

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
OCTOBER 7, 2021**

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 live at the Borough Municipal Building, 545 East West Street, Wind Gap, PA 18091.

IV. Approval of Minutes

The Planning Commission Meeting Minutes of September 8, 2021 were approved on motion made by G. Hinton, duly seconded by D. Manzo and unanimously carried on a unanimous vote 4-0.

V. Public Comment-None.

VI. Plans to be Discussed

- A. Applicant: Pennsylvania Venture Capital, Inc. /Exchange 6, LLC
- Type: Land Development Plan
- Project: Billboard Relocation
- Address: 1036 South Broadway (Tax Parcels: F7-11A- 1 and 2)
- District: Zoning District: I – SC (Industrial & Shopping Center)

Present on behalf of the Applicant was its Planning Professional, William A. Erdman, P.E. and its attorney, Ronald E. Corkery. It was reported that zoning variances were granted by the Borough Zoning board on February 19, 2021.

As per the Applicant's Representatives, the project is relatively simple as the tract is ten (10) acres where impervious cover is only sixty four (64') feet-the concrete base of the billboard-with a gravel/crushed stone driveway. The billboard is being moved only sixty (60') feet in a straight line. The reason to move the sign is that a dispute exists as to who owns the small triangle piece of property; however, there is no dispute as to who owns the sign. The old site will be completely cleared.

Several SALDO waiver request were made and official action taken thereon as follows:

SALDO Section 305/306 requires that a preliminary plan be filed before a final plan. The request is to allow the filing of a preliminary/final plan. This waiver has been recommended on prior occasions where the filing of two plans does provide any more information to the Borough than one plan. The motion to recommend approval was made by G. Hinton and seconded by D. Manzo and vote of 4-0.

SALDO Section 402.A.1 requires that the plan be drawn to a scale of one (1) inch equals fifty (50) feet. The Borough Engineer has no objection to the waiver provided the plan scale is revised to provide more clarity. The motion to recommend approval was made by D. Manzo and seconded by G. Hinton and vote of 4-0.

SALDO Section 402.A.2 requires that metes and bounds for the ultimate right-of-way shall be shown on all parcels. Given the size of the parcel and that a single minor improvement is proposed i.e. a billboard, a complete property survey was not performed. A motion to recommend approval of a partial waiver i.e. there must still be a detailed survey where the billboard construction will be performed was made by G. Hinton and seconded by D. Manzo and vote of 4-0.

SALDO Section 402.C.3 requires that the names of all landowners must be noted including those across Male Road. This waiver request was withdrawn at the time of the Planning Commission meeting on October 7, 2021.

SALDO Section 402.C.4 requires that all existing features within two hundred (200') feet of the tract be shown. Since the billboard relocation is within one (1) tract and no outside tracts are impacted, a motion to recommend approval was made by M. McNamara and seconded by G. Hinton and vote of 4-0.

SALDO Section 402.E.1.d requires that the property boundary, wetland delineation and access easement shall be based on a field survey. Property lines from GIS are not acceptable. Given the size of the property and the fact that one (1) minor improvement is being made to the property, a motion was made by G. Manzo and seconded by M. McNamara (vote of 4-0) to recommend a partial waiver for at least as a field survey is completed for the construction area.

SALDO Section 509.A.7.a, 509.A.14 and 509.M require that Male Road be improved to Borough standards for a Collector Road at least up to the centerline including road widening, curb and sidewalk. The ultimate right-of-way along Male Road shall be dedicated to a sixty (60') foot right of way (thirty [30'] feet half width). Given the relatively passive use of the property, that Male Road has a uniform cross section and the frontage is minimal compared to the length of Male Road, a motion to recommend approval (with conditions) was made by G. Hinton and seconded by D. Manzo and vote of 4-0. The condition was that there be a Maintenance, Repair and Replacement Easement (to include snow-plowing and placement of anti-skid materials) for the driveway and cross-pipe.

SALDO Section 510.B and 510.C require that curbing and sidewalk be installed. Curbing and sidewalk will not serve any useful purpose as the only use of the property is a stationary billboard. A motion to recommend approval waiver was made by G. Hinton and seconded by D. Manzo and vote of 4-0.

SALDO Section 511 requires placement of concrete monuments at all outbound property corners and along at least one (1) side of each street and at the beginning and end of all curves and all angles. For the reasons already noted, a complete property survey was not performed. A motion as made by G. Hinton and seconded by E. McNamara (vote of 4-0) to recommend a partial waiver where monumentation will be set and shown along Male Road right-of-way, NW

Wind Gap Borough Planning Commission
Meeting Minutes of October 7, 2021
Page Three (3)

property corner adjacent to SR 33 and on the municipal boundary to establish this property line along SR 33.

SALDO Section 514.C requires that landscaping and screening be installed and a planting strip covenant be placed on the plan. Since the property is already heavily vegetated and encumbered by a significant area of wetlands and it would be difficult to build on the remaining acreage, a motion was made to recommend the waiver by D. Manzo and seconded by E. McNamara and vote of 4-0.

SALDO Section 514.I requires shade trees. For the reasons stated above i.e. existing features such as wetlands would make it difficult to plant trees, G. Hinton makes a motion to recommend the waiver and seconded by D. Manzo and vote of 4-0.

SALDO Section 517 requires that there be a dedication of park and/or open space (or a fee-in-lieu). While the Applicant argues the project does not create any dwelling units, the Planning Commissioners, nevertheless, recommended a partial waiver where no land dedication is required but a fee-in-lieu be paid of two thousand (\$2,000.00) dollars. Motion by D. Manzo and seconded by G. Hinton and vote of 4-0.

SALDO Section 609 requires that a Development Agreement be executed for construction of public improvements. Since the only on-ground improvements shall be private improvements i.e. a crushed stone driveway and concrete foundation pad to support the sign, G. Hinton makes a motion to recommend the waiver and seconded by E. McNamara and vote of 4-0.

The Applicant requested that the SALDO waivers be placed on the Borough Council's Meeting of Monday, November 1, 2021 for official action. In the meantime and on motion of D. Manzo and seconded by G. Hinton and vote Of 4-0, further action on the Plan was tabled.

VII. Old Business: None

VIII. New Business: None

IX. Referral from the ZHB: None

XI. Adjournment – 8:05 p.m. On a motion made by Commissioner D. Manzo, duly seconded by G. Hinton and carried with unanimous vote of 4-0.

Respectfully submitted,
KARASEK LAW OFFICES, LLC

By: 

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