

ORDINANCE NO. 18 -

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF STOPPING, STANDING AND PARKING VEHICLES ON INOVATION WAY BETWEEN SR 0987 AND ITS WESTERLY DEAD END; FIRST RESPONDERS DRIVE BETWEEN STATE ROAD 0987 AND OLD AIRPORT ROAD AND OLD AIRPORT ROAD BETWEEN SR 1009 AND ITS NORTHERLY DEAD END IN THE TOWNSHIP OF HANOVER AND PROVIDING THE PENALTIES FOR VIOLATION THEREOF

The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the "Second Class Township Code" of Pennsylvania, as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following Ordinance.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Hanover, Northampton County, Pennsylvania, and it is hereby enacted and ordained by the authority of same that:

SECTION 1. PROHIBITIONS. Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle, or in compliance with law or the direction of a police officer or official control device, the following prohibition shall be in effect:

- A. Stopping, standing or parking of a vehicle is expressly prohibited on Innovation Way (T-430) between SR 0987 and its westerly dead end; and
- B. Stopping, standing or parking of a vehicle is expressly prohibited on First Responders Drive (T808 (Formerly Airport Road Connector, SR 3024)) between SR 0987 and Old Airport Road (T807 (Formerly Airport Road, SR3025)); and
- C. Stopping, standing or parking of a vehicle is expressly prohibited on Old Airport Road (T807 (Formerly Airport Road, SR3025)) and its northerly dead end.

SECTION 2. VIOLATION; PENALTY. Any person convicted of a violation of this ordinance shall be sentenced to pay those fines and costs established by the applicable provisions of

the Pennsylvania Motor Vehicle Code and/or those fines and penalties established in Ordinance No. 02-01 Section 172-31 of the Township of Hanover, Northampton County, Pennsylvania, as amended. If no fine is set by the aforesaid, then the fine shall be Three Hundred (\$300.00) Dollars, and costs for each violation. Disposition of said fine or fines shall be made in accordance with the provisions of the Pennsylvania Motor Vehicle Code and/or the provisions of Ordinance No. 02-01 Section 172-31 of the Township of Hanover, Northampton County, Pennsylvania, as amended.

SECTION 3. SEVERABILITY. The provisions of this Ordinance shall be severable, and if any provisions hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township of Hanover, Northampton County, Pennsylvania, that this Ordinance would have been enacted as if such unconstitutional, illegal or invalid provision had not been included herein.

SECTION 4. All ordinances and parts of ordinances inconsistent herewith be, and the same are, hereby repealed.

SECTION 5. This ordinance shall be effective five (5) days after its adoption.

DULY ORDAINED AND ENACTED this ____ day of _____, 2018, by the Board of Supervisors of the Township of Hanover, Northampton County, Pennsylvania, in lawful session duly assembled.

Attest:

HANOVER TOWNSHIP, NORTHAMPTON
COUNTY, BOARD OF SUPERVISORS

Elizabeth D. Ritter , Secretary

By: _____
JOHN N. DIACOGLIANNIS, Chairman

LEGAL NOTICE

NOTICE is hereby given that the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, will consider for adoption at a Public Meeting to be held at 7:00 p.m. on the 25th day of September, 2018, at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, Pennsylvania, an Ordinance amending the Code of Ordinances of the Township of Hanover, Northampton County, by creating a new Chapter 82 Fireworks.

Copies of the proposed Ordinance are available for review at the Hanover Township Municipal Building located at 3630 Jacksonville Road, Bethlehem, Pennsylvania during normal business hours.

The following is the proposed Amendment to the Hanover Township Zoning Ordinance:

ORDINANCE NO. 18 - _____

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, BY CREATING A NEW CHAPTER 82 FIREWORKS OF THE CODE OF ORDINANCES, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH

NOW, THEREFORE, pursuant to the Authority contained in the Second Class Township Code, as amended, the board of Supervisors of Hanover Township, Northampton County, Pennsylvania, does hereby enact and ordain as follows:

SECTION 1. The Hanover Township Code of Ordinances is hereby amended to create a new Chapter 82 – Fireworks to read as follows:

“§82-1. Definitions

The following terms shall have the meanings ascribed unless a contrary meaning is expressly set forth in the text,

DISPLAY(S) OF FIREWORKS or FIREWORKS DISPLAY – The ignition, launching or detonation of Fireworks.

