and 7.**
- 15.E. See comments in section 11 (comments 11.A, 11.B, 11.C, and 11.D) pertaining to Building Design.**
- 15.F. We defer to the Township Engineer and the Township Traffic Engineer relative to Truck Circulation per comment 13.A, as well as Hours of Operation and Truck Idling per comment 13.B.**
- 15.G. We defer to the Township Engineer and the Township Traffic Engineer relative to enhanced mitigation of adverse impacts per comment 13.F.**

Please let us know if there are any questions.

August 2, 2022; **October 4, 2022**

Thomas Comitta Associates, Inc.

18 W. Chestnut St.

West Chester, PA 19380

Subject: Beyond Meat Inc. Land Development Application, Charlestown Twp.
Review of Proposed Site Lighting

Dear Mr. Comitta:

The following unresolved issues are repeated and updated. and offered for further consideration.

1. Lighting On/Off Control- Described on Lighting Plan as follows:

- a. Employee Parking Area and Access Drive - 30% of the lights (equally distributed) dusk to dawn "with an option that allows adjustment for other than dusk to dawn." "Remaining 70% by controller that allows adjustment for other than dusk to dawn".. It was therefore recommended a note be requested to be added to Lighting Plan, committing Applicant to maintaining a site-lighting on/off control scheme that automatically extinguishes unnecessary exterior lighting. It was further recommended Applicant be requested to specify on Lighting Plan, the description of subject controller(s) and their location(s).
- b. Main Truck Access Drive - "Controller that allows multiple on off times, as changes of shifts occur."
- c. Shipping and Receiving - "A controller that will be dusk to dawn with an option that allows adjustment for other than dusk to dawn."
- d. Wall Packs - "A controller that allows multiple on/off times as changes of shifts and other activities occur."

As described, the on/off cycles of all exterior lighting are to be by controller, and subject to the variable needs of the facility. On the face of it, this appears to be a blank check that could result in all site lighting remaining on dusk-to-dawn, and therefore inconsistent with Township Lighting Ordinance requirements.

Applicant had responded – "Submitted data will be provided with the requested information at the time of the site lighting is under construction."

This response was judged by this office to lack sufficient specificity. By the time project is under construction it would be too late to facilitate the establishment of such information as circuiting and cable runs, and for Township to have an opportunity to judge whether proposed lighting on/off control approach met Ordinance requirements.

It was recommended Applicant be requested to propose a lighting control scheme, that includes which luminaires are to be extinguished and when, which are to be energized all light and the justification for it, those that will be automatically extinguished, when and by what means, and the specific device(s), and their location, proposed to automatically control lighting shutoff.

"Lighting Control Notes" have now been added to the Site Lighting Plan, Sheet 53.



STUBBE CONSULTING LLC

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IEEE



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2. Illuminance Issues – Plotted illuminance levels could not be found on submitted lighting plans and it was therefore not possible to evaluate illuminance adequacy.

It is recommended Applicant be requested to resubmit a plot of predicted maintained illuminance levels, which demonstrates conformance with Lighting Ordinance requirements.

The Site Lighting Photometric Plan showing illuminance levels has now been included as Sheet 54.

If there are questions or concerns with respect to the above comments and recommendations, please advise.

Sincerely,

Stubbe Consulting LLC

C. Stanley Stubbe