

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-06-14

RE: Joseph I Revised Final Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a land development plan entitled "Joseph I", prepared by Mark Hintenlang, P.E. of New Britain, PA consisting of (14) sheets, dated January 15, 2014 and last revised February 25, 2014; and

WHEREAS, the property is located within both Lower Nazareth and Palmer Townships, on 15.28 acres, located on Tax Parcel #K8-10A-5A; and

WHEREAS, the Joseph I Land Development Plan was previously approved by the Lower Nazareth Township Board of Supervisors under Resolutions LNT-12-04 and LNT-08-09 for development of the Applebee's restaurant and the Embassy Bank, and a proposed retail building primarily in Palmer Township; and

WHEREAS, the intent of this Plan is a revision to the 2009 plan now proposing a 11,200 s.f. car wash and 3,400 s.f. auto detail center , in lieu of the formerly approved retail center; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its February 24, 2014 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 March 7, 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 March 7, 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 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.
3. A Land Development Agreement and acceptable form of security for the public improvements may be required by Lower Nazareth Township if all improvements are not secured by Palmer Township. The Applicant shall provide copies of any and all

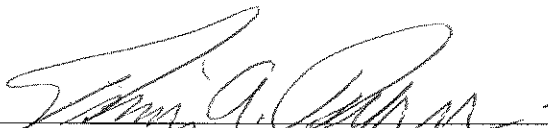
correspondence regarding a Land Development Agreement with Palmer Township. The applicant acknowledges that the Final Plan will not be signed, no site work or construction can commence, nor will any permit applications be accepted until such time as a Land Development Agreement and security have been secured by either Lower Nazareth Township or Palmer Township, all conditions of approval are met and the Final Plan has been recorded.

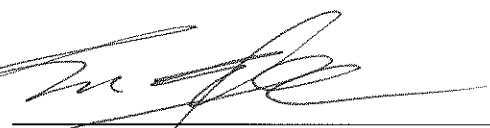
4. Lower Nazareth Township defers to Palmer Township to record the plan since a majority of the development rests in Palmer Township; however, Lower Nazareth requests the opportunity to record the record plan responsibility for such is not assumed by Palmer Township. Lower Nazareth Township requires (1) Mylar reproducible print of Sheet 2 and two full sets of paper prints, all with original signatures, for the Township's record.
5. The applicant is prohibited from commencing any construction activities on this project until a pre-construction conference is scheduled and conducted in compliance with the Township's Subdivision and Subdivision Ordinance, and a formal Notice to Proceed is issued. Said pre-construction conference shall not occur until Items 1 and 2 above have been satisfied to the Township's satisfaction. Lower Nazareth Township and Palmer Township shall both be a party to the pre-construction meeting.
6. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
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 12th day of March 2014, at a regular public meeting. Motion made by Robert Kicsan and seconded by Gerald Green. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


Eric E. Nagle, Chairman