FIREWORKS – Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration or detonation that meets the definition of Consumer Fireworks or Display Fireworks as set forth herein.

A. Consumer Fireworks.

- (1) Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16CFR relating to commercial practices) or any successor regulation and complies with the provisions for “Consumer Fireworks” as defined in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted throughout the Township.
- (2) The term does not include devices as “ground and hand-held sparkling devices, “ “novelties” or “toy caps” in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout the Township.

B. Display Fireworks.

Large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. The term includes, but is not limited to:

- (1) salutes that contain more than two grains or 103 milligrams of explosive materials;
- (2) aerial shells containing more than 60 grams of pyrotechnic compositions; and
- (3) other display pieces that exceed the limits of explosive materials for classification as Consumer Fireworks and are classified as fireworks UN0333, UN0334 or UN0335 under 49 CRF 172.101 (relating to purpose and use of hazardous materials table).

§82-2. Permit required.

It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other organizations or groups of individuals to have to utilize Display Fireworks within the limits of the Township of Hanover, Northampton County, Pennsylvania ("Township") unless a permit therefor is first granted by the Board of Supervisors, as hereinafter provided.

§82-3. Requirements for Display Fireworks.

- A. Every such use of Display Fireworks within the limits of said Township shall be handled by a state-licensed operator, and which display shall be of such character and so located, discharged or fired as in the opinion of the Board of Supervisors, or its duly authorized representative, after proper inspection, shall not be hazardous to property or endanger any person or persons.
- B. No Display Fireworks shall be ignited within 300 feet of a Firework Sale Facility or Temporary Structure for Sale of Consumer Fireworks.

§82-4. Application Procedures; Fee.

- A. Application for permits for Display Fireworks shall be made in writing to the Township Manager at least 30 days in advance of the date of the Fireworks Display, unless said time period is reduced or waived by the Board of Supervisors in its sole discretion. The application shall set forth the proposed location of the Fireworks Display, the character thereof, name and address of the operator, and the name and address of the owner or owners of the grounds on which the Fireworks Display is to be held, with the consent of such owner or owners thereto in writing attached.
- B. In addition to all other application requirements set forth herein, permit applications for Display Fireworks shall also include a copy of the operator's license issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives and a copy of the operator's annual registration with the Attorney General of the Commonwealth of Pennsylvania
- C. All Applicants shall pay the Township a sum as set from time to time by resolution of the Board of Supervisors before issuance of a permit and provide a certificate of liability insurance in an amount not less than \$5,000,000, naming the Township as an additional insured.
- D. If the application does not conform to the requirements of all pertinent statutes, ordinances and regulations, the Board of Supervisors shall reject the application and, in writing, state the reasons therefor. If the Board of Supervisors is satisfied that the proposed Display Fireworks conforms to the requirements of this Chapter, and all laws and regulations applicable thereto, the Board of Supervisors shall issue a permit listing any conditions attached by the Board of Supervisors.

§82-5. Display Fireworks Permit Issuance; Transferability.

- A. If and after such permit shall have been granted by the Board of Supervisors, or its designee, possession and use of Display Fireworks shall be lawful for that purpose only.
- B. No Display Fireworks permit granted hereunder shall be transferable.
- C. The Board of Supervisors may attach to the Display Fireworks permit any conditions deemed necessary and appropriate by the Board of Supervisors to address safety concerns.

§82-6. Notification for Fire Protection.

The permittee shall:

- A. Ensure that proper fire protection is or will be provided during the use of Display Fireworks; and

- B. Notify Hanover Township Volunteer Fire Co. No. 1 no less than 14 days prior to the date of the Fireworks Display.

§82-7. Bond required.

The Board of Supervisors shall require a bond, deemed adequate by it, given by the permittee in an amount deemed appropriate by the Board of Supervisors, but not in a sum less than \$250,000.00 for Display Fireworks, conditioned for the payment of all damages caused by any person or persons and to any property by reason of the licensed display and arising from any acts of the licensee, his or its agents, employees or subcontractors, which bond shall be filed with the Township Manager before any permit for Display Fireworks is delivered.

§82-8. Denial, Suspension and Revocation of Permit; Appeal.

