

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution LNT-17-13

RE: First Park 33 Lot 2 Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a preliminary/final land development entitled "Preliminary/Final Land Development Plan for Lot 2 of First Park 33", prepared by Liberty Engineering, Inc. of Allentown, PA, consisting of (36) sheets, dated September 19, 2012 and last revised July 23, 2013; and

WHEREAS, the intent of the Plan is construction of two distribution warehouses with a cumulative area of 584,750 s.f. on Lot 2 of the First Park 33 three-lot subdivision, located on Tax Parcel #K8-9-6, on the west side of Route 248, in the vicinity of Route 33; and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval for this development at their July 11, 2012 meeting (Exhibit A); and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its May 20, 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 August 5, 2013; and

WHEREAS, the Board of Supervisors have granted waivers to SALDO Sections 421 and 774.32.e, in conjunction with this current application;

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 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 August 5, 2013 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 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.
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. The Applicant shall enter into a Traffic Signalization Maintenance Agreement with Lower Nazareth Township.
 6. For recording, the applicant shall supply to Lower Nazareth Township, all with original signatures:

Sheets 5 and 6

- (2) sets of Mylar reproducible prints;
- (2)sets of paper prints;

Full Sets

- (4) sets of paper prints;

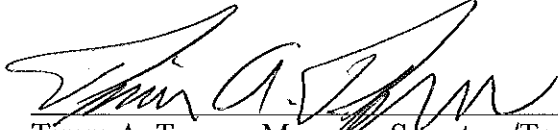
Lower Nazareth Township will obtain all plan signatures. Copies provided will be used for distribution to Northampton County, Lehigh Valley Planning Commission, Lower Nazareth Township, and one copy returned to the Applicant. The Applicant is welcome to provide additional copies to be signed for their 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.

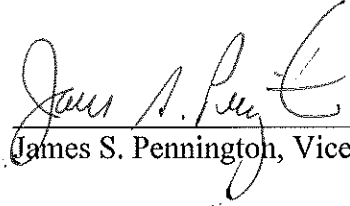
7. The applicant is prohibited from commencing any construction activities on this project until a pre-construction conference is scheduled and conducted in compliance with Section 536 of the Subdivision and Subdivision Ordinance and a formal Notice to Proceed is issued by the Township. Said pre-construction conference shall not occur until Items 1 and 2 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 21st day of August 2013, at a regular public meeting. Motion made by Robert Kuesan and seconded by Martin Boucher. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


James S. Pennington, Vice Chairman