



TOWNSHIP OF WHITEHALL



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M E M O R A N D U M

DATE: JUNE 10, 2016
TO: ZONING HEARING BOARD
JEFFREY B. MATZKING, 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 2016

/caj

RESULTS OF MEETING

TOWNSHIP OF WHITEHALL ZONING HEARING BOARD PUBLIC HEARING

June 10, 2016

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 p.m., **April 19, 2016**, in the Public Meeting Room of the Whitehall Township Municipal Building, at 3219 MacArthur Road, Whitehall, PA 18052.

ZONING HEARING BOARD:

STEPHEN BURDA, MEMBER
LEE CHRISTMAN, MEMBER
ALBERTA SCARFARO, MEMBER
DEAN WOTRING, MEMBER
ROGER REICHARD, ALTERNATE

ABSENT:

LOUIS A. JANY, CHAIRPERSON
KENNETH SNYDER, ALTERNATE
MELISSA A. WEHR, ZONING OFFICER

TOWNSHIP PERSONNEL:

GALLAGHER REPORTING, STENOGRAPHER

SOLICITOR:

JEFFREY B. MATZKIN, ESQUIRE

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

Lee Christman 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 # 1839 – B. B. Allen, LLC – Attention Marlo Longstreet, 1018 Hartzell Street, Pacific Palisades, CA 90272. **Location: 1504 MacArthur Road, Whitehall, PA 18052, PIN 549769993717**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-165 A, referencing Sec. 27-155 A (1); Sec. 27-156; Sec. 27-165 D and Sec. 27-165 C of the Zoning Ordinance regarding maximum area of both freestanding (79 SF proposed, 75 SF allowed) and directional signage (6 SF proposed, 3 SF allowed); digital sign setback (20' proposed, 50' required); and digital sign setback from residential (550' proposed, 1,000' required). Continued to this meeting at the request of the Applicant.

Erich J. Schock, Esquire represents Applicant.

Frederick Alerton, architect with Spillman Farmer, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Stephen Burda, seconded by Dean Wotring.

The Board voted 5 to 0 to approve this variance request with the condition that the static sign (existing "enter" sign) be removed and an arrow be added to the new proposed sign.

DOCKET # 1840 – Dale A. French – 3418 N. Second Street, Whitehall, PA 18052. **Location: 3418 N. Second Street, Whitehall, PA 18052, PIN 549953498249**, the subject property is located in a R5A High Density Residential without Apartments Zoning District. Applicant is requesting a variance to Sec. 27-84 G of the Zoning Ordinance regarding proposed height and size of proposed garage addition.

Lee Christman recused himself.

Dale French was sworn in.

Douglas E. Reabold, contractor, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

Motion to deny made by Alberta Scarfaro, seconded by Roger Reichard.

The Board voted 4 to 0 to deny this variance request.

DOCKET # 1841 – Keystone Novelties Distributors, 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 23, 2016 to July 5, 2016 in the parking lot.

John Nay, employee of Keystone Novelties Distributors, was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Dean Wotring, seconded by Alberta Scarfaro.

The Board voted 5 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 23, 2016.
3. The sales tent, display area and all merchandise must be removed from the premises by July 6, 2016.
4. The hours of operation shall be from 9:00 a.m. to 9:00 p.m. except on July 2, 3 and 4, 2016 when the hours will be 9 a.m. to 11:00 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 15, 2016.
9. Applicant shall address to the satisfaction of the Bureau Chief of Development comments and recommendations as set forth in review memorandum dated March 16, 2016.

DOCKET # 1842 – Allentown Power Center, LP – 237 South Street, PO Box 2049, Morristown, NJ 07962-2049. **Location: 2409 MacArthur Road, Whitehall, PA 18052, PIN 549854599296**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a variance to Sec. 27-137 H of the Zoning Ordinance regarding minimum acres to be designated a shopping center.

Lawrence S. Berger, Esquire represents Applicant.

Erizo Pavese, of the Pavese Group P.A., was sworn in.

Testimony was given.

OBJECTORS/SUPPORTERS:
NONE

Motion to approve made by Stephen Burda, seconded by Alberta Scarfaro.

The Board voted 5 to 0 to approve this variance request with the following conditions that the parking stalls remain 10'x20' and that there be a maximum of nine (9) stores, six (6) in the small square footage area stores and a maximum of three (3) in the large square footage section of the building.

DOCKET # 1843 – Gilboy Ford – 2805 MacArthur Road, Whitehall, PA 18052. **Location: 2805 MacArthur Road, Whitehall, PA 18052, PIN 549846089723**, the subject property is located in a C2 Regional/Community Commercial Zoning District. Applicant is requesting a special exception to Sec. 27-99 of the Zoning Ordinance regarding front yard exception to allow reduction of front yard setback based upon average alignment of existing buildings on the same block.

John Gilboy, Jr., President of Gilboy Ford, was sworn in.

Thomas Enlgert, of Site Design Concepts, was sworn in.

Sandor Engle, Esquire represents Applicant.

Testimony was given.

OBJECTORS/SUPPORTERS:

NONE

Motion to approve made by Alberta Scarfaro, seconded by Dean Wotring.

The Board voted 5 to 0 to approve this special exception request.

The minutes for February 2016 were submitted and approved by the Zoning Hearing Board.