

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
JUNE 27, 2017**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:45 p.m.

Members present: Brian Binney, John Haney, Tom Hughes, Mary Leszczuk, Rick Rittler

Members absent: Stephen Hammer

Also present: Albert Federico, P.E. (Kimley Horn) and Ryan Rickles (Drive Time) representing Drive Time Development; Erik Garton, P.E. (Gilmore & Associates) and Russell Dickert (Plant Manager, Harsco) representing Harsco; and Jennifer Wunder, Esquire (Fox Rothschild) and James Connolly (CEO MLH Exploration) representing MLH Exploration.

For the Township: Thomas A. Bennett, CCEO & Zoning Officer; Joseph G. Jones, P.E. (T&M Associates); Diane Beri, Recording Secretary

Board Business

Chairman Binney states because of the departure of Mr. Goulet from the Board, we need to elect a Vice Chairman.

Member Rittler makes a motion that Tom Hughes be named as Vice Chairman of the Board.

Member Leszczuk seconds the motion.

All in favor 5-0. Motion carries.

DriveTime Development -- 1381 S. Pennsylvania Avenue, Morrisville, PA 19067; TMP #13-047-083-001; Zoned: RD-2. Owner: CAM Real Estate Partnership. Waiver of Land Development -- expansion of storage area of the existing storage yard.

Ryan Rickles (DriveTime) presents the application. This inspection center will serve as a distribution hub for our network of car dealerships in the area. We obtain cars from auction and fix the cars at the site, paint the body and perform light mechanical repairs. The cars then sit on the site until they are transported out to the area dealerships. We have obtained all the zoning variances we require at the June 13, 2017 Zoning Hearing Board.

The site handles about 56 cars a day
approximately 6 or 7 semi-trucks. The cars are inspected, repaired and then are stored on the site for another 10 days before they get distributed to an area car dealership. A booklet is handed out detailing the full operation.

Board Questions

Member Haney asks if they will operate 24/7.

Mr. Rickles responds no – we will start with a single shift (6:30 a.m. to 2:30 p.m.)

Member Hughes asks with regard to the paint booth, how do you dispose of the waste – is it taken offsite?

Mr. Rickles states that it is handled by a national vendor called Safety Clean.

Member Leszczuk asks how many cars actually stay on the lot at one time.

Mr. Rickles states it would be about 1,500 to 1,600 cars on site.

Chairman Binney asks if they ship a certain amount of cars to a dealership or if it's ordered individually.

Mr. Rickles states that their analytical team makes an assessment of cars that are selling and where they should be shipped. They'll wait till they have a truckload fill for a specific dealership in the area.

T&M Associates Review Letter of June 23, 2017

All items are a will comply with the exception of the following:

- 191-18.1(A) Requesting a waiver – from the land development approval process
- 191-30(I) Requesting a waiver – provide a summary traffic impact study
- 191-31(A) Requesting a waiver – sidewalks and curbs along frontage
- 191-39(G) Requesting a waiver – sidewalks along the frontage
- 191-48(B) Requesting a waiver – street trees along sides of all streets
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information for Township engineer's review

Member Hughes states that with regard to the traffic generation statement, it's just employees and carriers exiting and entering the site, not individual vehicles – correct?

Mr. Frederico states that is correct. The only other traffic we would expect would be deliveries and removal of waste product. The cars will only be transported in and out of the site by a car carrier.

No other Board comments.

No public comment.

Member Hughes makes a motion to recommend approval of the Waiver of Land Development for CAM Real Estate Partners (DriveTime Development), 1381 S. Pennsylvania Avenue, Morrisville, PA 19067, TMP #13-047-083-001, based on T&M Associates' letter of June 23, 2017, with the following waiver requests for Section 191-18.1(A), 191-30(I), 191-31(A), 191-39(G), 191-48(B), and a partial waiver for Section 191-78(C)(2), Remington and Vernick's review letter dated May 18, 2017 and the Fire Marshal's review letter of April 27, 2017.

Member Rittler seconds the motion.

All in favor 5-0. Motion carries. APPROVED FOR WAIVER OF LAND DEVELOPMENT.

Item #2: Harsco, 905 S. Port Road, Fairless Hills, PA 19030; TMP #13-051-001; Zoned: MPM. Owner: Harsco. Waiver of Land Development – Storage Tent, small building addition and larger concrete pad

Erik Garton, P.E. (Gilmore & Associates) presents the application. This is a 10 acre lease parcel within the greater U.S. Steel site off of S. Port Road. He introduces Russell Dickert (Plant Manager at Harsco).

Mr. Dickert states they have been located at this location for 17 to 18 years. We are in the business of producing sandblasting abrasive for bridges and ships. We take burnt coal (all the carbon has been burned out of it) and grind it down and turn it into a sandblasting abrasive. We store a lot of our finished product outside. The seagulls have "rained on" the product and we cannot deliver it to our customers that way. We are trying to get this material under cover to keep it clean and presentable.

