

EDGEWORTH BOROUGH PLANNING COMMISSION
REGULAR MONTHLY MEETING
April 12, 2023

MEETING was called to order at 7:00 p.m. with Chairperson Keane presiding and the following members of the Commission and officials of the Borough present: Mr. Patrick Keane, Mr. David Martin, Mr. David Aloe, Mrs. Mary Ferris, Mr. Patrick Auth, and Mr. John Schwend, Borough Manager. Chairperson Keane led the reciting of the Pledge of Allegiance.

MINUTES of the Regular Meeting held on March 8, 2023 presented to the Commission. After some discussion, a motion was made by Mr. Aloe with a second from Mr. Auth to approve the March 8, 2023 Regular Meeting Minutes as presented. All present voted in favor of the motion.

The following visitors were present:

Mr. Jeff and Mrs. Gail Murray – 605 Maple Lane, Edgeworth
Mr. Hugh and Mrs. Rachel St. Martin – 609 Maple Lane
Mr. Charles Harris and Ms. Darlene Nowak – 526 Irwin Drive
Mr. Michael Cevarr – 445 Maple Lane, Edgeworth
Ms. Alyssa Preston – 604 Maple Lane
Mr. Brad Busatto – 520 Woodland Road
Mr. John Poister – 201 Grant Street, Sewickley
Mr. Jim Miller – Sewickley Academy
Mr. Craig Jubic – Gateway Engineers
Mr. Monte Spiers – Ascend Wellness Holdings
Ms. Kathleen Olivastro – Ascend Wellness Holdings
Mr. James Andrus – Ascend Wellness Holdings
Ms. Vanessa Getz – SALVO Strategies
Mr. Clifford Levine – Dentons

NEW BUSINESS:

PRELIMINARY AND FINAL LAND DEVELOPMENT APPLICATION – SEWICKLEY ACADEMY – NICHOLS FIELD, 624 BEAVER ROAD: Mr. Jim Miller presented the preliminary and final land development application for Sewickley Academy’s (the Academy) Nichols Field, located at 624 Beaver Road. He explained that no changes were made to the sketch plans presented at the March 8, 2023 Planning Commission meeting. He outlined the scope of the project, including plans to pave the existing gravel parking lot and walkway in its current footprint, slightly reposition the baseball field and install turf in the infield, install new fencing, goal posts and scoreboards, remove and replace existing dugouts, repair the existing concession stand, and complete aesthetic improvements to the site. No lighting, sound systems, or additional structures are proposed as part of the application. Mr. Miller highlighted that after discussions with the Allegheny County Conservation District, the limit of disturbance for the project is under one acre, and a National Pollutant Discharge Elimination System (NPDES) permit was not necessary to obtain. Mr. Schwend then reviewed comments from the Borough’s Engineers. The Borough Geotechnical Engineer determined that no formal review of the application was necessary due to the limited earth disturbance proposed. The Borough Traffic Engineer commented that the previous crosswalk installed across Beaver Road is no longer present due to road resurfacing, and recommended that it be replaced. Additionally, the bus drop-off area curb transitions depicted on the plan limits the usable length of the area. Mr. Miller stated that the referenced crosswalk would be installed in the

previous location, and the bus drop area can be adjusted to maximize space and safety. The Borough Engineer's review letter addressed numerous items, including curbing and sidewalk requirements around the parking lot and property frontage, accurately depicting property lines and contour lines on the drawings, pricing and quantity estimates that must be submitted for review, clarifications regarding stormwater management runoff calculations and data, and the preparation of an Operations and Maintenance Agreement. Mr. Miller stated that the Academy will request a waiver from Borough Council regarding the curbing and sidewalk requirements. He explained that wedge curbing and a section with no curbs around the parking lot will ensure that runoff enters into a rain garden located at the corner of the parking lot, whereas concrete vertical curbing would prevent the water from entering the proposed stormwater management system. Additionally, sidewalk installation along Beaver Road and Little Sewickley Creek Road would result in a sidewalk with no connectivity to other walk ways. Mr. Miller explained that this could result in a dangerous situation. Mr. Miller expressed confidence that the remaining items in the Borough Engineer's review letter would be satisfactorily resolved. Mr. Auth asked whether the waiver requests have been formally submitted to Borough Council. Mr. Schwend explained that they have not, and the Academy would submit the requests to Borough Council when the application is considered.

Mr. Keane then opened the floor for public comment. Mr. John Poister asked whether the proposed turf around the baseball infield would result in harmful runoff into Little Sewickley Creek. Mr. Miller explained that all environmental factors of turf options are being considered, and that French drains would be installed under the turf to ensure the majority of water is collected beneath the field. After further discussion, a motion was made by Mr. Aloe with a second from Mr. Martin to recommend the preliminary and final land development application from Sewickley Academy for Nichols Field, located at 624 Beaver Road, to Borough Council, with the conditions that all comments from the Borough Engineer are satisfied, the Academy install a crosswalk across Beaver Road, and that the Academy receive the necessary waivers regarding curbing and sidewalk requirements from Borough Council. All present voted in favor of the motion.

