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## **REGULAR SEMI-MONTHLY MEETING**

### **November 14, 2023**

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 were Supervisors Prendeville, Lawless, Check, Engineer Brien Kocher, Solicitor Anthony Giovaninni, and Manager Finnigan.

The Pledge of Allegiance was performed.

Mr. Finnigan stated addition under Public Works – Pickleball Courts and requested a motion to add to the agenda.

Upon motion of Ms. Lawless to add Public Works – Pickleball Courts, seconded by Mr. Check, the Board approved the agenda.

Mr. Prendeville, aye, Ms. Lawless, aye, Mr. Check aye, Mr. Diacogiannis aye.

Upon motion of Mr. Prendeville seconded by Mr. Check, the Board approved the minutes from the meeting of the Board of Supervisors dated October 24, 2023.

Mr. Prendeville, aye, Ms. Lawless, aye, Mr. Check aye, Mr. Diacogiannis aye.

Upon motion of Mr. Prendeville seconded by Mr. Check, the Board approved the list of bills and transfers dated November 14, 2023.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Diacogiannis aye.

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

No one offered comments.

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

Mr. Diacogiannis reported the Board attended an Executive Session prior to this meeting regarding personnel, a contractual issue primarily. He also noted that there was a pension committee meeting on November 1<sup>st</sup> with PNC Bank, Institutional Asset Management where they presented the review for the last quarter. The next report for the entire year will be in February 2025.

**REPORT OF THE VICE CHAIR** – Mr. Nagle is absent.

#### **SUPERVISOR'S COMMENTS**

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

Road District #2, nothing to report.

Mr. Check – Road District #3, had nothing to report, leaf collection is going great.

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

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

**APPOINTMENTS AND RESIGNATIONS** – Mr. Nagle

**Sheetz Southland Drive – Open Space Easement**

Julie Wagner Burkhardt, Land Use Counsel with Stevens & Lee for Sheetz Inc. discussed her client who is under agreement to purchase two parcels within the Township. Parcel M6-15-10B M6-15-10C, the parcels comprise approximately 2.71 acres located at the SE corner of Route 512 and Southland Drive within the PIBD. Present with Julie are Project Engineer, Sean Hawes of Langan Engineering, the property owner, Jacqueline Blanchard of Postworks, LLC, and their counsel John Hacker. Julie stated that the development team met with Township staff to discuss potential lot consolidation and a land development plan for a convenience store with gas fueling stations, indoor and outdoor seating areas, and a drive-thru for food pickup at the location described. The plan would require conditional use approval and zoning variances. The engineers developed a sketch plan after said meeting and submitted it on September 11, 2023. Following the submission, was a survey check that showed an open space easement of approximately 0.33 acres at the NW corner of the larger two parcels that comprised the project and the easement was dedicated to Hanover Township. The easement indicates several impacts to the sketch plan that was submitted in September. Ms. Burkhardt presents the easement to the Board. Ms. Burkhardt states that the easement kills the plan for the applicant and property owner. She states that the easement put in place to meet the open space priorities of the Township, the easement may not be the most effective means of preserving open space due to its size and location.

Julie Wagner Burkhardt is requesting a conditional use approval to be presented to the Zoning Hearing Board. Since the open space easement, engineering has halted. Ms. Burkhardt noted the area also has a woodlands disturbance and her client would be looking for relief from the woodland preservation ordinance that's in place. Ms. Burkhardt stated if the Township Supervisor's agree, the Township could benefit from an exchange for the easement. If they move forward, there are several variances required.

Mr. Prendeville noted we have a new administration coming in January. He is not in favor of changing the easement. He is against changing what the current easement calls for.

