

**MEETING MINUTES OF THE
BOROUGH PLANNING COMMISSION
BOROUGH OF WIND GAP
NORTHAMPTON COUNTY, PA
APRIL 1, 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 were present. Also present were the Borough and Planning Commission Solicitor, Ronold J. Karasek, Esquire and the Borough EIT, Brian Pysher. Commissioner Michael McNamara was absent. 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 February 4, 2021 were approved on motion made by D. Manzo, duly seconded by G. Hinton and unanimously carried on a unanimous vote 3-0.

V. Public Comment-None.

VI. Plans to be Discussed

- A. Applicant: Green Knight Economic Development Corp
Type: Combined Land Development Plan and Lot Annexation Plan
Project: Annex 0.21 acres from one lot to another w/ 30,676 sq.ft.

Manufacturing Bldg to be constructed on the enlarged lot

Address: 20 Green Knight Drive (Lots from GK Industrial Park II-Major Subdivision)

Present on behalf of the Applicant were inter alia a J. Vozar obo the Developer-JVI and the Applicant's Planning Professional, J. Schadler of Acela Engineering. Plan Sheet No. 4 was placed on the screen and Mr. Schadler explained the project i.e. a 31,000 (approx.) sq. ft. building on a lot from the Green Knight Industrial Park II-Major Subdivision. There are 41 off-street parking spaces; and, he clarified the confusion as to whether the project was to be manufacturing, warehousing or both. He stated it would be only manufacturing. The sanitary sewage pump station is in the front of the proposed building.

The Borough EIT-B. Pysher brings up the Green Knight Industrial Park II-Major Subdivision on the screen. He goes through the major points of the Borough Engineer

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Review Letter of April 1, 2021¹ and the Borough Zoning Officer Review Letter of March 22, 2021. He explained that while there is a Planned Development Option that would allow two (2) principal uses, that no longer applies as there will be only one use i.e. manufacturing.

Mr. Pysher also raised a concern that with 148 employees, 41 off-street parking spaces are inadequate. However, the Applicants' Representatives stated that there is no tenant at this time so it is difficult to calculate the number of off-street parking spaces that will be needed. However, the Applicant acknowledges that more than 41 spaces will be needed depending upon the number of employees.

Mr. Pysher also suggests that two (2) separate plans be filed as the present plan combines both the Land Development Plan and Lot Annexation Plan. The Borough Solicitor agrees and the Applicant will comply.

Mr. Pysher discusses several SALDO waiver requests (noted by asterisks in the Review Letter); and, the Borough Solicitor suggests that Appendix 11 (of the SALDO) be completed and filed before the Commission acts on the waivers. Mr. Pysher also inquired of the Solicitor if the prior waivers (given for the Major Subdivision) would apply to this project-see Nos. 14 and 16 of the Letter. The Solicitor advises that such waivers should apply provided the present plans make no substantial changes to the Major Subdivision plan where the waivers were granted. However, the Solicitor recommends that such prior waivers be noted on the present plan(s).

As to sanitary sewage disposal, only one (1) EDU was allotted at the time of the subdivision plan (see No. 12 of the Review Letter). The Applicants' Representatives acknowledge that more EDUs will be needed depending upon the number of employees; and, further, the Applicant will be seeking a waiver from PA DEP from 35 gallons/day to 10 gallons/day per employee.

As per Review Letter No.11, the Borough EIT makes clear that additional reports will be needed i.e. Erosion and Sedimentation Narrative, Water and Sanitary Sewer Feasibility Reports and a Preliminary Traffic Impact Study.

As to No. 19 of the Letter, Mr. Pysher states that the electric configuration on the present plan(s) does not conform to the configuration that was presented on the subdivision plan. Also, two (2) earlier SALDO waiver requests were deferred until the time of land development i.e. planting strips and street trees (See Nos. 20 and 23 of the Review Letter). Also and as per No. 21 of the Review Letter, landscaping is needed along the edge of the parking lot to prevent glare to on-coming traffic.

Finally, Mr. Pysher also stated that storm water testing will be required. This might be accomplished by either modifying the existing NPDES permit or file an application for a new permit.

Before a motion was made to table the plan(s), Commissioner Hinton expressed his concern that the Applicant should not "sell itself short" on the number of EDUs for the project.

¹ The Review Letter has separate comments for both the Lot Annexation Plan and the Land Development Plan.

On motion by Commissioner Hinton and seconded by Commissioner Manzo and unanimously carried on a vote of 3-0, the plan(s) were tabled.

VII. Old Business: None

VIII. New Business: None

IX. Referral from the ZHB:

A. Applicant: Terence O'Reilly
Type: Site Plan Review for a Recommendation to the Zoning Hearing

Board

Project: Mixed Use of Commercial on 1st Flr. and Residential Apt. on 2nd

Flr.

Address: 67 Park Avenue (the former Sew-n-Vac Store)

Present on behalf of the Applicant was Terence O'Reilly (with an unidentified companion) and the Applicant's Planning Professional.

The matter was on the agenda for a recommendation to the Borough Zoning Hearing Board (ZHB) for a Variance Request filed by the Applicant for a mixed use (commercial use on the first floor and a residential apartment on the second floor) in the former Sew-n-Vac store at 67 Park Avenue. The Applicant filed a Site Plan for review by Borough officials.

The Borough EIT discussed the Borough Engineer Review Letter of March 31, 2021 along with showing on the screen both an aerial view and a street view of the Sew-n-Vac building at 67 Park Avenue. He explained that the Commission was to make a recommendation on the proposed variance.

The Applicant responded to some of the Borough Engineer comments including the fact that the off-street parking spots may not need to be striped, that there is no existing access/easement agreement with the neighbor to use off-street parking spots on the west side of the building and that the current mixed use arrangement has been that way since the 1960s. He agreed that no permits for this use were ever obtained.

Commissioner Hinton reviewed the history of the building i.e. a music store, a boutique and then the Sew-n-Vac. He said the Owner of the Sew-n-Vac (Mr. Duvo) created the upstairs apartment without permits². Mr. Hinton was concerned with the number of off-street parking spaces. If a family moved into the apartment, this would take away from the number of spaces needed for the business. He was also concerned that the off-street parking spaces on the east side of the building face and enter onto Utica Avenue. The Borough EIT also confirmed that there are off-street parking limitations with the project. The Applicant stated that the type of business that will go in there will be limited by the number of such spaces.

Commissioner Manzo stated that there would need to be lighting if the business will remain open in the nighttime/darkness hours.

² It was unclear if this was before (or after) zoning was adopted by the Borough.

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Commissioner Hinton asked the Applicant what was the hardship. The Applicant responded that he need not provide this information at this stage of the review. Likewise, Commissioner Manzo asked what type of business was going to go into the building; and, the Applicant could not/would not answer this question. The Applicant was content to state that the mixed use was a pre existing, non-conforming use.

The Borough Solicitor stated that the Commission could recommend approval of the variance on condition that all of the conditions in the Borough Engineer Review Letter were met. This suggestion was not well received by two (2) of the Commissioners.

Upon motion of Commissioner Hinton and seconded by Commissioner Manzo and was unanimously carried on a vote of 3-0, the Planning Commission voted to recommend denial of the variance and directed the Borough Solicitor to forward a letter confirming this fact to the Borough ZHB.

- XI. Adjournment – 8:15 p.m. On a motion made by Commissioner D. Manzo, duly seconded by G. Hinton and carried with unanimous vote of 3-0.

Respectfully submitted,

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