

**LOWER NAZARETH TOWNSHIP**  
**Board of Supervisors**

**Resolution #LNT-07-17**

RE: Lehigh Valley Health Network Lower Nazareth Campus

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Preliminary/Final Subdivision Plan entitled, "Lehigh Valley Health Network, Preliminary/Final Plans Lower Nazareth Campus Subdivision Plans", prepared by of, consisting of (29) sheets, accompanied by (13) sheets of Soil Erosion and Sediment Control Plans, all dated October 31, 2016, and last revised January 10, 2017; and

**WHEREAS**, the subject properties are located between Hecktown Road and Newburg Road, also known as Tax Parcels L8-8A-3, L8-8A-3A, L8-8A-5, and L8-8A-6; and

**WHEREAS**, the intent of the Plan is to subdivide L8-8A-3 into two lots 1 and 2, and to consolidate the remainder Lot 1 with parcels L8-8A-3A, L8-8A-5, and L8-8A-6 to create a 80.66 acre parcel and a 6.78 acre parcel (Lot 2); and

**WHEREAS**, a common access drive will be created by the subdivision; and

**WHEREAS**, the applicant has also submitted requests for waivers and/or deferrals from requirements of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan and requested waivers at its November 21, 2016 meeting; and

**WHEREAS**, the Township Engineer has reviewed the Preliminary/Final Plan and requested waivers against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated January 23, 2017; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Preliminary/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 and requested waivers/deferrals.

**NOW THEREFORE, BE IT RESOLVED** that the Lower Nazareth Township Board of Supervisors approve the Preliminary/Final Plan and requested waivers/deferrals as outlined in the following:

Waivers/Deferrals

1. Section 741.6, Defer requirement to widen Newburg Road to arterial road standards along a portion of the site frontage.
2. Section 741.10, Defer requirement to curbing along a portion of Newburg Road.
3. Section 749.1, Defer installation of sidewalks along streets.

4. Section 422, Waiver of plan size requirement.
5. Section 774.32.B, Waiver of the side slope ratio in detention ponds.
6. Section 774.32.C, Waiver of requirement to install an impervious clay line or impermeable geosynthetic liner in the ponds.
7. Section 774.32.E, Waiver of slope requirements for bottom of pond.
8. Section 792.21, Waiver of requirement to retain any trees 6" or greater in diameter.

#### Subdivision Plan

9. The comments in the Township Engineer's letter dated January 23, 2017 shall be 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.
10. 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.
11. For recording, the applicant shall supply to Lower Nazareth Township:

#### Sheets 2, 3, 4, 5, 6, 7 and 8

- (2) sets of Mylar reproducible prints;
- (2) sets of Paper prints;

#### Full Sets

- (4) Sets of paper prints of Sheets 1-29 and supplemental Erosion Control plans.

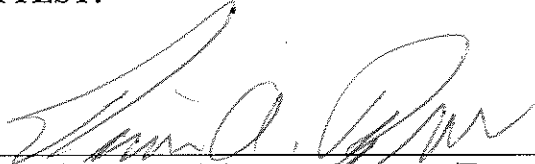
All prints shall have original signatures. These copies will be used for distribution to Northampton County, Lehigh Valley Planning Commission, Lower Nazareth Township, and one copy returned to the Applicant. The applicant is welcome to provide additional copies to be signed for their records. Lower 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.

12. The Applicant understands that any changes to the proposed uses and/or the plan 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.

13. 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 9 and 10 above have been satisfied to the Township's satisfaction.
14. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
15. 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 25<sup>th</sup> day of January 2017 at a regular public meeting. Motion made by Martin Boucher and seconded by Robert Kucsan. The motion carried.

**ATTEST:**

  
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Timm A. Tenges, Manager, Secretary/Treasurer

**BOARD OF SUPERVISORS**

  
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James Pennington, Chairman