

# *Upper Gwynedd Township*

## *Planning Commission*

P. O. BOX #1 ● WEST POINT, PA. 19486

**August 7, 2017**

The August 7, 2017 Planning Commission Meeting was called to order at 7:30 pm. In attendance were:

John Lancaster	Vice Chairman
John Klein	Secretary
Ken Weirman	Member
John Tierney	Member
Gilbert Silverman	Member
Scott Bachman	Member
Chris Carroll	Member
E. Van Rieker	Zoning Officer
Colleen Tronoski	Recording Secretary

### **1. Call to Order**

The August 7, 2017 Planning Commission was called to order by Mr. Lancaster at 7:30 pm.

### **2. Approval of Minutes of June 7, 2017**

Mr. Lancaster asked for any questions relative to the Minutes of June 7, 2017, which had been circulated by email. Mr. Silverman made a motion to approve the Minutes. Mr. Weirman seconded the motion and it was unanimously passed to approve the Minutes of June 7, 2017.

#### **Approval of Minutes of July 5, 2017**

Mr. Lancaster asked for any questions relative to the Minutes of July 5, 2017, which had been circulated by email. Mr. Klein made a motion to approve the Minutes, with corrections, noting the vote for Provco Pinegood was rejected 5-1 and he would also like his comments from his memo included. Mr. Carroll seconded the motion and it was unanimously passed to approve the Minutes of July 5, 2017 with corrections.

### **3. Report of Commissioners Meetings**

Commissioner Santi was not present but sent an email highlighting the last Board of Commissioners Meeting. Mr. Tierney outlined Mr. Santi's email.

Mr. Tierney read from Mr. Santi's email: the Board granted three waivers that were to Merck for backup Sunday work in different areas of their facility as a precaution against inclement weather happening during their scheduled Saturday work. A decision was made to deny the Provco Pinegood Wawa Land Development plan for Sumneytown Pike and West Point Pike. A grant application was approved which would allow the Township to extend sidewalks from West Point across the rail road tracks to Moyer Blvd.

**4. New Business**

**A. Ordinance Regulating Medical Marijuana**

Mr. Rieker stated that this Ordinance was introduced briefly at the last meeting, just to let the Board know that it was coming in. The Township received a reply from The County. This is a draft, a text amendment that addresses the Act of the PA Legislation from 2016, creating the Medical Marijuana Act. This Act legalizes the sale of marijuana for the growing and production on approved sites with licensed permit holders only. This would be added to the C Commercial District. These sites will be very limited. There are isolation distances from schools and day cares. The growing and processing must be done in a building only. This is being designated to the I- Industrial District. This is 30-40 acres along Wissahickon Avenue. Mr. Lancaster asked how many sites are possible? Mr. Rieker noted that there will most likely be about 6 sites that could qualify as a dispensary. There are about 12 eligible sites for the growing and processing of medical marijuana. Mr. Silverman made a motion to approve this Ordinance. It was seconded by Mr. Carroll.

**B. Ordinance Revising Definition of Family**

Mr. Rieker stated that this is an evolving definition based on decisions of the court, both Federal and State. The opinion from Solicitor Onorato, in May 2017 upon the review of case law as it pertains to the definition of family it is his recommendation that the definition of family in Upper Gwynedd Township Zoning Code be revised. Mr. Rieker noted that the revised definition of family is: any number of persons who live and cook together (legal definition – as a functional family equivalent). Mr. Rieker also noted that it can only be nonprofit/non-transient – not a boarding home, not a hotel, not changing rent. It will be the Zoning Officer’s job to issue an enforcement notice at what point, that entity would have to appeal the decision Zoning Hearing Board and make a record. Upon making a record, it will be determined if they meet this text or not. Mr. Weirman asked what the original definition of family was. Mr. Rieker stated that the definition of family was, that they needed to be related by blood, marriage and/or adoption. There was a second category, and that category said, or a group having a special need when approved by the zoning hearing board. Mr. Weirman made a motion to approve the text amendment as proposed. Mr. Tierney seconded this motion.

**C. Ordinance Rezoning PECO Property – West Point**

Mr. Rieker noted that this Ordinance is a map amendment. Its purpose is to rezone a portion of a parcel owned by PECO in West Point. This parcel is split zoned. One-part LI and part R2. Mr. Rieker handed an exhibit out to the Board. The Township is proposing to rezone this property from LI and R2 to only R2. Most of the properties throughout the Township adopt the zoning which is contiguous to it. There’s no special zoning for PECO overhead lines. Mr. Rieker stated that the Township received the heads that the Horgan Crushing operation lease may not be renewed. Mr. Rieker noted that this Ordinance was sent to the County and they will do a review and it will be on the Planning Agenda in September. Mr. Rieker suggested that the Board not take action until they receive the County report.

**5. Public Comments**

There was none.

**6. Adjournment**

Mr. Lancaster noted that next month’s meeting will be held on Wednesday September 6<sup>th</sup> due to the Labor Day Holiday and he adjourned the meeting at 8:20PM.

Respectfully submitted

A handwritten signature in cursive script that reads "John Klein".

John Klein  
Secretary