

November 3, 2014

EMMAUS BOROUGH COUNCIL

**Borough of Emmaus
November 3, 2014, 7:00 p.m.
Emmaus Town Hall**

Public Hearing

1. Attendance of Council Members

 2. **Public Hearing on the Conditional Use Request –1 – Funk Brewing Company LLC, 19 S. Sixth St., Emmaus, PA 18049** – Applicant is requesting to operate a Craft Brewery 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 November 3, 2014 Council Meeting.

CALL TO ORDER

Council President Lee Ann Gilbert; Council Vice President Brian Holtzhafer; Councilman Wesley Barrett; Councilman Roy Anders; Councilman Jeff Shubzda; Borough Manager, Shane Pepe; Mayor Winfield Iobst, and Attorney Al Stirba.

PUBLIC HEARING – CONDITIONAL USE REQUEST – 1 – FUNK BREWING COMPANY LLC, 19 S. SIXTH STREET, EMMAUS, PA 18049. Applicant is requesting to operate a Craft Brewery 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.

Attorney Stirba opened the floor for public comment.

Public Comment – None.

November 3, 2014

EMMAUS BOROUGH COUNCIL

Attorney Stirba asked the applicant if he is willing to waive the right to a stenographer being present at the hearing. The applicant, Kyle Funk, responded affirmatively. Attorney Stirba swore in Kyle Joseph Funk.

Mr. Funk stated that he plans to adopt the Zoning Ordinance as a Conditional Use and he currently operates Funk Brewery under a beverage/bottling operation in the B-C Zoning District. The brewery is located at 19 S. 6th Street. He stated that the brewery currently manufactures malted beverages which are sold wholesale. He stated that his intent is to operate as a craft brewery as defined in the Zoning Ordinance which will potentially include a brew pub and a tasting room. He stated that he has completed a Conditional Use application and his application has been approved unanimously by the Borough Planning Commission.

Attorney Stirba opened the floor for Council comment.

Council Comment

Mr. Shubzda asked if all parking requirements will be met. Mr. Funk responded that Zoning Ordinance, Section 602.6A exempts the parking requirements of Table 6.1 for use within the B-C Zoning District and no additional parking is required. Mr. Funk stated that there will be 8 parking spaces added, including a handicapped spot. Mr. Barrett asked when the parking spaces will be added. Mr. Funk responded that the spots will be added by the end of November.

Attorney Stirba asked if access to the building is through a garage door. Mr. Funk responded that there is a front door with an approved handicapped ramp. He stated that the garage door is open weather permitted. Attorney Stirba asked Mr. Funk if operating as a brew pub will create any additional traffic issues. Mr. Funk responded that with extra parking and additional signage, he believes that additional traffic will not be an issue. Attorney Stirba asked if the proposed use will create any type of public safety hazards, stormwater management issues, or any negative impact on the character of the existing neighborhood. Mr. Funk responded that he does not believe so. Mr. Funk responded that the neighborhood is currently residential and commercial and that the immediate neighbors are all commercial properties. Mr. Barrett asked if there is a gate at the parking lot. Mr. Funk responded that the brewery has the responsibility for ingress and egress and the gates will close when the brewery closes.

Attorney Stirba explained that Mr. Funk will receive a written decision within 45 days of the public hearing. He explained that Council may deliberate on the topic in Executive Session if needed or they may vote on it immediately.

Motion by Mr. Holtzhafer, seconded by Mr. Anders to grant Funk Brewing Company LLC, 19 S. Sixth Street, Emmaus, PA 18049 request to operate a Craft Brewery in accordance with Z.O. Section 306 Table of Permitted Uses and the requirements of Z.O. Section 402.AAA. There were 5 ayes. Motion carried.

Mr. Pepe asked Attorney Stirba when Funk Brewery may begin operations. Attorney Stirba responded that operations may begin immediately.

November 3, 2014

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Mr. Anders to adjourn the Public Hearing. There were 5 ayes. Motion carried.

The Public Hearing concluded at 7:16 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
November 6, 2014