



3. For J. Jackson Eaton, III, Esquire  
Township Attorney

1. All the Attorney's items are on the Agenda this evening.

4. Maintenance Report

5. Storm Water Issues – None.

6. Fire Company Report (Written)

7. Code Enforcement Report (Written)

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Woolley: Moved and Seconded

Heimbecker, Lawlor, Rossi, Woolley, Paulus:

Aye

Unan.

9. Building Inspector's Report (Written)

Unfinished Business: None.

New Business:

1. Conditional Use Hearing, 800 Willowbrook Rd., Sysco Corporation (Vote)

The Township Attorney stated that at this point, Township Council will sit on a zoning matter as a Zoning Tribunal. The Board had the opportunity before this evening's meeting to take a position whether in favor or opposed to this and have separate counsel present to do that and have taken no position on this. Accordingly, J. Jackson Eaton, III, Township Attorney, with Gross McGinley in Allentown will be the counsel representing the Board in this matter and would ask at this point if there are any council members that will participate to please identify themselves for the record. This is the Appeal of Sysco Corporation with regard to the property at 800 Willowbrook Rd., Allentown. The Applicant is requesting a conditional use pursuant to Section 27, 409 of the Hanover Township Zoning Ordinance regarding the increased height above 50 feet for structures above 20 feet for accessory structures and above eight feet for doors as permitted conditionally in the PIO Zoning District. The Township Attorney asked that at this time, witnesses on behalf of Sysco Corp. be sworn in.

At this time, Rachel O'Neill with Reed Smith, LLP out of Pittsburgh, stated she will be representing Sysco Corp., the Applicant. Michael Layton with BL Companies is also present as the Engineer on the project. Ms. O'Neill passed out Exhibit A, Page 1 and 2. Ms. O'Neill and Mr. Layton are in attendance this

evening to introduce Conditional Use and review the application. They have additional Sysco Inc. representatives in case there are additional questions.

At this time, Michael Layton, Senior Engineer and Lead Designer, for this project introduced himself. Ms. O'Neill asked Mr. Layton to walk through the additional height requirements for this project. The main building is looking for an increase in height to 56' and ½" to accommodate the rooftop mechanical. Elements that are on the building followed by the accessory structures are starting with the fuel station which is 22 feet, 3 inches, the truck wash is 24 feet, the truck maintenance building is 33 feet 3 inches and the refrigeration/mechanical building which is 45 feet 3 inches accounting for the overhead structure as part of that building. Ms. O'Neill asked Mr. Layton which buildings require doors taller than eight feet. Mr. Layton replied that both the truck wash and truck maintenance building. The doors are 16 feet tall to accommodate the truck. Ms. O'Neill asked Mr. Layton why these increased heights are necessary. Mr. Layton replied that the rooftop mechanicals that are on the main warehouse building are for the interior refrigeration units which Sysco will be installing as part of the fit-out. The additional building heights for the accessory buildings are to facilitate repairs for Sysco's vehicles, such as the trucks, to be able to fuel them as well as clean them when it is necessary. The larger doors on the maintenance building and truck wash building are required so the trucks can access the buildings. Ms. O'Neill asked Mr. Layton if these are the minimum heights necessary to accommodate the proposed use. Mr. Layton replied yes. At this time, they took questions from Council. One Council member questioned if there are any clearances from the FAA for these heights. The Township Manager replied that the Applicant has notified the FAA and has an approval letter that it's within the regulations and not an issue.

Ms. O'Neill stated for the record that there are conditional use approval requirements in the Township Code. Earlier in the day Ms. O'Neill emailed a compliance letter to the Manager that addresses each of those requirements, making sure that this is consistent with the health, safety, welfare and requirements of the Township Code. The Township Attorney asked that they be made as an Exhibit and put on record. Ms. O'Neill introduced them as Exhibit A2.

A Councilmember asked the Township Engineer for his input. The Engineer replied that as far as the site improvements themselves they really do not have any impact on the approved Land Development. There were slight modifications as far as driveways, changes in impervious cover, but nothing that was substantial which would make the existing land development approval null and void that they would have to come back. Everything took place in areas that they have developed and had approved. The only comment that the Engineer had in his conditional use letter was with the rooftop units, are they going to admit any more noise and sound that could impact on the neighbors? One thing to consider is whenever the 5A Land Development came in, they did put up a very substantially tall sound wall on the western part of their property adjacent to the residents in the Township and with the study they provided there, it mitigates any sound that would be coming from the structures. The Engineer does not have any issues



Heimbecker, Lawlor: Moved and Seconded  
Heimbecker, Lawlor, Rossi, Woolley, Paulus: Aye Unan.

3. Bill No. 2023-01, An Ordinance Amending Chapter 25, Part 1, Section 105, Subsection 3 and 4 of the Statutory Code of Hanover Township to Establish Standards and Responsibility for Trimming, Pruning or Removing Street Trees in a Diseased or Dangerous Condition (Public Hearing)

The Township Manager stated that this was brought up at the last meeting as a result of cleaning up some language in the current Township Ordinance. As everyone can see, the changes are underlined. This Ordinance will close some gaps found in the current Ordinance as they were reviewing same and as a result of a distressed tree. This is the reason the additional language was placed there. The Ordinance talks about diseased trees, but this tree was not diseased. It was in danger of falling on some lines and actually taking out a utility pole. This Ordinance will clean it up and make sure that in the future if something happens, the Township has that section to refer to. A discussion ensued. The Chairman closed the Public Hearing.

Motion: I move we accept Bill No. 2023-01, An Ordinance Amending Chapter 25, Part 1, Section 105, Subsection 3 and 4 of the Statutory Code of Hanover Township to Establish Standards and Responsibility for Trimming, Pruning or Removing Street Trees in a Diseased or Dangerous Condition as presented and adopted as Ordinance No. 643.

Heimbecker, Woolley: Moved and Seconded  
Heimbecker, Lawlor, Rossi, Woolley, Paulus: Aye Unan.

4. Authorization for the Manager to Reduce the Letter of Credit and Commence the Maintenance Period for RG Hanover, Lot 5A, 800 Willowbrook Rd., Allentown, PA 18109 in the amount of \$2,044,225.16 leaving the security at \$322,772.39 for the 18-month Maintenance period (Vote)

The Township Engineer stated this is the completion for Lot 5A. They did an inspection and everything is in good shape. This is the first reduction. The Engineer recommends the reduction.

Motion: I move for the Authorization for the Manager to Reduce the Letter of Credit and Commence the Maintenance Period for RG Hanover, Lot 5A, 800 Willowbrook Rd., Allentown, PA 18109 in the amount of \$2,044,225.16 leaving the security at \$322,772.39 for the 18-month Maintenance period as recommended by the Township Engineer.

Heimbecker, Rossi: Moved and Seconded  
Heimbecker, Lawlor, Rossi, Woolley, Paulus: Aye Unan.

