

LOWER NAZARETH TOWNSHIP

Board of Supervisors

RE: Nazareth Borough Municipal Authority – Kenyon Energy Site Plan

WHEREAS, the Lower Nazareth Township Board of Supervisors is in receipt of a Final Land Development plan entitled “Final Plan, Kenyon Energy Site Plan, Solar Panel Array on property of Nazareth Borough Municipal Authority” prepared by Keller Consulting Engineers, Inc. of Nazareth, Pennsylvania consisting of (2) sheets, dated March 16, 2010, last revised April 14, 2010; and

WHEREAS, the intent of the Final Plan is the installation of a solar panel array within the Nazareth Borough Municipal Authority property on (4) acres, located on Tax Parcel #J8-26-1A, at 872 Tatamy Road; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its December 21, 2009 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 April 8, 2010; 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 April 8, 2010 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. The applicant shall supply two (2) Mylar reproducible prints and (2) paper prints of Sheet 1 of the Final Plan, and four (4) full sets of paper prints. 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

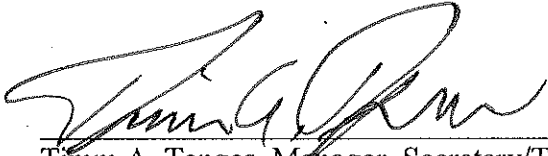
Deeds Office as required by Section 513(a) of the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10513(a), as amended and Section 520 of the Lower Nazareth Township Subdivision and Land Development Ordinance.


4. 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 1-3 above have been satisfied to the Township's satisfaction.
5. 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 14th day of April 2010, at a regular public meeting. Motion made by Ricky Johnson and seconded by Martin Boucher. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Timm A. Tenges, Manager, Secretary/Treasurer

Eric E. Nagle, Chairman