- A. After notice to the permittee and an opportunity to be heard (within five days of the date of the notice), the Board of Supervisors may revoke a Display Fireworks permit or approval issued under the provisions of this Chapter in the case of any false statement or misrepresentation of fact in the application, or failure of the applicant to comply with the provisions of this Chapter, or any other applicable statute or regulation.
- B. Appeals from any suspension, revocation or denial of a Display Fireworks permit may be made to the Northampton County Court of Common Pleas pursuant to the provisions of the Local Agency Law, 2 Pa. C.S.A. §751 et seq.
- C. In the event that a permit or application has been denied, suspended or revoked, no part of the application/permit fee shall be refunded.

§82-9. Permit Continuance.

If by reason of unfavorable weather the display for which a Display Fireworks permit has been granted does not take place at the time so authorized, the permittee may within seven (7) days apply to the Township Manager, setting forth under oath the fact that such display was not made, giving the reason therefor, and requesting a continuance of such Display Fireworks permit for a day designated therein, not later than one week after the day fixed originally in said permit. Upon receiving such application for a continuance, the Township Manager, if he believes the facts stated herein are true, shall extend the provisions of the Display Fireworks permit to the day fixed in said application, not later than one week after the original day designated in the Display Fireworks permit, and such extension of time shall be granted without the payment of any additional fee and without requiring any bond other than the one given for the original permit, the provisions of which shall extend to and cover all damages which may be caused by reason of said display taking place at such extended date in the same manner and to the same extent as if such display had taken place at the date originally fixed in the Display Fireworks permit.

§82-10. Disposal of Unfired Fireworks.

Unfired fireworks and trash remaining after the conclusion of the use of Display Fireworks for which the permit was issued shall be immediately disposed of by the permittee in an approved, safe manner.

§82-11. Consumer Fireworks; Conditions of Use

- A. A person who is at least 18 years of age and meets the requirements of this Article may purchase, possess and use Consumer Fireworks;

- B. Consumer Fireworks cannot be ignited or discharged in the Township, except during the following dates and times:

- | | | |
|-----|---------------------------|----------------------|
| (1) | July 3 rd | 4:00 PM to 11:00 PM |
| (2) | July 4 th | 4:00 PM to 11:00 PM |
| (3) | July 5 th | 4:00 PM to 11:00 PM |
| (4) | December 31 st | 4:00 PM to 11:59 PM |
| (5) | January 1 st | 12:00 AM to 12:30 AM |
| (6) | January 1 st | 4:00 PM to 11:00 PM |

The use of Consumer Fireworks is strictly prohibited at all other times.

- C. **Prohibition.** A person may not intentionally ignite or discharge:

- (1) Consumer Fireworks on public or private property without the express written permission of the owner;
- (2) Consumer Fireworks or sparkling devices within, or throw Consumer Fireworks or sparkling devices from a motor vehicle or building;
- (3) Consumer Fireworks or sparkling devices into or at a motor vehicle or building or at another person;
- (4) Consumer Fireworks or sparkling devices while the person is under the influence of alcohol, a controlled substance or another drug;
- (5) Consumer Fireworks within 150 feet of an occupied structure.

§82-12. Enforcement; Violations and Penalties.

- A. This Chapter shall be enforced by the Police Department with jurisdiction in the Township.
- B. Any person, co-partnership, association or corporation who violates this Chapter shall, upon conviction thereof, be sentenced to pay a fine not less than \$1,000.00 nor more than \$5,000.00, plus the costs of prosecution.

SECTION 2. SEVERABILITY

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION 3. REPEALER

All Ordinances and parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 4. EFFECTIVE

This Ordinance shall become effective five (5) days from the date of its adoption.

James L. Broughal, Solicitor
Hanover Township
Northampton County
38 West Market Street
Bethlehem, PA 18018

ORDINANCE NO. 18-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA TO AMEND THE CODE OF ORDINANCES BY AMENDING IN ITS ENTIRETY CHAPTER 127, PEDDLING AND SOLICITING, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania as follows:

SECTION 1. The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the "Second Class Township Code, as well as other laws of the Commonwealth of Pennsylvania, do hereby ordain and enact the following amendment to the Hanover Township Codified Ordinance, as amended.

SECTION 2. Chapter 127, **PEDDLING AND SOLICITING**, of the Code of Ordinances, is hereby amended in its entirety and replaced with the following:

"§ 127.1. License Required.

