

The Easton Planning Commission met on Wednesday, September 1, 2010 in the 6<sup>th</sup> Floor Council Chambers, Easton City Hall. The meeting was called to order at 6:30 p.m. by Charles Elliott. Present: Charles Elliott, Robert Sun, Dennis Lieb and Roger Paul. Also in attendance were staff members Becky Bradley, Director of Planning and Codes; Brian Gish, Chief Planner; Carl Manges, City Planner; and Tina Woolverton, Secretary. City Solicitor Joel Scheer was present.

The revised agenda was approved.

The minutes of the August 4, 2010 meeting were approved.

**Privilege of the Floor.** None.

**Special Exception – Easton Haunts at the Simon Silk Mill.** Mr. Manges said the applicant, Don Johnson, proposes to establish a temporary Haunted House attraction in a vacant building located at the Simon Silk Mill. (659 N. 13<sup>th</sup> Street). The property is located in the River Corridor and Other Green Areas Zoning District; Street Corridor Enhancement Overlay District; Flood Hazard Overlay District where the proposed use is permitted by Special Exception. According to FEMA maps, the southwest corner of the building where the attraction is proposed is located in the 500 year floodplain and a special exception is required from the Zoning Hearing Board. Mr. Manges said a site plan and interior floor plans were furnished to staff, along with evacuation routes during a flood warning. Additionally, in the event of a flood warning, the attraction would close and not reopen until the warning is lifted. Small quantities of fog juice, snow juice, flame retardant and ultraviolet paint will be stored on-site, and would be removed in a flood warning. The applicant was present to answer questions. He said the amusement was required to be licensed with the state, and was inspected by the Department of Agriculture. Mr. Paul asked how many people would go through the attraction on a night. Mr. Johnson said on the busiest nights, which are the two Saturdays prior to Halloween, he anticipates 800-1000 people. Mr. Paul asked how long it takes to go through the attraction. Mr. Johnson said there are two separate attractions, and to go through both takes approximately one half hour. Mr. Sun questioned what the peak usage was at the former location in Tatamy. Mr. Johnson said it was a smaller attraction, with peak usage of about 600. Mr. Sun questioned how problems with alcohol and littering would be handled. Mr. Johnson said problems are rare, and if someone appears intoxicated, they are asked to leave. He said there would be trash receptacles at the site and staff would clean up daily. Mr. Sun questioned whether the available parking, 60 spaces, would be enough for the patronage anticipated. Staff said the calculations of the Zoning Administrator determined only 53 spaces were required, and the site actually could accommodate more than the 60. Mr. Elliott asked if the applicant had explored finding an additional parking area or a shuttle to the location from an additional parking area. He recommended adding a condition to the resolution requiring a parking and overflow traffic flow plan. A motion to approve the revised resolution recommending approval of the Special Exception to the Zoning Hearing Board was made by Mr. Lieb, seconded by Mr. Paul, approved by all.

**Special Exception – MetroPCS Cell Tower at One South Third Street.**

Ms. Bradley said the applicant, MetroPCS Pennsylvania, LLC proposes to add six panel-style antennas to the existing penthouse wall and parapet located on the roof of the Alpha Building at 1 S. Third Street. The applicant is also proposing to add three radio equipment cabinets that will be located on an 8' x 16' platform. The antennas will be visible from the ground, but the cabinets will not. The property is located in the Downtown Zoning District, Street Corridor Enhancement Overlay District and the proposed use is permitted by Special Exception. The applicant was present. He noted that a condition of the proposed resolution requested documentation from the FCC for the approval of the site. He explained the FCC licensure is region specific, not site

specific. Mr. Elliott recommended a change to the resolution reflecting that fact. Mr. Lieb asked if once the towers and cabinets were installed if the tower capacity could be increased. The applicant explained the build out and final configuration would be different, and that while the application is for the final maximum configuration, at the time of the build out the capacity would not be as high. Mr. Lieb asked if the lease amount was calculated for the final configuration. The applicant said it was. Mr. Sun questioned how many cell providers currently exist. The applicant said eight in the major market, but added it changes based on what the market will bear. He explained that MetroPCS is only in major metropolitan areas, in this case the Greater Philadelphia region and is a no contract provider. A motion to accept the revised resolution for Special Exception approval to the Zoning Hearing Board was made by Mr. Paul, seconded by Mr. Lieb, approved by all.

