

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARINGS
AUGUST 18, 2026**

The Chairperson called the Meeting to order at 7:00 pm. The Chairperson and Members Burda and Wotring, and Alternate Member Gulycz were present. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement. The Chairperson announced that only four (4) Board Members were present, in the event any Appellant/Applicant wished to request a Continuance to avoid the possibility of a tie vote which would constitute a denial.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to neighboring property owners for Docket #s 2132, 2143, 2150, 2151, 2152, and 2154.

DOCKET # 2122a AND # 2123 a – Coplay Quarry, LLC 21 E. 10th Street, Northampton, PA 18067. **Location: 5100 Beekmantown Road and 5105 Beekmantown Road, Whitehall, PA 18052, PINS 549906489354 and 549906586088.** The subject properties are located in the OS-2 Open Space/Limited Industrial Zoning District. Applicant is requesting a second one year extension of time for the warehouse interpretation originally issued on August 27, 2025 at Docket No. 2095, as extended on August 20, 2025 at Docket No. 2123, and a fourth one year extension of time for the Variances from sections 27-69(E)(1)(c), (3), and (4), 27-100, and 27-114 of the Zoning Ordinance originally granted on August 16, 2022 at Docket 2030, as extended on September 18, 2023 at Docket 2030A, as extended on August 27, 2024 at Docket 2030B, as extended on August 20, 2025 at Docket 2122 to allow construction of a warehouse with 60% impervious coverage, with 50 feet building height above grade, without frontage on and access from 150 feet of a public street, and on steep slopes.

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 Karley Sebia, Esquire

The Applicant appeared through its President, Steven Kolbe. He described the history of noncooperation with the prior Developer.

The Applicant's Engineer, Bill Schaeffer testified as to the lack of access to the prior engineering plans. He described the status of and process to seek multiple governmental approvals for the project since being engaged by the Applicant in December, 2025.

There were no objectors or supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Steve Burda to grant the requested extensions of time; second by Dean Wotring. Motion passed 4 – 0.

DOCKET # 2132 – Carol Olsen – 3244 Water Street, Whitehall, PA 18052. **Location: 3230 Water Street, Whitehall, PA 18052, PIN 549961905251.** The subject property is located in the OS-1 Open Space - Residential/Agricultural Zoning District. Applicant is requesting Variances from sections 27-144(A) and (C), 27-145(N), 27-146(A)(18), and 27-173(B) of the Zoning Ordinance to allow reconstruction of a single family residence, which constitutes a prohibited substantial improvement in a flood plain, and without required off street parking spaces where two (2) off street parking spaces up to Township standards are required. Continued to this Meeting at the request of the Applicant.

The Applicant appeared with her Husband, James Foose. He testified that the Applicant intends to replace the prior house, raising it two feet (2') above the flood plain level. He identified three (3) Exhibits: Google answers to FEMA questions, a large set of floor plans, and a Base Engineering Memo dated June 3, 2026. He stated that in the Demolition Permit application, the Applicant and her

Husband indicated that they would rebuild the house. They plan to use the existing foundation. The proposed house will be occupied by Relatives. The Applicant has no intention of making the new house into a rental unit. The Applicant requested to overlook the absence of any parking spaces. The Applicant offered a letter/report dated June 14, 2025 from an Engineer, Byron Crydup into the Record; indicating that the existing foundation was structurally sound. The Applicant agreed that her proposal constitutes a "substantial improvement", and that the subject property is located in an AE Flood Zone.

The Applicant's Exhibits were admitted into the Record.

Four (4) Supporters, Renate Brosky, Richard Reigle, Patric Kuhns, and Jay Paetzell testified.

There were no Objectors.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Dean Wotring to grant the requested Variances; second by John Gulycz. Motion passed 3 – 1; with Steve Burda voting no.

DOCKET # 2143 – ProSolve Global Solutions, LLC – 855 Third Street, Whitehall, PA 18052. **Location: 855 Third Street, Whitehall, PA 18052, PIN 640812142058.** The subject property is located in the C-1 Neighborhood Commercial Zoning District. Applicant is requesting a favorable interpretation of section 27-194 of the Zoning Ordinance that the use of the property as a residence for ten unrelated men recovering from substance abuse disorder and one unrelated live-in house manager constitutes a family and is thus a permitted use. In the alternative, Applicant is requesting a reasonable accommodation or Variance from sections 27-45(C) and 27-146(21) of the Zoning Ordinance, requiring a scaled site plan signed and sealed by a registered professional and requiring 11 off street parking spaces up to Township standards, relating to a pending Conditional Use application to continue to operate a rooming or boarding house as a drug and alcohol recovery house. Continued to this Meeting for deliberations.

The Applicant was represented by DeJonna Bates, Esquire.

The Chairperson announced that the Board had received issue position documents from both the Applicant and the Township.

The Zoning Hearing Board held an Executive Session.

