



TOWNSHIP OF WHITEHALL



BOARD OF COMMISSIONERS

PHILLIPS M. ARMSTRONG, President
DENNIS C. HOWER, Vice President
THOMAS SLONAKER, Secretary
JEFFREY L. DUTT
PHILIP J. GINDER
LINDA K. SNYDER
JOSEPH J. MARX, JR.

ADMINISTRATION

EDWARD D. HOZZA, JR., Township Mayor
JOHN D. MEYERS, Deputy Mayor
KEYSTONE CONSULTING ENGINEERS, INC.
Consulting Engineers
CHARLES J. FONZONE, ESQ., Solicitor
DIANE HUNSICKER, Treasurer

M E M O R A N D U M

DATE: JANUARY 4, 2017
TO: ZONING HEARING BOARD
WILLIAM J. FRIES, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING ADMINISTRATOR MAW
RE: ZONING HEARING BOARD 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: DECEMBER 2016

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

December 29, 2016

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **December 20, 2016**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

ZONING HEARING BOARD:

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

ABSENT:

LOUIS A. JANY, CHAIRPERSON
KENNETH SNYDER, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. WEHR, ZONING ADMINISTRATOR
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

WILLIAM J. FRIES, ESQUIRE

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 # 1856 – Jay Trabulsi – 1305 Marathon Drive, Whitehall, PA 18052. **Location: 1305 Marathon Drive, Whitehall, PA 18052, PIN 549756930956**, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting a variance to Sec. 27-74 E (5) and Sec. 27-18 of the Zoning Ordinance regarding work without a permit and maximum impervious coverage or covering entire rear yard with concrete without first securing the necessary and required approvals. Continued to this meeting at the request of the Applicant.

Attorney William G. Malkames represents Applicant.

Jay Trabulsi, Applicant, was sworn in.

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

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

The Board went into Executive session.

Motion to continue to March 2017 Zoning Hearing Board meeting was approved by Alberta Scarfaro and was seconded by Roger Reichard.

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

DOCKET # 1861 – Chick-fil-A – 5200 Buffington Road, Atlanta, GA 30349. **Location: 2610 MacArthur Road, Whitehall, PA 18052, PIN 5498456746651**, the subject property is located in a C2 Regional/Community Zoning District. Applicant is requesting a variance to Sec. 27-161 of the Zoning Ordinance regarding allowable number of wall signs requests a total of 4 wall signs.

Ben Holliday, from Clayton Sign, was sworn in.

John Velarde, owner/operator of Chick-fil-A Whitehall, was sworn in.

Testimony was given.

The proposed sign sizes:

- Sign “B” – 58.75 SF
- Sign “C” – 58.75 SF
- Sign “D” – Existing 37.67 SF
- Sign “E” - 58.75 SF

Applicant requested to withdraw proposed wall sign “B” located on the rear of the building. The Applicant also requested to amend the application to allow (3) wall signs with each sign to be a size of 37.67 SF for a total of 113.01 SF.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Stephen Burda and was seconded by Dean Wotring.

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

DOCKET # 1862 – Valenti Mid-Atlantic Realty II, LLC – c/o Troy Valenti, 2015 Stonegate Drive, Suite 101, Vestavia Hills, AL 35242. **Location: 2545 Mickley Avenue, Whitehall, PA 18052, PIN 549855172442**, the subject property is located in a C2 Regional/Community Zoning District. Applicant is requesting a variance to Sec. 27-80 E (2) (a) and Sec. 27-80 E (7) of the Zoning Ordinance regarding relief from front yard setbacks and maximum impervious surface to allow for the development of a fast food restaurant with drive through window service.

Steven Clipman, from Rock Commercial Real Estate, was sworn in.

Fidel Gonzalez, from Langan Engineering, was sworn in.

Stephanus Venter, Project Manager from Valenti Mid-Atlantic Realty, was sworn in.

Attorney David J. Tshudy, represents Applicant.

Testimony was given.

Applicant requested to amend the application to be consistent with Exhibit #6 with respect to 75% impervious coverage.

OBJECTORS/SUPPORTERS:

NONE

Motion to approve made by Dean Wotring and was seconded by Alberta Scarfaro.

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

DOCKET # 1863 – Lata Patel and Crescent Court, LLC – 3671 Crescent Court East, Whitehall, PA 18052. **Location: 3671 Crescent Court East, Whitehall, PA 18052, PIN 549838990528**, the subject property is located in a C2 Regional/Community Zoning District. Applicants are requesting a variance and interpretation to Sec. 27-104 and Sec. 27-144 of the Zoning Ordinance regarding more than one (1) principal use and parking (if necessary) and interpretation of Sec. 27-58 regarding accessory use.

Attorney William G. Malkames represents Applicant.

Geraldo Saavedra, President and owner of Crescent Court, LLC, was sworn in.

Piyush Patel, Partner of proposed pharmacy, was sworn in.

Testimony was given.

The owner currently occupies the first floor with Met Lab who does not have approvals needed for occupancy. Owner states that Met Lab is leaving.

The proposed pharmacy will be called We Care Pharmacy, LLC and will be for prescriptions only and nothing else.

They will lease approximately 2,300 SF of basement portion.

Their hours of operation will be Monday to Friday from 8:00 a.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 3:00 p.m.

There will be (1) pharmacist and (2) technicians.

OBJECTORS/SUPPORTERS:

NONE

The Board went into Executive session.

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

The Board voted 5 to 0 to approve this variance request with the condition that no lease or subleasing of any portion of building without getting the required approvals.

The meeting minutes from SEPTEMBER 2016 AND NOVEMBER 2016 were submitted and approved by the Zoning Hearing Board.