CONDITIONAL USE APPLICATION – ASCEND WELLNESS HOLDINGS – PROPOSED MEDICAL MARIJUANA DISPENSARY, 301 OHIO RIVER BOULEVARD:

Mr. Clifford Levine and Ms. Kathleen Olivastro came before the Commission to present a conditional use application for a proposed medical marijuana dispensary located at the vacant lot adjacent to 301 Ohio River Boulevard. Mr. Levine stated that retail is a conditional use in the Borough's C-2 Zoning District, and explained that dispensary operators are heavily regulated and overseen by the Pennsylvania Department of Health. He outlined examples of health conditions that could quality patients for medical marijuana use, and stated that the proposed location on Ohio River Boulevard was selected due to its proximity to Beaver County and other communities along the Route 65 corridor, as well as minimal impact to the neighborhood. Ms. Olivastro provided an overview of Ascend Wellness Holdings, including their operations in other states and in Pennsylvania. She also outlined the proposed management structure and hours of operation, with an opening time of 10:00 am and closing times ranging from 5:00 to 8:00 pm, dependent on the day of the week. The proposed building is approximately 3,500 square feet, with an approximate 1,350 square feet of retail space, with twenty-five parking spaces. Ms. Olivastro then outlined the security measures enacted at dispensaries, including a security check-in where patrons must verify their medical marijuana license, verification of prescriptions, vaulting systems with key cards, a dedicated and secured truck bay for deliveries, dual coverage camera systems, employee background checks, and state inspections of all facility security measures. Additionally, Ms. Olivastro stated that no products are consumed on the premises, and estimated approximately seventy transactions to occur during peak business hours. Mr. Levine then explained the process for companies to obtain licenses to open dispensaries in Pennsylvania, and stated that the applicant will apply for a permit from the Pennsylvania Department of Health as a clinical registrant, meaning that they are licensed as both a grower and dispenser, and have a contractual relationship with an academic clinical research center.

Mr. Keane asked the distance of the proposed dispensary from Sewickley Academy and Edgeworth Elementary. Mr. Monte Spiers stated that state law dictates that dispensaries must be at least 1,000 feet from schools, and both schools are approximately 1,100 feet away. Mr. Aloe stated that the estimated number of patrons accessing the proposed location will cause an immense uptick in traffic to the area, and expressed concern over the safety of the intersection. Mr. Schwend asked whether the applicant has secured an easement agreement with the existing medical building located at 301 Ohio River Boulevard to allow patrons to access the proposed dispensary through the existing parking lot. Mr. Spiers stated that an easement has not yet been obtained to access the site via the existing property, and most traffic would access the site via Chestnut Road. Mr. Martin stressed the safety concerns regarding traffic and vehicle access to the site. Mr. Keane asked whether the nature of the dispensary and its use would change if marijuana was to be recreationally legalized in Pennsylvania, and whether patron estimates would increase. Ms. Olivastro stated that in other states where medical marijuana dispensaries were open prior to recreational legalization, a brief increase was experienced until additional licenses and stores were opened. Mrs. Ferris asked why the applicants chose the Borough as their proposed location. Mr. Spiers explained that marketing studies were completed, and the applicant felt that the location would best suit the needs of surrounding communities.

At this time, Mr. Keane opened the floor for public comment. Mr. Brad Busatto asked whether any products dispensed at the location contain psychotropic properties, and expressed concern with patrons leaving the location under the influence of any product., and travelling near the two schools after purchasing products. Ms. Olivastro stated that while some products do, no products are consumed on site. Mr. Levine stated that medical marijuana is legal in Pennsylvania, and all patrons are licensed to have the product. Ms. Darlene Nowak asked how the proposed dispensary will benefit the Edgeworth community. Mr. Levine stated that beyond the additional tax revenue provided to the Borough, the proposed location is convenient for patients with medical marijuana licenses along the Route 65 corridor. Ms. Nowak expressed concern with the close proximity to Sewickley Academy and Edgeworth Elementary School, and suggested that a better location could be found elsewhere. She also asked whether the applicant has filed an application with the Pennsylvania Department of Health to obtain a permit for the proposed location. Mr. Spiers stated that they have not, as having a physical location is required to file an application.

Mr. Auth asked whether there was objective criteria to review such an application. Mr. Schwend provided an overview of the Conditional Use process. He explained that in the C-2 zoning district, retail use is considered conditional use, and approval from Borough Council is required. The Planning Commission can recommend reasonable conditions for health, safety and welfare of the community. Borough Council will hold the first Conditional Use hearing during their regularly scheduled meeting in May, and a recommendation should be made prior to then. The applicant is only seeking a Conditional Use approval at this time, and if granted, they must submit a complete land development application including detailed traffic, geotechnical, and civil engineering reports for review. Mr. Aloe and Mr. Martin again stressed the importance of ensuring safety at the intersection of Chestnut Road and Ohio River Boulevard. Mr. Keane asked whether the applicants took into account the garden parcel owned by Sewickley Academy at the intersection of Hazel Lane and Ohio River Boulevard, and the applicant has not. After further discussion, a motion was made by Mrs. Ferris with a second from Mr. Aloe to table discussion related to the conditional use application submitted by Ascend Wellness Holdings for a proposed medical marijuana dispensary located at the vacant lot adjacent to 301 Ohio River Boulevard. All present voted in favor of the motion.

There being no further business, the meeting on motion duly made was adjourned at 8:30 p.m.
-John F. Schwend, Secretary