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## **REGULAR SEMI-MONTHLY MEETING**

### **April 9, 2024**

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

Present were Supervisors Diacogiannis, Prendeville, Gross, Versteeg, Township Engineer Brien Kocher, Township Solicitor Anthony Giovannini, and Manager Hudson.

The Pledge of Allegiance was performed.

Upon motion of Mr. Prendeville, seconded by Mr. Diacogiannis, the Board approved the agenda.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Upon motion of Mr. Prendeville seconded by Mr. Gross, the Board approved the minutes from the meeting of the Board of Supervisors dated March 23, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Upon motion of Mr. Prendeville, seconded by Mr. Gross, the Board approved the list of bills and transfers dated April 9, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

#### **COURTESY OF THE FLOOR**

#### **REPORT OF THE CHAIR**

Ms. Lawless wished all that observe a very bountiful Eid celebration. Ms. Lawless stated if you didn't throw away your eclipse glasses, to consider donating to children in Latin America. Latin America will experience the eclipse later in the Summer. A resident at 1281 Gaspar Avenue will be collecting the glasses in their mailbox for their girl scout troop. Information regarding this can be found online.

Ms. Lawless noted the Monocacy Creek Watershed Association is organizing it's first clean up of the year on Saturday, April 13, 2024, from 9:00am to 11:30am. They will be meeting at the Burnside Plantation parking lot located at 1461 Schoenersville Road, Bethlehem, PA, 18017. If you wish to volunteer, please wear sturdy shoes that are comfortable, bug spray, bring water, and gloves.

#### **REPORT OF THE VICE CHAIR**

Ms. Versteeg noted the Greater Lehigh Valley Chamber of Commerce held their annual Real Estate Outlook event and a few weeks ago, the Lehigh Valley Economic Development Corporation presented their Annual Report for 2023. Both events highlighted that the Lehigh Valley has been ranked the #1 Mid-Sized Market for Economic Development in Site Selection magazine's prestigious Governor's Cup Awards.

The Lehigh Valley is one of the few areas in the state experiencing population growth, mainly by people moving from other places. More people commute to the Lehigh Valley to work than residents who commute to work outside the Valley. All of this indicates that our region's economy is healthy with a very promising future and we are dedicated to ensuring that Hanover Township is well positioned to capitalize on the trends and continue to be a part of what makes the Lehigh Valley #1. To find out more information, please visit [lehighvalley.org](http://lehighvalley.org) - LVEDC or [lehighvalleychamber.org](http://lehighvalleychamber.org) – Greater Lehigh Valley Chamber of Commerce.

## SUPERVISOR'S COMMENTS

Mr. Diacogiannis – Road District #1, had nothing to report. Mr. Diacogiannis welcomed Manager Mark Hudson to the Township and looks forward to working with him.

Ms. Versteeg - Road District #2, had nothing to report. Ms. Versteeg welcomed Manager Mark Hudson.

Mr. Gross – Road District #3, had nothing to report. Mr. Gross welcomed Manager Mark Hudson.

Ms. Lawless – Road District #4, had nothing to report. Ms. Lawless welcomed Manager Mark Hudson.

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

## APPOINTMENTS AND RESIGNATIONS – Mr. Diacogiannis

### PLANNING & ZONING – Ms. Versteeg

#### **Zoning Ordinance Amendment – AFHD Conditional Uses PUBLIC HEARING**

Ms. Versteeg noted for the record that a court stenographer is present to record all testimony, and the Secretary has received proof of publication.

Ms. Versteeg explained the Ordinance amendment. Section 1: Chapter 185. *Zoning*; Article VIII.

*Employment Districts*; § 185-38. *Regulations applicable to AFHBD Aircraft Flightpath Highway Business District Purpose*; Subsection E. *Conditional Uses*; Parenthetical eleven (11) *Warehouse and storage facilities in excess of 25% of the square footage of the building* is deleted in its entirety and replaced as follows:

“(11) Warehouse and storage facilities as an accessory use to store supplies utilized in the manufacturing process on site or finished goods manufactured on site in excess of 25% of the square footage of the building but not greater than 50% of the square footage of the building.”

