

Zoning Hearing Board

1204 Northampton Street

Appeal 2011-4097

Application 11010054

The Easton Zoning Hearing Board met on March 21, 2011, to hear the appeal of Dioris Suero, 1402 Chew Street, Allentown PA 18102 for a special exception to establish a personal service use (barber shop) at 1204 Northampton Street, a WW-SC-C zoning district.

Present: Mr. Edinger, Mr. Civitella, Mrs. Panto, Mrs. Starke  
Absent: None

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. Fourteen area owners were notified by mail of the hearing date. Witnesses were sworn in. The secretary then read the resolution of the EPC dated March 2, 2011, in which they recommend approval of the proposal.

Dioris Suero, (owner, Sukhvinder Singh, 2475 Jeannette Lane, Easton PA 18040) proposes to open a barbershop. There will be one employee for now, who operate the business. Hours of operation will be 8:00 am to 7:00 or 8:00 pm, seven days a week. The shop will have two chairs for now, maximum number seven will fit. Customers will be walk-ins. No retail sales planned for now but he may introduce items in the future, consisting of hair care products only.

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. Civitella, seconded by Mrs. Starke, to grant the request, with the stipulation that the business have no more than three chairs. If the business is to expand beyond three chairs the applicant must return to the Board for further approvals.

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

The motion was approved.

Linda Thomas, Secretary

Zoning Hearing Board

509 West Berwick Street

Appeal 2011-4098

Application 10080098

The Easton Zoning Hearing Board met on March 21, 2011, to hear the appeal of Timothy Prendergask, 704 Washington Street, 2<sup>nd</sup> floor, Easton, PA 18042, 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. Civitella, Mrs. Panto, Mrs. Starke  
Absent: None

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.

Attorney Prendergask, representing the tenants of the property, requested a continuance to allow him to obtain written authorization from the property owner. He also noted some additional information has just come to his attention that he would like to review before appearing before the Board. The property owner will sign and return a waiver within ten days.

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 Mrs. Panto, to grant the continuance until the April 18, 2011 meeting to begin at 7:00 pm.

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

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

1317 Lehigh Street

Appeal 2011-4099

Application 11010233

The Easton Zoning Hearing Board met on March 21, 2011, to hear the appeal of Felcia Tomino, 1045 Butler Street, Easton, PA 18042, for a use variance and parking variance for an eating and drinking establishment at 1317 Lehigh Street, a WW-C zoning district.

Present: Mr. Edinger, Mr. Civitella, Mrs. Panto, Mrs. Starke  
Absent: None

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. Thirty-two area owners were notified by mail of the hearing date. Witnesses were sworn in.

Contractor Thomas Lutes, 237 Spring Garden Street, Easton, PA 18042, stated Mr. Tomino wants to open a deli, not a 100 seat restaurant. He noted he has architectural plans showing 19 parking spaces and amended the application to reflect seating for 15, which eliminates the need for an off-street parking variance. The building is 2750 sf and will be used entirely for the business. Hours of operation will be 6:00 am to 6:00 pm, seven days a week. They would like a grill to prepare hot sandwiches. The property was previously used as a private club that did have a kitchen but everything has been removed except the hood system. Venting will not affect any adjacent properties. A dumpster will be located in the rear with ample room for pick-up. The rear parking lot is accessed by Spruce Street between 13<sup>th</sup> and 14<sup>th</sup> Streets. Applicant will post signs to advise customers to park in rear lot. It will be a family run business with two to three employees to start – may increase as business increases. No alcohol will be served. Deliveries will be made in the rear of the building.

Mr. Edinger questioned if the building could be made into a conforming use. The applicants replied it is a large commercial building in a residential area previously used as an E & D.

Lizette Suarez, 1321 Lehigh Street, questioned whether there would be alcohol served and who would oversee parking issues. RAN informed her she has the right to contact the code office if there are parking infractions. No other use can be established without the applicants returning to the Board for further approvals.

Louis Cartagena, 1321 Lehigh Street, lives next to the property and noted the rear parking is restricted.

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

The Board reviewed the testimony as presented and a motion was made by Mrs Panto, seconded by Mr Civitella, to grant the request with the stipulation that a notice be posted informing patrons to park in the rear, all deliveries will be made in the rear, and no alcohol will be served.

Ayes: Mr. Edinger, Mr. Civitella, Mrs. Panto, Mrs. Starke  
Nays: None  
The motion was approved.  
Linda Thomas, Secretary

Zoning Hearing Board  
2750 Hugh Moore Park Road

Appeal 2011-4100

Application 11010015

The Easton Zoning Hearing Board met on March 21, 2011, to hear the appeal of City of Easton 1 South 3<sup>rd</sup> Street, Easton, PA 18042, for a special exception for temporary placement of a 12' diameter, 5' high fiberglass fish spawning tank at 2750 Hugh Moore Park, a RC zoning district.

Present: Mr. Edinger, Mr. Civitella, Mrs. Panto, Mrs. Starke  
Absent: None

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. One area owner was notified by mail of the hearing date. Witnesses were sworn in. The secretary then read the resolution of the EPC dated March 2, 2011, in which they recommend approval of the proposal.

Jerre Mohler, 308 Washington Avenue, Lamar, PA 16848, stated he did not receive notice for posting. Julie Klabunde, Secretary, Department of Planning and Codes, City of Easton was sworn in and testified that the property was posted approximately 12 days ago by Carl Manges, City Planner.

Modular fish spawning tank will be assembled on site, 2" water line 4" drain line. Water will be pumped in from the canal and returned to the canal. When the system is running properly, root stock of American shad will be collected and stocked in the proper ratio in the tank. The fertilized eggs will be collected and harvested by the PA Fish and Boat Commission and transported to their hatchery for rearing. They will then be returned and stocked into the Lehigh River. Operation will not go beyond the end of May. The tank will then be disassembled, leaving the pipes in the ground, and returned the following year. The tank will be anchored with a duck bill anchor system – 3/16" stainless steel cable driven into the ground and attached to the tank. There will also be a 10' x 2' trough to house the mess bag for the eggs. In the event of a flood warning the pumps could be removed in a few minutes. Mr. Mohler is familiar with all EPC conditions and will comply with them.

RAN questioned the spawning season – roughly the beginning of April to the end of May. Staff will be nearby to maintain the system and/or make arrangements in case of flooding.

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 the request, with the stipulation the applicant comply with all conditions of the EPC.

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

The motion was approved.  
Linda Thomas, Secretary