

SOUTH STRABANE TOWNSHIP
PLANNING COMMISSION REGULAR MEETING MINUTES

June 2, 2022

APPROVED MEETING MINUTES

The Planning Commission of South Strabane Township held its Regular Meeting on Thursday, June 2, 2022 at 7:01 p.m. in the Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present: Jay Gordon, Vice Chair; Paula Phillis; Fred Pozzuto; and Dan Reitz

Not Present: Thomas Steele, Chair; and Joe Kopko

Also Present: Jim Sutter, Assistant to the Township Manager; Paris Szalla, Administrative Intern; Scott Groom, Engineer; and Gabrielle Conti, Solicitor

1. PLEDGE OF ALLEGIANCE

Vice Chair Gordon led the group in the Pledge of Allegiance.

2. PUBLIC COMMENT

The Planning Commission allocates a period of time during this item for those individuals who would like the opportunity to address the Planning Commission on any matter. Each person addressing the Planning Commission is asked to limit their comments to a maximum of three (3) minutes.

There were no comments from the Public.

3. APPROVAL OF THE PLANNING COMMISSION REGULAR MEETING MINUTES MAY 5, 2022

Mr. Reitz moved to approve the May 5, 2022 meeting minutes. Mr. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

4. REVIEW & DISCUSSION REGARDING THE ESTABLISHMENT OF LAND USE AND ZONING REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES AND GROWER/PROCESSORS

Vice Chair Gordon introduced the item. The 2016 Medical Marijuana Act (“Act”) legalized the use of cannabis in Pennsylvania for patients suffering from qualifying medical conditions. In recent months, Township Staff has received inquiries from several parties, such as Cresco Labs, interested in opening a medical cannabis dispensary in the Township. While these businesses are heavily regulated by the State in many ways, the Act provides little guidance concerning land use and zoning.

At its Non-Legislative meeting on May 10, 2022, following a discussion of the matter, it was the consensus of the Board of Supervisors (“Board”) to have Staff work with the Planning Commission to draft an ordinance that regulates dispensaries and grower/processing facilities.

Representatives from Cresco Labs have requested to be party to this process and will be on hand to present information on their business and respond to questions as subject matter experts.

The Act restricts facilities within 1,000 feet of a school. It also requires grower/processors to meet the same municipal zoning and land use requirements for manufacturing, processing and production and dispensaries to meet those for commercial facilities located in their respective zoning districts. As of now, pursuant to the Township Zoning Code, a grower/processor can operate in Industrial Districts and a dispensary in Commercial Districts with minimal local oversight, and no public process, as long as it is not within 1,000 feet of a school and complies with State regulations.

Staff, in consultation with the Township Solicitor, has drafted an ordinance that establishes Medical Marijuana Dispensaries as a Conditional Use in the C-2 Zoning District and Medical Marijuana Grower/Processors as a Conditional Use in the I-1 and A-1 Zoning Districts. Proposed definitions, standards and criteria and off-street parking requirements for both uses are provided.

Angela Zaydon, representative from Cresco Labs, presented an overview of the company and their proposed operations in the Township. She stated they attempt to hire local employees and invest in the communities in which they are located. She stated they had a chance to review the draft ordinance and had provided comments. They are requesting the Township not establish a need for obtaining Conditional Use approval. Further, Act 44 of 2021 amends the Act to permit drive-through and home delivery making the proposed standard restricting these illegal.

Ms. Phillis asked if a prescription is required to purchase from a dispensary. Ms. Zaydon stated a prescription and medical marijuana card are both required. Mr. Pozzuto asked how many employees the facility will have. Ms. Zaydon stated it depends on the size, but most of their stores have between 20 and 35 full-time employees. Vice Chair Gordon asked if Cresco Labs grows their own product. Ms. Zaydon stated they do in a facility in Brookville, Pennsylvania.

Mr. Pozzuto inquired about the growing process. Ms. Zaydon stated it occurs indoors and is regulated by the State. In response to a question from Mr. Reitz, Ms. Zaydon stated growing does not take place in a greenhouse, but in a very secure building. Mr. Pozzuto asked how many patients visit each store. Ms. Zaydon stated it varies. Mr. Pozzuto asked if Cresco Labs has a specific location in mind. Ms. Zaydon stated they are interested in the space located at 384 Washington Road. Mr. Pozzuto expressed his preference medical marijuana dispensaries should be allowed to operate as a use by right.

