

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

The Council meeting of the Borough of Wind Gap on Thursday, June 12, 2003, was called to order at 7:30 p.m. by Council President Winton Male, Jr., at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Lewis Paulhamus, Sandra Lockard, Mitchell D. Mogilski, Sr., Peter Stinson, and Kerry Gassler. Also in attendance Borough Solicitor Len Zito, Mayor Kenneth George and Secretary/Treasurer Louise Firestone. Absent Councilman Bill Pysker.

The sole purpose of the meeting is to review the proposed changes to the Zoning Ordinance and the Comprehensive Plan with the possibility of approving the ordinance for advertisement.

Tom Palmer, Urban Research and Development Corporation and Borough Engineer Ron Madison were in attendance.

Kerry asked if Council has met with any surrounding municipalities to discuss the Comprehensive

Plan regarding the by-pass? Winton replied that there have been meetings with Plainfield and Bushkill and they are supportive. Bushkill offered excess money they had in a grant to Wind Gap to use as they saw fit in this project, but that was turned down by the County because the County needed the money themselves.

Lewis asked where would the Borough get the money for the by-pass and the Comprehensive Plan and why are we taking the land? Winton replied that the Borough has put in papers for condemnation to preserve the right-of-way north of the old railroad bed. The Borough is currently searching for support to pay for that, which includes using money in the Borough funds, tax money, money from Waste Management received in accordance with the agreement signed last year related to the tonnage collected at the landfill. There is no money at this point from outside sources. The by-pass has more to do with getting traffic out of downtown. Winton stated that as noted in the paper, Modern Concrete is seriously considering moving into the building on Route 512. There is a development in Portland that will create traffic. Another one is proposed between Pen Argyl and Bangor, but that is only in the discussion stages. The purpose of the meeting tonight is to discuss concerns related to the proposed Zoning Ordinance changes and the Comprehensive Plan. It needs to be reviewed every ten years and now is the time to do it.

Kerry questioned the Community Commercial being changed to Town Center, is there a specific reason for this? Tom replied that the definition of Town Center is spelled out in the handout on page 2 with specific goals and objectives that are trying to be accomplished. It would try to encourage pedestrian friendly design. Certain larger uses have been taken out of Town Center. At this point, this is a draft ordinance and Tom stated that he is looking for input from Council prior to having a public meeting. Kerry suggested extending the Town Center on

Broadway up to Alpha Road because there are seven businesses up to Alpha, which would include the ambulance building. Tom replied that Town Center goes up to Wood Street. The properties would only include those fronting on Broadway. Kerry referenced "improve the attractiveness of the Town Center, with additional street trees, other landscaping, improvements to the fronts of buildings, and attractive signs. Tom explained that the idea is to make a central location for downtown so the Borough could apply for Main Street Program grants through the DCNR and from the State. Currently the Main Street Program is geared toward towns with minimum 5,000 populations. If a Town Center is included in the Comprehensive Plan because there would a possibility to write a grant application to get street trees. Discussion regarding the residential and commercial areas from lower Broadway to upper Broadway and where the Town Center should be designated.

Kerry questioned the wording; "avoid the conversion of the older parts of Wind Gap into an unsightly faceless commercial strip dominated by wide driveways, standardized storefronts, tall signs, drive-through lanes, and large parking lots in front of buildings. If a restaurant were fronting Broadway the parking would have to be in the back. Tom stated what is trying to be avoided is having a huge parking lot in the front.

Kerry said several more studies need to be done before it is included in the Comprehensive Plan. On the zoning map, Kerry stated that if the road is being proposed in the Comprehensive Plan, it would encourage Industrial Commercial on both sides of the proposed by-pass. Ron explained that there would not be commercial frontage on the road. The by-pass road is intended to get the traffic to the Industrial Park not to necessarily develop along the by-pass. At this point, the developer has only submitted a sketch plan. This plan included four properties north of the railroad bed available for development. Winton explained that there will be a berm with a noise suppressor and development should not be fronting the road. Kerry replied that if it were Industrial Commercial, property owners would have the ability to build residential if they desired.

