

LOWER NAZARETH TOWNSHIP

Board of Supervisors

RE: Andrea Brock-Ozman Preliminary/Final Land Development

WHEREAS, the Lower Nazareth Township Board of Supervisors is in receipt of a Preliminary/Final Land Development Plan entitled "Preliminary/Final Land Development Plans prepared for 199 Nazareth Pike" prepared by Van Cleef Engineering Associates of Bethlehem, Pennsylvania, consisting of Sheets 1-4 dated October 27, 2008 and last revised February 24, 2009; and

WHEREAS, the intent of the Plan is the use of an former single family dwelling for a chiropractic office at 199 Nazareth Pike, Tax Parcel #L7SW2-5-13; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the Preliminary/Final at its February 23, 2009 meeting; and

WHEREAS, the Applicant has updated their Highway Occupancy Permit, dated September 24, 2008, revised December 19, 2008 and provided evidence as such to the Township;

WHEREAS, the Lower Nazareth Township Zoning Hearing Board granted variances related to this site under Zoning Appeal #2008-14;

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 March 6, 2009; and

WHEREAS, the Township Zoning Administrator has reviewed the 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 approves the Preliminary/Final Plan as referenced above, subject to the following conditions:

1. Provided the comments in the Township Engineer's letter dated March 6, 2009 are adequately addressed.
2. The applicant understands that no construction can commence, nor will any Building Permit applications be accepted until such time as all conditions of approval are met and the Land Development Plan has been recorded.
3. The applicant shall supply two (2) Mylar reproducible copies and (2) paper prints of Sheet Two of the Final Plan along with four (4) full sets of paper prints. Per

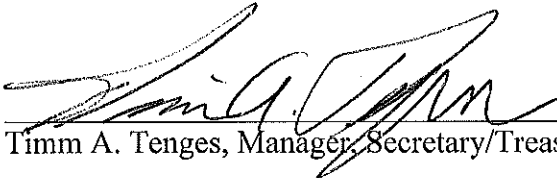
the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of the property address on the above plans. Upon satisfaction of all conditions of approval and placement of signatures on the Plans, the Township shall record, within ninety (90) days of said satisfaction, 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.

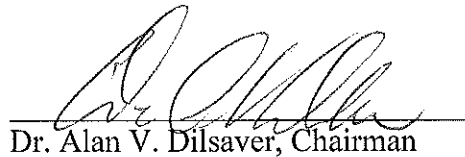
4. Pursuant to Section 111.I. of the Lower Nazareth Township Zoning Ordinance, the Applicant understands that necessary permit(s) must be issued within (9) months of the date of this resolution and construction started within (12) months of issuance of said permit(s). Should the Applicant fail to obtain 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.
5. The Township Engineer shall perform a site inspection of all improvements prior to issuance of a Use and Occupancy permit. The applicant shall keep funds in escrow to cover this inspection.
6. 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 11th day of March 2009, at a regular public meeting. Motion made by Eric Nagle and seconded by Ricky Johnson. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Timm A. Tenges, Manager, Secretary/Treasurer


Dr. Alan V. Dilsaver, Chairman