

**WIND GAP PLANNING COMMISSION
29 MECHANIC STREET
WIND GAP, PA 18091**

MEETING: Thursday, February 6, 2003

MEMBERS: Sandra Lockard
Andrew Perrine
Todd Beil
Joan Valley

OFFICIALS: Peter Layman, Esq. Solicitor
Ronald Madison, Borough Engineer

Called the meeting at 7:30 p.m.

Motion by Todd Beil to approve the minutes from January, Andrew Perrine seconded the motion all in favor.

POSH PROPERTIES---CVS / Proposed Dunkin Donuts Land Development re-zoning of properties.

Mr. Jim Preston is here to represent Posh Properties with a new aspect of the plan. Mr. Preston states it would be better to rezone the properties, right now there is a split zone, there is a C district, ISC district and a R-12 district. We would like to consolidate the entire parcel under the Commercial and append it to the existing Commercial and that will allow Posh to complete the project. Posh Properties submitted a petition for rezoning. Borough Council suggested to bring this to the Planning Commission.

Mr. Layman explains rezoning, and he handed out a section of the zoning ordinance. The petition is asking Council to rezone, with the recommendation of the Planning Commission.

Todd Beil asked if this plan has been sent to Zoning. Mr. Preston answered that instead of a variance, Borough Council suggested this proceed to a Petition for rezoning as opposed to a variance request.

Jeff Ott explains the revised plans. There is a C Zone, a I-SC zone and a R-12 zone.

Mr. Beil asks if paper streets are ordained or not, Mr. Ott does not have an answer yet. Another question is if another traffic study was performed. Mr. Ott said yes and a draft went to PennDot and they are reviewing it now and will have an answer any day now. Council asked what the benefits to the community were. Approximate assessment for the new CVS and Dunkin Donuts is approximately \$1,100,000. Applying a blended Lehigh Valley total tax assessment of 39.5 mills, the resulting total real estate tax would be \$43,450. For a 13, 103 Square Foot CVS will have 28 employees and the Dunkin Donuts has a staff of approximately 12 employees. The allowable uses under the Community Commercial district are generally less demanding financially on the municipality and the school district. If rezoning occurs then the new development will result in a wider roadway section for Broadway. The road will be widened to a minimum of 18 feet and a maximum of 25 feet. The property will be landscaped and there will be two driveways a right turn in and a right turn out. The existing traffic signal heads will be replaced with four new signal heads and the apartment house will be demolished which will remove a non-conforming building and will improve the visibility at the intersection of Broadway and Male Street.

The project site is located in a 30/90% release rate district of the Bushkill Creek's implemented Act 167 Stormwater Management Plan. The site will be professionally landscaped and will include the installation of 9 street trees, which will improve the appearance of the intersection and street frontage.

Mr. Layman asks why to change I-SC to C instead of from C to I-SC? Mr. Ott said the use would better fit the C zone.

Mr. Layman said on that issue and the Zoning Officer would agree the use would be permitted in the I-SC the I-SC district does allow some industrial uses that the C does not allow.

Mr. Ott said the proposal is to push the boundary of the C and push it South, to expand the C. It will be consistent with the property boundary and the zoning ordinance.

The petition that Council will have to act upon is the I-SC where the car lot is and the rear part, which is now residential and belongs to Mr. Cortazzo. The Petition has to be forwarded to the Lehigh Valley Planning Commission for comment. The extension for planning is granted until

April 30, 2003.

Motion to recommend the plan for the rezoning go to Council by Sandra Lockard and seconded by Andrew Perrine.

Roll call 4-0, in favor to re-zone.

