
REGULAR SEMI-MONTHLY MEETING February 28, 2017

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

Present were Supervisors Salvesen, Nagle, Prendeville, Tanczos, Engineer Brien Kocher, Solicitor Jim Broughal, Township Manager John Finnigan and Public Works Director Vincent Milite.

The Pledge of Allegiance was performed.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen the Board approved the Agenda.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle seconded by Mr. Salvesen, the Board approved the minutes, from the meeting of the Board of Supervisors dated February 14, 2017.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the list of bills and transfers dated February 28, 2017.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

Lorna Rossnagle of 6722 American Way, requested the Township take action to control the speeding of the trucks on Jaindl Boulevard or have the Engineer look into what is causing the loud explosion sounds that come from trucks speeding down Jaindl Boulevard.

REPORT OF THE CHAIRMAN

REPORT OF THE VICE-CHAIRMAN

SUPERVISOR'S COMMENTS

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

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

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

Mr. Tanczos – Road District #4, had nothing to report.

Mr. Prendeville– Road District #5, reported that he visited the Bethlehem Library, and discussed with the library staff about the evolution of the library. To promote the library, Mr. Prendeville made a personal donation to the library to be used for a raffle for new library cards issued to Hanover Township residents, in hopes to get more residents using the library services.

PLANNING & ZONING

1650 Valley Center Parkway – Conditional Use

Mr. Tanczos moved that the Board of Supervisors approve the Conditional Use Application of Lehigh Valley Academy dated December 16, 2016, for property located at 1650 Valley Center Parkway, with the following conditions:

1. The Applicant/Owner shall acknowledge that the previous Conditional Use conditions for the private school, as approved by the Board of Supervisors at their meetings of July 24, 2007, June 14, 2011 and June 12, 2012, shall remain in effect.
2. The Applicant/Owner shall comply with all outstanding issues contained in a correspondence from Hanover Engineering, Inc., dated January 4, 2017 and caption Lehigh Valley Academy Temporary Classrooms Conditional Use Plan.
3. The Applicant/Owner shall maintain an escrow account in the amount of \$3,000 for invoices from Township professional staff.
4. The modular trailers must be removed and area returned to original or better condition no later than December 31, 2024. Each day beyond December 31, 2024 is subject to a \$250.00 fee payable to the Township of Hanover, and the Certificate of Occupancy shall be revoked for the modular trailer(s).

Mr. Prendeville seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

ADMINISTRATION

Federal Surplus Property Program Application – Chairman Signature

Mr. Prendeville moved the board authorize the Chairman to sign the Federal Surplus Property Program Application.

Mr. Tanczos seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Return of Taxes for the Year 2016 – Chairman Signature

Mr. Prendeville moved the Board authorize the Chairman and Secretary to sign the Return of Taxes for the year 2016, certifying the total amount of taxes returned.

Mr. Tanczos seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

IntegraOne Quote – HP ProBook

Mr. Prendeville moved the Board authorize the Chairman to sign the IntegraOne Quote in the amount of \$1,832.00, for the purchase of two HP ProBooks with two extension ports. It is noted that this purchase was included in the 2017 budget.

Mr. Tanczos seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

DEVELOPMENTS

Hanover Corporate Center II Lots 6 & 7 Preliminary / Record Lot Consolidation and Land Development Plan

Kevin Horvath of Keystone Consulting Engineering, was present representing J.G. Pertrucci. Mr. Horvath stated the proposed development would be two flex warehouse buildings,

one 99,000 sq. ft. and one 94,300 sq. ft., parking spaces and truck loading. The development would consolidate three plots.

Paul Arnold of 6923 Constitution Drive, stated the concern of the Traditions of America residents on the location of the truck entrance and exit, as well as the increase of noise from the trucks stopping and starting at the entrance. Mr. Arnold read into the record a letter (attached) written to Mr. Diacogiannis.

