

The Easton Planning Commission met on Wednesday, September 21, 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, William Heilman, Bonnie Winfield, Ronald Shipman and Dennis Lieb. Also in attendance were staff members Becky Bradley, Director of Planning & Codes; Brian Gish, Chief Planner; Carl Manges, City Planner; and Tina Woolverton, Secretary. Solicitor Joel Scheer was also present.

The revised agenda, moving item #8 to item #5 was approved.

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

**Privilege of the Floor.** None

**Vacant Property Blight Determinations.** Ms. Bradley told the Commissioners that on August 24, 2011 the Vacant Property Review Committee met to consider properties for the determination of blight. Six properties were determined as blighted and four were brought before the Planning Commission for further determination of blight on September 7, 2011. She said the additional two properties, 687 Northampton Street, a commercial property, and 675 Pine Street, a commercial garage, were before the Planning Commission this evening for determination of blight.

- **687 Northampton Street.** Mr. Shipman asked of the owner of 687 Northampton Street (the Armory Building) also owned the property across the street. Ms. Bradley said she believes so. Mr. Shipman questioned whether there had been recent inspections of the property. Ms. Bradley said there are ongoing inspections at the site for property maintenance issues. Mr. Lieb asked if the corner lot is also part of the parcel. Ms. Bradley said it is. A motion to pass the resolution determining blight was made by Mr. Lieb, seconded by Mr. Shipman, approved by all.
- **675 Pine Street.** A motion to pass the resolution determining blight was made by Mr. Heilman, seconded by Ms. Winfield, approved by all.

**Special Exception – 1563 Ferry Street.** Mr. Manges said the applicant, MetroPCS Pennsylvania, LLC, has proposed to add six panel-style antennas and two GPS units to the existing Water Tank located 1563 Ferry Street. The antennas will be grouped into three sectors, with two antennas per sector. The Water Tank is approximately 140 feet in height, and the proposed antennas are to be attached below the painter's ring which is located at an elevation of 81 feet. Each antenna is proposed to have a height of 57.5 inches, a width of 10.6 inches, and visible from ground level. The antennas are proposed to be painted to match the Water Tank. The 2 GPS units are proposed to be located on top of the Water Tank mounted to the existing handrail. 3 radio equipment cabinets, 1 PPC cabinet, and coaxial cables are associated with this application. These cabinets and coaxial cables are proposed to be located within the base of the Water Tank, and will not be visible. The property the Water Tank is located on is owned and operated by the Easton Suburban Water Authority. The property is located in the West Ward Zoning District, Block Class C, where H5 - Communications Facilities are permitted by Special Exception per Article XV §595-76.

1563 Ferry Street is located on the north side of Ferry Street on the corner of 15<sup>th</sup> and Ferry Streets.

Mr. Nick Cuce, representing the applicant, was present. He added the presentation was very thorough and he had no other details to add. Mr. Lieb asked if the GPS units would be separate from the antennas. Mr. Cuce said they would be separate, the GPS units

would be mounted on the top of the rail. Mr. Lieb noted the proposal was not for stealth antennas and questioned how the antennas could be made stealth in this application. Mr. Cuce said it would be very difficult to create a stealth antenna on corrugated metal. Mr. Heilman asked if it was unusual to mount antennas on a water tower. Mr. Cuce said it was very common. Mr. Elliott asked if it posed any safety issues to individuals working on the tank. Mr. Cuce said precautions are taken to limit exposure. Mr. Elliott asked staff if the Zoning Hearing Board had ever denied a cell tower application because it was not stealth. Mr. Manges replied not to his knowledge. A motion to approve the resolution recommending special exception approval to the Zoning Hearing Board was made by Ms. Winfield, seconded by Mr. Lieb, approved by all.

