

# *the BOROUGH of WILSON*

GUY B. TOMAINO MUNICIPAL BUILDING  
2040 Hay Terrace, Wilson Borough, PA 18042  
Phone 610-258-6142  
Fax 610-258-6639



October 18, 2023

Ms. Janis Galitzeck (hand delivered)  
40 N. 18<sup>th</sup> Street  
Easton PA 18042

Mr. Ronald Lutes (hand delivered)  
1540 Lehigh Street  
Easton PA 18042

Mr. Kevin Kiernan (hand delivered)  
1634 Ferry Street  
Easton PA 18042

**Re: Wilson Borough Zoning Hearing Board  
Hearing of Tuesday, October 24, 2023 at 7:00 pm  
2201 Northampton Street – Retail/Office Development**

Dear Board Members,

Please accept this as confirmation that a hearing has been scheduled for Tuesday October 24, 2023, at 7:00 pm.

For your information, I have attached copies of the Application and plan submitted by the applicant along with copies of legal notices and other pertinent documents associated with this application.

The meeting will take place in person at the Wilson Borough Municipal Building Council Chambers, located at 2040 Hay Terrace.

If you are not able to attend the meeting on October 24, 2023, please contact me immediately.

If there are any questions, please feel free to contact me at 610-442-6305 or at [mwall@tandmassociates.com](mailto:mwall@tandmassociates.com)

Very Truly Yours,

A handwritten signature in blue ink that reads "Monica L. Wall".

Monica L. Wall P.E.  
Wilson Borough Zoning



Date 09 / 06 / 2023

Updated submission: 09/27/2023

NOTICE OF ZONING APPEAL
Borough of Wilson
Zoning Board

Application is hereby for a public hearing before the Wilson Borough Zoning Board for a property know as 2201 Northampton Street in Zoning District Town Center (TC)

The purpose of the hearing is to request:

Special Exception

Variance(s) as follows: Use and parking variances

Table with 3 columns: Proposed, Required, and Additional uses. Rows include 170.29 (Use), 170.80E (Principal Uses), and 107.95A (Parking).

The above action is requested to proceed with: the removal of the existing structure and construction of a proposed 1-store commercial mixed use (retail and office) building

where a portion of the property is located in the R-1 district. The following variances are added per email from applicant's attorney on 10-05-2023: 170-86.G for geotech study to determine carbonate area, 170-95.C(1) for off-street loading and setback requirements for R-1 District.

This application must include a plan, drawn to scale, showing the property lines and dimensions, all existing features, all proposed features, all setbacks from property lines, all existing and proposed uses and any other information needed to review this application.

APPELLANT

Name: Ravi Properties, LLC
Address: 71 Surrey Drive
Easton, PA 18045

Fee for Zoning Hearing: \$500 \* pd on 9.6.23

Phone: 610-253-9171 (ATTORNEY)

Email: stephanie@sng-law.com (att'y)

Signature: [Handwritten Signature] Date: 9/27/2023

\*\*Office Use Only\*\*

Date of Zoning Denial:
Date of Appeal Notice:
Appeal Fee \$
Appel fee rec'd by/Date:
Property Owners Notified:

Hearing Date:
Hearing Time:
WPC Meeting Date:
S/E Fee Rec'd by/Date:
Board Decision:

## **NOTICE OF PUBLIC HEARING**

The Wilson Borough Zoning Hearing Board will hold a public meeting, commencing at 7:00 pm on Tuesday, October 24, 2023, in person at the Wilson Borough Municipal Building, 2040 Hay Terrace, Wilson Borough, Pennsylvania, to hear the appeal of:

Ravi Properties LLC, who requests a variance under Section 170-29, to permit the following uses in the R-1 District: D-1 Office, D-2 Medical Office, E-1 Retail, E-3 Service business, E-4 Financial establishment, E-5 Easting Place, a variance under Section 170-80.E to allow 6 principal uses on one parcel, a variance under Section 170-86.G to not provide a study by a recognized professional in the field of geology to evaluate the site regarding carbonate areas, a variance under Section 170-95.A and Attachment 3 to allow 38 parking spaces where a minimum of 43 spaces are required, a variance under 170-95.C(1), to allow an off-street parking and loading space setback of less than 5 feet from any street and a setback of less than 2 feet from a side or rear yard lot line for the portion of the property located in the R-1 District, all in connection with the proposed land development on the property located at 2201 Northampton St, known as Northampton County Tax Parcel No. L9SW1B-3-19-0873, located in the TC Town Center District and R-1 Low Density Residential District.

