

The Easton Planning Commission met on Wednesday, July 6, 2011 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, James Bloom, William Heilman, Bonnie Winfield, Dennis Lieb and Ronald Shipman. Also in attendance were staff members Becky Bradley, Director of Planning & Codes; Brian Gish, Chief Planner; Carl Manges, City Planner; and Tina Woolverton, Secretary. Joel Scheer, City Solicitor, was present.

The agenda was approved.

A motion to approve the minutes of the June 15, 2011 meeting was made by Mr. Shipman, seconded by Mr. Lieb, approved by all.

Privilege of the Floor. None

Final Development Plan - Lafayette College Pardee Drive and Watson Hall. Ms. Bradley said the applicant, Lafayette College, has proposed a project that contains 2 phases; Phase 1A includes removing a portion of High Street between the Hugel Hall of Science, the Acopian Engineering Center and the Watson Hall buildings for the creation of a pedestrian-oriented academic quad area. The lawn area would connect to High Street via an elevated speed table, and a small paved plaza in front of the Hugel Hall of Science. The elevated speed table will serve to slow traffic, and will create a pedestrian link between the Watson Hall Courtyard area and the rest of the campus. Benches for informal seating are also located within the proposed courtyard. The parking area behind the Watson Hall building is proposed to be extended, replacing 10 existing parking spaces with ones that will be perpendicular to the building. She said the extension will accommodate access for the aerial apparatus fire truck behind Watson Hall, thus giving the fire company parallel access to one side of the Watson Hall building. The current parking area behind Watson Hall has 10 spaces, and is configured in a way that prevents the aerial apparatus fire truck from setting-up properly. To accommodate the turning radius of the fire truck, it is also proposed that a concrete light pole base located at the entrance of the parking area will be removed, and the curb relocated back approximately 12 feet. One parking space adjacent to this curb alteration will be removed to accommodate this turning radius, and one new space will be created within this parking area. Dave Horton of Pennoni Associates, was present. He explained that Pennoni performed the review of the stabilized turf from the engineering point and said there were several minor comments. Those comments were provided in his review dated July 5, 2011 which was included in the write-up from staff. Mr. Shipman asked if the plate load test would simulate the outriggers from the fire truck. Mr. Horton said it would, and additionally the fire truck will also be used to test the stabilized turf once installed. Mr. Elliott asked if the submitted plans contained drainage details. Mr. Horton said they did and minor details need to be verified. Mr. Shipman asked how long after the turf was installed that it could bear a load. Mr. Horton said about 10 days. Mr. Shipman questioned what would happen if it needed to be accessed before then. Mr. Horton replied the turf would need to be replaced. Mr. Mitchell Wein, Vice President of Business Affairs for Lafayette College was present. He thanked the City Staff and Pennoni Associates for the review and said the College hopes to begin construction shortly. Mr. Lieb asked who currently has access to the existing parking spaces. Mr. Wein said primarily the faculty. Mr. Lieb said he finds the removal of mature trees problematic. Mr. Wein said it was a sensitive issue for the college as well, but they would be replaced. Mary Wilford-Hunt, Director of Facilities Planning and Construction for the College was present. She said the College appreciates its stately trees, however some are not in good health, and others are access issues. A motion to accept the revised resolution granting conditional final approval was made by Mr. Shipman, seconded by Mr. Heilman, approved by all but Ms. Winfield who recused herself.

Final Land Development Plan – Clinton Terrace and Cattell Street Parking Lot. Mr. Manges said the applicant, Lafayette College, has proposed to improve and expand a

twenty-six space parking lot to a thirty-six space parking lot located at 32-44 Cattell Street and 515 Hart Street. The current and proposed parking lots are located on five parcels which are owned by Lafayette College. With the proposed parking lot, twenty-four parking spaces will be accessed from Clinton Terrace and twelve parking spaces will be accessed from Marquis Street. Currently, all twenty-six parking spaces are accessed from Clinton Terrace. The proposed parking lot will be for Lafayette College students and personnel only. The parking lot is currently for Lafayette College personnel only. The proposed parking lot will be lit with decorative luminaries and light poles. This lighting will be designed to direct light only on the parking areas and away from residential housing. This plan also proposes to expand the existing stone wall by twenty-five feet on the south portion of the parking lot, and additional landscaping is being provided around the site. There were no questions from the Commission. A motion to approve the resolution for conditional final approval was made by Mr. Lieb, seconded by Mr. Bloom, approved by all but Ms. Winfield, who recused herself.