Ms. Lawless questioned if the property owner is related to the grantor of decent or any type of relationship? Ms. Burkhardt answered no. Ms. Lawless asked if the grantor of the easement is related? Ms. Burkhardt answered no, they're not. Ms. Lawless noted that the easement doesn't preclude development of either one of the parcels and there are no facts that say the parcels, separate or placed together, in consolidation can't be developed for some commercial benefit because the easement exists and asked Ms. Burkhardt if those are facts? Ms. Burkhardt stated she can't answer that because she doesn't have the facts for that. Ms. Lawless said the zoning is needed for the project because the site is too small and it's a big concern. Ms. Lawless is not inclined to give up the easement.

Mr. Check stated with the clauses presented, he is confident that what they intend to put their natural state and shall prohibit the construction structure, so he is not inclined to proceed to make any changes to that hearing.

Mr. Diacogiannis stated that the property was a preservation of open space, the trees, more so open space.. that it was their home. The manufacturing facility went in, and it is being used but the intent was to preserve the open space. There is no future benefit to the Township or residents. Mr. Diacogiannis is not inclined to give up the easement.

**Jaindl Land Company – Highland Avenue**

Tom Schlegel, Attorney with Fitzpatrick Lentz & Bubba, representing Jaindl Land Company, for the owner of 90 Highland Avenue discusses the potential text amendment to the zoning ordinance on potential inclusion of limited-service hotels in certain areas of the PIBD zoning district that was discussed 7 months ago to the Board. Since that time, the proposed text amendment was refined and is asking to advertise the proposed text amendment. Ms. Lawless asked Mr. Schlegel to highlight copies since we didn't have the ordinance on the screen. Mr. Schlegel said sure and passed out the proposed text amendment:.

ORDINANCE NO. 23 - \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, TO AMEND THE HANOVER TOWNSHIP ZONING ORDINANCE CHAPTER 185 OF THE CODIFIED CODE OF THE TOWNSHIP OF HANOVER TO PROVIDE FOR THE AMENDMENT OF CHAPTER 185, SECTION 185-35.D BY ADDING A LIMITED SERVICE HOTEL AND MOTEL ESTABLISHMENT AS A USE PERMITTED BY CONDITIONAL USE IN THE PIBD DISTRICT AND FOR THE AMENDMENT OF SECTION 185-54.E.(9) OF THE CODIFIED CODE OF THE TOWNSHIP OF HANOVER TO ESTABLISH CRITERIA FOR SAID USE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, pursuant to the Pennsylvania Municipalities Planning Code, 53 P.S. 1010 et seq., the Board of Supervisors of the Township of Hanover, Northampton County, Pennsylvania, desires to amend Chapter 185 Zoning, Section 185-35.D of the Codified Code of the Township of Hanover by adding a limited service hotel and motel establishment as a use permitted by conditional use in the PIBD District and to amend Chapter 185 Zoning, Section 185-54.E.(9) of the Codified Code of the Township of Hanover to establish criteria for said use in the PIBD District; and

**WHEREAS**, the Board of Supervisors of the Township of Hanover, Northampton County, Pennsylvania, finds that the proposed amendment will promote, protect, and facilitate the public health, safety and welfare; and

**WHEREAS**, the Board of Supervisors of the Township of Hanover has conducted a public hearing pursuant to public notice concerning the following amendment to the Hanover Township Zoning Ordinance as set forth hereinafter.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Hanover, County of Northampton, and Commonwealth of Pennsylvania, as follows:

**SECTION 1.** The Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, under powers vested by the “Second Class Township Code” of Pennsylvania and the authority and procedures of the “Pennsylvania Municipalities Planning Code,” as amended, as well as other laws of the Commonwealth of Pennsylvania, does hereby enact and ordain the following amendments to the Hanover Township Zoning Ordinance, as amended.

**SECTION 2.** Chapter 185 Zoning, Section 185-35.D of the Codified Code of the Township of Hanover is hereby amended by amending the existing Zoning Ordinance to add the following as subsection (27):

“(27) Limited service hotel and motel establishments, subject to the approval of the Board of Supervisors and restrictions contained in §185-54.E.(9).”

