

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
January 2, 2020**

I/II. Opening/Pledge

The meeting was called to order and opened at 7:00 p.m. by Borough Planning Commissioner Chair Linda Paynter and the Pledge of Allegiance was recited.

III. Roll Call

Planning Commissioner Chair Linda Paynter and Commissioners David Manzo, George Hinton and Michael McNamara were present. Also present was the Borough and Planning Commission Solicitor, Ronold J. Karasek, Esquire and Borough EIT, Brian Pysher.

IV. Approval of Minutes

Approval of the Planning Commission Meeting Minutes of September 5, 2019 were approved on motion made by D. Manzo and duly seconded by M. McNamara. The motion was unanimously carried on a vote 3-0. (Mr. Hinton arrived after the approval vote so that why the vote was 3-0).

V. Public Comment-None.

VI. Plans to be Discussed.

- A. Applicant: J. G. Petrucci Company
Plan: JERC Partners, II, L.L.C.
Location: Male Road and Route 33 with the Project situate in both Wind Gap Borough and Plainfield Township
Project: 333,125 sq. ft. Warehouse with Tractor Trailer and Auto Parking
Zoning District: I – SC (Industrial & Shopping Center)

Present on behalf of the Applicant was Richards Roberts of Joseph Zator Law Offices; Dominick C. Baker of J.G. Petrucci Co., Inc.; Joseph F. Correia, Executive Vice-President of Petrucci Co., Inc., Matthew Chartrand, PE of Bohler Engineering and John R. Wichner, PE, PTOE, Applicant's Traffic Engineer. There were also other individuals present on behalf of the Applicant whose names were not recorded

Minor Subdivision Plan

The Borough Engineer Review Letter of December 30, 2019 was discussed. The two significant zoning issues discussed were the sight distance and the Giroux Access Easement.

A Clear Sight Triangle is to be added to the Plan with the sight distances.

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As to an acceptable or desirable sight distance, it is not clear whether the existing entrance/exit has adequate sight distance. It also appeared that a temporary access easement will be necessary to facilitate ingress/egress for the Paul Giroux, Inc. large construction/demolition vehicles once the subdivision is completed. It did not appear to the Borough Engineer that these large Giroux vehicles would be able to utilize the remaining entrance/exit due to inadequate turning radii and limited width. It was agreed that the use of the existing driveway will be as a temporary access easement which shall address these entrance/exit issues to the remaining parcel and then an adequate permanent access easement will be constructed.

As to General Comment Number 4 i.e. Plan approval is required by Plainfield Township, the Applicants' Representatives stated that the Plainfield Township Solicitor stated that there was no need for Plainfield to approve the plan as no development was occurring in Plainfield. The Borough Solicitor stated that he would like that representation to be in writing by the Plainfield Township Manager or Township Solicitor.

The Applicant's Engineer stated that the Applicant "will comply with everything else" in the Review Letter.

On motion by D. Manzo and seconded by M. McNamara and on vote of 4-0, conditional preliminary/final plan approval was recommended based upon compliance with the Borough Engineer Review Letter of December 30, 2019.

Land Development Plan

The Borough Engineer Review Letter of December 29, 2019 was discussed.

SALDO Comment No. 16 as to Clear Sight Triangles was discussed. While the Applicant states that required sight distance will be achieved once the Green knight Economic Development Corp (GKEDC) completes its required widening of its side of Male Road, the Borough Engineer was concerned with what will happen if the GKEDC does not complete its project. There also needs to be a Maintenance Plan to keep down the surrounding vegetation. This all needs to be included in the Quantity and Cost Estimate.

SALDO Comment Nos. 22 and 44 were discussed i.e. sanitary sewage disposal and securities posted for utility extensions. Again the question was asked as to what happens if GKEDC does not complete its project. The Commission recommends that a Plan Note be added to the plan to the effect that if the GKEDC decides not to move forward with its project such that this would adversely affect the JERC project...since JERC will not have adequate sanitary sewage disposal without the GKEDC pumping station... the Wind Gap (Sewer) Authority should call in the performance bond to

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complete the sanitary sewage systems; and, if not, JERC will need to incur the expense to construct the sanitary sewage pumping station.

SALDO Comment No. 27 deals with the Emergency Access requirements. It was noted that the prior Silver Line access driveway was removed by PENNDOT (when the Route 33 exchange was revised); and, this access no longer exists. Therefore, the Applicant needs to negotiate with PENNDOT to re-establish access or provide a new emergency access. If a new access by or through a third party is obtained, all required permits will need to be secured and that third party must agree with JERC to establish such emergency access. This access will require a perpetual maintenance agreement.

SALDO Comment No. 31 deals with water sheeting and storm water issues to be addressed.

General Comment No. 5 was amended to read that the Wind Gap (Sewer) Authority would be required to approve the Plan prior to final plan "recording"...not final plan "approval".

The Applicant's Engineer stated that the Applicant "will comply with everything else in the Review Letter".

On motion by D. Manzo and seconded by L. Paynter and on vote of 4-0, conditional preliminary/final plan approval was recommended based upon (1) compliance with the Borough Engineer Review Letter of December 29, 2019 and (2) the condition that if the GKEDC project does not proceed or otherwise stalls, JERC will complete and extend all utilities including water, gas and sanitary sewer to its project site and with the understanding that JERC would be given the benefit of any proceeds from any performance security that was provided by the GKEDC if such security is called in.

This plan will be placed for official action on the mid-month meeting of Borough Council to be held on Tuesday, January 21, 2020.

VII. Old Business: None

VIII. New Business: None

IX. Referral from ZHB: None

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- X. Adjournment –8:15 p.m. on a motion made by D. Manzo and duly seconded by M. McNamara and carried with unanimous vote of 4-0.

Respectfully submitted,

KARASEK LAW OFFICES, LLC

By: 

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MEETING AGENDA -February 6, 2020

- I. CALL TO ORDER @ 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - January 2, 2020 MEETING
- V. PUBLIC COMMENT ON ANY PLANS OR MATTERS TO BE DISCUSSED
- VI. PLANS TO BE DISCUSSED
 - A. Applicant: BioSpectra/RX Holdings
Plan: Storm Sewer Pipe Replacement
Address: 519 North Broadway
01-18-2020: Application for Subdivision and/or Land Development Plan-Pipe Replacement
01-18-2020: Filing of Pipe Replacement Plan prepared by Boucher & James, Inc. dated 01-14-2020 (2 sheets)
01-18-2020: Aerial Photo of Property
01-18-2020: Application for SALDO Waiver-Entire SALDO
01-18-2020: Proposal from E. F. Possinger & Sons, Inc. for Pipe Replacement Costs
02-05-2020: Borough Engineer Review Letter on SALDO Waiver Request
Time to Act on Plan: If accepted for Review at Planning Commission Meeting of February 6, 2020, Time to Act will expire on May 6, 2020
- VIII. OLD BUSINESS-None
- IX. NEW BUSINESS-None
- X. REFERRALS FROM ZHB - None
- XI. ADJOURNMENT