The Board admitted the Applicant's letter dated August 13, 2026 confirming agreement to limit its tenants to two (2) vehicles total.

Motion by Dean Wotring to grant the requested favorable interpretation; second by Steve Burda. Motion passed 4 – 0.

The Applicant withdrew its alternate request for Variance relief.

DOCKET # 2150 – Helen F. Rizzotto – 3012 Coplay Lane, Whitehall, PA 18052. **Location: 3621 Eberhart Road, Whitehall, PA 18052, PIN 549858139268.** The subject property is located in the C-2 Regional/Community Commercial Zoning District. This is an Appeal from an Enforcement Notice. Applicant asserts that she is not in violation of sections 27-18, 27-20 and 27-29 of the Zoning Ordinance by allowing third parties to reside in two (2) basement apartments without Certificates Of Occupancy, which apartments were constructed without Permits and approvals, and after a Variance allowing one basement apartment was extinguished. Continued to this Meeting at the request of the Applicant.

The Appellant was represented by Vivian Hadian, Esquire. The Applicant submitted a written request to amend the Appeal to include Variance relief to continue to use the two (2) apartments. The Appellant requested a Continuance due to there only being four (4) Members present and to allow for advertisement of the new request for Variance relief. The Board voted 4 – 0 to grant the Continuance.

DOCKET # 2151 – M and B Sons Property, LLC – 183 Robert Drive, Allentown, PA 18104. **Locations: 906, 908, and 910 Third Street, Whitehall, PA 18052, PINs 640802886467 (906), 640802886927 (908), 640802896109 (910).** The subject properties are located in the C-1 Neighborhood Commercial Zoning District. Applicant is requesting Variances from sections 27-60(D)(1), 27-78(E)(2)(b) and (5), 27-87(B)(6), and 27-89(A)(4) of the Zoning Ordinance to allow consolidation of the lots in order to demolish the existing nonconforming residences and relocate and enlarge the nonconforming Mini Mart by more than 25%, with a rear yard setback of 18 feet where 25 feet are required, with a five feet (5') buffer strip abutting an adjacent residence on the north side where 25 feet are required, resulting in more than 70% impervious surface coverage.

The Applicant was represented by Ryan Durking, Esquire. The Applicant appeared through its Principal, Jude Cooney.

The Applicant identified an existing conditions and demolition plan, and a proposed building plan. The current impervious coverage is 77%. Three (3) Tax Assessment records, and the application, and the two (2) Exhibits identified earlier were admitted into the Record.

Township Exhibit #1, the Bureau Of Planning, Zoning, And Development's Chief's letter dated July 17, 2026 confirming that the Planning Commission voted to recommend denial of the requested Special Exception was admitted into the Record.

There were no Objectors or Supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Dean Wotring to grant the requested Variances and Special Exception; second by Steve Burda. Motion passed 4 – 0.

DOCKET # 2152 – Ed Holdings Co. – 228 N. First Street, Lehigh, PA 18235. **Location: 5604 and 5614 Main Street, Whitehall, PA 18052, PINs 558060803328 and 558060706263.** The subject properties are located in the C-1 Neighborhood Commercial Zoning District. Applicant is requesting a Variance to section 27-78 of the Zoning Ordinance to allow used automotive sales.

The Applicant was represented by Matthew Mobilio, Esquire. The Applicant appeared through its Principal and Sole Member, Elias Hajjar.

The current use is as a flower shop and towing company. Three (3) Exhibits were offered: three (3) photographs of the building, photographs of the Applicant's Business located in Lehigh, PA, and a photograph of another automotive sales and service Business located on 3rd Street. The Applicant testified that it would have maybe a dozen cars to offer for sale.

The 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 Steve Burda to grant the requested Variances; second by John Gulycz. Motion passed 4 – 0.

DOCKET # 2154 – Hokendauqua Fire Co. #1 – 3022 S. Second Street, Whitehall, PA 18052. **Location: 3022 S. Second Street, Whitehall, PA 18052, PIN 549951746411.** The subject property is located in the R-5A High Density Residential Without Apartments Zoning District. Applicant is requesting Variances from sections 27-76(E)(5) and 27-106(C) of the Zoning Ordinance to increase the nonconforming impervious coverage in excess of the 70% maximum allowed by adding an approximate additional 76 square feet of asphalt.

The Applicant appeared through its Captain, John Hersh.

Township Exhibit #1, a Google overhead ariel photograph of the property was admitted into the Record.

The Applicant testified that it wanted to add an approximate four feet by sixteen feet (4' x 16') area of asphalt for more parking/storage area.

There were no Objectors or Supporters.

The Record was closed.

Motion by Dean Wotring to grant the requested Variance; second by Steve Burda. Motion passed 4 – 0.

Motion by Steve Burda to approve the July 21, 2026 Minutes; second by Dean Wotring. Motion passed 4 – 0.

Meeting adjourned at 9:35 pm.