Kerry stated that he does not agree with the Roosevelt area being changed from R8 to R10. He would keep the R8 so there would be a chance to build buildings close to Town Center so people can walk to them. He said that R10 is more restrictive. Peter stated that he lives in an R10 and he has no problem with this change. Kerry said that on Center Street near Washington, his property is Town Center, a welding shop exists and that should be included in Town Center because that area has always been Commercial. Conclusion is that maybe because this is adjacent this area should be extended down Center Street to include this welding shop.

The next issue is the area where it is proposed to go from single/multi family density to residential parks recreational space. The area is mostly wetlands. Tom stated that all of the Comprehensive Plan showed it as a Park and open space. Kerry said that the Borough should be buying all that property because it is being rendered useless land. He agrees that it should be along the Park, but not on the west side of Broadway. Peter stated that it is not useless, just making the building stricter regarding what uses are allowable.

Mitch questioned the area of Eighth Street, which is RM, and leaving it RM and then anything south of Eighth Street would be R8. Tom said that R8 would be south as directed by previous meetings. Mitch stated that during the public meeting in April, Winton had figures showing single family dwellings would create a tax base more than \$100,000. Mitch does not believe that it is not affordable in Wind Gap. Peter responded by saying that in his neighborhood, houses are not even on the market for two days. There is a demand for single-family houses in this area. Winton expressed his concern that 44% of the housing in Wind Gap are rental properties. The entire town will become full of transient people and inviting crime. The issue is how to encourage more single-family development in the town to create an increase in the tax base of the community. The traffic issue is a major concern because you cannot safely walk across the street in the middle of town.

Kerry questioned the Blue Mountain Conservation District and the Special Conservation District as being necessary in the Borough? Tom replied that the Blue Mountain Conservation District would be in keeping with surrounding communities and preserving the mountain. The Special Conservation District would be designated by the Park in conjunction with the designated wetlands. These districts do not have to be created in accordance with the Municipal Planning Code (MPC). They would be at the discretion of the Borough. Tom said that there is a possibility to make application to the County when the SPC district exists in the Zoning Ordinance. Grant funding may be available to purchase the property after an appraisal is done and that would give the application a stronger chance at the grant level. Kerry asked if the Forestry District must exist? Tom stated that according to the MPC, Forestry must be a permitted use in every district. In a recent amendment to the MPC, the Borough must allow no impact home occupation as a permitted by right use in all residential districts. Kerry was concerned that under the Forestry, " a zoning permit shall be obtained from the Zoning Officer prior to harvesting or otherwise removing 40 or more trees with a trunk diameter of three inches or more at a height of three feet above the average ground level on any tract of land larger than two acres. Ron stated that it does not forbid the removal; it just states that you have to have a Forestry plan in place. Kerry stated that it creates more money to cut down a few trees. Tom added that to clear trees for a building site, which is not considered Forestry. Kerry asked that the two acres be changed to ten acres. Ron said that currently nothing exists in the Borough ordinance restricting tree cutting. Kerry asked for clarification. It was agreed that there should be a clearer definition for Forestry. Ron stated the reason for it is not necessarily the tree preservation, but it is the act of cutting it down. It is more about erosion and sediment control and having a plan in place.

Peter Stinson took his leave at 8:40 p.m.

Lewis questioned recreational vehicles line? Tom replied that recreation vehicles should not be used for the temporary occupancy of visitors for more than two weeks.

Are gun clubs and target ranges to be included? Tom stated that all legitimate land uses must be provided for including adult bookstores. It is allowable, but there are a lot of restrictions. If you don't provide for all uses and someone wants to do a use, and the Borough does not have it regulated, then they can file a curative amendment, and create it in the R districts.

Kerry asked telephones and vending machines. If the Borough were going to be reflecting the old times, telephones and vending machines would be in the Borough. Ron answered that the point is to get the equipment off the sidewalk so the walk is not blocked. It is specific, not allowing telephones or vending machines on a vacant lot.

