



# TOWNSHIP OF WHITEHALL



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## M E M O R A N D U M

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DATE: NOVEMBER 23, 2016  
TO: ZONING HEARING BOARD  
WILLIAM J. FRIES, ESQUIRE  
BOARD OF COMMISSIONERS  
FROM: MELISSA A. WEHR, ZONING ADMINISTRATOR  
RE: ZONING HEARING BOARD MINUTES FOR APPROVAL

*MAE / ej*

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: NOVEMBER 2016 - Revised

/caj

## **RESULTS OF MEETING**

### **TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING**

November 23, 2016

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **November 15, 2016**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

#### **ZONING HEARING BOARD:**

LOUIS A. JANY, CHAIRPERSON  
STEPHEN BURDA, MEMBER  
LEE CHRISTMAN, MEMBER  
ALBERTA SCARFARO, MEMBER  
DEAN WOTRING, MEMBER

#### **ABSENT:**

ROGER REICHARD, ALTERNATE  
KENNETH SNYDER, ALTERNATE

#### **TOWNSHIP PERSONNEL:**

MELISSA A. WEHR, ZONING ADMINISTRATOR  
GALLAGHER REPORTING, STENOGRAPHER

#### **SOLICITOR:**

WILLIAM J. FRIES, ESQUIRE

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

**Louis Jany 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 # 1856 – Jay Trabulsi** – 1305 Marathon Drive, Whitehall, PA 18052. **Location: 1305 Marathon Drive, Whitehall, PA 18052, PIN 549756930956**, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting a variance to Sec. 27-74 E (5) and Sec. 27-18 of the Zoning Ordinance regarding work without a permit and maximum impervious coverage or covering entire rear yard with concrete without first securing the necessary and required approvals. Continued to this meeting at the request of the Applicant.

This Docket was continued until the December 20, 2016 at the request of the Applicant.

**DOCKET # 1858 – DTC MacArthur Road, LP** – 1665 Valley Center Parkway, Suite 110, Bethlehem, PA 18017. **Location: 2998 MacArthur Road, Whitehall, PA 18052, PIN 549827572645, 549827483978 and 549827383253**, the subject property is located in a C1 Neighborhood Commercial Zoning District. Applicant is requesting variances to Section 27-155 A (3) and Sec. 27-161 A (1) of the Zoning Ordinance to permit a freestanding sign to be located 10.0 FT from a Right-of-Way line in lieu of the 25 FT setback required and to permit six (6) wall signs in lieu of the one (1) permitted wall sign per business establishment. Continued to this meeting at the request of the Applicant.

Eric Shock, Esquire represents Applicant.

Michael Jeitner, from Bohler Engineering, was sworn in.

Jim Curran, McDonald's Area Real Estate Agent, was sworn in.

Testimony was given.

Proposed building is not located in the clear site triangle and there is no message board proposed on the freestanding sign.

Andrew Twigg, property owner, was sworn in.

The Board went into Executive session.

OBJECTORS/SUPPORTERS:  
NONE

Motion to approve the Applicant's request for a variance to Sec. 27-155 A (3) with a minimum 10' setback was made by Lee Christman and was seconded by Alberta Scarfaro.

Motion to approve the Applicant's request for a variance to Sec. 27-161 A (1) regarding six (6) allowable wall signs was made by Lee Christman and was seconded by Stephen Burda.

The Board voted 5 to 0 to approve both motions.

**DOCKET # 1859 – Chad Erie** – 739 Morris Road, East Greenville, PA 18041. **Location: 3404 N. Ruch Street, Whitehall, PA 18052, PIN 549905810582**, the subject property is located in a R5A High Density Residential without Apartments Zoning District. Applicant is requesting a variance/interpretation to Sec. 27-76 A, Sec. 27-76 E and Sec. 27-121 of the Zoning Ordinance regarding use permitted in the R5A High Density Residential Zoning District, Applicant proposing a dwelling consisting of not more than 2 dwelling units which was previously permitted when the use was established; recognition of any dimensional nonconformities as it pertains to setbacks; any dimensional variances necessary from 27-121 pertaining to the establishment of apartments associated with the pre-existing dimensional nonconformities. Continued to this meeting at the request of the Applicant.

Mark Malkames, Esquire represents Applicant.

Chad Erie, property owner, was sworn in.

Robert Piligian, land surveyor, was sworn in.

Testimony was given.

The Board went into Executive session.

OBJECTORS/SUPPORTERS:  
NONE

Motion to deny the Applicant's request for an interpretation to Sec. 27-76 E was made by Alberta Scarfaro and was seconded by Dean Wotring.

Motion to approve the Applicant's request for a variance to Sec. 27-76 E was made by Lee Christman and was seconded by Dean Wotring.

The Board voted 5 to 0 to deny the Applicant's request for an interpretation to Sec. 27-76E.

The Board voted 5 to 0 to approve the variance request with the following conditions:

1. Each of the 2 dwelling units must be dedicated 2 driveway spaces along with 2 garage spaces in the existing detached garage.
2. Must comply with all applicable building Codes for the two dwelling units and all appurtenant structures.

**DOCKET # 1860 – Queen City Pizza, Inc.** – 155 Mickley Road, Whitehall, PA 18052. **Location: 155 Mickley Road, Whitehall, PA 18052, PIN 549786190996**, the subject property is located in a C2 Regional/Community Zoning District. Applicant is requesting a variance to Sec. 27-80 E (2) (b) and Sec. 27-106 C of the Zoning Ordinance regarding existing non-conforming structures and minimum rear yard setbacks in the C-2 Zoning District.

Kate Curico, Esquire represents Applicant.

Thomas Bolger, Applicant, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:  
NONE

Motion to approve was made by Stephen Burda and was seconded by Alberta Scarfaro.

The Board voted 5 to 0 has approved the variance request with the following conditions:

1. Must construct two (2) bollards to protect the cooler.
2. The cooler and platform must comply with all current applicable building Codes.

There were not any minutes submitted and approved by the Zoning Hearing Board.