It shall be unlawful for any person, firm, corporation, or association to sell or offer for sale, any goods, commodity, or services in, upon or along any of the public streets, alleys, or public places of the Township of Hanover, Northampton County, Pennsylvania ("Township"), or by going from house to house for such purposes, without having first procured a license to do so. "Sell" and "Offer for Sale" shall be defined to include any interaction that primarily proposes a commercial transaction.

§ 127.2. Licensing Procedure; Operating Regulations.

- A. It shall be the duty of any person, firm, corporation, or association engaging in any activity set forth in §127.1, within the limits of the Township, to make application on the Colonial Regional Police Department ("CRPD") for a license to do so. It shall be the duty of

the CRPD to investigate the said application, with regard to accuracy of the information of the application and any record of unsafe, criminal or fraudulent conduct of the applicant.

- B. The license referred to in this Section shall issue upon filing of a completed application unless the CRPD informs the person, firm, corporation or association in writing and within ten (10) days of the date of application that the CRPD can show that the person, firm, corporation or association is seeking to engage in unsafe, illegal, fraudulent or criminal activity, or has made a material misrepresentation on the license application.
- C. In order to preserve the right of Township residents to enjoy the peace and tranquility of their homes without unreasonable interruption or annoyance during times when door-to-door solicitations are most unwelcome, notwithstanding §127.1, it shall be unlawful for any person, firm, corporation, or association to sell or offer for sale any goods, commodity, or services, or to solicit funds or donations of any kind, in, upon, or along any of the public streets, alleys, or public places of the Township, or by going from house to house for such purposes between the hours of 9:00 p.m. or 10:00 a.m. or all day on Sundays or other business holidays recognized as such holidays by the Commonwealth of Pennsylvania.
- D. No activity described in §127.1 shall be done on any private property posted with "no solicitation" signs or listed on the Do Not Knock List, and any such violation will be considered trespass subject to the criminal laws of the Commonwealth of Pennsylvania.
- E. The license application referred to in §127.1 shall require only information sufficient to allow the person, firm, corporation, or association engaging in activity described in §127.1, to be contacted by a Township citizen or by the Township. This information shall include the name, address, and phone number of the person, firm, corporation, or association engaging in activity described in §127.1. The application shall also require a brief description of the goods, commodity, or services to be sold or offered for sale. If the applicant is a business enterprise of any kind, the application shall also include the official name of the business, any alternate names under which the enterprise conducts business, its state of incorporation, its tax identification number, and its registered address for accepting service of process. The licensee and any persons soliciting on behalf of licensee shall be required to wear an identification badge provided by the Township at the time of issuance of the license.

§ 127.3. Fees; Exceptions.

The Board of Supervisors of the Township shall establish, by resolution, a schedule of fees for the obtaining of permits required under the provisions of this part. The resolution providing for the various fees shall be periodically reviewed and amended, when necessary, by resolution of the Board of Supervisors. The issuance of a permit shall be contingent upon the payment of the proper fee as established by the resolution and the fee schedule.

§ 127.4. Appeals.

If any person, firm, corporation, or association is denied a license pursuant to §127-2, that denial shall, at the written request of the person, firm, corporation or association be reviewed by the Township Board of Supervisors at their regularly-scheduled meeting occurring in the month following the date of the denial of the application. The license shall be deemed approved unless Township Board of Supervisors, by majority vote, finds that the person, firm, corporation, or association is seeking to engage in unsafe, illegal, fraudulent, or criminal activity, or has made a material misrepresentation on the license application.

§127.5. Do Not Knock.

The Township CRPD shall maintain an annually updated list of Township residents who do not wish to have any person, firm, corporation, or association sell, offer for sale, any goods, commodity, or services at their place of residence at any time.

§127.6. Do Not Knock Regulations.

The Township Manager, or his designee, shall promulgate regulations for the management of the "Do Not Knock List"; the distribution of the "Do Not Knock List" to licensees; notice and access of the Do Not Knock regulations on the Township website; and enforcement procedures for violations of the Do Not Knock regulations.

§127.5. Violation of the Do Not Knock Regulations.

