

**TOWNSHIP OF WHITEHALL  
ZONING HEARING BOARD  
RESULTS OF PUBLIC HEARINGS  
SEPTEMBER 16, 2025**

The Chairperson called the Meeting to order at 7:00 pm. All five (5) Members were present. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement.

**DOCKET # 1992 A – Laurel Fox, LLC c/o Hans Gildein** – 7762 Locust Valley Road, Coopersburg, PA 18036.

**Location: 5201 and 5212 Main Street, Whitehall, PA 18052, PINs 559001188368 and 559001164227.** The subject properties are located in the R-5A High Density Residential Without Apartments and C-1 Neighborhood Commercial Zoning Districts. Applicant is requesting a one year extension of time to act upon, or renewal of, a Special Exception pursuant to section 27-60(D)(6) and Variances to sections 27-76 and 27-145(M) of the Zoning Ordinance allowing a change of a non-conforming use from a tavern to a non-conforming use as two apartments, a change of a non-conforming use as an office to a non-conforming use as a 16<sup>th</sup> boarding room, and continuation of accessory parking for 5201 Main Street at 5212 Main Street, which were originally granted on March 26, 2021.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners.

The Applicant appeared through its Principle, Hans Gildein. He testified that the prior Owner had secured the requested Zoning relief. He does not want to run a bar, is using the building for what it was intended for for over 100 years, and the status of his renovations.

There were no objectors or supporters.

Motion by Lou Jany to grant the requested extensions of time; second by Steve Burda. Motion passed 5 – 0.

**DOCKET # 2115 and # 2115 A – Industrial VI Enterprises, LLC c/o Gregory J. Davis, Esquire** – 1200 Liberty Ridge Drive, Suite 200, Wayne, PA 19087-5569. **Location: 4690 S. Church Street, Whitehall, PA 18052, PINs 548933805488, 548942481288, 548953960095, and 548963082489.** The subject properties are located in the OS-2 Open Space/Limited Industrial Zoning District. These are consolidated Appeals from the Zoning Officer's Preliminary Opinions dated December 17, 2024 and February 21, 2025 that the Appellant's proposed scope of use constitutes a distribution facility and not a warehouse. In addition, at Docket #2115A, the Applicant is requesting Variances to sections 27-69(E)(4) and 27-110(C)(2) of the Zoning Ordinance to construct a 53 feet high warehouse building where 35 feet are the maximum allowed, with a 200 feet wide driveway where 40 feet are the maximum allowed.

**DOCKET # 2115 B – Industrial VI Enterprises, LLC** – 5050 W. Tilghman Street, Suite 435, Allentown, PA 18104. **Location: 4690 S. Church Street, Whitehall, PA 18052, PINs 548933805488, 548942481288, 548953960095, 548963082489, and 548944714127.** The subject properties are located in the OS-2 Open Space/Limited Industrial Zoning District. This is an Appeal from the Zoning Officer's Preliminary Opinion dated June 19, 2025 that the Appellant's proposed scope of use constitutes a distribution facility and not a warehouse. In addition, Applicant is requesting Variances to sections 27-69(E)(4) and 27-110(C)(2) of the Zoning Ordinance to construct a 53 feet high warehouse building where 35 feet are the maximum allowed, with a 200 feet wide driveway where 40 feet are the maximum allowed.

The Applicant was represented by Dan Rowley, Esquire.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners.

Attorney Rowley reviewed the applications, and explained to proposal to continue to use some of the approximately 238 acres as a quarry with limited agricultural use, and to construct a 1.2 million square feet

warehouse. The warehouse would be leased to one or more tenants; and its primary function would be storage. He explained that the industry standard interior height for a warehouse is 40 feet, which requires an exterior height of 53 feet, and that the driveway width request is to provide safe ingress and egress for tractor trailer trucks and to comply with PennDOT requirements for tractor trailer truck turning radii.

Ryan Whitmore of Land Core Engineering Consultants was accepted as an Expert Witness in Civil Engineering. He reviewed an aerial plan of the properties, and described the topography and boundaries. The proposal is for a 1,284,620 square feet building, 620 feet deep and 2072 feet long, with 653 parking spaces. 325 employees are anticipated during a peak shift. There will be 246 docks and 288 trailer storage stalls. All proposed building setbacks are in excess of the minimum requirements, there will be a six feet (6') tall fence on top of the berm on the Bridge Street side. He described the proposed landscaping and the ingress turning movements, and that the proposal will not alter the character of the neighborhood. The requested Zoning relief is the minimum necessary for the proposal.

Jeremy Bleinberry of Cushman & Wakefield was accepted as an Expert Witness in Commercial and Industrial Real Estate. He testified that shrink wrapping and battery charging for forklifts were incidental or ancillary to a warehouse use. He reviewed photographs of other industrial warehouse buildings. The depth of a building is an indicator of whether a use is as a warehouse or as a distribution facility. It is common for municipalities to have separate definitions for warehouse, distribution facility, and fulfillment center. The term fulfillment center is ambiguous because he considers CVS to be a fulfillment center because it fulfills prescriptions. The number of employees is not dispositive as to whether a building is a warehouse or distribution facility.

Jason Kushner, an Employee of the Applicant, was accepted as an Expert Witness in Industrial Real Estate and Warehouse Use. He testified that the depth of a building is the biggest indicator as to whether it is a warehouse or distribution facility. 40 feet interior height is the standard in the warehouse industry. There is no rule of thumb as to the amount of time things are stored as compared to when they are removed. Break rooms, locker rooms, and nurseries are incidental to a warehouse use.

Michael Metzger of Alloy 5 Architecture was accepted as an Expert Witness in Architecture and Designing Industrial Buildings And Warehouses. 53 feet exterior height is needed for a 40 feet interior height. He testified as to the anticipated lines of sight, that proposed landscaping will shield the proposed building from view, that the requested height Variance is the minimum Zoning relief necessary for the proposal, and that the Applicant's hardship results from industry standards for warehouses.

The Applicant had one more Witness, who would be lengthy.

The Chairperson announced that these Applications would be continued to the October 21, 2025 Meeting.

Motion by Lou Jany to approve the August 19, 2025 Meeting; second by Steve Burda. Motion passed 5 – 0.

Meeting adjourned at 9:45 pm.