

TOWNSHIP OF WHITEHALL PLANNING COMMISSION MINUTES

July 15, 2026

PLANNING COMMISSION

Jonathan L. Bolton, Chairman
Robin Ruhmel, Vice Chairman
Paul Geissinger, Secretary
Kyle Bartosh - Absent
Lane Donatelli
Jason Szewczak - Absent
Casey Zelena

TOWNSHIP PERSONNEL

Lee A. Rackus, Bureau Chief of Planning,
Zoning & Development
Elisa Highley, Keystone Consulting Eng.
Jack Gross, Esq., Township Solicitor

Meeting called to order at approximately 7:30 pm.

Chairman Bolton read the Fair Housing Statement as required.

A) SUBMISSION REVIEW:

1) INDEX #2079-26A – DANIEL J. FATZINGER - LOYALTY AUTO REPAIRS

2126 S. First Avenue
Conditional Use
Zoning District: C-1
Original Submission Date: 6/23/26
90-Day Expiration Date: 8/23/26

Chairman Bolton confirmed that the comment letters from KCE dated July 10, 2026 and Ms. Rackus dated July 14, 2026 were received.

Representatives Daniel Fatzinger, applicant & Deann Borath, property owner, representing the applicant.

Mr. Fatzinger reviewed the Conditional Use application. They have outgrown existing site, which is an accessory to Berk Motor Co. There will be no deliveries, no customers, just mechanics and operators on site. There will be no junk vehicles on the lot.

Atty. Gross stated that based on the review letters, Variances are required. Ms. Borath questioned which Variances are required.

Ms. Rackus stated that based on the type of use ('service station/repair shop') in that Zoning District, there are certain requirements for lot size and lot frontage. The only entity that can give relief is the Zoning Hearing Board. There is also a buffer requirement. There's a 25' buffer from any residentially-zoned district. Even though it's an existing lot, this is a new use on this lot. If the Zoning Hearing Board gives relief, then they would have to go before the Board of Commissioners. Mr. Fatzinger clarified the number of Variances that will be needed (three).

Mr. Fatzinger stated he was frustrated with the process, to which the Planning Commission was sympathetic.

Ms. Borath questioned the Zoning of another neighboring property, Lehigh Valley Auto Glass (sales & service) to which Ms. Rackus stated it would depend on when they went in and when the

regulations went in. Atty. Gross mentioned that it would be beneficial to mention those other businesses when they appear before the Zoning Hearing Board, since it is a similar use.

Mr. Harold Fatzinger (applicant's father) questioned if there was a fee for the Variance and then again for Planning. It was clarified that there is a fee for the Variance, but there will not be an additional fee for Planning.

Chairman Bolton entertained a motion to table to allow the applicant to go before the Zoning Hearing Board. Motion by Ms. Ruhmel, second by Mr. Zelena. Vote taken 5-0 to table.

2) INDEX #2080-26A – M&B SONS PROPERTY, LLC -
FRIENDLY FOOD MART #3

906-910 Third Street

Special Exception

Zoning District: C-1

Original Submission Date: 6/24/26

90-Day Expiration Date: N/A

Representatives Ryan Durkin, Esq., Jude Clooney, A&E Group, and Cal Patel, owner, representing the applicant.

Chairman Bolton confirmed that the comment letters from KCE dated July 9, 2026 and Ms. Rackus dated July 13, 2026 were received.

Atty. Durkin reviewed the Special Exception plan to take the twin houses (908 & 910 Third Street) and convert it from a non-conforming use as a twin property to a different non-conforming use as a portion of the newly enhanced mini-mart. He stated the comment letters seemed to focus more on the Variances needed, and he thought the Planning Commission would only be looking to recommend or not recommend the Special Exception. The applicant did send a response to the comment letters.

Ms. Highley stated she did not have a chance to review their responses but mentioned the concerns with traffic.

Mr. Clooney reviewed the plans; he said they do not plan on changing the road entrances or adding any gas pumps. It's been a mini-mart since at least 1989 and there doesn't seem to have been any traffic issues.

Mr. Patel mentioned that the foot traffic is down almost 50% since the Wawa opened and they are trying to bring it back up to previous levels. He's concerned that if he can't expand, he'll have to close the mini-mart. He would like to enlarge a little and modernize.

Ms. Highley said they are just bringing up issues that will most likely arise during the Zoning Hearing Board meeting.

Ms. Rackus questioned their statement that they were not going through Land Development, but she stated they would have to go through Land Development and also Lot Consolidation.