Licensees who are notified of the Do Not Knock List under the regulations and who violate the list by selling, offering for sale, any goods, commodity, or services at an address on the Do Not Knock List shall, in addition to the violations and penalties set for this Part, have his/her/its license immediately revoked. Licensees who believe that the license has been improperly revoked under this section may appeal said revocation pursuant to §127.4.

§127.8. Exemptions.

The following persons are exempted from the requirements of this chapter:

- A. Persons soliciting contributions on behalf of organizations or nonprofit corporations in compliance with the Solicitation of Funds for Charitable Reform Act.
- B. Persons soliciting funds or canvassing permitted under the Pennsylvania Election Code.
- C. Children under the age of 18 years who take orders for and delivery of newspapers, greeting cards, candy, bakery products and the like, or who represent the Boy Scouts or Girl Scouts or similar organizations.
- D. Activities of insurance agents or brokers authorized to transact business under the insurance laws of the Commonwealth of Pennsylvania, and activities of real estate brokers or agents licensed under the laws of the Commonwealth of Pennsylvania.
- E. Any person that is merely proselytizing for a religion or distributing political handbills at no cost, or exercising the right to anonymous religious or political speech without soliciting any funds and without selling any goods.

§127.9. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this part, upon conviction thereof in any action brought before a district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300.00 plus costs or not more than \$1,000.00 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this part continues or each section of this part which shall be found to have been violated shall constitute a separate offense.

SECTION 3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 4. The provisions of this Ordinance shall be severable and if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision(s) not been included herein.

SECTION 5. This Ordinance shall become effective five days after enactment.

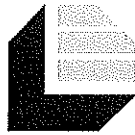
ENACTED AND ORDAINED at a regular meeting of the Board of Supervisors of the Township of Hanover, County of Northampton on this _____ day of _____, 2018.

ATTEST:

**BOARD OF SUPERVISORS,
HANOVER TOWNSHIP,
NORTHAMPTON COUNTY,
PENNSYLVANIA**

By: _____
Elizabeth D. Ritter, Secretary

By: _____
JOHN N. DIACOGIANNIS, Chairman



LIBERTY ENGINEERING, INC.

CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL • PLUMBING

September 20, 2018

Board of Supervisors
Hanover Township, Northampton County
3630 Jacksonville Road
Bethlehem, PA 18017-9302

**RE: Time Extension
Freshpet
LVIP IV, Lots 55/56 Manufacturing Addition
LEI Project No. 1468**

Dear Board Members:

On behalf of Professor Connor's, we are hereby granting a 90 day time extension to the Township for the purpose of completing the improvements. The current application expires on July, 2018 and the extension is granted to January 5, 2019.

Thank you for your consideration of this matter.

Very truly yours,

LIBERTY ENGINEERING, INC.

Paul A. Szewczak

Paul A. Szewczak
Principal

PAS/scc

LAW OFFICES
HOLZINGER, HARAK & SCOMILLIO

1216 LINDEN STREET

P. O. BOX 1409

JAMES J. HOLZINGER
PAUL J. HARAK
VICTOR E. SCOMILLIO
DEREK P. RICHMOND

BETHLEHEM, PENNSYLVANIA 18016

TELEPHONE (610) 867-5023
FAX (610) 867-9945

September 19, 2018

Elizabeth Ritter
Township Secretary/Assistant Treasurer
Hanover Township Northampton County
3630 Jacksonville Road
Bethlehem, PA 18017-9302

Via email to britter@hanovertwp-nc.org and regular mail

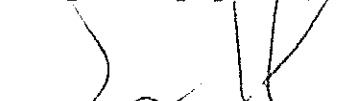
Re: 4700-4720 Bath Pike
Columbia/Wegman Acquisition III, LLC
Senior Assisted Living and Memory Care

Dear Ms. Ritter:

This letter is to request an extension of ninety (90) days for the above captioned Property/Project. The current review period is set to expire on October 1, 2018. The resulting deadline for the Township action on this proposal then becomes February 1, 2019. Please confirm that the Board of Supervisors has granted this request at your earliest convenience.

If you have any questions or concerns, please feel free to contact me.

