

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

ZONING HEARING BOARD

IN ATTENDANCE: Members: Mark Sharp, Andrew Biondo III, Anthony Curcio,
Kelly Ronalds
Professionals: John Molnar, Solicitor
John E. Blick, Zoning Officer
Millie Del Negro, Secretary

The Zoning Hearing Board meeting of January 8, 2003, was called to order at 7:30 p.m.

Reorganization

Mark Sharp nominates Andrew Biondo III for Chairman; Anthony Curcio seconded the nomination. All in favor.

Mark Sharp nominates Anthony Curcio for the Vice Chairman; Andrew Biondo III seconded the nomination. All in favor.

**Posh Properties
Case No. 1-2003**

All witnesses are sworn in.

John E. Blick presents the Zoning Hearing Board exhibit one: Legal notice for the hearing, letter from the applicant's attorney Mr. James Preston, amending the original application for this hearing, with an additional six requests for variances dimensional requirements and other requirements of the zoning code, application of the applicant, a list of properties involved, three pages of the names and addresses of the property owners of which the properties involved, a site plan showing the existing conditions and eight pages of the Northampton County property information and tax maps.

Mr. Len Zito attorney examines the application and is here to represent the Borough.

Mr. Molnar states that this is a continued hearing; the prior hearing was continued from December 2002, at the request of the applicant, and agreed to an extension of the Municipality Planning Code. We are here tonight on the amended application.

Mr. Zito would like to request the Board to ask the applicant, to present an offer of proof of the change in the use from a residential to a commercial use. And what evidence is going to be offered.

Mr. Molnar asks Mr. Preston to respond. Mr. Preston does not object. Mr. Molnar states the primary variance tonight, is for a use variance, opposed to other variances. The applicant has to show the proposed use, they are entitled to a variance, that they cannot use the lands that they requested to use.

Mr. Zito states the position of the Borough. Mr. Preston and Mr. Zito speak in private.

Mr. Preston came back for session with Mr. Zito and his client and would like to table the application this evening and perhaps pursue another option with this piece of property, and it may be advisable to seek re-zoning, instead of a use variance.

Mr. Molnar states that the applicant will waive the Municipal Planning Codes requirements and Mr. Preston will send a letter stating such.

Mr. Molnar states there is not a problem continuing the matter. There should be an ending date and a time period.

Mr. Molnar states that the applicant would have a 180-day period to request another hearing, and has to give the Hearing Board a 60-day notice in regard to scheduling the hearing, and the Board (upon receiving written notice that the applicant of the request for another hearing), will schedule another hearing within a 60-day period.

Another point of the stipulation would be the applicant bears the cost of the advertising for the re-scheduled hearing, and the third, the applicant would waive all the Municipal Planning Code requirements concerning, conducting and rendering a decision within the required time limits.

Mr. Mark Sharp makes a motion to vote on it, and Anthony Curcio seconded the motion. All in favor. Motion carries.

Mr. Curcio makes a motion to adjourn and Mr. Sharp seconded the motion. All in favor.

Meeting was adjourned at 7:50.

Millie Del Negro
Zoning Secretary

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