**SECTION 3.** Chapter 185 Zoning, Section 185-54.E.(9)(a) and Section 185-54.E.(9)(c) of the Codified Code of the Township of Hanover are hereby amended by amending those subsections of Section 185-54.E.(9) to read as follows:

“(a) In the PORR District, the limited service hotel and motel establishment use shall only be allowed in the four-hundred-foot-wide “no residential” strip along arterial streets or highways. In the PIBD District, the limited service hotel and motel establishments shall only be allowed within 750 feet of an arterial street on a lot abutting an arterial street.

“(c) In the PORR District, the limited service hotel and motel establishments use shall only have access to a street at a signalized intersection. In the PIBD District, the limited service hotel and motel establishments shall be located on a corner lot that adjoins a signalized intersection.”

**SECTION 4.** If a court of competent jurisdiction declares any provision of this amendment to be invalid in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of this amendment to the Hanover Township Zoning Ordinance shall continue to be separately and fully effective.

**SECTION 5.** All provisions of Township ordinances and resolutions or parts thereof that were adopted prior to this amendment to the Hanover Township Zoning Ordinance and that are in conflict with this amendment to the Hanover Township Zoning Ordinance are hereby repealed.

Mr. Schlegel read a summary of the proposed ordinance to the Board. Ms. Lawless asked Mr. Schlegel to explain what is on the map being presented as landmarks. Mr. Schlegel explained the property and surrounding properties of 90 Highland Avenue. Ms. Lawless asked what is a limited use hotel? Mr. Schlegel stated the primary difference between a limited use hotel and a standard hotel is the availability of restaurant dining services and conference rooms. Ms. Lawless requested a definition of a limited use hotel to be placed in the ordinance. Mr. Schlegel stated it's in the ordinance because it was adopted in the PORR as a concept, taking a concept that's already in one district and applying it to certain sites in a different district. Mr. Schlegel reiterated that the hotel is not for long-term stays. Mr. Prendeville asked if the proposed ordinance would change the property Wawa lies on? Mr. Schlegel said no. Mr. Kocher stated it would be changing to the extent that the plan they've approved already does not have a hotel. They would be proposing a hotel on the same piece of property and explained what Mr. Schlegel is proposing is two criteria; It needs to be 750 feet of an arterial street and it needs to be on a corner of a signalized lot. Highland, Southland, and Brodhead are the three signalized properties. Ms. Lawless discussed the corner properties are too small. Ms. Lawless would like more time to review. Mr. Schlegel stated he was there tonight to lay out the concept and would like the ordinance to be published for review for a future hearing with hopes of sooner than 6 months. Ms. Lawless discussed the importance of getting the materials out to the residents so that we could receive feedback and it's better for everyone in the long run. At the end of the discussion, a follow-up was planned for 60-90 days.

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

Ms. Jennifer Levins, 1370 Gaspar Ave, asked Mr. Schlegel if they had any interest in restoring the building? She said it could be used for something else. It was mentioned that they can't find a tenant that wants a building like that so they're looking to put something in its place that makes sense. Ms. Levins said she doesn't think they're going to find the community's support.

Mr. Gennaro Landi, 4316 Greenfield Road, asked what would prohibit future use of the hotels for long-stay hotels? Mr. Landi shows concern because there are several hotels on Airport Road where people are requesting food and money. What's prohibiting the type of hotel that they're proposing? Mr. Schlegel stated the Township Zoning Officer could enforce the issues with long-term stays that go beyond the zoning ordinance and the market. They wouldn't put something in that will attract a bad element. Mr. Landi stated that things change over time.

Ms. Glynnis Daniels, 1280 Gaspar Avenue, asked if there was a need for another hotel in the Township?

Mr. Schlegel reiterated that all they're talking about is a text amendment to a zoning ordinance that would affect the zoning district when other uses are permitted by a right.

#### **4300 Airport Road, LLC – Conditional Use Approval**

Rocco Caracciolo, Collier's Engineering, representing RJM Associates states he is here for the continuation of the 4000-4030 Conditional Use Hearing for the vote after their presentation at the last meeting. Mr. Caracciolo asked if the Board had any questions. Mr. Diacogiannis stated everything was contemplated and the conditions were considered. Mr. Giovannini noted that the record is closed. Mr. Finnigan noted that unlike a development plan, the applicant does not have to agree with what the Board puts on as conditions, but they must conform to those conditions once implemented by the Board.

