



# TOWNSHIP OF WHITEHALL



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## M E M O R A N D U M

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DATE: NOVEMBER 29, 2017  
TO: ZONING HEARING BOARD  
WILLIAM J. FRIES, ESQUIRE  
BOARD OF COMMISSIONERS  
FROM: MELISSA A. WEHR, ZONING ADMINISTRATOR *MAW/aj*  
RE: ZONING HEARING BOARD MINUTES FOR APPROVAL

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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: NOVEMBER 2017

/caj

**RESULTS OF MEETING**

**TOWNSHIP OF WHITEHALL  
ZONING HEARING BOARD  
PUBLIC HEARING**

November 29, 2017

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **November 21, 2017**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

**ZONING HEARING BOARD:**

STEPHEN BURDA, MEMBER, ACTING CHAIRMAN  
LOUIS A. JANY, MEMBER  
ALBERTA SCARFARO, MEMBER  
DEAN WOTRING, MEMBER  
KENNETH SNYDER, ALTERNATE

**ABSENT:**

LEE CHRISTMAN, CHAIRPERSON  
ROGER REICHARD, 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.

**Stephen Burda read the Fair Housing Statement.**

**Stephen Burda 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 # 1896 – Whitehall Riverside, LP** – c/o Summit Management & Realty Co., 1620 Pond Road, Suite 150, Allentown, PA 18104. **Location: 1139 Lehigh Avenue, Whitehall, PA 18052, PIN 640824179247**, the subject property is located in an I-Industrial Zoning District. Applicant is requesting a variance to Sec. 27-81 and Sec. 27-81 (A) (16) of the Zoning Ordinance regarding the use of a portion of the parking area on the property for the storage of trailers and trucks and to place an unmanned trailer for paperwork drop off and retrieval for Bettaway. Continued to this meeting at the request of the Applicant.

Christopher McLean, Esquire represents Applicant.



Tracy Yadush, Director of property manager for NAI Summit.

Igor Katsmin, from Bettaway Trucking, was sworn in.

The Applicant will be occupying the northern portion of the property.

Testimony was given.

There are no utilities for the trailer; a portable toilet will be placed for the employees.

OBJECTORS/SUPPORTERS:  
NONE

The Board went into Executive session.

Motion to approve made by Louis Jany and was seconded by Alberta Scarfaro.

The Board voted 5 to 0 to approve this variance request with the following conditions:

1. The unmanned trailer must be stationary.
2. A portable toilet must be placed for employees.

**DOCKET # 1897 – Whitehall Riverside, LP** - c/o Summit Management & Realty Co., 1620 Pond Road, Suite 150, Allentown, PA 18104. **Location: 1139 Lehigh Avenue, Whitehall, PA 18052, PIN 640824179247**, the subject property is located in an I-Industrial Zoning District. Applicant is requesting a variance to Sec. 27-81 and Sec. 27-81 (A) (16) of the Zoning Ordinance regarding the use of a portion of the parking area on the property for the storage of trailers and trucks and to place an unmanned shed for paperwork drop off and retrieval for Performance Food Group. Continued to this meeting at the request of the Applicant.

Christopher McLean, Esquire represents Applicant.

Tracy Yadush, Director of property manager for NAI Summit.

Tony DeMarco, from Performance Food Group, was sworn in.

Testimony was given.

No utilities for shed.

OBJECTORS/SUPPORTERS:

William Hartzell, from 36 E. Penn Lane, objects due to the noise from the refrigerator trucks.

Lee Guth, from 25 Franklin Street, objects.

The Board went into Executive session.

Motion to deny made by Alberta Scarfaro and was seconded by Kenneth Snyder.

The Board voted 5 to 0 to deny this variance.



**DOCKET # 1898 - Carmike Enterprises, LLC** – 15 Arrowhead Lane, Northampton, PA 18067.

**Location: 5201 Main Street, Whitehall, PA 18052, PIN 559001188368**, the subject property is located in a R5A High Density Residential w/o Apartments Zoning District. Applicant is requesting a variance/interpretation/special exception (if necessary) appeal to Sec. 27-60; Sec. 27-194 (definition of uses); Sec. 27-106; Sec. 27-145 N; Sec. 27-145 M; Sec. 27-20; Sec. 27-23; Sec. 27-18; and Sec. 27-76 A of the Zoning Ordinance regarding continuation of non-conforming hotel/bar use and attendant parking.

The Applicant requested a continuance until the January 16, 2018 meeting.

**DOCKET # 1899 – Pennsylvania CVS Pharmacy, LLC c/o Summit Realty Advisors, LLC** – 201 S.

Maple Avenue, Suite 100, Ambler, PA 19002. **Location: 1223 Third Street and 1311 Third Street, Whitehall, PA 18052, PIN 640804391524 and 640805213501**, the subject property is located in a C1 Neighborhood Commercial Zoning District. Applicants are requesting a variance to Sec. 27-78 A (21) and Sec. 27-145 P of the Zoning Ordinance regarding the restriction that a retail use must be less than 5,000 SF in area (9,618 SF is proposed) and that the parking observe a 10' setback from the West Alley right-of-way line (7.4' is proposed).

Erich Schock, Esquire represents Applicant.

John Cogan, Project Manager from Summit Realty Advisors, LLC, was sworn in.

Bill Reardon, from Bohler Engineering, was sworn in.

Melissa Brust-Kotsch, part owner of Kotsch's Market property, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:

NONE

The Board went into Executive session.

Motion to approve made by Alberta Scarfaro and was seconded by Dean Wotring.

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

**DOCKET # 1900 – Marie Searfoss** – 3252 W. Fairview Street, Allentown, PA 18104. **Location: 717 Seventh Street, Whitehall, PA 18052, PIN 640801016967**, the subject property is located in a R4 Medium Density Residential Zoning District. Applicant is requesting a variance to Sec. 27-106 A; Sec. 27-106 F; and Sec. 27-74 E of the Zoning Ordinance regarding nonconforming lot of record; alternatively, minimum lot size/minimum lot width/minimum lot frontage and side yard building setback variance.

Mark Malkames, Esquire represents Applicant

Marie Searfoss, Applicant was sworn in.

Troy Knesz was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:  
NONE

Motion to approve made by Kenneth Snyder and was seconded by Louis Jany.

The Board voted 5 to 0 to approve this variance request with the following condition:

1. The Applicant must meet off-street parking requirement for Lot 1 and Lot 2 as required per the Zoning Ordinance.

The Zoning Hearing Board meeting minutes from **OCTOBER 2017** were submitted and approved by the Zoning Hearing Board.