



TOWNSHIP OF WHITEHALL



BOARD OF COMMISSIONERS

PHILLIPS M. ARMSTRONG, President
DENNIS C. HOWER, Vice President
THOMAS SLONAKER, Secretary
JEFFREY L. DUTT
PHILIP J. GINDER
GERARD F. PALAGONIA
LINDA K. SNYDER

ADMINISTRATION

EDWARD D. HOZZA, JR., Township Mayor
JOHN D. MEYERS, Deputy Mayor
KEYSTONE CONSULTING ENGINEERS, INC.
Consulting Engineers
CHARLES J. FONZONE, ESQ., Solicitor
DIANE HUNSICKER, Treasurer

M E M O R A N D U M

DATE: JANUARY 26, 2016
TO: ZONING HEARING BOARD
JEFFREY B. MATZKING, ESQUIRE
WILLIAM J. FRIES, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING OFFICER *Maw*
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: **DECEMBER 2015**

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

January 26, 2016

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **December 15, 2015**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

ZONING HEARING BOARD:

ALBERTA SCARFARO, CHAIRPERSON
STEPHEN BURDA, MEMBER
LEE CHRISTMAN, MEMBER
LOUIS A. JANY, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

DEAN WOTRING, MEMBER
KENNETH SNYDER, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. WEHR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

WILLIAM J. FRIES, ESQUIRE (Conflict Attorney)

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

Alberta Scarfaro 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 # 1830 – Bang Wang Pan – 3311 Carl Drive, Whitehall, PA 18052. **Location: 1250 Schadt Avenue, Whitehall, PA 18052, PIN 549864197492**, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting relief from conditions imposed from Docket #1804 regarding seafood meal take out and dine in of food items on the premises along with the sale of non-grocery items.

Dave Lin, translator for Applicant was sworn in.

Bang Wang Pan, Property owner and Applicant was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:

Tracey Roberts from 1177 Mickley Avenue, Objector, is concerned about the smell coming from the property, the dumpsters are not secured and the garbage blows out on a regular basis.

Chad Hanna, agent for Mother under Power of Attorney for 1176 Mickley Avenue, is concerned about the smell, it's very bad and unbearable.

Motion to deny made by Lee Christman, seconded by Stephen Burda.

The Board voted 4 to 1 to deny this variance request.

DOCKET # 1831 – James Haddad – 2008 N. First Avenue, Whitehall, PA 18052. **Location: 2008 N. First Avenue, Whitehall, PA 18052, PIN 549896567114**, the subject property is located in a C1 Neighborhood Commercial Zoning District. Applicant is requesting a variance to Sec. 27-84 E (1) of the Zoning Ordinance regarding setbacks for shed placed without first securing the necessary and required permits.

Joseph Rendko, family member helping out Mr. Haddad, was sworn in.

James Haddad, Property owner and Applicant, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:

Sean Casey and Patricia Rosario, from 2006 N. First Avenue, was sworn in.

Motion to deny made by Stephen Burda, seconded by Louis Jany.

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

DOCKET # 1832 – Fullerton Lofts LP - 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 special exception to Sec. 27-60 D (6) of the Zoning Ordinance regarding changing from one non-conforming use (factory) to another non-conforming use (apartments) in addition Applicant is requesting a variances to the following sections of the Zoning Ordinance regarding Sec. 27-76 E (4) maximum of 35' building height above finished grade; 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.

Wendy Carter, was sworn in.

Testimony was given.

The Applicant has reduced the number of apartment units from 52 to 49 apartments.

John A. VanLuvanee, Esquire, would like to enter appearance for PVC 3rd Street, LP and Quarry Street Whitehall Development, LP. He made a request that this is a re-application according to Sec. 27-46 and requests a motion to dismiss.

Motion made by Louis Jany, seconded by Roger Reichard, to deny Council's motion to dismiss application based upon Sec. 27-46.

The Board voted 5 to 0 to dismiss the motion.

Attorney John VanLuvanee objects to Officer of corporation representing Applicant, Corporation or LP; must have its own attorney.

Attorney Fries stated this was correct.

This Docket was continued to January 12, 2016 for a special meeting of the Zoning Hearing Board.

DOCKET # 1833 – Simon Brro – 422 Grant Street, Allentown, PA 18102. **Location: 844 Third Street, Whitehall, PA 18052, PIN 640802912872**, the subject property is located in a C1 Neighborhood Commercial Zoning District. Applicant is requesting a variance to Sec. 27-104 E (A) and Sec. 27-146 C of the Zoning Ordinance regarding multiple uses on a lot and required parking space regulations for proposed mechanics garage on lot with existing convenience store, gas station and car wash.

Docket was continued until the January 19, 2016 meeting.

The minutes for November 2015 were submitted and approved by the Zoning Hearing Board.