

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution LNT-13-17

RE: Revised Final Land Development - First Park 33, Lot 2

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a revised final land development entitled "Revised Final Plan for Lot 2 First Park 33", prepared by Liberty Engineering, Inc. of Allentown, PA, consisting of (2) sheets, dated March 16, 2017 and last revised April 24, 2017; and

WHEREAS, two warehouses have been constructed on the lands of Lot 2 and are now occupied; and

WHEREAS, Lot 2 is formally located at 3895 Eastgate Boulevard, Buildings A and B, Tax Parcel #K8-9-6G; and

WHEREAS, the intent of the Revised Final Plan is the designation of a portion of the truck loading area of Building B for permanent outdoor storage of supplies for tenant, Central Garden & Pet Company;

WHEREAS, the property is located in the Planned Industrial-Commercial zoning district and outdoor storage is permitted as an accessory use to a permitted use; and

WHEREAS, the Township Zoning Administrator has reviewed the Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, amended September 28, 2016; and offered comments in her letter dated April 17, 2017; and

WHEREAS, the plan has been amended to reflect the concerns of the Zoning Administrator and the Hecktown Volunteer Fire Company Fire Chief; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its April 17, 2017 meeting; and

WHEREAS, the Township Engineer has reviewed the 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, 2017; 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 revised Final Plan as referenced above, subject to the following conditions:

1. Outdoor storage shall be limited to those products that are non-flammable, non-explosive, non-toxic, and non-genetic materials.
2. A minimum of (3) feet of separation shall be maintained between the building and outdoor storage area.

3. A minimum of (3) trailer stalls shall be left open and unused between the last active trailer bay and the outdoor storage area.
4. A 24-foot drive aisle shall be maintained between the eastern and western storage areas.
5. The limits of the outdoor storage area shall be marked in paint on the pavement. This shall be maintained in perpetuity until Central Garden & Pet no longer occupies this building or the use is no longer required.
6. Fire Hydrant locations shall also be marked in paint on the pavement.
7. MSD Sheets shall be supplied to the township for all products considered for outdoor storage.
8. 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 use, work or construction occur that is not depicted on the approved plan nor approved by Lower Nazareth Township and outside agencies.
9. For recording, the applicant shall supply to Lower Nazareth Township, all with original signatures:

Sheets 1 and 2

(2) sets of Mylar reproducible prints;

(6) sets of paper prints;

Lower Nazareth Township will obtain all plan signatures. Copies provided 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. 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.

10. 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 10th day of May 2017, at a regular public meeting.

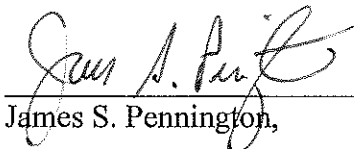
Motion made by Martin Baucher and seconded by Robert Kusan. The motion carried unanimously.

ATTEST:



Timm A. Tenges, Manager, Secretary/Treasurer

BOARD OF SUPERVISORS



James S. Pennington, Chairman