

The Easton Planning Commission met on Wednesday, January 4, 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, William Heilman, Dennis Lieb, Bonnie Winfield and Ronald Shipman. Also in attendance were staff members Brian Gish, Chief Planner; Carl Manges, City Planner; and Tina Woolverton, Secretary. Solicitor Joel Scheer was present.

The agenda was approved.

The first agenda item was the reorganization of the Planning Commission. A motion to nominate Charles Elliott as chair was made by Mr. Heilman, seconded by Mr. Shipman, approved by all.

A motion to nominate Mr. Sun as vice-chair was made by Mr. Shipman, seconded by Mr. Heilman, approved by all.

A motion to approve the minutes of the December 7, 2011 meeting was made by Mr. Lieb, seconded by Mr. Heilman, approved by all.

Privilege of the Floor. None

Special Exception – 600 Bushkill Drive. Mr. Gish said the applicant, Liberty Discount Fuels, has proposed an Administrative Office use in an approximately 750 square foot office area on the first floor of a building located at 600 Bushkill Drive. The building as a whole has a floor area of approximately 5,000 square feet, and is divided into three (3) areas. There are two (2) office areas in the front, single-story section of the building, a garage is in the middle, two-story section of the building, and a construction area in the rear two-story section of the building. The applicant has been operating the proposed use at this location since May 2011, without proper approvals. Mr. Gish said the area adjacent to the proposed use is currently used for truck parking by the applicant, and has been determined to be a separate property, containing an existing, nonconforming use, requiring no additional zoning approvals.

Mr. Gish said the property is located in the River Corridor and Other Green Areas Zoning District, Flood Hazard Overlay District, Block Class A, where the proposed Administrative Office use is permitted by Special Exception. According to FEMA, 600 Bushkill Drive is located in a 100-year floodplain, necessitating Special Exception approval for development in the floodplain by the Easton Zoning Hearing Board. The Zoning Administrator has determined that the adjacent parcel used for truck parking is an existing nonconforming use, and does not require additional zoning approvals.

Mr. Gish said the applicant has provided staff with a site plan, and information regarding measures to be taken in the event of a Flood Warning and/or Emergency. A conversation with the applicant indicated that during periods of significant local and/or regional rainfall, advisories given by the National Weather Service are monitored closely for any indication of flooding along the Bushkill Creek, at which point, evacuation procedures are initiated. According to the applicant, no hazardous materials will be stored in the office area, and all equipment will be taken to the evacuation zone at Cooper's Oil in Phillipsburg, NJ by means of a moving truck to be rented by the applicant.

The hours of operation are from Monday to Friday 8am – 4:30pm, and on Saturday 8am – 12pm. There are four full-time employees in the office, and another six full-time drivers working out of this location. Nine (9) additional drivers make use of the adjacent truck lot, and evacuation responsibilities of those drivers will be coordinated from the offices at 600 Bushkill Drive.

The applicant, Ms. Annie Cospito was present. Mr. Elliott asked if the property had been affected in previous flood events. She said it had, and all trucks had been evacuated according to the evacuation plan. Mr. Shipman asked if the trucks parked there overnight are filled with oil. Ms. Cospito said the trucks would only have a residual amount of fuel oil in them, as the drivers only fill the trucks with enough oil to make their scheduled deliveries for the day. Mr. Shipman asked if there has been any contamination to the Bushkill Creek from the trucks. Ms. Cospito said there has not. Mr. Lieb asked if the office use was to be denied, if the truck parking would also leave the location. Ms. Cospito said the trucks would remain and she would need to find a different office space. A motion to approve the resolution recommending the Zoning Hearing Grant the Special Exception request was made by Mr. Heilman, seconded by Mr. Shipman, approved by all.

Special Exception - 319 Cattell Street. Mr. Manges said the applicants, Kim Pantaleo and Adam Dodson, propose to establish a Personal Service (Tanning Salon) use in the currently vacant 700 square-foot first floor of an existing mixed-use, two-story building at 319 Cattell Street. The previous use at this location was Twice Chic Boutique. The property is located in the College Hill Zoning District, Block Class C, where the proposed Personal Service use is not permitted. However, the property is also located in the Street Corridor Enhancement Overlay District, where the use is permitted by Special Exception.

