



# TOWNSHIP OF WHITEHALL



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

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DATE: FEBRUARY 27, 2014  
TO: ZONING HEARING BOARD  
JEFFREY B. MATZKIN, ESQUIRE  
BOARD OF COMMISSIONERS  
FROM: MELISSA A. WEHR, ZONING OFFICER *MAW*  
RE: MINUTES FOR APPROVAL

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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: **FEBRUARY 2014**

/caj

## **RESULTS OF MEETING**

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

February 27, 2014

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **February 18, 2014**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

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

LEE CHRISTMAN, CHAIRMAN  
STEPHEN BURDA, MEMBER  
DEAN WOTRING, MEMBER  
ALBERTA SCARFARO, MEMBER  
ROGER REICHARD, ALTERNATE

#### **ABSENT:**

LOUIS A. JANY, MEMBER  
VACANT, ALTERNATE

#### **TOWNSHIP PERSONNEL:**

MELISSA A. CEASAR, ZONING OFFICER  
GALLAGHER REPORTING, STENOGRAPHER

#### **SOLICITOR:**

WILLIAM J. FRIES, ESQUIRE

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

**Attorney Fries asked for nominations for Chairperson. Stephen Burda nominated Lee Christman, and was seconded by Alberta Scarfaro. The Board voted 5 to 0 to appoint Lee Christman as Chairperson for the year 2014.**

**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.**

**Stephen Burda made a motion to nominate Attorney William J. Fries as the conflict counsel for the Zoning Hearing Board and was seconded by Dean Wotring. The Board voted 5 to 0 to approve this motion.**

**DOCKET # 1777 - Gab & Mucks Pubs, Inc. t/a Keystone Pub** - 1410 Grape Street, Whitehall, PA 18052. **Location:** 1270-1410 Grape Street, Whitehall, PA 18052, PIN 549871430476, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-155 A (3); Sec. 27-155 B; Sec. 27-159; and Sec. 27-161 (A) (1) of the Zoning Ordinance regarding signage - placement of a freestanding sign with existing two (2) wall signs. Continued to this meeting at the request of the Applicant.

Neil Ettinger, Esquire represents Applicant.

Savvas Kiprislis, Vice President and General Manager for restaurant, was sworn in.

Daniel Staub, employed by Lehigh Valley Signs, was sworn in.

Testimony was given.

Applicant would like to amend application to include a variance for setback for LED signage Section 27-165 C.

**OBJECTORS/SUPPORTERS:**

All supporters were sworn in:

Joseph Abraham, supports, due to help with fundraising at Whitehall High School.

Paul Smith, supports, thinks that since others have multiple signs they should too.

Josh Ballan, supports, because it is a private owner trying to do good.

Andrew Hitz, supports, is a graduate of Whitehall High School looking for equal treatment.

Grammati Kiprislis, supports and is Applicant's mother, he is trying hard to pay the bills.

Gus Hronis, supports, is co-owner.

Motion to approve made by Alberta Scarfaro, seconded by Dean Wotring.

The Board voted 5 to 0 vote to approve the Applicant's request to amend the application to include a variance to Sec. 27-165 C and voted 4 to 1 to approve the Applicant's request for a variance to Sec. 27-155 A (3); Sec. 27-155 B; Sec. 27-159; Sec. 27-161 (A) (1) and Sec. 27-165 C of the Zoning Ordinance regarding signage - placement of a freestanding sign with existing two (2) wall signs and setbacks for proposed LED sign.

**DOCKET # 1779 - Fady Salloum** - 303 Sumner Avenue, Whitehall, PA 18052. **Location:** 303 Sumner Avenue, Whitehall, PA 18052, PIN 640717877211, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting a variance to Sec. 27-18, Sec. 27-74 E (2) (a) and Sec. 27-84 D of the Zoning Ordinance regarding work without a permit and front yard setbacks for gazebo that was constructed without first securing the necessary and required permits. Continued to this meeting at the request of the Applicant.

Fady Salloum, Applicant, was sworn in.

Hikmat Salloum, was sworn in.

Testimony was given.

**OBJECTORS/SUPPORTERS:**

Richard Schwartz, neighbor supports, no issues with structure.

Motion to approve made by Roger Reichard, seconded by Dean Wotring.

The Board voted 4 to 1 to approve this variance request with the condition that the Applicant must obtain a building permit and conform to all building codes.

**DOCKET # 1780 - Kaiser Pathan, Sheikh M. Ahmed, Ilyas M. Shaikh** - 4451 Anthony Drive, Bethlehem, PA 18020. **Location: 1995 Schadt Avenue, Whitehall, PA 18052, PIN 549803441182**, the subject property is located in a R3A Special Care Community Residential Zoning District. Applicant is requesting a variance to Sec. 27-73, Sec. 27-104 C, and Sec. 27-104 D (4) of the Zoning Ordinance regarding approval for the proposed use of single-family attached homes, to allow the homes on a single zoning lot and to permit a 30' separation between the buildings. Continued to this meeting at the request of the Applicant.

The Applicant had requested a continuance until the March 18, 2014 meeting.

The Board approved the Applicant's request for a continuance.

**DOCKET # 1781 - American Family Services Foundation** - 1025-1029 MacArthur Road, Whitehall, PA 18052. **Location: 1025-1029 MacArthur Road, Whitehall, PA 18052, PIN 549796004783 and 549785996839**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-80 E (2) (a) and Sec. 27-84 D of the Zoning Ordinance regarding placing a structure, i.e. a fence, in the front yard area to enclose a small portion of the lot to be used by the daycare as a play area and placing a structure, namely, a fence within the minimum front yard setback area of 50'. The proposed structure would be within 20' of the setback. Continued to this meeting at the request of the Applicant.

Attorney Paul Harak represents Applicant.

Mark Tripp, was sworn in.

Jacob Tripp, was sworn in.

Testimony was given.

**OBJECTORS/SUPPORTERS:**  
NONE

Motion to deny was made by Stephen Burda, seconded by Dean Wotring.

The Board voted 4 to 1 to deny this variance request.

**DOCKET # 1782 - Nidal Yacoub** - 450 Pershing Boulevard, Whitehall, PA 18052. **Location: 450 Pershing Boulevard, Whitehall, PA 18052, PIN 640800619923**, the subject property is located in a R5A High Density Residential without Apartments Zoning District. Applicant is requesting a variance to amend condition of the Zoning Hearing Boards decision of Docket #1502 to permit two (2) dentists, 5 medical employees and a 895 square foot non-medical office.

Prior to the hearing beginning, Alberta Scarfaro wanted to disclose that she used the services of the doctors. She stated that she could fairly and impartially hear the case. No objections were made by the Applicant or any objectors or supporters at the hearing to Miss Scarfaro hearing the case.

Robert Piligian, from Bascom & Sieger, was sworn in.

Nidal Yacoub, owner of the property, was sworn in.

Tarak Shiahhab, design professional, was sworn in.

Testimony was given.

**OBJECTORS/SUPPORTERS:**

Thomas Horvat, objects, issues with parking.

John Talago, supports.

Dorothy Talago, supports.

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

The Board voted 5 to 0 to approve this variance request with the condition that when a tenant is engaged for the space that Applicant along with the tenant must come back before the Zoning Hearing Board for approval.

The minutes for November 2013 were submitted and approved by the Zoning Hearing Board.