

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
610-863-7288**

The Wind Gap Borough Council Special Public meeting was held on Thursday, April 24, 2003 at the Wind Gap Firehouse. The meeting was called to order at 7:00 p.m. by Council President Winton Male, Jr., at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Lewis Paulhamus, Mitchell D. Mogilski, Sr., William Pysher, Peter Stinson and Kerry Gassler. Also in attendance were Mayor Kenneth George, Alyssa Lopiano-Reilly from Borough Solicitor Len Zito's office, Planning Commission Solicitor Peter Layman, Borough Engineer, Ron Madison, Borough Zoning Officer, John Blick and Borough Secretary Louise Firestone. Consultant, Tom Palmer, from Urban Research and Development Corporation was also present. Councilwoman Sandra Lockard was absent.

Winton explained that the Land Use Committee members were in attendance. The upgrading of zoning and comprehensive plan has been in the works for several years. Wind Gap, Pen Argyl and Plainfield Township are working on a joint comprehensive plan to mesh all three municipalities.

Winton outlined the agenda:

1. Solving Traffic Problems
2. Zoning for Future Growth
3. Economic Development and Improving Quality of Life for the Residents of Wind Gap
4. Public Comment
5. Consideration of Pending Ordinance by Council
6. Status of Park Restroom Construction

1. Solving Traffic Problems - Winton stated that the traffic problem in Wind Gap would not improve unless something is done. Pete Layman said that the Land Use planning commission was not specifically asked to address the by-pass and there has been no vote on the by-pass. He added that discussions have occurred with Mr. Palmer on upgrading the zoning and comprehensive plan. Tom Palmer stated that when recommendations were discussed at a land use meeting for zoning the issue of the by-pass came up as a result of the traffic studies that were previously done. Tom had previously distributed possible amendments to the comprehensive plan specifically related to the road recommending a feasibility study and a more detailed evaluation of the road to determine the design. It was understood that the land use committee did not make a specific recommendation on the road. The by-pass would extend from Broadway to Route 512 through the old railroad bed with construction commencing in the fall of this year. Currently there is a conceptual plan to extend the by-pass from Broadway to Route 33 with half an interchange and then continue down to Route 512 at the old Lanco at the light. This could possibly take all the Waste Management traffic off Lehigh Avenue and hopefully most of the commercial traffic. The Bond issue will fund the portion of the road from Broadway to Route 512 across from the landfill. No Borough tax dollars have been spent out of the General Fund for this portion of the road.

Winton and Bill meet with Bushkill Township officials to discuss the possibility of funding. A lot of people are taking part in discussions. Currently it is difficult to stop along Broadway in Wind Gap because of all the traffic.

2. Zoning for Future Growth – Winton explained that the Borough has a need to increase the number of homeownership. The Borough is out of balance in relation to the County and the surrounding

municipalities. According to the 2000 Census, renter occupied in Pen Argyl was 33% and owner occupied was 67%, Plainfield renter occupied is 14% and owner occupied 86%, Wind Gap renter occupied is 43%, owner occupied 57% and the County is 27% renter occupied and 73% owner occupied. Winton stated that the Vito development is a good thing and owner occupied housing should be encouraged. If owner occupied houses were constructed on the same property area as Colonial Springs, the revenue generated from assessed values would increase the tax income to the Borough by approximately \$110,400 based on current taxes and assessments for the Borough and the school district in a year.

Winton introduced Tom Palmer of Urban Research and Development Corporation. Urban Research was hired by the Borough and is being paid for by money donated by Waste Management. Urban Research was the firm used by the Borough in the 1970's, 1980's and 1990's to make some amendments to the ordinance and to do some grant work. They have a good understanding of the Borough. They are also involved in the regional planning program with Wind Gap, Plainfield and Pen Argyl. Tom has worked with the land use committee and has had input from Borough Council. These changes have evolved from over ten meetings that have been held over the past year. At this point, these ideas have been put together by the land use committee for review by Council. In addition to changes to the map, some definitions in the zoning ordinances have been changed. The zoning amendment includes stronger regulations on adult uses, provisions for forestry, minimum size of dwelling units, wheelchair ramps, setbacks, wildlife sanctuary, drive through services and other changes to be reviewed by Council. Clarifications have been made to special exceptions procedures and provision for fences in front yards. Blue Mountain Conservation Zoning District has been created in accordance with the adjourning Plainfield Township zoning district. Forestry activities, including, but not limited to timber harvesting, shall be a permitted by right use in all zoning districts of Wind Gap. They looked at Lehigh Avenue to see if it would make sense to expand the Community Commercial area, but there are only two or three commercial uses. Urban Research did not recommend changing the uses. At the end of Lehigh Avenue it seemed to make sense to rezone it from R8 to Industrial Commercial. The Wind Gap Ambulance Corps building would make sense to be included in the Industrial Commercial zone as opposed to residential zone. If the road would go through, Eighth Street would be changed to R8. R8 and RM both allow multi-family and much the same in density. The Community Commercial district is being suggested for the town center starting from Male Road up to the American Legion. It is much the same as is currently zoned with the inclusion of the area for the proposed CVS. This would be an area that would promote businesses along this corridor. Several studies have identified the potential for this road extension. The application submitted to the County for funding for the road was supported by all three municipalities and the school district. The recently completed (July 2002) Benesch Route 512 Truck Study states: "the county alignment proposes access from S.R. 33 to an abandoned railroad crossing. The feasibility of providing access from this location should be investigated to determine if an interchange at this location and the use of the former railroad bed for the new alignment is a viable option. Other alternatives such as providing a crossing of S. R. 33 for better access to the economic development area west of S.R. 33 should also be further investigated for benefits to the surrounding transportation network." The plan is saying that there needs to be a feasibility study of the road and interchange. The study was commissioned by the Slate Belt Chamber of Commerce and funded in part by the County. In the initial meeting with the Wind Gap Land Use Committee, Urban Development explained that this was a potential road in other studies. Comments from a public meeting held on March 24, 2003 was to increase single family homeownership as opposed to rental units. There are wet soil areas just north of the Wind Gap Plaza to see if wet areas could be reclassified from R8 to Special Conservation. That area would be very limited to development and minimum lot would be one acre lots. This area could be developed as a Park. The existing Park would be re-zoned from R12 to Special Conservation. Adult uses would be allowed as special exception in the highway interchange district.