Ms. Lawless move the Board grant the developer conditional use approval for the 4000-4300 Airport Road land development plan subject to the following conditions:

1. Truck drivers shall not be permitted to utilize facility parking for Federal Motor Carrier Safety Administration [FMCSA] required rest time; appropriate signage shall be posted to this effect;
2. Truck egress should be encouraged to turn left out of the driveway onto Airport Road Southbound and trucks should be precluded, by all means available, traveling on Orchard Lane;
3. Dock doors must be on the south face of the building away from the residential neighbors; intercom/communication systems used in conjunction with dock doors, if any, shall conform to the Township's noise ordinance;
4. There will be no retail sales from this property;
5. Storage is limited to materials used and/or products produced at this property;
6. There will be no outdoor material and/or product storage, except as permitted for light manufacturing;
7. The facility must meet and comply with all fire protection and environmental standards, including but not limited to spill protection, containment and fire suppression, as currently promulgated by Township regulations and the Uniform Construction Code;
8. Ventilation and exhaust systems shall be implemented to reduce and mitigate ambient odors, in accordance with Township regulations and the Uniform Construction Code;
9. Any change to or new storage area shall be subjected to a new conditional use process, including the sub-letting of any portion of the interior space utilized for warehouse/storage;
10. All building and plan notations shall be changed from the word "warehouse" to "accessory storage use"; and
11. Compliance with conditions set forth in Hanover Engineering Associates, Inc.'s correspondence of July 29, 2023.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis reiterated that this was pertaining to the motion, nothing else. It is not in reference to the last meeting.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

#### DEVELOPMENTS – Mr. Check

##### **Kevin Drive – Release of Maintenance Security H21-17**

Mr. Check move the Board, per the recommendation of Hanover Engineering's letter dated November 9, 2023, to release the remaining Maintenance Security of \$20,186.90, as the contractor has completed all work associated with this contract.

Mr. Prendeville seconded the motion.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

##### **Arcadia Land Development – Preliminary/Record Land Development Plan**

Matthew Deschler, Counsel for Development Corporation is seeking land development approval and lot consolidation for the two lots of the adjacent parcel to the East and of vacant land. Mr. Deschler explains that the plan is a proposed use for a warehouse of about 250,000 square feet and when the lots are combined, 20-25 acres for the consolidated lot. He is requesting approval of that plan. Mr. Deschler states that the LVPC is in favor of the final approval. Scott Pidcock, Engineer of Arcadia Land Development, explains that PennDOT performed a traffic study, LVPC endorses the use as compatible with the regional plan, and they approved the stormwater designed for the project. Mr. Pidcock stated he is prepared to answer any questions and is hoping the plan is ready for approval.

Ms. Lawless asked if the "by right" of the zoning change that occurred in November of last year? Mr. Deschler answered, that is correct, the zoning change is the map amendment that could characterize as moving the PIBD to the west and the change is from what it was previously zoned at in November of 2022 which was not favorably reviewed by the Planning Commission or the LVPC. Mr. Deschler answered,

