

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
November 25, 2025**

I/II. Opening/Pledge

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

III. Roll Call

Commissioner Chair Linda Paynter and Commissioners George Hinton, David Manzo, Michael McNamara were present. Commissioner Patrick Webber was absent.

Also present were the Borough Planning Administrator, D. Harbison; Borough and Planning Commission Solicitor, Ronold J. Karasek, Esquire. The Borough EIT-Borough Zoning Officer, Brian Pysher, was absent.

This meeting was held at the Borough Municipal Building, 545 East West Street, Wind Gap, PA 18091.

IV. Approval of Minutes-The Minutes of the April 17, 2025 Meeting were approved on Motion by D. Manzo and seconded by G. Hinton and on a vote of 4-0.

V. Public Comment - None

VI. Plans to be Discussed

A. Owner:	Naper Development, Inc.
Applicant:	The Cubes at the Gap, LLC
Address:	905 Pennsylvania Avenue
Project:	10.54 acres in Wind Gap for Removal of Alpha Road, Install Water Line and Construct Private Driveway

No one was present, no action was taken and the Plan was tabled on motion by D. Manzo, seconded by M. McNamara and on a vote of 4-0. The time to act expires on May 21, 2026.

B. Owner:	Ocean State Jobbers, Inc.
Applicant:	Ocean State Job Lot of PA 2020, LLC
Address:	801-807 Male Road
Project:	Alter Former K-Mart Space for New Retail Tenant

Present on behalf of the Applicant was Harold H. Newton, Jr., PE and his Associate.

Mr. Newton stated that there is a new retail tenant for the center part of the former Kmart shopping center area. At present, the eastern portion of that area is occupied by Job Lots and the western portion of that area is occupied by Tractor Supply. It is the middle portion that will now be rented to a new tenant

As a result, it is necessary To construct a loading dock for the new tenant which will need a change in the water and sanitary sewer lines and a change to the front entrance of the

building. Mr. Newton is of the position that the change is *de minimus* inasmuch as it involves only the addition of 20' x 20' (400 square feet) loading dock for the new tenant which is 0.42% increase in overall existing building size.

As to the water line, PA American Water has indicated that their water lines are private so they are not subject to any regulation by the Borough. Planning Module approval is not required for the sanitary sewer lines as there simply needs to be submitted an Application for a new Sewer Connection Permit. The sewage matter was confirmed by an e-mail from Thomas Duffy, PE, Senior Project Manager of Gilmore and Associates, Inc (dated October 27, 2025) which firm is the Sewer Authority Engineer. As to the sanitary sewage, Commissioner Manzo asked how many additional EDUs would be required; and, his answer was that none would be required in that the tenant would be using the same amount for which Kmart had been approved.

There will be some changes to the existing off-street parking lot area by adding and/or updating the ADA parking standards where required. It was also noted that a dumpster area would be provided although it is not depicted on the plan as presently prepared.

Because of the small nature of the construction, Mr. Newton inquired as to whether or not this project would be considered "land development". The Borough Solicitor reviewed the definition of land development in the SALDO; and, he concluded that this would be considered land development.

There was some discussion by Commissioner Hinton stating that if the Borough did not know who was going to be the tenant, 1) it could not properly address the number of ADA off-street parking spaces, 2) it could not properly address whether or not the two (2) proposed, one-person restrooms are sufficient and 3) it could not properly address the potential stacking of pallets, blocking of sidewalks or fire lanes regarding the proposed the loading dock. Mr. Hinton also stated that the bridge providing access to the mall area from South Broadway is being replaced in its entirety so that the new tenant should be aware of the significant detour that will be required in order to access the property.