Mr. Donatelli asked with the expansion of the mini-mart if they would be expanding their product line. Mr. Patel stated they would more likely be expanding the selection and variety of their current product line. He said they currently only have 2 coolers for drinks, and this would allow them to add more. He's hoping the foot traffic will grow and the flow within the mini-mart will be easier. Mr. Donatelli asked if they were expanding or starting over. Mr. Clooney stated the most recent plan indicates it would be an expansion, while keeping the back wall intact. Mr.

Clooney also said this would allow them to bring up to ADA standards.

Ms. Ruhmel asked about the size increase in the store footprint, indicating it looks like it will be about 8 times larger, which the applicant acknowledged. She was concerned about the residents next to the property and the traffic. She wanted to know what kind of buffer would be required, which will be determined via the Zoning process.

Mr. Clooney stated there are 4 different parcels, none of which conform to the Zoning Ordinance, so they are hoping this will make is better.

Mr. Geissinger referenced the anticipated traffic increase in KCE's letter and asked if they have addressed this concern.

Mr. Clooney stated that when they come back through Land Development, they will address the traffic concerns. This is just the first step to get in front of the Zoning Hearing Board.

Mr. Donatelli also expressed concern with the traffic increase at the already busy intersection. He believes a traffic study would definitely be needed.

Mr. Geissinger asked if Ms. Rackus was aware of any traffic improvements scheduled for that area. Ms. Rackus stated they've been lobbying PennDOT to get improvements done, however Third Street is a state road, so she could not say when/if it will happen.

Chairman Bolton entertained a motion. Motion to NOT recommend the Special Exception by Mr. Donatelli, second by Mr. Geissinger. Vote taken 5-0 for denial.

3) INDEX #2081-26A – HPL REALTY LOT LINE ADJUSTMENT

N. Church Street & Spring Street

Minor Subdivision

Zoning District: R-1

Original Submission Date: 6/24/26

90-Day Expiration Date: 10/15/26

Steve Pany, Pany & Lentz, representing the applicant.

Chairman Bolton confirmed that the comment letters from KCE dated July 9, 2026 and Ms. Rackus dated July 14, 2026 were received.

Mr. Pany reviewed the plan to adjust the lot line between the north lot and the middle lot. There's no development proposed and N. Church Street is wide enough that they can address the review comments.

Ms. Highley questioned if they were going to submit to North Whitehall as well. To which Mr. Pany replied affirmatively.

Mr. Geissinger questioned why they are proposing the lot line adjustment. Mr. Pany stated that the northern lot will then be sold to a family member.

Chairman Bolton entertained a motion for preliminary approval based on conditions noted in comment letters. Motion by Mr. Geissinger second by Ms. Ruhmel. Vote taken 5-0 for preliminary approval.

Mr. Pany made a request to be upgraded to final approval.

Chairman Bolton entertained a motion for final approval based on conditions noted in comment letters. Motion by Mr. Geissinger, second by Ms. Ruhmel. Vote taken 5-0 for final approval.

DISCUSSION ITEMS:

INDEX #2078-26A – BILL # 15-2026 LVHN Rezoning & R-3 Text Amendments

Graham Simmons, Esq., attorney for LVHN, Scott Pidcock, The Pidcock Co. & Dallas Pulliam, LVHN representing the applicant.

Chairman Bolton clarified to the public, that the Planning Commission is not going to approve or deny any Land Development, they are only reviewing the Ordinance from a planning standpoint.

Atty. Simmons reviewed the ordinance request, which is a map amendment and a text amendment for land currently zoned R-2 & R-4. Their proposal is to zone the entire consolidated tract to R-3 and also permit Healthcare Campus use within the R-3 Zoning District. Current zoning does not allow for Healthcare use in any Zoning District within the Township. He stated that their options usually would be a Use Variance, which is almost impossible or undertake a Curative Amendment process, which tends to be adversarial. Whitehall Township has a provision which allows for a Zoning change, which goes to the Board of Commissioners (BOC), then to the Legal & Legislative Committee, and back to the BOC, then to the Planning Commission and the LVPC. They are looking to keep moving forward in the process. If approved, it would then have to go through a full Land Development process in addition to all the state & regulatory requirements.

