
REGULAR SEMI-MONTHLY MEETING

July 25, 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, Nagle, Engineer Brien Kocher, Solicitor James Broughal, and Manager Finnigan.

The Pledge of Allegiance was performed.

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

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

Upon motion of Mr. Nagle seconded by Mr. Prendeville, the Board approved the minutes from the meeting of the Board of Supervisors dated June 27, 2023.

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

Upon motion of Mr. Nagle seconded by Mr. Prendeville, the Board approved the list of bills and transfers dated July 25, 2023.

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

COURTESY OF THE FLOOR

Robert Chaponis, Virginia Drive addressed the Arcadia Development project at 300 Gateway Drive. Mr. Chaponis mentioned several concerns traffic, noise, environmental impact, and air quality. Mr. Chaponis stated that Allentown is ranked number one in asthma. Mr. Chaponis asked questions and Mr. Diacogiannis reminded Mr. Chaponis that the Board does not answer specific questions.

REPORT OF THE CHAIR

Mr. Diacogiannis mentioned summer events coming up Musikfest, Allentown Fair and Christmas is five months away. Registration for the Citizens Police Academy for Hanover Township and Lower Nazareth residents which runs for 11 weeks from August to November on Thursday evenings. Applications were made available.

REPORT OF THE VICE CHAIR

Mr. Nagle reminded everyone that on Tuesday, August 1st is the National Night Out event which will be held at the Community Center starting at 6 pm. There will be hot dogs and ice cream. The Colonial Regional Police Department and Hanover Township Volunteer Fire Department will be present.

Mr. Diacogiannis introduced Mr. Kendell Lowe, Assistant Recreation Director. Mr. Lowe gave a brief synopsis of his background and stated he was looking forward to working with everyone.

SUPERVISOR'S COMMENTS

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

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

Mr. Check – 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. Mr. Prendeville praised the Public Works staff and Township Manager for repairing the massive sink hole in the Township swale.

APPOINTMENTS AND RESIGNATIONS – Mr. Nagle

PLANNING & ZONING – Ms. Lawless

Rezoning Request – Majestic Hanover Business Park, LLC

Joe Uliana, 5536 Greenbriar Drive as a representative of Majestic Realty presented and explained their rezoning request for lands owned by the Lehigh Northampton Airport Authority along Airport Road (SR 0987). Request is to reduce allowable density and increase setbacks from what is currently permitted. Majestic has entered into a Ground Lease Option Agreement with the Authority. Mr. Diacogiannis and Mr. Prendeville praised the updated proposal and thanked the developer for cooperating through each step of the process.

Mr. Uliana answered resident questions related to the exact location and types of businesses.

Mr. Broughal, Township Solicitor explained the process of a text amendment.

Ms. Lawless moved the Board to authorize the Solicitor, Engineer, and Township Staff to process the text amendment by advertising it and forwarding it to the Hanover Township and Lehigh Valley Planning Commissions.

Mr. Nagle seconded the motion.

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

Zoning Variance - Schoenersville Road

Upon a motion from Ms. Lawless, the Board unanimously agreed no representation is required at the Zoning Hearing Board for the applicant seeking relief from the sign ordinance at 2201 Schoenersville Road, Allentown PA 18109.

Zoning Variance – 4000-4030 Airport Road

Upon a motion from Ms. Lawless, the Board unanimously agreed no representation is required at the Zoning Hearing Board for the applicant seeking relief from the provisions of the ordinance and specific conditional use requirements in the AFHBD at 4000-4030 Airport Road, Allentown, PA 18109.

Zoning Variance – 5804 Monocacy Drive

Upon a motion from Ms. Lawless, the Board unanimously agreed no representation is required at the Zoning Hearing Board for the applicant seeking relief from the setback provisions of the Ordinance to construct a deck encroaching into the drainage easement at 5804 Monocacy Drive, Bethlehem, PA 18017.

Zoning Variance – 1310 Woodland Circle

Upon a motion from Ms. Lawless, the Board unanimously agreed no representation is required at the Zoning Hearing Board for the applicant seeking relief from the setback provisions of the Ordinance to construct a deck at 1310 Woodland Circle, Bethlehem, PA 18017.

Hold Harmless Agreement – 5524 Karen Drive

Ms. Lawless moved the Board to authorize the Chairman and Secretary to sign the hold harmless agreement for the installation of an inground swimming pool with concrete decking, fence and retaining wall on the property located at 5524 Karen Drive, Bethlehem, PA 18017. The proposed structure will encroach into the twenty-foot drainage and utility easement in the rear yard located on the Premises (the “Easement”).

Mr. Prendeville seconded the motion.

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

DEVELOPMENTS – Mr. Check

School Sisters of St. Francis Convent Addition – Preliminary / Record Land Development Plan

Mr. Check moved the Board approve the Preliminary / Record Land Development Plan of School Sisters of St. Francis Convent Addition, dated April 7, 2023 and last revised June 30, 2023 upon the conditions:

CONDITIONS

The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated July 20, 2023 to the satisfaction of the Township Engineer prior to Plan recording.

1. 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.
2. 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.
3. 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)

4. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))
5. 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)
6. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements Value of \$932.80 (\$1.80/SY of impervious cover X 518.22 SY of impervious cover). (Stormwater Management Ordinance Section 152-12.B.(2))
7. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J)
8. 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)
9. 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 to provide a parking tabulation for the existing and proposed facilities as the existing facilities are sufficient and the addition is not anticipated to require additional parking. (Section 185-17)
- B. The Board of Supervisors defers the requirement to install sidewalk along the Bridle Path Road frontage. (Section 159-13)
- C. The Board of Supervisors waives the requirement to provide the locations and species of all trees, four inches (4") or more in trunk diameter at a height of 4.5' above grade on the plan. (Section 159-29.C.(3) and (6)(a).
- D. The Board of Supervisors waives the requirement to obtain Preliminary Plan approval prior to submission of a Record Plan. (Section 159-34)

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

Mr. Nagle seconded the motion.

