

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-25-13

RE: Keith Kleintop Preliminary/Final Minor Subdivision

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a preliminary/final minor subdivision entitled "Preliminary/Final Minor Subdivision Plan of Lands Owned by Keith Kleintop", prepared by Lehigh Engineering Associates, Inc. of Walnutport, Pennsylvania, consisting of (1) sheets, dated July 29, 2013 and last revised November 7, 2013; and

WHEREAS, the intent of the Plan is a two lot subdivision of a 83.15-acre parcel, located on Tax Parcel #L6-9-6, at 564 Township Line Road, for the purpose of conveying a 36.47-acre lot to adjoining property owner Paul Fehnel; and

WHEREAS, a violation exists against this property for abandoned trailers, debris, and municipal waste;

WHEREAS, the Applicant's attorney has stated this violation can be resolved following the conveyance of this land;

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its August 19, 2013 meeting, provided all concerns of the Township Engineer and the Township Zoning Administrator are addressed; and

WHEREAS, the Board of Supervisors has granted a waiver to SALDO Section 421 and a deferral of Section 741.6, in conjunction with this current application; and

WHEREAS, the Township Engineer has reviewed the Final Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated December 6, 2013; and

WHEREAS, the Township Zoning Administrator has reviewed the 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 Final Plan as referenced above, subject to the following conditions:

1. Provided the comments in the Township Engineer's letter dated December 6, 2013 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 violations of the Zoning Administrator's November 26, 2012 Notice of Violation letter. The applicant's attorney, Joseph Piperato, shall be responsible for providing a cost estimate in order to do so. The Applicant shall deposit a sum sufficient to satisfy the Zoning Violation, which shall be set aside in an escrow

account, held by Lower Nazareth Township. Clean-up of the violation shall occur 60 days from the time of settlement, weather permitting.

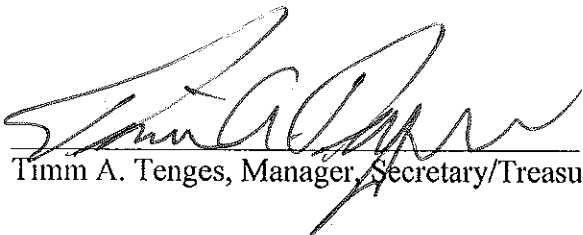
3. The applicant is responsible for executing an Improvement Agreement and submitting an acceptable form of security for the public improvements. The applicant acknowledges that the Subdivision Plan will not be signed, nor will the Improvement Agreement be approved and executed by the Board of Supervisors until the security has been received and deemed acceptable. The applicant understands that no construction can commence, nor will any permit applications be accepted until such time as all conditions of approval are met and the Final Plan has been recorded.
4. For recording, the applicant shall supply two (2) Mylar reproducible prints and six (6) paper prints, all with original signatures, to Lower Nazareth Township. These copies will be used for distribution to Northampton County, Lehigh Valley Planning Commission, Lower Nazareth Township, and one copy returned to the Applicant. The applicant is welcome to provide additional copies to be signed for their records. Lower Nazareth Township will obtain all plan signatures. 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. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
6. 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.

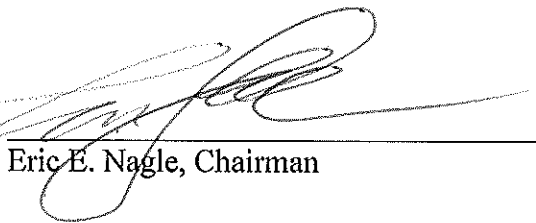
ADOPTED AND APPROVED this 11th day of December 2013, at a regular public meeting, Motion made by Robert Kucsan and seconded by

James Pennington. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


Eric E. Nagle, Chairman