

**REGULAR MEETING PLANNING COMISSION
2400 BYBERRY ROAD, BENSALEM, PA 19020**

September 16, 2020

Members Present: Ed Devenney, Pete Krieger, Ed Tokmajian, Sr., Tom Risich, Joe Domzalski , Will Walker and Russell G. Benner, Township Engineer.

Members Absent: Mike Gabrieli

The meeting came to order at 7:00 pm with approximately 6 people present in the audience. Additional audience members were sequestered in the main lobby until their agenda items were called.

1. Ed Devenney opened the meeting with the Pledge of Allegiance.
2. Ed Devenney suggests a Motion to Approve the July 22, 2020 minutes. Ed Tokmajian, Sr. motioned and Will Walker seconded. Minutes approved 6-0.

3. **Sketch Plan Review for Johnson Development Associates**

Location: 2600 State Road

Tax Parcel: 02-065-021

Request: Warehousing Distribution

Expires: None

This item has been postponed at the request of their Attorney

4. **Preliminary & Final Subdivision and Land Development for Costa Home, Inc.**

Location: 4946 Neshaminy Blvd

Tax Parcel: 02-019-197

Request: Single Family Dwellings

Expires: 10/19/2020

Michael Meginnis, Esq. of Begley Carlin & Mandio, LLP & Larry Young of Tri State Engineers & Land Surveyors present on behalf of the Applicant Costa Home, Inc. This site is located along the northern side of Neshaminy Boulevard in the R-A-1 Residential Zoning District. The site currently contains a 1 story frame and stone dwelling with garage that will remain. There is a macadam driveway that will be removed and repaved. The applicant is proposing to subdivide the site into 4 lots to construct single family detached dwellings and install underground storm water management basins on each lot.

Ed Devenney opens up questions to be asked by the board:

Ed Tokmajian, Sr. is concerned about the runoff and also asked if the old garage will stay. No the old garage has already been torn down and we'll build a new garage as per print.

Public portion open:

Nathaniel Walock 4922 Neshaminy Boulevard

Against this project. Concerned about the size of the homes and neighborhoods water problems Russell Benner, Township Engineer explained two underground retention basins.

Andrew Niczewski 4939 Neshaminy Boulevard

Requested a 20 foot driveway on Lot number two, not 13 foot driveway so cars don't park on the street. Engineer, Larry Young explained this would change impervious surface so that the driveway has to be 13 foot wide as per print.

Paul Barnis 4948 Hillside Road

Requested planning commission members to visit property. Requests builder to mow the lawn. He is concerned about the water problems and pollutants going down the drain. States neighbors do not have enough time to read the prints. Engineer, Larry Young explained five trees need to come down to make room for sidewalk. Applicant stated they will replace the trees.

Ed Devenney announces public portion closed.

Ed Devenney suggests making a Motion. Will Walker grants approval for Preliminary & Final Subdivision and Land Development. Tom Risich seconds. Ed Tokmajian, Sr. opposed. Motion carries 5-1.

5. Preliminary & Final Land Development for Woodhaven Property Associates, LLC

Location: 1717 Woodhaven Dr

Tax Parcel: 02-060-013-013, 02-60-013-001, &02-060-013-017

Request: Warehouse Addition

Expires: 10/26/2020

Michael Meginnis, Esq. of Begley Carlin & Mandio, present on behalf of the Applicant, Woodhaven Property Associates, LLC. This site consists of three parcels for a total of 5.37 gross acres. All three parcels are located in the L-I Light Industrial Zoning District. The applicant is proposing to consolidate the three parcels into one lot, a 37800 sq. ft. PA steel warehouse expansion with paved lot and storm water management. Looking for waivers on # 10, 14, 15, 21, 22 & 25.

Ed Devenney opens up questions to be asked by the board:

Pete Krieger asks what will happen to all the tractor trailers now on the property? Most of the tractor trailers will be parked in the warehouse.

Public portion open: No comment, Public portion closed.

Ed Devenney suggests making a Motion. Ed Tokmajian, Sr. grants approval for Preliminary & Final Land Development. Joe Domzalski seconds. Motion passed 6 for 0 against.

6. Conditional Use for Canntech PA, LLC

Location: 3805 Neshaminy Blvd

Tax Parcel: 02-098-095

Request: Medical Marijuana Dispensary

Expires: 10/16/2020

Matthew McHugh, Esquire of Klehr, Harris, n Harvey & Branzburg LLP, present on behalf of the Applicant, Canntech PA, LLC. This 1.38 acre site is owned by Provco Pinegood Neshaminy LLC and is located in the HC-1 Highway Commercial Zoning District. This site contains a former bank building. Canntech is proposing to renovate the existing building to use as a medical marijuana dispensary. They have their own grow facility in Pennsylvania and have distribution facilities in Pennsylvania, Maryland, New Jersey and Delaware. They will have three pharmacists on site. Law allows hours of operation 9am to 7 p.m., 7 days a week.

Ed Devenney opens up questions to be asked by the board:

Ed Tokmajian, Sr. is concerned about the operating hours, size of the facility at 4000 sq. ft. and curbside pickup.

Joe Domzalski is concerned the facility is too close to the neighboring medical marijuana dispensary, LIBERTY.

Tom Risich wanted to know if customers need prescriptions. Also will the applicant pay the Impact and Traffic fees?

Ed Devenney is concerned about the security to the neighborhood, fireman's field, surrounding families and public at the mall.

Will Walker asked if they would want a dispensary in their neighborhood.
Pete Krieger asked if dispensary would stay open and sell to anybody if Governor Wolf made it legal. This would depend on local laws.

Public portion open:

Freddie James, 322 Alton Road

Concerned about safety - against

Donald Bober, 326 Palton Road

Concerned about the neighborhood against

Wayne Lewis, 1718 Assembly Drive

Concerned about drive-through Member of the Drug and Alcohol Advisory Board – against

Michael Ho, 202 Tinion Road

Concerned about safety - against

Rosemarie Angle, 3718 Neshaminy Drive

Member of the Drug and Alcohol Advisory Board – against

Jean Pawlowski 3619 Parker Road

Member of the Drug and Alcohol Advisory Board – against

Roshal Patel 325 Palmer Road

Had to call the police three times about crime and people breaking into cars in his neighborhood - against

Emily Brizyki 117 Tatum Road

Concerned for the neighborhood – against

Kathy Coct 117 Tatum Road

Instead of calling it Belmont Ridge, you can call it Marijuana Ridge - against

Public portion closed.

Ed Devenney suggests making a Motion. Ed Tokmajian, Sr. made a motion to deny the application. Joe Domzalski seconds. Motion passed 6 for, 0 against.

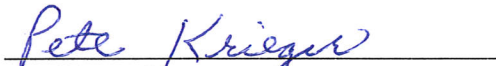
7. Adjournment

Ed Devenney requests a Motion from the board to Adjourn. Tom Risich made a Motion to Adjourn, Joe Domzalski seconded. Motion approved 6-0. Meeting adjourned at 11:00 p.m.

Respectfully Submitted,


Ed Devenney, Chairperson

10-21-2020
Date


Pete Krieger, Secretary

10-21-2020
Date


Bonnie Martin, Recording Secretary

10/21/2020.
Date