



TOWNSHIP OF WHITEHALL



BOARD OF COMMISSIONERS

LINDA K. SNYDER, *President*
PHILIP M. GINDER, *Vice President*
DENNIS C. HOWER, *Secretary*
GERARD F. PALAGONIA
CLAIR D. HUNSBERGER
THOMAS SLONAKER
PHILLIPS M. ARMSTRONG

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: MAY 5, 2015
TO: ZONING HEARING BOARD
WILLIAM J. FRIES, ESQUIRE
BOARD OF COMMISSIONERS
FROM: MELISSA A. WEHR, ZONING OFFICER MAW
RE: 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: APRIL 2015

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

May 5, 2015

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **April 21, 2015**, 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
ROGER REICHARD, ALTERNATE
KEN SNYDER, ALTERNATE

ABSENT:

LEE CHRISTMAN, MEMBER
LOUIS A. JANY, MEMBER
DEAN WOTRING, MEMBER

TOWNSHIP PERSONNEL:

MELISSA A. WEHR, ZONING OFFICER
GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

JEFFREY B. MATZKIN, ESQUIRE
WILLIAM J. FRIES, ESQUIRE (Conflict Attorney)

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

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 # 1736A – 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) of the Zoning Ordinance regarding parking requirements, apartment

density requirements, parking and apartment screening requirements, use for a multi-tenant apartment building in the R4 and R5A Zoning Districts, driveway location requirement and rear and side yard setback requirements, density requirement and impervious coverage requirements. In addition, Applicant is requesting recognition that the property is non-conforming with respect to distances or dimensions with respect to Sec. 27-121 (B)(8), Sec. 27-145 (P), Sec. 27-145 (R), Sec. 27-110 (C)(3), and Sec. 27-74 (E)(5). Remanded back to the Zoning Hearing Board by Lehigh County Court of Common Pleas for additional testimony regarding dimensional variance relief.

Stayed pending further order from Judge Douglas Reichley.

DOCKET # 1815 – Keystone Novelties Distributor, LLC – 201 Seymour Street, Lancaster, PA 17603. **Location: Whitehall Square Shopping Center 2160-2180 MacArthur Road, Whitehall, PA 18052, PIN 549852398039**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a special exception to Sec. 27-65 of the Zoning Ordinance regarding a temporary use to have a temporary tent sale from June 25, 2015 to July 5, 2015 in the parking lot.

Chris Cook represents Keystone Novelties.

Testimony was given.

The tent will be erected on June 19, 2015.

Fireworks sales to begin on June 25, 2015 and end on July 5, 2015, from 9:00 a.m. to 9:00 p.m.

OBJECTORS/SUPPORTERS:
NONE

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

The Board voted 4 to 0 to approve this special exception request with the following conditions:

1. There must be a direct seller on the premises at all times to watch over the sales tent and merchandise.
2. The applicant shall establish the temporary use no earlier than June 25, 2015.
3. The sales tent, display area and all merchandise must be removed from the premises by July 6, 2015.
4. The hours of operation shall be from 9:00 a.m. to 9:00 p.m.
5. Only those fireworks and novelty items specifically approved by the Township Fire Chief shall be stored or offered for sale at the premises.
6. The applicant shall secure and maintain Comprehensive General Liability coverage with not less than \$1,000,000.00 combined single limit naming as additional insured "Whitehall Township" and its Boards and Commissioners (including individual members thereof) and their elected and appointed officers, officials, employees, professional consultants and agents. The applicant shall provide the Whitehall Township Zoning Office with a copy of said policy.
7. There shall be no obstruction of traffic on, in, into or out of the subject premises.
8. Applicant shall address to the satisfaction of Township Engineer comments and recommendations as set forth in letter dated March 18, 2015.
9. Applicant shall address to the satisfaction of the Bureau Chief of Development comments and recommendations as set forth in review memorandum dated March 18, 2015.

The minutes for February 2015 were submitted and approved by the Zoning Hearing Board.