

The Easton Planning Commission met on Wednesday, August 5, 2009 in the 5<sup>th</sup> Floor Council Chambers, Easton City Hall. The meeting was called to order at 6:30 p.m. by Charles Elliott. Present: Charles Elliott, Robert Sun, Mary Viscomi, Roger Paul and Dennis Lieb. Also in attendance were staff members Becky Bradley, Director, Carl Manges, City Planner and Tina Woolverton, Secretary. Joel Scheer, City Solicitor was present.

The revised agenda was approved.

A motion to approve the minutes of the July 15th, 2009 meeting was made by Mr. Paul, seconded by Mr. Lieb, approved by all.

**Privilege of the Floor.** None.

**Special Exception – 34 N. Second Street.** Mr. Manges said the applicant, James Sparandeo, proposes to establish a food processing use in the vacant first floor of a three story building located at 34 N. 4<sup>th</sup> Street. The first floor was formerly a bakery. The applicant proposes to process granola and custom tea blends. The property is located in the Downtown Zoning District where the proposed F2-Food Processing use is permitted by Special Exception. The business will primarily be wholesale, but have a retail component as well. Hours of operation will be Monday through Friday from 8:00 am to 5:00 pm. Mr. Lieb asked if the hours of operation were for both the wholesale and retail portions of the business. Mr. Manges replied they were and the applicant confirmed it. Mr. Paul asked if the business was internet based. Mr. Sparandeo said some of the business is internet based, but some would be walk-in trade. Ms. Viscomi asked if the products were organic. The applicant said the granola is made from freshly ground grain and the tea from freshly ground raw materials. Mr. Sun asked the size of the existing client base. Mr. Sparandeo said he currently has approximately 70 customers. Mr. Sun asked how the raw ingredients would arrive at the location. Mr. Sparandeo said someone would be picking up the ingredients using a van. Mr. Sun questioned the percentage of the business that is currently mail order. Mr. Sparandeo said currently, all of his business is and the packages would be delivered to the Fed Ex location for shipping. Mr. Sun asked how the ingredients arrived. The applicant replied they arrive in 50 lb bags and are stored in sealed containers. Mr. Sun asked if there would be significant grinding of the ingredients, and how much noise and dust would occur. Mr. Sparandeo said the units used for grinding were contained units. Mr. Elliott asked if baking operations would occur during the business hours of 8:00 to 5:00. The applicant replied it would. A motion to approve the resolution recommending approval to the Zoning Hearing Board was made by Mr. Sun, seconded by Ms. Viscomi, approved by all.

**Presentation – Multi-Municipal Comprehensive Plan.** Ms. Bradley introduced State Representative Robert Freeman of the 136<sup>th</sup> Legislative District and Mr. David Woglom, of Lafayette College's Meyner Center for the Study of State and Local Government. Also present was Ms. Denise Prowell, SAPA Coordinator for the Scranton-Abington Multi-Municipal Comprehensive Plan, Ms. Debra Ross, Borough Manager for the Borough of Freemansburg and Ms. Karen Lohrman, Borough Manager for the Borough of Wilson. Representative Freeman explained that 2000 Acts 67 and 68 provided changes to the Municipalities Planning Code, including the innovative approach to Multi-Municipal Comprehensive Plans, which allow communities to join together to deal with regional issues. He said one of the benefits is the ability to allow for every conceivable use regionally, while the participating municipalities retain their individual zoning code. He also mentioned the benefits of the transfer of development rights and shared tax revenues. Mr. Lieb asked which local municipalities had agreed to be part of the multi-municipal comp plan. Mr. Woglom replied the boroughs of Wilson, West Easton, Glendon and Freemansburg as well as the Township of Williams. Ms. Viscomi asked if the concept had been tried elsewhere in the state. Representative Freeman said it has been, extensively. Mr. Woglom added there are 33 multi-municipal comp plans in the northeast region of Pennsylvania, with one of the most recent being the Nazareth area, with eleven participating municipalities. He

said the Scranton/Abington plan also has eleven municipalities participating. Mr. Sun questioned, if each municipality retained its own zoning codes, what would happen if they wanted to change those codes once they were participating in the multi-municipal comp plan or decided they wanted to withdraw from the plan. Representative Freeman directed the question to Ms. Prowell who explained that two documents, the Intergovernmental Cooperation Agreement and the Implementation Agreement provide provisions for a withdrawal period. Mr. Sun asked the representatives of Wilson and Freemansburg Boroughs what they hoped to accomplish by being part of the plan. Ms. Lohrman said the primary benefit for Wilson Borough to participate was the joint provisions for zoning. She explained Wilson Borough has high density housing, little industry and no agriculture but must zone for every use. She added that the borough has had curative amendment issues. Ms. Ross said the Borough of Freemansburg, not being contiguous to the other participating municipalities, would primarily benefit financially, through grants offered by the DCED and other sources.