**Special Exception – 1458 Northampton Street.** Mr. Manges said the applicant, Jim Ayoub, has proposed to establish a Food Establishment (Farmers' Market Store) use in a currently vacant 1,100 square foot portion of the first floor of an existing mixed-use four-story building at 1458 Northampton Street. Previously, a Mexican restaurant was in this portion of the building where the Food Establishment is proposed to be located. The first floor has three separate areas in which businesses can operate. A Laundromat and a Vehicle Repair Service (AAMCO) currently operate there in the other two areas of the first floor of 1458 Northampton Street. The Vehicle Repair Shop is located on the side of the building facing 15<sup>th</sup> Street. The property is located in the West Ward Zoning District, Block Class C, where the proposed C4 - Food Establishment use is not permitted. However, the property is also located in the Street Corridor Enhancement Overlay District where the proposed use is permitted by Special Exception.

Mr. Manges said a conversation with the applicant on September 7, 2011, revealed that he intends to establish a Farmer's Market use in the vacant 1,100 square-foot first floor area located at 1458 Northampton Street. He proposes to sell all natural meat; beef, pork, chicken, goat, and lamb, that has been raised on the applicant's farm, located in the Borough of Northampton. The applicant currently sells his natural meats during the Easton's Farmers' Market. The applicant also indicated other vendors of the Easton's Farmer's Market expressed interest in selling dips, jellies, and jams at this store. The applicant stated that should all approvals be received and the store opens, he will continue to sell his meats at the Easton's Farmers' Market. The applicant indicated that he intends to be the only employee at this business in the beginning of its operation. In the future, there is a possibility of two additional employees being hired if the business does well. The proposed hours of operation are to be from 7am -7pm Wednesday to Saturday, with the possibility of expanding to six days a week, Monday to Saturday 7am-7pm.

Mr. Manges added the applicant will need to meet all requirements of the Health Bureau and Codes Department before the business may open.

The applicant, James Ayoub was present. Mr. Lieb asked if the proposed plan was a new business enterprise or a relocation. Mr. Ayoub answered it was a new business, to allow for the opportunity of a 12 month farmer's Market. Curt Ehly of 305 W. Monroe Street said he supports the application, has known Mr. Ayoub and the quality of his products. He added it would be a great addition to the west ward and the City. Noel Jones of 800 Ferry Street said she has visited the farm and it is a top notch operation. She added the residents are very excited about the project.

A motion to approve the resolution recommending special exception approval to the Zoning Hearing Board was made by Mr. Shipman, seconded by Mr. Lieb, approved by all.

**Special Exception - 542 Northampton Street.** Mr. Gish said the applicant, Vagabond Properties, LLC, proposes to establish a Food Processing (Brewery) use in the

approximately 12,000 square foot, four-story building at 542 Northampton Street. The building known as Mt. Vernon, is currently vacant, and has been so since 2004. The applicant also proposes to establish a Food Establishment on the 1<sup>st</sup> Floor and 2<sup>nd</sup> Floors, a conference room and museum on the 3<sup>rd</sup> Floor. The 4<sup>th</sup> Floor will have offices, and the uses will be defined by the types of businesses that use them. Outdoor dining is being proposed on the 2<sup>nd</sup> Floor balcony. The Brewery is proposed to be approximately 3-stories high, and located in the rear portion of the building. Previous uses at 542 Northampton Street included a restaurant/bar, and a rooming house. The property is located in the Downtown Zoning District; Block Class C, where the proposed F2 – Food Processing use is not permitted. The property is also located in the Street Corridor Overlay District, where the proposed F2 – Food Processing use is permitted by Special Exception. The proposed restaurant/bar, conference room, and museum are permitted uses in the Downtown District. Each business use for the offices must file a separate zoning application for determination. This proposal is to be phased; the 1<sup>st</sup> phase will be the completion of the Restaurant/Bar on the 1<sup>st</sup> Floor, and the next phase will be the dining room on the 2<sup>nd</sup> Floor approximately 3 months after the first phase is completed. The Brewery will be the 3<sup>rd</sup> phase of the project, to be completed approximately 4-5 months after phase 2. The 3<sup>rd</sup> and 4<sup>th</sup> Floors are the last phase, and are to be completed in the future, approximately in 2-4 years. Trash is proposed to be stored in a dumpster inside an area at the rear of the building, previous used as the garage. The garbage truck will be able to back-up into this area to load the dumpster onto the truck.