Mr. Salvesen moved the Board of Supervisors approves the Preliminary / Record Lot Consolidation and Local Development Plan of Hanover Corporate Center II Lots 6 & 7, dates as last revised January 19, 2017, upon the following conditions:

CONDITIONS

The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated February 22, 2017 to the satisfaction of the Township Engineer prior to Plan recording.

The Developer/Owner shall provide two (2) copies of all final reports (i.e. Post-Construction Stormwater Management Control Summary, Geotechnical Report, Erosion and Sediment Pollution Control Narrative, Traffic Reports, etc.) and supporting documentation prior to Plan recording.

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.

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)

The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))

The Developer/Owner shall only be required to meet the Township Recreation and Open Space Area requirements for the 215 Township Line Road lot, as this requirement was previously addressed for HCCII Lots 6 & 7 by the Hanover Corporate Center II Subdivision. The Developer/Owner shall pay a Township Recreation and Open Space Area contribution of \$18,432.00 (\$120,000.00/acre X 3.84 acres X 0.04). (SALDO Section 159-16.D)

The Developer/Owner shall provide a Tapping Fee in the amount of \$25,012.80 (\$8.10/GPD x 3,088 GPD), a Connection Fee of \$472.50 for each building, and a Customer Facilities Fee of \$330.00 for each building prior to Building Permit issuance for this Land Development. (Sewers Section 140-13)

The Developer/Owner shall not be required to provide a Traffic Impact Fee to the Township, as per the November 22, 2016 letter from David M. Jaindl and the existing Subdivision Improvements Agreement for Hanover Corporate Center II, David Jaindl has allotted Traffic Impact Fee credits to this proposed Land Development.

The existing Hanover Corporate Center II storm sewer interceptor system was designed to accommodate 8.88 acres of impervious cover on Lots 6 & 7. The Developer/Owner shall provide a Storm Sewer Interceptor Value of \$8,798.40 (\$1.80/SY of impervious cover X 4,888SY) for the proposed impervious cover greater than 8.88 acres. (Stormwater Section 152-12.B.(2))

The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J)

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)

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. Salvesen 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 Lot Consolidation and Land Development Plan:

- A. That the Board of Supervisors accepts the proposal to initially construct 89 parking spaces for Building 1 and 79 parking spaces for Building 2 per Zoning Ordinance Section 185-17.B.
- B. That the Board of Supervisors accepts the proposed parking lot locations as indicated on the plans per Zoning Ordinance Section 185-35.F.(4).
- C. That the Board of Supervisors accepts the proposed driveways as indicated on the plans per SALDO Section 159-15.I(1) and Driveways Section 73-5.
- D. That the Board of Supervisors defers the requirement to provide sidewalks along the Jaindl Boulevard and Township Line Road frontages. (SALDO Section 159-13)
- E. That the Board of Supervisors waives the requirement that the proposed full access driveway has a maximum width of thirty (30) feet, and to allow the forty (40) foot width indicated on the plans. (SALDO Section 159-15.I.(5) and Driveways Section 73-7.E.(1)(b))
- F. That the Board of Supervisors waives the requirement to identify all existing features within 200 feet of any part of the property and allow the information indicated on the plans. (SALDO Section 159-29.C.(1))
- G. That the Board of Supervisors waives the requirement to conduct additional infiltration site investigation and testing as outlined in Appendix G of the Stormwater Management Ordinance and allow the Applicant to (A) perform additional pre-construction investigations and testing as deemed necessary by the Township Geologist and as required by PennDEP and (B) perform post-construction infiltration testing and soil remediation (if necessary) as outlined on the approved Land Development and PCSM Plans for the project, conditioned upon the Developer/Owner clarifying the timing and scope of the testing envisioned under item (A). (SMO Section 152-9.1.K(1))
- H. That the Board of Supervisors waives the requirement that the detention/retention facility outlet arrangement provide complete outletting of all detained water,

unless provisions for permanent ponding have been approved, and to allow the retaining of runoff for a spray irrigation system to meet DEP and Township water quality requirements. (SMO Section 152-10.I.(3))