**Scenic Byways Designation.** Ms. Bradley reminded the Commission in December of 2008 a full presentation had given by the Heritage Conservancy regarding a Scenic Byways Designation for the entire traffic circle in the City of Easton at the intersection of State Route 2022 (Northampton Street) and South Third Street; and State Route 611 to the boundary line with Williams Township a Pennsylvania Byway. The Byway will continue south to Bristol, Pennsylvania in Bucks County. For now, the City of Easton will be the starting point for the Pennsylvania Byway. Future expansion of the Byway is planned to either go north or west of the City of Easton. At the time of the presentation the Commission had questions that needed to be answered regarding how the designation would affect the Local Historic District and the City's sign ordinance. Ms. Bradley said she finally received answers to those questions. She said the City's portion of the Scenic Byways would be a federal, and all local authority remains in place, with the exception of billboards. She said no new billboards would be allowed in the Scenic Byways designation zone. Mr. Elliott asked if informational signage would be impacted. Ms. Bradley said it would not. Mr. Sun asked if existing billboards could continue being maintained. Ms. Bradley said they could. A motion to approving the resolution supporting the Scenic Byways designation and recommending City Council to uphold and maintain the roads as listed as a Pennsylvania Byway for perpetuity was made by Mr. Paul, seconded by Ms. Viscomi, approved by all.

**Preliminary Development Plans – 2 s. 13<sup>th</sup> Street – Supreme Mart.** Ms. Bradley said the applicant, Raj Patel, has proposed to renovate an existing convenience store building and create a new gas station on the former Getty Mart property located at the corner of Northampton and South Thirteenth Streets. The site currently contains a convenience store and a large hole where the former petroleum holding tanks, canopy and pumps were located. She said plans for the new facilities include new gas pumps, a new canopy, new signage and holding tanks. The existing building is proposed to be reutilized as a convenience store. Mike Russek of Van Kleef Engineering was present to answer questions. He showed a rendering of the project and explained the configuration of the property would remain the same as would the access points. He said the new tanks will go to the north side of the building. He added they are in the process of addressing the comments of the City Engineer. Regarding land suitability, he said the removal of the previous tanks did show soil and ground water contamination. He said two consultants are working on the remediation. He said the DEP will review and approve the remediation plan, however the installation of the new tanks is the jurisdiction of Labor and Industry. Carl Fenstmeyer an environmental consultant with Pipeline Petroleum, said it may be possible to remediate the soil contamination without removal. Mr. Elliott said he has reservations approving a development plan before the DEP approves a remediation plan. He emphasized that if the plan is approved and work is started before approval of the remediation plan from the DEP, there is considerable financial risk to the applicant. Mr. Lieb said he knows the West Ward Neighborhood Partnership is concerned with this corner. Ms. Bradley said the applicant has met with the group and received recommendations from them. Mr. Sun noted there is another gas

station within two blocks of the site and questioned whether it could be a potential problem. Mr. Scheer said, as a permitted use, the Planning Commission is not making a decision on the appropriateness of the use. Ms. Bradley added the use is currently a Special Exception use, but legal counsel had determined the use, which under previous code, was permitted, had not been abandoned. Mr. Fenstmeyer said new fuel dispensing systems have many more precautions than ones manufactured even ten years ago. A motion to approve the revised resolution granting conditional preliminary approval was made by Ms. Viscomi, seconded by Mr. Paul, approved by all.

**Revisions to approved Land Development Plan – Pennrose Properties and the Housing Authority of Easton - Hope VI.** Mr. Manges said the applicant, Pennrose Properties, LLC, in cooperation with the City of Easton Housing Authority proposes to redevelop approximately 20 acres of land owned by the Housing Authority and home to the 250 unit Delaware Terrace public housing development. Final plan approval to demolish the existing structures and build 144 dwelling units (including 40 senior apartments, 56 townhomes and 48 single-family attached, semi-detached and detached dwelling units) was granted by the Planning Commission on December 10, 2008 and all required variances were granted by the Zoning Hearing Board on November 3, 2008. Mr. Manges explained the amended plan demolishes the maintenance building for the creation of a 15 space parking lot and creates additions to the Community Building, including an expanded cafeteria, a reconfigured game room, an improved weight training room, a single point of control reception desk, an improved computer training facility, upgraded locker rooms, a reconfigured activity/meeting room, new property management office and new property maintenance spaces. Mark Buchvalt of CMX Engineering was present to represent the project. He said the changes were brought about because the community building needed an addition and there was a need for an expanded parking lot. A motion to approve the resolution granting conditional final approval of the amended plan was made by Mr. Lieb, seconded by Mr. Sun, approved by all.

**EAC Update.** Mr. Elliott said he would send minutes from the last EAC meeting to the Commission to serve as an update

As there was no further business, the meeting was adjourned at 10:30 PM.