

HANOVER TOWNSHIP, LEHIGH COUNTY  
PLANNING COMMISSION MEETING

January 17, 2023  
6:30 P.M.

Present: Yoder, Hawk, Rossi, Murray, Thomas; Susan G. Maurer, Esquire; Al Kortze, P.E.;  
Melissa A. Wehr; Vicky Roth

Absent: Dean

Attendance: 8

Approval of Minutes: November 15, 2022 Planning Commission Meeting

Motion: I move we waive the reading of the Minutes of the November 15, 2022 Planning Commission Meeting and accept same as presented.

Thomas, Hawk: Moved and Seconded Unan.

Motion: I move we waive the reading of the Minutes of the January 9, 2023 Reorganization Meeting and accept same as presented.

Thomas, Hawk: Moved and Seconded Unan.

Correspondence:

Chairman Thomas stated he has correspondence primarily related to Patriot American Parkway Parking Lot Expansion which is on the Agenda this evening. Correspondence is always available for review at the Township Municipal Building during normal business hours.

General Business:

1. Comprehensive Plan Presentation, River Central – LVPC (Review and Recommendation)

Jill Seitz, Senior Community Planner at the Lehigh Valley Planning Commission and the Project Manager for the River Central Multi-Municipal Plan and Matt Assad with Lehigh Valley Planning Commission came before the Commission to present the River Central Multi-Municipal Plan which is the result of five municipalities within the River Central area coming together to form this joint comprehensive plan. The communities are Borough of Catasauqua, Borough of Northampton, North Catasauqua, Hanover Township, Lehigh County, and East Allen Township. This Plan would not be possible without the hard work and dedication of the Steering Committee. They are volunteers and there are three from each community. They represent the interests and concerns of their municipality while collaborating to create a regional comprehensive plan. Public input is a key component of the

plan. Six goals were developed through the community engagement process which served as the foundation of the plan to support the community's future aspirations for a sustainable and thriving community. Each goal contains policy and recommended actions addressing different aspects of that goal. Goal one is to balance preservation and development aligned with appropriate infrastructure. The River Central area is well known for its historic boroughs, manufacturing, parks and trails, natural resources, and farmland. All these features identify to the area's identity and quality of life enjoyed by all of its residents. Ms. Seitz passed out a handout to all Commission members which includes the project timeline for the plan moving forward for adoption. Currently, they are in the Public Meetings process which is a required step of the Pennsylvania Municipalities Planning Code after the draft plan. Once they move through all of the Public Meetings with each of the municipalities, the Plan will be submitted for a 45-day review and comment period to all the municipalities adjacent to the River Central area, all of the school districts involved and LVPC will also review it as the county agency. Once the 45-day public review period has ended, the plan can move forward to public hearings and adoption held by the municipal governing bodies. They are anticipating adoption to occur around April or May. If anyone would like to review the draft plan, it is available on the River Central website and you will also be able to view all the data analysis materials used in developing the plan. The Chairman asked Ms. Seitz for the benefit of some of the newer Board members to explain what was the point of doing a multi-municipal agreement as opposed to continue doing what municipalities have been doing all along. Ms. Seitz replied the LVPC encourages local municipalities to work together to plan and in doing a multi-municipal plan makes it easier to plan together and you also get the added benefit of sharing land uses once you sign it. The agreement is essentially to say we've all done this plan together and now we agree that we are going to move forward in doing what is actually planned out. The idea of a multi-municipalities plan is to be able to collaborate, work together and have a shared vision of how municipalities can benefit each other.

Motion: I authorize that the Hanover Township Planning Commission recommend approval of the Comprehensive Plan Presentation, River Central – LVPC as presented.

Thomas, Rossi: Moved and Seconded

Unan.

