

# LOWER NAZARETH TOWNSHIP

## Board of Supervisors

RE: Atul & Patrice Amin Revised Land Development  
Conversion of Surgery Center to Hospital

**WHEREAS**, the Lower Nazareth Township Board of Supervisors is in receipt of a Final Land Development plan entitled "Conversion of Surgery Center to Hospital" prepared by Base Engineering, Inc. of Allentown, Pennsylvania, consisting of (1) sheets, dated July 2, 2010 and last revised August 30, 2010; and

**WHEREAS**, the intent of the Revised Final Plan is conversion of the existing surgery center to an 18-bed acute care hospital on approximately 4.9 acres, located on Tax Parcels #K8-9A-6A and K8-9A-6E-1, at 3729 Easton-Nazareth Highway, Easton, PA; and

**WHEREAS**, the Lower Nazareth Board of Supervisors granted Conditional Use approval at their August 4, 2010 meeting (Exhibit A);

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan at its July 19, 2010 meeting; and

**WHEREAS**, the Lower Nazareth Township Zoning Hearing Board granted variances related to this site as outlined in Zoning Appeal ZA2010-05 Order and Opinion (to be executed);

**WHEREAS**, the Township Engineer has reviewed the Revised Final Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated October 8, 2010; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Revised Final Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, amended March 23, 2005; and

**WHEREAS**, the Lower Nazareth Township Board of Supervisors desire to take final action on this plan.

**NOW THEREFORE, BE IT RESOLVED** that the Lower Nazareth Township Board of Supervisors approve the Revised Final Plan as referenced above, subject to the following conditions:

1. Provided the comments in the Township Engineer's letter dated October 8, 2010 are adequately addressed. Any reports or documentation requested by the Township Engineer must be provided to both the Township and Township Engineer prior to plan recording.
2. The Applicant must satisfy the requirements of the Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary, and any subsequent actions of the Board relative to said Order and Opinion.
3. The Applicant understands that any changes to the proposed uses and/or the land development in general are subject to Township review and may require additional


review and approval by the Board of Supervisors and/or outside agencies. Under no circumstances, shall any site work nor construction occur that is not depicted on the approved plan nor approved by Lower Nazareth Township and outside agencies.


4. For recording, the applicant shall supply two (2) Mylar reproducible prints and (6) paper prints of Sheet 1 of 1 of the Final Plan, all with original signatures, to Lower Nazareth Township. Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property addresses on the above plans. Upon satisfaction of all conditions of approval and placement of signatures on the Plans, the Township shall record, within ninety (90) days of said satisfaction, the approved Plan at the Northampton County Recorder of Deeds Office as required by Section 513(a) of the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10513(a), as amended and Section 520 of the Lower Nazareth Township Subdivision and Land Development Ordinance.
5. Pursuant to Section 111.I. of the Lower Nazareth Township Zoning Ordinance, the Applicant understands that necessary permit(s) must be issued within (9) months of the date of this resolution and construction started within (12) months of issuance of said permit(s). Should the Applicant fail to obtain the necessary permit(s) and/or begin construction within the prescribed time period, it shall be conclusively presumed the Applicant has waived, withdrawn or abandoned the appeals, and all provisions, variances and permits granted by Zoning Hearing Board and Township Staff shall be deemed automatically rescinded.
6. The applicant is prohibited from commencing any construction activities on this project until a pre-construction conference is scheduled and conducted in compliance with Section 536 of the Subdivision and Subdivision Ordinance and a formal Notice to Proceed is issued by the Township. Said pre-construction conference shall not occur until Items 1-5 above have been satisfied to the Township's satisfaction.
7. The applicant shall accept these conditions in writing, within five days of receipt of the finalized Board of Supervisors resolution, otherwise the application is denied for failure to comply with the express conditions that are contained in this Resolution.

**ADOPTED AND APPROVED** this 13<sup>th</sup> day of October 2010, at a regular public meeting. Motion made by James Pennington and seconded by Robert Kucsan. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
Timm A. Tenges, Manager, Secretary/Treasurer

  
Eric E. Nagle, Chairman