

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
Minutes of August 21, 2024**

Present: Rich Valiga, Vice-Chair
Maureen Nunn
Rusty Beardsley
Danielle Porreca
Craig Adams
Michael Mrozinski

Patty Furber, B&Z Administrator
Ed Brown, Gilmore & Associates

Absent: Craig Melograno, Chairman

Call to Order:

The meeting of the Lower Gwynedd Township Planning Commission was called to order at 7:00 PM.

Approval of Minutes: March 20, 2024

A motion was made by Mr. Mrozinski and Mr. Beardsley to approve the minutes of the Lower Gwynedd Township Planning Commission meeting of March 20, 2024. The motion carried unanimously.

Conditional Use:

**AY Commercial LP/BASF Corporation
300 Brookside Ave.**

#24-05CU

Present for the conditional use application was Ms. Christen Pionzio from HRMM&L, Mr. Marc Policarpo, Managing Partner, at Station Partners and Mr. Glenn Gleason from Entegris.

Ms. Pionzio gave the board some background on the Ambler Yards site. She stated that prior to Station Partners purchasing and renovating the site, it was an old abandoned chemical factory. Ms. Pionzio stated the site sits on 25 acres and is 99% occupied as a mixed-use campus. She stated that when Station Partners purchased the site, they wanted people to work there, exercise there, eat food, drink beer and just have a cool space to hang out. Ms. Pionzio stated that they also host family fun nights for the community.

Ms. Pionzio informed the board that Ambler Yards tenant, Entegris, wanted to add a storage container/accessory structure. They submitted a building permit application for the accessory structure and that was flagged by the Zoning Officer. Ms. Pionzio stated that township staff agreed that these structures would reflect in a change of use of their 2016 master plan. Ms. Pionzio stated that any change in use would require conditional use approval. Ms. Pionzio stated that she disagreed with that decision. She stated there was no change in the use, it was just adding an accessory structure to store chemicals. She stated that the township stood firm with their decision and here they are tonight with the conditional use application.

Ms. Pionzio stated since accessory structures are not permitted within the F Industrial District, they first had to apply to the Zoning Hearing Board for a variance. The variance was granted June 18, 2024.

Mr. Valiga wanted to know what the definition of a structure was. Ms. Pionzio stated that a structure would be fixed to the ground and wouldn't have wheels. Mr. Valiga stated there was confusion since the Zoning Hearing Board did not define structure. Ms. Pionzio stated these containers would sit on asphalt and were substantial. Mr. Valiga wanted to know if these containers were fixed or movable. Ms. Pionzio stated that these would be fixed on asphalt. Mr. Beardsley wanted to know if these containers would ever be relocated. Mr. Valiga wanted to know if these structures were ever moved would they have to apply for another conditional use application? Ms. Pionzio asked Mr. Gleason if these structures would ever be relocated. Mr. Gleason stated they would be permanent.

Mr. Brown stated to Ms. Pionzio that at the conditional use hearing in front of the Board of Supervisors there should be a discussion regarding amending the language to permit smaller items. Mr. Brown stated that staff is open for these smaller items not to be considered an amendment to the master plan. Ms. Pionzio agreed, stating that anything bigger would require land development.

Mr. Beardsley wanted to know the size of the containers. Ms. Pionzio stated they were 12' x 22'. Ms. Pionzio stated that Entegris intends on getting another container, which they were approved for. Mr. Beardsley wanted to know what chemicals would be stored in these containers. Mr. Gleason stated that Entegris is a semi-conductor industry that manufactures raw materials. Ms. Pionzio stated they are not storing anything hazardous, just dangerous chemicals.

Ms. Nunn wanted to know about the fire suppression system that are installed in the containers. Mr. Gleason stated that these containers come with everything already installed at the time of delivery. The containers include a fire suppression system, a fire alarm (will be tied into the building) and security locks with alarms. Mr. Valiga wanted to know if they keep a list of chemicals in case there is a fire. Mr. Gleason stated that they

do maintain records for every chemical located in their building. Mr. Valiga wanted to know if the Fire Marshal looked at these structures? Ms. Pionzio stated that it was under the recommendation of both the Fire Marshal, Al Comly, and Building Code Official, Kelli Scarlett, that these chemicals be stored outside.