Mr. Manges said conversations with Ms. Pantaleo on December 15, 2011, and December 29, 2011, revealed that the applicants want to establish a Tanning Salon, with 6-7 tanning beds, in the vacant 700 square-foot first floor located at 319 Cattell Street. Ms. Pantaleo indicated that she had operated a tanning salon (Aloha Tan) in Stewartsville, NJ for twelve (12) years, and has been operating Glow Tanning in Hellertown, PA since February 2011. The applicant indicated that Glow Tanning will remain in operation once this proposed tanning salon opens. According to Ms. Pantaleo, Mr. Dodson has been in the tanning repair business for twenty (20) years, and had previously operated a tanning salon at the University of Delaware. It was indicated to staff by the applicant that no type of repair business is proposed with this application. Specific equipment used on-site in the course of regular business will be maintained as needed.

Mr. Manges said there will be three employees for this tanning salon at 319 Cattell Street, one employee will be on the premises at all times during business hours. The hours of operation will be Monday to Friday 10am – 8pm, Saturday 10am – 4pm, and Sunday 11am – 2pm. According to the applicant, 2-3 tanning beds are being used at the same time, and there is usually a maximum of 3-6 client per hour. Each tanning session takes approximately 10-15 minutes, depending on the type of tan the client wants. Furthermore, the applicant expects the primary clientele to be within walking distance of this location.

Ms. Pantaleo was present. Mr. Lieb asked if more tanning beds were being installed than needed. Ms. Pantaleo said there were, as beds would be periodically taken out of service for maintenance and cleaning. Mr. Lieb addressed staff with his concern that the Special Exception uses in the Street Corridor Enhancement Overlay districts create undue stress on the applicants. Mr. Elliott questioned if the proposed primary clientele would be college students. Ms. Pantaleo responded college students and others from the neighborhood. A motion to approve the resolution recommending approval to the Zoning Hearing Board was made by Mr. Lieb, seconded by Ms. Winfield, approved by all.

Subdivision 46-48 N. 6th Street. Mr. Manges said the applicant, Church Redevelopment Corporation, proposes to subdivide an existing property into two lots located at 46-48 N. 6th Street. Currently, two Single-Family Attached (A3) dwellings are on this single parcel. The proposed subdivision will create two separate lots each with an Single-Family Attached dwelling. Lot #1 will be 46 N. 6th Street, and Lot #2 will be 48 N. 6th Street.

He said the proposed minor subdivision for 46-48 N. 6th Street is located in the Downtown Zoning District, Block Class C. Single-Family Attached dwellings are not permitted by right in the Downtown Zoning District, however, Single-Family Attached uses are permitted by Special Exception. He added the Zoning Administrator has determined that since there is no change of use associated with this proposal, no Special Exception approval is required with this application.

Mr. Manges said the Zoning Administrator has determined that variances are required for the proposed Lot #1 and Lot #2 for total lot area and lot width. Lot #1 is proposed to be 13' in width, and 1,802 square feet in lot area. Lot #2 is proposed to be 35' in width and 4,850 square feet in lot area. The units are already functionally separate entities, and a subdivision merely establishes this in property and tax records. There should be no impact on the community as the homes are already divided, with separate utilities and occupants. Mr. Kevin Santos, a Board member was present to represent Church Redevelopment Corp. Mr. Elliott asked how long the homes had been separate dwellings. Mr. Santos said at least since the 1990's. A motion to accept the resolution granting conditional final subdivision approval was made by Ms. Winfield, seconded by Mr. Shipman, approved by all.

EAC Update. Mr. Elliott said the EAC will be sponsoring an "Eco Fair" on April 28 to be combined with Arbor Day activities. He said additional bike rack locations are being looked at. He said the EAC has created their draft input for the Comprehensive Plan rewrite.

600 Block of Northampton Street Master Plan Update. Mr. Gish reminded the Board that he needs any input from them in the near future on the Plan so that he can then ask for public comments. Mr. Lieb asked if the plan was on the City website. Mr. Gish replied it would not be until all comments from the Planning Commission were addressed.

Proposed changes to Palmer Township's Comprehensive Plan. Mr. Lieb informed the Board that he had not sent comment to Palmer Township after all.

As there was no further business, the meeting was adjourned at 7:21 PM.