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November 2, 2016

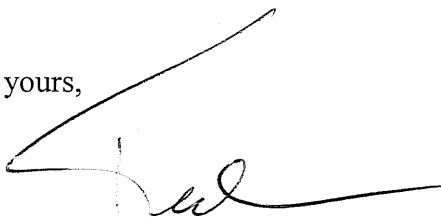
Yvonne D. Kutz, Zoning Officer
Hanover Township Municipal Bldg.
3630 Jacksonville Road
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
George V. & Nikki Z. Giannaras &
Riverbend Hanover Properties I & II, LLC**

Dear Yvonne:

Enclosed herewith find copy of Findings of Fact and Conclusions of Law in the above matters, along with a copy of the cover letters enclosing the same.

Very truly yours,


Theodore R. Lewis, Esquire

TRL/bn
Enclosures

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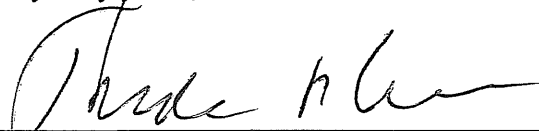
David Falcone, Esquire
Saul Ewing LLP
1200 Liberty Ridge Dr., Suite 200
Wayne, PA 19087

**Re: Hanover Township Zoning Hearing Board –
Riverbend Hanover Properties I & II, LLC**

Dear Attorney Falcone:

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	:	Riverbend Hanover Properties
	:	I & II, LLC
Application Dated	:	February 22, 2016
Property	:	5210 & 5220 Jaindl Boulevard

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, September 22, 2016, and rendering its oral decision granting variances from the sign ordinance as set forth herein, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The applicants, Riverbend Hanover Properties I & II, LLC are the owners of adjoining properties known as 5210 Jaindl Boulevard and 5220 Jaindl Boulevard.
2. The applicants were represented at the hearing by David Falcone, Esquire, who introduced on behalf of his client a packet of Exhibits A-1 through A-17.
3. In addition Attorney Falcone stipulated at the hearing that the Findings of Fact and Conclusions of Law from the prior decision of the Zoning Board dated October 7, 2015, could be made a part of the record.
4. Testifying on behalf of the application was John Foley, Regional Sales Director for Ricoh, the occupiers of 5220 Jaindl Boulevard.
5. He indicated that activity at their site includes more than just typical distribution at a distribution center. He stated that there were various drivers that need to come to the site who would not necessarily be coming on a regular basis and that, therefore, in his opinion it was important for them to be able to see the sign on Jaindl Boulevard and identify Ricoh's property in the rear.
6. Also testifying on behalf of the application was Kevin J. Horvath, Professional Engineer with Keystone Consulting Engineers. He discussed the layout of the property with 5220 being located on a private road behind 5210.
7. He indicated that the property sloped downhill from Jaindl Road and referred to the sight line diagram marked Exhibit A-16 illustrating the same. He also referred to Exhibit A-17 depicting the line of sight at the intersection of Sterners Way and Jaindl Boulevard towards the front door of the 5220 Jaindl Boulevard property.
8. Next to testify was Marcus Jaxheimer who indicated he was experienced in signs and referred to Exhibits A-5, A-6, A-7 and A-8 with regards to the visibility of the various signs.

9. Mr. Jaxheimer stated that there are two other signs, the Amerisource Bergen sign and the Guardian sign, that are in the neighborhood. He compared the size of those signs, Exhibits A-9 and A-10, to the proposed sign.

10. Finally testifying with respect to the property was Scott Bosco, a principal of both applicants.

11. He testified that there would be no internal lighting on either of the proposed signs.

12. The details of the proposed main entrance sign are set forth in Exhibit A-8. A second free-standing sign on 5210 Jaindl Boulevard was permitted pursuant to the prior decision of the Zoning Board for the reasons as set forth therein. That sign was constructed in a manner that required no additional variances as to its size. At the present hearing the applicants are requesting that they be entitled to replace that sign with another sign that is two-sided and has 85.3 square footage on each side for a total of 170.6.

13. Section 185-19.B.(4)(b) of the ordinance only permits a free-standing sign to be 30 square feet.

14. The regulations with respect to a wall-mounted business signs in an employment district, are set forth in Section 185-19.D.(3)(c)[1] through [4]. The proposed sign clearly does not comply with letter height, location, and overall square footage of that section.

15. The applicant for the 5220 building argues, however, that since this building is obscured from the road because of its lower elevation than the 5210 building that fronts on Jaindl Boulevard, it needs a wall-mounted sign that is higher and larger than would otherwise be permitted under the ordinance.

16. The Board believes that under the very unique facts and circumstances of this case, variances are necessary and will not be detrimental. The Board believes that a larger sign at the intersection is consistent with the size of the buildings, consistent with other signs in the general neighborhood and important for the identification of the delivery of goods and services to and from the buildings.

