

The Easton Planning Commission met on Wednesday, September 2, 2015, at 6:30 p.m. in City Council Chambers, Alpha Building, One South Third Street, Easton, PA 18042. Planning Commissioners Ron Shipman, Bonnie Winfield, William Heilman, Charles Elliott, Robert Sun, Bill Carr and Mia Hatzis were in attendance. The following Planning Bureau staff members were present: Chief Planner Carl Manges. New Director of Planning and Zoning Tina Roseberry introduced herself. City Solicitor Joel Scheer was also present.

Mr. Elliott called the meeting to order at 6:32 p.m.

The agenda was approved as presented.

Approval of Minutes. Charles Elliott requested changes to the minutes of the August 5, 2015, meeting. First item was where the commission took action. On the last line under the first application of 825 Lehigh Drive add “the staff resolution for approval of the special exception request with conditions” to Mr. Sun’s motion. Also add to Mr. Shipman’s motion under the 40-42 S 6th Street application to read, “Mr. Ron Shipman moved the staff resolution for approval of the special exception request and conditional preliminary plan approval”. Also changed under EAC update to read, “Leadership in Energy and Environmental Design, LEED ND program, for possible changes to our subdivision and development ordinance at next’s month’s meeting. The EAC is moving forward on this, bit no action has been taken.” Ron Shipman motioned to approve the minutes with changes, William Heilman seconded. The motion passed with the changes.

Privilege of the Floor. None

325 Northampton Street. Special Exception request to establish a Public Market. Carl Manges read proposal. The applicant, Greater Easton Development Partnership, has proposed to establish a C1 – shopping Gallery and F2- food processing uses. (Easton Public Market) in the 16, 000 sq. ft. vacant first floor of the three story building. The uses are permitted by Special Exception. Variances for signage are necessary with this application. Request is consistent with article, comprehensive plan, health, safety and general welfare, the nature of existing land uses and off-street parking. Staff advocates the Commission to recommend approval of the special exception request. Mr. Elliott asked the applicant’s representative, Jared Mast, if he would like to add to the comments. Mr. Mast responded staff did a good job with the review and he had no further comments. Mr. Shipman asked if it is still vacant. Mr. Manges responded the first floor is. Was it used this winter as a market? Mr. Mast said it was used as the Winter Mart. Mr. Heilman asked if anyone was ever at Reading terminal market. Mr. Heilman said the proposal is a great idea. Mr. Sun asked how many vendors? 15 and 9 have signed up already, Mr. Mast responded. Mr. Sun asked about raw fish and odors. Do you foresee complaints about odors? Mr. Mast I don’t. Discussed hours. Access control system. How handle trash disposal? Mr. Mast said in the rear of the building and they are working with the codes department. Currently there are 5-6 trash totes there. Mr. Carr asked what signage is going to look like. Mr. Mast discussed awning and logo and window decals. Mr. Elliott asked about the Certificate of Appropriateness for the signage. Mr. Mast said we already have been approved by the HDC. Questioning and discussion about food processing use. To tie the request to use to food processing throughout the property. Restrict it to square footage. No particular vendor shall have no more than 800 sq ft is upper limit. Both classes to have something similar to a mall. F2 limited 2 vendors within the C1 shopping gallery use. Food processing use as a sub-use. Mr. Mast discussed demonstration kitchen. F2 food processing use must be limited within the C1 shopping gallery, the use shall be accessory. Mr. Sun asked, “What happens when they move out?” Has to be part of the overall use. Rather than limit to sq. ft. and anyone else coming in would have to come in with a brand new applicant. Mr. Elliott suggested the wording- “The F2 processing use shall be limited to the demonstration kitchen and as an accessory use under the c1 shopping gallery”. And variance for signage is required. Mr. Ron shipman made motion to approve for adoption of the staff resolution, as amended, recommending approval of the special exception request. Mr. Heilman seconding. The motion passed with all in favor.

1 S. 3rd Street Special Exception for Communication facilities on the roof of the Alpha Building. Applicant New Cingular Wireless, PCS, LLC proposes to replace three panel antennas with new antennas, and add three additional panel antennas to the roof. Carl Manges read proposal. There are currently 12. Eight of the panel antennas are located on the roof and 4 on the side of the building. Will be visible from the street. The property is located in the Historic District, and has received a certificate of appropriateness for construction by the HDC. All conditions have been met and all information has been provided. 3 feet higher with no adverse impact. Staff advocates for recommendation of special exception request and states that it is in conformity with the comprehensive plan and city codes. Mr. Elliott asked if applicant representative wanted to add to the comments. The applicant representative, Attorney Kate Durso from Fitzpatrick, Lenz and Bubba did

