



# TOWNSHIP OF WHITEHALL



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

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DATE: DECEMBER 5, 2013  
TO: ZONING HEARING BOARD  
JEFFREY B. MATZKIN, ESQUIRE  
BOARD OF COMMISSIONERS  
FROM: MELISSA A. CEASAR, ZONING OFFICER *MAC*  
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: NOVEMBER 2013

/caj

## **RESULTS OF MEETING**

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

December 5, 2013

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **November 19, 2013**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

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

STEPHEN BURDA, CHAIRPERSON  
LOUIS A. JANY, MEMBER  
LEE CHRISTMAN, MEMBER  
DEAN WOTRING, MEMBER  
ROGER REICHARD, ALTERNATE

#### **ABSENT:**

LARRY BEERS, MEMBER  
ALBERTA SCARFARO, ALTERNATE

#### **TOWNSHIP PERSONNEL:**

MELISSA A. CEASAR, ZONING OFFICER  
GALLAGHER REPORTING, STENOGRAPHER

#### **SOLICITOR:**

JEFFREY MATZKIN, ESQUIRE

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

Stephen Burda 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 # 1773 - Dowel-Allentown, LLC** - c/o Progressive Management, 2 Sylvan Way, Suite 304, Parsippany, NJ 07054. **Location: 1053 Grape Street, Whitehall, PA 18052, PIN 549882217007**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-104 E of the Zoning Ordinance regarding limitations on use of lot.

Attorney Timothy Siegfried represents Applicant.

Richard Dinar, Property Management Agent for Progressive Building Management, was sworn in.

Derek Zerfass, real estate agent, was sworn in.

Applicant's proposal is for four (4) tenants in existing building.

Pasgale LaDuca, proposed restaurant owner, was sworn in.

Applicant is proposing thirty (30) seats for the restaurant; hours of operation would be from 10:00 a.m. to 1:00 a.m.

OBJECTORS/SUPPORTERS:  
NONE

Motion to approve made by Louis Jany, seconded by Lee Christman.

The Board voted 5 to 0 to approve this variance request.

**DOCKET # 1774 - Edward Tognoli** - 45 Kimmet Avenue, Whitehall, PA 18052. **Location: 45 Kimmet Avenue, Whitehall, PA 18052, PIN 640729754626**, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting a special exception to Sec. 27-84 G of the Zoning Ordinance regarding construction of a detached garage exceeding the allowable maximum square footage.

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

Edward Tognoli, was sworn in.

Testimony was given.

Detached garage will be used only for personal storage

No business will be run out of the building and no plumbing is proposed.

OBJECTORS/SUPPORTERS  
NONE

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

The Board voted 5 to 0 to approve this variance request.

**DOCKET # 1775 - Wilbur Hill** - 928 Sixth Street, Whitehall, PA 18052. **Location: 5834 N. Coplay Road, Whitehall, PA 18052, PIN 549927140353 and an adjoining parcel on Coplay Road to the east (unnumbered) PIN 549927145080**, the subject property is located in a OS-2 Open Space/Limited Industrial Zoning District. Applicant is requesting an interpretation of Sec. 27-194 defining "nonconforming lot" and Sec. 27-106 (F) that the lots are existing nonconforming lots and permissible building lots and that the lots have not been merged; Applicant is also requesting a special exception to Sections 27-69 (C) (1) to construct single family detached dwellings on said lots; Applicant also requests a variance from Sec. 27-69 (E) (2) (c) and (d) regarding side yard setbacks incident to said construction.

Mark Malkames, Esquire represents Applicant.

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

Wilbur Hill, Applicant, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS

NONE

Motion to approve the interpretation defining “non-conforming lot” was made by Lee Christman, seconded by Louis Jany; motion to approve the special exception for single family homes was made by Lee Christman, seconded by Roger Reichard; motion to approve the setbacks was made by Lee Christman, seconded by Dean Wotring.

The Board voted 5 to 0 to approve this special exception request with the following conditions:

- 1) One (1) recreation fee in the amount of \$2,000.00 be paid
- 2) Developer agrees to eliminate the east/west alley between parcels

**DOCKET # 1776 - Laura Jorge** - 104 Sycamore Court, Northampton, PA 18067. **Location: 2008 Eberhart Road, Whitehall, PA 18052, PIN 549879429238**, the subject property is located in an I-Industrial Zoning District. Applicant is requesting a variance to Sec. 27-81 A and Sec. 27-146 C of the Zoning Ordinance regarding permitted uses and parking requirements for proposed hair salon in a mixed use office building.

Laura Jorge, Applicant, was sworn in.

Dave Fretz, property owner, was sworn in.

Testimony was given.

The salon will be closed on Mondays, special hours on Sunday, Tuesday to Saturday the hours will be from 9:00 a.m. to 8:00 p.m., and Saturdays from 8:00 a.m. to 3:00 p.m.

There will be no more than six (6) stations with one (1) nail station.

OBJECTORS/SUPPORTERS

NONE

Motion to approve made by Louis Jany, seconded by Lee Christman.

The Board voted 5 to 0 to approve this variance request.

**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.

The Applicant requested a continuance until the December 17, 2013 meeting.

The Board voted to approve this request.

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