Furthermore, Section 2: Chapter 185. *Zoning*; Article XIV. *Zoning Hearing Board*; §185-54. *Conditional Uses*; Subsection E. *Specific standards for conditional uses*; Parenthetical four (4) *Warehousing and storage uses in excess of 25% of the square footage in a building* is deleted in its entirety and replaced as follows:

“(4) Warehousing and storage facilities as an accessory use in excess of 25% of the square footage in a building but not greater than 50% of the square footage of the building.

(a) Fencing and/or screening shall be provided if this use is within 300 feet of an existing residential dwelling unit or residential district to protect the residential land uses and pedestrians and children from litter, noise and lighting.

(b) The building design and site landscaping shall be provided in such a way as to reduce the appearance of the building as a warehouse or storage building.

(c) The number of truck loading docks shall be minimal.

(d) Any warehouse or storage use shall be accessory to the permitted manufacturing use of the site and for the storage of supplies utilized in the manufacturing process or the finished goods manufactured on site.”

Ms. Versteeg motioned the Board to accept the Zoning Board amendments for Ordinance 24-02 AFHBD Text Amendment.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

#### **Hold Harmless – 4602 Kathi Drive**

Ms. Versteeg moved the Board to authorize the Chair and Secretary to sign the Hold Harmless Agreement to install a fence on the property of 4602 Kathi Drive, Bethlehem, PA 18017. The proposed structure will encroach into the ten-foot Drainage and Utility Easement in the side yard and the ten-foot Drainage and Utility Easement in the rear yard located on the premises.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

### **Hold Harmless – 1176 Granite Drive**

Ms. Versteeg moved the Board to authorize the Chair and Secretary to sign the Hold Harmless Agreement to install a fence on the property of 1176 Granite Drive, Bethlehem, PA 18017. The proposed structure will encroach into the twenty-five-foot Drainage and Utility Easement in the rear yard located on the premises.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

### **Zoning Variance – 1550 Valley Center Parkway**

Applicant for 1550 Valley Center Parkway requests relief from the ordinance regarding regulations of permitted and prohibited use in the PORR.

Staff recommends legal representation be present in front of the Zoning Hearing Board on Thursday, April 25, 2024.

Ms. Versteeg explained the original paperwork for the current location indicated the applicant is a part of a manufacturing facility and the location at 1550 Valley Center Parkway does not allow manufacturing. Ms. Luisser, Zoning Officer, would prefer legal representation to make that determination.

Ms. Versteeg motioned the Board to send legal representation to the Zoning Hearing Board for the zoning variance request on 1550 Valley Center Parkway to be held on April 25, 2024.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

### **DEVELOPMENTS – Mr. Prendeville**

#### **Farmhouse Village & 6292 Hanoverville Road – Major and Minor Subdivision Recording Deadline Extension**

Mr. Prendeville noted for the record, the applicant for Farmhouse Village is granting the Township an extension under the major and minor subdivision recording deadline to July 26, 2024, to record the plans.

Mr. Kocher corrected that the note for the record should be voted upon for approval of an extension.

Mr. Prendeville moved the Board to authorize the applicant for Farmhouse Village an extension under the major and minor subdivision recording deadline to July 26, 2024, to record the plans.

Mr. Gross seconded the motion.

Jennifer Levins, 1370 Gaspar Avenue, asked what Farmhouse Village is. Mr. Kocher explained it is a single-family development at the corner of Jacksonville Road and Hanoverville Road in the Southwest corner.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

## **Advanced Health Care – Improvements Inspection & Project Status**

The developer will be present to discuss item # 3 in the Hanover Engineering letter dated March 28, 2024.

Project Manager, Victor Grande, PE of RETTEW, on behalf of Advanced Health Care, explained there is a modification that came during a review of the operations of the facility. The owner is looking to amend the recorded plan. Mr. Kocher explained the Board approved a final security release based on the final inspection with gate terms. Mr. Grande explained the owner is looking to remove the bollards along the front entrance of the building because the bollards prohibit full access to the doors for patient drop off and loading. The owner is also requesting the two bollards at the rear of the facility be removed for upkeep and snow maintenance.

Mr. Prendeville moved the Board to direct Mr. Anthony Giovannini, Esq., at Broughal & DeVito, L.L.P., to prepare the Hold Harmless Indemnification Agreement for Advanced Health Care. The Hold Harmless Indemnification Agreement will be an indemnification to the original plan regarding the bollards and the bollards will not be required.

