

Zoning Hearing Board

501 W. Berwick Street

Appeal 2012-4140

Application 12020090

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Pedro Lebron, 721 Northampton Street, Easton, PA 18042, for a special exception for a food establishment at 501 W. Berwick Street (SS-SC-C).

Present: Mr. Edinger, Mr. Brett, 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. Seventeen area owners were notified by mail of the hearing date. The secretary then read the resolution of the EPC in which they recommend approval. Witnesses were sworn in.

Pedro Lebron, 721 Northampton Street, would like to open a small grocery store. Hours will be 8:00 am to 8:00 pm, seven days per week. No employees at this time, he will be the only staff. There may be deliveries for some products and he will also be bringing some in. There is a one hour parking spot on street. No secured area for trash. He will be selling all pre-packaged goods – no food preparation on site.

Guiseppe Curto, 425 S 15<sup>th</sup> Street, Easton PA 18042, property owner, noted there was a grocery store in the building in the past and not much trash was generated. He has marketed the building for two years; however, he was selective and feels the neighborhood really needs a corner grocery store. Mr. Lebron did run a grocery store in Easton in the past.

Cindy Cawley, Zoning Administrator for the City of Easton, stated her only concern is where the trash will be stored. This will be resolved prior to the business opening.

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

A motion was made by Mr. Civitella, seconded by Mrs. Starke, to grant the request with the stipulation that the applicant comply with the conditions of the EPC and testimony as given in regards to no food preparation on site and hours of operation.

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Panto, Mrs. Starke

Nays: None

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

30 South Sitgreaves Street

Appeal 2012-4145

Application 12030051

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Jay Miller GC, Inc, 30-32 S Sitgreaves Street, Easton PA 18042, for a special exception and lot size variance to convert a commercial building to a two family semi-detached dwelling at 30 S Sitgreaves St (DD-B).

Present: Mr. Edinger, Mr. Brett, 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. Twelve area owners were notified by mail of the hearing date. She then read the resolution of the EPC in which they recommend approval. Witnesses were sworn in.

Jay and Karen Miller, 30-32 S. Sitgreaves Street, owners of the property, would like to convert the former architectural studio, which they have owned for seven years and which housed their offices for a real estate business and a construction business. They have tried to rent the commercial spaces with no luck and have decided to convert to a modern luxury apartment. The buildings go line to line with no space between the two buildings. There is a small sidewalk to the left and no property to the right. The rear goes right to the property line. They will comply with all the EPC conditions.

Cindy Cawley, Zoning Administrator for the City of Easton, noted it will be a good use for the buildings. The conversion should not require a lot of renovations.

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

A motion was made by Mr. Civitella, seconded by Mrs. Panto, to grant the request with the stipulation that the applicant comply with all conditions of the EPC and with the amendments to item #4(B) Tenants should be prepared to evacuate in the event of a flood warning issued by the National Weather Service; #4(E) All tenant owned vehicles must be removed from parking areas in flood-prone areas in the event of a flood warning issued by the National Weather Service.

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

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

32 South Sitgreaves Street

Appeal 2012-4146

Application 12020144

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Jay Miller GC, Inc, 30-32 S Sitgreaves Street, Easton PA 18042, for a Special exception and lot size variance to convert a commercial building to a two family semi-detached dwelling at 32 S Sitgreaves St (DD-B).

Present: Mr. Edinger, Mr. Brett, 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. Twelve area owners were notified by mail of the hearing date. She then noted the resolution read for the previous hearing also applies to this application. Witnesses were sworn in.

Jay and Karen Miller, 32 S. Sitgreaves Street, stated they both testified in the hearing for 30 S. Sitgreaves Street and this proposal for 32 S. Sitgreaves Street is identical. Therefore, they are asking for the same relief. The testimony from the previous hearing shall be incorporated into this hearing.

Cindy Cawley, Zoning Administrator for the City of Easton, noted she too would like to incorporate her previous testimony into this hearing.

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

A motion was made by Mr. Civitella, seconded by Mrs. Panto, to grant the request with the stipulation that the applicant comply with all conditions of the EPC and with the amendments to item #4(B) Tenants should be prepared to evacuate in the event of a flood warning issued by the National Weather Service; #4(E) All tenant owned vehicles must be removed from parking areas in flood-prone areas in the event of a flood warning issued by the National Weather Service.

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

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

1451 Northampton Street

Appeal 2012-4147

Application 11110088

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Karen Drake, 1350 Industrial Drive, Easton PA 18042, for a use variance to establish a food processing use in an existing religious worship use at 1451 Northampton St (WW-SC-A)

Present: Mr. Edinger, Mr. Brett, 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. Fifteen area owners were notified by mail of the hearing date. Witnesses were sworn in.

Karen Drake and Edwin Drake, owners and operator of Tombler's Home Bakery, 1350 Industrial Drive, stated she has a lease for the property at 1451 Northampton Street. She noted her previous business was destroyed by fire in 2011 and she would like to re-establish that business at the Temple Covenant of Peace. She looked for five months for a space to rent temporarily but was unsuccessful in finding one. She has been in contact with the Department of Agriculture and they have approved of the use in the Temple. Ms. Drake stated she will only be there two days per week, six hours per day. They do not intend to use this space permanently, just part-time until their building is restored. The variance may be granted for a temporary use until the end of the year. The adjacent uses are a gas station, a CVS drugstore, and a laundromat. The kitchen is located on the first floor of the Temple. The closest residential use to the kitchen is approximately 80 feet away.

Cindy Cawley, Zoning Administrator for the City of Easton, questioned whether there would be an additional fee required to return to the Board for a continuance of the temporary use, should construction on their original building be delayed.

Mrs. Panto proposed extending the expiration date to January 31, 2013, or upon occupancy of their newly constructed facility, whichever occurs first.

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

A motion was made by Mrs. Starke, seconded by Mr. Brett, to grant the proposal for a temporary use with an expiration of January 31, 2013.

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Panto, Mrs. Starke

Nays: None

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

698 Northampton Street

Appeal 2012-4148

Application 12030133

The Easton Zoning Hearing Board met on May 21, to hear the appeal of Riken Patel, 698 Northampton Street, Easton PA 18042, for a special exception for a food establishment at 698 Northampton St (WW-SC-B).

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

Absent: None

As the applicant was not present, a motion was made by Mr. Civitella, seconded by Mrs. Starke, to grant a continuance to the June 18, 2012 meeting. A waiver of continuance must be on file in the zoning office by June 8, 2012 or the application will be denied.

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Panto, Mrs. Starke

Nays: None

The motion was approved.

Linda Thomas

Secretary

Zoning Hearing Board

122 North Warren Street

Appeal 2012-4149

Application 12040054

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Elizabeth Castro, 122 N Warren Street, Easton PA 18042, for an impervious surface variance to install an above ground swimming pool at 122 N Warren St (WW-C)

Present: Mr. Edinger, Mr. Brett, 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. Seventeen area owners were notified by mail of the hearing date. Witnesses were sworn in.

Elizabeth Castro would like to install an above ground pool in her rear yard. Mr. Ayala, of Far Rockaway, NY, stated he is helping his fiancé improve her property. She would like a 12' x 24' above ground pool with a 4' fence and locking gate, and an alarm for the rear house door. The installation of the pool will increase the impervious service ratio to 56%, just 6% over the allowable impervious. They do not have children at this time – they will be the only ones using the pool. Mr. Ayala stated they decided on the larger pool as it will compliment the rear yard and improve the look of the property.

Atty. Nitchkey questioned the applicants regarding amending their application to decrease the size to 18', therefore, requiring relief for only 3%. The applicant agreed.

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

A motion was made by Mrs. Panto, seconded by Mrs. Starke, to grant the request with the amended size of 12' x 18'.

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

The motion was approved.

Linda Thomas  
Secretary

Zoning Hearing Board

715 Walnut Street

Appeal 2012-4150

Application 12040034

The Easton Zoning Hearing Board met on May 21, 2012, to hear the appeal of Joseph Moussa, 715 Walnut Street, Easton PA 18042, for a use variance to establish an Auto Sales business at 715 Walnut St (WW-INS2-T-B).

Present: Mr. Edinger, Mr. Brett, 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 five area owners were notified by mail of the hearing date. Witnesses were sworn in.

Joseph Moussa, 59 Clairmont Avenue, Easton, PA, stated the property was used as a car lot until a few years ago when it was occupied by Motion Mania. Mr. Moussa owns a car sales lot a block away and would now like to establish one at this site. No repairs will be done, just sales and detailing. No cars will be parked on the street. The building has a 40 x 26 showroom with a glass front and is located on a large lot. No more than 20 cars will be on the lot; however, the lot can accommodate 40. Space will be reserved for customers and h/c parking.

Cindy Cawley, Zoning Administrator for the City of Easton, stated the building has been used for car sales and she supports the proposed use.

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

A motion was made by Mr. Edinger, seconded by Mr. Civitella, to grant the request.

Ayes: Mr. Edinger, Mr. Brett, Mr. Civitella, Mrs. Panto, Mrs. Starke

Nays: None

The motion was approved.

Linda Thomas  
Secretary