Group homes must be licensed where required by any appropriate government agencies, and a copy of any such license must be delivered to the Zoning Officer prior to the initiation of the use. Group homes shall be subject to the same limitations and regulations by the Borough as the type of dwelling unit they occupy. Is this a business or not? Tom responded that it is a business.

Kerry again reiterated that it should be ten acres. Tom responded by saying that the definition is verbatim from the planning code. Some of the guidelines can be changed if Council desires. Does Wildlife Sanctuary need to be included? Tom replied that it needs to be included so as to eliminate any other interpretation.

Kerry again stated that he would suggest making the area near the proposed by-pass all Industrial Commercial. He would like Town Center to extend from the Legion north to Alpha. From Center Street north keep the R8 and not change to R10. Downtown the proposed area R8 to SPC he asked how many acres would be changed? Tom stated that it would not be rendered useless or condemned because there are allowable uses for that property.

He asked what limited industry in the Town Center, what is an example? Tom said that all business or professional offices and light manufacturing are industrial.

What is the difference between keeping animals and pets and kennel/pet grooming? Tom replied that currently there is a limit on how many pets can be in a residential district.

Kerry suggested changing the planned development to minimum 40,000 sq. ft. lot area, 125 minimum lot width (feet), 40% maximum building coverage.

Architectural Plans, if a new principal building or building addition of over 2,500 square feet of floor area is proposed within view of Broadway in the TC District, then the applicant shall submit an architectural rendering of all proposed building(s) within view of Broadway. Tom stated that this was intended for commercial buildings.

Discussion regarding the setbacks on Broadway (Town Center District). Ron explained that it is currently very difficult to develop along Broadway. The landscape and parking lot setbacks, sites where new commercial use or other non-residential uses are proposed shall be adequately landscaped. If an off-street parking area of 4 or more new parking spaces is proposed adjacent to Broadway, it shall be separated from Broadway by a planting area with a minimum width of 5 feet. Such planting area shall include a mix of low level plantings and deciduous shade trees, with sufficient clearance vertical between them to allow views into the parking area for security purposes. It would almost be a requirement to have the building sitting on the front portion of the property and have the parking in the back. Kerry stated that most business don't want to have parking in the rear. Tom stated that parking in the rear is not a requirement. Winton added that more parking is required in the Town Center.

Kerry asked if Architectural Plan has to be included. Tom said that unless the Borough has a historical district, architectural plans are not a requirement. He said why not ask a developer what the building would look like during the process. As a planning commission member, they are always asking what the building will look like, so why not ask for that to be included in the plans. It could be limited to only commercial if Council wishes. Kerry asked for it

to be taken out, but Winton stated that it should remain in the ordinance.

Kerry asked if general servicing or repair shops, such as watch, clock, radio, television and other home appliance repair shops could go in the Town Center. These would be small businesses that should be included in the Town Center District. These change to be made.

A gentleman from the audience stated that the majority here are concerned with Lehigh Avenue. Tom explained that during the town meeting, Mr. DeCesare mentioned that Lehigh Avenue should extend the Town Center District from Lehigh to the Borough line by Detzi's Tavern. Tom said that this area has been looked at several times by the Land Use Committee. Tom's opinion is that this area is pretty solid residential. The Land Use Committee passed along to Council that this area should not be included in the Town Center. The gentleman asked what the projected growth of Wind Gap would be in the next ten years? Tom replied that the Lehigh Valley Planning Commission forecast, they are showing zero population growth. Why extend the commercial area on Lehigh when there are businesses going out of business? He formerly lived in Wind Gap for fifty years at 175 Lehigh Avenue. He served on the commission as president twice and they did what was good for the Borough residents not for individuals. He suggested not changing the town, but there is no projected growth, so leave it as it is right now. He suggested purchasing a PA System because of the inability to hear what is being discussed.

Richard Dentith asked if his property would be rezoned. Tom replied that it is R12 and will remain.

