

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
June 2, 2022**

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

Commissioners Linda Paynter, David Manzo, George Hinton and Michael McNamara were present. Also present were the Borough Planning Administrative Assistant D. Harbison, Borough and Planning Commission Solicitor, Ronold J. Karasek, Esquire and the Borough EIT, Brian Pysher. This meeting was held at the Borough Municipal Building, 545 East West Street, Wind Gap, PA 18091.

IV. Approval of Minutes

The Planning Commission Meeting Minutes of April 7, 2022 were approved on motion made by G. Hinton, duly seconded by D. Manzo and carried on a unanimous vote 4-0.

V. Public Comment-None.

VI. Plans to be Discussed

- A. **Applicant:** CRG Services Management, LLC
Owners: Naper Development, Inc. et al.
Type: Industrial Distribution Warehouse
Address: 905 Pennsylvania Avenue (Tax Parcels: E8-4-13A et al.)
District: Zoning District: IC (Industrial and Heavy Commercial)

Present on behalf of the Applicant were Matthew Chartrand, P.E. (the Applicant's Engineer), Robert Hoffman (the Applicant's Traffic Engineer) and Fred Ferraro (a Representative of CRG Services Management, LLC).

The overall project is the construction of industrial warehouses in Plainfield Township where a portion of an access road is to be constructed in Wind Gap. Improvements in the Borough will consist of inter alia 3,600 feet of various size stormwater pipes, stormwater inlets, manholes and end walls, stormwater pipes, water main, retaining walls, 1950 lineal feet of a forty foot (40') wide road and right-of-way grading.

The Borough EIT (B. Pysher) suggested that the Commission only accept the Plan for review inasmuch as his office had not yet completed a review of the project. Mr. Pysher stated that the issues are who is going to take over the access road and whether the intersection of the access road with North Broadway should be signalized.

Mr. Chartrand stated that the road was going to remain a private road with an easement for use by the public so there would be no need for the Borough to take over the road.

By way of background, the Overall Site Plan was shown on the Meeting Room Video Screen reflecting that the existing RPM Metals is located on Proposed Lot No. 1. No development is proposed for Lot No. 1 and RPM Metals will no longer remain on Lot No. 1. Lot No. 2 is the main lot to be developed and there is a Lot No. 3 to the east side of Lot No. 2. On the opposite (north) side of these lots is an area that is highly wooded, forest-like and rather steep.

There also will be an access road from PA Route 512/Pennsylvania Avenue (in Plainfield Township) in addition to the access road leading to/from North Broadway (in the Borough of Wind Gap). It is expected that the access road to North Broadway will be the main access to the site inasmuch as North Broadway connects with SR Route 33 with both on/off exits.

As to stormwater issues, Mr. Chartrand states that there will be sizable stormwater basins on the warehouse/building site with discharge in Plainfield Township. There will be a stormwater level spreader located in the Borough but the discharge rate/volume will be mostly in Plainfield Township. The site will be serviced by public water and public sanitary sewer. It is expected that the sanitary sewer extension would come from the Pen Argyl Sewer Authority.

Commissioner Hinton stated that his "biggest hiccup" is traffic. He stated that he would like to see a traffic light at the intersection of the access road with North Broadway; and, the Developer supports this. Further, Mr. Chartrand stated that the Owner/Developer also owns and/or controls the corner of North Broadway and Alpha Road (the site of the former Cramer's) so that may assist in addressing the traffic issues with the access road and Constitution Avenue also leading to North Broadway and in close proximity to the access road.

A question was asked as to whether or not the intersection of North Broadway (which is a PennDOT Road) and the proposed access road would warrant a traffic signal? A concern was raised that if a warrant could not be established, would PennDOT still allow a light to be installed?

In the meantime, Mr. Chartrand emphasized that (as per the Site Plan) there is a shift in the alignment of the access road leading to North Broadway increasing the turning radius to assist large vehicles to remain in the North Broadway (northbound lane) when making a right turn to travel north.

There was also concern that there is not sufficient sight distance for vehicles exiting SR 33 to go south on North Broadway; and, this is not only a traffic hazard but may create a back-up of vehicles coming off of SR 33.

Parenthetically, truck traffic is assumed to be at a 50/50 split travelling north and south on North Broadway.

There was also discussion that the access road situate in the Borough may need some wetlands mitigation along with municipal approval and addressing contamination with some businesses presently located on the site will be required to move from the proposed warehouse locations.

There being no further discussion and on motion of G. Hinton and seconded by D. Manzo, the matter was tabled on a vote of 4-0.

