

# LOWER NAZARETH TOWNSHIP

## Board of Supervisors

RE: Keith and Roberta Herman Preliminary/Final Major Subdivision

**WHEREAS**, the Lower Nazareth Township Board of Supervisors is in receipt of a Final Land Development plan entitled "Preliminary/Final Major Subdivision Plan, Mr. Keith H. and Mrs. Roberta L. Herman" prepared by Pennoni Associates, Inc. of Bethlehem, Pennsylvania, consisting of (1) sheet, dated June 29, 2009 and last revised August 6, 2009; and

**WHEREAS**, the intent of the Plan is a two-lot subdivision of a 3.969 acre tract, located on Tax Parcel #K8-9-1, at the corner of Country Club and Hollo Roads; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan at its July 20, 2009 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 August 24, 2009; 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 Preliminary/Final Plan as referenced above, subject to the following conditions:


1. Provided the comments in the Township Engineer's letter dated August 24, 2009 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 understands that any changes to the proposed uses and/or the subdivision 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.
3. 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 Preliminary/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 all conditions of approval are met and the Preliminary/Final Plan has been recorded.

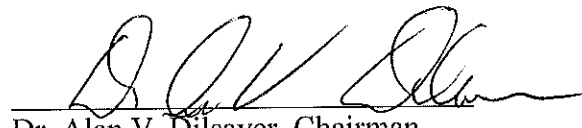
4. The applicant shall supply two (2) Mylar reproducible prints and (6) paper prints of the Final Plan. Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property addresses on the above plans. Upon satisfaction of all conditions of approval 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 is prohibited from constructing any public improvements, i.e. road widening, swale and inlet construction, etc. until a pre-construction meeting 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 meeting shall not occur until Items 1-4 above have been satisfied to the Township's satisfaction.
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 26<sup>th</sup> day of August 2009, at a regular public meeting. Motion made by Rocky Johnson and seconded by Robert Kusan. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
Timm A. Tenges, Manager, Secretary/Treasurer

  
Dr. Alan V. Dilsaver, Chairman