- I. That the Board of Supervisors waives the maximum depth of detained runoff of 2 feet, 3 feet and 4 feet for the two-, ten- and one-hundred-year storms respectively and the maximum interior basin side slope of 5:1 horizontal to vertical and to allow depths of 4.42 feet, 4.59 feet and 4.89 feet for the two-, ten- and one-hundred year storm respectively and an interior basin side slope of 4:1 horizontal to vertical, as indicated on the plan, conditioned upon the Developer/Owner providing a safety fence around the basin. (SMO Section 152-10.I.(7))
- J. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of a detention/retention facility be 2% toward the outlet structure and to allow the detention/retention basin bottom at less than 2% as indicated on the plans. (SMO Section 152-10.I.(10))
- K. That the Board of Supervisors waives the requirement that swale banks not be steeper than one (1) vertical to three (3) horizontal and to allow Channel B with side slopes of one (1) vertical to two (2) horizontal as indicated on the plans. (SMO Section 152-11.F.(2))
- L. That the Board of Supervisors waives the requirement that storm sewer pipes have a minimum diameter of fifteen (15) inches and to allow a twelve (12) inch diameter pipe from Endwall F6 to Endwall F5 as indicated on the plans. (SMO Section 152-11.G.(4))

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

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Traditions of America – Bridle Path Phase 1 Off Site Improvements Security Release No. 3

Per Hanover Engineering's letter dated February 22, 2017, Mr. Salvesen moved the Board grant the developer of Traditions of America – Bridle Path Phase 1 Off Site Improvements, a reduction in the required security in the amount of \$14,190.00 based on the following:

- 1. The security for the traffic signal at Jacksonville Road and Bridle Path Road cannot be release at this time. Note 29 on the recorded plans indicates that a study for traffic signal warrants 'shall be completed within two (2) years of final occupancy of the entire project.'
- 2. The 10% for 12 month security is not released until the final release of security.

This reduction is conditioned upon the following:

- A. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$231,449.05 for the remaining work, plus contingencies.
- B. The Developer adheres to Township Policy 25 (payment of Plans & Appeals Accounts)

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Traditions of America – Bridle Path Phase 4 Security Release No. 4

Per Hanover Engineering's letter dated February 22, 2017, Mr. Salvesen moved the Board grant the developer of Traditions of America – Bridle Path Phase 4 a reduction in the

required security in the amount of \$151,888.00 resulting in a security balance of \$322,229.48. This reduction is conditioned upon the following:

1. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$322,229.48 for the remaining work, plus contingencies.
2. The Developer adheres to Township Policy 25 (payment of Plans & Appeals Accounts)

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Traditions of America – Bridle Path Phase 3 Security Release No. 5

Per Hanover Engineering's letter dated February 22, 2017, Mr. Salvesen moved the Board grant the developer of Traditions of America – Bridle Path Phase 3 a reduction in the required security in the amount of \$14,520.00 based on the following:

1. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$243,296.41 for the remaining work, plus contingencies.
2. The Developer adheres to Township Policy 25 (payment of Plans & Appeals Accounts)

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

Traditions of America – Bridle Path Phase 1 Security Release No. 7

Per Hanover Engineering's letter dated February 22, 2017, Mr. Salvesen moved the Board grant the developer of Traditions of America – Bridle Path Phase 1 a reduction in the required security in the amount of \$223,845.33 resulting in a security balance of \$808,402.69, conditioned upon the following

1. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$808,402.69 for the remaining work, plus contingencies.
2. The Developer adheres to Township Policy 25 (payment of Plans & Appeals Accounts)

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

STAFF REPORTS

- Mr. Kocher – Engineer – Nothing to report.
- Mr. Broughal – Solicitor – Nothing to report.
- Mr. Milite – Public Works Director – Nothing to report.
- Mr. Finnigan – Township Manager – Nothing to report.

Upon motion of Mr. Tanczos the Board approved adjournment at 7:45 PM.

Elizabeth D. Ritter
Township Secretary