Chairman Binney asks how the material is stored – is it in bags, drums?

Mr. Dickert responds that they bag it in 50 lb. bags and 2 ton bags, sometimes 1-1/2 ton bags. We need the tent for the bagged material that we store. All the bags will be on pallets, and we shrink wrap everything and keep it outside.

Chairman Binney asks if the storage tent will be heated.

Mr. Dickert answers no – none of our existing buildings are heated.

Member Rittler asks for a description of the tent.

Mr. Dickert states that it's on the line of Quonset tent – 72 ft. wide by 140 ft. long. There will be 16 ft. doors on either end, and two doors on the side for forklifts to get material out. We also want to extend one of the pads so that we can load trucks out there in front of the tent. The tent will be mounted on the ground with a concrete pad poured inside the tent. The site that we are on is exactly where the open hearth furnaces used to be at U.S. Steel.

Discussion occurs regarding the buildings and silos and operations that are conducted there. They dispose of their waste products through Britton Industries.

T&M Associates' Review Letter dated June 8, 2017

All items are a will comply, with the exception of the following:

- 191-37(B) Requesting a waiver – curb setback of 12 ft. within all parking facilities
- 191-38(A) Requesting a waiver – lighting improvements
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information for Township engineer's review

Discussion occurs on the truck turning lanes (where the tent will be constructed), and how they need to change the way trucks turn in that area.

No public comment.

Member Rittler makes a motion to recommend approval of the Waiver of Land Development for Harsco, 905 S. Port Road, Fairless Hills, PA 19030, TMP #13-051-001, based on T&M Associates' review letter of June 8, 2017, with the following waiver requests for Sections 191-37(B) and 191-38(A), and a partial waiver of 191-78(C)(2), Remington and Vernick's review letter dated May 31, 2017, and the Fire Marshal's review letter of May 18, 2017.

Member Haney seconds the motion.

All in favor 5-0. Motion carries. APPROVAL FOR WAIVER OF LAND DEVELOPMENT

Item #3: MLH 150 Roebing LLC, 150 Roebing Road (a/k/a 150 Solar Drive), Fairless Hills, PA 19030, TMP #13-0151-001-024; Zoned: MPM. Owner: 150 Roebing Rd. Mortgage LLC. Preliminary / Final Land Development for medical marijuana grower/processor

Jennifer Wunder, Esquire (Fox Rothschild) presents the application. We were here last month detailing a Sketch Plan for this project. We are proposing a medical marijuana grower processor facility.

Chairman Binney states that he has seen the list of licenses given out by the state and MLH was not on that list.

James Connolly (CEO MLH Exploration) explains the licenses issued last week are for commercial applicants. There are two different types of applications – there is a commercial group and the other is a clinical group. We are applying for a license for the clinical group in partnership with Thomas Jefferson University Health Systems. It is a different process. The State has allocated up to 8 licenses for the medical schools. We are highly confident that we will obtain a clinical group license. This week you will be hearing about dispensaries being given licenses – that’s not part of what we are going for. We will be submitting in the July/August time frame, and getting permitted in the Sept/Oct time frame.

Chairman Binney asks if it’s possible one of you would get the license and other one would not. There are two buildings here with two separate users.

Mr. Connolly states PharmaCann did apply for a commercial use and they did not get a license. But we are proceeding with the full development here with the expectation that the other parcel will be used for a licensed commercial or clinical registrant or for our expansion needs in the future.

T&M Associates’ Review Letter dated June 23, 2017

All items are a will comply, with the exception of the following:

- 191-37(B) Requesting a waiver – parking facilities curbing
- 191-37(G)(1) Requesting a waiver – curbed raised islands
- 191-37(G)(4) Requesting a waiver – providing the required shade trees
- 191-48 Requesting a waiver – providing the required street trees
- 191-62(B) Requesting a waiver – curbing along the existing streets
- 191-78(B)(6) Requesting a waiver – scale of 1” equals 3,000 ft.
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information for Township engineer’s review

No public comment.

Member Hughes makes a motion to recommend approval of Preliminary and Final Land Development for MLH Exploration LLC, 150 Roebling Road (a/k/a 150 Solar Drive), Fairless Hills, PA 19030, TMP #13-051-001-024, based on T&M Associates’ review letter of June 23, 2017, with the following waiver requests for Sections 191-37(B), 191-37(G)(1), 191-37(G)(4), 191-48, 191-62(B), 191-78(B)(6) and a partial waiver of 191-78(C)(2), Remington and Vernick’s letter dated June 23, 2017 and the Fire Marshal’s review letter dated June 7, 2017.

Member Leszczuk seconds the motion.

All in favor 5-0. Motion carries. APPROVAL FOR PRELIMINARY AND FINAL LAND DEVELOPMENT

Item #4 Approval of Minutes

Motion to approve minutes of February 28, 2017

All in favor 4-1, Rittler abstaining.

Motion to approve minutes of May 23, 2017.

All in favor 5-0.

Minutes are approved for February 28 and May 23, 2017.