Mr. Gish said a conversation with one of the applicants, Troy Reynard, on September 13, 2011, revealed that he and his partners intend to establish a Brewery and a Restaurant/Bar, with 115 seats, on the 1<sup>st</sup> and 2<sup>nd</sup> floors in the currently vacant building located at 542 Northampton Street. Mr. Reynard also stated that his development team proposes a conference room and museum located on the 3<sup>rd</sup> Floor, and offices on the 4<sup>th</sup> Floor. The applicants anticipate approximately 15 employees at the opening of, with the possibility of more employees in the future if the business succeeds. The proposed hours of operation are 11:30am – 12am daily.

Every effort to minimize the sound, smells, steam, and/or smoke associated with the brewing operation shall be taken. Additionally, measures taken to adequately and appropriately ventilate the business area without creating a nuisance situation for the public shall be taken, and shall comply with the requirements of City Code Officials. The applicants informed staff of their intention to install and utilize proper ventilation in the operation of their business.

The applicant proposes the loading and unloading of materials, goods, supplies, waste, etc., off of 6<sup>th</sup> Street, anticipating this to occur during the morning hours. According to the Zoning Administrator, a designated loading/unloading zone is not necessary with this application based upon the square footage of the Brewery and Restaurant/Bar uses. The applicant assured staff that no bottling or large scale manufacturing of alcoholic beverages will occur in the building, and that brewing will only take place twice a week.

Mr. Gish said there is no off-street parking located at 542 Northampton Street, and the Zoning Administrator has determined that a variance will be required for 44 off-street parking spaces with this proposal. The applicant stated that a lease agreement with Dykes Lumber for 15 off-street parking spaces behind the building is being finalized, and that negotiations are underway for the use of an additional 5 spaces along Pine Street, also currently owned by Dykes Lumber. Signed copies of these parking agreements shall be forwarded to staff.

Troy Reynard was present to answer questions. Jeff Martinsen, project engineer was also present. He distributed supporting materials to the Commission, including a site plan, photos and floor plans. He said the proposed parking agreement with Dykes

lumber would put 20 parking spots within 150 feet of the building. Mr. Scheer questioned if the variance sought by the development was for all 44 required spaces, or only the net shortage of spaces after the 20 spaces were obtained through the agreement with Dykes Lumber. Mr. Martinsen said variance would only be for the net shortage. Mr. Shipman questioned if the food processing use is needed because of the brewery. Mr. Martinsen said it is. Mr. Shipman questioned what a brewery operation would release into the air. Mr. Reynard said it would produce steam with a bread-like smell. He added the brewing would only be for the restaurant's consumption, and not for other distribution. Mr. Lieb said he thinks the proposal is great, but was concerned because a similar proposal in the past had created a problem with a neighboring property. Mr. Reynard said he has already had a meeting with the neighbor to alleviate any potential problems. Mr. Shipman questioned what type of museum was proposed on the 3<sup>rd</sup> floor. Mr. Reynard said it will be a brewing museum, and added that Easton has a very rich brewing history. Mr. Shipman asked Mr. Reynard if he had a background in brewing. Mr. Reynard said only in home brewing, that he would be hiring a professional brewer. Mr. Shipman asked if the 15 employees included both food and brewing operations. Mr. Reynard said it does. Mr. Elliott asked when the project was being reviewed by the Zoning Hearing Board. Mr. Manges said at the October meeting.

Carinne Buzzuto of 19 S. 7<sup>th</sup> Street said parking concerns are unfounded, as many people will be walking to the location. She added the project has many positives. Curt Ehly of 305 W. Monroe Street said Mr. Reynard is a solid business owner in the community, adding he was one of the founding members of the Easton Business Association, and had assisted many others in starting their businesses. Noel Jones of 800 Ferry Street said her blog, Neighbors of Easton, has hundreds of responses and everyone is very excited and supportive of the project. She added the location is strategic and important, as it is centered between the downtown and the west ward. A motion to approve the resolution recommending special exception approval to the Zoning Hearing Board was made by Mr. Lieb seconded by Mr. Shipman, approved by all. Supporters applauded at the recommendation.

**Staff Update.** Mr. Gish reminded the Commission of the Movies at the Mill event on Saturday, September 24.

**EAC Update.** None.

As there was no further business, the meeting was adjourned at 7:40 PM.