

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-14-21

RE: Chipotle Mexican Grill

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Preliminary/Final Land Development Plans for Chipotle Mexican Grill”, prepared by Bohler Engineering of Bethlehem, Pennsylvania, consisting of (14) sheets, dated December 22, 2020 and last revised February 8, 2021; and

WHEREAS, the intent of the Plan is the renovation of the existing bank building to a 2,636 s.f. Chipotle restaurant with a drive-thru pick-up window on a 1.3-acre lot, specifically Tax Parcel #K8-10A-3G at 3704 Easton-Nazareth Highway, Easton, Pennsylvania, 18045; and

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

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the Conditional Use and Plan at its January 18, 2021 meeting; 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 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 February 22, 2021; and

WHEREAS, the Applicant has requested (5) 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 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 following waivers from the Subdivision and Land Development Ordinance are granted:
 - a. Article 4, Section 424.7: Requirement to Depict Man-Made Features Within 200 Feet;
 - b. Article 4, Section 425.4: Requirement for a storm drainage plan;
 - c. Article 4, Section 401, and Article 5 Section 501: Requirement for Separate Preliminary and Final Submission;

- d. Article 7, Section 749.1: Curbing and sidewalk requirements;
3. The Applicant must satisfy the requirements of the #CU2021-01 Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary.
 4. 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.
 5. Lower Nazareth Township will record the plan. Lower Nazareth Township obtain all plan signatures from Lower Nazareth Township Officials and Lehigh Valley Planning Commission. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets 101 and 301

- (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.

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.

6. 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.
7. 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 5 above have been completed to the Township's satisfaction.
8. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.

9. 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 10th day of March 2021 at a regular public meeting. Motion made by Amy Tompleton and seconded by Stephen Brown. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Tammi Dravecz, Secretary/Treasurer



James Pennington, Chairman