## 2. Conditional Use, Height Regulations; Fire Protection, Sysco, 800 Willowbrook Rd. (Review and Recommendation)

Rachel O'Neill, Attorney with Reed Smith and representing Sysco, the Applicant for Conditional Use for additional heights appeared before the Commission. This property is an existing warehouse building and currently owned by Link Logistics. It was previously developed by Rockefeller and Link recently purchased the building. Pursuant to a February 20, 2021 approval by the Township Council, Rockefeller constructed the building. They were here on November 15, 2022 for the tenant fit-out preliminary and land development plan. The plan before the Commission is the same as previously presented. They are here asking for conditional approval. They have not gone onto the next step. As they made it through the design stage, they realized that the buildings need additional height. When they came before the Commission previously, the plan was not fully developed enough to know the exact height of each. Specifically, the Zoning Ordinance conditionally permits 50 feet above structures and additional height above 20 feet for accessory structures and doors in excess of eight feet so long as it is approved. The design of the property remains the same. They submitted a compliance narrative going through all of the Code requirements for conditional use. At this time, Kestra Kelly with BL Companies who are the engineers on this project and in attendance on behalf of Sysco, explained why they need the additional height. The main warehouse building has a roof height of roughly 46 feet and

is not changing. Sysco would like to install, on top of the roof, cooling towers to help support refrigeration within the building. There will be sections of the roof with cooling structures which will extend up to a height of 56-10, 11". The total structure height is 45 feet, 2-1/2 inches, which is connected to the building with pipes for the refrigeration. The vehicle maintenance building with a height of 33 feet, 2-1/4 inches. Those doors are going to be greater than 8 feet, 16 inches. The fuel station has a height of 22 feet, 3 inches. The truck wash building has a height of 24 feet. Those doors will be greater than eight feet for the trucks to be able to get inside. The site is consistent with what they showed previously. They are in receipt of the Township Engineer's letter. There were some comments regarding sound which they will provide the data to confirm that they are meeting sound ordinances. They will work with the Township in obtaining all of the approved building permits. The Chairman commented that seeing that this is regarding raising heights, the thought occurred to him as to whether there is any special approval required from a fire safety standpoint as well as does the airport need to review anything further do to the height. Ms. Kelly replied that as part of the base building for Lot 5A as well as these increased heights, they have gone through the FAA approval for the heights and are covered from that perspective. The Township Manager asked on behalf of the Planning Commission Chairman if they could get a copy from the FAA approving the heights. The Manager commented that there is a Commissioner who is very familiar with the Fire Department and Fire Department equipment. Perhaps he may be willing to lend some comments if there are any issues that he believes from reviewing it so that there are no delays in the plan. The Member replied that from looking at things, they are far under what the Township has in their ordinances. Since it's a conditional use request, they must come before the Planning Commission to get their recommendation to the Township Council for approval. A member asked how much fuel will be stored for the diesel fuel station. Greg Dominico with Sysco said they will have two above-ground storage tanks, 15,000 gallons for on road and 15,000 gallons for off road. They are all self-contained tanks.

Conditional Use Review Comments:

1. The Applicant shall demonstrate that the proposed mechanical improvements will comply with the Sound Level Requirements in Section 27-504 of the Township's Zoning Ordinance.
2. The Architectural Plans should contain the original date of preparation.
3. The Architectural Plans should be submitted to the Township's Building Code Department for any preliminary comments they may have.

Motion: I move the Planning Commission recommend Conditional Use Approval subject to the conditions in the Keystone Consulting Engineers January 12, 2023 letter with the addition of the evidence from FAA approval.

Thomas, Hawk: Moved and Seconded

Unan.

3. Final Land Development Approval – Patriot American Parkway Lot 2 Warehouses, Exeter 1108 American Land LLC, 1701 Dauphin St., Allentown, PA 18109 (Review and Recommendation)

Rick Roseberry with Colliers Engineering introduced himself and is requesting Final Land Approval for the development of the Lot 2 of the Patriot American Parkway site. Patriot American Parkway is off of Route 22 where St. Luke's is currently the main tenant. Several years ago, the owner subdivided the lot into three individual lots, Lot 1 is the existing building, Lot 2 is the subject of this application and

