

**HANOVER TOWNSHIP**  
**BOARD OF COMMISSIONERS**  
**JANUARY 11, 2023 5:45 PM**  
**\*\*PUBLIC HEARING AGENDA\*\***

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Commissioners Andrejko \_\_\_\_, Bagusky \_\_\_\_, Bowers \_\_\_\_, Howanitz \_\_\_\_, Howatt \_\_\_\_,  
Krushnowski \_\_\_\_, Lewis \_\_\_\_

**PUBLIC COMMENT PERIOD**

Everyone is reminded that this meeting is being electronically recorded as indicated by the postings in the room. Any citizen wishing to address the Board is requested to do so from the microphone in the room. Please give your name and address prior to your reason for speaking. Thank You.

**PRESENTATION OF PROPOSED PROJECT AND EXHIBITS – TWP. SOLICITOR  
LEN SANGUEDOLCE**

1. PROOF OF PUBLICATION OF THE PUBLIC HEARING
2. PROOF OF PUBLICATION FOR THE ACTION ON ORDINANCE NO. 001-2023
3. MAP OF DESIGNATED AREA
4. LEGAL DESCRIPTION OF DESIGNATED AREA
5. OTHER EXHIBITS FOR THE RECORD

**ADJOURN**

**MOTION BY:** \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Commissioners Andrejko \_\_\_\_, Bagusky \_\_\_\_, Bowers \_\_\_\_, Howanitz \_\_\_\_, Howatt \_\_\_\_,  
Krushnowski \_\_\_\_, Lewis \_\_\_\_

TOWNSHIP OF HANOVER  
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Hanover Township will convene a public hearing prior to their monthly business meeting on January 11, 2023, at 5:45 p.m., prevailing time, at the Hanover Township Municipal Building, 1267 Sans Souci Pkwy, Hanover Township, PA 18706, for input, review, and adoption, if appropriate, the following Ordinance:

**AN ORDINANCE OF THE TOWNSHIP OF HANOVER ESTABLISHING A LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE (“LERTA”) PROGRAM WITHIN THE TOWNSHIP OF HANOVER LOCATED ON APPROXIMATELY 103.325 ACRES OF LAND BEING A PORTION OF THE EARTH CONSERVANCY – BLISS V SITE IN HANOVER TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA**

At the hearing, Township residents, business owners, landowners, and other interested parties, will have an opportunity to discuss the merits of the Township’s enactment of a LERTA Ordinance, the boundaries of the designated LERTA Area, as well as consider the exemption from Township real property taxation for that portion of the additional assessment attributable to the actual cost of new construction upon, or improvements to, property in the LERTA Area. The tax exemption would be for a period of ten (10) years.

The full text of the proposed Ordinance is available for review by any citizen at the Office of the Township Secretary, Municipal Building, 1267 Sans Souci Parkway, Hanover Township, Luzerne County, Pennsylvania, Monday through Friday between the hours of 9:00 a.m. and 3:00 p.m.

Jennifer Dukes, Township Secretary  
Hanover Township

THE CITIZENS' VOICE  
PO BOX 3478  
SCRANTON PA 18505-0478  
(570)348-9183  
Fax (570)348-9149

ORDER CONFIRMATION

Salesperson: LEGALS

Printed at 12/19/22 11:49 by asero

Acct #: 185242

Ad #: 82686997

Status: New WHOLD

HANOVER TOWNSHIP  
1267 SANS SOUCI PKWY  
WILKES-BARRE PA 18702

Start: 12/21/2022 Stop: 12/21/2022  
Times Ord: 1 Times Run: \*\*\*  
TSLEG 1.00 X 64.00 Words: 239  
Total TSLEG 64.00  
Class: X1010 LEGALS & PUBLIC NOTICES  
Rate: CLL Cost: 173.32

# Affidavits: 1

Ad Descrpt: HEARING 1/11

Descr Cont: NOTICE TOWNSHIP OF HANOVE  
Given by: \*

Contact: JENNIFER DUKES

Phone: (570)825-8522

Fax#: (570)825-1242

Email: JDukes@hanovertownship.org;

Agency:

P.O. #:

Created: asero 12/19/22 11:38

Last Changed: asero 12/19/22 11:48

PUB ZONE EDT TP RUN DATES  
CVCV CL 3 S 12/21  
CVIN INTR 6 S 12/21

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

\_\_\_\_\_  
Name (print or type)

