

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-10-14

RE: Brown-Daub Fiat – Revised Final Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Revised Final Land Development entitled, “Preliminary/Final Land Development Plan for Brown Daub Fiat”, prepared by Liberty Engineering, Inc. of Allentown, PA, consisting of (12) sheets, dated September 3, 2013 and last revised March 11, 2014; and

WHEREAS, the intent of the Plan is the development of a 12,801 s.f. automotive dealership, located on the same lot as an existing Brown-Daub dealership, on Tax Parcel #L8-11-1, at the intersections of Hecktown and Country Club Roads; and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval for Appeal CU2011-02 at their September 11, 2013 meeting (Exhibit A); and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its November 18, 2013 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 9, 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 May 9, 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 must satisfy the requirements of the Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary, and any subsequent actions of the Board relative to said Order and Opinion.
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. The applicant shall supply the following documents to Lower Nazareth Township for recording:

Sheets 1 and 3

(2) sets of Mylar reproducible prints

(2) sets of paper prints

Full Sets, Sheets 1 thru 12

(4) sets of paper prints

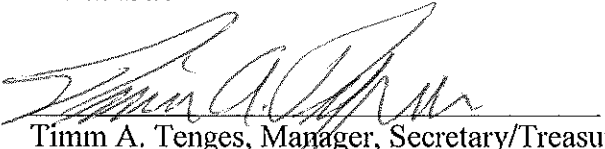
The applicant is welcome to provide additional copies to be signed for their records. All documents shall be submitted with original signatures. Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property addresses on the above plans. Lower Nazareth Township will obtain plan signatures from Township Boards and Lehigh Valley Planning Commission. 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. Upon recording, one paper copy of Sheets 1 and 3 returned to the Applicant.

5. 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.
6. 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 thru 4 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.

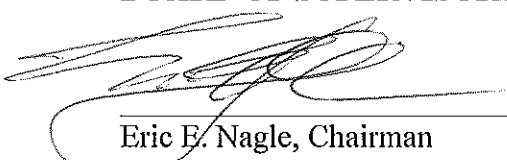
ADOPTED AND APPROVED this 14th day of May 2014, at a regular public meeting.

Motion made by Martin Boucher and seconded by Gerald Green. The motion carried unanimously.

ATTEST:


Timm A. Tenges, Manager, Secretary/Treasurer

BOARD OF SUPERVISORS


Eric E. Nagle, Chairman