Lot 3 is the subject of the next application. Lots 2 and 3 was purchased by Exeter Properties. They are looking to construct two warehouses on Lot 2 with primary access to Dauphin Street. There is a restriction in the agreement between the owners of Lot 1 and Lot 2 that all truck traffic has to access Dauphin Street and cannot come out to American Parkway. Since they received Preliminary Approval, they have submitted to PennDOT and received their initial comments from PennDOT, which was favorable. They have submitted their NPDES Permit, received technical comments and a few emailed comments a few days ago, which they have five days to respond. They anticipate receiving their NPDES Permit within a couple of weeks. They submitted a courtesy copy to the City of Allentown and are in the process of finalizing their permits with Buckeye Pipeline to cross their lines. The Final Land Development Approval is the last approval that they need to make this project happen. A discussion ensued. The Chairman asked about the status of the GPS process that was brought up previously regarding both Lot 2 and Lot 3 which is also on tonight's Agenda. They do not have their approvals as of yet. They will work on the signage with the City of Allentown as well as with PennDOT to make sure the trucks go where they should go. The Manager asked if they had a tenant for the building and Tom Allman with Exeter replied that they did not.

#### Final Land Development Comments

1. An Improvements Agreement will be required (22-302.4.G).
2. Performance and Maintenance Guarantees will be required (22-302.4H and I).
3. Any proposed work within the existing power line and gas main easements will require approval from the applicable utility company. Copies of their approvals shall be furnished to the Township.
4. A PennDOT Highway Occupancy Permit will be required for the proposed water main extension on Dauphin Street.
5. A portion of this property is located within the City of Allentown. Therefore, plans shall be submitted to the City for their comment.
6. Sewage Facilities Planning approval from the PA DEP for the proposed connection to the Public Sanitary Sewer is required (22-301.5.B).
7. The proposed stormwater management facilities will be subject to annual inspections by the Township. The inspection notes in SALDO section 22-406.6.F. shall be added to the Record Plans.
8. The Property Owner shall enter into a Stormwater Best Management Practice (BMP) Operation and Maintenance Agreement with the Township for the proposed stormwater management facilities. This agreement shall be in accordance with Appendix E of the Township SALDO.
9. All outstanding fees shall be paid, and agreements enter into prior to plan recording.
10. Off-site directional signage will require approvals from PennDOT (Dauphin Street) and the City of Allentown (American Parkway).
11. Lehigh County Conservation District approval of the Soil Erosion Control Plans will be required.
12. The Applicant will be required to obtain Act 167 stormwater compliance approval from the Lehigh Valley Planning Commission.

Motion: I recommend that the Planning Commission approve Final Land Development Approval – Patriot American Parkway Lot 2 Warehouses, Exeter 1108 American Land LLC, 1701 Dauphin St., Allentown, PA 18109 subject to the January 12, 2023 letter from Keystone Consulting Engineers and

that the conditions discussed are met adding the way finding signage, the fire hydrant clearances, the GPS updates for truck traffic, and the fire truck turning template to the conditions.

Thomas, Hawk: Moved and Seconded

Unan.

#### 4. Final Land Development Approval – Patriot American Parkway Lot 3 Warehouse, Exeter 1112 American Land LLC, 1112 American Land LLC, 1112 American Parkway, Allentown, PA 18109 (Review and Recommendation)