Cortazzo-Subdivision

This is the second Plan revision. Mr. Roger McClung, project manager for East Penn Engineering, represents Mr. Raymond Cortazzo. Mr. Cortazzo revised the plan to accommodate CVS. The entire track is 14 acres; it involves the extension of First Street and the opening up of a vacant Street Walnut. Lot 13 on the plan will be part of CVS. And part of the preliminary process was allowing for future extension of First Street. The cul-de-sac has a maximum of 600 feet. Mr. Layman said the property in question is a stub street is not going to be improved as a public street. Mr. McClung will speak to Mr. Cortazzo. Mr. Layman asks if the drainage easement shown will be the detention pond for this subdivision. Mr. McClung said that is where the new detention pond will be. Mr. Madison said the sketch plan of the remaining land is a requirement and the applicant will have to ask for a waiver. The shape the way it is graded if they extend Lehigh Avenue as a right of way, and connect all the way down to Eight Street the grading would be within that right. Mr. McClung said the road can go anywhere on Mr. Cortazzo property that he wishes. There is a natural buffer that is going to be between two zoning districts and at this time there is no need to go and tear it all up. The discussion of Hanover Engineering letter dated January 30, 2003.

Item 1 Cul-de-sac and providing for the future. Showing the grading plan and the profile view of the road.

Mr. McClung said to do the physical construction; we would have to rip most of the cul-de-sac out. My intent was and the intent of the Planning Commission was to make it physically impossible to have a bicycle to come through there. Todd Beil asked why wasn't it allowed to go out to First Street? Hanover engineering recommended that both would be connected, in Boroughs having a grid street system is preferable. Mr. Layman said Mr. Cortazzo does not own parts of the property. The second part of Item 1 is that the developer provides a sketch plan for the future possible development of lot 14, the residual tract of land.

Item 2 Zoning Ordinance Comments

a) Single-family detached dwellings are permitted by right uses in the R-12 and R-8 districts.

- b) The minimum lot area, width and yard setbacks, as well as, the maximum building and impervious cover requirements are generally met. The only setback problem is with the existing house.
- c) The street right-of-ways should be dedicated to the Borough.
- d) The steep slopes (between 15% and 25%) on lots 11 and 12 must be identified.
- e) The driveway on Lot 6 exceeds the maximum 12% slope. It should be demonstrated that the slope would not exceed 12%. If the cul-de-sac is regarded per the above mentioned, this comment may not be applicable.

Item 3 Subdivision and Land Development Ordinance Comments.

- 1) A copy of the Lehigh Valley Planning Commission Land Development review, dated October 31, 2002, indicates that this development does not conflict with the LVPC plans or policies.
- 2) All existing man-made features within 400 feet of the subdivision boundary must be shown. The applicant requested a waiver from this requirement beyond what is currently provided. Mr. Layman said the Planning Commission might partially grant the waiver giving relief of the 400 feet but required that the applicant show the improvements on the two lots along First Street along Broadway and the two lots and the area on the extension along Chestnut Street and the area along the swale. However, it is appropriate if the Planning Commission is favorably inclined. Sandra Lockard sees no problem with giving Mr. Cortazzo the waiver on the 400 feet. Todd Beil is in favor.
- 3) A statement of intended use for the non-residential parcels lot 13 and lot 14 must be provided.
- 4) Details for the connection of the proposed sanitary sewer and water lines should be provided.
- 5) A sketch plan of any proposed roads for the remaining lands must be provided.
- 6) The erosion and sedimentation control plan must be approved, by the Northampton County Conservation District.
- 7) The utility service plan must be approved.
- 8) An agreement to serve statement from the Water Company have not yet approved.
- 9) Lot closures have been performed. Lot 5 does not close within the allowable error. Also, Lot 14 should be proposed as a temporary flag lot, not approved for building with frontage along East First Street.
- 10) The sidewalks and public utilities, gas, electric, telephone and cable must be indicated along with lighting standards.
- 11) A subdivision improvements agreement based upon an engineering cost estimate must be prepared prior to recording the plans.
- 12) All required guarantees and escrows must be in place.
- 13) Open space or park area, or fees in lieu of land are required for all subdivisions in accordance

with this section.

