

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARINGS
JULY 21, 2016**

The Chairperson called the Meeting to order at 7:00 pm. Chairperson Jany, Members Burda, Wotring, and Roth, and Alternate Member Gulycz were present. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement. The Zoning And Code Enforcement Officer announced that Docket #2132 – Carol Olsen had been continued to the August 18, 2026 Meeting.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearings to neighboring property owners, in all Dockets on the Agenda.

DOCKET # 2143 – ProSolve Global Solutions, LLC – 855 Third Street, Whitehall, PA 18052. **Location: 855 Third Street, Whitehall, PA 18052, PIN 640812142058.** The subject property is located in the C-1 Neighborhood Commercial Zoning District. Applicant is requesting a favorable interpretation of section 27-194 of the Zoning Ordinance that the use of the property as a residence for ten unrelated men recovering from substance abuse disorder and one unrelated live-in house manager constitutes a family and is thus a permitted use. In the alternative, Applicant is requesting a reasonable accommodation or Variance to sections 27-45(C) and 27-146(21) of the Zoning Ordinance, requiring a scaled site plan signed and sealed by a registered professional and requiring 11 off street parking spaces up to Township standards, relating to a pending Conditional Use application to continue to operate a rooming or boarding house as a drug and alcohol recovery house.

The Applicant was represented by Daniel G. Vitek, Esquire. The Applicant appeared through its Managing and Sole Member, Mildred Roxana Salazar.

Zach Whipperman, of Arkview Behavioral Health, testified as to his experience in the substance/alcohol abuse treatment industry. He testified as to the general nature of substance/alcohol abuse recovery houses, that residents typically pay weekly rent and stay at least six (6) months and with an average of one year. Neighbors should not be any more afraid than in any other residential or commercial use, and that residents are kicked out into the street if they relapse.

Mildred Roxana Salazar testified that she has no employees to help her, she does the resident screening, performs random drug testing of the residents, described the interior layout of the building, that each resident cooks when and what he wants to, and sometimes eat together, locks are not allowed on bedrooms, only one resident has a motor vehicle, there is a bus stop across the street, there is no time limit for a resident to stay, that the Resident House Manager has been in recovery for ten (10) years, that she only wants ten (10) people total living in the premises, that it is too expensive to operate the facility with less than ten (10) people, the amount of weekly rent and monthly expenses, how many hours she spends a week operating the facility, that she has never made a profit, that the Resident House Manager is only compensated by room and board, that she cannot afford to have a signed and sealed site plan prepared and cannot afford to install parking spaces, would agree that no more than two (2) residents could have motor vehicles, that visitors are not allowed, that residents go to meetings which are not held at the facility, and that the Resident House Manager has a training certificate and a first aid license.

Carlos Freytes, the Resident House Manager testified. He is on premises 24 hours a day, seven (7) days a week. He greets the residents and tells them the rules of the house, gives referrals, has been the Resident House Manager there for three (3) years, has been in recovery for over ten (10) years, one resident works at the gas station across the street, he has a good relationship with the Church next door, all residents take turns doing chores, that there are two (2) cabinets full of food, that the recovery process is better with more people, that there are mandatory house meetings on Sundays and Tuesdays, and that there have been no structural changes to the building.

Three (3) Applicant Exhibits, the Recovery House License, the monthly list of expenses, and the chart showing the number of hours the Managing Partner spends each week, and the Zoning And Code Enforcement Officer's March 26, 2026 letter denying the Use Permit for a recovery house were admitted into the Record.

In response to Objector, Jennifer Rader's question, the Resident House Manager testified that all residents have a CRS caseworker, and that there is an 11:00 pm curfew.

In response to Objector, Nancy Highland's questions, the Managing Partner testified that she submitted her application and tried to do things right once the Township found out the recovery house was operating.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

The Zoning Hearing Board requested written submissions from the Applicant and the Township as to the requested interpretation to allow the use and the Variance relief necessary. The Applicant will submit that statement by August 4, 2026 and the Township will submit its statement by August 11, 2026.

The Applicant agreed to waive the starting of the 45 day time period for the Zoning Hearing Board's written decision until the August 18, 2026 Zoning Hearing Board Meeting.

The application was continued to the August 18, 2026 Zoning Hearing Board Meeting for deliberations.

DOCKET # 2096 A – State Investments, LLC – 1101 W. Cedar Street, Allentown, PA 18102. **Location: 1003 Sumner Avenue, Whitehall, PA 18052, PIN 549774460481.** The subject property is located in the I - Industrial Zoning District. Applicant is requesting Variances to sections 27-18, 27-90 and 27-96(A), (C) and (D)(5) of the Zoning Ordinance to allow a tiered retaining wall structure constructed of stone with a height in excess of 35 feet, constructed without a Permit.

The Applicant was represented by David Berger, Esquire.

Three (3) Objectors appeared.

The Applicant requested a continuance of the Hearing to the September 15, 2026 Zoning Hearing Board Meeting, and waived time deadlines for the initial and second Hearings, and written decision.

The Zoning Hearing Board voted 5 – 0 to grant the Continuance.

DOCKET # 2149 – Starr Acquisitions, LP – 404 N. Sumneytown Pike, North Wales, PA 19454. **Location: 3626 Rural Road, Whitehall, PA 18052, PIN 548895351592.** The subject property is located in the R-3A Special Care Community Residential Zoning District. Applicant is requesting Variances to sections 27-150(A)(5), and 27-155(A)(3) and (B) of the Zoning Ordinance to allow two (2) freestanding signs located less than 25 feet from the Rural Road right-of-way and the rear yards of residentially zoned and used lots, where only one freestanding sign is permitted. In the alternative, Applicant is requesting a favorable interpretation of section 27-157 of the Zoning Ordinance that the two proposed signs are identification signs not subject to the any dimensional restrictions, where only one identification sign is permitted.

The Applicant was represented by Erich Schock, Esquire. The Applicant appeared through its President, Chris Canavan. He testified as to the size and nature of the requested sign. The Applicant's Exhibit package was admitted into the Record.

There were no objectors or supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Dean Wotring to approve the requested favorable interpretation subject to the location on Applicant Exhibit A-2; second by John Gulycz. Motion passed 5 – 0.

Motion by Dean Wotring to approve the June 16, 2026 Minutes; second by Sean Roth. Motion passed 4 – 0.

Meeting adjourned at 9:45 pm.