Mike Flood stated that some young families have moved onto Lehigh Avenue and they are putting money into the house to refurbish them. He asked Council not to consider making this area a commercial area because it is all residential homes in good repair.

A resident stated that if a change is made, Council would be splitting the R10. He suggested leaving the plan as is and not changing Lehigh Avenue to commercial.

Joan Curcio, Lehigh Avenue resident. She stated that Mr. Gassler has made some good points, but Council has to put everything in writing. She does not believe that the Town Center should be extended to Lehigh Avenue. She stated that she does not park on Broadway because of the safety factor. She has done a study on her own counting trucks that pass her house. They start at 4:00 a.m. and a truck passes every minute and a half. If other Boroughs like Bangor can appeal to PennDOT to reduce their speed limit to 25 m.p.h. Second and Third Street residents cannot pull out on Broadway.

Sherry Acevedo stated that people shortcut through Center and Lehigh to cut the Broadway traffic light. She stated that the police should enforce the people who speed through the residential areas. To make it a more livable, walkable community the traffic must be regulated. She suggested regulating the light at Broadway and Male Road.

Mike Gassler suggested looking at another road going south like Washington Street or Lehigh Avenue connecting down to Male Road. He stated that you could build a road in wetlands. Ron said that it is not that easy building through wetlands.

Sherry commented on the zoning that the initial plans are a step in the right direction. She asked if the residents could look at these plans. Zoning ordinances are beneficial because they put restrictions on the building in the community. The wetlands need to be preserved. If development has to be done, single-family homes should be constructed. It should be counterbalanced with Local, State and Federal guidelines for these things that are happening. Winton replied that once Council approves the draft form, everyone can have access to it.

Copies will be available to the public.

Bob Matlock suggested that since Council is reviewing the zoning ordinance it would be a good time to include the parking of tractor and/or tractor/trailers in residential areas. Winton assured Bob that it would be discussed by Council.

Richard Dentith asked because these are big issues, should all residents be involved in the decision? Winton replied that the by-pass would be for the entire area. Council would make the decision to participate with input from Borough residents.

Robert Osborne, representing Manor Haven Corporation, will changes be made to the amendments before the public meeting will occur? Winton replied that this is a draft. Len clarified by saying that there will be further meetings because at this point there is not a consensus. Council has not voted to being the planning process. Robert asked if additional studies associated with the traffic plans identified for various traffic changes, specifically the by-pass. Winton identified that the Green Knights funded a study by a TIF study. It is a feasibility study to determine if is would be feasible to develop a TIF (Tax Increment Financing) for the project, where the rateables would drive the development. Studies are ongoing, but the goals of the study are being implemented in the plan. The Planning Commission Solicitor recommended that this be treated as a comprehensive plan change and therefore the provisions in section 302 of the MPC would be in effect. The advertising for Borough meetings is generally conducted through the Easton Express-Times. This would be an item for the workshop agenda.

Kerry asked about the Highway Interchange District with a 50' maximum building height. The Fire Company only has the ability to extinguish a fire at 35'. It has been changed in Town Center because of the height. Suggestion to change the Highway Interchange District to 35' height restrictions also. If a hotel is built there, then the problem of height would exist. Tom suggested changing that in the districts within the Borough.

Kerry asked if in the SPC district, the acre lots could actually be changed to ½ acre. It is discretionary and up to Council. Ron stated that the idea is to preserve the land. Tom suggested keeping a one acre density, but allow clustering. The idea is to keep open space. Maybe on a ten acre lot, cluster the building to a central location. Winton stated that he feels it is fine as it is. George Hinton asked if the school district has been included in the thought process. Len stated that changes to the Comprehensive Plan must be noticed to the School District as well as all neighboring municipalities.

Council has the ability to regulate and choose to advertise to enact this ordinance at this point. It was decided that this issue would be discussed at the workshop meeting with the inclusion of topics discussed tonight.

Meeting of June 12, 2003 adjourned at 10:00 p.m.

Louise Firestone, Secretary / Treasurer