**Special Exception – MetroPCS Cell Tower at 657 W. Lincoln Street.** Mr. Manges said the applicant, MetroPCS, LLC proposes to install six panel style antennas on the penthouse roof and three radio equipment cabinets on the ground at 457 W. Lincoln Street. The property is located in the South Side Zoning District Block Class A where the proposed use is permitted by Special Exception. The applicant was present and explained the radio cabinets would be located on the ground, and enclosed behind barb wire fencing, but added the barbed wire would be hidden behind another more decorative fence. Mr. Lieb asked if the building was vacant. The applicant said it was not, that is was occupied by an importer of Asian items. Ms. Bradley asked if there would be a warning sign on the fence. The applicant said there would be. Mr. Elliott asked if there was a PHMC response to the project. Mr. Manges said there was and it stated there was no adverse effect from the project. A motion to approve the revised resolution recommending approval to the Zoning Hearing Board was made by Mr. Paul, seconded by Mr. Lieb, approved by all.

**Special Exception 700A Old Philadelphia Road – Dunkin’ Donuts.** Mr. Gish said the applicant, Albert Taus and Associates, proposes to establish an Eating and Drinking Place in store #1 in the currently vacant one-story retail/commercial building at 700A Old Philadelphia Road, across from the CVS Building. The building is located in the South Side Zoning District; Block class A; Street Corridor Enhancement Overlay District where the proposed use is permitted by Special Exception. The hours of operation will be from 5:00am to 10:00pm daily and will employ approximately 10-12 employees. Mr. Gish noted that multiple sign variances would be required from the Zoning Hearing Board as well as the Special Exception approval. Mr. Lieb said he has a problem with the proposal, and he would prefer to see a local business, not a national chain and dislikes the suburban style shopping center that was spec built without tenants. Mr. Sun said he remembers the initial proposed tenant being a bank and believes the economy fueled the change of use. Joe Plunkett, the attorney representing the applicant explained the off-premise signs would be located on the “condominium property” and will have approval by CVS. Mr. Elliott asked if the menu board was the only backlit sign. Ms. Bradley said it is. Mr. Sun commented the menu board was the most out of line. The applicant said the extenders on the sides of the menu board could be eliminated, making the sign smaller. Mr. Elliott amended the resolution to reflect the removal of the extenders on the menu board. Mayor Panto was present, and said, as a Southside resident, he too would wish for a local business, but welcomes this well-maintained business. A motion to approve the revised resolution recommending Special Exception approval to the Zoning Hearing Board was made by Mr. Sun, seconded by Mr. Paul, also approved by Mr. Elliott, opposed by Mr. Lieb.

**EAC Update.** Mr. Elliott said the EAC had not met in August.

**Staff Update.** Ms. Bradley said the last time the Intermodal facility was discussed, the landscaping was very general. She said the engineering and architectural team has created more specific plans and has more details on the pocket park. Dave Horton of Pennoni Associates was present and displayed renderings of the project. Mr. Elliott questioned the expected height of the water feature. Mr. Horton said 6-8' high. Mr. Sun questioned the view from the pocket park looking out at the streetscape. Ms. Bradley said the PCTI plans for S. Third Street will include street trees and other amenities that will soften the streetscape. Mr. Sun asked if the water feature would be turned off during winter. Ms. Bradley said it would be and added there would be some texture on the wall, but it is also planned to be able to show movies on it. Richard Hieshetter of 304 W. Monroe Street commented that the proposed planters could be very costly, as a heavy freeze would kill the plants.

As there was no further business, the meeting was adjourned at 9:25 PM.