

**EDGMONT TOWNSHIP
REQUEST FOR CONDITIONAL USE**

1000 Gradyville Road, Newtown Square, PA 19073
610-459-1662 phone 610-459-3760 fax

Date of Submission to Township: January 3, 2025

1. Location of property involved: 5000 West Chester Pike
Newtown Square, PA 19073
PAR. ID: 19000040700

2. Name, address, phone number, and e-mail address of Applicant:
Chamounix Ventures, LLC
3494 Martin Hurst Road
Tallahassee, FL 32312
480-417-6781
teaseadmin@trulieve.com

3. State interest of each petitioner in property (whether owner or purchaser under agreement of sale, etc):

The Applicant is the Tenant under a Retail Lease Agreement, dated
November 22, 2024, with Irvin & Phyllis Levin as Landlord and legal
owner of the property.

4. Date of deed: Deed recorded on March 12, 2018
5. Deed book and page number: Book 6139, Page 263, Inst. No. 2018011834
6. Present zoning of property: C-2 Highway Commercial

7. Explain request in detail, including Township Code Sections from which conditional use is requested along with an attached narrative describing more specific Code Section(s) which conditional use is requested in accordance with the Edgmont Township Zoning Code:

Applicant is seeking to operate a medical marijuana dispensary in the existing building on the property. Pursuant to § 365-81(C)(15) of the Edgmont Township Zoning Ordinance, a marijuana dispensary is a permitted use in the C-2 Commercial Highway zoning district by conditional use approval. Please see the attached narrative.

8. State facts and reasons as to why the Applicant(s) is/are entitled to conditional use:

The Applicant is not proposing any land development or improvements
to the existing building on the property. As such, Applicant meets the
requirements of conditional use approval pursuant to § 365-191(A).
Please see attached narrative.

9. The undersigned request(s) the Board of Supervisors to hold a public hearing on the Application for Conditional Use. (all owners and petitioners to sign below)
10. The undersigned shall mail Certified, Return Receipt Requested, Notice of the Public Hearing on this Conditional Use Application to all adjoining/abutting property owners at least 10 days in advance of the hearing and produce signed receipts (green cards) thereof at the hearing as an exhibit.
11. The undersigned has reviewed and understands the pertinent sections of the Zoning and Subdivision/Land Development Codes, and the requirements contained therein, and agrees to comply.
12. The undersigned will adhere and address all of the items on the attached checklist for conditional use applications.

COUNTY OF ~~DELAWARE~~ **Bucks** :
: SS
COMMONWEALTH OF PENNSYLVANIA :

The undersigned, being duly sworn according to law, depose and say that they are the Petitioners named in the foregoing Application and that the facts set forth in said Application are true and correct to the best of their knowledge, information and belief.

Carrie B. Poust - Carrie B. Nase-Poust, attorney for Applicant
(Signature)

(Signature)

(Signature)

(Signature)

Notary Public: Diene M. Salarhi

Commonwealth of Pennsylvania - Notary Seal
DIANE M SOLOSKI - Notary Public
Bucks County
My Commission Expires August 18, 2025
Commission Number 1157072

FOR TOWNSHIP OFFICE USE ONLY:

DATE SUBMITTED: _____

DATE ACCEPTED AS COMPLETE: _____



EDGMONT TOWNSHIP
REQUEST FOR CONDITIONAL USE

Property: 5000 West Chester Pike,
Newtown Square, PA 19073 (the “Property”)

Applicant: Chamounix Ventures, LLC (the “Applicant”)

Background

The Applicant is requesting to operate a medical marijuana dispensary in the existing building on the Property. The Property is currently improved with an existing building and approximately twenty (20) parking spaces. The Applicant is not proposing to do any site improvements. Any and all work the Applicant will do on the Property is limited to alterations to the existing building for its use.

Pursuant to **§ 365-81(C)(15)** of the Edgmont Township Zoning Ordinance, a medical marijuana dispensary is a permitted use in the C-2 Highway Commercial Zoning District upon approval.

Applicant will provide testimony and exhibits at the conditional use hearing to confirm that the proposed use will comply with the requirements of § 365-191 of the zoning ordinance to support the grant of the requested conditional use approval.

Conditional Use Requirements

§ 365-191(A) identifies the following criteria to be met by a conditional use:

§ 365-191(A)(1): The proposed use is consistent with the purpose of the article whereby it is permitted, § 365-81(C)(15), the overall purpose of this chapter as contained in Article I, and all applicable provisions of this chapter. § 365-81(C)(15) expressly permits a medical dispensary as a conditional use upon approval.