All persons interested or aggrieved may appear at the indicated time and place and be heard.

Monica L. Wall, PE  
Borough of Wilson Zoning

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GUY B. TOMAINO MUNICIPAL BUILDING  
2040 Hay Terrace, Wilson Borough, PA 18042  
Phone 610-258-6142  
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October 12, 2023

Ravi Properties, LLC  
71 Surrey Drive  
Easton PA 18045

**RE: 2201 Northampton Street  
Proposed Retail and Office Building  
Wilson Borough Zoning Hearing Board  
Hearing Date: Tuesday, October 24, 2023, 7:00 p.m.**

Dear Applicant:

Pursuant to the requirements of Sections 170-14.D(1) and (3) of the Wilson Zoning Ordinance, included herewith is a Notice of the above hearing, in duplicate.

Under the above Section of the Ordinance, **it is your responsibility** to post the subject property (with the enclosed Notices) no less than one (1) week prior to the hearing date (in a conspicuous location on the structure or property, visible to passers-by and to neighbors) and to ensure that these Notices remain in place through the date of your hearing. **Note** that this also serves as **your** notice of the place, date, and time of the hearing as well.

Please be advised that the Board will, on the record at the time of hearing, solicit your sworn confirmation that you have complied with the above posting requirement and that you have the authority to bring this Appeal before the Board; your failure to do so will render it necessary to continue your hearing to a future meeting of the Board, in order that you may comply with the requirements of the Zoning Ordinance and, in connection therewith, additional fees may be imposed upon you.

Thank you for your attention to this matter.

Very Truly Yours,

A handwritten signature in blue ink that reads "Monica L. Wall".

Monica L. Wall P.E.

w/ attachment

## **NOTICE OF PUBLIC HEARING**

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All persons interested or aggrieved may appear at the indicated time and place and be heard.

Monica L. Wall, PE  
Borough of Wilson Zoning

*the BOROUGH of WILSON*

GUY B. TOMAINO MUNICIPAL BUILDING  
2040 Hay Terrace, Wilson Borough, PA 18042  
Phone 610-258-6142  
Fax 610-258-6639



October 6, 2023

To: Wilson Borough Zoning Hearing Board File

**RE: Notice to Property Owners**  
**Wilson Borough Zoning Hearing Board**  
**Hearing of Tuesday, October 24, 2023, 7:00 p.m.**

This is to certify that, on October 6, 2023, the Wilson Borough Clerk deposited into the United States mail, postage prepaid, Notices of the Wilson Borough Zoning Hearing Board meeting scheduled for 7:00 p.m. on Tuesday, October 24, 2023, to all of whom own property within one hundred (100') feet of any/all of the boundary lines of the property subject to this application at 2201 Northampton St. Easton Pa, 18042, as shown on the Northampton County Assessment Website.

Very Truly Yours,

A handwritten signature in cursive script that reads "Monica Wall".

Monica Wall  
Wilson Borough Zoning

Cc: Stephanie Jones, Wilson Borough Clerk/Treasurer

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GUY B. TOMAINO MUNICIPAL BUILDING  
2040 Hay Terrace, Wilson Borough, PA  
18042  
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October 18, 2023

Ms. Moira Evans, Court Reporter  
Northampton County Government Center  
669 Washington St.  
Easton, PA 18042

**RE: Wilson Borough Zoning Hearing Board  
Hearing of Tuesday, October 24, 2023, 7:00 p.m.**

Dear Moira,

This will serve to confirm our recent email conversation, wherein you advised of your availability to serve as the Stenographer at the above-noted hearing. Should your availability change, please contact me at your earliest opportunity. This hearing will be held in person at the Wilson Borough Municipal Building Council Chambers.

Thank you for your attention to this matter.

Very Truly Yours,

A handwritten signature in blue ink that reads "Monica L. Wall". The signature is written in a cursive, flowing style.

Monica L. Wall P.E.  
Wilson Borough Zoning

# *the BOROUGH of WILSON*

GUY B. TOMAINO MUNICIPAL BUILDING  
2040 Hay Terrace, Wilson Borough, PA 18042  
Phone 610-258-6142  
Fax 610-258-6639



October 16, 2023

Zoning Hearing Board  
Guy Tomaino Administration Building  
2040 Hay Terrace  
Easton, PA 18042

**RE: 2201 Northampton Street  
Zoning Appeal Application Review  
Wilson Borough, Northampton County, PA  
T&M File No. WILS R 0090**

Dear Zoning Hearing Board Members:

The Borough received the following:

1. 1-sheet titled "Record Plan" (Sheet 2 of 8 from 2201 Northampton Street Final Plan set for Ravi Properties LLC) prepared by Black Forest Engineering, LLC dated June 29, 2023, last revised July 3, 2023
2. Notice of Zoning Appeal Application dated 09-06-2023 revised 09-27-2023

## **A. Property Description**

The 44,690 square foot site is located at 2201 Northampton Street within the following zoning districts:

- The front and westerly portion of the site is located within the TC Town Center District.
- The rear portion of the site is located in the R-1 Low Density Residential District.