not have anything to add. Ron Shipman asked about structural analysis and Attorney Durso said it was done and submitted. Discussion about any problems with interference. Attorney Durso explained the requirement to operate under FFC regulations. Structurally fit for 25 years. Technology changes. This is 4 G. Discussion about Height. Mounted two different ways. Side of building or a slide in mount. Both areas antennas are existing are being replaced. Can be seen now. Not going to look any different than now. Mr. Sun asked numerous questions on what is the criteria for approval regarding equipment and structural integrity of the building. Attorney Durso said the lease agreement covers not having adverse impact on building, roof was analyzed for wind load and ice load. Mr. Sun asked who looked at the structural integrity? Attorney Durso said city engineers reviewed, ordinance requires proof of insurance. Mr. Sun asked, "What is the overall picture for more requests?" Attorney Durso explained the detailed review last time around. The city is no longer owner of the building. Permit review process discussed. Codes Department will be looking at it. Steve Norowski the building official and Joe Marrow the city engineer waiting to look at plans. Resolution is contingent upon approval of codes and engineer. Mr. Elliott said applicant meets the burden by presenting an engineering report, but the city will review from a codes perspective. Joel Scheer said they are expanding the use. The antennas are larger than what are in place. The requirements include structural IEA TIA standards and IBC requirements. Mr. Sun is worried about tragedies. Mr. Sun is concerned about what has been submitted with application materials to meet criteria. Discussion over potential conflict over safety and engineering. Mr. Sun asked about lawsuits against existing tower failures. Attorney Durso said no, not aware of any issues to Singular wireless and she also said she heard nothing about one hurting anyone and may be more common at the shore. Crane will be used for install. Slide mount on roof and crane for side mount. Mr. Elliott asked about the lease. Attorney Durso said yes the lease has been submitted. Documentation is from PA Museum Commission and they say no impact for this historic building. Discussion about structural issues for having more antennas, accumulative, whether interference of radio frequency amounts are more, live issues or generically. What is a general impact on what it is and what it is not? Mr. Elliott asked if the public want to address commission. No comments. Mr. William Heilman made motion to approve for adoption of the staff resolution, as amended, recommending approval of the special exception request. Mia Hatzis seconding, and all others were in favor. This motion passed. Robert Sun abstained because of the issues he questioned.

620 Lehigh Drive Special Exception for a Dock on the Lehigh River for the College's boat crew. The applicant, Lafayette College, has proposed to establish an E1 – Education Service use for their rowing crew. Property to be used at the rear to access the Lehigh River. Installation of a 740 Sq; Ft. dock for boats. Existing building will be used as a boathouse to store equipment. Carl Manges read the proposal. Property is located in the River Corridor where this use class is not permitted and requires a variance from zoning. River water levels will be monitored. No new construction is being proposed with this application. The staff advocates for the recommendation of the special exception request with conditions. Requested use is for a vacant parcel. Mr. Elliott asked if Lafayette College wanted to add to the comments. The applicant did not have anything to add. Ron Shipman asked about the dock. Lafayette College said they might use the same dock. Discussed how it will be anchored. Lafayette College said it will be anchored in to a concrete dead man to the docks. Discussion about flood stage 16 feet. Mr. Shipman asked if they are going to be able to remove that dock in a flood? Lafayette College said the ability is there. Ron Shipman said that the dock will have to be removed. Mr. Sun asked if you ever had to remove an existing dock.? Lafayette College said it has been there for 30 years and has never moved. It is designed buoyant to float. DEP requires the dock to be removed during the winter. Mr. Elliott asked about the requirement that it has to be removed during the winter ,will it be a problem to remove during the flood. Lafayette College says they are removable. The anchoring system is designed to be flexible to rise with a flood and speed and river. The existing dock has been removed during the winter. Mr. Shipman asked how many people are required to remove the dock and how many people is the available to rally to move equipment? Mr. Daniel Cohen, attorney representing college, said the College will do whatever it will takes. Mr. Shipman asked what is alternate plan? Mr. Cohen says that is all apart of the evacuation plans. College has 80 people on evacuation plan. Hour and half with 40. 40 and 80 students on row team. Mr. Elliott asked about piers that require DEP permit. Is a permit from city required? Yes. Did Steven Norowski express any concerns.? Mr. Carl Mages said, "No, not at all." Plans are to recycle existing dock and change the anchoring system. Mr. Shipman said we do not want the 700 sq. ft dock coming down water. Mr. Sun asked how much does it weigh? Not answered. Discussed Lehigh River only backups up and the recent floods are in the Delaware River. Analysis that the satisfaction of city engineer that the dock anchoring system is designed to withstand velocity and under reasonable anticipated flood conditions is part of the resolution. Public did not respond to address commission. Mr. Sun made motion to approve for adoption of the staff resolution, as amended, recommending approval of the special exception request. William Heilman seconding, and all others were in favor. This motion passed.

Comprehensive Plan Update. Mr. Manges talked to Urban Matrix. Still accepting comments. Mr. Elliott said get comments out so consultant to get draft together for public view. We still have more time. The sooner we get it in there is the easy it is to put together. 45 day grace period before we bring it in front of the commission. Once it comes, it goes to city counsel and then if approved 30 more days. Staff recommendations will include the appendices.

Environmental Advisory Council Update. Mr. Elliott stated that he has no update because did not have a quorum to meet for last meeting.

Discussion of 134 N 3rd Street. Blighted property. We want to have better enforcement. Daily fines to eliminate this kind of problem. Magistrates will help enforce the enforcement. Legal route is frustrating. Mr. Sun would like this to be addressed.

As there was no further business, the meeting was adjourned at 8:06 p.m.

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