

# LOWER NAZARETH TOWNSHIP

## Board of Supervisors

RE: Final Land Development Record Phasing Plan for Everson Tesla, Inc.

**WHEREAS**, the Lower Nazareth Township Board of Supervisors is in receipt of an application for a revised Land Development Plan by Everson Tesla, Inc.;

**WHEREAS**, the Lower Nazareth Township Board of Supervisors previously approved this plan under Resolution #LNT-26-07; and

**WHEREAS**, the intent of the Final Plan is to construct additions to the main building, now in four phases, located on Tax Parcel #K7-19-14A, at 614 Gremar Road; and

**WHEREAS**, the Applicant has provided two alternatives for development depending upon the method of sewage disposal;

**WHEREAS**, each alternative is entitled "Final Land Development Record Phasing Plan for Everson Tesla, Inc." prepared by Lehigh Engineering Associates, Inc. of Walnutport, Pennsylvania, consisting of (3) sheets, dated August 6, 2010 and last revised March 14, 2011; and

**WHEREAS**, Alternative A depicts a 12, 854 s.f. addition in Phase II, 15,225 s.f. additions in Phase III, (23) parking spaces, and installation of on-lot sewage disposal systems;

**WHEREAS**, Alternative B depicts a 12, 854 s.f. addition in Phase II, 16,112 s.f. additions in Phase III, (23) parking spaces, and installation of public sanitary sewer; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan at its September 20, 2010 meeting; and

**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 March 25, 2011; 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 March 25, 2011 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.

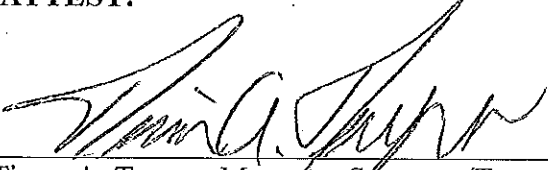
2. Sewage Planning Module approval by the PA Department of Environmental Protection must be obtained prior to construction of Phase II.
3. Alternative B, proposed for public sewer, can only be implemented if the Applicant meets all requirements for public sewer at that time. Proof of security for public sewer installation must be provided to Lower Nazareth Township.
4. Phase II of this project may commence under either alternative; however, provisions for sewage disposal must be installed and inspected, prior to release of a Use & Occupancy Permit and recording of the plan.
5. If the Applicant chooses to proceed with Alternative B, the Applicant shall disable the on-site septic system in conformance with Nazareth Borough Municipal Authority requirements.
6. Phases IIIA & B may not commence until the Applicant satisfies sewage facilities improvements to begin construction of these phases.
7. The Applicant may delay installation of final pavement of the additional parking until completion of the Phase III; however, binder pavement and parking lot striping must be installed as part of Phase II construction.
8. 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.
9. Plans shall be submitted for recording upon commitment to either Alternate A or Alternate B. The applicant shall supply two (2) Mylar reproducible prints and (2) paper prints of Sheets 1 of 3 of the Final Plan, and four (4) full sets of paper prints (Sheets 1 thru 3), 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. 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.
10. The applicant understands that no construction can commence, nor will any permits be released, until such time as all conditions of approval are satisfied. 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 1-3 above have been satisfied to the Township's satisfaction. A Pre-Construction Conference is required prior to construction of Phase III as well.
11. Lower Nazareth Township reserves the right to hold a site meeting prior to the installation of any sewage disposal system.

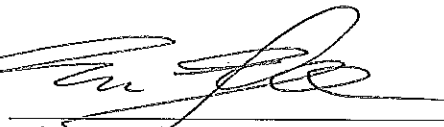
12. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
13. The applicant shall accept these conditions in writing, within five days of receipt of the finalized Board of Supervisors resolution, otherwise the application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

**ADOPTED AND APPROVED** this 30<sup>th</sup> day of March 2011, at a regular public meeting. Motion made by Martin Boucher and seconded by James Pennington. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
Timm A. Tenges, Manager, Secretary/Treasurer

  
Eric E. Nagle, Chairman