



TOWNSHIP OF WHITEHALL



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M E M O R A N D U M

DATE: OCTOBER 6, 2016
TO: ZONING HEARING BOARD
WILLIAM J. FRIES, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING OFFICER *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: SEPTEMBER 2016

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

October 6, 2016

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

ZONING HEARING BOARD:

LOUIS A. JANY, CHAIRPERSON
STEPHEN BURDA, MEMBER
LEE CHRISTMAN, MEMBER
ALBERTA SCARFARO, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

DEAN WOTRING, MEMBER
KENNETH SNYDER, ALTERNATE

TOWNSHIP PERSONNEL:

MELISSA A. WEHR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

WILLIAM J. FRIES, ESQUIRE

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

Louis Jany 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.

Mr. Jany stated that Dockets 1856 and 1858 have been continued.

DOCKET # 1854 – Driveline, LLC c/o Gary Hess – 4160 Best Station Road, Slatington, PA 18080. **Location: 1026 MacArthur Road formerly known as 1000 MacArthur Road, Whitehall, PA 18052, PIN 549785471751**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting that the July 5, 2016 Notice of Violation of the Township Code Enforcement Officer at No. NV 16-61 be overruled, and Applicant further requests a favorable interpretation of the definition of outside storage under Sec. 27-62 (G) of the Zoning Ordinance and condition of approval Number two (2) from Docket # 1803 on October 21, 2014.

Gary Hess, was sworn in.

Testimony was given.

The Board went into Executive session.

OBJECTORS/SUPPORTERS:

Curt Silfies, from Pinnacle Construction, Inc. located at 3286 Master Hills Road, Fogelsville,, was sworn in – rents 203 – owns the insulation truck on the photo. The bag on the photo with debris is his responsibility; none of the vehicles are his. Was located in the Township for 26 years until April 2016.

Motion by Lee Christman and seconded by Roger Reichard to deny the Applicant's request that the July 5, 2016 Notice of Violation of the Township Code Enforcement Officer at No. NV 16-61 be overruled.

Motion by Stephen Burda and seconded by Lee Christman to deny the Applicant's request for a favorable interpretation of the definition of outside storage under Sec. 27-62 (G) of the Zoning Ordinance.

Motion by Lee Christman and seconded by Roger Reichard to deny the request for modification of the second condition contained in the October 21, 2014 decision of the Board at Docket # 1803.

The Board voted 5 to 0 to deny the Applicant's requests.

The Applicant requested ten (10) days to remove the trailer; no later than September 30, 2016.

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.

Docket was continued at the request of the Applicant.

DOCKET # 1857 – Elysium Acquisitions, LLC – 718 N. Glenwood Street, Allentown, PA 18104. **Location: 5266 MacArthur Road, Whitehall, PA 18052, PIN 558070209488**, the subject property is located in a R5A High Density Residential without Apartments Zoning District. Applicant is requesting a favorable interpretation of Sec. 27-76 A (10) and E regarding type of dwellings and dimensional requirements that are to be applied.

Jeffrey Strauss, Applicant was sworn in.

Joel Scheer, Esquire represents Applicant.

Testimony was given.

OBJECTORS/SUPPORTERS:

David Huber, had a question on previous townhouse end units.

The Board went into Executive session.

Motion to approve made by Lee Christman and seconded by Alberta Scarfaro.

The Board voted 5 to 0 to approve the Applicant's request for a favorable interpretation.

DOCKET # 1858 – DTC MacArthur Road, LP – 1665 Valley Center Parkway, Suite 110, Bethlehem, PA 18017. **Location: 2998 MacArthur Road, Whitehall, PA 18052, PIN 549827572645, 549827483978 and 549827383253**, the subject property is located in a C1 Neighborhood Commercial Zoning District. Applicant is requesting a variance to Section 27-155 A (1), Sec. 27-155 A (3), Sec. 27-161 A (1), Sec. 27-165 B, Sec. 27-165 C, Sec. 27-165 D and Sec. 27-165 E of the Zoning Ordinance regarding permitting a freestanding sign of 93.88 SF in lieu of the 75 SF maximum allowable; permitting a freestanding sign to be located 10.0 FT from a Right-of-Way line in lieu of the 25 FT setback required; permitting six (6) wall signs in lieu of the one (1) permitted per business establishment; permitting an electronic display sign within the C1 District; permitting an electronic display sign to be located 10.0 FT from a street, highway, or other public right-of-way in lieu of the 50.0 FT requirement; permitting an electronic display sign to be located 200.2 FT from a residence or residential zoning district in lieu of the 1,000.0 FT requirement; and permitting an electronic display sign to change its display once per minute in lieu of the maximum frequency of no more than four (4) times per hour or once every 15 minutes.

Docket was continued at the request of the Applicant.

The minutes from AUGUST 2016 were submitted and approved by the Zoning Hearing Board.