



# **BOROUGH OF WIND GAP**

## **ZONING DEPARTMENT**

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## **ZONING HEARING BOARD**

**IN ATTENDANCE:** Members: Mark Sharp, Deborah Roseberry  
Sam Nittle and Kelly Ronalds  
Professionals: John Molnar, Solicitor  
John E. Blick, Zoning Officer  
Mildred Del Negro, Zoning Secretary / SALDO Officer

### **John Page Case No. 8-2004**

Mark Sharp at 7:30 p.m called the Zoning Hearing Board meeting of October 6, 2004, to order. This is a special exception use for a day care at 201 North Lehigh Avenue.

All witnesses are sworn in. We refer to Section 306 C.3 and 313 C. 32 Zoning Officers exhibit number one is the legal notice, a copy of the application, site plan, two pages of residents notified within 200 feet, four pages of the Northampton County tax records.

Mr. Page will defer to Ronald. Ronald DeCesare owns this property with his brother Kenneth C. who lives in Florida. This building presently gives food to the needy. Mr. Page defers to Mr. DeCesare. Mr. DeCesare and his brother Kenneth own this property. Tom Bavaria is here tonight and he started the ministry. Mr. DeCesare believes this complies with all of Wind Gap's needs. When this gets approved, Mr. page needs to apply to the state. Hopefully we can improve the building. Mr. DeCesare said if he can't keep the two uses, the ministry would have to find another building to use. John Page is a former teacher.

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- a. This is not going to be an accessory use.
- b. The play areas are much further than 25 feet.
- c. The state will not accept an application unless he complies with all requirements.
- d. The area will be fenced in.
- e. The school will not be opened that late.
- f. This does not apply.
- g. This building will be fixed up.
- h. The ministry is a permitted use. This said this would go to the two uses.

Mr. Blick said this is better to advertise than not to mention it at all. Mr. Blick said that Wind Gap has opted in the Uniform Construction Code. The application will need to get approval from the Building Code Official.

The school will be opened up Monday thru Friday 6 am to 7 pm. Mr. Page said he is a teacher and his daughter will be working there and there will be about 12 part time workers. And will be there at different times of the day. He will like his workers to be highly trained and he anticipates there will be about 40 or 50 students and they will be different ages, from infancy to 15 years of age.

There is off street parking and a parking lot. There are four handicap spaces and 21 spaces total of 24. The play area is fenced in with three different age groups with ball playing, sand boxes and swings.

Mark asked about the separation from the kids to the needy. Ron stated there is one latched board. The ministry is opened from 9 am to 10:30 am two Saturdays a month. Every Thursday the food comes in. Deborah asked if hot lunches would be served. Mr. Page said yes. Ron DeCesare will be on record as owner of the building. Sam asked about the maintenance. Mr. Page said it would be well maintained.

Dr. Henry Segatti, 175 North Lehigh Avenue asked if the State requires certification and Mr. Page said yes. The employees will have a background check. Dr. Segatti asked if there is a certain amount of children per room and Mr. Page stated yes, the plans would be drawn up and submitted to the State. Dr Segatti asked about the building being condemned. Mr. Blick is not aware of the building being condemned and the borough does not have a property maintenance code. Dr. Segatti said the building might fall down. Mr. Blick said if you can condemn property, then the ministry would not be there, no one would be allowed in the building. Mr. Bavaria said he checks the building out often and he is very active with the ministry and does not see anything and does not know much about the building and he does not see it collapsing the building has been there since 1923. Ron said it is structurally sound it needs a lot of cosmetics. Dr. Segatti said the ministry is doing a great job. The State should have a lot of requirements. Mr. Page has to meet all the specifications of the State before he can open the doors.

Mr. Michael Flood, 184 Lehigh Avenue asked about the school busses. Ron said they are stopping there now. Mr. Flood asked about the unloading and loading. Mr. Flood said there would be more buses stopping there. Ron said there should not be a problem with the buses. Dr. Segatti would like a guard on that corner and ask the parents to pull into the parking lot. Is there an entrance for handicap children? Mr. Flood said you will need to check the air exchange in the building. If this does not work out, does granting the variance for this day care, can we go ahead not and grant for another non-conforming use? Mr. Molnar said the he has to meet these requirements. If another day care comes in, it is ok. But if another use is going in, they need to go before the board.

Maria Kukla, 210 North Lehigh Avenue asked about the supervisors with the children and when the buses come, will there be someone there to cross the children? Mr. Page said yes there would be. Maria said there are going to be snow days also you need bathrooms. Dr. Segatti asked about noise. Mr. Blick said the applicant already testified that the school would not go on past 7 p.m.

*The Zoning Board goes into deliberation.*

Mark makes a motion to grant the special exception and grant the variance with the conditions of meeting all Local, State and Federal requirements and the review of the planning commission. Kelly seconded the motion. All in favor.

Kelly made a motion to adjourn the meeting. Deborah seconded the motion. All in favor.

Meeting was adjourned at 8:40 PM.

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Mildred Del Negro  
Zoning Secretary / SALDO Officer

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