Very truly yours,



James J. Holzinger

JJH/kcl



Hanover Engineering

252 Brodhead Road • Suite 100 • Bethlehem, PA 18017-8944

Phone: 610.691.5644 • Fax: 610.691.6968 • HanoverEng.com

September 17, 2018

Mr. John J. Finnigan Jr.
Township Manager
Hanover Township, Northampton County
3630 Jacksonville Road
Bethlehem, PA 18017-9302

RE: HTI, LLC – Northgate II, Lot 3
4482 Innovation Way
Preliminary/Record Land Development
Improvements Inspection Letter
Hanover Project H13-25

Dear Jay:

We have reviewed the HTI, LLC Proposed Flex Use Development As-Built PCSM Plans, prepared by Bohler Engineering and revised August 28, 2018, and the Northampton County Conservation District Notice of Termination Approval Letter, dated November 30, 2017. All the items noted in our August 15, 2018 Improvements Inspection Letter have been satisfactorily addressed.

All site improvements and administrative items have been completed; therefore, we recommend that the Township accept the improvements and close-out the project. We note there are no improvements to be dedicated to the Township or located within the existing Innovation Way right-of-way; therefore, there will be no Maintenance Period for this project.

Additionally, we note that the financial securities for the Innovation Way Extension Improvements and Innovation Way/Airport Road Traffic Signal Improvements are to be held for ten (10) years from the date of the final certificate of occupancy.

If you have any questions concerning this matter, please contact the undersigned.

Respectfully,

HANOVER ENGINEERING

Brien R. Kocher, PE
Township Engineer

brk:kjc/llb

S:\Projects\Municipal\HanoverTwp\H13-25-NorthgateBusinessCenter\11-4482InnovationWay\Docs\09-17-18-HTI,LLC-ImprovementsInspectionLetter.doc

cc: Hanover Township Board of Supervisors
Ms. Yvonne D. Kutz, Zoning Administrator
James L. Broughal, Esquire
Mr. Christopher M. McLean, Fitzpatrick, Lentz & Bubba –
Certified Mail 7017 1450 0000 1672 0463
Mr. David T. Davis, HTI, LLC
Mr. Stephen A. Shaver, Lehigh Valley Building Systems, Inc.



Hanover Engineering

252 Brodhead Road • Suite 100 • Bethlehem, PA 18017-8944
Phone: 610.691.5644 • Fax: 610.691.6968 • HanoverEng.com

September 19, 2018

Mr. John J. Finnigan Jr.
Township Manager
Hanover Township
Northampton County
3630 Jacksonville Road
Bethlehem, PA 18017-9302

RE: J.G. Petrucci Co. Inc. – Hanover Flex Center
5000 Township Line Road
Preliminary/Record Lot Consolidation and
Land Development
Security Release #1
Hanover Project H15-29

Dear Jay:

We have reviewed the security release request for the above-referenced project as requested in the email from Mr. Samuel Ward, dated September 4, 2018. A copy of the spreadsheet for this security release is enclosed. The following is a synopsis of our recommended security release:

Original Security	Previous Releases	Recommended Release
\$817,065.70	\$0.00	\$555,964.95

Remaining Security Balance = \$261,100.75

The reduced amount of the release is due to the following:

1. A certification regarding the installation and operation of the stormwater management spray irrigation system is required prior to the release of security for this item.
2. The Paint Line Stripping is not complete; therefore, only 75% of this item was released.
3. A certification regarding the installation of the iron pins and concrete monument is required prior to the release of security for these items.
4. The As-Built Plans have not been submitted for review; therefore, no security will be released for this item.
5. The 10% Contingency per the MPC is not released until the final security release for the project.

Based upon our review, we recommend the Township grant the Developer a reduction in the required security in the amount of \$555,964.95, resulting in a security balance of \$261,100.75. This reduction should be conditioned upon the following:

Mr. John J. Finnigan Jr.
Township Manager

2

September 19, 2018

1. The Developer acknowledges the security provided for all improvements will remain in force at a minimum of \$261,100.75 for the remaining work, plus contingencies.
2. The Developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

Our office has begun performing the final inspection; however, due to the installed erosion and sedimentation control features, we do not have access to the storm sewer system. Once we can complete our final inspection, we will provide a complete final inspection report and punchlist of items to be completed and/or repaired.

If you have any questions or need additional information, do not hesitate to call this office.

