

LOWER NAZARETH TOWNSHIP

Board of Supervisors

Resolution #LNT-19-20

RE: JW Partners Route 248 Warehouse Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a final Land Development Plan entitled “Final Land Development Plans for Route 248 Warehouse”, prepared by Master Consulting, P.A. of Allentown, Pennsylvania, consisting of (27) sheets, dated February 1, 2019, and last revised June 23, 2020; and

WHEREAS, the intent of the Plan is the construction of two warehouse buildings, Building A, 472,500 s.f. and Building B, 157,550 s.f. on (2) separate parcels created under the “Final Minor Subdivision Plan for Route 248 Warehouse”, and approved under Lower Nazareth Township Resolution #LNT-17-20; and

WHEREAS, the parent parcel is K8-7-1, located on Easton-Nazareth Hwy and consists of 63.8915 acres; and

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted a variance from Article 15 Section 1502A.68.E of the Zoning Ordinance as outlined in Zoning Appeal #ZA2018-03 Order and Opinion (Exhibit A); and

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted Special Permit approval pursuant to Section 4.03 of the Lower Nazareth Township Floodplain Ordinance and as outlined in Zoning Appeal #ZA2020-02 Order and Opinion (Exhibit B); and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval at their July 10, 2019 meeting (Exhibit C); and

WHEREAS, the Applicant appeared before the Board of Supervisors on July 24, 2019 and was granted preliminary land development approval; and

WHEREAS, the Board of Supervisors granted waivers to SALDO Sections 404, 774.31, 774.32, and 775.37 and a deferral of the sidewalk requirement at their July 24, 2019 meeting; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the Final Land Development Plan at its November 18, 2019 meeting; and

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

WHEREAS, the Township Engineer has reviewed the Final Land Development Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated June 29, 2020; 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 June 29, 2020 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 comply and satisfy the requirements of the #CU2019-02 Conditional Use Opinion and Order as executed by the Board of Supervisors, and any subsequent actions of the Board relative to said Order and Opinion.
3. The applicant is responsible for executing an Improvement Agreement and submitting an acceptable form of security for the public improvements. In acceptance of this Resolution, 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. Further, 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. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets for Recording

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

Full Sets

- (4) Sets of paper prints.

All prints shall have original signatures. These copies will be used for distribution to Northampton County, Lehigh Valley Planning Commission, Lower Nazareth Township, and (1) copy returned to the Applicant. Additional copies may be provided to be signed for the Applicant's 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 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.
6. The applicant is prohibited from commencing any construction activities on this project until a pre-construction meeting is scheduled and 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 4 above have been completed to the Township's satisfaction.

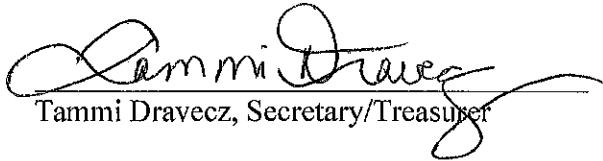
7. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
8. The applicant shall accept these conditions in writing, within five (5) days of receipt of the finalized Board of Supervisors resolution, otherwise the application is denied for failure to comply with the express conditions that are contained in this Resolution.

ADOPTED AND APPROVED this 8th day of July 2020 at a regular public meeting.

Motion made by Robert Hoyer and seconded by Stephen Brown The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Tammi Dravec, Secretary/Treasurer


James Pennington, Chairman