Special Exception – 518 March Street. Mr. Manges said the applicant, Juan Martinez, in conjunction with Lafayette College, proposes to and establish a C5 – Eating and Drinking Place (Burrito restaurant), with 30 seats, in the currently vacant first floor of an existing mixed-use (A12) three-story building at 518 March Street that is owned by Lafayette College. The property is located in the College Hill/Institutional 1 Transition Zone Zoning District Block Class C, where the proposed C5 use is permitted as a Special Exception per Article XIII §595-62. The first floor was recently a clothing business, and prior to that it was used for educational services. He said a phone conversation with the applicant revealed that he seeks to utilize the space on the first floor of the three-story building for a burrito restaurant. The applicant indicated that there will be 30 seats at this establishment. According to the applicant, the business will be open Monday thru Thursday 11:30am-9pm; and Friday thru Sunday 11:30am-2am and will employ 8 people. The during the summer months the hours of operation for this business will be reduced while most of the College students will be on break. The applicant stated he anticipates that the majority of his business will be from students of Lafayette College, and expects the majority of these patrons will be comprised of foot traffic. Mr. Martinez is working with the College to enable students to pay with personal funds held in the “Pard Card” program. (A program card allows students to pay for food at designated campus and off-campus dining areas.) Mr. Martinez stated that there will be no outdoor dining, and no alcohol will be served at this business. Mr. Martinez was present to answer questions. Mr. Shipman asked what was on the upper floors. Mr. Martinez said student housing. Mr. Lieb asked if this was the location of the former consignment shop. Mr. Martinez said it is. Mr. Bloom questioned the business hours of the surrounding businesses. Ms. Bradley says it varies, with some open similar hours to accommodate the students. Mr. Bloom questioned whether, in the future, they may be able to serve alcohol. Mr. Elliott said this issue was addressed at a previous meeting where it was clear that the Commission cannot address liquor issues. A motion to approve the resolution recommending special exception approval to the Zoning Hearing Board was made by Mr. Bloom, seconded by Mr. Lieb, approved by all.

Chrin Composting Site – Williams Township. Mr. Gish said the applicant, Chrin Brothers, Inc., has initiated the PA-DEP WMGR025 permitting process for a waste compost facility. The permit pertains to a proposed 5-acre composting facility at its 860 Island Park Road facility in Williams Township, within 900 feet of the Hugh Moore Park in the City of Easton. It is prohibited to locate a composting facility within 900 feet of an existing park, except where “a written waiver is obtained from the current property owner.”

The proposed facility would compost yard waste, land clearing and grubbing material, untreated wood waste, food wastes, gypsum wall board, paper, cardboard, and waxed cardboard. The applicant had previously indicated these wastes would include animal

