



TOWNSHIP OF WHITEHALL



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M E M O R A N D U M

DATE: DECEMBER 4, 2015
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: NOVEMBER 2015

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

December 4, 2015

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **November 17 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 (*Did not hear original Docket, was present to observe only*)
STEPHEN BURDA, MEMBER
LEE CHRISTMAN, MEMBER
LOUIS A. JANY, MEMBER
DEAN WOTRING, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

KENNETH SNYDER, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. WEHR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

JEFFREY B. MATZKIN, ESQUIRE
WILLIAM J. FRIES, ESQUIRE (Conflict Attorney)

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 # 1823 – Whitehall Township – 3219 MacArthur Road, Whitehall, PA 18052. **Location:** **5101 Beekmantown Road, Whitehall, PA 18052, PIN 548997529774, 549906586088, and 549906489354**, the subject property is located in an OS2 Open Space/Limited Industrial Zoning District. Applicant is requesting the variances to Sec. 27-100 and Sec. 27-114 of the Zoning Ordinance regarding frontage on public street and steep slopes be revoked. In the alternative, that the use of only clean fill and not other types of fill or waste be imposed as a reasonable condition of the variances, or an interpretation that the variances were granted based upon the use of clean fill and not other types of fill or waste. Continued to this meeting for the taking of additional testimony, the consideration of written Briefs, and Argument.

Christopher Gittinger, Esquire represents Applicant.

Arguments ensued.

Attorney Blake Marles represents Coplay Quarry.

OBJECTORS/SUPPORTERS:

No response at this time; asked a second time and the following wished to speak:

- Anthony Costantino was sworn in, concerned about safety of the people.
- Donna Salter was sworn in, concerned about dump and products accepted.
- George Prutko (Donna Salter boyfriend) resident was sworn in, agrees with Anthony Costantino.
- Valerie Umstead was sworn in, concerned about items being brought in that is not clean fill.

Exhibits were entered and accepted with Attorney Marles objection.

The Board went into Executive session.

Louis Jany made a motion that the Board does not have jurisdiction in this matter, was seconded by Roger Reichard. The Board unanimously approved the motion.

Therefore the decision is to dismiss the application on the grounds the Zoning Hearing Board does not have jurisdiction.

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