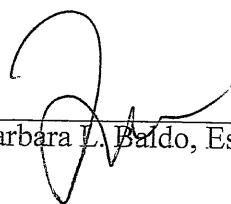
17. Likewise the Board believes that the wall sign in the rear, although not consistent with the typical wall-mounted signs in an employment district, is justified under the unique circumstances of this case where a typical business identification sign as is contemplated in the ordinance would be of little value.

18. The Board believes however that the grant of these variances require that there be a condition that the existing monument sign on 5220 Jaindl Boulevard not be enlarged. The Board finds that the relief being granted is the minimum relief as to the sign package for the entire two properties, and further finds that if this free-standing sign that now exists, referred to as a monument sign, were enlarged, that such a sign together with the granted variances would be detrimental. The applicant has indicated through its counsel that this condition is acceptable to it.

WHEREFORE, the Hanover Township Zoning Hearing Board grants the request for variances from the wall-mounted sign on 5220, subject to the condition that the present monument or free-standing sign not be enlarged and grants the variance to enlarge the second free-standing sign located on 5210, which was permitted pursuant to the prior decision of the Board as per the specifications as set forth in the application and exhibits with respect to both signs.

The conditions imposed by the Board in the prior decision, that none of the free-standing signs shall have exterior or interior illumination and that the additional free-standing sign shall not be used for any advertising purposes, shall remain in effect.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: 
Barbara L. Baldo, Esquire, Chairperson

Dated: November 2, 2016

THEODORE R. LEWIS
THOMAS L. WALTERS

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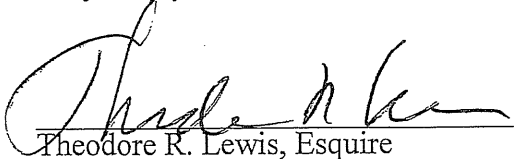
Mr. and Mrs. George V. Giannaras
5300 Braddock Court
Bethlehem, PA 18017

Re: **Hanover Township Zoning Hearing Board -
George V. & Nikki Z. Giannaras**

Dear Mr. and Mrs. Giannaras:

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 concerning your application dated August 19, 2016.

Very truly yours,


Theodore R. Lewis, Esquire

TRL/bn
Enclosure

cc: Yvonne D. Kutz, Zoning Administrator

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Application of : George V. & Nikki Z. Giannaras
Application Dated : August 19, 2016
Property : 5300 Braddock Court

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday September 22, 2016, and rendering its oral decision granting a variance from the setback provisions regulating fences, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The applicants are George V. Giannaras and Nikki Z. Giannaras owners of property at 5300 Braddock Court located in an R1-S – Residential Suburban District.
2. The applicants desire to construct a fence along the rear of their property.
3. The property is located at the southeast intersection of Braddock Court and Seip Road.
4. Section 185.14(4) of the ordinance provides that where a lot is located at the intersection of two streets, the front yard setback requirements are applicable to both streets.
5. Section 185.14(f)(1) provides that fences may not be located in a required front yard. This section also provides that fences may be located within the required side and rear yard provided they are at least 3 feet or more from any lot line or right-of-way line, whichever is most restrictive.
6. Section 185.14(f)(2) provides that a fence may be located on a lot line by written agreement of contiguous lot owners.
7. In the present case, the applicant desires to locate the fence along its rear property line and has received the approval of the contiguous lot owner to do so. However, the applicants have a required front yard from both streets pursuant to the aforesaid section, and therefore can only locate their fence up to approximately parallel with the western side of their house.
8. The applicants testified that these regulations, particularly as it relates to their corner lot, present a hardship in that they would not be able to fence in what is their effective rear yard.
9. The applicant desires a variance therefore to permit the extension of the fence along the rear property line to their property line along Seip Road.
10. The applicants testified that the actual front door to the house is on Braddock Court and not Seip Road.

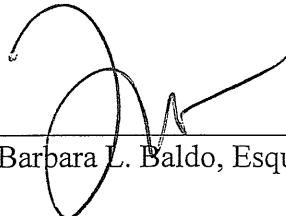
11. The Board notes that there is a 10 foot utility easement around the perimeter of this lot. The applicants therefore, if they were granted relief, would be extending their fence into that utility easement area.

12. The Board believes that a variance under the circumstances of this case permitting the fence along the applicant's property line up to Seip Avenue will not be detrimental, subject however to the approval of the Board of Supervisors with respect to the construction of a fence within the area of the utility easement,

WHEREFORE, the Hanover Township Zoning Hearing Board grants the request for a variance to construct a fence along the rear property line up to as far as the applicants' western property line along Seip Road conditioned on the applicant receiving approval from the Supervisors of Hanover Township with respect to construction of that portion of the fence within the utility easement.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: _____


Barbara L. Baldo, Esquire, Chairperson

Dated: November 2, 2016