

**LOWER NAZARETH TOWNSHIP**  
**Board of Supervisors**

**Resolution LNT-15-12**

RE: John and Tracy Walker Preliminary/Final Major Subdivision

**WHEREAS**, the Lower Nazareth Township Board of Supervisors is in receipt of a preliminary/final subdivision plan entitled "Preliminary & Final Plan, Major Subdivision, Lands of John M. and Tracy L. Walker", prepared by Terraform Engineering, LLC of Bethlehem, PA, consisting of (1) sheet, dated April 25, 2012 and last revised May 25, 2012; and

**WHEREAS**, the intent of the Plan is subdivision and lot consolidation of three existing parcels to create four separate parcels, using Tax Parcel #K7-17-11, K7-17-11A, and K7-17-11A-1, in the vicinity of 4318 and 4330 Christian Springs Road; and

**WHEREAS**, the Lower Nazareth Township Zoning Hearing Board granted variances related to this site as outlined in Zoning Appeal ZA2012-03 Order and Opinion (Exhibit A);

**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 June 8, 2012; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Preliminary/Final Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, amended March 23, 2005; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan along with several waivers at its May 22, 2012 meeting; and

**WHEREAS**, the Board of Supervisors have taken action of the requested waivers;

**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 June 8, 2012 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. In regard to the requested waivers:
  - a. A waiver has been granted from Sections 401 and 501 of the SALDO allowing for a combined preliminary/final plan submission.
  - b. A waiver has been granted from the submission requirements of SALDO Section 425.1.a. relative to Lots 11A, 11A-1, and 11A-2, with the provision that a note is added to Wetland Area Reference Note #3 of the record plan, requiring a wetland investigation and report prior to any development on Lot 11A-2.
  - c. A waiver has been granted from the submission requirements of SALDO Section 794 with the provision that a note is added to the record plan stating that future grading plans submissions for individual lot development shall address sinkhole and Karst area requirements of Section 794.

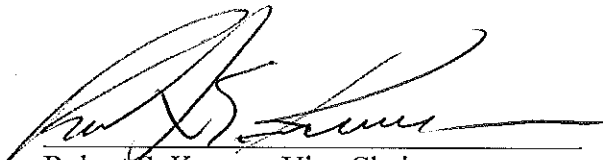
3. In the interest of preserving newly paved road surface of Christian Springs Road, the applicant agrees that no work or improvements shall occur, nor will any permit be issued for a period of five years from the date of recording of this plan for any improvement which will require any utility installation for proposed Parcel K7-17-11A-2. A note to this effect shall be added as a covenant to the plan in the event that any of these properties change hands and/or sold in the future.
4. For recording, the applicant shall supply two (2) Mylar reproducible prints and six (6) paper prints of the Preliminary/Final Plan, all with original signatures, to Lower Nazareth Township. 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.
5. The Applicant understands that any changes to the proposed uses and/or the subdivision 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. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
7. 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 13<sup>th</sup> day of June 2012, at a regular public meeting.  
 Motion made by Gerald Green and seconded by James Lemington. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
 Timm A. Tenges, Manager, Secretary/Treasurer

  
 Robert S. Kucsan, Vice Chairman