

The Easton Planning Commission met on Wednesday, April 1, 2009 in the 5th Floor Council Chambers, Easton City Hall. The meeting was called to order at 6:30 p.m. by Charles Elliott. Present: Charles Elliott, Mary Viscomi, James Bloom, Robert Sun and William Heilman. Joel Scheer, City Solicitor was present. Also in attendance were staff members Becky Bradley, Director, Carl Manges, City Planner and Tina Woolverton, Secretary.

The revised agenda, with item number 13, "Sketch Plan for Major Subdivision, Jacobs Knoll at Grant Street" deleted, was approved.

A motion to accept the revised minutes of the March 4, 2009 meeting of the Easton Planning Commission was made by Mr. Sun, seconded by Mr. Bloom, approved by all.

Public Comment. None

Second meeting of the Planning Commission in April. Ms. Bradley noted this evening's agenda was full, and could not accommodate the amendments to the Planning and Zoning code that has been promised to the Commission. She recommended holding a second meeting, on April 15th, for that purpose. A motion to approve the second meeting was made by Ms. Viscomi, seconded by Mr. Sun, approved by all.

Multi-Municipal Comprehensive Plan Discussion.. Ms. Bradley said Dave Woglom, of Lafayette College's Meyner Center for the Study of State and Local Government, approached the City about entering into a Multi-Municipal Comprehensive Plan with neighboring municipalities. She said at the current time, Williams Township, West Easton, and possibly Glendon Borough were interested. She said some of the benefits would be co-ordination of efforts, being able to share zoning districts for undesirable uses and the possibility of state funds to write the Comp Plan. A downfall would be the lack of detail specific items for the City. Mr. Elliott said he would like to hear more details about the possible benefits. Mr. Heilman said he could foresee difficulty in writing the document with so much input. Mr. Sun said he would be interested in knowing how undesirable uses are negotiated between the participating municipalities. Mr. Elliott asked if Forks and Palmer Townships' decision not to participate was firm. Ms. Bradley said as far as she knew it was. A tentative timeline for the Comprehensive Plan was distributed to the Commission. It showed the completion of the plan in 2012. Mr. Elliott commented the tentative completion date was passed where an updated comp plan should be in place for the City. The Commission expressed interest in hearing more details about the proposal.

Development Plan – 1428 Butler Street – Brickhouse Tavern. Mr. Manges said the applicant, Michael Assise, proposes to remove two off-street parking spaces on the lot and construct a one story addition to expand the existing restaurant. The property is located in the West Ward Block Class B Zoning District, Street Corridor Enhancement Overlay District and is a permitted use. The 1,090 s.f addition will contain a new kitchen and a maximum 20 seat dining room. A previous submission was denied by the Planning Commission on November 5, 2008 which proposed a 51 seat dining room. A variance for off-street parking was granted by the Zoning Hearing Board on November 17, 2008. Mr. Elliott asked the applicant if there was anything he would like to add to the staff review. Attorney Dan Cohen, legal counsel of the applicant, replied his client was agreeable with the resolution as written. Ms. Viscomi asked the applicant if most of his business was eat-in or take-out. Mr. Assise said most was take-out. Mr. Bloom asked how many of the clients were from the neighborhood and walked to the business. Mr. Assise said most. Mr. Elliott asked if the applicant has attempted to acquire a parking agreement with any nearby property owners. Mr. Assise said he did not, as there is no neighboring off-street parking. A motion to accept the resolution granting conditional final approval was made by Mr. Bloom, seconded by Mr. Heilman, approved by all.

