

The Easton Planning Commission met on Wednesday, August 1, 2012 in the 6th 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, Dennis Lieb, William Heilman, Bonnie Winfield and Ronald Shipman. Also in attendance were staff members Becky Bradley, AICP, Director of Planning and Codes; Brian Gish, Chief Planner; Carl Manges; City Planner and Tina Woolverton, Secretary.

The agenda was approved.

A motion to approve the minutes of the July 18, 2012 meeting was made by Mr. Shipman, seconded by Mr. Heilman, approved by all.

**Privilege of the Floor.** None

**Special Exception – 1637 Northampton Street.** Mr. Gish said the applicant, Jennifer Jones, has proposed to establish a General Merchandise (Consignment Store) use in a vacant first floor section of a mixed-use building located at 637 Northampton Street. The building to contain the proposed use spans street locations between 633 and 639 Northampton Street. Previously, a nail salon operated out at this location. There are currently two (2) businesses, Marymar Travel and Flow Factory Barbershop, operating in the ground floor sections of this building. Marymar Travel occupies addresses at 633 and 635 Northampton Street, and the Flow Factory Barbershop operates their business at 639 Northampton Street. This property is located in the West Ward Zoning District, Block Class C, where the proposed General Merchandise use is not permitted. However, this property is also located in the Street Corridor Enhancement Overlay District where General Merchandise uses are permitted by Special Exception.

Mr. Gish said a conversation with the applicant on July 24, 2012, revealed her intention to lease the vacant space at 637 Northampton Street to operate a Consignment Store. The applicant proposes selling clothing and books on consignment from this location. There would be no furniture or fixtures sold at this Consignment Store. The applicant indicated she has a sufficient amount of inventory to begin operating this proposed business. Based on the nature of the proposed business, in addition to purchasing items, customers could bring merchandise to the store for sale, the profit from those transactions being shared between the customer and the business.

Mr. Gish said the applicant anticipates she and one other individual will be the only employees at this business. The hours of operation would be Tuesday – Friday from 9:30am to 5:30pm, and Saturday 10am to 4pm. The business will be closed on Sundays and Mondays.

Mr. Shipman questioned the square footage and whether a back entrance existed. Mr. Gish said all deliveries would be through the front entrance. Ms. Jones said there is a door in the rear of the space, however it has been locked when she has visited the space. She added there is a twenty five item limit for customers who are dropping off goods for sale, so a rear loading/unloading area is not necessary.

Mr. Lieb told the applicant that the West Ward Neighborhood Partnership has sign grants available. Mr. Elliott questioned the policy of tractor-trailer deliveries on that block, noting it is wide enough to accommodate a truck. Ms. Bradley said there have

been many discussions and while it would not be a problem in all cases, in general, the purpose of the alleyway network, where available, is for deliveries.

A motion to approve the resolution recommending approval to the Zoning Hearing Board was made by Mr. Heilman, seconded by Ms. Winfield, approved by all.

**Final Development Plan and Subdivision – Pomeroy Phase II.** Mr. Manges said the applicant, Pomeroy Development, LP, proposes to develop the vacant rear portion of the seven-story mixed-use Pomeroy Building, also known as 323-325 Pine Street. The project comprises the second phase of the development of the Pomeroy Building. The first floor, approximately 7,500 square feet, is proposed to be used as a Professional Services (Doctor Offices), with the remaining six floors to contain 22 apartments. The entrances for the doctor offices and apartments are proposed to be along Pine Street, with additional access on the eastern side of the building, along Bank Street. The applicant intends for the basement to be utilized as storage, containing lockers for the residential tenants who reside in this portion of the building, and an exercise room. The applicant also proposes to subdivide the property, currently one parcel, into two separate parcels, coinciding with the respective limits of the two project phases. With subdivision, each parcel would contain a separate building. Phase I was approved by the Easton Planning Commission on April 7, 2010, and Phase II received conditional preliminary approval by the Easton Planning Commission on May 17, 2012. Mr. Manges said, since the last meeting, the applicant has informed staff that a Personal Fitness Center, for 2-5 people, is being proposed in the basement, consisting mostly of bar-bells with a limited number of exercise machines in this fitness center. Astro-turf, for running sprints, will be installed within the entire open area of the fitness center. The fitness center will be accessed from the two (2) stairwells and from the elevator.

Mr. Manges said, pending approvals, it is anticipated the medical offices will begin operation within 6 months, and apartment occupancy beginning in early 2014.

The 1<sup>st</sup> Floor Professional Services for Phase II will consist of outpatient service for Easton Hospital, 4 doctor offices and 12 exam rooms.

The apartment units for Phase II will be 4 –two bedroom and 3 –one bedroom units on the 2<sup>nd</sup> and 3<sup>rd</sup> Floors and 1 –two bedroom and 1 –one bedroom units each on the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> Floors.

The proposed improvements to the Pomeroy Building are located in the Downtown Zoning District, Street Corridor Enhancement Overlay District, Block Class B, where the proposed Mixed Residential/Business uses are permitted. The Personal Services and Professional Services are also permitted uses in the Downtown Zoning District.

