



TOWNSHIP OF WHITEHALL



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M E M O R A N D U M

DATE: APRIL 29, 2014
TO: ZONING HEARING BOARD
JEFFREY B. MATZKIN, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING OFFICER
RE: MINUTES FOR APPROVAL

Ladies and Gentlemen:

Enclosed are the minutes of the Zoning Hearing Board for your review and approval at the next meeting:

FOR THE MONTH OF: APRIL 2014

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

April 29, 2014

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **April 15, 2014**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

ZONING HEARING BOARD:

LEE CHRISTMAN, CHAIRMAN
STEPHEN BURDA, MEMBER
DEAN WOTRING, MEMBER
ALBERTA SCARFARO, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

LOUIS A. JANY, MEMBER
VACANT, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. CEASAR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

JEFFREY B. MATZKIN, ESQUIRE

THE MEETING WAS CALLED TO ORDER AT APPROXIMATELY 7:00 P.M.

Lee Christman stated that anyone at this meeting, who would want any documentation pertaining to any of the Dockets for this meeting, must fill out an Entry of Appearance Form.

DOCKET # 1784 - New Cingular Wireless PCS, LLC dba AT&T - c/o Catherine E. N. Durso, PO Box 219, Center Valley, PA 18034-0219. **Location: 2655 Range Road, Whitehall, PA 18052, PIN 549868205167**, the subject property is located in an OS-2 Open Space/Limited Industrial Zoning District. Applicant is requesting a variance to Sec. 27-85 (C) (5) (d) (1) and (d) (8) of the Zoning Ordinance regarding permission to install an additional equipment shelter at the existing wireless communications facility.

Catherine E. N. Durso, Esquire represents Applicant.

Brian Laslo was sworn in.

Testimony was given.

Andrew Peterson, Engineer was sworn in.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Stephen Burda, seconded by Roger Reichard.

The Board voted 5 to 0 to approve this variance request.

DOCKET # 1786 - Pathstone Housing Corporation of Pennsylvania - 648 Buena Vista Drive, Kennett Square, PA 19348. **Location: 215 Quarry Street, Whitehall, PA 18052, PIN 640812367096**, the subject property is located in a R5A High Density Residential w/o Apartments Zoning District. Applicant is requesting a variances to the following sections of the Zoning Ordinance regarding Sec. 27-76 to permit the use; Sec. 27-121 (B) (2) side, rear and front yard setback requirements; Sec. 27-121 (B) (3) maintaining distance of 35 feet between buildings on same lot; Sec. 27-121 (B) (6) density requirement; Sec. 27-145 (A) nonparallel parking spaces be at least 10 feet wide and 20 feet long, exclusive of aisle space and parking area not closer than 10 feet to any dwelling; Sec. 27-145 (D) 25 foot minimum aisle width for 60-90 degree spaces with 2-way traffic; Sec. 27-145 (P) parking spaces maintain a minimum setback of 10 feet from any street, alley or highway right-of-way; Sec. 27-145 (R) residential off-street parking areas be landscaped on any side facing a public right-of-way and screened on sides adjoining residential zones; Sec. 27-146 (A) (18) two off-street parking spaces required per dwelling unit of the Zoning Ordinance.

Catherine E. N. Durso, Esquire represents Applicant.

Kevin Yarnall, real estate agent, was sworn in.

Michael Jeitner, from Bohler Engineering, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:

Mickey Thompson, Esquire, COO and in-house council, 1177 Sixth Street and Quarry Street Whitehall Development, LP, was sworn in, objector.

Darlene Bender, from 232 Grape Street, Rear

Stanley Flyte, from 208 Quarry Street

Vello Vilbas, from 2214 Third Avenue

Applicant requested a continuance until the May 20, 2014 Zoning Hearing Board meeting.

The Board granted their continuance request.

DOCKET # 1787 - Keystone Novelties Distribution - 201 Seymour Street, Lancaster, PA 17603.

Location: 2160 MacArthur Road, Whitehall, PA 18052, PIN 5498523980391, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a special exception to Sec. 27-65 of the Zoning Ordinance regarding a temporary use to have a temporary tent sale from June 27, 2014 to July 6, 2014 in the parking lot.

John May was sworn in.

Testimony was given.

Tent sale will be from June 26, 2014 until July 5, 2014.

OBJECTORS/SUPPORTERS:

NONE

Motion to approve made by Dean Wotring, seconded by Alberta Scarfaro.

The Board voted 5 to 0 to approve this special exception request with the following conditions:

1. There must be a direct seller on the premises at all times to watch over the sales tent and merchandise.
2. The applicant shall establish the temporary use no earlier than June 27, 2014.
3. The sales tent, display area and all merchandise must be removed from the premises by July 6, 2014.
4. The hours of operation shall be from 9:00 a.m. to 9:00 p.m.
5. Only those fireworks and novelty items specifically approved by the Township Fire Chief shall be stored or offered for sale at the premises.
6. The applicant shall secure and maintain Comprehensive General Liability coverage with not less than \$1,000,000.00 combined single limit naming as additional insured "Whitehall Township" and its Boards and Commissioners (including individual members thereof) and their elected and appointed officers, officials, employees, professional consultants and agents. The applicant shall provide the Whitehall Township Zoning Office with a copy of said policy.
7. There shall be no obstruction of traffic on, in, into or out of the subject premises.
8. Applicant shall address to the satisfaction of Township Engineer comments and recommendations as set forth in letter dated March 18, 2014.
9. Applicant shall address to the satisfaction of the Bureau Chief of Development comments and recommendations as set forth in review memorandum dated March 18, 2014.

DOCKET # 1788 - JAND Properties, LLC/Chestnut Hill Landscape - 3769 Hawthorne Drive, Center Valley, PA 18034. **Location:** 521 Fifth Street, Whitehall, PA 18052, PIN 640709698652, the subject property is located in a RSA High Density Residential w/o Apartments Zoning District. Applicant is requesting a special exception to Sec. 27-60 of the Zoning Ordinance regarding dividing one existing non-conforming professional office into two non-conforming professional offices in an existing mixed use building. No expansion of building proposed.

Thomas Schlegel, Esquire represents Applicant.

John Talago was sworn in.

Testimony was given.

Applicant is not increasing size of building.

There will be no construction vehicles to be kept on site.

Proposed office "B" would be a professional office if approved.

OBJECTORS/SUPPORTERS:

NONE

Motion to approve made by Stephen Burda, seconded by Alberta Scarfaro.

The Board voted 5 to 0 to approve this special exception request with the following conditions:

1. Parking spot indicated by Planning Commission be brought up to 10'x20'.
2. Parking space(s) blocking overhead bay doors be reconfigured to not block doors and be sized to 10'x20'.
3. When appellant secures a tenant for office space use, Appellant shall be required to obtain approval from this Board before lease of space to any tenant for property.

The minutes for March 2014 were submitted and approved by the Zoning Hearing Board.