\_\_\_\_\_  
Name (signature)

(CONTINUED ON NEXT PAGE)

THE CITIZENS' VOICE  
PO BOX 3478  
SCRANTON PA 18505-0478  
(570) 348-9183  
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ORDER CONFIRMATION (CONTINUED)

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At the hearing, Township residents, business owners, landowners, and other interested parties, will have an opportunity to discuss the merits of the Townships enactment of a LERTA Ordinance, the boundaries of the designated LERTA Area, as well as consider the exemption from Township real property taxation for that portion of the additional assessment attributable to the actual cost of new construction upon, or improvements to, property in the LERTA Area. The tax exemption would be for a period of ten (10) years.

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Jennifer Dukes, Township Secretary  
Hanover Township

**Township of Hanover  
Luzerne County, Pennsylvania  
ORDINANCE NO. 001-2023**

**AN ORDINANCE OF THE TOWNSHIP OF  
HANOVER ESTABLISHING A LOCAL ECONOMIC  
REVITALIZATION TAX ASSISTANCE (“LERTA”)  
PROGRAM WITHIN THE TOWNSHIP OF  
HANOVER LOCATED ON APPROXIMATELY  
103.325 ACRES OF LAND BEING A PORTION OF  
THE EARTH CONSERVANCY – BLISS V SITE IN  
HANOVER TOWNSHIP, LUZERNE COUNTY,  
PENNSYLVANIA**

*WHEREAS*, under the Local Economic Revitalization Tax Assistance Act (“LERTA”), the Township of Hanover is a local taxing authority that has the power to provide tax exemption for new construction in “deteriorated area.” *See* 72 P.S. §4722 et seq.; and

*WHEREAS*, on November 9, 2022, the Hanover Township Board of Commissioners, after Public Notice, held a public hearing on the LERTA proposal, to receive public input and to set the boundaries of the deteriorated area; and

*WHEREAS*, the Hanover Township Board of Commissioners, based upon the evidence presented at the November 9, 2022 Public Hearing, believes that providing tax exemptions under LERTA will encourage new industrial, commercial, and business development in the deteriorated area, and in turn lead to additional tax revenue for Hanover Township, the Hanover Area School District, and Luzerne County.

***NOW, THEREFORE, BE IT ENACTED AND ORDAINED AND IT IS HEREBY ENACTED AND ORDAINED*** by the Board of Commissioners of Hanover Township as follows:

**1. Definitions.**

- 1.1. “*Deteriorated Property*” means any industrial, commercial or other business property located in an eligible deteriorating area as defined hereinafter, or any such property which has been the subject of an order of a governmental agency

requiring the property to be vacated, condemned or demolished by reason of non-compliance with laws, ordinances or regulations.

- 1.2. *“Improvement”* means repair, new construction or reconstruction, building alterations or additions, having the effect of rehabilitating deteriorated property so that it becomes habitable or attains higher standards of safety, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep or maintenance shall not be deemed an improvement.
- 1.3. *“Deteriorated Area”* means the real estate located in Hanover Township that the Board of Commissioners designated as deteriorated areas herein.

## 2. **Designated Property.**

The boundaries of the area within Hanover Township comprised of approximately 103.325 acres of land currently identified as part of Luzerne County Parcel Identification Numbers 25-K7-00B-003; 25-K7-00B-004; and 25-K7-00B-005, as depicted on map attached hereto as Exhibit “A,” and as described in the metes and bounds description attached hereto as Exhibit “B”, is hereby designated a deteriorated area and shall be considered deteriorated property for the purpose of the Local Economic Revitalization Tax Assistance Act.

## 3. **Exemptions.**

- 3.1. The amount to be exempted from real estate taxes is limited to that portion of the additional assessment attributable to the actual cost of new construction in the Deteriorated Area or improvements to the Deteriorated Property.
- 3.2. The exemption from real estate taxes is limited to improvements or new constructions for which an exemption has been requested in the manner set forth in this Ordinance.