Ms. Porreca wanted to know how many layers are in the containers, what if these containers leaked? Ms. Pionzio stated that these containers would not hold hazardous materials, just dangerous chemicals. Ms. Nunn stated that the board represents the residents of Lower Gwynedd Township. She stated that the residents may have questions about what type of materials and chemicals are being stored in these containers. She stated what would happen if they leaked and got into the ground, could they possibly contaminate the water. Ms. Pionzio stated that they went through what type of storage containment system to purchase with the Fire Marshal and Building Code Official. Ms. Pionzio stated that these chemicals are stored within the building and that the Fire Marshal suggested that the chemicals be stored outside. Ms. Pionzio stated these containers are made to store dangerous chemicals.

Mr. Beardsley wanted to know if there was more information available on the fire suppression system. Ms. Pionzio stated that would be available, she did not have any information at tonight's meeting regarding the system. Ms. Pionzio stated no one from the neighborhood attended the Zoning Hearing Board meeting after notices were sent. She stated that notices would be sent out for the conditional use application to addresses within 500 feet of Ambler Yards. She stated if any of the residents should have concerns, they would be able to attend the board meeting. Ms. Nunn stated that it's important to know more about the fire suppression system to ensure that the chemicals will not leak out. Ms. Pionzio stated that the chemicals wouldn't leak out since these are contained systems.

Mr. Valiga stated that he wanted everyone to feel comfortable. He stated that it seems all questions have been reviewed and answered thoroughly.

A motion was made by Mr. Beardsley and seconded by Mr. Adams to recommend approval of the conditional use application to the Board of Supervisors.

The motion passed with a 6-0 vote.



Lower Gwynedd Township:

Proposed Small Wireless Facilities Ordinance Amendment- Ord. #547

Mr. Beardsley asked for further information regarding the draft ordinance. Ms. Furber explained to the board members that the township is required to update this ordinance

per ACT 50. She stated that some of the changes included adding small wireless facilities to rights-of-way and incorporating a fee schedule. She explained that this update was necessary to address the need for 5K wireless service within the township. Mr. Valiga thanked Ms. Furber for sending the board a PowerPoint presentation on ACT 50 for further clarification.

Mr. Beardsley stated that he had no idea about the legal language in the draft ordinance regarding what is being added and what the consequences would be. Mr. Valiga explained that the township solicitor incorporated ACT 50 and the legal requirements into the draft ordinance for wireless companies to abide by.

Mr. Valiga felt that the township should add the MCPC recommendation regarding co-location and modification to the ordinance for more clarification. Mr. Adams felt that there was no need to attach a small wireless facility to a historic building, that there are way too many other poles available in the township. Ms. Nunn thought it wouldn't be in the best interest to have to rewrite the ordinance every time we get a new historic building. She stated that a description would be adequate. Mr. Valiga asked the board members if they should incorporate or leave out the MCPC comments regarding historic buildings. Mr. Valiga stated that he felt what was stated for historic buildings in the draft ordinance is sufficient. Mr. Mrozinski agreed. Ms. Porreca felt that Lower Gwynedd is an old township, and we need to preserve historic properties. Mr. Valiga stated that part of the review process with staff would be to ensure that small wireless facilities would not be near a historic structure.

Ms. Nunn stated that it was nice to see that the township was addressing wireless coverage since that's been a big issue here.

A motion was made by Mr. Adams and seconded by Ms. Nunn to recommend the Proposed Small Wireless Facilities Ordinance Amendment - #547 for approval by the Board of Supervisors based on the following recommendations:

1. The board recommends adding definitions to the draft ordinance for the terms "co-location and modification" as suggested in the MCPC review letter dated August 14, 2024.

The motion passed with a 6-0 vote.



ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Patty Furber, Secretary