Ms. Versteeg seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

## **UHS/LVHN Behavioral Hospital – Land Development Conditional Approval**

Mr. Prendeville moved the Board grant the developer of UHS/LVHN – Behavioral Health Hospital an approval to the Preliminary/Record Land Development Plan dated October 16, 2023, and last revised March 22, 2024, upon the following conditions:

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated April 4, 2024, to the satisfaction of the Township Engineer prior to Plan recording.
2. The Developer/Owner shall provide two (2) copies of all final reports (i.e. Stormwater Management Report, Erosion and Sediment Pollution Control Narrative, etc.) and supporting documentation prior to Plan recording.
3. The Developer shall enter into an agreement prepared by the Solicitor requiring the Developer to construct a northbound shared through/right-turn lane on Schoenersville Road and to obtain any permits required for its construction.
4. A note shall be added to the Plan(s) identifying all waivers and deferrals granted by the Township and the meeting date of the Board of Supervisors action.
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 will 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 will 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) will 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 shall enter into a Maintenance Agreement, if applicable, with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))
7. Upon final determination of the sewage flows, the Developer/Owner shall provide a Tapping Fee, a Connection Fee, and a Customer Facilities Fee prior to Building Permit issuance for this Land Development. (Sewers Section 140-13)
8. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements Value of \$1.80/SY of impervious cover. (Stormwater Management Ordinance Section 152-12.B.(2))
9. The Developer/Owner shall provide a Traffic Impact Fee in the amount of \$343.00 per PM peak hour trip.
10. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J)
11. 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)
12. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the Preliminary/Record Plan will 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 will be considered void, and the application for Preliminary/Record Plan approval will be considered void and withdrawn.

I further move, 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 Plan:

- A. The Board of Supervisors waives the requirement for maximum water depth within detention basins and allowing for the basin to be fenced. (Section 152-10.I(6) and (7))
- B. The Board of Supervisors defers the requirement to provide sidewalks along Macada Road and Schoenersville Road. (Section 159-13.B(1) and (6))
- C. The Board of Supervisors waives the requirement of the submission of a Preliminary Plan prior to submitting a Record Plan, allowing them to be submitted concurrently. (Section 159.29)
- D. The Board of Supervisors waives the USGS vertical datum requirement in lieu of using NAVD 88. (Section 159.29.C(2))
- E. The Board of Supervisors waives the requirement of locating all trees and identifying dripline and species of all trees four inches or more. (Section 159.29.C(4) and (6)).

S. Graham Simmons, Esq., Norris McLaughlin, on behalf of the applicant, is present to discuss additional language that they proposed to Mr. Broughal relative to the Schoenersville Road improvements. Mr. Simmons presented the signed conditional letter with an addition of line item #13. Mr. Prendeville read as followed:

13. The Developer/Owner shall submit a PennDOT permit application for improvements at the intersection of Schoenersville Road and Macada Road as conceptually described on the plan prepared by the Traffic Planning and Design Inc. titled "Schoenersville Road Widening Concept Plan", dated February 8, 2024. This plan showing an improvement of an approximate 66' foot through-right turn lane and required bay taper and associated improvements, (Schoenersville Traffic Improvement). The Developer/Owner shall

construct the required improvements as required by the issuance of the PennDOT highway occupancy permit within 18 months of the issuance of the HOP permit by PennDOT. The permitting and construction of the proposed traffic improvement is anticipated to exceed the amount of the Traffic Impact Fee. The implementation of the Schoenersville Traffic Improvement shall be considered to meet the requirement of the Traffic Impact Fee.

Mr. Anthony Giovannini, Esq., confirmed that the communications between the developer and the Solicitor's office did take place and this is a true and accurate representation of what they have agreed upon.

Ms. Diacogiannis seconded the motion.

Ms. Versteeg and Nate Oiler, Engineer of Record, RKR Hess discussed the project along with concerns regarding EV parking, trees, plants, safety issues, sidewalks, and the storm basin.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

#### ADMINISTRATION – Mr. Gross

##### **Employment Agreement – Manager Mark Hudson**

Mr. Gross moved the Board to authorize the Chair and Township Manager to execute the employment agreement regarding Mark Hudson.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

##### **Note for the Record – Organizational Chart**

Mr. Gross noted for the record that the Township Secretary provided the Board an updated Organizational Chart on April 9, 2024, and it has been posted on the Township's website.

