
REGULAR SEMI-MONTHLY MEETING

June 23, 2020

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, was called to order by Chairman John Diacogiannis at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, PA, 18017 at 7:00 P.M.

Present via virtual Zoom meeting were Supervisors Nagle, Lawless, Warren, Prendeville, Diacogiannis, Engineer Brien Kocher, and Solicitor Jim Broughal.

The Pledge of Allegiance was performed.

Upon motion of Mr. Prendeville, seconded by Mr. Warren the Board approved the Agenda.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville, Mr. Diacogiannis aye

Upon motion of Mr. Nagle seconded by Ms. Lawless, the Board approved the minutes from the meeting of the Board of Supervisors dated June 9, 2020.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Upon motion of Mr. Nagle seconded by Mr. Prendeville, the Board approved the list of bills and transfers dated June 23, 2020.

Mr. Nagle aye, with the exception of general fund payment #22, the portion of the proceeds which benefit himself, Ms. Lawless aye with the same exception, Mr. Warren aye with the same exception, Mr. Prendeville aye with the same exception, Mr. Diacogiannis aye with the same exception.

COURTESY OF THE FLOOR

Mary Jo Johnson, of 1675 Stoke Park Road, stated there is an increased number of loud vehicles during the night traveling down Stoke Park Road.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis read into record the following:

“The Colonial Regional Police Commission (Commission), consisting of two members each from Lower Nazareth Township and Hanover Township, has oversight over the Colonial Regional Police Department (Department). The Commission reviewed Department policies pertaining to use of force. A few edits were in order, but the policy contents remain essentially unchanged. We are satisfied with these policies as currently written and do not believe that any changes are necessary. In particular, we determined that the "8 can't wait" police reform principals in the news these days are properly addressed in the existing policies. As explained by Chief Seiple, these policies have been researched and drafted by experienced law enforcement practitioners. Policies are reviewed periodically, and changes are made when appropriate.

Chief Seiple will make the use of force related policies available to our Township Managers who will distribute them to each Supervisor. It is important that the Township Managers and Supervisors have the opportunity to see the basis of our determination. Any comments or questions should be directed to

Commission members. As these are internal administrative Department documents, we ask that they not be shared with anyone else.

The Commission recognizes that both Lower Nazareth Township and Hanover Township are proud of our Department, its officers and its leadership. They command respect from within and outside of our municipalities. The Department is accredited under the Pennsylvania Law Enforcement Accreditation Commission. In 2006 they were the first regional police department in Pennsylvania to be accredited. The accreditation standards for police administration and operation must be proven not only by action but by accurate documentation. The Department continues to maintain accreditation through assessment and accreditation every three years.

Colonial Regional Police Commission

Martin Boucher - Chairman

John Diacogiannis - Secretary-Treasurer

James Pennington

John Nagle”

REPORT OF THE VICE CHAIR

SUPERVISOR'S COMMENTS

Mr. Nagle – Road District #1, had nothing to report.

Mr. Diacogiannis – Road District #2, had nothing to report.

Mr. Warren – Road District #3, had nothing to report.

Ms. Lawless – Road District #4, had nothing to report.

Mr. Prendeville – Road District #5, had nothing to report.

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

PLANNING & ZONING

Advanced Health Care – 3370 High Point Blvd – Conditional Use Hearing

Ms. Lawless noted for the record the hearing has been duly advertised and a court stenographer is present to record all testimony.

Universal Adler Place – 3864 Adler Place – Conditional Use Hearing

Ms. Lawless noted for the record the hearing has been duly advertised and a court stenographer is present to record all testimony.

Faulkner Subaru, Inc. – Conditional Use

Ms. Lawless moved the Board approve the Conditional Use Application of Faulkner Subaru, Inc., for property located at 370 and 380 Stoke Park Road, Bethlehem, Pennsylvania 18017, to be utilized as a Dealer Vehicle Storage Facility, with the following conditions:

1. The 370 Stoke Park Road building shall not be leased to another user which would require on-site parking while Applicant is utilizing the lot for dealer vehicle storage.