The site currently contains the following existing features:

1. an existing 1-story building
2. an existing paved area along the rear property line
3. existing parking areas along the north side and east side of the existing building.
4. 2 driveways accessing Northampton Street

There are no floodplains located on this site per FEMA FIRM Panel 278E. Northampton Street is PA State Route 248. The site is located in Subarea 129 of the Bushkill Creek Watershed.

## **B. Project Description**

The applicant is proposing the following:

- a. Removal of the existing building and all existing pavement
- b. A proposed 1-story commercial mixed use building (retail and office) 8,550 square feet.
- c. A total of 38 parking spaces (35 standard spaces and 3 ADA spaces)

The applicant is requesting the following variances:

1. ZO Section 170-29, to permit the following uses in the R-1 District: D-1 Office, D-2 Medical Office, E-1 Retail, E-3 Service business, E-4 Financial establishment, E-5 Eating Place.
2. ZO Section 170-80.E to allow 6 principal uses on one parcel
3. ZO Section 170-86.G from the requirement to evaluate the site regarding carbonate areas

4. ZO Section 170-95.A and Attachment 3 to allow 38 parking spaces where a minimum of 43 spaces are required
5. ZO 170-95.C(1), to allow an off-street parking and loading space setback of less than 5 feet from any street and a setback of less than 2 feet from a side or rear yard lot line for the portion of the property located in the R-1 District,

The plan was reviewed for compliance with the Zoning Ordinance and the following comments are offered for your consideration. The ordinance sections are quoted in slanted text, our comments are provided in upright text and the requested variances are referenced in bold text.

**C. Zoning Ordinance Review**

1. In accordance with ZO Section 170-29, *only the following uses are permitted by right in the R-1 District.....*

Revise the plan to show the Zoning District boundaries on site and abutting the site. As stated above, the NE corner of the building and the site is located in the R-1 Low Density Residential District. The rest of the property is located in the TC Town Center District.

It is our understanding the applicant has not yet determined exactly which uses will occupy the building. **Therefore, for the portion of the site/building located in the R-1 District, the applicant is requesting a variance to permit the following uses: D-1 Office, D-2 Medical Office, E-1 Retail, E-3 Service business, E-4 Financial establishment and E-5 Easting Place.**

All these uses are permitted in the TC Town Center District.

2. In accordance with ZO Section 170-32.C(2), *the following size regulations shall apply to all uses in the R-1 District... rear yard: 25 feet.*

For the portion of the site in the R-1 District, revise the plan view to show the required setback lines for the R-1 District. Revise the Zoning Data charts to reference the actual proposed yards for both TC and R-1. Dimension the actual proposed setbacks in the plan view. It appears the dumpster may have to be relocated to comply.

3. In accordance with ZO Section 170-32.E, *the following size regulations shall apply to all uses in the R-1 District... maximum building coverage: 35%.*

Based on a building footprint of 8,550 is appears the building coverage is 19%. Revise the chart accordingly. Once corrected, it will still comply.

4. In accordance with ZO Section 170-80.E, *on any parcel or tract or land only one principal use shall be permitted except where specifically permitted by this chapter.*

**The applicant is requesting a variance to allow 6 principal uses on this property.**

5. In accordance with ZO Section 170-84.C(1)(a), *Parking areas and walkways may be illuminated by luminaries so hooded or shielded that the maximum angle of the cone of direct illumination shall be 60° drawn perpendicular to the ground. Such luminaries shall be placed not more than 16 feet above the ground level, and the maximum illumination at ground level shall not be in excess of three footcandles at 30 feet, horizontally measured, from the light source. Per ZO Section ZO Section 170-95.C(4), the development of parking and loading area shall conform with.... the following: they shall be ... adequately illuminated if designed for use by more than 3 cars after dusk. All illuminated parking areas shall be designed to shield and prevent glare on adjoining properties.*

Submit a lighting plan indicating compliance.