§ 365-191(A)(2): The proposed use of a marijuana dispensary will satisfy all relevant provisions and requirements of § 365-191 and Chapter 305, Subdivision and Land Development, and any other applicable ordinance and/or code. The proposed use does not contain any plans for land development or subdivision. The proposed use will be in the existing building on the Property with no improvements involving land development or subdivision.

§ 365-191(A)(3): The proposed use and its location are consistent with and responsive to the Comprehensive Plan and the Comprehensive Recreation, Park and Open Space Plan. The proposed use does not interfere with areas of environmental concern or primary conservation areas and secondary conservation areas because the proposed use does not propose to construct or improve upon any land of the Property.

The proposed use will be in the existing building on the Property. The Applicant does not propose any improvements.

§ 365-191(A)(4): The proposed use will not adversely affect the health, safety, morals, and general welfare of the Township. The proposed use complies with all regulations regarding the operation of marijuana dispensaries in Edgmont Township, Delaware County, Pennsylvania.

§ 365-191(A)(5): The proposed use is consistent with the nature of the uses existing on any immediately adjacent properties and will not detract from or cause harm to neighboring properties and will be maintained in a manner in keeping with the character of the neighborhood. The immediately adjacent properties from the proposed use are also zoned C-2 Highway Commercial. As such, maintaining a medical marijuana dispensary is consistent with the neighboring properties' uses as it will be commercial in character, and is expressly permitted in § 365-81(C)(15) upon conditional use approval.

§ 365-191(A)(6): The proposed use is located in an area or areas for which the site is suited. Like the other properties nearby the subject Property, the Property is zoned C-2 Highway Commercial, in which medical marijuana dispensaries are a conditional use upon approval. Further, the proposed use will be in the existing building on the Property, for which no major improvements are proposed to be made.

§ 365-191(A)(7): The proposed use will be served by public water and public sewers and will not have a negative effect to the public services and utilities of the surrounding properties, or to private individual or community water supply wells or private individual on-site sewage disposal systems.

§ 365-191(A)(8): The proposed use does not include any proposed construction.

§ 365-191(A)(9): The proposed use will provide safe and adequate access to roads and will not result in excessive traffic volumes. The proposed use does not propose any construction of roads, and will not inhibit access to any existing roads. See Traffic Impact Study submitted.

§ 365-191(A)(10): The proposed use will provide for effective sanitation. The Applicant will adhere to and comply with all codes, ordinances, regulations, and standards regarding the disposal of trash.

§ 365-191(A)(11): The proposed use will comply with all required screening and landscaping as required in the zoning ordinance. The Applicant will maintain the existing landscaping and buffers on the Property.

§ 365-191(A)(12): The proposed use will comply with all required screening and landscaping as required in the zoning ordinance. The Applicant will maintain the existing landscaping and buffers on the Property

§ 365-191(A)(13): The proposed use will be properly sited and not be disruptive to streams, ponds, wetlands, and vegetation within the Flood Hazard District and the Steep Slope Conservation District. The Property is not situated in the Flood Hazard District or the Steep Slope Conservation District. The Applicant will utilize the existing improvements on the Property.

§ 365-191(A)(14): The proposed use will provide adequate off-street parking and loading in accordance with Article XX of the zoning ordinance. The Property already has twenty (20) off-street parking spaces that the Applicant will maintain for the proposed use.

§ 365-191(A)(15): The proposed use will provide for adequate signage in accordance with Article XXI of the zoning ordinance.

§ 365-191(A)(16): The proposed use will provide for adequate environmental controls in accordance with Article XXIII of the zoning ordinance.

§ 365-191(A)(17): A satisfactory environmental impact assessment report is submitted for this conditional use application, in accordance with Article XXII.

§ 365-191(A)(18): The existing Property has stormwater management techniques, and soil erosion and sedimentation control techniques in accordance with prevailing regulations. The Applicant will maintain these techniques and does not propose any developments that would affect these techniques.

§ 365-191(A)(19): To the extent applicable, the proposed use is consistent with comprehensive recreation, park and open space plans. The proposed use does not include any developments or expansions of the existing building on the Property.

§ 365-191(A)(20): To the extent applicable, the proposed use will promote preservation or adaptive reuse of the sites and/or structures identified on the Historic Resources Map and List of Historic Resources Map listed in the zoning ordinance. The proposed use is not located, nor does it involve, any uses or properties listed in the Historic Resources Map and/or List of Historic Resources Map.