

**TOWNSHIP OF WHITEHALL
PLANNING COMMISSION MINUTES
APRIL 21, 2021**

PLANNING COMMISSION

Robert Piligian, Chairman
Jonathan L. Bolton, Vice Chairman
Paul Geissinger, Secretary
Neil Ehrlichman, Member - Absent
John Hudock, III, Member - Absent
Robin Ruhmel, Member
Ann Freyman, Member
Shawn Younis, Alternate

TOWNSHIP PERSONNEL

Lee A. Rackus, Bureau Chief of
Planning, Zoning & Development
Frank Clark, Keystone Consulting Engineers
John F. Gross, Esq., Township Solicitor

Meeting called to order at approximately 7:30 PM.

MR. PILIGIAN read the Fair Housing Statement as required.

A) SUBMISSION REVIEW

- 1) **INDEX #1978-21 – KING KONE & THE JUNGLE KAFE LLC**
4128 Springmill Road
Special Exception

Rick Safi, applicant, David Lear, Engineer, Brian Gasda, Engineer, and Atty. Marc Fisher were present representing the application.

Mr. Lear stated that they reviewed Keystone Consulting Engineers' comments dated April 20, 2021, and Planning, Zoning & Development comment letter dated April 14, 2021.

Mr. Lear stated they agreed with all the comments.

MR. BOLTON motioned to recommend approval for the Special Exception to the Zoning Hearing Board pursuant to §27-78 C (3) and §27-145 M of the zoning ordinance. This recommendation was conditioned upon the following:

1. Satisfactorily addressing all comments contained in Keystone Consulting Engineers' review letter dated April 20, 2021.
2. Satisfactorily addressing all comments contained in Bureau Chief of Planning, Zoning, and Development's memorandum of April 14, 2021.

Seconded by MR. GEISSINGER. Vote taken 5-1 to approve.

- 2) **INDEX #1979-21 - WHITEHALL FARMS SUBDIVISION**
3855 Lehigh St. & 3305 Municipal Drive
Major Subdivision/Land Development 2180 MacArthur Road

Plan was tabled at request of the applicant.

- 3) **INDEX #1980-21 - 3704 RURAL ROAD & 3712 RURAL ROAD**
3704 & 3712 Rural Road
Minor Subdivision/Lot Consolidation

MR. PILIGIAN recused himself due to a conflict of interest. MR. BOLTON assumed the position of Chairman.

Mr. Piligian, Surveyor, was present representing the applicant.

Mr. Piligian stated that they reviewed Keystone Consulting Engineers' comments dated April 20, 2021, and Planning, Zoning & Development comments letter dated April 15, 2021.

Mr. Piligian stated they agreed with all the comments.

MR. GEISSINGER motioned to recommend preliminary approval subject to Keystone Consulting Engineers' comments dated April 20, 2021, Planning, Zoning & Development comments dated April 15, 2021, and subject to the following conditions:

1. Developer has requested, and the Planning Commission endorsed, waivers as outlined on Bascom & Sieger's March 24, 2021 letter.

Seconded by MS. RUHMEL. Vote taken 5-0 to approve.

Mr. Piligian requested an upgrade to final approval with the condition:

1. As lots are existing lots, the Planning Commission has recommended a wavier of all street tree, traffic impact and recreation fee requirements.

MS. YOUNIS motioned to recommend upgrading to final approval with this condition, seconded by MR. GEISSINGER. Vote taken 5-0 to approve.

MR. PILIGIAN resumed his duty as Chairman.

After this motion, a discussion ensued by MR. GEISSINGER regarding recreation fees.

B) DISCUSSION ITEM: INDEX 1981-21 – ZONING ORDINANCE AMENDMENT – PLANNED COORDINATED COMMERCIAL DEVELOPMENT:

This is a request for an amendment to Chapter 27 (Zoning) of the Whitehall Township Zoning Ordinance of 1989 by adding the use of Planned/Coordinated Commercial Development to Section 27-80D and providing criteria for the use in Section 27-80.G.

The primary reason is to permit modern and appropriate development of property in areas now zoned C-2.

Attorney Erich Schock, Elliot Gottfurcht, Marlo Gottfurcht, Matt Chartrand, and Rob Hoffman were present representing the amendment.

Mr. Schock states this amendment is to allow developer to combine uses on one property. The Board of Commissioners referred them to Legal and Legislative and then to the Planning Commission.

MR. GEISSINGER stated he has issues with the parking requirements. Mr. Schock stated this amendment would allow for underground parking. MR. GROSS stated that is an amendment to all properties in the C-2 zone with a minimum of 5 acres.

MR. PILIGIAN stated in Comment #8 no certificates of occupancy shall be issued until at least 50% of the site is constructed. MR. PILIGIAN feels this needs further exploration.

MR. PILIGIAN stated in Comment #11 that he was not in agreement with the setbacks.

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|----------------------------------|---|------------------------------|
| a. Side yard – 15 feet | ~ | The Ordinance now is 20 feet |
| b. Rear yard – 15 feet | ~ | The Ordinance now is 25 feet |
| c. Maximum building height 78 ft | - | The Ordinance now is 35 feet |
| d. Minimum building width 25 ft | - | The Ordinance now is 30 feet |

MR. PILIGIAN stated he thinks the 78 feet building height is excessive. It should be between 60 and 70 feet.

MR. PILIGIAN stated in Comment #12 this would reduce setback to a residential lot at 15 feet. He stated it should be wider, at least 25 feet.

MS. RACKUS stated she has interest in expanding some of the uses in the Ordinance. Mr. Schock had no issue with this. MS. RACKUS will put a list together of uses and forward. MR. PILIGIAN stated he felt craft brewing and craft distilling should be added as a use.

The client stated they will address all the comments and come back to the Planning Commission.

C) OTHER:

D) ADJOURNMENT:

Meeting adjourned at approximately 9:35 PM.