6. In accordance with ZO Section 170-84.I(3), *storage and waste disposal facilities of commercial, industrial, institution or multifamily uses shall be screened.*

Provide screening around the dumpster pad. See Section 170-87.B(1) for additional requirements.

7. In accordance with ZO Section 170-85, *all development projects will be evaluated by the Zoning Office to determine the level of traffic impact on the Borough....*

It is our experience that the proposed use will generate an estimated average daily traffic less than 1,000, therefore a traffic impact study is not required. The applicant should confirm this in writing.

8. In accordance with ZO Section 170-86.G, *Carbonate areas...*

The applicant should submit a geotechnical study to determine if there are any carbonate geology concerns. **The applicant is requesting a variance from this requirement.**

9. In accordance with ZO Section 170-87.A(8), *softening buffers shall comply with the following standards: Four shade trees and eight deciduous, evergreen or semievergreen shrubs shall be included for each 100 feet of property perimeter.*

A previous plan submission with a smaller proposed building footprint indicated the proposed development has the ability to comply with softening buffer requirements. Submit a revised landscape plan showing the current/larger building footprint of 8,550 square feet and the R-1 and TC zoning district boundaries. Compliance with the softening buffer requirements will be re-visited once this information is provided.

10. In accordance with ZO Section 170-90.D(4), *when parking areas are located within 100 feet of a public street, the perimeter of the parking area that is adjacent to the public street shall be softened by a continuous low hedge around the outside perimeter.*

Provide a low hedge parallel to Northampton Street for the row of spaces abutting the east side of the proposed building and for any other parking areas located within 100 feet of a public street.

11. In accordance with ZO Section 170-95.A, *in all districts, off-street parking spaces shall be provided as set forth in Table 2, which indicates the following:*

- a. *D-1 office use requires 1 space for every 200 square feet of gross floor area.*
- b. *D-2 medical office use requires 1.5 spaces per 150 square feet of gross floor area*
- c. *E-1 retail requires 1 space for every 200 square feet of gross floor area.*
- d. *E-3 service business requires 1 space for every 200 square feet of gross floor area.*
- e. *E-4 financial establishment requires 1 space for every 200 square feet of gross floor area plus 4 stacking spaces for each drive-in window*
- f. *E-5 eating place requires 2 spaces per 100 square feet of gross floor area*

The parking lot calculations on the plan are based on 1 space for every 200 square feet of gross floor area. Based on a gross floor area of 8,550 square feet, 43 spaces are required. This calculation can be applied to the following uses: D-1, E-1, E-3 and E-4 with no drive-in windows. **The plan shows 38 proposed spaces and the applicant is requesting a variance.**

If a use is proposed that requires more intense parking, revised parking calculations would be required which may then require additional zoning relief.

12. In accordance with ZO Section 170-95.B, *every commercial, industrial, resort or other building which requires the receipt or distribution by vehicles of materials or merchandise shall provide one off-street loading space for each 10,000 square feet of gross building ground floor area or part thereof, and each such space shall be at least 400 square feet in area. Said loading spaces shall apply to all uses.*

Revise the plan to provide a loading space.

13. In accordance with ZO Section 170-95.C(1), *Off-street parking and loading spaces may be developed on any required side, front or rear yard, except that such spaces located in the residential districts shall have landscaping setbacks of at least five feet from any street on which they abut and at least two feet from any side or rear yard lot line on which they abut.*

Revise the record plan to dimension the proposed parking setbacks from streets, side yards and rear yards for the portion of the site located in the R-1 District. **The applicant is requesting a variance.**

14. In accordance with ZO Section 170-95.C(2)(e), *the design of all parking area shall give special attention ....to avoidance of the following problems: reservation of parking spaces for use by handicapped persons (ADA specific)*

Current ADA regulations require a parking stall width of 11 feet with a 5-foot wide access aisle for van accessible parking spaces. The plan appears to show 10 feet instead of the required 11 feet. Revise the plan to comply.

15. *In accordance with ZO Section 170-96A(1) signs may be erected, altered, maintained, used, removed or moved only in compliance with the provisions of this section and with any other applicable Borough regulations.*

Revise the record plan to state that all signs will require permits from Wilson Borough.

Please contact me with any questions regarding this review.

Respectfully,



Monica L. Wall, P.E.  
Wilson Borough Zoning

cc: Jill A. Garcia, Borough Manager/Secretary (email)  
Robert A. Nitchkey, Jr. Esq. ZHB Solicitor (email)  
Raj Dedania, applicant (email)  
Stephanie J. Steward, Esquire, applicant's attorney (email)  
Joseph Rentko, applicant's engineer (e-mail)