“That’s right.” Ms. Lawless asked the impact of the current litigation regarding condominium documents on the ability to proceed with the project? Mr. Deschler stated the issue is the forefront of the kind of complex of the condominium with the two units. One is occupied by a building occupying the bank and the other is the Hampton. The issue is the declaratory judgment action, who gets authorized, or can it be authorized to expand the entrance way to the driveway? Mr. Deschler explains the dispute is resolved in the courts but not before it is presented to the Board. Mr. Deschler asked if they comply with the SALDO and other ordinances? He stated the private drive is entirely owned by Eastupland Associates and the owner of Best Western. The dispute needed to be resolved and he mentioned highlights because they need the court’s involvement to decide who has authority to authorize the expanded driveway. Mr. Deschler asked if the plan meets the ordinances and the SALDO particularly before granting approval? Ms. Lawless asked with the cloud over the title, is there any presence on this? Solicitor Michael Corriere agrees with the case, that when avoiding a plan, you must focus on the SALDO requirements and on other ordinances. If there is an issue between property owners, a private easement, or a private dispute, it’s not grounds to reject a plan. Ms. Lawless asked how the validity of the ordinance is being challenged. Solicitor Michael Corriere stated the challenger filed with the zoning hearing officer, a challenge to the substantive procedural. The hearing is scheduled for December 21, 2023. The Township must decide in 90 days, which would be in January unless an extension was received. Mr. Deschler reiterated that they are looking for approval tonight. Ms. Lawless questioned page 6, section 152-10 – “The proposed detention basin shall meet the maximum depth of detained runoff requirements of these Sections. The applicant requests waivers of these sections”; Ms. Lawless wants to know what they are seeking not to do? Mr. Pidcock stated that they aren’t avoiding their responsibilities but the parameters in the ordinance for the detention basin and the design are focused on residential development. They proposed a four to one slope, a movable slope... a privately owned basin. Ms. Lawless asked about page 2, “No structures shall be placed between the setback line and the existing highway right-of-way line.” Ms. Lawless asked, is there enough room? Do you need another zoning variance? Mr. Pidcock explained that they didn’t need another variance. Mr. Pidcock reviewed the plan with the Board. Mr. Pidcock stated he believes channeling traffic out to Highland Avenue is a poor idea because the traffic management proposed by the plan is perfectly fine and acceptable to PennDOT and the town Engineer thoroughly vetted that. Mr. Diacogiannis stated he knew what Mr. Pidcock meant but the question is, can it be done? Mr. Pidcock stated it can be done, the easement is 45-50ft wide and there’s enough width to do it but to take traffic to Highland Avenue, then Highland Avenue would suffer as a result. Mr. Pidcock explained that Highland Avenue and 512 would be much more stressed than it is, noting it is better for traffic to come out as proposed at Gateway than to run the circuit through Highland and its turning lanes only. Mr. Diacogiannis asked if the proposed improvements at the Gateway intersection address the problems that already exist? Mr. Pidcock answered that the project is obligated to install an additional turning lane and additional length of the left turn lane, which are required by PennDOT. Ms. Lawless expresses her concerns about the traffic.

## COURTESY OF THE FLOOR

Mr. Mark Cronin, 4612 Ashley Lane, explains he is not comfortable with the phrase “moderate traffic” stating that the left turn lane to turn into Gateway is too small. He asked if trucks are going to be allowed to go North on 512? Mr. Pidcock answers, they may. He said the route you take to the bank, the improvements they have in place will address the additional traffic. Mr. Pidcock stated the hotel gets 2,400 trips per day, the proposed warehouse will get 450 trips per day, trip in and trip out refers to vehicles both trucks and cars combined.

Mr. Pidcock discussed the busiest peaks with traffic. He states the traffic in and out of his facility would be 5 trucks in the AM, 8 trucks in the PM. The turning lanes on 512 will be changed. Ms. Lawless asked Mr. Pidcock if he had the dates of when the stress test was performed? Mr. Pidcock stated the stress test was performed November 2022.

Mr. Michael Harrington, 4555 Delores Lane, reiterated the number of trucks in and out of the facility per day and asked if Mr. Pidcock knew who was leasing the building and what type of industry it would be? Mr.

Pidcock answered it is not known yet.

Mr. Prendeville wanted to be sure it was not a distribution center. Mr. Pidcock answered it's not.

Mr. Rudy Shankar 154 W. Langhorne Ave, questioned the heating and cooling of the warehouse. Mr. Deschler stated they are not in any position to discuss the end use of the warehouse. He stated there are limitations to the type of warehouse that can be built.