butchering refuse, but has since agreed that waste of this nature will not be used. Composted materials eventually will be converted to a cover-grade mulch material. The removal of the bulk of this waste is already contracted to Chrin, which disposes of it in its sanitary landfill in Williams Township. Waste matching the above criteria will be diverted to the compost facility to be incorporated into compost material. Upon arrival at the existing Chrin Landfill, waste will be weighed, and if appropriate for composting, transferred to the proposed composting facility, where it will be unloaded, screened and stockpiled. The composting process will begin within 72 hours for all materials. Nine windrows, each roughly 6 feet to 8 feet in height, 12 feet to 16 feet in width, and 150 feet in length are proposed. Each windrow is anticipated to be turned every two weeks to ensure proper oxygenation. Leachate will be managed with a combination of impervious surfaces, sumps and silt fencing, with collected run-off used for subsequent waste irrigation, or, should amounts become excessive, treated at a permitted wastewater facility. The composting process is expected to take 6 to 8 months. The compost is anticipated to be made available for off-site use. Typical compost applications include landscape mulch, and soil conditioners/amendments. The end compost product is not considered waste by Pennsylvania Department of Environmental Protection (DEP) standards. Mr. Elliott said since the last time the Planning Commission had reviewed this, some compliance issues have been raised, and there is some concern. Attorney David Brooman, environmental counsel for Chrin Brothers was present. He said he has practiced environmental law for 30 years and is aware of the compliance history. He said he is aware of the allegations that there have been 137 violations in five years, and said 13 violations in 10 years is accurate. He said the number of 137 represents the number of violations out of a possible 15,680 violations after 175 inspections. He added a violation is the lowest form of DEP non-compliance. He added the site compares to others very well, and the location makes it well situated. He said many complaints had been repeatedly made by a small number of individuals, naming one specifically, who were unhappy with the expansion plans of the landfill. Jillian Olson from EarthRes Group was present to answer questions, as was Greg Chrin. Mr. Elliott questioned the statewide standards of the DEP. Mr. Brooman said they are more lax with inspections in the southeast than in the northeast. Mr. Shipman said composting makes sense as it is taking items from the landfill. Ms. Olson added that animal waste was no longer being included in the items being utilized for composting. Mr. Shipman asked if someone would be determining if the site was suitable for the operation. Ms. Olson said they would. Mr. Shipman said he was concerned with the decision maker, as once the operation is approved the City has no control or resources over a system that might not work. He added he wasn't prepared to waive something where the City had no future input. Mr. Brooman said the landfill has existed since the 1930's and said Chrin is trying to turn a town dump into an energy park. He noted the Chrin family's interest in the Lehigh valley and community. He added if the inclination was for denial, the inspection reports should be reviewed and litigation avoided, and that he would litigate as necessary to obtain the waiver. Mr. Elliott responded by saying he does not see how litigation enters into a discretionary decision. Several Commissions expressed anger over the threat of litigation in the matter. Mr. Brooman explained the litigation he referred to was against the current outstanding violations, to clear the record of complaints, not against the City. He added in 2006 and 2007 there were no odor complaints, but once plans for expansion were made complaints began. Mr. Bloom questioned, if once the permit is received, if anyone covered under the permit can compost any materials allowed by the permit. Mr. Brooman said, as a condition of the waiver, items allowed can be specifically listed. Ms. Jillian added the permit is general and for a period of 10 years and then needs to be reapplied for. She added any transfer of the general permit would require another waiver. Mr. Lieb said he had performed extensive research and three pages of technical thoughts, including the weighing of the items going to the compost facility versus the landfill. He said he was insulted by the repeated use of the name of one individual who has been publicly opposed to the landfill's expansion, along with the

mention of the Chrin family's position in the community. Mr. Elliott said he tried to look at the proposal with as much flexibility as possible, and the understanding that the proposed expansion had been a possible driver to the complaints. He said his sense is that a composting facility in general is good, however, the history of the landfill raises enough questions about compliance issues and protection of City resources for him to lack confidence in recommending the granting of a discretionary waiver. Mr. Elliott had furnished staff and the Commission with a draft resolution recommending to City Council that the requested waiver for a waste composting facility at 860 Island Park Road in Williams Township be denied. A motion to approve that resolution was made by Mr. Lieb, seconded by Mr. Bloom, approved by all.

EAC Update. None

600 Block Master Plan. Ms. Bradley said the draft plan is completed, however, she has been asked by the West Ward Neighborhood Partnership to present it at the steering committee meeting next week before releasing it publicly. She told the Commissioners they would see it at the August meeting.

As there was no further business, the meeting was adjourned at 8:40 PM.