There was a discussion of the Side-by-Side Letter that was prepared by Newton Engineering on November 25, 2025 in response to the Borough Engineer Review Letter of November 24, 2025. In addition, a number of SALDO waivers were addressed as follows:

- Section 305-Preliminary Plan and 402-Final Plan. Due to the minor nature of the proposal, the request was to review the plan as both a preliminary and final land development plan¹. This waiver was recommended on a motion by Commissioner Manzo, seconded by Commissioner McNamara and on a vote of 4-0
- Section 402.A.4-Drafting Standards. The ordinance requires a sheet size of 24 inches by 36 inches. However, it was proposed to use a larger sheet size of 30 inches by 42 inches so that the plan could accurately reflect the proposed

¹ As stated above, a request was to waive the land development approval process in its entirety. However and as indicated, the Borough Solicitor determined that this project would be land development; and, as such, the Planning Commission did not grant this waiver.

changes to the overall original site. This waiver was recommended on a motion by Commissioner Hinton, seconded by Commissioner Manzo and on a vote of 4-0

- Section 402.C.4.a-d-Existing Features requires that existing features within two hundred (200') feet of the site be shown. However and since all of the proposed construction will be performed well within the original site, this waiver was recommended on motion of Commissioner Hinton, seconded by Commissioner Manzo and on a vote of 4-0
- Section 506.G.7-Design Standards Require that stormwater piping be fifteen (15") inches in diameter. The Applicant proposes to use twelve (12") inch PVC pipe to collect storm water from the roof drains and trench drain and convey it through the retaining wall system. Further, the Applicant indicated that there will be drainage calculations provided to support that this piping will be adequate for the drainage. The Planning Commission by motion of Commissioner Hinton and seconded by Commissioner McNamara and on the vote of 4-0 recommended this SALDO waiver be granted **on the condition** that a clean out would be provided
- Section 514.E.3-5 requires landscaping and screening of off-street parking areas. Since there is no change proposed to the existing parking lot (except to bring ADA parking spaces up to current standards), the Planning Commission on motion of Commissioner Hinton and seconded by Commissioner McNamara and on the vote of 4-0 recommended the SALDO waiver be granted **on the condition** that the islands in the front of the store will be screened and landscaped
- Section 517 requires the dedication of park and open space land. The Applicant requests that this SALDO section be waived. The Planning Commission on motion of Commissioner Manzo and seconded by Commissioner Hinton and on a vote of 4-0 recommended the waiver be approved **on the condition** that the Applicant pays a recreation fee in lieu of \$2500
- Section 609 requires a Development Agreement along with a Quantity and Cost Estimate. Since no public improvements are being proposed, the Planning Commission on motion of commissioner Hinton and seconded by Commissioner McNamara and on a vote of 4-0 recommended the waiver be approved
- Comment G4 of the General comment section of the Borough Engineer Review Letter of November 24, 2025 requires a Lehigh Valley Planning Commission (LVPC) review. This waiver is being withdrawn and as much as the Applicant will submit the plan to the LVPC based upon the Solicitor's opinion that the plan does involve land development.

After further discussion and on motion of Commissioner Hinton and seconded by Commissioner Manzo, the Planning Commission recommends conditional preliminary and final plan approval based upon the Borough Engineer Review Letter of November 24, 2025 and the side-by-side comments of the Applicant's Engineer Response Letter of November 25, 2025.

VII. Old Business:

Commissioner Hinton informed the Commissioners that it appears Jaindl has taken over the Cubes at Wind Gap project and a new/different engineer has been selected-a Mr.

Caracciolo-for this project and who appeared at a Borough Council meeting in November 2025 to submit an Extension of Time, introduce himself and provide a very brief plan update. The Solicitor indicated that the time to act on this plan has been extended through May 21, 2026.

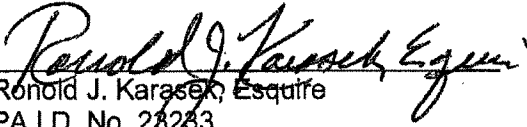
VIII. New Business: None

IX. Referral from the ZHB: None

X. Adjournment –7:50 p.m. on a Motion to Adjourn made by Commissioner Chair L. Paynter, duly seconded by D. Manzo, and carried with unanimous vote of 4-0, the meeting was adjourned.

Respectfully submitted,

KARASEK LAW OFFICES, LLC

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