

**SOLEBURY TOWNSHIP PLANNING COMMISSION**  
**Virtual Meeting**

**November 9, 2020**

**Minutes**

Attendance: TJ Francisco, Keith Deussing, Dan Fest, William Jordan, Peter Brussock, Gretchen Rice, Lesley Marino, Amishi Castelli, Curt Genner, Township Engineer, Maureen Carlton (Township Solicitor), Pankaj Jobanputra (Township Planner), Mark Freed (Township Solicitor), Kevin Morrissey (Supervisor Liaison) and Jean Weiss (Planning Commission Administrator).

Absent:

**I. Call to Order**

At 7:01 p.m., the Solebury Township Planning Commission meeting was called to order.

**II. Approval of Minutes – October 12, 2020**

**Upon a motion made by Peter Brussock, seconded by TJ Francisco, the Solebury Township Planning Commission approved the October 12, 2020 meeting minutes.**

**III. Conditional Use – Pharmacann Penn, LLC (415 S. York Rd, TMP #41-022-151-001)**

The applicant proposes to use the property, which is located in the TNC-Traditional Neighborhood Commercial District, for a medical marijuana dispensary facility. Medical marijuana dispensary facilities are permitted in the TNC District by conditional use approval. The dispensary of approximately 3,100 square feet located in an existing shopping center.

Matthew McHugh, Esquire, Bill McMenemy and Rhett Chiliberti were present of behalf of the application.

Matthew McHugh explained the only application on the agenda for this evening is the conditional use, the waiver of land development will be on the agenda next month for discussion once the review from the Bucks County Planning Commission is received.

Rhett Chiliberti gave a brief overview of the project.

Matthew McHugh highlighted a few other items pertaining to the project referencing that other uses in the shopping center are permitted uses

approved by a zoning application, where the medical marijuana is only permitted through conditional use.

Matthew McHugh also stated that as part of the project the applicant is willing to install a portion of the trail project along the frontage of Route 202.

Bill McMenemy gave a brief overview and power point presentation of who Pharmacann Penn, LLC is and how a medical marijuana dispensary operates.

TJ Francisco asked what is the reasoning behind all the security.

Bill McMenemy explained the security is by regulation mandated by the state.

TJ Francisco asked if the fenced in delivery area is also by regulation.

Bill McMenemy stated yes, the delivery area is to be in the back of the facility not to be seen by the general public.

TJ Francisco asked if there was any correlation between these facilities and increased crime in the area that these facilities are located.

Bill McMenemy stated through his experience because of the abundance of security measures, the facility and surrounding area is more secure than most areas.

Dan Fest asked why the dispensary only accepts cash.

Bill McMenemy stated the federal government does not allow financial institutions to deal with cannabis, so you cannot use a credit instrument to purchase medical marijuana.

Dan Fest asked if the people coming into the facility have some kind of diagnosed medical condition and a note from a doctor.

Bill McMenemy stated yes they do, in fact better than a note they must be certified by a license physician in the state of Pennsylvania and there are 31 qualifying factors which is quite a lengthy process to go through. Another thing to point out is that you cannot go into a facility and just purchase whatever you would like. The patients are limited to what they are allowed to purchase.

Lesley Marino asked how frequently are deliveries made to the facility.

Bill McMenemy stated there are approximately (2) deliveries a week.

Keith Deussing asked how many people (customers) can fit into the building at one time, and how long it takes to get through the process.

Bill McMenemy stated the whole process should take about 4-minutes, if done through a phone order it should only take about 2-minutes.

Dan Fest stated he would like to see a map of all the facilities with a hundred or even fifty miles from this facility.

TJ Francisco asked if anyone has had any conversation with the Solebury Police.

Bill McMenemy stated no they have not yet.

Matthew McHugh stated that one of the conditional use requirements is that they have to provide certain operator information as a condition of the occupancy permit to the Solebury Police. As part of the conditional use process it requires us to comply with all aspects of the process including the dispensary cannot be within 1000 feet from any school or daycare facility. We have an Ariel showing that we comply with that requirement. The dispensary must be clearly identified by signage., which example were provided which will show that it matches with the existing signage for the shopping center. There is also a quarterly review by the Township Zoning Officer.

TJ Francisco asked Curt Genner before we move on do you have anything you would like to address regarding the engineering memo.

Curt Genner stated that the conditional use memo dated November 3, 2020 covers everything but one thing to point out about the project is that currently the site is not in conformance with zoning requirements for parking spaces. The application does call for a reduction in parking spaces.

Keith Deussing asked about a waiting area along the building.

Lesley Marino expressed concern with the additional (50 anticipated) cars a day coming and going from the site.

Dan Fest expressed concerns with a waiting area outside the building of people standing around waiting to enter the facility.

TJ Francisco stated he would like to have feedback from the Police Department with respect to Veralife interface.

Maureen Carlton expressed a concern with the use of waiver in the November 3, 2020 engineer review letter regarding the EIA Assessment. It would be preferred to use the phrase skip the EIA Assessment as it is not necessary for this waiver of land development.

TJ Francisco went through the list of items the Planning Commission would like to see prior to the December meeting which would include, correspondence from the Police Chief that he has reviewed the proposed plans/site and if there are any concerns, a map showing other distribution centers within 50 miles and the list of the 31 approved conditions used when evaluating a patient.

**IV. Waiver – Land Development Pharmacann Penn, LLC (415 S. York Rd, TMP #41-022-151-001)**

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Curt Genner briefly went through the November 4, 2020 engineer review.

Postponed until the December meeting.

**V. Signs – Proposed Amendment to the Zoning Ordinance**

Maureen Carlton briefly went through the most recent changes to the sign ordinance.

Kevin Morrissey explained that through conversation with the Farm Committee that 120-days would be more beneficial than 90-days for the long-term temporary signs.

Keith Deussing asked if there was a maximum amount of signs that you can have out at the same time.

Maureen Carlton stated there can be one long-term temporary sign at the site, but you can have unlimited under the short-term which is no more than (2) 45-day periods throughout the year.

Peter Brussock asked what the consequence is if you do not comply.

Mark Freed stated it is part of the Zoning Ordinance that if they did not comply there would be a violation notice and possible violation fee.

**Upon a Motion made by TJ Francisco, seconded by Dan Fest the Solebury Township Planning Commission recommended approval of the draft sign ordinance dated October 19, 2020.**

## **VI. Sustainability Register**

TJ Francisco announced that John Francis put together a sustainability steering committee comprised of a few members of the EAC, PC and Township Staff.

Curt Genner gave a brief summary of his evaluation of the Planning Commission matrix and the Administrative matrix completed by Alex Nagy.

## **VII. Adjournment**

**Upon a Motion by TJ Francisco seconded by Keith Deussing the meeting was adjourned at 9:50 p.m.**

Respectfully submitted,  
Jean Weiss  
Planning Commission Administrator, Solebury Township

DRAFT