Mr. Gordon asked what their plans are for potential recreational legalization. Ms. Zaydon stated their facilities will be just as secure as they are currently. A discussion ensued on the security of the facilities. Ms. Phillis noted the difference in ages allowed in grower/processors versus dispensaries. Ms. Zaydon stated these ages come from the State. Ms. Phillis asked if the Township could establish age restrictions more stringent than the State. Ms. Zaydon stated this would run afoul of State law. Mr. Pozzuto expressed the opinion a facility for recreational use should be a Conditional Use. A discussion ensued.

Mr. Reitz inquired of the location of grower/processing facilities being in Industrial and Agricultural Zoning Districts. Assistant to the Township Manager Jim Sutter indicated the Industrial Zones are consistent with the guidelines of the Act and the Agricultural Zone was at the request of the Board. A discussion on potential locations for medical marijuana

grower/processors ensued. Ms. Phillis expressed a desire to establish this as a Conditional Use given the likelihood of recreational use being legalized in the near future. She stated not doing so at this time would not be proper planning. Mr. Pozzuto inquired of the possibility of grower/processor facilities being located in the C-2 Zoning District. Mr. Sutter stated he would do more research regarding this possibility.

Mr. Pozzuto asked how the product is shipped. Ms. Zaydon stated there is a secure protocol of weighing and scanning. Vice Chair Gordon requested a draft ordinance be prepared for consideration at a Public Hearing for the next meeting.

5. CODE ACTION ITEM LIST PRIORITIZATION DISCUSSION

Mr. Sutter reported from time to time, Staff comes across sections of the Zoning Code and Subdivision and Land Development Code that may be in conflict, deficient, confusing or simply not regulated. At its Non-Legislative meeting on May 10, 2022, Staff and the Board of Supervisors prioritized a Code Action Item List which has been developed by Staff over time. Most of the items on this list will require review and discussion with the Planning Commission.

He reported the prioritization placed all of the items on the list into a three-tiered system. Items ranked #1 are those that are considered highest priority. It is recommended the Planning Commission work with Staff to prioritize these items to focus on in the coming months.

Mr. Gordon asked for clarification on apiaries, which was listed as a potential use to establish. A discussion ensued. A discussion ensued on the definitions of an accessory structure and impervious surface. It was the consensus of the Planning Commission to take the items in the order provided and to do two at a time. Mr. Sutter stated he would bring the first two items listed up for review and discussion at the next meeting.

6. STAFF UPDATE

Mr. Sutter reported on the following outstanding items:

- Application for the Kisling Subdivision remains on the table;
- Application for Conditional Use by Pankratos to operate a Juvenile personal care home at 1961 N. Main Street remains tabled with a six-month extension granted to September 1, 2022;
- Preapplication meeting for the Snuffy Planned Residential Development is anticipated later this year;
- Land Development application from Menard, Inc. is anticipated later this year;
- Conditional Use application from Simpson Clean for a Home Occupation at 42 Manse Street is anticipated for July;
- Previously recommended Board approved Text Amendment application from Amerco Real Estate Co.; and
- Board granted Preliminary and Final Minor Subdivision Approval of application from Scott Murphy.

Mr. Sutter asked if there were any questions regarding these items. Mr. Pozzuto asked for clarification on the status of the Pankratos Conditional Use application. Mr. Sutter stated they were granted a six-month extension, which will expire in September. Mr. Pozzuto asked if Mr. Sutter could touch base with them for a status update. Mr. Sutter stated he would do so.

Discussion ensued on the Kisling Subdivision and Menard, Inc. Land Development. Mr. Gordon stated a long-term solution for Berry Road needs to be worked out. He requested a round table discussion between the Township and the Developer be arranged. Mr. Sutter stated Staff will look into setting up a meeting.

7. **ADJOURNMENT**

There being no further business to come before the Commission, Mr. Reitz moved to adjourn the meeting at 7:56 p.m. Ms. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Jim Sutter
Assistant to the Township Manager