

# LOWER NAZARETH TOWNSHIP

## Board of Supervisors

### Resolution #LNT-11-19

RE: WaWa Food Market Building Addition

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled "Preliminary/Final Land Development Plan, Proposed WaWa Food Market Building Addition, Store #8046", prepared by Bohler Engineering of Chalfont, Pennsylvania, consisting of (8) sheets, dated February 14, 2019 and last revised April 29, 2019; and

**WHEREAS**, the intent of the Plan is the construction of a 1,095 s.f. addition to the existing WaWa Market and miscellaneous site improvements, located at 3820 Easton-Nazareth Highway, Tax Parcel #K8-10-8; and

**WHEREAS**, the Township is holding security in the amount of \$6,492.00 for the construction of sidewalk improvements which were part of the original project construction; and

**WHEREAS**, the Township desires to complete this pedestrian connection; and

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

**WHEREAS**, the Township Zoning Administrator has reviewed the Preliminary/Final Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, last amended November 14, 2018; and

**WHEREAS**, the Applicant requested (7) waivers; and

**WHEREAS**, the Township Engineer has reviewed the Preliminary/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 15, 2019; 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 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. Sections 401 and 501;
  - b. Section 424.7 and Checklist Items C4 and G5;
  - c. Section 425.1;

- d. Section 425.3 and Checklist Items M1 and N2;
  - e. Section 425.4 and Checklist Item 19;
  - f. Checklist Item K;
  - g. Section 400 and 500.
3. A permit application shall be filed and permit obtained from the PA Department of Transportation relative to the proposed sidewalk improvements. Use and Occupancy of the building addition shall be contingent upon completion of the sidewalk improvements.
  4. 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.
  5. For recording, the applicant shall supply to Lower Nazareth Township:
    - Sheets 1 and 2
    - (2) sets of Mylar reproducible prints;
    - (2) sets of Paper prints;
    - Full Sets
    - (4) Sets of paper prints, sheets 1 thru 8.

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.


6. 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.
7. The applicant is prohibited from commencing any construction activities on this project until a pre-construction meeting is conducted in compliance with Section 536 of the Subdivision and Land Development Ordinance, and a formal Notice to Proceed is issued by the Township. Said pre-construction conference shall not occur until Items 1 thru 5 above have been satisfied to the Township's satisfaction.

8. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
9. 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 Robert Hoyer and seconded by Martin Boucher. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
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Tammi Dravec, Secretary/Treasurer

  
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James Pennington, Chairman