The exemption commences on the date that the improvement or new construction is assessed by the Luzerne County Assessor’s Office. At that time, the said improvements will be exempt according to the following schedule:

**Year 1 to Year 7: 100% Property Tax Abatement of Improvements or New Construction**

**Year 8: 90% Property Tax Abatement of Improvements or New Construction**

**Year 9: 80% Property Tax Abatement of Improvements or New Construction**

**Year 10: 70% Property Tax Abatement of Improvements or New Construction**

3.3. The exemption from taxes granted under this Ordinance does not terminate upon the sale or exchange of the property.

**4. Procedure for Obtaining Exemption.**

4.1. Any person desiring tax exemption under this Ordinance (“Applicant”) shall submit an application with the Township Manager. The Applicant shall submit the application within forty-five (45) days of receiving the building permit for the improvement or new construction. If the improvement or new construction does not require a building permit, the Applicant shall submit the application within forty-five (45) days of commencing the construction. The application must be in writing and must provide the following information:

- (A) the name of the owner or owners of the deteriorated area;
- (B) the date the building permit was issued for the improvement or new construction (if applicable);
- (C) the date when the Applicant commenced the construction for the improvement or new construction (“if applicable”)
- (D) the location of the property including tax parcel identification numbers;
- (E) a brief description of the proposed improvement or new construction;
- (F) estimated costs of the improvement or new construction; and
- (G) any other information that Hanover Township may require.

4.2. Upon completion of the improvement or new construction, the Applicant shall notify the Hanover Township Manager by writing that the improvement or new construction is complete. Upon receiving the notice, the Hanover Township Manager shall make a request to the Luzerne County Assessor’s Office to separately assess the new construction or improvement and calculate the amount of the assessment eligible for tax exemption in accordance with the limits established by this Ordinance. The Luzerne County Assessor’s Office shall then notify the Applicant, and Hanover Township, of the reassessment and the amount of the assessment eligible for the exemption.

4.3. The Applicant and any Local Taxing Authorities may appeal the reassessment and the amount eligible for exemption as provided by law.

4.4. The cost of the new construction or improvements to be exempted and the schedule of taxes exempted existing at the time of the initial request for tax exemption shall be applicable to that exemption request, and subsequent amendment to this Ordinance, if any, shall not apply to the adoption of any such amendment.

5. **Termination Date.** An application for exemption may be made at any time within ten years from the effective date of this Ordinance. All qualified applications under this Ordinance are eligible for the entire ten year exemption schedule.
6. **Extension.** Hanover Township may, by Ordinance adopted from time to time, extend the time for filing an application for exemption.
7. **Revocation of LERTA exemption.** The exemption from real estate taxes provided for herein shall be forfeited by the Applicant and/or any subsequent owner of the real estate for the failure to pay any nonexempt real estate taxes by the last day of the time period to pay such taxes in the penalty period. Upon receipt of the notice of nonpayment of nonexempt real estate taxes, Hanover Township shall discontinue the LERTA exemption.
8. **Amendments.** No amendments to this Ordinance are effective unless the Hanover Township Board of Commissioners consents to the amendment by ordinance.
9. **Repeal.** This Ordinance repeals any other prior ordinance inconsistent with this Ordinance.
10. **Severability.** If any part of this Ordinance is unenforceable to any extent for any reason, the rest of the Ordinance will remain fully enforceable.
11. **Effective Date.** This Ordinance shall become effective immediately.
12. **Further Authorization.** The administration and officials for Hanover Township are directed and authorized to take any action needed to carry out the intent of this Ordinance.



***BE IT ENACTED AND ORDAINED AND IT IS HEREBY ENACTED AND ORDAINED*** by the Board of Commissioners of the Township of Hanover, Luzerne County, Pennsylvania, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

TOWNSHIP OF HANOVER

\_\_\_\_\_  
Jennifer Dukes,  
Township Secretary

By: \_\_\_\_\_  
George L. Andrejko, Chairman  
Board of Commissioners

EXHIBIT "A"  
MAP OF DESIGNATED AREA



EXHIBIT "B"  
LEGAL DESCRIPTION OF DESIGNATED AREA



54 Tunkhannock Ave.  
Exeter, PA 18643  
(570) 609-2600  
www.designbld.com

October 10, 2022

**BLISS V**  
**LOT 1**  
**LEGAL DESCRIPTION**

ALL that certain piece, parcel or tract of land situate in the Township of Hanover, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows, to wit:

BEGINNING at an existing iron pin located along the easterly line of a 50-foot-wide private drive known as Dziak Drive and further described as being the Southeasterly corner of Lot 1-B of the "E.C. - BLISS" Minor Subdivision as recorded in Luzerne County Map Book 347 at page 51;

THENCE along said Lot 1-B, North eleven degrees, five minutes, eleven seconds West (N 11° 05' 11" W) a distance of thirty and seven hundredths (30.07') feet to an existing iron pin in line of other lands now or formerly of Earth Conservancy being a portion of the former Nanticoke Branch of the Lehigh & Susquehanna Railroad;

THENCE along said Earth Conservancy / Railroad lands, North seventy-nine degrees, twenty-one minutes, forty-one seconds East (N 79° 21' 41" E) a distance of one thousand one hundred ten and sixty-eight hundredths (1,110.68') feet to an existing iron pin located in line of lands now or formerly of David Gutkowski;

THENCE along said Gutkowski lands, South ten degrees, thirty-seven minutes, forty-two seconds East (S 10° 37' 42" E) a distance of three hundred thirty-eight and fourteen hundredths (338.14') feet to an existing iron pin;

THENCE along the same and continuing along lands now or formerly of Hanover Recreation Club of Nanticoke, North eighty-one degrees, fifty minutes, twenty-six seconds East (N 81° 50' 26" E) a distance of one thousand one hundred thirty-four and eighty hundredths (1,134.80') feet to an existing iron pin;

THENCE continuing along said Hanover Recreation lands, seven hundred seventy-seven and sixty-two hundredths (777.62') feet along a curve to the left, having a radius of seven hundred forty-nine and two hundredths (749.02') feet and a chord bearing and distance of North fifty-two degrees, five minutes, fifty-six seconds East, (N 52° 05' 56" E) seven hundred forty-three and sixteen hundredths (743.16') feet to an existing iron pin;

THENCE along the same, North twenty-two degrees, twenty-one minutes, twenty-six seconds East (N 22° 21' 26" E) a distance of sixty-one and forty-four hundredths (61.44') feet to an existing iron pin located along the southerly right of way line of Front Street (SR2010);

THENCE along said Front Street right of way, North seventy-nine degrees, twenty-two minutes, twelve seconds East (N 79° 22' 12" E) a distance of one hundred sixty-six and ninety-one hundredths (166.91') feet to an existing iron pin located in line of other lands now or formerly of Earth Conservancy (Lot 2);

THENCE along said Lot 2, South twenty-two degrees, twenty-one minutes, twenty-six seconds West (S 22° 21' 26" W) a distance of one hundred twenty-nine and ninety-two hundredths (129.92') feet to an existing iron pin;

THENCE along the same, four hundred seventy-eight and sixty-one hundredths (478.61') feet along a curve to the right, having a radius of eight hundred ninety and two hundredths (890.02') feet and a chord bearing and distance of South thirty-six degrees, twenty-two minutes, five seconds West, (S 36° 22' 05" W) four hundred seventy-two and eighty-seven hundredths (472.87') feet to an existing iron pin;

THENCE along the same and continuing along other lands now or formerly of Earth Conservancy, South twenty-six degrees, forty-four minutes, thirteen seconds East (S 26° 44' 13" E) a distance of one thousand six hundred thirty-eight and forty-six hundredths (1638.46') feet to an existing iron pin located in line of other lands now or formerly of Earth Conservancy, being a portion of the former Lehigh Valley Railroad;

THENCE along said Earth Conservancy / Railroad lands, South seventy-seven degrees, three minutes, fifty-one seconds West, (S 77° 03' 51" W) a distance of twenty-six and eleven hundredths (26.11') feet to an existing iron pin;

THENCE along the same, two hundred ninety-nine and seventy hundredths (299.70') feet along a curve to the left, having a radius of six hundred seventy-seven and thirty hundredths (677.30') feet and a chord bearing and distance of South eighty-nine degrees, forty-three minutes, forty-two seconds West, (S 89° 43' 42" W) two hundred ninety-seven and twenty-six hundredths (297.26') feet to an existing iron pin;

THENCE along the same, South seventy-seven degrees, three minutes, seven seconds West (S 77° 03' 07" W) a distance of eight hundred sixty-one (861.00') feet to an existing iron pin;