Mr. Pidcock reviewed the exhibits to rezone the 140 acres, which fronts on MacArthur Road and North of Mechanicsville Road. He also reviewed the compatibility categories of the plan with the Township's Comprehensive Plan. The proposal is for the rezoning of the entire 147 acres, within the R-3 Zoning Ordinance draft, which makes accommodation for use as a Healthcare Campus, but it's specific as to where it can be located on the property (which highlighted 40 of the 140 acres adjacent to MacArthur Road for the Healthcare campus). He pointed out other public service facilities located in residential districts, e.g. Whitehall-Coplay School District (R-3) and the Municipal Building (R-4). He stated there is nothing unusual or incompatible with including a Healthcare Campus in a Residential District. The balance of the property's acreage would support 190 homes. He also touched on preservation and their plans to leave some portions untouched. Mr. Pidcock stated that no Healthcare institution would make this investment if there wasn't a need. As far as transportation and road extensions, re: East/West - Lehigh Street extension and Municipal Drive extension would be accommodated during Land Development, with the assistance of other involved entities, re: North/South – allowing for a road from Mechanicsville Road north. They also believe this would be an economic benefit to the Township.

Mr. Zelena asked why they didn't ask for Conditional Use instead of an entire Zoning Map change. Mr. Pidcock stated they needed the change because they needed an R-3 Zoning. R-3 allows for smaller lot sizes and feels with R-2, the land allocated per home goes up and home prices would exceed \$1 million. They reduced the size of the Healthcare facility based on Township feedback, so that would allow for market-viable residences.

Ms. Ruhmel stated that this is one of the last areas in Whitehall can have homes built and agreed with KCE's comments re: asking for Conditional Use of R-2 instead of changing the Zoning District to R-3.

Mr. Donatelli asked what they anticipated the price range would be for the homes. Mr. Pidcock said they were not qualified to speculate but thought the R-2 would not be supported by the Whitehall market. However, they have reviewed this with residential developers and believe that with R-3, they could put together home packages that would be responsive to this market. They

have heard along the way that there is no place for young families to purchase a home because of the under-supply of homes. He also said the Conditional Use would not work because Healthcare Use is not permitted in R-2. Mr. Pidcock did not believe R-2 would get developed, he also stated that you would get about 2/3 of the homes in R-2 as you would in R-3. He clarified that the lots could be larger, but Ms. Ruhmel stated that once you go with the R-3, the builder would most likely not make the lots larger than the minimum.

Ms. Ruhmel stated that the Ordinance allows for the hospital to be up to 50 acres, as opposed to the 40 acres and was concerned they would take advantage of that. Mr. Pidcock clarified that once the Ordinance was finalized, it would include a dimensional provision that would only allow for a 40-acre Healthcare Campus.

Mr. Geissinger asked who owned the other R-2 Residential property near the site. Mr. Pidcock stated part is owned by the Kasych's, part by Jaindl, but he does not know all of the 'owners'.

Mr. Bolton asked the population numbers they used to come up with the R-3 193 homes, and how much 'pressure' on the Township it would relieve. Mr. Pidcock said if they take out the 40-acre Healthcare Campus, it's roughly equivalent to the number of homes that would be developed as R-2. Best guess would be approximately 600 people being housed. He said Whitehall has outpaced the growth projections from 2000. Ms. Rackus referenced the Housing Attainability Study done a couple years ago, and based on that study, the housing shortage is not low or 'more affordable' housing, but rather moderate to higher-end housing. Mr. Bolton felt like there were more questions that needed answering. Mr. Geissinger thought we might 'back ourselves' into a corner re: building townhomes, as opposed to single-family. Mr. Pidcock reviewed the current R-3 developments, like Walnut Ridge, and said that's what these homes would look like.

Mr. Zelena stated he is still not sold on the Zoning change, he feels like the larger lots are needed.

Monica Salis, 3139 Dogwood Drive owns an adjoining property and was concerned about the traffic. Mr. Bolton confirmed they are concerned about traffic as well, and this will be discussed in depth if/when the project progresses.

Anthony Kopac, 3763 Dogwood Drive stated was concerned about the road that will be 35' from his backyard. Specifically, about how the noise will impact his property. He mentioned many of the other 'satellite' hospitals don't affect local residents.

Ms. Rackus specified the line for the Zoning District goes along Rt. 145, but for consistency purposes it should go down the center line of Rt. 145.

Mr. Geissinger asked if it's kept as an R-2, if they could build a hospital with a Special Exception. Ms. Rackus said they could not.

Chairman Bolton entertained a motion to NOT recommend approval. Motion by Mr. Zelena, second by Ms. Ruhmel, vote taken 5-0 to not approve.

B) OTHER:

Approval of June 2026 Meeting Minutes. Motion by Ms. Ruhmel, minutes approved.

D) ADJOURNMENT:

Meeting adjourned at approximately 9:39 p.m.