

## **RESULTS OF MEETING**

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

March 29, 2018

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **March 20, 2018**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

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

ALBERTA SCARFARO, CHAIRPERSON  
STEPHEN BURDA, MEMBER  
LEE CHRISTMAN, MEMBER  
LOUIS A. JANY, MEMBER  
DEAN WOTRING, MEMBER

#### **ABSENT:**

ROGER REICHARD, ALTERNATE  
KENNETH SNYDER, ALTERNATE  
WILLIAM J. FRIES, ESQUIRE

#### **TOWNSHIP PERSONNEL:**

MELISSA A. WEHR, ZONING ADMINISTRATOR  
GALLAGHER REPORTING, STENOGRAPHER

#### **SOLICITOR:**

CATHERINE E.N. DURSO, ESQUIRE

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

**Alberta Scarfaro read the Fair Housing Statement.**

**Alberta Scarfaro 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 # 1898 - Carmike Enterprises, LLC** – 15 Arrowhead Lane, Northampton, PA 18067.

**Location: 5201 Main Street, Whitehall, PA 18052, PIN 559001188368**, the subject property is located in a R5A High Density Residential w/o Apartments Zoning District. Applicant is requesting a variance/interpretation/special exception (if necessary) appeal to Sec. 27-60; Sec. 27-194 (definition of

uses); Sec. 27-106; Sec. 27-145 N; Sec. 27-145 M; Sec. 27-20; Sec. 27-23; Sec. 27-18; and Sec. 27-76 A of the Zoning Ordinance regarding continuation of non-conforming hotel/bar use and attendant parking. Continued to this meeting at the request of the Applicant.

Attorney Mark Malkames represents Applicant.

Michael Turczyn, Property owner and Applicant, was sworn in.

Testimony was given.

There are two (2) employees which are one (1) Bartender and one (1) Manager.

There are thirty (30) seats in the bar area.

There are nine (9) rooms on the second floor and nine (9) rooms on the third floor of the building.

Application would like to reestablish fifteen (15) rooms; the remainder three (3) rooms are to be used for:

- Room 1 – to be used as an office
- Room 5 – fire escape
- Room 2 – used for storage

Currently there are six (6) rooms that are occupied.

Rooms are rented weekly.

Mark Bradbury, from Martin, Bradbury & Griffin, Inc., was sworn in.

The entrance along 5212 Main Street which exits onto Rt. 329, will be removed; all access will be from Gavalla Street with existing stone, will be removed and grass installed in its place.

Applicant will provide lighting on both parking lots and will also use a mix of curbing and guide rail.

The barber shop located at 5212 Main Street has two (2) apartment units.

#### OBJECTORS/SUPPORTERS:

James Havassy, was sworn in, is concerned about parking and if the bridge replacement would affect the proposed parking.

Zbigniew Gutka, was sworn in, concerned about parking.

The Board went into Executive session.

**DOCKET # 1904 - Carmike Enterprises, LLC** – 15 Arrowhead Lane, Northampton, PA 18067.

**Location: 5201 and 5212 Main Street, Whitehall, PA 18052, PIN 559001188368 and 559001164227,** the subject properties are located in a R5A High Density Residential w/o Apartments Zoning District.

Applicant is requesting a variance, interpretation, special exception and if necessary an appeal to Sec. 27-60; Sec. 27-194 (definition of use); Sec. 27-106; Sec. 27-145 N; Sec. 27-145 M; Sec. 27-20; Sec. 27-23; Sec. 27-18; Sec. 27-76 A; Sec. 27-76 (E) (7); and Sec. 27-146 of the Zoning Ordinance regarding continuation of non-conforming hotel/bar use and attendant parking.

Motion to approve with conditions was made by Lee Christman, and was seconded by Louis Jany. The Board voted 5 to 0 to approve this Applicant's request for a variance, interpretation, special exception and if necessary an appeal with the following conditions:

1. Applicant shall address to the satisfaction of the Township Engineer the comments and recommendations as set forth in his letter dated February 20, 2018;
2. Applicant shall address to the satisfaction of the Bureau Chief of Planning, Zoning & Development the comments and recommendations set forth in her review memo dated February 21, 2018;
3. Applicant shall supply Deed restrictions on 5212-5216 Main Street property to provide parking to 5201 Main Street to satisfaction of Zoning Officer;
4. Minimum (2) handicap accessible spaces shall be provided ((1) per lot);
5. The proposed impervious coverage of new parking lot shall not exceed 70%;
6. Proposed parking lot shall be enclosed with concrete curbing or guide rail;
7. The existing gravel driveway to PA 329 / Main Street shall be removed;
8. Parking lot lighting shall be installed in accordance with the Zoning Ordinance subject to the Township Engineer and Staff approval;
9. Stormwater runoff from the proposed parking area shall not discharge onto Gavalla Street. The parking area must have inlet(s) installed that connect to the existing stormwater inlet(s) near the site. A Township Street Opening Permit may be required;
10. Revised plans to be approved by the Township Engineer;
11. The properties must be reinspected by Keycodes Inspection Agency.

The Zoning Hearing Board meeting minutes from **JANUARY 2018** were submitted and approved by the Zoning Hearing Board. There was no meeting held on February 20, 2018 due to no applications being received.