THENCE along the same, North twelve degrees, fifty-six minutes, fifty-three seconds West (N 12° 56' 53" W) a distance of ten (10.00') feet to an existing iron pin;

THENCE along the same, South seventy-seven degrees, three minutes, seven seconds West (S 77° 03' 07" W) a distance of six hundred thirty-two (632.00') feet to an existing iron pin;

THENCE along the same, two hundred fifty-one and fifty-one hundredths (251.51') feet along a curve to the left, having a radius of one thousand five and forty hundredths (1005.40') feet and a chord bearing and distance of South sixty-nine degrees, fifty-three minutes, seven seconds West, (S 69° 53' 07" W) two hundred fifty and eighty-five hundredths (250.85') feet to an existing iron pin;

THENCE along the same, South sixty-four degrees, eighteen minutes, fifty-one seconds West (S 64° 18' 51" W) a distance of four hundred ninety-one and fifty-eight hundredths (491.58') feet to an existing iron pin located in line of other lands now or formerly of Earth Conservancy;

THENCE along said other Earth Conservancy lands, North twenty-six degrees, forty-four minutes, thirteen seconds West (N 26° 44' 13" W) a distance of four hundred ninety-five and seventy hundredths (495.70') feet to an existing iron pin;

THENCE along the same, North sixty-six degrees, forty-two minutes, four seconds East (N 66° 42' 04" E) a distance of one hundred forty and twenty-five hundredths (140.25') feet to an existing iron pin;

THENCE along the same, North twenty-six degrees, forty-four minutes, thirteen seconds West (N 26° 44' 13" W) a distance of six hundred eighty-five and seventy-eight hundredths (685.78') feet crossing a 50-foot-wide private drive known as Dziak Drive, to an existing iron pin located along it's easterly line;

THENCE along said easterly line of Dziak Drive, one hundred fifty-four and eighty-three hundredths (154.83') feet along a curve to the right, having a radius of one hundred seventy-five (175.00') feet and a chord bearing and distance of North fifty-three degrees, twenty-six minutes, fifty-eight seconds West, (N 53° 26' 58" W), one hundred forty-nine and eighty-three hundredths (149.83') feet to an existing iron pin;

THENCE along the same, North twenty-eight degrees, six minutes, eleven seconds West (N 28° 06' 11" W) a distance of one hundred fifty-one (151.00') feet to an existing iron pin;

THENCE along the same, one hundred thirty-one and ninety-eight hundredths (131.98') feet along a curve to the right, having a radius of four hundred seventy-five (475.00') feet and a chord bearing and distance of North twenty degrees, eight minutes, eleven seconds West, (N 20° 08' 11" W) one hundred thirty-one and fifty-six hundredths (131.56') feet to an existing iron pin;

THENCE along the same, North twelve degrees, eleven minutes, thirty-eight seconds West (N 12° 11' 38" W) a distance of one hundred forty and sixty-eight (140.68') feet to an existing iron pin;

THENCE along the same, two hundred six and eighty hundredths (206.80') feet along a curve to the left, having a radius of five hundred twenty-five (525.00') feet and a chord bearing and distance of North twenty-three degrees, twenty-eight minutes, twenty-two seconds West, (N 23° 28' 22" W) two hundred five and forty-seven hundredths (205.47') feet to an existing iron pin;

THENCE along the same, North thirty-four degrees, forty-five minutes, twenty-seven seconds West (N 34° 45' 27" W) a distance of ninety and thirty-one (90.31') feet to an existing iron pin;



THENCE along the same, two hundred thirty-seven and five hundredths (237.05') feet along a curve to the left, having a radius of three hundred twenty-five (325.00') feet and a chord bearing and distance of North fifty-five degrees, thirty-nine minutes, twelve seconds West, (N 55° 39' 12" W) two hundred thirty-one and eighty-three hundredths (231.83') feet to an existing iron pin, the POINT OF BEGINNING.

CONTAINING a total area of 4,500,828 square feet or 103.325 acres of land, more or less.

BEING all of LOT 1 as shown on Map entitled "BLISS V, Minor Subdivision – Final Plan, dated March 1, 2022, as prepared by JDK Surveying and as recorded in Luzerne County Map Book 387 at page 26.