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GEORGE F. COFFIN, JR.
1928-1986

NAZARETH OFFICE:
BY APPOINTMENT ONLY
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November 6, 2014

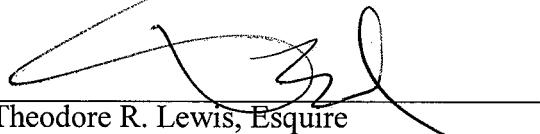
Yvonne D. Kutz, Zoning Officer
Hanover Township Municipal Bldg.
3630 Jacksonville Road
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
Applicant – St. Luke's Hospital**

Dear Yvonne:

Enclosed herewith find copy of Findings of Fact and Conclusions of Law in the St. Luke's Hospital matter, along with a copy of the cover letter enclosing the same.

Very truly yours,


Theodore R. Lewis, Esquire

TRL/bn
Enclosures

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November 6, 2014

Erich J. Schock, Esquire
Fitzpatrick, Lentz & Bubba, PC
4001 Schoolhouse Lane
P. O. Box 219
Center Valley, PA 18034

**Re: Hanover Township Zoning Hearing Board –
Applicant – St. Luke's Hospital**

Dear Erich:

Enclosed herewith please find a true and correct copy of the Findings of Fact and Conclusions of Law of the Hanover Township Zoning Hearing Board that I am sending to you as attorney for the applicant in the above matter.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn
Enclosure

cc: Yvonne D. Kutz, Zoning Officer

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Application of	:	St. Luke's Hospital
Application Dated	:	July 25, 2014
Property	:	St. Luke's North, 153 Brodhead Rd.

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, September 25, 2014, and rendering its oral decision granting the requested variances as per the application as amended, and subject to the conditions as hereinafter set forth, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The application was first scheduled for a hearing on August 28, 2014. The applicant through its attorney requested a continuance of this matter in order to make efforts to address concerns expressed by the Board of Supervisors. The Zoning Board granted this request and continued the hearing to September 25, 2014.

2. At the September 25 hearing the applicant appeared and was represented by Attorney Erich Schock. Throughout the course of the hearing Attorney Schock introduced the following Exhibits:

1. Pictures of the three signs as they presently exist, which the applicant intends to modify;
2. Copy of the Decision dated July 16, 2003 of the Hanover Township Zoning Hearing Board on application dated March 27, 2003, concerning this property and the signs;
3. Two pictures of the sign next to Route 512 from the roadway looking north and from the roadway looking east;
4. Front page showing the existing and proposed sign with the two messages that would be on the electronic portion of the sign. Page 2 being the existing and proposed sign for sign C and the proposed sign for sign B. Page 3 being an aerial photograph of the site and the location of the three signs;
5. Promotion material for St. Luke's Care Now consisting of six pages;

6. Portions of the Lehigh Valley Office Common Site and Utility Plan for the subject lot with boundary line on the west side underlined in pink.
3. Mr. Schock called two witnesses, Donald Seiple, Operations Manager of St. Luke's and Edward T. Reed of the Reed Sign Company.
4. The applicant in 2003 received the necessary variance for the placement of the three signs now referred to as Sign A, Sign B, and Sign C, at the locations as depicted.
5. The applicant now desires to modify each of the signs as per the drawings and specifications attached to the application.
6. With respect to Sign A, the applicant will increase the size so as to provide for an electronic sign portion which will permit the message to be changed.
7. With the understanding and agreement of the Township, the applicant has indicated that for the first three months that message will only be the two messages as shown on Exhibit 4 Sign A. Thereafter the applicant desires to have additional messages which would identify the other services being provided at St. Luke's North.
8. It was stated that St. Luke's North is open weekends from 8:00 a.m. to 8:00 p.m., and Monday through Friday from 7:30 a.m. to 10:30 p.m..
9. With respect to Sign B, the applicant wants to increase the size in order to permit additional information concerning the services rendered at St. Luke's North.
10. Both Sign B and C will be static signs.
11. The applicant indicated that they have discontinued the use of the term "Urgent Care" to avoid suggesting to the public that this is a place for the kind of care associated with an emergency room at a hospital. Instead they now use the term "Care Now".
12. The applicant stated that as to Sign A, instead of just the number 153 as shown on the picture in Exhibit 4, it will say 153 Brodhead Road.
13. The applicant needs relief from the ordinance because it generally is not permitted three free-standing signs although it is replacing the three signs that were previously granted in the 2003 decision. It also needs relief from the ordinance because the size of the signs will now be greater particularly with respect to Sign A and Sign C. Sign B will also be greater but not in excess of the 30 sq. ft. permitted under the ordinance.
14. Finally, the applicant needs relief from the provisions of the ordinance as set forth in the definition of an *Electronic Controlled Sign*. In particular subpart (1) provides that the message display shall not change more than once every sixty minutes and subpart (5) provides that the sign shall incorporate a sign failsafe feature. The applicant was not able to exclusively state what the failsafe mechanism would be, if any. In addition, the applicant believes that the sixty minute time restriction would defeat the purpose of having an electronic sign.
15. Given the nature of the services being rendered and the importance of health care patients to readily find their way to the location of where they are going to receive health services the

Board believes that variances from the ordinance are appropriate. The Board also notes that the physical conditions referred to in its decision 2003 remain the same.

16. Therefore, the Board again is satisfied that these above unique features of the lot create a hardship to justify the granting of relief for the subject property

17. The Board believes, however, that conditions should be attached to the approval, which conditions were reviewed with the applicant and were indicated by them to be satisfactory.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and Conclusions of Law and grants variances for the erection of the free-standing signs at the locations and with the dimensions as set forth in the application submitted and as amended at the time of the hearing, subject to the following conditions:

1. That for the first three months the electronic message shown on Sign A be limited to the two Care Now messages as depicted in Exhibit 4.
2. That the sign change messages no more frequently than five times per minute.
3. That the message be strictly limited to the identification of the medical services rendered at St. Luke's North.

HANOVER TOWNSHIP ZONING HEARING BOARD

By: Paul A. Balla
Paul A. Balla, Chairman

Dated: