

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

November 26, 2018

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **November 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
ROGER REICHARD, ALTERNATE

ABSENT:

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.

Alberta Scarfaro read the Fair Housing Statement.

Pledge of Allegiance to flag was done.

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 # 1736 B – 4154 Roosevelt Street, LLC – 727 N. Meadow Street, Allentown, PA 18102. **Location: 4154, 4159 Roosevelt Street, Truman S. side of Truman, Whitehall, PA 18052, PIN 558040402252, 558040505388, 55804040606115, 548949872258,** the subject property is located in a R4 Medium Density Residential and R5A High Density Residential w/o Apts. Zoning District. Applicant is requesting a variance to Sec. 27-121 (B)(6), Sec. 27-121 (B)(8), Sec. 27-146 (A)(18), Sec. 27-121 (B)(1), Sec. 27-110 (C)(3), Sec. 27-121 (B)(3), Sec. 27-121 (B)(2), Sec. 27-76 (E)(2), Sec. 27-74 (E)(2), Sec. 27-145 (P), Sec. 27-145 (R), Sec. 27-74 (E)(2)(c) and (d), Sec. 27-121 (A)(4), Sec. 27-76 (E)(1)(A)(4), Sec. 27-74 (E)(5), Sec. 27-76 (E)(5), and Sec. 27-30 (B) of the Zoning Ordinance regarding parking requirements, apartment density requirements, parking and apartment screening requirements, use requirements for a multi-tenant apartment building in the R4 and R5A Zoning Districts, driveway location requirements, rear and side yard setback requirements, density requirements, impervious coverage requirements, and extension of previous Zoning Hearing Board approval. Continued to this meeting for the taking of additional testimony.

Mark Malkames, Esquire represents the Applicant.

Harold “Bud” Newton, from Newton Engineering, was sworn in.

Nat Hyman, property owner, was sworn in.

Brock Sambolec, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:

Tim Caffrey, was sworn in, objects – had questions for Engineer.

Alan Carr, was sworn in, had questions for Engineer.

Nicole Galio, was sworn in.

Motion to approve dimensional variances set forth in public hearing notice of tonight’s Zoning Hearing Board meeting was approved by Lee Christman and was seconded by Stephen Burda. The Board voted 5 to 0 to approve this request.

Motion to extend building permit extension request was made by Lee Christman and was seconded by Stephen Burda. The Board voted 5 to 0 to approve this request with the following conditions:

1. Phase 1 permits to be obtained, and commencement of construction and all authorized actions by December 31, 2019.
2. Phase 2 permits to be obtained, and commencement of construction and all authorized actions by June 30, 2019.
3. Phase 3 permits to be obtained, and commencement of construction and all authorized actions by December 31, 2020.

DOCKET # 1919 – Riverside Associates, et al – c/o Steven N. Goudsouzian, Esquire, 2940 William Penn Highway, Easton, PA 18045. **Location: 1936 MacArthur Road, Whitehall, PA 18052, PIN 549861551760**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-104 A of the Zoning Ordinance regarding the use of the premises. Specifically, the applicant desire to have two tenants with two separate entrances.

Steven Goudsouzian, Esquire represents Applicant.

Philip Nicozsis, property owner, was sworn in.

Dan Haney, District Manager for Sleep Number, was sworn in.

Testimony was given.

Christopher Geary, Engineer, was sworn in.

OBJECTORS/SUPPORTERS:
NONE

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

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

DOCKET # 1920 – Mykonos Properties, LLC - c/o Steven N. Goudsouzian, Esquire, 2940 William Penn Highway, Easton, PA 18045. **Location: 1952 MacArthur Road, Whitehall, PA 18052, PIN 549861571312**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-145 M of the Zoning Ordinance regarding required off street parking. Specifically, applicant is requesting that the Zoning Hearing Board permit the removal of two parking spaces on 1952 MacArthur Road and utilizing two parking spaces on the adjoining property at 1936 MacArthur Road.

Steven Goudsouzian, Esquire represents Applicant.

Philip Nicozsis, property owner, was sworn in.

Dan Haney, District Manager for Sleep Number, was sworn in.

Testimony was given.

Christopher Geary, Engineer, was sworn in.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve mad by Stephen Burda and was seconded by Louis Jany.

The Board voted 5 to 0 to approve this variance request with one condition that subject to the condition that the owners of 1936 MacArthur Road and 1952 MacArthur Road enter into lease agreement, in recordable form, and recorded with the Lehigh County Recorder of Deeds, by which the said property owners, on their own behalf, their successors in interest, and all subsequent property owners, acknowledge and agree that the owners of 1952 MacArthur Road shall be entitled to the establishment of and permanent continuation of two (2) off street parking spaces on the property located at 1936 MacArthur Road, which spaces shall be in compliance with the requirements of the Whitehall Township Zoning Ordinance.

DOCKET # 1921 – 1788/Riverside Business Center, LLC – c/o Fitzpatrick, Lentz & Bubba, PC, 4001 Schoolhouse Lane, Center Valley, PA 18034. **Location: 1139 Lehigh Avenue, Whitehall, PA 18052, PIN 640824179247**, the subject property is located in a I-Industrial Zoning District. Applicant is requesting a variance to Sec. 27-81 (A)(16) of the Zoning Ordinance regarding the use of a portion of the parking area on the property for the parking of tractor trailers and trucks.

The Applicant had requested a continuance until the December 18, 2018 meeting and the Board agreed to grant this request.

There were no minutes submitted and/or approved by the Zoning Hearing Board.