##### **Resolution 24-12 – PA DCED - Covid-19 ARPA Capital Projects Fund Multi-Purpose Community Facility Projects Grant**

Mr. Gross moved the Board adopt Resolution 24 – 12 requesting a COVID -19 ARPA Capital Projects Fund Multi-Purpose Community Facility Projects grant of \$2,000,000.00 from the Pennsylvania Broadband Development Authority, PA Department of Community & Economic Development to be used for a new roof and HVAC system at the Hanover Township Community Center.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

##### **Advertise the 2023 Annual Township Report and Financial Statement**

Mr. Gross moved the Board approve to authorize the Secretary to advertise the 2023 Annual Township Report and Financial Statement once finalized.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

#### PUBLIC WORKS – Mr. Diacogiannis

Mr. Diacogiannis would like to add Manager Mark Hudson to the 248 Building Committee. The committee manages the 248 building.

Mr. Diacogiannis moved to remove John J. Finnigan from the 248 Building Committee and to add Mr. Hudson onto the committee.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

### COURTESY OF THE FLOOR

Jennifer Levins, 1370 Gaspar Avenue, questioned Farmhouse Village. Ms. Levins asked about the parcel being wet. Mr. Kocher explained the current 'ghost lake' will be where the stormwater detention facility will be located. The plan was approved by the Township and Farmhouse Village which must be recorded by a certain deadline which was extended to July 2024.

### STAFF REPORTS

**Engineer** – Mr. Kocher reported that he sent the notice to proceed to the contractor for the storm sewer job at Chaucer Lane and Lord Byron. Friday, April 12, 2024, starts the 125-day clock to complete the project. Mr. Kocher stated he does not have a schedule yet but he has the submittals from the contractor.

**Solicitor** – Mr. Anthony Giovannini, Esq., welcomed Mr. Hudson and looks forward to working with the staff in 2024.

**Recreation Director** – Mr. Terenzio welcomed Mr. Hudson. Mr. Terenzio reported there is a Karate Tournament on Saturday, April 13, 2024, with approximately fifty participants registered. He is happy to see the sport growing in the area. Arbor Day is April 27, 2024, from 11:00am to 1:00pm, followed by the Easton Municipal Band performing at the Hanover Township Community Center. Both events are free to the public. On May 13, 2024, HTCC will be hosting their annual Golf Tournament at Whitetail Golf Club. There are currently sixty golfers registered and he expects more to come. HTCC is still accepting prize donations from local businesses and individuals for the tournament raffles. For programming, the HTCC Pickleball League closed out its regular season with the Blue Bombers claiming the regular season crown. The playoffs start April 20<sup>th</sup>. Mr. Terenzio is working on starting an adult volleyball league on Wednesday nights. There is open volleyball on Tuesdays. The pool is grand opening is Saturday, June 8, 2024, and lifeguard training will begin on May 18, 2024. Mr. Terenzio has been working with the pool manager to implement programming and swimming lessons.

**Public Works Director** – Mr. Limpar welcomed Mr. Hudson. Mr. Limpar reported the rain put a halt to their plans but the Public Works Department has resumed its operations. He requests that residents follow the guidelines pertaining to yard waste. Branches must be bundled and yard waste must be placed in the bins. Street sweeping has begun and the main roads are complete. Mr. Limpar requests that residents please park vehicles off the road on street sweeping days. The pool construction has resumed, plastering will begin Monday, April 15, 2024.

**Township Manager** – Mr. Hudson thanked everyone for the warm welcome. He took a tour of the Township, HTCC, and the new pool. Mr. Hudson is making a checklist of things to be worked on and is looking forward to working with everyone.

Mr. Prendeville suggested that Mr. Hudson become a Code Enforcement Officer. The Board agreed.

Ms. Lawless noted the next Board of Supervisor's meeting will be April 23, 2024, at 7:00pm.

Upon motion of Mr. Prendeville the Board adjourned at 8:30pm.

Kimberly R. Lymanstall  
Secretary