

## **STATEMENT OF USE**

**The following statement of use is presented to satisfy township conditional use submission requirements A., G., J., and K as outlined in the zoning code in section 27-2402 as well as present an overview of our project.** We will be happy to answer additional questions from the Board of Commissioners in addition to what is outlined here.

The 114-year old Willows barn will be adaptively reused as a mixed use building. The 1st floor, proposed back deck (zoning relief granted) and lawn area will be used as a brewery, distillery and shared taproom space. Adaptive Reuse of an Existing Barn is Highly Encouraged by township comprehensive plans and the zoning code. Specifically, section 27-1909 encourages and allows the adaptive reuse of barns and other historical structures “in any zoning district at any time.” Both multifamily dwelling units (up to 4 units) and craft brewery, distillery and winery are allowed uses under this provision.

The barn, it’s history and historic significance has been or will be featured in both past and future Lower Macungie Twp. Historical Society publications. Sarajane Williams, published author and President of the historical society, provided a memo on 2/13/21 outlining the historic characteristics of the barn and property.

The importance of preserving barns is highlighted by the sad fact that the township is losing on average (1) historic barn per year to demolition. I’ve provided a memo drafted with the help of Ann Bartholomew the namesake of the LMTHS museum documenting historic structures lost in the township over the last 10-years.

### **OVERVIEW**

The proposed distillery will produce spirits for on and off site consumption. The brewery will produce beer and similar beverages for on and off site consumption. All sales will be within stringent parameters of required state licensing laws. The distillery will have a tavern/taproom space. Service for spirits and wine will occur from a service bar adjacent to the distillery production space with seating for patrons inside. The taproom will offer additional indoor seating as well. The brewery will be separately licensed and sell “to go” beer to be consumed on premise from a service window. This arrangement is due to state licensing requirements since the taproom space cannot be dual licensed. There are similar arrangements in the Lehigh Valley.

The taproom will offer weekly entertainment within guidelines and hours outlined below as well as provide food trucks to offer patrons dinner options.

A large outdoor space will be family oriented with a deck, proposed small playground, adirondack chairs, firepits and oriented to feature and allow viewing and access to the Little Lehigh River for the enjoyment of patrons. Public access for fishing will be allowed on the site by the owners. We are committed to constructing a township required trailway through the property (as indicated on subdivision plan) when the township

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deems appropriate.

In addition to making the 114 year old barn economically viable, we are also proposing to preserve and protect the 130+ year old spring house previously located underneath the Willows restaurant. Variances were granted last month allowing us to erect an enclosure around the spring in order to protect it from the elements.

We are also proposing allowing a local farmer to set up a small farmstand underneath the front awning of the barn to sell produce grown on the property. A very small farmstand is allowed per zoning.

Raspberries, rhubarb and other crops including the possibility of hops will also be grown onsite to be incorporated into Brewery and Distillery recipes and products.

### HOURS OF OPERATION

The distillery and brewery will each be separately PLCB licensed entities and subject to all the applicable rules and regulations including hours of operation. Current state law allows the sale of brewed beverages to Monday through Saturday from 9:00 a.m. to midnight and Sundays from 9:00 a.m. to 11:00 p.m. Additionally, Lower Macungie's recently enacted (2020) commercial noise ordinance limits outdoor disturbances between the hours of 10pm and 11pm. Entities who violate this are subject to fines.

Our proposed maximum hours of operation would be Monday - Thursday 10am-9pm. Friday and Saturday 10am-11pm and Sunday 10am-10pm. Outdoor entertainment would be limited Monday thru Thursday to between 10am-9pm, Friday and Saturday between 10am-10pm and Sundays 10am-9pm. Our proposed hours are less than what is allowed by both state licensing guidelines and the township commercial noise ordinance, however we believe these hours are more compatible with the surrounding neighborhood. Depending on demand, the brewery and distillery may be closed on Mondays during the winter. This is yet to be determined.

The chart below shows proposed maximum hours for outdoor entertainment.

### MAXIMUM OUTDOOR ENTERTAINMENT HOURS

<b>Operating hours allowed under license</b>	<b>Outdoor entertainment</b>	<b>Business hours</b>	<b>Proposed maximum outdoor</b>
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	allowed under Twp. Noise Ord		entertainment hours (Seasonal)
MON-SAT 9am-midnight	SUN-SAT 10-11pm	Proposed 10am-10pm *Possibly closed Mondays in the winter.	MON-THUR 10am - no later than 9pm <i>*No outdoor programming proposed Mon-Wed.</i>
SUNDAY 9am-11pm		Proposed 10am-10pm	FRI-SAT 10am - no later than 10pm
		Proposed 10am-10pm	SUNDAY 10am- no later than 9pm

Note, the maximum proposed outdoor entertainment hours during the week are similar to what the township programs and schedules in public parks. Typically, township concerts begin at either 6pm or 7pm and go until 9pm.

At this time we do not anticipate programming activities and events on Mondays-Wednesdays. Thursdays would be programming such as Trivia Night, Music Bingo, Paint and Sip, Yoga etc. Live music would be Friday, Saturday and Sunday. With Sundays being scheduled to be family friendly in the late afternoon from 5-8pm. We would offer outdoor programming Spring-Fall within the guidelines shown above.

The taproom is proposed to have 40 seats at this time. Outdoor seating will be informal in the form of picnic tables on the deck as well as adirondack chairs in the lawn surrounding fire pits meeting the township open burning rules standards.

Food will be provided by Food Trucks scheduled on a monthly basis serving dinner potentially daily. Food trucks may also be on site for lunch as well for holidays and special events. Food trucks requiring generators will be oriented on the property so that noise is minimized for neighbors. We are working primarily with one company who offers multiple mobile concepts that does not require generators. Food sales via food trucks will end by 9pm daily.

### PRODUCTION

Per license requirements 50% of on premise sales must consist of the brewery and distilleries own products either manufactured on-site or contracted with another PA facility. The remaining 50% can be sourced from any PA sourced and manufactured wines, spirits, malt of brewed beverages. To meet demand of the 50% threshold we

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anticipate 2-3 brewing and distilling days per operation on site. Both processes are low impact. We do not anticipate any processes employed to create excess noise, odor, air pollution, smoke or safety hazards. Brewery and Distilling production operations are embedded within residential communities across the Lehigh Valley. This has become a very common use.

### **EMPLOYMENT**

We anticipate the brewery will employ a maximum of 4 employees in addition to owners. The distillery has a maximum of 8 employees in addition to owners. We do not anticipate more than 6 employees on site in addition to owners on a daily basis at any one time.

### **ACCESS**

We are proposing customers and tenants will access the driveway from the southern access point which was utilized by the former restaurant for over 50-years. The driveway was designed and built by PennDOT in the 1960's after the re-alignment of Willow Ln. The driveway was built by the state to allow access to 1955 Willow Ln. and 1985 Willow Ln.

We do not propose to use the northern driveway access at this time. Traffic is anticipated to be far less than the previous uses of the site which in 2004 included a 20+ room boarding house and up until 2007 a 170-seat restaurant which at times operated with 15+ employees during dinner shifts and more on holidays.

### **APARTMENTS**

We are proposing (2) 2-bedroom apartments on the 2nd floor of the barn. Apartment A is proposed to be 728 SF and apartment B 813 SF. Both apartments will have washer and dryer facilities, a living room and Kitchen. We anticipate market rents in the range of 1250-1400 dollars per apartment. Apartments will not be constructed until 2021.

### **SEWAGE AND WASTE**

The property will be served by public sewers. Brewing and Distilling operations do not produce any industrial wastes or byproducts that cannot be disposed of through a typical refuse service.