Respectfully,

HANOVER ENGINEERING



Brian R. Kocher, PE
Township Engineer

brk:kjc/jlc

S:\Projects\Municipal\Hanover\Twp\115-29-Petrucchi-5000\TwpLineRoadLandDevelopment\Docs\09-19-18-5000\TownshipLineRdLandDev-SecurityRelease#11.r.doc

Enclosure(s)

- cc: Hanover Township Board of Supervisors (with enclosures)
Ms. Yvonne D. Kutz, Zoning Administrator (with enclosures)
James L. Broughal, Esquire, Broughal & DeVito, LLP (with enclosures)
Mr. Joseph Correia, Triple Net Investments XXXVI LP (with enclosures)



PROJECT NAME: Hanover Flex Centre

HEA PROJECT: H15-29

IMPROVEMENTS COST ESTIMATE

April 24, 2017

9.14.2018

ITEM	EROSION CONTROL	QTY	UNIT	UNIT PRICE	TOTAL	QTY	RELEASE 1		REMAINING SECURITY
							CURRENT REDUCTION		
1	N.A.G. S75/D	2,583	SY	\$2.00	\$5,166.00	2,583	\$5,166.00		\$0.00
2	Rock Construction Entrance	1	EA	\$3,500.00	\$3,500.00	1	\$3,500.00		\$0.00
3	Inlet Protection	14	EA	\$150.00	\$2,100.00	14	\$2,100.00		\$0.00
4	24" Silt Soxx	856	LF	\$9.25	\$7,918.00	856	\$7,918.00		\$0.00
5	Tree Protection Fence	82	LF	\$2.99	\$245.18	82	\$245.18		\$0.00
6	Compost Sock Washout	1	LS	\$1,015.00	\$1,015.00	1	\$1,015.00		\$0.00
SUBTOTAL					\$19,944.18		\$19,944.18		\$0.00

ITEM	EARTHWORK	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY
1	Strip and Store Topsoil	5,480	CY	\$2.00	\$10,960.00	5,480	\$10,960.00	\$0.00
2	Rough Grade Subgrade	16,440	SY	\$1.10	\$18,084.00	16,440	\$18,084.00	\$0.00
3	Bulk Cut	5,949	CY	\$5.00	\$29,745.00	5,949	\$29,745.00	\$0.00
4	Bulk Fill	8,390	CY	\$10.00	\$83,900.00	8,390	\$83,900.00	\$0.00
SUBTOTAL					\$142,689.00		\$142,689.00	\$0.00

ITEM	SANITARY SEWER	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY
1	8" PVC	55	LF	\$36.50	\$2,007.50	55	\$2,007.50	\$0.00
2	Manhole	1	EA	\$3,000.00	\$3,000.00	1	\$3,000.00	\$0.00
SUBTOTAL					\$5,007.50		\$5,007.50	\$0.00

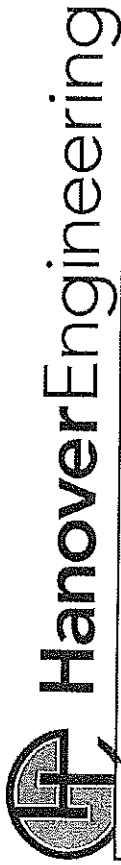
ITEM	WATER	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY
1	12" Dip	650	LF	\$50.00	\$32,500.00	650	\$32,500.00	\$0.00
2	12"X12" TEE	1	EA	\$1,100.00	\$1,100.00	1	\$1,100.00	\$0.00
3	12"X6" TEE	1	EA	\$700.00	\$700.00	1	\$700.00	\$0.00



4	12"X8" TEE	1	EA	\$900.00	\$900.00	1	\$900.00	\$0.00
5	Thrust Blocks	3	EA	\$250.00	\$750.00	3	\$750.00	\$0.00
6	New Fire Hydrant	1	EA	\$6,200.00	\$6,200.00	1	\$6,200.00	\$0.00
7	Air Relief Valve	1	EA	\$5,000.00	\$5,000.00	1	\$5,000.00	\$0.00
8	Water Valve and Box	4	EA	\$1,200.00	\$4,800.00	4	\$4,800.00	\$0.00
9	12"X4 TEE	1	EA	\$600.00	\$600.00	1	\$600.00	\$0.00
10	Township Line Road Pavement Restore	145	SY	\$21.00	\$3,045.00	145	\$3,045.00	\$0.00
SUBTOTAL					\$55,595.00		\$55,595.00	\$0.00