- 14) The proposed street system is designed to connect to the existing First Street to the east only, and proposes to connect to Second Street.
- 15) The proposed Cartway is less than the minimum required (36 feet required, 34 feet provided) applicant is requesting a waiver for both First Street and North Chestnut Street.
- 16) The curb radius is to equal the distance from the face of the curb to the right-of-way lines for safety reasons Hanover recommend a waiver to allow the curbs with the larger radii as shown.
- 17) The residential lots shall front on a public street.
- 18) A Covenant has been included on the Record Plan restricting the driveway locations on lots 2, 3, 8, and 9 to be a minimum of fifty feet from the street intersection.
- 19) This previous comment regarding time of concentration calculations has generally been addressed.
- 20) No stormwater runoff shall be diverted to create the need for additional drainage structures on private properties.
- 21) The soil erosion and sedimentation control plan must be review and approved by the Northampton county conservation district.
- 22) Street trees should also be provided along the right-of-way frontage of existing homes.
- 23) The proposed fire hydrant shown on the plan should be shown on the profile on sheet 4 of 6. A second hydrant should be placed at the end of the cul-de-sac. Each hydrant should be 300-foot radius from a house, and should not be dead center, but off to the side.
- 24) A copy of the approval document from the Water Company approving the proposed subdivision water facilities must be provided.
- 25) The proposed street cross section meets the minimum construction standards of the ordinance. Hanover recommends a more standard and longer lasting cross section. Applicant should revise the drawing's sub base warring course, but as of now, it meets the ordinance.
- 26) Street lights may be required by Borough Council. Hanover recommends that street lights be provided at the proposed intersection and at the end of the cul-de-sac. The applicant has requested a waiver from this requirement.
- 27) Concrete monuments are required at the beginning and end of curves. Some curves should be identified with concrete monuments.
- 28) Borough Council shall determine if sidewalks are required. The applicant has requested a waiver from this requirement.

General Stormwater Comments

Mr. McClung has a question on number three. Number two the stormwater collection system is 25 years and Hanover is asking for consideration for 100 years. Mr. Madison said the detention basin is designed for

Mr. McClung will call Hanover Engineering regarding number three in the general stormwater comments.

Number five the proposed stormwater detention basin should be moved or modified to eliminate any proposed grading within the future right-of-way of North Chestnut Street.

Number six; the proposed flared end sections should have a concrete frost-wall (36") below grade.

Number seven; the basin outlet pipe should be reinforced concrete and have a designed anti-seep collar. Mr. McClung has a detail and will put it on the plans.

Number eight; all storm sewers that cross a roadway should be reinforced concrete pipe.

Mr. McClung recommends to table the plan. Mr. Layman states Cortazzo has an extension until April 28, 2003. Mr. McClung would like to have a recommendation on what to do on the waivers.

Andrew Perrine wants to recommend the thickness on the blacktop and the extra curbing, instead of the sidewalks. Planning Commission recommended that there will be no sidewalks and in turn the Planning Commission would like to see the curbing planned as per the recommendations proposed by Hanover Engineering, on both sides of the street. Planning is willing to give a waiver on the 400 feet stated in paragraph two and the curb radius. The lighting has been resolved, one at the intersection and one at the end of the cul-de-sac off from the center.

Walden III proposed office

Mr. Beil left the table and will not vote but can comment as a resident. The plan has been submitted as a sketch plan. The Zoning Officer felt this is a Land Development. Mr. Beil wants to know if the problems previously with the last addition were sewer problems? The problems have been resolved. Mr. Beil wants to know if the proposed office is going to become a two-bedroom apartment down the road. At that time Mr. Cassidy will have to come to the Zoning Officer. Mr. Beil showed some pictures of Mr. Cassidy's rental property that borders Mrs. Phyllis Beil's property. Mr. McClung will make Mr. Cassidy aware of the problem.

Mr. Perrine asked who would be using the office. Mr. McClung said the staff for the personal care. Mr. Layman said if it were rented out, that would be a zoning issue. Mr. Beil asked why put another two-bedroom unit? Mr. Layman states that Mr. Cassidy is allowed to move his office. The walkway that is built without a permit is not shown on the plan. Mr. McClung will come back with an amendment to show the office.

Motion to table by Sandra Lockard and Todd Beil seconded the motion. All in favor.

On motion, by Sandra Lockard to adjourn the meeting, seconded by Todd Beil, meeting adjourned at 9:50 pm

Millie Del Negro
Planning Recording Secretary

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