

# LOWER NAZARETH TOWNSHIP

## Board of Supervisors

RE: Buffalo Wild Wings Revised Final Land Development Plan

**WHEREAS**, the Lower Nazareth Township Board of Supervisors granted Final Land Development for this shopping center on November 14, 2007 under Resolution LNT-31-07; and

**WHEREAS**, the Lower Nazareth Township Board of Supervisors granted Final Land Development for an amended Final Plan on May 7, 2008, under Resolution LNT-12-08; and

**WHEREAS**, the Lower Nazareth Board of Supervisors granted Conditional Use approval for the shopping center at their September 26, 2007 meeting;

**WHEREAS**, the Lower Nazareth Township Zoning Hearing Board granted variances related to this site as outlined in Zoning Appeals #2007-06, #2007-10, and #2008-01 Order and Opinions;

**WHEREAS**, the Lower Nazareth Township Board of Supervisors is in receipt of a revised Final Land Development plan entitled "Buffalo Wild Wings Site Plan" prepared by Bohler Engineering of Center Valley, Pennsylvania, consisting of (7) sheets, dated June 24, 2010 and last revised July 20, 2010; and

**WHEREAS**, the intent of the revised Final Plan is the development of a 6,383 s.f. bar and grill restaurant on Pad Site "A" of Lower Nazareth Commons, located on Tax Parcel #K8-9A-2D, at 3798 Dryland Way; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the revised final plan at its July 19, 2010 meeting; and

**WHEREAS**, the Township Engineer has reviewed the revised Final Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated July 29, 2010; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Revised 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 revised Final Plan as referenced above, subject to the following conditions:

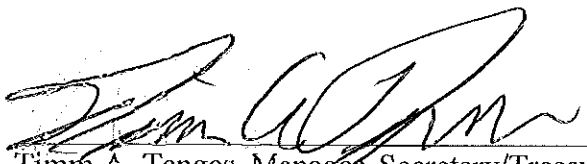
1. Provided the comments in the Township Engineer's letter dated July 29, 2010 are adequately addressed. Any reports or documentation requested by the Township Engineer must be provided to both the Township and Township Engineer prior to plan recording.


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. If applicable, the applicant is responsible for executing a Land Development 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 Land Development Improvements 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 two (2) Mylar reproducible prints and (2) paper prints of Sheet C-1 of the revised 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.
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 1-6 above have been satisfied to the Township's satisfaction.
6. 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 4<sup>th</sup> day of August 2010, at a regular public meeting. Motion made by James Pennington and seconded by Martin Beucher. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
Timm A. Tenges, Manager, Secretary/Treasurer

  
Robert S. Kucsan, Vice Chairman