VII. Old Business: None

VIII. New Business: None

IX. Referral from the ZHB: See above.

A. **Applicant:** Adriano Ricardo
Owners: Salvatore & Laurie Burriesci
Type: Barber Shop/Tuxedo Rental
Address: 103 North Broadway (Tax Parcel: E8SW4B-3-7-0638)
District: Zoning District: C (Community Commercial)

According to what the Commission was provided, this review was conducted pursuant to the Borough Zoning Ordinance Section 805H-Referral to Planning Commission. Pursuant to that Section, the Commission's discussed the following:

Outside Signage

The Zoning Officer issued a Notice of Violation (dated April 26, 2022) stating that an outside sign is not permitted along the west side of the building. That is incorrect inasmuch as an outside sign is permitted along the west side of the building (which faces North Broadway).

Further, the Zoning Officer stated that all signs on the west side of the building must be removed when, in fact, she meant the north side of the building. One (1) sign was installed in that location so that traffic travelling on South on North Broadway would see the barber shop business.

In response, the Applicant was of the opinion that the barber shop is located on a corner lot which contains other businesses such as the jewelry store and the carpeting store. Another store area is vacant and is used for storage. This is a unique situation that would support relief.

While the Planning Commission was sympathetic with the Applicant's plight¹, the Commission was unwilling to recommend that the sign on the north side of building be allowed to remain. The Commission voted 4-0 to deny the sign on the north side of the building.

¹ The Applicant had three separate businesses on Route 512, Washington Township (outside of Bangor Borough) which were completely destroyed in a fire i.e. a barber shop, a tattoo parlor and a tanning salon. Unfortunately, he did not carry sufficient fire insurance for these losses. As a result, he moved his barber shop/tuxedo business to the Jimmy Z building at 103 North Broadway

Off-Street Parking

The Zoning Officer stated that the Applicant must ensure adequate off-street parking for the tuxedo rental portion of his barber shop business.

Pursuant to the Borough Zoning Ordinance, Section 701, (Table 7.1, subsection D, No. 9), there must be one (1) off-street parking space for every one hundred (100 sq ft) square feet of business space. Borough EIT, B. Pysher, stated that non-business space such as restrooms, storage and the like would not count towards the overall business square footage.

According to the Applicant, the barber shop contains approximately six hundred (600 sq ft) square feet. However and since there is a bathroom and closet within that space, the square footage could be less. This would translate into perhaps five (5) off-street parking spaces.

However, no definitive information was provided as to how many off-street parking spaces presently exist, the size of those spaces (9'x20' or 8'x18' so on) and what spaces are provided for what business. Without this information, the Borough Planning Commission was unable to make a recommendation as to the number of spaces needed for the tuxedo rental portion of the barber shop business.

In this regard, the Applicant stated that the tuxedo business does not have any tuxedos, inventory or other such items at the barber shop. Further and at the Route 512 location, the tuxedo rental was being operated only for the Bangor Area and Pen Argyl High School proms. The process was that a person would come to the barber shop and the Applicant would take the tuxedo measurements. The Applicant would then order the tuxedo and the garment would either be delivered to the barber shop for customer pick-up or delivered to another location i.e. the person's home, the venue, so on.

Moreover and since the Applicant only accepts appointments...he does not take walk-ins...he argued that there is no need for any significant off-street parking for this tuxedo rental business.

Tuxedo Rental – Second Principal Use

While the Applicant was given a Zoning Permit for the barber shop, he was not given any permit for the tuxedo rental business².

Under the Borough Zoning Ordinance (Section 401-Limit of One Principal Use), there can only be one (1) principal use on a lot (except for shopping centers and industrial parks).

² The Borough Zoning Ordinance does permit an "accessory use" which is defined as a "use subordinate and customarily incidental to the principal use on the same lot". See Zoning Ordinance Section 202 - Definitions. While not discussed, it could be argued that tuxedo rental is an accessory to being properly groomed i.e. a special haircut with a special suit for a special function such as a prom or a wedding.


For whatever reason, the Zoning Officer (in her Notice of Violation) did not address this dual principal use. Accordingly, the Borough Planning Commission made no recommendation on whether or not their rental use should be allowed since the additional use was not raised by the Zoning Officer.

- XI. Adjournment – 8:55 p.m. On a motion made by Commissioner Marizo, duly seconded by G. Hinton and carried with unanimous vote of 4-0.

Respectfully submitted,

KARASEK LAW OFFICES, LLC

By:


Ronald J. Karasek, Esquire
PA I.D. No. 23233
Solicitor to the Borough of Wind Gap
Planning Commission
641 Market Street, Bangor, PA 18013
610-588-0224