Ms. Jane Cook, 208 W. Langhorne Ave, questions the terms used. She would like to know if the facility is short term or long term? Mr. Deschler explained the differences between a short term and long-term facility and how it could be used. Ms. Cook asked if the trucks were just coming in and getting loaded and leaving? Mr. Pidcock stated they are and that the warehouse will not have the ability to have coast to coast doors. This warehouse only has a 30% limitation – 28 doors. Ms. Cook expresses her concerns about the number of doors and the number of trucks going in and out within the facility.

Ms. Stephanie Anthony, 40 Lynnwood Drive, states her concerns on how many trucks are going to be in and out of the facility.

Mr. Pidcock addressed Mr. Shankar one more time about the heating and cooling of the facility and stated the building will be conditioned but the whole thing will not be a freezer. Mr. Shankar shares his concerns about the electricity that the facility will need. Mr. Pidcock reiterates why they are there, and they are addressing the project with the Township's SALDO and zoning ordinances.

Ms. Cynthia Bruzgo, 1595 Allen Way, shares her concerns about the traffic and the trucks that drive through red lights and asked questions about where the traffic lights will be installed.

Mr. Mike Mandell, 1524 Colgate Drive, asked if the plans don't go through, will they use Highland Avenue? Will they go back to PennDOT to get to the intersection? Mr. Pidcock said absolutely.

Ms. Elizabeth Babbin, 2528 Main Street, shared concern about the traffic by Route 22 highway and wanted to know if there were any changes there? Mr. Pidcock answered no.

Mr. Dennis Chafin, 119 Moreland Avenue, shared his concerns about stormwater. Mr. Pidcock demonstrated where the culvert is on the map and explained the culvert and the stormwater.

Mr. Kevin Lee, 4232 Greenfield Road, commended Mr. Pidcock and Mr. Deschler on the explanations of everything they are presenting. Mr. Lee shared his concerns on the hotel that is already in place and shared his concerns about traffic.

Mr. Joeseeph Fitzpatrick, Legal Counsel for Embassy Bank, presents his case in front of the Board regarding Embassy Bank and the proposed warehouse. He states that declaratory judgement actions have been filed to enforce condominium rights. The rights belong to two entities owned by the developer and Embassy Bank. Mr. Fitzpatrick states the Township should not pass judgment on a development that involves the property of third parties for its access to its driveway, easements, other rights, or utilities. Mr. Fitzpatrick is there to explain the fundamental property rights. Embassy Bank has an ownership interest in the frontage and driveway and the common elements of Gateway Drive, East of 512. Embassy is there to protect their business, the headquarters of their property and for the safety and wellbeing of their employees and customers. Mr. Fitzpatrick stated Municipalities, Hanover Township, have the obligation to ensure that a developer is entitled to build, improve, modify, or revise improvements for a project approval but Embassy Bank is there to say the developer does not have that right because its co-owner of the common elements along the Northern portion of Gateway Drive and the driveway access. Mr. Fitzpatrick questioned if Hanover Township adequately secured the rights to bring in a new use. Is the Township aware that declaratory judgment action on the condominium common element issue has been filed? Mr. Fitzpatrick is not asking the

Township to speak on those rights because it is public record. Mr. Fitzpatrick states the validity challenge is filed on behalf of Red Bird Associates as the owner. He also states the timing on the traffic impact study from 2022 rezoning of the property had no mention of warehouse use until rezoning went through. Mr. Fitzpatrick explains how congested Gateway Drive intersection is. Mr. Fitzpatrick is requesting the Board to table the decision if they aren't willing to deny the plan, until all questions are answered.

Mr. Deschler states that Mr. Fitzpatrick had no mentions of SALDO that would obligate or allow the Board to deny the plan.

Ms. Lawless requests to table the plan to see the zoning challenge, which is planned for December. Mr. Deschler stated they can't condition the zoning change on any curricular use.

Ms. Lawless moved to table the plan. Solicitor Mr. Corriere explains that if there is no approval within 90 days, it is deemed approved. The plan is extended through January. The Board has the right to table the plan if the meeting is before the 90-day extension expiration. The Zoning Hearing Board will be held on December 21, 2023.

