

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
SEPTEMBER 17, 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

Commissioners Linda Paynter, David Manzo, George Hinton and Michael McNamara were present. Also present were the Borough and Planning Commission Solicitor, Ronold J. Karasek, Esquire and the Borough EIT, Brian Pysher. This meeting was held where all Commissioners and the Borough Professionals attended remotely via ZOOM video and audio. While Borough Planning Administrative Assistant D. Harbison and Commissioner Chair Paynter were both physically present at the Borough Municipal Building, they also participated via ZOOM.

IV. Approval of Minutes

The Planning Commission Meeting Minutes of August 6, 2020 were approved on motion made by D. Manzo, duly seconded by M. McNamara and unanimously carried on a vote 4-0.

V. Public Comment-None.

VI. Plans to be Discussed

- A. Applicant: Jeffrey D., Joseph D. & John D. Detzi
Plan: Minor Subdivision-Preliminary and Final
Location: 570 N. Lehigh Broadway-6.7548 acres
(lying in both Wind Gap and Plainfield Township)
Zoning: R-8 (Medium Density Residential) Zoning District

The plan is to subdivide the acreage north of Detzi's Tavern whereby 0.2003 acres is to be added to the restaurant property and the balance (5.6991 acres) to be sold to NAPER Development Co, which owns property that adjoins the parcel to be subdivided.

The Applicant's Planning Professional, Arthur A. Swallow, PLS, appeared via ZOOM and discussed the plan and the Borough EIT (Mr. Pysher) also discussed the Borough Engineer (BE) Review Correspondence (Second Review) dated August 5, 2020. As per the BE Comment No. 6-concrete monuments and iron pins do not coincide with the property corners and, the Applicant's Engineer stated that he will comply. Most of all of the other BE Comments have been met.

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As to the status with Plainfield Township (as part of the project lies in Plainfield), the Applicant's Engineer stated that the Plan was submitted to Plainfield; and, Plainfield was going to defer to Wind Gap.

After additional brief discussion and on motion by D. Manzo and second by M. McNamara (and on vote of 4-0) the Plan was recommended for Conditional Preliminary and Final Plan approval. The Plan will be on the Borough Council Meeting of October 5, 2020 for official action.

- B. Applicant: BioSpectra/RX Holdings
Plan: Industrial/Commercial Building on 1.5 acres
Location: 519 N. Broadway (formerly Cramer's Bldg. Supply & Hardware Store)
Zoning: IC (Industrial and Heavy Commercial) Zoning District

Since the last meeting, there have been no new submissions; and, the Applicant and/or its attorney have not followed up with the Borough as to the status of the Plan. Since the time to act will expire on November 4, 2020, the Planning Commission is recommending that the Plan be denied on the basis of a) the Borough Engineer Review Letter dated August 2, 2020 and b) the need for SALDO waivers as per the Appendix 11 Form filed by the Applicant and c) the need for zoning variances as per the Borough Zoning Officer Review Correspondence dated September 16, 2020.

Plan is to be placed on the Borough Council Meeting Agenda of October 5, 2020 for official action.

- C. 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)

Since the last meeting, there was a site visit on August 18, 2020 and the Applicant's Engineer submitted an Option No. 8 for the Access Road. However and because of the timing of the September Planning Commission Meeting, no one was present from JERC. Accordingly and on motion by D. Manzo and second by M/McNamara, the matter was tabled (on a vote of 4-0) to the October Planning Commission Meeting.

- D. Applicant: Scorecard Bar and Grille
Type: Waiver of Land Development
Plan: 30'x30' Cover Deck (to be attached to the existing porch)
Location: 130 North Broadway
Zoning District: C-Commercial

The Applicant wishes to request a waiver of land development so it can construct a covered deck for outside dining. The Applicant-Roshaun Kerdzaliev-on behalf of the Scorecard (his business) was present via ZOOM along with this Planning Professional, Mr. John Goffredo of NuCor Management.

The Borough Engineer explained to the Applicant the SALDO waiver procedure and the fact that zoning variances may also be needed i.e. off-street parking spaces and the front yard setback. He also discussed the prior LD Plan where 70 off-street parking spaces were required and there were 83 spaces provided.

The Borough Solicitor suggested that the Commission consider various factors in deciding upon the request i.e. the size of the project (the Applicant states the size is small), are there any water and/or sewer issues (the Applicant states no such issues), are there any stormwater issues (the Applicant states there are no such issues since the area is already impervious i.e. the existing parking lot). The Applicant did state that electrical work would be required. The Borough EIT recalled that the Borough had waived land development before for the NuCor Building, the Brown Daub parking lot paving.

The Applicant stated that he is losing only three (3) off-street parking spaces; and, there will be only 30 customers on the deck (during the COVID 19 restrictions) and 45-50 customers on the deck after the restrictions are lifted. Commissioner Hinton was concerned with the number of off-street parking spaces with the post-COVID 45-50 number.

According to the zoning regulations, the rule is one off-street parking space for every two employees and one space for every three customers. The Applicant stated that the present customer capacity is 250 customers on the first floor, 400 with the basement and 445 including the proposed covered deck.

There was also a question raised that the location of the deck may adversely affect the sight distance for the NuCor Management Building located next door. However, Mr. Goffredo stated that this was taken into consideration; and, NuCor is fine with the deck. Also and as the Applicant's Planning Professional, he stated that if the SALDO waiver was granted, he would be certain that all variances are secured and the construction would be as per the Uniform Construction Code (UCC).

At this point and on motion of D. Manzo and second by G. Hinton (with a 4-0 vote), the Commission recommends that the SALDO waiver request not be placed on

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the Borough Council Meeting agenda until the Applicant meets with the Borough Zoning Officer to a) report on the capacity/parking of the 445 customers and b) determine if the deck can meet...or need a variance...for the front yard setback c) compliance with the UCC and d) no earth-moving until all of these requirements are met.

The Solicitor also requested that the Applicant file an Appendix 11-SALDO Waiver Modification form. No further action was taken.

- VIII. Old Business: None
- IX. New Business: None
- X. Referral from ZHB: None
- XI. Adjournment – 8:00 p.m. On a motion made by Commissioner M. McNamara, duly seconded by D. Manzo and carried with unanimous vote of 4-0.

Respectfully submitted,

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