2. All dealer vehicle storage shall be located within the fenced areas on the 370 and 380 Stoke Park Road lot or provide for additional screening of the storage areas.
3. The Applicant shall satisfactorily address the comments noted in the Hanover Engineering review letter, dated February 28, 2020.

AND to notify the Applicant/owner of the Board of Supervisors' decision.

Mr. Nagle seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Proposed Ordinance –Chapter 185 Zoning Article XII Administration & Penalties

Ms. Lawless moved the Board authorize the Township Solicitor to advertise the proposed ordinance amending Chapter 185 zoning, article XII administration and penalties of the code of codified ordinances to provide changes to the appeals, violations and penalties of the zoning ordinance of the Township of Hanover, Northampton County, Pennsylvania.

Mr. Warren seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

ADMINISTRATION

Advanced Door Service – Contract Renewal

Mr. Warren moved the Board authorize the Chairman to sign the preventive maintenance agreement between Hanover Township Community Center and Advanced Door Service.

Mr. Prendeville seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

DEVELOPMENTS

Lehigh Valley Flex Center – Security Reduction

Mr. Nagle moved the Board approve a reduction in the required security, per the recommendation of Hanover Engineering Associates' letter dated June 18, 2020, in the amount of \$781,544.87 resulting in a security balance of \$727,117.46, for Lehigh Valley Flex Center, 3910 Burgess Place. The reduction is conditioned upon the following:

1. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$727,117.46 for the remaining work, plus contingencies.
2. The developer adheres to Township Policy 25 (payment of Plans and Appeals).

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

257 Brodhead Road – Preliminary / Record Land Development Plan

Mr. Nagle moved the Board of Supervisors approves the Preliminary/Record Land Development Plan of Brodhead Road Holdings, LLC – 257 Brodhead Road, dated May 9, 2020 and revised June 8, 2020, upon the following conditions:

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated June 18, 2020 to the satisfaction of the Township Engineer prior to Plan recording.

2. The Plan shall be revised to identify that this Plan approval is for Parking Option A, which utilizes only 27,285 square feet of the building for medical office space, unless a variance is granted for Parking Option B, which utilizes the entire 31,805 square feet of the building for medical office space. The Developer/Owner shall also provide a building fit-out plan for Parking Option A to verify that only 27,285 square feet of the building will be utilized as medical office space.
3. The Developer/Owner shall provide two (2) copies of all final reports (i.e. Post-Construction Stormwater Management Report, Soil Erosion and Sedimentation Control Narrative and Trip Generation Analysis) and supporting documentation prior to Plan recording.
4. Notes shall be added to the Plan(s) identifying all waivers, deferrals, variances and any conditions granted by the Township and/or Zoning Hearing Board and the meeting dates of the Board of Supervisors and/or Zoning Hearing Board actions.
5. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(5))
 - A. The Improvements Agreement shall include a notarized statement, satisfactory to the Township Solicitor, stating that the Township shall be held harmless against any claim of damage from the downstream property owners that may result from the proposed development. (Stormwater Management Ordinance 98-2, Section 152-10.E)
 - B. The Improvements Agreement and a separate Covenant running with the land shall include provisions satisfactory to the Township Solicitor, that the stormwater collection, conveyance, BMPs and control facilities located on private property shall be properly operated and maintained by the property owner. (Stormwater Management Ordinance 98-2, Sections 152-10.M and 152-24.3)
 - C. The Improvements Agreement shall include a statement that a BMP Operations and Management Plan (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township. (Stormwater Management Ordinance 98-2, Section 152-24.5)
6. The Developer/Owner is not required to provide an Open Space Contribution, as this requirement was previously satisfied by LVIP, Inc. (SALDO Section 159-16.D)
7. The proposed sanitary sewage flows (763 gpd) are less than the previously approved sanitary sewer allocation for this lot (1,500 gpd); therefore, an additional Tapping Fee is not required. (Sewers Section 140-13)
8. The Board of Supervisors, at their meeting of June 16, 1992, waived additional Impact Fees for new development in LVIP IV; therefore, the Developer/Owner is not required to pay any Traffic Impact Fees to Hanover Township. (Impact Fee Ordinance 91-12, Resolution 2013-20)
9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J)
10. The Developer/Owner shall provide two (2) Mylars for recording the plans and ten (10) sets of plans which are signed and notarized by the Owner and sealed by the Surveyor/Engineer. (SALDO Section 159-34.B)

11. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the Preliminary/Record Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the conditional Preliminary/Record Plan approval shall be considered void, and the application for Preliminary/Record Plan approval shall be considered void and withdrawn.

