

September 8, 2015

EMMAUS BOROUGH COUNCIL

**Borough of Emmaus
Emmaus Town Hall
September 8, 2015
7:00 p.m.**

Public Hearing

1. Attendance of Council Members

2. **Public Hearing on the Conditional Use Request 002 – Triple Sun Spirits Co., 518 Bank Street, Emmaus, PA 18049** – Applicant is requesting to operate a Craft Beverage production facility in accordance with Z.O. Section 306 Table of Permitted Uses and the requirements of Z.O. Section 402.AAA. Site is located in a B-C Zoning District.

Public Hearing on the Conditional Use Request 003 – Yergey Brewing LLC, 518 Bank Street, Emmaus, PA 18049 – Applicant is requesting to operate a Craft Beverage production facility in accordance with Z.O. Section 306 Table of Permitted Uses and the requirements of Z.O. Section 402.AAA. Site is located in a B-C Zoning District.

3. Solicitor Comments

4. Public Comments

5. Council Comments

6. Adjournment

A Public Hearing was held at 7:00 p.m., prior to the start of the September 8, 2015 Council Meeting.

CALL TO ORDER

Mayor Winfield Iobst; Council President Lee Ann Gilbert; Councilman Brent Labenberg; Councilman Wesley Barrett; Councilman Roy Anders; Councilman Jeff Shubzda; Councilman Nathan Brown; Borough Manager, Shane Pepe; and Solicitor, Jeffrey Dimmich.

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PUBLIC HEARING – ON CONDITIONAL USE REQUEST 003 – Yergey Brewing LLC, 518 Bank Street, Emmaus, PA 18049. Applicant is requesting to operate a Craft Beverage production facility in accordance with Z.O. Section 306 Table of Permitted Uses and the requirements of Z.O. Section 402.AAA. Site is located in a B-C Zoning District.

Solicitor Dimmich explained that the Public Hearing is being held for a Conditional Use Request for 518 Bank Street, Emmaus. He explained that Council is sitting as the Zoning Hearing Board to review a permitted use with specific conditions. He further explained that as long as the conditions are met, the use must be granted, unless there is a public health, safety, or welfare matter involved. The application has been filed by Vilma G. Kistler, 6th Street Irrevocable Trust and Yergey Brewing. Solicitor Dimmich introduced James Yergey, as a representative of Yergey Brewing, LLC. Solicitor Dimmich stated that there were no objectors present. He also stated that Mr. Farnsworth and the Planning Commission have reviewed the application. Mr. Yergey explained that he intends to establish a craft brewery with production 1-2 days per week, with a tap room open to the public during the late afternoon, early evening with hours Thursday through Saturday, possibly on Sunday. He stated that he will operate the brewery himself and will employ 1-3 part time employees to help run the tap room. He explained that there is adequate water, sewer, and electric services present on the site, as well as sufficient parking. He stated that he believes there will be no negative parking issues with the neighbors. Solicitor Dimmich explained the requirements of parking, but stated that Zoning Officer Farnsworth has approved the parking.

Council Comments

Mr. Barrett asked for further clarification of the traffic flow. He asked if the brewery will use the gated entrance located on Bank Street or the S. 5th Street entrance for ingress and egress. Mr. Yergey responded that the brewery will use the S. 5th Street entrance because it is easier to get in and out. He stated that he expects a fair amount of traffic will be walking traffic. The gate is currently locked and will be locked when the brewery is not open. He stated that he would prefer to have both gates open but if there is an objection by Council, he would keep the gate closed located on Bank Street. Mr. Labenberg questioned the 2nd gate entrance. Mr. Barrett stated that he would prefer only using the gate located on S. 5th Street. He voiced concern about two-way traffic on Bank Street. Mr. Yergey stated that he has no objection to the request. Mr. Labenberg suggested that cars could enter on Bank Street but would need to exit on S. 5th Street. Mr. Barrett stated that the parking lot is not advertised well at Funk Brewery and there has been a greater increase of traffic and parking on S. 6th Street. Mr. Yergey stated that he is willing to place a sign at the entrance encouraging parking

on site. Mr. Shubzda asked Mr. Yergey if there is any intention for use of the unleased space. Mr. Yergey stated not at the present time. Mayor Iobst stated that he agrees with Mr. Barrett. He also stated that years ago there was an effort to make Bank Street one-way but it was never passed. Mr. Brown asked if part of Bank Street could be made one-way. Mr. Pepe responded that it could be, but an Ordinance would need to be adopted to do so. Mr. Barrett discouraged the idea because he believes it would be problematic. Mr. Labenberg asked if the traffic flow could be tried on a trial basis. Solicitor Dimmich responded that it is not an option. Mr. Anders asked if food will be offered. Mr. Yergey responded that there will be snacks served and possibly food trucks. He explained that it will not be a brew pub. Mr. Labenberg asked if

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there will be a combined tasting area for the brewery and distillery. Mr. Yergey responded that there will not.

Public Comments – None.

Motion by Mr. Anders, seconded by Mr. Brown to adjourn the Public Hearing. There were 6 ayes. Motion carried.

The Public Hearing adjourned at 7:24 p.m.

PUBLIC HEARING – ON CONDITIONAL USE REQUEST 002 – Triple Sun Spirits Co., 518 Bank Street, Emmaus, PA 18049. Applicant is requesting to operate a Craft Beverage production facility in accordance with Z.O. Section 306 Table of Permitted Uses and the requirements of Z.O. Section 402.AAA. Site is located in a B-C Zoning District.

Solicitor Dimmich stated that the Public Hearing is being held for a Conditional Use Request for 518 Bank Street. The applicant, Kristofer Kwant, Triple Sun Spirits stated that there will be no major differences between his application and the prior application. He explained that the egress and ingress is specifically on S. 5th Street. He stated that he has no objection to having a sign to encourage the use of the parking lot located on site.

Council Comments

Mr. Barrett asked if the parking lot met the Zoning requirements. Solicitor Dimmich responded that Zoning Officer Farnsworth reported that the parking lot meets the requirements. Mr. Barrett asked what type of delivery trucks will be used. Mr. Kwant responded that the deliveries will be made by smaller trucks.

Public Comments – None.

Motion by Mr. Labenberg, seconded by Mr. Shubzda to adjourn the Public Hearing. There were 6 ayes. Motion carried.

The public hearing adjourned at 7:30 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
September 10, 2015