

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-10-21

RE: First Park 33, Lot 3A – Phase II

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Preliminary/Final Land Development Plans, First Park 33 Lot 3A – Phase II, Proposed Restaurants”, prepared by Liberty Engineering of Allentown, Pennsylvania, consisting of (23) sheets, (5) sheets of Post Construction Stormwater Management, and (2) sheets for the retaining wall, all dated July 24, 2020 and last revised February 15, 2021; and

WHEREAS, the intent of the Plan is the construction of two detached restaurant buildings with no drive-thru services on an 8.25-acre parcel #K8-9-6H-2 at 3774 Eastgate Blvd; and

WHEREAS, the Lower Nazareth Board of Supervisors granted Conditional Use approval at their February 10, 2021 meeting (Exhibit A); and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its September 21, 2021 meeting; and

WHEREAS, the Township Zoning Administrator has reviewed the Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, last amended November 14, 2018; and

WHEREAS, the Township Engineer has reviewed the Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated February 22, 2021; 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. The comments in the Township Engineer’s letter dated February 22, 2021 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 #CU2020-06 Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary.
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 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

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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.

4. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets 4, 5 and 6

(2) sets of Mylar reproducible prints;

(2) sets of Paper prints;

Full Sets

(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 may 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. Property addresses for the restaurants are as follows:

Restaurant #1 – 3774 Eastgate Boulevard

Restaurant #2 – 3820 Eastgate Boulevard

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.

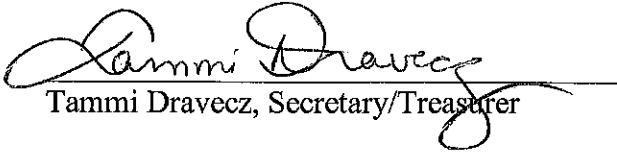
5. The Applicant understands that any changes to the proposed uses and/or the land development in general are subject to Township review and may require additional review and approval by the Board of Supervisors and/or outside agencies. Under no circumstances, shall any site work nor construction occur that is not depicted on the approved plan nor approved by Lower Nazareth Township and outside agencies.
6. 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 meeting shall not occur until Items 1 thru 4 above have been completed to the Township's satisfaction.
7. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
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.

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ADOPTED AND APPROVED this 24th day of February 2021 at a regular public meeting. Motion made by Amy Templation and seconded by Martin Boucher. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Tammi Dravecz, Secretary/Treasurer


James Pennington, Chairman