3. Public Comment -

A. Sherry Acevedo asked if a study has been done on those parcels or if there were requirements for environmental studies on impact or habitat? Tom replied that this is zoning and no studies were required. Winton stated that no changes are being made except in the wetlands that were pointed out behind the shopping center. The Blue Mountain area is being recommended because it is consistent with other areas in the Lehigh Valley regarding the mountains. One of the concerns is clear cutting of the land. This would be consistent with what Plainfield Township is doing with Blue Mountain. Sherry questioned if the infrastructure cost to provide for new homes would more greater than not developing? It would cost more money than the Borough will take in from taxes. Winton replied that the point is if the Borough is going to have any development at all it is better to have owner occupied homes as opposed to apartments or complex of Townhomes. Tom said that tax rateables are a lot better for Industrial Commercial as opposed to residential. Sherry stated that the Borough should address situations that face the residents now. She recommended to revitalize the downtown and bring back the small mom and pop stores back into the community.

B. Kay Stampone stated that no matter what is done, more traffic would be put downtown. Tom replied that the relief route would alleviate some of the traffic. Kay replied that would not happen for years and no one is going to drive all the way around to get on the by-pass. Kay referenced the traffic study that occurred on Third and Broadway and does not believe that the study was accurate. She asked Council to question PennDOT regarding the findings.

C. George Hinton stated that the average speed in Wind Gap is 45 m.p.h. He suggested before spending any other money, we need to take care of the traffic now. He said that the police should start issue tickets, even to the residents of the Borough. George said that there are nineteen businesses on the west side of 512 from Male Road to Second Street. The reason the businesses are there is because of the affordable rent and the parking. The by-pass would be through wetlands at the railroad bed if it were feasible at all. Everyone complains about the garbage trucks, but the water trucks travel through Wind Gap all hours of the day, seven days a week.

D. Richard Kuster, 323 North Lehigh, stated that it is impossible to cross the street at the intersection to get to the PetroMart. Winton stated that the condition exists and the more police activity is needed in that area.

E. Ron DeCesare. Ron stated that an economic study was done on Lehigh (512) what wasn't that consider being included as town center. Tom replied that he did look at that possibility, but with the exception of Detzi's, gas station, and a home occupation. There are three or four commercial uses and the rest are single-family homes. Ron asked if it wouldn't serve the Borough better to include this as town center. Tom stated that Broadway is composed of different structures to be used as commercial. Ron added that if the Broadway corridor is successful, then Lehigh Avenue could be expanded to be included in the town center. Ron stated that if town center is stretched out, it could dilute the idea. Ron added that there are eleven uses that are not residential from the stop light up to the Borough line, some churches, convenience stores, vacuum shop.

F. Jeff Yob asked if the area to the west of Broadway and Center is being changed to R10? Tom answered that it will be R10.

G. Citizen asked if the traffic light at Male Road could be reversed to work with road trips because that does not happen any more. It backs traffic up through town and should be looked at soon.

H. Rick Keenhold asked if the commercial would not happen in the next five years. Ron replied that that area was looked at by the land use committee. That area of Lehigh Avenue is not community commercial now and is not being considered to be changed right now. Rick questioned why four members of Council are on the land use committee and can vote before Council has the chance to vote. Peter replied that these plans have been discussed, has not been advertised. Peter stated that it is important to get input from the community and what was voted on was to move this along to Council for their input. Rick asked about the voting of condemning property. Peter replied that the condemnation has nothing to do with zoning, zoning and the by-pass are two different issues. Council is considering leaving the area north of Eighth Street R-M.

