

Zoning Hearing Board

509 West Berwick Street

Appeal 2011-4098

Application 10080098

The Easton Zoning Hearing Board met on April 18, 2011, to hear the appeal of Thomas Yacone, 3439 Princeton Place, Bethlehem PA 18020, for a setback variance and variance to allow two structures at 509 W Berwick Street, a SS-SC-C zoning district.

Present: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Starke
Absent: Mrs. Panto

The secretary read the call of the meeting and announced same had been advertised in the local press and notice sent for posting on the property. Twenty-three area owners were notified by mail of the hearing date. Witnesses were sworn in.

RAN explained this matter was before the Board in March, at which time a continuance was requested/granted. A waiver was faxed to the attorney on March 28, 2011. He then read a correspondence from Atty. Prendergask confirming receipt and explanation of the waiver. He also noted neither he nor Atty. Cohen, representing objectors, will be present at this hearing.

Tenant Larry Minchin, 509 W. Berwick St., noted property was posted. He presented six photos showing a shed that was located on the property when he moved in and the shed he added, marked App. Exh. A-1. Photo A is the original shed, C & D are the sheds currently. Mr. Minchin stated he has lived in the property for eight or nine years. He has moved the newer shed 4' from the property line and 4' from the other structure. He also noted the original shed is 15' from the property line, and he requested the application be amended to reflect the correct distances.

Russell Budd, 511-513 W. Berwick St., stated the older shed was also constructed by Mr. Minchin. He presented Objector's Exh. O-1, a photo showing snow piled onto his fence; O-2 a police incident report documenting the damage to the fence; O-4 showing the snow still there, O-8 site photo showing the property lines; O-11 photo the property and his fence location; O-5 photo showing the adjacent yard with room to relocate the sheds; O-12 and O-13 showing lumber and other items stacked on top the sheds; O-3 showing snow damage to the fence. Mr. Budd stated the shed was built 2006-2007.

Joan Budd, 511-513 W. Berwick St., stated she also witnessed Mr. Minchin build the wooden shed approximately five or six years ago.

Mr. Minchin responded the original shed was there, he just applied plywood and a small fence on the side.

As there was no other business to come before the Board, the meeting was adjourned.

The Board reviewed the testimony as presented and a motion was made by Mr. Brett, seconded by Mr. Civitella, to grant the request with the following conditions: 1) no storage on top of the sheds; 2) no storage of hazardous materials in the sheds; 3) no snow to be placed on the neighboring property; and 4) the shed that was moved shall be inspected to ensure compliance with city codes.

509 W. Berwick Street
Page 2

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Starke
Nays: None

The motion was approved.

Linda Thomas
Secretary

Zoning Hearing Board

717 Northampton Street

Appeal 2011-4101

Application 11020065

The Easton Zoning Hearing Board met on April 18, 2011, to hear the appeal of Rosa Munoz, 682 Wolf Avenue, Easton PA 18042, for a special exception to establish a retail specialty use for the sale of religious items at 717 Northampton St., a WW-SC-B zoning district.

Present: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Starke
Absent: Mrs. Panto

The secretary read the call of the meeting and announced same had been advertised in the local press and notice sent for posting on the property. Seventeen area owners were notified by mail of the hearing date. Witnesses were sworn in. The secretary then read the resolution of the EPC dated April 6, 2011, in which they made no recommendation as the applicant did not appear at the April Planning meeting.

RAN questioned why the applicant did not attend the April EPC meeting. Ms. Munoz responded she was out of the country at the time. He explained the option to request a continuance and Ms. Munoz agreed to request a continuance until the May 16, 2011 ZHB meeting, after appearing before the Planning Commission at their May 4 meeting.

As there was no other business to come before the Board, the meeting was adjourned.

The Board reviewed the testimony as presented and a motion was made by Mr. Edinger, seconded by Mr. Civitella, to grant a continuance until the May 16, 2011 meeting.

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Starke
Nays: None

The motion was approved.

Linda Thomas
Secretary