

TINICUM TOWNSHIP
PLANNING COMMISSION
June 24, 2025 – 7 pm

MEETING MINUTES

Committee Members

Dr. David Upmalis, Chair; Terry Johnston, Vice Chair; John Clement, Secretary; Neil Sullivan; Luke Sorenson; Dan Ullman; Melissa Gufstafson

Roll Call of Members

Present: Dr. David Upmalis, Chair; John Clement, Secretary; Dan Ullman; Melissa Gufstafson; Luke Sorenson.

Absent: Terry Johnston, Vice Chair; Neil Sullivan.

Number of Public in Attendance: 8

Call to Order: Dr. Upmalis

Public Comment: None

Approval of Meeting Minutes

MOTION by Mr. Ullman and seconded by Ms. Gustafson to approve the minutes of the meeting of the Planning Commission on May 27, 2025. Unanimous Vote to Approve.

Agenda Items

New Business

1. Application: ZHB #2025-2
Location: 755 River Road LLC. Sand Castle Winery
Owner: Joseph Volpe
Zoning Hearing Board Application #2025-2 regarding the appeal of the Zoning Officer, Gary Smith, issuing a Cease and Desist order.

Dr. Upmalis noted that numerous members of the public were present for this issue and explained that the Planning Commission works as an advisory panel to the Board of Supervisors.

Julie Bernstein of Kaplin Stewart, attorney for the owners of Sand Castle Winery, explained that the Cease and Desist order was based on sections of the code that don't align with what's actually happening at the property. She said the photographs in the Cease and Desist order depict things that were pre-existing when her clients purchased the property, adding that she had hoped to get clarity on what exactly the violation is, since the property was previously used as a winery and continues to be used as a winery. She said her clients are cleaning up the property so that they can grow grapes and set up a private label winery, and that her client has pulled the appropriate permits for renovations that are taking place in the main building and elsewhere on the property. Joe Volpe, owner of the property, was present.

Dr. Upmalis asked if there was paving going on. Ms. Bernstein said no, that they repaired "a prior parking area" that was paved and cleaned up so that they could continue using it.

Dr. Upmalis asked what was depicted in the photographs in the Cease and Desist Order. Ms. Bernstein said the photos showed a parking area, a driveway that was pre-existing, and earth-moving equipment. She reiterated that what was shown in the photographs was pre-existing when her clients took ownership of the property.

Dr. Upmalis asked if Ms. Bernstein could speak to the specific complaints in the Order. With regard to the first complaint, Ms. Bernstein replied that she had asked the Township for a copy of Ordinance 152 regarding grading but had been told it couldn't be found and wasn't online. She said she understood it had to do with obtaining a grading permit, but said typically a grading permit is associated with earth-moving or changing impervious areas. For the second complaint, which had to do with the Zoning Officer's discovery that a number of concrete foundation blocks have been constructed in the main parking lot and therefore a permit is required, Ms. Bernstein said that her clients had pulled a zoning permit for the use as a winery and that the Zoning Officer had confirmed that a winery is a permitted agricultural use. For the third complaint, which advised that if the concrete foundation blocks are for a future building then compliance with Land Development would be required, Ms. Bernstein said that nothing was being built now and that the foundation blocks were for maintenance.

Dr. Upmalis asked for clarification on the concrete blocks. Ms. Bernstein said they are for "reinforcement of structure" in the parking area. Mr. Clement asked if the concrete blocks would be needed if a structure is not built there in the future. Ms. Bernstein said "it was for reinforcement and there are permits in to the Township for this" and "there is no structure that's being proposed there right now other than the tent, there's a permit in for it and they haven't constructed any tent." Mr. Ullman noted that construction is anything you do to improve or modify the ground. Dr.

Upmalis asked if the concrete blocks aided in parking in any way, and Mr. Clement said they looked like they might hinder parking. Ms. Bernstein said that no, parking isn't hindered because it's totally smooth now. The Commission attempted to get clarity from Ms. Bernstein as to how the blocks were now level with the paving – was material added? Were they further submerged? But Ms. Bernstein would only say that no one is working on the parking lot and that her clients merely repaired an existing parking lot.

Mr. Ullman said that neighbors had observed trailer loads of rebar being taken onto the property. Ms. Bernstein said that would have been for renovations happening in the main building.

Ben Goodman of Headquarters Road showed the Commission photos he took of the winery from his neighboring property showing cement trucks and a pumping rig typically used for cement superstructures. He added that he has seen trucks entering the property recently with gravel and fill, along with other things being dumped on the property, including cement, and materials being moved from the main building to the parking area.

Adrian Szasz of Headquarters Road said his property also adjoins the subject property. He said that shortly after the new owners purchased the winery, he discovered that a crew of workers from the winery had removed a long row of hedges, trees, both young and mature, along half of the property line on his property. He said that line of trees and hedgerows had provided a buffer of privacy for his property and that he wasn't sure how it could be redressed.

Sandra Sutton of River Road, also an adjoining property owner, said like many of her neighbors she had moved to the area for its bucolic nature and that it was her understanding that Mr. Volpe owns a number of event spaces and that he intended to turn the winery into an event space. She referenced advertisements for the winery that included helicopter rides and events for up to 220 people and questioned whether the Township had the resources and infrastructure to accommodate such an operation. She added that she had seen materials being trucked onto the property that did not appear to be consistent with what would be used for interior renovation.

MOTION by Mr. Clement to recommend that the Board of Supervisors send representation -- either the Township Solicitor, Zoning Officer, or both -- to the Zoning Hearing Board meeting for this matter. Seconded by Ms. Gustafson.
Unanimous Vote to Approve.

2. Board of Supervisors recommend that the Tinicum Township Planning Commission review the Bucks County Planning Commission "Moving from Warehouse to Logistics," document.

Mr. Clement said that from roughly December of 2023 to January of 2024, the Commission had reviewed PennFuture's documentation regarding warehouse logistics and had drafted an ordinance to create a new Warehouse Use in Tinicum based on PennFuture's recommendations. That draft ordinance had then been recommended to the Board of Supervisors for adoption. He said the resulting Ordinance approved by the Board of Supervisors appeared to be incomplete – it includes the definitions in the draft ordinance but none of the language creating the new use.

It was agreed that further consultation with the Township was necessary to determine next steps. Mr. Clement agreed to look into it.

Old Business

1. Comprehensive Plan

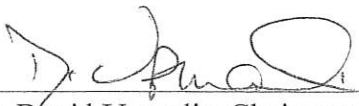
Further discussion on updating the Comprehensive Plan. The Commission agreed to review and provide recommendations for the next meeting.

Adjournment

MOTION to adjourn by Mr. Clement. Seconded by Mr. Sorenson. Unanimous Vote to Approve.

Date: 8/26/25

Approved By:



Dr. David Upmalis, Chairperson

(absent)
Terry Johnston, Vice Chairperson



John Clement, Secretary