Tom explained that it is common to re-evaluate existing ordinances every eight to ten years. Most of these changes are not significant. R-M being changed to R-8 is not considerably different with the exception of developing multi-family. Council wants to hear what the residents have to say regarding these issues. Rick argued that there is nowhere left in town to build Townhomes in a row once the zoning districts are changed. Winton stated that Council is trying to do what is best for the Borough, income and value of living. Tom asked what Rick is really asking for? Rick replied that he does not agree with 50% of the changes. You are just moving stuff so people can't build.

Tom stated that the road will have a regional impact. Bushkill and Plainfield must be involved in the process. Rick asked how long this would all take? Winton replied that the Green Knights have retained a company to complete the feasibility study and this is a long-term project. Rick replied that PennDOT does not have this on their five, seven, twelve plan. He said met with Drew Lewis and it is only in the talking stages. Plainfield Township has nothing on it either. The engineering could take over a year. Mr. Lewis told Rick that he does not believe that the state will put any money in this project. Wind Gap would have three exits and the state wouldn't allow that to happen. He asked why the Borough took 200 feet for condemnation when only 100 feet is needed? Tom replied that when a condemnation takes place, it is necessary to take enough land for the road and include room for a buffer. Rick replied that there should be a plan in place before anything is done and who is paying to buy this property. Winton said that some funding could come from either Waste Management, Green Knights. Rick added or the possibility of a TIF from the County government. Winton said that another meeting can be held to discuss the road.

I. Patricia Sutter said that she never saw in any book that as an elected official is to get money for Wind Gap. A council person is to represent the people of Wind Gap. Winton replied that the Borough has received money through grants and not all from Waste Management. People in Wind Gap are paying too much in taxes and something needs to be done.

J. Karen Skorochood. If we are paying all these engineering and legal fees, by-pass or no by-pass, too much money is being paid out in fees. The elderly cannot afford their homes, so they put them up for sale, people turn them into multi-home dwellings. We have to keep the fees in check or there will be not single family dwellings. Winton replied that not all the fees are coming out of the tax revenue of the Borough. Karen stated that the Borough should not spend money it does not have yet. Winton replied that the Borough could get money from Waste Management. If this property is developed, then the cost would be prohibitive.

K. Richard Dentith stated that the garbage trucks and water trucks should go through Belfast and not Wind Gap. Winton replied that the Borough has to look to the future. Richard asked why

the Borough had to take the lead in removing the tires that are mostly in Plainfield Township.

L. Bob Pacovich asked why the Borough is not going after Beers and letting them clean up the tires. Winton replied that the tires are coming out of Wind Gap first with the exception of the shredded tires and the tires in the hole. There is legislation that has been passed, the State has the authority to put a lien on the property based on before the tires were there and the value after it was cleaned up. Bob said that the elected Councilmen have not been around here, how can they get involved.

M. Resident from East Center Street. He stated that he is not opposed to industrial development because the tax base needs to be diversified. He does not think that the road would get rid of the traffic problem. Waste Management has enough money, they can build their own road. He complained that no one stops at stop signs or goes the speed limit. He does not feel that building lots should not go less than one-third of an acre and lose the character of the Borough.

N. Linda Perin stated that she has property that is being rezoned from R-8 to R10 and how many roads have to be put in? Winton replied that more room has to be made for single family homes. What has to be done is what is best for the residents of Wind Gap not what is best for the developers.

O. George Hinton stated that if Council is in the best interest of the community, then Council should go as a community and going to Plainfield to tell them to get the trucks out of Wind Gap. Plainfield should be building a by-pass not Wind Gap. Mitch added that he is in favor of putting the trucks back on Route 191 and the Borough will save millions of dollars.

P. Ralph Stampone stated that in the paper the County has been pulling back things from the bond issue, because Glenn Riebman has this County in bankruptcy. If that starts, what happens? Winton explained that the money has been put aside for this project. The Borough, Plainfield, Pen Argyl has a legal agreement with the County. The developer is aware of all of this.

Q. Jeff Yob stated that after hearing all the comments, Council should re-consider the way the map looks before moving to the next step. Peter stated that he is reconsidering. Tom added that the land use committee felt these things needed to be bounced off Council. Kerry suggested having another special meeting just with Council regarding this issue.

Lewis Paulhamus showed everyone pictures of the vandalism the occurred at the Park.

4. Status of Park Restroom Construction – Ron Madison reported that the restroom contractor is definitely behind schedule. The completion is May 20, 2003. Hanover just received shop drawings and returned them to the supplier with comments. The bathroom itself will take six to eight weeks to deliver. The sanitary sewer system and water system have been involved. He stated that they are upset with site conditions. The contractor has been notified of the safety concerns. The supplier has let down the contractor. Vic Zucal asked if someone from Council and/or members of the Park Board be involved with the final walk through. Ron replied that all are welcome.

Tony Borger asked if more police protection can be provided at the Park? Winton stated that the restroom structure was chosen because it is as vandal proof as possible.

Kerry suggested another meeting be specific for this zoning issue.

The meeting of April 24, 2003 adjourned at 9:35 p.m.

Louise Firestone
Borough Secretary