

LOWER NAZARETH TOWNSHIP

Board of Supervisors

Resolution #LNT-23-10

RE: Griffin Land – Minor Subdivision and Revised Final Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors granted Final Land Development for this project on February 27, 2008 under Resolution LNT-07-08; and

WHEREAS, the Lower Nazareth Township Board of Supervisors granted Final Land Development for an amended Final Plan on August 6, 2008 under Resolution LNT-26-08; and

WHEREAS, the Lower Nazareth Township Board of Supervisors is in receipt of a revised Final Land Development plan entitled “Plans for Griffin Land Subdivision & Land Development” prepared by Pany & Lentz Engineering Company of Allentown, Pennsylvania, consisting of (26) sheets, dated December 23, 2009 and last revised October 14, 2010; and

WHEREAS, the intent of the Revised Final Plan is the subdivision of the 50.88 parcel into two lots, and the development of (2) light industrial use buildings totaling 531,600 square feet, located on Tax Parcel #L7-10-2, with on-lot sewage disposal facilities, fronting on Fritch Drive in Bethlehem Township; and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval at their September 26, 2007 meeting (Exhibit A);

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its October 18, 2010 meeting; and

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted a variance related to this site as outlined in Zoning Appeal #ZA2010-04 Order and Opinions (Exhibit B);

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 November 12, 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 November 12, 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.

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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 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.
5. For recording purposes, the applicant shall supply two sets of Mylar reproducible prints and two sets of paper prints of Sheets 2, 4 and 5 of the Final Plan, and four full sets of paper prints, all with original signatures, to Lower Nazareth Township. 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, specifically:

Building IV – 4275 Fritch Drive

Building V - 4270 Fritch Drive

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.

6. Pursuant to Section 111.I. of the Lower Nazareth Township Zoning Ordinance, the Applicant understands that necessary permit(s) must be issued within (9) months of the date of this resolution and construction started within (12) months of issuance of said permit(s). Should the Applicant fail to obtain the necessary permit(s) and/or begin construction within the prescribed time period, it shall be conclusively presumed the Applicant has waived, withdrawn or abandoned the appeals, and all provisions, variances and permits granted by Zoning Hearing Board and Township Staff shall be deemed automatically rescinded.
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 1-6 above have been satisfied to the Township's satisfaction.

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8. 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.

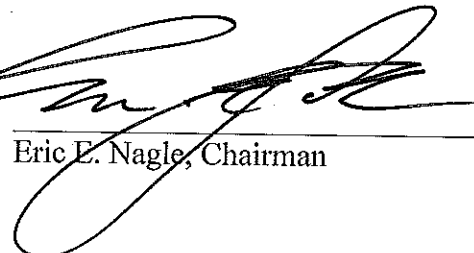
ADOPTED AND APPROVED this 17th day of November 2010, at a regular public meeting. Motion made by Martin Baucher and seconded by Robert Guesan. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Timm A. Tenges, Manager, Secretary/Treasurer



Eric E. Nagle, Chairman