CVS Plan Amendment to subdivide. Ms. Bradley said the applicant, Summit Realty Advisors, LLC, seeks to demolish the existing vacated bedspread factory to construct a CVS pharmacy (C6-Retail Specialty Establishment) and a Bank/Retail (D-2 – Finance, Insurance, Real Estate Use) on the 3.422 acre site. Conditional final approval was granted in December 2008. Ms. Bradley explained the applicant now seeks to create three separate tax parcels, one for the pharmacy, one for the bank/retail use and the third for the parking lot. Mr. Scheer asked the status of the Highway Occupancy permit from PENNDOT and which roadway design was approved. Ms. Bradley said the PENNDOT decision was for no median. Rob Hoffman, traffic engineer for the project added that PENNDOT looked hard at the left turn scenario, but determined a left turn lane was not warranted. Mr. Sun asked how separating the parcels would affect tax revenues. Ms. Lisa Ferrara, legal counsel of the applicant, said tax revenue to the city would not be affected. Dr. Pat Vulcano of 531 Philadelphia Road said the development would present great revenue for the City, but neighbors were concerned that litter would not be policed. Ms. Ferrara said the declaration of condominium requires standards of maintenance. Mr. Sun asked Dr. Vulcano if the applicant's response was adequate. Dr. Vulcano said the area is windy and debris will blow off-site. He said a covenant should be added requiring the applicant to police the general area for litter. Morris Mack of 725 ½ Spruce Street said CVS cannot be responsible for a windy day, and if adequate trash receptacles are provided, no more can be asked of them. A motion to approve the resolution granting conditional final approval was made by Ms. Viscomi, seconded by Mr. Heilman, approved by all.

Special Exception – 355 Spring Garden Street. Ms. Bradley said the applicant, Donald Oh, proposes to establish an A14 – Dormitory Use for Eastern Academy at 355 Spring Garden Street. The property is located in the Downtown Zoning District where the proposed use permitted by Special Exception. The applicant's intent is to provide a dormitory for up to 72 students between the ages of ten and nineteen. The students will be coming from Korea to refine their English language skills and experience American culture. The students will attend private area schools and live in the dormitory for up to two years. None of the students will have cars, Eastern Academy will have two vans to transport the children. Mr. Oh said he has a parking agreement with the First Presbyterian Church for two spots in their parking lot. The dormitory will employ at least 10 staff people. Mr. Heilman asked how this application differed from the previous use as a business school. Mr. Manges said the business school provided off-street parking in a private lot. Ms. Viscomi asked what schools the children would attend. Mr. Oh said he has spoken with Phillipsburg Christian School and Easton Catholic. Mr. Sun questioned that Eastern Academy would not be providing any educational services. Ms. Bradley said the location was only a dormitory use. Mr. Elliott questioned whether the proposed use met the criteria for the definition of a dormitory. Mr. Sun asked how the students would be selected. Mr. Oh said a large number of Korean students want to have the opportunity to study in the United States. He added a private group would recruit through a "study abroad" agency. Mr. Sun asked if all the students would be coming from Korea. Mr. Oh said 90% would be from Korea, the other 10% would transfer from other programs in this county. Mr. Bloom asked how many staff members would be on-site at any given time. Mr. Oh said each of the 12 hour shifts would be staffed by approximately 5 employees. Mr. Bloom said the parking needs do not sound excessive and public parking is available in the area. Mr. Scheer reminded the Commission once the use is approved the ownership could change and the building could be used to house students who would have cars. Mr. Oh said he is willing to add the condition that no students would have cars. Mr. Sun asked Mr. Oh how much experience he has with similar programs. Mr. Oh said he will have experienced staff. Mr. Sun asked Mr. Oh what his reasons were for running the program. Mr. Oh said he would like to provide for the academic and personal growth of the children. Ms. Viscomi questioned the possible affiliation with Easton Catholic School. Mr. Oh said he spoke with the principal, who was interested. Ms. Viscomi said Easton Catholic School was permanently closing in June of 2009. Dr. Pat Vulcano said, as a school board member, he was concerned that the children would not be placed in private schools and would be a burden on the public school system. He said that number of children could cost the school district \$2,000,000. He also