Mr. Rick Roseberry from Colliers Engineering stated Lot 3 is on the eastern portion of the property. As mentioned, there were three lots subdivided. The same conditions required as with Lot 2 are all applicable. It's been included in the sewer module which he received comments on from Bob Korvey yesterday. Same was included in the PennDOT permit which has been applied for and received technical comments on. The NPDES Permit has just been submitted. They are a few months behind for the NPDES Permit. They don't see any reason that it would hold things up. They received Preliminary approval and are here this evening for Final approval. They have addressed all the comments and conditions in the Engineer's review letter, which included keeping the 15 feet space from the hydrant, installing a fence as is required between the industrial use and residential use. They have a sound wall which is proposed on top of the retaining wall with accompanying acoustical panels for that, which is in addition to the retaining wall. A Board member asked how the trucks would get to Dauphin Street. Mr. Dominico replied that all trucks would utilize the loop road and come out to St. Luke's Way to get to Dauphin. The owner of Lot 1 is actually reconstructing the driveways so that the vehicles that use the office building will exit and enter out of American Parkway and will not have access to this loop road anymore. Once they get to Dauphin, the majority go north and out Marcon Blvd. The Manager mentioned for clarification to the Board member that this is not something that the Township insisted on that trucks cannot use American Parkway. It is something with the landowner who sold the property which was a condition on the approval of the sale. Mr. Dominico said the reason this route works is that it is almost all industrial property. They are making improvements to the intersection to make it easier for a truck to enter and exit since the radius was too small. The design of Dauphin St. and the configuration of the turn lane were always intended for truck access. The Planning Commission was concerned with the different areas of Dauphin Street being able to handle the truck traffic, including where it passes Canal Park. Mr. Dominico said there was a traffic study submitted that was based on national standings for estimating trip generations from warehouses. PennDOT did not require them to study any of the offset intersections, they only had to study the main intersection. Part of that is to make sure that the access route is safe for the site, which it is. As mentioned, the restriction to American Parkway is one that Lot 1 has imposed. They were adamant that they do not want any trucks entering or exiting from St. Luke's to American Parkway. A discussion ensued. The Manager asked Mr. Dominico to explain the way-find signage and how this will help the truck traffic to utilize Dauphin Street. The Chairman mentioned that on the Township Engineer's January 11, 2023 comment letter, the second page references 2022, Section II(2), on the final land development comments that mention the elevation is incorrect. He asked if it has been corrected or can be corrected. The Engineer said he thinks it was an error on the benchmark. On the record plan, the elevation is correct, but he had asked them to place it on the grading plan and he thinks they have the numbers transposed. It was a drafting issue.

#### Final Land Development Comments

1. Graphic scales and north arrows shall be added to all submitted plans (all spray irrigation plans) (22-301.4.G).
2. The elevation of the benchmark used for establishing plan grades shown on the grading plan sheet is incorrect (22-301-4.P).
3. The proposed connection of the building sanitary sewer with the existing main shall be coordinated with the Township (22-301-4.Q.8).
4. The setback line along Lloyd Street shall be measured from the right-of-way line (30 feet from the road centerline).
5. Soil Erosion and Sedimentation Control Plans shall be submitted to the Lehigh County Conservation for their review (22-409.1.F).
6. A PennDOT Highway Occupancy Permit will be required for the proposed water main extension on Dauphin Street.
7. A completed and executed Improvements Agreement will be required (22-302.4.6). Items to be secured include storm drainage improvements, soil erosion controls, sanitary sewer, site lighting and landscaping.
8. A maintenance guarantee will be required per SALDO Section 22-302.4.I.
9. The proposed stormwater management systems will be subject to an annual inspection by the Township. The inspection note in SALDO Section 22-406.6.F shall be added to the plans.
10. The owner shall enter into a Stormwater Best Management Practice (BMP) Operation and Maintenance Agreement with the Township for the proposed stormwater management facilities. This agreement shall be in accordance with Appendix E of the Township SALDO.
11. All outstanding fees shall be paid, and agreements entered into prior to plan recording.
12. Sewage Facilities Planning approval from PA DEP is required (22-301.5.B).
13. The Applicant will be required to obtain Act 167 stormwater compliance approval from the Lehigh Valley Planning Commission.

Motion: I recommend that the Planning Commission approve Final Land Development Approval – Patriot American Parkway Lot 3 Warehouse, Exeter 1112 American Land LLC, 1112 American Land LLC, 1112 American Parkway, Allentown, PA 18109 subject to the conditions in Keystone Consulting Engineers January 11, 2023 comment letter and the conditions previously discussed relative to Lot 2 are met which include the way finding signs, the GPS updates, the fire truck turning template, the fire hydrant clearance with 15 foot clear space around the fire hydrant and the fence between the industrial use and the residential use on proposed sound wall on top of the retaining wall.

Thomas, Hawk: Moved and Seconded

Unan.

Adjournment:

The meeting was adjourned at 8:03 P.M.

Respectfully submitted,

Stacey Dean, Secretary  
Hanover Township Planning Commission