

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

**Resolution LNT-12-19**

RE: Fields at Trio Farms, Phase VII

**WHEREAS**, a Final Major Subdivision Plan was previously approved under Resolution #LNT-06-11 for the phased subdivision of a 105-acre tract for the development of 374 units; and

**WHEREAS**, multiple phases have been approved for this project, specifically:

Resolution #LNT-07-11, Phase I on January 26, 2011, for (24) single family dwellings and (19) townhouses;

Resolution #LNT-04-13, Phase II on January 23, 2013 for (12) single family dwellings and (28) townhouses;

Resolution #LNT-08-14, Phase IV on March 26, 2014 for (30) single family dwellings and (13) townhouses;

Resolution #LNT-19-14, Phase III on December 10, 2014 for (38) townhouses;

Resolution #LNT-10-16, Phase V on March 23, 2016 for (29) single family dwellings and (24) townhouses;

Resolution #LNT-20-18, Phase VI-A on April 11, 2018 for (8) single family dwellings and (12) townhouses; and

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of the Phase VII Final Subdivision plan entitled "Final Subdivision Plan for Fields at Trio Farms, Phase VII – Final Plans" prepared by Cowan Associates, Inc., of Quakertown, Pennsylvania, consisting of Sheets SP-1 thru SP-25, dated December 17, 2018, last revised May 1, 2019, proposing (51) single family dwellings and (75) townhouses; and

**WHEREAS**, this subdivision is subject to decisions granted by the Lower Nazareth Township Zoning Hearing Board as outlined in Zoning Appeals ZA2010-01 Order and Opinion, and a settlement agreement with the Board of Supervisors pursuant to an appeal of the ZA2010-01 Order and Opinion;

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the Phase VII plan at its April 22, 2019 meeting; and

**WHEREAS**, the Applicant has submitted a request for (2) waivers; and

**WHEREAS**, the Township Engineer has reviewed the Phase VII Final Subdivision Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated May 15, 2019; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Phase VII Final Subdivision Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, amended November 14, 2018; 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 Phase VII Final Subdivision Plan as referenced above, subject to the following conditions:

1. Provided the comments in the Township Engineer's letter dated May 15, 2019 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. Waivers from the Subdivision and Land Development Ordinance have been granted as follows:
  - a. Article 7, Section 774.32.b;
  - b. Article 7, Section 774.32.g.
3. 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.
4. The applicant is responsible for executing a Subdivision 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 Subdivision 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 all conditions of approval are met and the Subdivision Plan has been recorded.
5. For recording, the applicant shall supply:
  - Sheets SP-1 and SP-2
  - (2) Sets of Mylar reproducible prints;
  - (2) Sets of paper prints;
  - Full Sets
  - (4) Sets of paper prints.

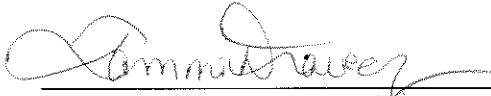
These copies will be used for distribution to Northampton County, Lehigh Valley Planning Commission, Lower Nazareth Township, and one copy returned to the Applicant. The applicant may provide additional copies to be signed for their records. Lower Nazareth Township will obtain all plan signatures. Per 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.

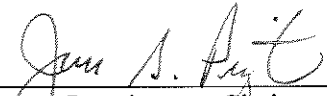
6. The applicant is prohibited from commencing any construction activities on this project until a pre-construction meeting is scheduled and conducted with Lower Nazareth Township, in compliance with Section 536 of the Subdivision and Subdivision Ordinance, and a formal Notice to Proceed is issued by the Township. The pre-construction meeting shall not occur until Items #1, 4 and 5 above have been completed to the Township's satisfaction.
7. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
8. 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 22<sup>nd</sup> day of May 2019, at a regular public meeting. Motion made by Martin Boucher and seconded by Robert Hoyer. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
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Tammi Dravec, Secretary/Treasurer

  
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James Pennington, Chairman