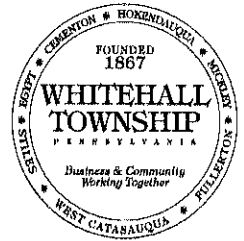


TOWNSHIP OF WHITEHALL



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M E M O R A N D U M

DATE: MAY 28, 2014
TO: ZONING HEARING BOARD
JEFFREY B. MATZKIN, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING OFFICER
RE: MINUTES FOR APPROVAL

MAW

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: MAY 2014

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

May 28, 2014

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **May 20, 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
LOUIS A. JANY, MEMBER
DEAN WOTRING, MEMBER
ALBERTA SCARFARO, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

VACANT, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. CEASAR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

JEFFREY B. MATZKIN, 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 # 1785 - S & H Management Group, LLC - 10021 N. Van Buren Street, Allentown, PA 18109-1643. **Location:** 1065 MacArthur Road, Whitehall, PA 18052, **PIN 549786920795**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-80 E for setbacks and 27-106 of the Zoning Ordinance regarding expansion of a pre-existing non-conforming structure (pizzeria) by renovating 25% of the total floor area.

Joseph Piperato, Esquire represents Applicant.

Chris Kerkusz, licensed engineer from Martin H. Schuler Co., was sworn in.

Samantha Urzua, owner of property and business, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Louis Jany, seconded by Alberta Scarfaro.

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

DOCKET # 1786 - Pathstone Housing Corporation of Pennsylvania - 648 Buena Vista Drive, Kennett Square, PA 19348. **Location: 215 Quarry Street, Whitehall, PA 18052, PIN 640812367096**, the subject property is located in a R5A High Density Residential w/o Apartments Zoning District. Applicant is requesting a special exception to the following sections of the Zoning Ordinance regarding Sec. 27-76 to permit the use; Sec. 27-121 (B) (6) density requirement; Sec. 27-145 (D) 25 foot minimum aisle width for 60-90 degree spaces with 2-way traffic; Sec. 27-145 (P) parking spaces maintain a minimum setback of 10 feet from any street, alley or highway right-of-way; Sec. 27-145 (R) residential off-street parking areas be landscaped on any side facing a public right-of-way and screened on sides adjoining residential zones; Sec. 27-146 (A) (18) two off-street parking spaces required per dwelling unit of the Zoning Ordinance. Continued to this meeting at the request of the Applicant.

Catherine E. N. Durso, Esquire represents Applicant.

Mike Jeitner, was sworn in at last hearing.

Testimony was given.

The plan was revised to change the number of units in southeast building reduced by 3 units, the square footage reduced and building setback decreased from Second Street from 35' to 19.2'.

The revised plans now has 49 units proposed, which requires a total of 98 parking spaces; the revised plan also has all non-ADA parking spaces to be 10'x20' parking stalls; the eastern parking lot now has 2 driveways and one way patterns. There are 49 parking spaces being provided.

The proposed units will have 11 units which are 3 bedrooms, 4 units which are 2 bedrooms and 34 units which are 1 bedroom.

John Wichner, transportation engineer and planner from Mc Mann Associates, was sworn in at last month's meeting.

Mickey Thompson, Esquire, represents Quarry Street Whitehall Development Corp., asked questions of Mr. Wichner's testimony and Wendy Carter's testimony.

Daniel Dougherty, owner of adjoining lot, was sworn in. He asked questions of Mr. Wichner's and Wendy Carter's testimony.

Vello Vilbas, was sworn in, asked questions.

Michael Kolhamer, was sworn in, asked questions of Mr. Wichner's testimony.

David Rothrock, was sworn in, asked questions of Mr. Wichner's testimony.

Mark Roth, was sworn in, asked questions.

Wendy Carter, works for Pathstone Housing Corp. of Pennsylvania, was sworn in and gave testimony.

OBJECTORS/SUPPORTERS:

David Harte, objects, concerned Applicant is unaware of off street parking they are putting in that it is taking away some on street parking.

Daniel Dougherty, objects, question on cell tower status and had questions on nonconforming regulations.

Darlene Bender, had concerns about construction, dirt, noise and asbestos during construction; also concerned about parking.

David Rothrock, concerned about parking and property values.

Mark Roth, concerned about parking with lights shining into his house.

Michael Kolhamer, concerned about traffic on current alley and gaining access from Third Street down alley to the parking lots.

Ryan Brobst, question on ADA parking location; concerned about impact on neighborhood with this use.

Stanley Flyte, question on RF field strength on cell tower and concerned about parking problems.

Motion to deny made by Stephen Burda, seconded by Roger Reichard.

The Board voted 5 to 0 to deny this special exception.

DOCKET # 1789 - Tesla Motors, Inc. c/o Black & Veatch - 3500 Deer Creek Road, Palo Alto, CA 94304. **Location: 250 Lehigh Valley Mall, Whitehall, PA 18052, PIN 549871957317**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-100 of the Zoning Ordinance regarding frontage on a public street for proposed supercharging station for electric vehicles.

Applicant requested a continuance until the June 17, 2014 meeting.

DOCKET # 1790 - Nelson Snyder - 5167 Front Street, Whitehall, PA 18052. **Location: 5219 Main Street, Suite 2, Whitehall, PA 18052, PIN 559001071725**, the subject property is located in a R5A High Density Residential w/o Apts. Zoning District. Applicant is requesting a special exception to Sec. 27-60 (D) (6) of the Zoning Ordinance regarding changing from one non-conforming use of a retail store to another non-conforming use of a recreational gym.

Applicant requested a continuance until the June 17, 2014 meeting.

DOCKET # 1791 - ZecLee Properties - 524 Chelsea Lane, Allentown, PA 18104. **Location: 5010 and 5012 Washington Avenue, Whitehall, PA 18052, PIN 558090000592**, the subject property is located in a R5A High Density Residential w/o Apts. Zoning District. Applicant is requesting a variance to Sec. 27-76 E 1 (a) (2), E 1 (b) (2), E 1 (c) (2), E 2 (2) and E 2 (a) purpart 2 of the Zoning Ordinance regarding lot area, setbacks, and lot width for proposed subdivision of a single family detached dwelling into a semi-detached dwelling.

Applicant requested a continuance until the June 17, 2014 meeting.

DOCKET # 1792 - 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 an amendment to a prior zoning decision, or, in the alternative, a variance to Sec. 27-146 (A) of the Zoning Ordinance regarding off-street parking standards. Applicant seeks to amend prior Zoning Hearing Board decision which granted a variance for eighteen (18) parking spaces for a restaurant use. Applicant seeks to amend the prior Zoning decision to clarify and reflect the grant of a variance for eighteen (18) parking spaces, regardless of use. In the alternative, applicant seeks a variance from Sec. 27-146 (A) as it pertains to off-street parking standards and minimum parking requirements.

Applicant requested a continuance until the June 17, 2014 meeting.

The minutes for April 2014 were submitted and approved by the Zoning Hearing Board.