

**TOWNSHIP OF WHITEHALL  
ZONING HEARING BOARD  
RESULTS OF PUBLIC HEARINGS  
SEPTEMBER 17, 2024**

The Chairperson called the Meeting to order at 7:00 pm. Member Lou Jany was absent. Alternate Member Pedro Jose attended. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement.

**DOCKET # 2097 – BETTER WORLD RECYCLING c/o Kimberly Kidd** – 8775 Darag Road, District Heights, MD 20747. **Location: Eastern Parking Lot Of The Lehigh Valley Mall, Whitehall, PA 18052, PIN 549891278471.** The subject property is located in the C-2 Regional/Community Commercial Zoning District. Applicant is requesting a Special Exception pursuant to section 27-80(C)(3) of the Zoning Ordinance to allow an outdoor storage use for used clothing and shoes donation bins.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners. Township Exhibit #1, the Development Bureau Chief's July 18, 2024 letter advising the Planning Commission's recommendation for approval was admitted into the Record.

The Applicant appeared through its Operations Manager, Kimberly Kidd. The Applicant was not represented by an attorney. The Applicant requested a Continuance to retain an attorney; and signed a Waiver for the time deadlines for the first Hearing and written decision. The Continuance was granted.

**DOCKET # 2099 – Adib Zaghtiti** – 1145 Catasauqua Avenue, Allentown, PA 18102. **Location: 500 Catasauqua Avenue, Whitehall, PA 18052, PIN 640729875689.** The subject property is located in the R-4 Medium Density Residential Zoning District. Applicant is requesting a Variance to section 27-100 of the Zoning Ordinance to allow driveway access to and from Allison Street for a new single family residence where the required public street frontage is on Catasauqua Avenue.

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

The Applicant testified on his own behalf. He explained the hardship imposed by the sloping topography of the lot. Hi site plan included with his application was marked as Exhibit #1; and was admitted into the Record.

There were no objectors. Frank Yost appeared as a Supporter.

The Record was closed.

Motion by Lee Christman to grant the requested Variance; second by Roger Reichard. Motion passed 5 – 0.

**DOCKET # 2100 – Landston Equities, LLC** – 3150 Coffeetown Road, Orefield, PA 18069. **Location: 2451 Main Street, Whitehall, PA 18052, PIN 549876036692.** The subject property is located in the I-Industrial Zoning District. Applicant is requesting Variances to sections 27-81(E)(4) and 27-110(C)(2) of the Zoning Ordinance to construct a distribution facility with a building height of 53 feet where 35 feet is the maximum height above grade allowed, and to allow a 120 feet wide driveway where 40 feet is the maximum width allowed.

Conflict Solicitor, Victor E. Scmillio, esquire sat with the Zoning Hearing Board.

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

The Applicant was represented by Erik Schock, Esquire.

The Applicant appeared through its Land Development Project Manager, an Employee of Jaindl Land Co., Rocco Caracciolo. He was accepted as an Expert Witness in civil engineering. He identified and offered five (5) Exhibits into the Record. He described the surrounding property uses and Zoning Districts, the warehouse industry standard for building height, emergency vehicle access and ability to navigate through the site, the proposed 28 loading docks, the seven (7) peak truck trips anticipated per hour, that trucks were anticipated to access the Range Road driveway from Schadt Avenue and exit from Range Road to Eberhart Road, and 24 hour seven days pre week hours of operation.

John McRoberts, Manager of Land Planning And Development for the Pidcock Company was accepted as an Expert Witness in civil engineering. He testified as to only ten percent (10%) of the proposed building being subject to the 35 feet height limitation, the need for 120 feet for truck turning radius, two (2) entrance lanes and one exit lane, that the lanes are within PennDOT 's suggested width range and are similar to the opposite Shopping Center entrance, and rough afternoon peak traffic calculations.

The Applicant's Exhibits were admitted into the Record.

There were no objectors or supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Pedro Jose to grant the requested Variances subject to the condition that traffic issues be reviewed by the Planning Commission and Board Of Commissioners during the Conditional Use process; second by Lee Christman. Motion passed 5 – 0.

**DOCKET # 2102 – Mark and Megan Libonati** – 2019 N. Third Avenue, Whitehall, PA 18052. **Location: 2019 N. Third Avenue, Whitehall, PA 18052, PIN 549886842885.** The subject property is located in the R-5A High Density Residential Without Apartments Zoning District. Applicants are requesting Variances to sections 27-62(D) and 27-84(G) of the Zoning Ordinance to construct a two story three car garage with a bathroom and the plans reference bedroom windows where residential purposes are prohibited, a building height of 28 feet where 22 feet is the maximum allowed, and a building footprint of 1,200 square feet where 875 square feet is the maximum allowed.

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

The Applicants appeared on their own behalf. They testified as to the proposed three (3) car garage with a half bath on the first floor and storage only on the second floor. They proposed to insulate and finish the second floor with drywall and that it would be climate controlled.

The Zoning Hearing Board held an Executive Session.

The Applicants' building plan was marked as Exhibit #2. A Google Earth site plan was marked as Exhibit #1. Both Exhibits were admitted into the Record.

There were no objectors or supporters.

The Record was closed.

Motion by Lee Christman to deny the requested Variances; second by Roger Reichard. Motion passed 5 – 0.

Motion by Dean Wotring to approve the Minutes from the July and August, 2024 Meetings; second by Lee Christman. Motion passed 5 – 0.

Meeting adjourned at 9:05 pm.