

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
JANUARY 23, 2018**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:33 p.m.

Members present: Brian Binney, Stephen Hammer, Thomas Hughes, Mary Leszczuk,
Robert Crozier, Edward Crohe

Members absent: John Haney

Also present: Francis X. Dillon, Esquire (Begley, Carlin & Mandio) and Quentin Howard (Morton Salt) representing Morton Salt; Carrie Nase-Poust, Esquire (Fox Rothschild), Robert Showalter, P.E. (Showalter and Associates), and James Connelly (CEO of MLH Exploration) representing MLH 150 Roebing

For the Township: Thomas A. Bennett, CCEO & Zoning Officer, Joseph Jones, P.E. Township Engineer, and Diane Beri, Recording Secretary

REORGANIZATION OF THE BOARD

Chairman:	Brian Binney
Vice Chairman:	Thomas Hughes
Secretary:	John J. Haney, III
Date and Time:	4 th Tuesday of each month at 7:00 p.m.

Chairman Binney welcomes Edward Crohe to the Planning Commission as its newest member.

Item #1: Morton Salt, 12 Solar Drive, Fairless Hills, PA 19030; TMP #13-051-001; Zoned: MPM. Owner: USX Corp -- Waiver of Land Development – cover remaining 600 sq. ft. of existing canopy framing with permanent roof.

Francis Dillon, Esquire presents the application. He presents pictures to the Board. We are asking for a waiver of land development in proposing to cover the canopy. The canopy is already existing.

Quentin Howard (Morton Salt) explains that there is a partial canopy existing and we want to extend it all the way out, take the roof and tie the roof into the side of the building so we don't get water cascading down the side of the building. We are not physically tying the structure into the building – it's a stand alone structure.

T&M Associates' Review Letter dated January 11, 2018

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

191-48(A) Requesting a waiver – street trees
191-60(A) Requesting a waiver – monuments

Member Crozier asks about the traffic during the day.

Mr. Howard states that there is very little traffic – not a little back and forth traffic in the area of the improvement.

Member Crozier asks about the purpose of the canopy.

Mr. Howard states that it is to keep any type of object from the sky from falling into the food grade product when we are loading the trucks. We want to extend it out so we can load better in inclement weather.

Member Leszczuk makes a motion to recommend approval for a Waiver of Land Development for Morton Salt, 12 Solar Drive, Fairless Hills, PA 19030, TMP #13-051-001, based on T&M Associates' letter dated January 11, 2018, with the following waivers requested for Sections 191-48(A) and 191-60(A), and Remington & Vernick's letter dated January 17, 2018.

Member Hammer seconds the motion.

All in favor 6-0. APPROVED FOR WAIVER OF LAND DEVELOPMENT

Item #2: MLH 150 Roebling, LLC, 150 Roebling Rd (a/k/a 150 Solar Dr), Fairless Hills, PA, TMP #13-0151-001-024; Zoned: MPM. Owner: MLH 150 Roebling Rd. Mortgagee – Amended Final Plan – 3,000 sq. ft. addition to connect three existing buildings for a medical marijuana growing and processing facility

Carrie Nase-Poust, Esquire, presents the application. She hands out smaller versions of the plan. This project has previously been before this Board. We are proposing a clinical research medical marijuana grower and processing on this property. We did receive a special exception for the use last year. We also have received Preliminary and Final Land Development approval from the Board of Supervisors. At that time, the proposal was to demolish the existing buildings on the property and to construct new buildings.

Subsequently, it was determined it would be more efficient and cost-effective to maintain the three existing buildings, renovate those buildings, and build a 3,000 sq. ft. addition to connect the buildings for security purposes. We have revised the plans and have resubmitted them to review this evening. No other improvements are being proposed as part of this application. The existing stormwater management facilities are sized appropriately to handle this addition. We are not increasing the impervious because the addition is being built on area that has existing impervious. Some fencing will need to be installed and some lighting, but otherwise no other site improvements.

Chairman Binney states that he is disappointed that we haven't received the things that are required with regard to the security plan and disposal plan.

Atty. Nase-Poust states that those documents were submitted as part of the Special Exception hearing so they are on file with the Township.

Discussion occurs about the proprietary information on the security plan, the limited distribution because of the proprietary information and that the information was submitted to the Township, possibly with the Special Exception which was heard before the Zoning Hearing Board.

Atty. Nase-Poust also states that the exterior refuse container will be a metal trash compacter type that will be secured and locked. It will be within a fenced-in area.

Chairman Binney states that will be for office type trash. The trash from the processing of marijuana has different requirements – correct?

Atty. Nase-Poust states that is correct.

Chairman Binney states it should be on the plan.

Atty. Nase-Poust agrees.

Chairman Binney states that he is disappointed that you are not going to be building new facilities down there.

Mr. Jones clarifies that it is your intention to show us where the compactor is going to be on the site and you are not going to propose an outdoor station for normal trash.

Mr. Showalter states that we are going to show both.

In response to a Board question regarding the process, Mr. Connelly gives detail on the processing of the marijuana, the extraction of the product to produce oils, and the packaging and shipping of the product to dispensaries around the state.

Member Hammer states that the addition is going to be a corridor and storage – correct?

Mr. Connelly states the front end will use existing sidewalk, there will be a vestibule and security here, some locker rooms, and a garage over the existing roadway for the trucks to unload. We wouldn't want our employees to have to exit a building to get to another building so the addition connects all three existing buildings.

In response to Chairman Binney's questions, Mr. Connelly reiterates that we are still partnering with Jefferson University to do research. The research will be done through those dispensaries. Jefferson is not involved with the dispensing or the manufacturing; they are going to provide support and counsel who actually does research. Most of the data on medicinal marijuana is antidotal; Jefferson will provide science to support such things as this product works better for ALS, or epilepsy, etc. The license from the State has not been issued yet – we expect it soon. We have six months from the time the license is issued for us to become operational.

T&M Associates' letter dated January 16, 2018

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

- 191-37 (B) Requesting a waiver – curbing for all parking facilities (will use bumper blocks)
- 191-37(G)(1) Requesting a waiver – curbed raised planting beds (painted striping will be used)
- 191-37(G)(4) Requesting a waiver – one tree for every six parking spaces in a single row
- 191-48 Requesting a waiver – street trees along the frontage of streets
- 191-62(B) Requesting a waiver – curbing along existing streets
- 191-78(B)(6) Requesting a waiver – scale of location map 1" equals 3,000 ft.
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information for Township's engineer review

Member Leszczuk makes a motion to recommend approval for an Amended Final Plan for MLH Roebbling 150, 150 Solar Drive, Fairless Hills, PA 19030. TMP #13-051-001-024, based on T&M Associates' review letter dated January 16, 2018, with waivers requested 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 wavier for 191-78(C)(2), Remington & Vernick's review letter dated January 17, 2018, and the Fire Marshal's review letter dated January 3, 2018.

Member Hughes seconds the motion.

All in favor 6-0. APPROVED AMENDED FINAL PLAN

Item #3: Approval of Minutes

Motion to approve minutes from December 18, 2017.

All in favor 6-0.

Meeting adjourned 7:33 p.m.