

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-25-20

RE: 4730 Hanoverville Road, Triple Net Investments LXII, LLC

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Preliminary/Final Site Plan, 4730 Hanoverville Road, Triple Net Investments LXII, LLC”, prepared by Terraform Engineering, LLC of Bethlehem, Pennsylvania, consisting of (30) sheets, dated May 21, 2020 and last revised September 11, 2020; and

WHEREAS, the plan involves two parcels, Tax Parcel L6-17-1, 4730 Hanoverville Road and Tax Parcel L6-17-1A, 227-229 Georgetown Road, comprising at total of 37.8 acres; and

WHEREAS, the intent of the Plan is to consolidate these two lots and develop a 243,750 s.f. warehouse/manufacturing building; and

WHEREAS, this property is located within the Hanoverville Road Sewer District and modification to the agreements with Hanover Township and the City of Bethlehem are necessary to accommodate this use; and

WHEREAS, this project is partially located within the floodplain of the Monocacy Creek, more particularly depicted in FIRM Map #42095C0255E, Zone AE; and

WHEREAS, the Applicant has obtained a Letter of Map Revision from FEMA, Case #20-03-0708P, effective December 14, 2020; and

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted a Special Permit related Floodplain Ordinance #212-06-14 and as outlined in Zoning Appeal #ZA2020-07 at their September 22, 2020 meeting; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended conditional use and plan approval at its July 20, 2020 meeting; and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval at their September 23, 2020 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 October 28, 2020; 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 Applicant has requested (7) waivers from the Subdivision and Land Development Ordinance; 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. The comments in Township Engineer's letter dated October 28, 2020 shall be 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 #CU2020-03 Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary.
3. The following waivers from the Subdivision and Land Development Ordinance are granted:
 - a. Article 4, Section 401, and Article 5 Section 501, Requirement for Separate Preliminary and Final Submission;
 - b. Article 4, Section 424.7, Requirement to Depict Man-Made Features Within 200 Feet;
 - c. Article 7, Section 733.621, Requirement for Driveway Separation from an Arterial Street;
 - d. Article 7, Section 733.7, Access to a Lower-Classified Street;
 - e. Article 7, Section 744.32.b, Maximum Allowable Side Slopes for Detention Ponds.

The waiver from Article 7, Section 732.1, Requirement for Direct Access to a Public Street is not required pursuant to the Township Engineer's October 28, 2020 letter.

4. Agreement modifications and related approvals for sanitary sewer connection shall be complete prior to commencement of construction.
5. 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.
6. The Applicant shall pay an additional \$100,000 for traffic impact fees in addition to the already calculated traffic impact fee for the project upon issuance of the building permit.
7. For plan recording, the applicant shall supply to Lower Nazareth Township:

Sheets C-1, LC-1 and SP-1

(2) sets of Mylar reproducible prints;

(2) sets of paper prints;

Full Sets (31 Sheets)

(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 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

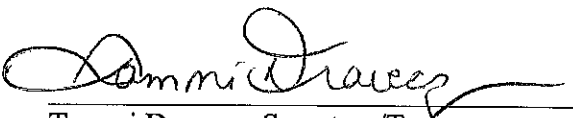
satisfaction of all conditions of approval and placement of signatures on the Plans, the Township shall record, within ninety (90) days of said satisfaction, the approved Plan at the Northampton County Recorder of Deeds Office as required by Section 513(a) of the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10513(a), as amended and Section 520 of the Lower Nazareth Township Subdivision and Land Development Ordinance.

8. The Applicant is responsible for recording the Post Construction Stormwater Management Plan as required by the Pennsylvania Department of Environmental Protection.
9. 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.
10. 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 8 above have been completed to the Township's satisfaction.
11. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
12. 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.

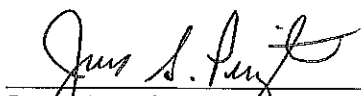
ADOPTED AND APPROVED this 28th day of October 2020 at a regular public meeting. Motion made by Amy Templeton and seconded by Martin Bouches. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Tammi Dravec, Secretary/Treasurer



James Pennington, Chairman