

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-09-15

RE: Sparkle Car Wash Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Preliminary/Final Land Development Plan entitled "Preliminary/Final Site Plan, Sparkle Car Wash, Sparkle Car Wash on 248, LLC", prepared by Terraform Engineering, LLC of Bethlehem, PA, consisting of (11) sheets, dated February 20, 2015 and last revised April 22, 2015; and

WHEREAS, the intent of the Plan is the re-development of the former Sonic Restaurant site for the construction of 3,675 s.f. automatic car wash facility, located on Tax Parcel #K8-10-8D, at 3808 Easton-Nazareth Hwy; and

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted variances related to this shopping center as outlined in Zoning Appeal ZA2004-02 Order and Opinion (Exhibit A);

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval for this shopping center at their December 3, 2003 meeting (Exhibit B); and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its March 16, 2015 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 May 11, 2015; 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. The comments in the Township Engineer's letter dated May 11, 2015 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.
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. 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.

4. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets 1 and 3

- (2) Sets of Mylar reproducible prints;
- (2) Sets of paper prints;

Full Sets

- (4) Sets of paper prints.


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.

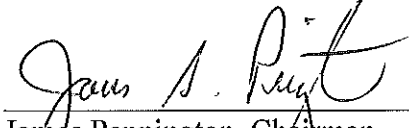
- 5. The applicant is prohibited from commencing any construction activities on this project until a pre-construction conference is scheduled and conducted in compliance with Section 536 of the Subdivision and Subdivision Ordinance and a formal Notice to Proceed is issued by the Township. Said pre-construction conference shall not occur until Items 1 and 2 above have been satisfied to the Township's satisfaction.
- 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 13th day of May 2015, at a regular public meeting. Motion made by Eric Nagle and seconded by Robert Kusan. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


James Pennington, Chairman