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

Hanover Corporate Center II – Lots 6 & 7 – Improvements Deadline

Mr. Check moved the Board to grant the developer of Hanover Corporate Center II – Lots 6 & 7 an extension to January 19, 2025, regarding the improvement's deadline, per the attorney letter dated July 13, 2023.

Mr. Nagle seconded the motion.

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

4098 Bath Pike – Dunkin Donuts – Improvements

Mr. Check moved the Board to accept the Land Development improvements and release the remaining security balance of \$11,858.00 for 4098 Bath Pike – Dunkin Donuts as recommended in the Hanover Engineering letter dated July 20, 2023, These recommendations should be conditioned upon the following: 1. the Township Solicitor's concurrence on the Maintenance Security determination, and 2. The developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

Mr. Nagle seconded the motion.

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

Hanover Township Senior Living – Improvements Deadline

Mr. Check moved the Board to grant the developer of Hanover Senior Living an extension to October 28, 2023, regarding the improvement's deadline, per the developer letter dated July 19, 2023.

Mr. Nagle seconded the motion.

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

ADMINISTRATION – Mr. Prendeville

Resident Request – 702 Overlook Drive

Jie Floyd 702 Overlook Drive, Stones Crossing is requesting relief from replacing a large tree with another large tree. Mr. Broughal explained that there is a Shade Tree Ordinance.

Mr. Prendeville motioned the Board to table the matter for review by staff and no further action be taken against the applicant by Zoning until review is complete.

Mr. Nagle seconded the motion.

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

Hanover Township Community Center Preschool Basic Emergency Plan

Mr. Prendeville moved the Board to approve the Hanover Township Community Center Preschool Basic Emergency Plan and authorize the Chairman to sign the document.

Mr. Nagle seconded the motion.

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

Note for the record – Construction Change Directive #3

Noted for the record on July 12, 2023, a Construction Change Directive #3 was signed by the Township Manager for the municipal pool. Heim construction made the following change to the contract to repair sinkholes in storm water basin per the direction from the geotechnical engineer as follows; excavate, chase/flush out, plug throats with 500 psi flowable fill, backfill with suitable clayey load-bearing fill material in compacted lifts. Our geotechnical engineer will be on-site during sinkhole repair operations.

Resolution 23-25 – Permitting the Disposal of Municipal Assets

Mr. Prendeville moved the Board to adopt Resolution 23-25 permitting the Disposal of Municipal Assets.

Mr. Nagle seconded the motion.

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

Budget Amendments

Mr. Prendeville moved the Board to approve the mid-year normal & customary budget amendments as presented by the Township Treasurer.

Mr. Nagle seconded the motion.

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

Note for the record – Act 537 Special Study

Mr. Prendeville noted for the record that the Township Manager responded to the City of Bethlehem concerning their Act 537 Special Study – Wastewater Treatment Plant.

Ordinance 23-3 Amend Chapter 172, Vehicles and Traffic

Mr. Prendeville moved the Board to adopt Ordinance 23-3 to amend Chapter 172 Vehicles and Traffic; Article II Speed Limits, and Article IV Parking, Standing and Stopping, to amend certain speed limits and provide additional parking prohibitions to its ordinance and repeal all ordinances or parts of ordinances inconsistent herewith. The Ordinance has been advertised and the Secretary has proof of publication.

Mr. Nagle seconded the motion.

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

Mr. Prendeville invited Telly Diacogiannis to review the most recent Library meeting. Mr. T. Diacogiannis recapped the past year of meetings. At the last Library meeting it was mentioned that the Community Center would be receiving a new book vending machine, but that was not confirmed. Mr. T. Diacogiannis and Mr. Terenzio have discussed the possibility of using the music room for a small “pop up” library. Mr. Finnigan was directed to follow up with the Library Board President.

PUBLIC WORKS – Mr. Nagle

COURTESY OF THE FLOOR

Joan Steinberg, Tracey Lane mentioned that she rented a meeting room at the Community Center, and she explained that she feels \$50.00 for set up is excessive. Ms. Steinberg stated that the room rental agreement and policy does not match. Mr. Diacogiannis commented that the staff needs to review the agreements and policy.

STAFF REPORTS

Engineer – Mr. Kocher had nothing to report.

Solicitor – Mr. Broughal had nothing to report.

Recreation Director – Mr. Terenzio stated that summer camps ended with positive feedback from parents; next week the Parks Program begins. Upcoming events - August 1st National Night Out and August 3rd Bingo. Mr. Terenzio welcomed Mr. Lowe and is looking forward to working with him.

Public Works Director – Mr. Limpar was absent.

Township Manager – Mr. Terenzio and Mr. Finnigan have met to begin planning the opening of the pool for next year and a strategy for hiring lifeguards. Over the past two weeks three sink holes had to be addressed. We have used our pile of topsoil and contractors have been bringing in truckloads of flow fill. Mr. Finnigan gave a quick update on the pool – shotcrete has been completed for the pool, footers are in for the three buildings, and the next step is waterproofing the cinder blocks; then the slab will be poured. The detention pond will be a rain garden.

Upon motion of Mr. Diacogiannis the Board adjourned at 9:00 p.m. then moved to an Executive Session for personnel matters.

Christina M. Thomas
Secretary