Ms. Lawless move the Board to table the application to the meeting of the Board of Supervisors scheduled for January 23, 2024.

Mr. Prendeville seconded the motion.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

#### **Muller Martini Land Development – 4444 Innovation Way**

Mr. Check move the Board, grant a deferral of Section 159-29 Subdivision and Land Development requirements subject to the following conditions:

1. The Applicant shall obtain approval of a Site Plan from the Township Engineer and Township Manager meeting all requirements of the November 2, 2023, letter from Hanover Engineering.
2. All requirements of a future submission of the Land Development Plan are still in effect including consideration of any deferrals and waivers. The deadline for submission of this Land Development Plan is October 12, 2024, unless extended by the Board of Supervisors.

Mr. Prendeville seconded the motion.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

#### **ADMINISTRATION – Mr. Prendeville**

##### **Proposed 2024 Budget Advertisement**

Mr. Prendeville move the Board to authorize the Secretary to advertise the proposed 2024 budget for adoption at the December 19, 2023, Board of Supervisors meeting.

Ms. Lawless seconded the motion.

Ms. Beth Bucko discussed minor adjustments to the Board in her last presentation. Ms. Bucko stated the CRPD approved budget request for \$2.4 million was down from the previous request. The library was adjusted to 7% but has not received a final from them. Ms. Bucko also adjusted the most recent tax assessments that came in on October 31<sup>st</sup>, which decreased the real estate income by \$3,2000.00. The final general fund budget for revenues and expenses will be \$13,851,005.00.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

Mr. Diacogiannis noted for the record the final vote approval for the budget will be December 19, 2023, meeting and the budget is advertised now.



Mr. Telly Diacogiannis explained the library meetings are going well.

PUBLIC WORKS – Mr. Finnigan

Mr. Finnigan noted the LB Construction Enterprise is asking for the deadline to be extended for the pickleball courts to April 1, 2024, due to a supply chain issue. The underdrains and rocks came in but is not able to secure blacktop. The plan is to get a base course in and finish the course.

Mr. Prendeville move the Board to extend the contract with LB Construction Enterprise to complete the pickleball courts until April 1, 2024.

Mr. Check seconded the motion.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

STAFF REPORTS

**Engineer** – Mr. Kocher had nothing to report.

**Solicitor** – Mr. Broughal had nothing to report.

**Recreation Director** – Mr. Terenzio stated HTCC held their second pickleball tournament at the end of October and the first martial arts tournament since the early 2000s. Both tournaments were held back-to-back and very successful. Youth Basketball Clinics will be held the week between Christmas and New Years and after that comes the Youth Basketball League – Hanover Hoops. Registration is currently open and will remain open until December 15. The tree lighting is scheduled for Friday, December 1 from 6-8pm and it's a free event. Breakfast with Santa is Saturday, December 9. Registration is open but spots are filling up quickly.

**Public Works Director** – Mr. Limpar stated leaf collection is going well. The Public Works team have been working overtime on Saturdays and leaf collection is nearly caught up. An end date hasn't been picked but anticipating for early December. The goal is to collect leaves in the parks soon. He plans to set up for the tree lighting ceremony within the upcoming week.

**Township Manager** – Mr. Finnigan wanted to acknowledge the passing of the founding Chief of CRPD, honoring Daniel Spanning and asked for a moment of silence. Mr. Finnigan noted for the record that the tax assessment went down \$3,000. Shop with Cops is December 2<sup>nd</sup> and CRPD is accepting donations. Mr. Finnigan reverted to the comment made about Sheetz, looking through Township records from the 1970s, the Township never waived or modified the easement. Pool updates were distributed. The superintendent had some health issues which halted the pool progress temporarily. Mr. Finnigan read off the pool schedule to update the Board.

Upon motion of Mr. Prendeville the Board adjourned at 9:48pm.

Kimberly R. Lymanstall  
Secretary