

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-11-14

RE: Estates at Deer Crossing Revised Final Subdivision

WHEREAS, Lower Nazareth Township Board of Supervisors is in receipt of a Revised Final Subdivision plan entitled "The Estates at Deer Crossing Final Plan Residential Development" prepared by Lehigh Engineering Associates, Inc. of Walnutport, Pennsylvania, consisting of (23) sheets, dated March 26, 2007 and last revised March 21, 2014; and

WHEREAS, the Lower Nazareth Township Board of Supervisors previously approved this Final Subdivision Plan under Resolution #LNT-08-08 on March 13, 2008;

WHEREAS, the intent of the Plan is the subdivision of a 57.75-acre tract into 41 residential lots, located on Tax Parcel #L7-7-2 between Steuben Road and Hanoverville Road; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its May 20, 2013 meeting; 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 June 5, 2014; 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 June 5, 2014 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 Board of Supervisors granted the applicant's request for a waiver from the Township Floodplain Ordinance on March 13, 2008.
3. On May 2, 2012, the Board of Supervisors granted a partial waiver of the requirement to install sidewalks with the provision that an Open Space fee of \$3,750 will be paid for each dwelling.
4. The waiver from SALDO Section 774.32.c, the requirement for impervious clay liners within the bottom of all detention basins has been granted this date.
5. The waiver from SALDO Section 774.32.e, the requirement that all ponds are designed with a minimum bottom slope of 1% has been granted this date.

6. The Applicant understands that any changes to the proposed uses and/or the subdivision 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.
7. 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 Final 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.
8. Pursuant to the Township Engineer's recommendation, covenants related to the perpetual maintenance and ownership of infiltration pits and berms shall be placed on the deeds. Covenant language shall be subject to review and approved by the Township Solicitor.
9. The applicant shall supply the following documents to Lower Nazareth Township for recording:

Sheets 3, 4, 5 and 6

(2) sets of Mylar reproducible prints

(2) sets of paper prints

Full Sets (23 pages)

(4) sets of paper prints

The applicant is welcome to provide additional copies to be signed for their records. All documents shall be submitted with original signatures. Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property addresses on the above plans. Lower Nazareth Township will obtain plan signatures from Township Boards and Lehigh Valley Planning Commission. 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. Upon recording, one paper copy of Sheets 3, 4, 5, and 6 will be returned to the Applicant.

10. 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 and 2 above have been satisfied to the Township's satisfaction.
11. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.

12. 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 June 2014, at a regular public meeting. Motion made by Robert Kucson and seconded by Gerald Green. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


Eric E. Nagle, Chairman