Mr. Nagle further moved, that the granting of conditional Preliminary/Record Plan approval of this plan recognizes that the Township is agreeing to the following on the Land Development Plans:

- A. That the Board of Supervisors accepts the parking lot landscaping as shown on the Plan per Zoning Ordinance Section 185-17.F.
- B. That the Board of Supervisors waives the requirement to provide sidewalks along the Brodhead Road frontage. (SALDO Section 159-13.B)
- C. That the Board of Supervisors waives the requirement to provide tree protection fencing around all existing shade trees or street trees to be protected, and require tree protection fencing around only the existing trees that are in close proximity to the proposed improvements. (SALDO Section 159-17.E)
- D. That the Board of Supervisors waives the requirement to identify the location of all existing features within 200 feet of any part of the land to be developed. (SALDO Section 159-29.C.(1))
- E. That the Board of Supervisors waives the requirement to identify the size and species of all trees four (4) inches or more in trunk diameter at a height of four and one-half (4 ½) feet above grade. (SALDO Sections 159-29.C.(3) and 159-29.C.(6)(a))
- F. That the Board of Supervisors waives the requirement to obtain Preliminary Plan approval prior to submission of a Record Plan and allow a combined Preliminary/Record Plan submission. (SALDO Section 159-34)

Mr. Nagle further moved, that the Township Secretary be authorized to notify the Developer of the Board's action.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

LVCC II Lot 13 – Improvements Deadline

Mr. Nagle moved the Board grant the developer of LVCC II Lot 13 an extension to December 12, 2020 to complete the improvements, per the developer request letter dated June 9, 2020.

Mr. Warren seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Hanover Flex Center – Improvements Deadline

Mr. Nagle moved the Board grant the developer of Hanover Flex Center an extension to August 31, 2020 to complete the improvements, per the developer request letter dated June 15, 2020.

Mr. Warren seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Freshpet Manufacturing Addition – Improvements Deadline

Mr. Nagle moved the Board grant the developer of Freshpet Manufacturing Addition an extension to October 5, 2020 to complete the improvements, per the developer request letter dated June 16, 2020.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

LVCC II Lot 13B – Improvements Deadline

Mr. Nagle moved the Board grant the developer of LVCC II Lot 13B an extension to December 26, 2020 to complete the improvements, per the developer request e-mail dated June 17, 2020.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

PUBLIC WORKS

COURTESY OF THE FLOOR

STAFF REPORTS

Mr. Kocher – Engineer – nothing to report.

Mr. Broughal – Solicitor – nothing to report.

Mr. Milite – Public Works Director – Mr. Milite advised that the paving started on Stoke Park Road Monday. Mr. Milite expressed his gratitude towards the public works staff for their efforts during the pandemic.

Mr. Finnigan – Township Manager – Mr. Finnigan advised that the Township moves to the Green Phase on Friday, and this does not mean that things go back to normal. People still need to social distance. Mr. Finnigan advised that with moving to the Green Phase means that the parks will be open in use at your own risk, there will be no drinking water available, the dog park will be open, the township office will continue with appointments only, the community center will remain closed, looking to open around July 7th with limited activities, field rentals will begin August 3rd. Mr. Finnigan advised the Township staff has done a fantastic job in preparation for reopening. Mr. Finnigan spoke about the use of fireworks and advised that the CRPD will be enforcing the ordinance regarding the use of fireworks in the Township.

Mr. Diacogiannis requested Mr. Finnigan send a reminder e-mail about Fireworks out through constant contact.

Upon motion of Ms. Lawless the Board adjourned at 9:15 PM.

Elizabeth D. Ritter
Township Secretary