expressed concern over the employee/student ratio. He said he is familiar with the building and could not envision 72 children, 5 adults and recreational facilities in the building. Carl McLaughlin, a board member of the First Presbyterian Church said the parking agreement with Mr. Oh is for two passenger vehicles, not vans or buses. Theresa Hogan of 340 Spring Garden Street said she is concerned with the lack of a plan for parking and the ability to enforce and conditions. She said the character of the neighborhood would be severely changed. Mr. Pat Martinez of 109 N. 4th Street said he feels the building is too small for the proposal and does not support the project. Ms. Sandy Vulcano of 531 Philadelphia Road and the senior member of Easton City Council said she would like to see the vacant buildings filled, but would like to see appropriate uses. She questioned whether if the proposed use would be tax exempt. Morris Mack of 725 ½ Spruce Street said he has doubts about the size of the building and whether the individuals running it were qualified. Mr. Gerd Voges of 411 Spring Garden Street said Attorney Coffin, whose office is located at 100 N. 4th Street, was unable to attend the meeting but requested that a copy of his correspondence voicing opposition to the project be distributed to the Commission. Antonia Grifo of 64 N. 4th Street agreed with all the concerns being voiced. Mr. Elliott asked Mr. Oh if he would like to respond to any of the concerns. Mr. Oh said the owner of the building, Mr. Perla, has been trying to find a tenant for the building for years. He believes the proposed use would be good for the building and the neighborhood. He said good students who work hard will be a benefit to the community. He added the school is an LLC and will not be tax exempt. He also said he feels confident more parking can be negotiated with the church. He said he has talked to the YMCA about recreational opportunities for the children and received a favorable response. Mr. Elliott said the application as presented does not constitute an A-14 Dormitory Use. Ms. Bradley suggested revisions to the resolution. A motion to accept the revised resolution recommending denial to the Zoning Hearing Board was made by Mr. Sun, seconded by Ms. Viscomi, approved by all.

Special Exception – 1129 Northampton Street. Mr. Manges said the applicant, Morris Mack, proposes to establish a C3 General Merchandise (Variety Store) on the currently vacant first floor of the A12 Mixed Use building. The proposed use is permitted by Special Exception in the Street Corridor Enhancement Overlay District. The business will sell a variety of items including clothing, detergents, deodorants and hand bags. The Zoning Administrator has determined that variances will be required from the Zoning Hearing Board for lot width, side yard setback and rear yard setback. No variance for off-street parking will be required. Mr. Mack was present and just added he is looking forward to providing this service to the neighborhood. A motion to approve the resolution recommending approval to the Zoning Hearing Board was made by Mr. Bloom, seconded by Mr. Heilman, approved by all.

Special Exception – 133 Northampton Street. Mr. Manges said the applicant, Melvin Bryson, proposes to establish a C-10 Automotive Parts and Accessories use to perform auto detailing and stereo installation in the existing garage located in the rear of 133-135 Northampton Street. The use is permitted by Special Exception in the Street Corridor Enhancement Overlay District. The applicant leases three off-street parking spaces that would be used for the business and is in the process of leasing three additional spaces. The property is located in the FEMA defined 100 year floodplain. Mr. Manges noted the applicant failed to provide the ingredients in the materials they will be using at the business, which is necessary to determine if any are a hazard in the floodplain. A motion to approve the resolution recommending denial to the Zoning Hearing Board was made by Ms. Viscomi, seconded by Mr. Bloom, approved by all.

Special Exception – 501 Highlands Blvd. Mr. Manges said the applicant, Sharon Davis, proposes to establish a Small Family Daycare Home for three children. The use is permitted by Special Exception. The children will spend the day on the first floor, which is 1125 s.f. The driveway will be used for dropping off and picking up the children. The daycare will operate Monday through Friday from 6:00 am to 6:00 pm. The applicant was present and said she is looking forward to starting the business. Ms. Viscomi asked if she had prior experience. Ms.

Davis said she was previously licensed in the state of NJ. A motion to approve the revised resolution recommending approval to the Zoning Hearing Board was made by Mr. Sun, seconded by Mr. Bloom, approved by all.

Mr. Elliott said the EAC is moving forward.

Ms. Bradley told the Commission the consultants for the Riverfront project would be making a presentation on April 7 at the Eastonian and encouraged them to attend.

As there was no further business, the meeting was adjourned at 9:30 PM.