The applicant, Mark Mulligan, was present. He said the apartments in Phase 1 are 90% leased. He added for Phase 2, the bank financing, along with a grant to loan from the Redevelopment Authority is in place. He added construction will begin 30-45 days from approval date. Mr. Lieb asked if the Phase 2 apartments would be different from the Phase 1 apartments. Mr. Mulligan said they would be the same. Mr. Heilman questioned if the exercise room would be for tenant use. Mr. Mulligan said it will be used by a private trainer for one on one physical training. He added the trainer works with Easton Hospital, as well as the Easton and Phillipsburg School Districts. Mr. Sun asked if the dumpsters shown on the plan were in addition to the existing ones. Mr. Mulligan

said there would be additional dumpsters to the existing ones, and that Abel Court would be used to empty them. Mr. Sun asked if there would be a separate dumpster for recyclables. Mr. Mulligan said there would. Mr. Mulligan added the dumpsters would be completely screened. Mr. Elliott asked if there were other plans for the courtyard area. Mr. Mulligan said there were not at the moment, that he would reserve decision on the use of the courtyard until all the commercial tenants were finalized. A motion to accept the resolution granting conditional final approval was made by Ms. Winfield, seconded by Mr. Lieb, approved by all.

**Sketch Plan – The Easton Home – 1022 Northampton Street.** Ms. Bradley said the applicant, Presbyterian Senior Living, has proposed to consolidate eighteen (18) parcels into two (2) lots located at 1022 Northampton Street (Lot #1), and at 40 S. Warren Street (Lot #2). The applicant proposes Lot #1 include two (2) 4-story residential mid-rise apartment buildings, and a new 4-space handicap accessible parking lot. Building A would be attached to the existing Easton Home building, and Building B would be separate from the existing building. Both buildings are proposed to match the character of the existing Easton Home building. The existing parking area located on Lot #1 is to be altered from 16 spaces to 7 spaces with five of the spaces designated for handicap accessibility. Lot #2 will consist of a new 24-space parking lot to be used by employees, residents, and visitors. In total, there are to be 36 off-street parking spaces provided in this application. The Easton Home has been an active care facility for over 120 years, and is currently serving 49 low to moderate income residents ranging in age from 77 to 98. There are currently 53 personal care units in the Easton Home. The two (2) proposed mid-rise apartment buildings would add 104 new low to moderate income independent living units. Building A is proposed to have 49 (43 one-bedroom and 6 two-bedroom) units, and Building B 55 (41 one-bedroom and 14 two-bedroom) units. With the proposed expansion, it is anticipated the residential population would increase by 98, for a total of 147. There are currently 25 full-time and 29 part-time employees at the Easton Home, and the total number of full-time employees is proposed to increase two (2) to 27 with this proposal.

The proposed improvements for Lot #1 are located in the West Ward, Street Corridor Enhancement Overlay Zoning Districts, Block Class B, where the proposed Residential Mid-rise uses are not permitted. However, the site is located in the Street Corridor Enhancement Overlay District where the Mid-rise uses are permitted by Special Exception. The proposed Parking Lot uses are not permitted in the West Ward Zoning District and will require a Use variance from the Zoning Hearing Board.

Ms. Bradley explained the plan was being reviewed as a sketch plan due to outstanding reviews by the LVPC and the NCCD. She added the plan is being introduced to give the Commission familiarity with it, as the applicant is on a tight deadline to receive approvals in order to apply for tax credits with an application deadline of October 1. Mr. Elliott asked if preliminary plan approval would meet the requirements of the tax credit application. Ms. Bradley said she does not anticipate having the NCCD review prior to the deadline and said staff had discussed the possibility of providing the applicant with a letter stating the proposal meets the goals of the Comprehensive Plan. Mr. Rodney Fenstermacher of Presbyterian Homes was present. He explained the tax credit application was a competitive application based on a points system, and preliminary plan approval does count toward the points. He said a letter of support would be beneficial if plan approval was not possible by the submittal date. Mr. Shipman questioned whether

the low number of new jobs was due to the additional apartments being independent living rather than assisted living. Mr. Fenstermacher said that was the case.

Cynthia Fuhrer, of Presbyterian Senior Living, explained the federal government issues the tax credits to the states, who in turn, through a competitive process, award them to investors for the development of income-qualified housing. Generally, large banks then purchase the tax credits for a reduced percentage.

**Zoning Definitions.** At the Planning Commission meeting of July 18, 2012, a brief discussion was held as to the need to further clarify some definitions within the existing zoning ordinance. The definitions being discussed were; Pawn Shop, Beer Distributors, Fortune Tellers, Clairvoyance, Spirit Hunters and Mystical Arts Services, Rehabilitation Facilities, and Drug Paraphernalia Stores. Staff presented the Commission with proposed revised descriptions and the Commission made further recommendations.

**Solar Ordinance Update.** Mr. Elliott said William Dohe is working on tweaks to the language and definitions of the proposed ordinance. He said the intent of the ordinance is to protect substantial solar investment. He questioned whether it was better to wait until the revisions were made before sending the draft to the LVPC. Ms. Bradley said she felt it was better to wait.

**Comprehensive Plan Update.** Mr. Gish said the next Community Task Force meeting is scheduled for August 9 and will complete the strengths/weaknesses/opportunities/threats discussion. He also said staff will be scheduling times to meet with the various neighborhood groups and organizations.

**EAC Update.** None

As there was no further business, the meeting was adjourned at 9:45 PM.