

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – MEDICAL MARIJUANA**

**MARCH 25, 2021
APPROVED**

The Springettsbury Township Board of Supervisors held a Conditional Use Hearing on Thursday, March 25, 2021 at 6:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA in person and by Zoom technology.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop
Robert Cox

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mark Hodgkinson, Township Manager
Dori Bowders, Director of Administrative Operations
Chris Naylor, Attorney
Christian Miller, Attorney, MPL Law Firm, Goodblend PA
Terace Driscoll, Goodblend PA
Jean Abreght, Stenographer

1. CALL TO ORDER

RAUSCH Solicitor Rausch brought forward the matter of a Conditional Use Hearing under the Town Center Overlay, No. CU2020-01: to allow a Medical Marijuana Dispensary Center at 100 Memory Lane. The applicant had submitted an Application, which would be heard first with questions from the Board followed by questions from any party with a presentation of additional questions or statements. Solicitor Rausch noted that it was expected that the Hearing would end at about 6:55 p.m. in order to move into the Regular Meeting of the Board of Supervisors.

NAYLOR Attorney Chris Naylor introduced himself from the Law Firm of Barley Snyder. He was present representing and seeking Party Opponent Status for Objector Michael Spagnola who is the record owner of 4 Kent Road, a property immediately across from the subject parcel. He requested the opportunity to cross-examine any applicant witnesses, as well as provide a Closing Summation.

RAUSCH Solicitor Rausch provided the Oath to all witnesses.

LUCIANI Mr. Luciani stated that the property in question was posted as required under the Conditional Use Hearing Procedure, as well as advertisements appeared in the local newspaper as required. The posting stated that the Hearing would be held at 6 p.m. this date.

MILLER Attorney Christian Miller introduced himself representing the applicant for the Conditional Use Request. He reviewed the background for the request for his client, Goodblend Pennsylvania, which desires to operate a Medical Marijuana Dispensary at 100 Memory Lane under the Town Center Overlay Mixed Use. He reviewed items in the Application, which included no exterior changes to the former restaurant/bar business, fencing around the loading/unloading dock, landscaping, moving some interior walls. The Application itself included daily operation facts, Department of Health regulations. The facility will operate as a medical office, a Use Permitted by Right in the Mixed-Use Zone and in the Town Center Overlay. Their intention was to meet all the design requirements. He introduced Terace Driscoll, who was to Witness for Goodblend Pennsylvania.

DRISCOLL Terace Driscoll stated she is the Director of Retail Construction for Parallel, the DBA for Good Blend Pennsylvania. The corporate address is 2203 South Lois Avenue, Tampa, Florida.

MILLER Attorney Miller reviewed the background facts of the project. They believe the requirements they need to meet are in Section 325-200H, Standards to Improve or Reuse an Existing Building, as well as the General Standards in 325-200A-F. He reviewed all the facts with Ms. Driscoll.

DRISCOLL Ms. Driscoll responded to the number of requirements indicating that they will be complied with, or attempted to comply with if possible. Included are design standards, primary building entrance toward the street, 25% transparent or translucent materials on each story below the roof line, parking, pedestrian pathways, landscaping, pedestrian scale façade articulation, site plan with sidewalks, trees to be planted in with the islands, loading/unloading area, and indoor site plan.

MILLER Attorney Miller brought up the General Town Center Overlay Design Criteria shown in A and B, which will be in compliance with the Comprehensive Plan. This included: pedestrian access, confined refuse areas, screening, service and loading areas visually screened from the street and pedestrian ways.

DRISCOLL Ms. Driscoll stated that the service and loading areas will be considered an enclosed structure as required by the Department of Health, and it will be achieved through a chain link fence with concealed slots. She estimated the height of the fence to be about 12 feet.

MILLER Attorney Miller referred to Exhibit D of their Exhibit A, a pink shaded area. He noted that the area will be monitored for security through closed-circuit video surveillance. He referred to an additional requirement regarding signage to which Ms. Driscoll noted they will comply with all the Zoning requirements. Attorney Miller continued with the list of requirements which included exterior lighting, which will prevent glare, light the pedestrian pathways and will be sufficient for

security and identification. He noted that they believe they have met all the requirements as set forth in the Town Center Overlay and the Mixed Use Zone.

Members of the Board of Supervisors had no further questions.

NAYLOR Attorney Chris Naylor questioned Ms. Driscoll about her employment.

DRISCOLL Ms. Driscoll responded that she is employed by Sotara Staffing, which is a subsidiary of Parallel, a DBA of the parent company. Goodblend also is a subsidiary; all with common ownership.

NAYLOR Attorney Naylor questioned Ms. Driscoll about a number of items within the Application. The questions answered are summarized:

- Applicant anticipates approximately 50 to 60 customers per day; 5/hour
- Pennsylvania Registry includes estimated 100,000 patients.
- Dispensaries in York County include Organic Remedies
- Traffic impacts on neighboring properties; harmony of existing neighborhood; permitted use.
- Adequate parking for the square footage of the facility and anticipated business.
- Operating hours: 10 a.m. to 8 p.m.
- Primary entrance on Memory Lane; Entry cove faces Kent Road; corner lot
- Patient caregiver waiting room; dispensary area, security office
- Transparent/Translucent standard 25%; Department of Health

SWOMLEY Chairman Swomley noted the time at 6:48 p.m. He stated they would take a few questions before adjourning the Hearing. He indicated the first one was more of a comment related to living near the current Organic Remedies location noting that at times there are 50 to 70 cars lined up to buy products. The comment was related to cars stacked on Memory Lane.

DRISCOLL Ms. Driscoll responded to the comment/question. She stated that Goodblend had mastered a curbside model in the State of Florida. Competitors may cause such a backup because of inefficient processing of orders on the back end. Goodblend consistently messages customers and caregivers to select their order on line, which provides for their order being ready as soon as they come in with no stacking problem.

SWOMLEY Chairman Swomley posed the next question which related to security and lighting and a suggestion was made for an up-to-date Traffic Study for Memory Lane; reduce speed from 40 mph to 35 mph or lower.

RAUSCH Solicitor Rausch asked Ms. Driscoll to comment on the lighting.

DRISCOLL Ms. Driscoll responded that all locations have security lighting as part of the regulations. In addition, she noted that all their locations will conform to the Department of Health rules. Along with the commercial grade security equipment and a security guard on staff monitoring the CCTV, all sites are monitored 24 hours a day with limited access, and everything is recorded. Records are stored up to four years.

RAUSCH Solicitor Rausch questioned the payment method.

DRISCOLL Ms. Driscoll responded that they would use an application called “Can Pay” which is similar to a Pay Pal model. The application works with marijuana organizations to lessen cash on hand. An additional model to be implemented is Smart Safe Solutions, also to limit the amount of cash. There will be armored car pickups scheduled.

RAUSCH Solicitor Rausch questioned whether there was any further testimony. There was no further testimony.

NAYLOR Attorney Naylor gave a Closing Statement.

4. ADJOURNMENT

SWOMLEY Chairman Swomley closed the Conditional Use Hearing at 7:07 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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