ITEM	STORM SEWER	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY
1	18" HDPE	96	LF	\$42.00	\$4,032.00	96	\$4,032.00	\$0.00
2	15" RCP	832	LF	\$50.00	\$41,600.00	832	\$41,600.00	\$0.00
3	PennDOT Type 'M' Inlet	6	EA	\$2,000.00	\$12,000.00	6	\$12,000.00	\$0.00
4	PennDOT Type 'C' Inlet	8	EA	\$2,100.00	\$16,800.00	8	\$16,800.00	\$0.00
5	Outlet Control Structure	1	LS	\$3,000.00	\$3,000.00	1	\$3,000.00	\$0.00
6	Headwalls/Endwalls	1	EA	\$2,500.00	\$2,500.00	1	\$2,500.00	\$0.00
7	Manhole	2	EA	\$1,800.00	\$3,600.00	2	\$3,600.00	\$0.00
8	Snout - 18F	2	EA	\$640.00	\$1,280.00	2	\$1,280.00	\$0.00
9	Snout - 24F	2	EA	\$990.00	\$1,980.00	2	\$1,980.00	\$0.00
10	Spray Irrigation System	1	LS	\$156,430.00	\$156,430.00		\$0.00	\$156,430.00
SUBTOTAL					\$243,222.00		\$86,792.00	\$156,430.00

ITEM	ROADWAY CONSTRUCTION	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY
1	6" 2A Modified Stone Sub-base	3,980	SY	\$4.25	\$16,915.00	3,980	\$16,915.00	\$0.00
2	1.5" ID-2	3,980	SY	\$9.00	\$35,820.00	3,980	\$35,820.00	\$0.00
3	3" 19MM Binder	3,980	SY	\$12.00	\$47,760.00	3,980	\$47,760.00	\$0.00
4	Curb	1,640	LF	\$17.00	\$27,880.00	1,640	\$27,880.00	\$0.00
5	Paint Line Stripping	1	LS	\$3,000.00	\$3,000.00	0.75	\$2,250.00	\$750.00
6	Concrete Sidewalk	210	SF	\$10.00	\$2,100.00	210	\$2,100.00	\$0.00
7	Stop Signs	2	EA	\$250.00	\$500.00	2	\$500.00	\$0.00
8	Handicap Parking Sign	2	EA	\$260.00	\$520.00	2	\$520.00	\$0.00



SUBTOTAL									
								\$133,745.00	\$750.00
ITEM	TOPSOIL REPLACEMENT	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY	
1	Seeding and Mulching	1.5	AC	\$4,500.00	\$6,750.00	1.5	\$6,750.00	\$0.00	
SUBTOTAL									
					\$6,750.00		\$6,750.00	\$0.00	
ITEM	LANDSCAPING	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY	
1	Street Trees	5	EA	\$400.00	\$2,000.00	5	\$2,000.00	\$0.00	
2	Deciduous Trees	44	EA	\$200.00	\$8,800.00	44	\$8,800.00	\$0.00	
3	Evergreen Trees	12	EA	\$175.00	\$2,100.00	12	\$2,100.00	\$0.00	
4	Parking Lot Lights	14	EA	\$3,000.00	\$42,000.00	14	\$42,000.00	\$0.00	
SUBTOTAL									
					\$54,900.00		\$54,900.00	\$0.00	
ITEM	MISCELLANEOUS	QTY	UNIT	UNIT PRICE	TOTAL	QTY	CURRENT REDUCTION	REMAINING SECURITY	
1	Iron Pins	3	EA	\$100.00	\$300.00		\$0.00	\$300.00	
2	Concrete Monuments	1	EA	\$300.00	\$300.00		\$0.00	\$300.00	
SUBTOTAL									
					\$600.00		\$0.00	\$600.00	
CONSTRUCTION COST ESTIMATE									
					\$663,202.68		\$505,422.68	\$157,780.00	
2%	As-Built Plans				\$13,264.05			\$13,264.05	
10%	Contingencies & Inspection				\$66,320.27		\$50,542.27	\$15,778.00	
SUBTOTAL									
					\$742,787.00		\$555,964.95	\$186,822.05	
10%	Per Act 24 - M.P.C.				\$74,278.70			\$74,278.70	
TOTAL									
					\$817,065.70		\$555,964.95	\$261,100.75	