

HANOVER TOWNSHIP, LEHIGH COUNTY
PLANNING COMMISSION MEETING

March 21, 2023
6:30 P.M.

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

Absent: Dean

Attendance: 4

Approval of Minutes: January 17, 2023 Planning Commission Meeting

The Chairman reviewed the Minutes and had one comment. On Page 2, six lines down reads, Ms. Seitz passed out a handout to all Council members. The word Council should be Commission.

Motion: I move we waive the reading of the Minutes of the January 17, 2023 Planning Commission Meeting and accept same as amended.

Thomas, Hawk: Moved and Seconded

Unan.

Correspondence:

Chairman Thomas stated he has a letter from Applicant related to Item #1 on the Agenda requesting that subject be tabled. There is also correspondence from the Lehigh County Conservation District relating to a matter not on the Agenda this evening. As always, the correspondence is available for review at the Township office during normal business hours.

General Business:

1. Preliminary/Final Land Development Approval – LNAA for 865 Willowbrook Rd., Lot 5B, Allentown, PA 18109 (Review and Recommendation) TABLED BY DEVELOPER

2. Text Amendment to Zoning Ordinance, 1700 Catasauqua Rd., Primo Produce, Paxos Group LLC, Allentown, PA 18109 (Review and Recommendation)

Joe Fitzpatrick, Esquire, the attorney for Primo Produce appeared on their behalf. There is a request to review, and with all good intentions recommend approval of an amendment to the Zoning Ordinance, to create a separate use in the Planned Unit Development district noted in the Ordinance for a use that they are calling food processing, preparation, packaging and related distribution. George and Dimitrios Paxos, the principals of Primo Produce are also in attendance this evening along with Mike Jeitner, the principal of Bohler Engineering, who will be the project engineer for this project. This will only affect

the PUD district in the Township. Mr. Paxos, who runs Primo Produce in the Township which is immediately adjacent to the AMC Theater property. This is not a land development request this evening. The Amendment won't have widespread impact with the zoning district. In terms of this proposed project and proposed use, it is very critical. Mr. Paxos is committed to Hanover Township and wants to integrate the AMC Theater property into the Primo Produce operations. The company management, all the operations and logistics would be shared. Changes in the food industry, in online ordering, staffing shortages at food service and restaurant operations and the impacts of COVID have created a market that really didn't even exist five years ago. This is the prepared and processed food business, also known as value added products. The request is for a use for food processing business combining elements associated with handling storage, packaging, labeling, preserving and preparation and processing of food and beverages, assembly of raw or cooked food products for packaged meals specialty products with ancillary distribution facilities for wholesale prepared or processed food order fulfillment or contract processing. No retail sales or food consumption is permitted on the premises. Storage and distribution shall be only for the type of activities referenced herein. These facilities do not include slaughtering activities. Mr. Fitzpatrick has worked through this language with Township staff, consultants and Township Attorney. They have prepared that use to fit into the PUD graph and as far as impervious coverage, height, setbacks and the other bulk like materials, they match up with the PUD Ordinance as it exists. The Township Attorney has added five conditions in terms of managing traffic, where improvements can be located, including safeguards at residential property lines. Both of the Paxos are agreeable to those terms. This is not a warehouse. It's an existing business that needs to expand because of the market place and the technology of the business. At this time, Mr. Paxos went into explain their future development plans for the property. Mr. Paxos said he will not touch any trees without the Planning Commission's approval and residents meeting him on site and mutually determining which trees should be removed or replaced. He is willing to plant Arbs unless the Commission and residents feel it will disturb something and not plant them. There might be another solution, i.e. a taller fence at the bottom. The Planning Commission Attorney said that in all fairness to Mr. Paxos, this is a zoning change and the things that are being discussed should be discussed during the Land Development process. Mr. Paxos said he will go on the record that on May 24, 2023 when they close on this property and are the owners, they are willing to address the tree situation along the property line while it is still a parking lot. They have to come back to the Township regarding the Land Development. Mr. Paxos has no intention to have any residents remove the sheds, etc. that have crossed the AMC property line.

The Chairman has a concern regarding the 24-hour operation and noise level for the residents abutting the property. They hear the activities during the evening. With the operations possibly moving closer to the residents, he has a concern about that. Mr. Paxos said the noise they are hearing are not his trucks. They are there in the AMC parking lot, but he is not sure whose trucks they are. Mr. Paxos said when they own the building, he will make sure there are no trucks, including his trucks, that can park in that area.

One Commission member asked where else in the Township that is zoned PUD, which would be affected by this change. The Manager explained that the PUD has a, b, c, d requirements and they are asking for e to be added which would affect the entire PUD zoning district in the Township. They are looking to add this as a permitted use in that district.

The Planning Commission Attorney mentioned that there are not that many PUD districts. Anyone who decides they want to do food processing as a competitor to this still has to come back to the Planning Commission and every concern that has been raised make the difference between whether this

Township allows the development to go forward or not because if they don't address some of the wildlife they are trying to save, that may be a reason to say we don't want you building that project, but the use is permitted. As you use the property for that use, is that something everyone can all live with. If it's something you can't live with, then you reject it.

Motion: I recommend that the Planning Commission recommend to Council approval of Text Amendment to Zoning Ordinance, 1700 Catasauqua Rd., Primo Produce, Paxos Group LLC, Allentown, PA 18109 as presented.

Thomas, Rossi: Moved and Seconded

Unan.

Adjournment:

The meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Stacey Dean, Secretary
Hanover Township Planning Commission