

**LOWER NAZARETH TOWNSHIP**  
**Board of Supervisors**

**Resolution #LNT-15-21**

RE: Lehigh Valley Trade Center II

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Preliminary/Final Land Development Plans for LVTC II Owner, LLC, Lehigh Valley Trade Center II”, prepared by Bohler Engineering of Bethlehem, Pennsylvania, 18018, consisting of (36) sheets, dated January 20, 2020 and last revised February 19, 2021; and

**WHEREAS**, the intent of the Plan is the consolidation of twelve parcels resulting in a 37.8-acre tract for the development of a 527,472 s.f. industrial building; and

**WHEREAS**, the subject parcels are in both Lower Nazareth Township and Bethlehem Township, specifically Tax Parcels #L6-20-1 0418, #L6-20-2 0418, #L6-20-3 0418, #L6-20-3A 0418, #L6-20-3B 0418, #L6-20-4 0418, #L6-20-5 0418, and #L6-20-7 0418 in Lower Nazareth; and Tax Parcels #L6-20-1 0205, #L6-20-2 0205, #L6-20-3 0205, #L6-20-3A 0205 in Bethlehem Township; and

**WHEREAS**, the Plan provides for the lot consolidation of all the tax parcels into one lot; and

**WHEREAS**, approval of the project will also be required from Bethlehem Township; and

**WHEREAS**, the Lower Nazareth Board of Supervisors granted Conditional Use approval for #CU2020-01 at their December 9, 2020 meeting (Exhibit A); and

**WHEREAS**, as part of the Conditional Use approval, a Declaration of Covenants shall be recorded confirming the application of average weekday tractor-trailer calculations on the LVTC parcel going forward; and

**WHEREAS**, the plan set provides for the recording of the “Greenfield Industrial Park Amended Land Development Plan”, Sheets CG-301, CG-401, and CG-501; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the plan at its December 21, 2020 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 March 4, 2021; and

**WHEREAS**, the Applicant has requested (8) 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 comments in the Township Engineer's letter dated March 4, 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 421: Minimum Plan Scale;
  - b. Article 4, Section 424.7: Requirement to Depict Man-Made Features Within 200 Feet;
  - c. Article 4, Section 401, and Article 5 Section 501: Requirement for Separate Preliminary and Final Submission;
  - d. Article 7, Section 731.3; Requirement for lot lines to follow municipal boundaries rather than cross them;
  - e. Article 7, Section 749.1: Curbing and sidewalk requirements;
  - f. Article 7, Section 774.32.b: Side slope of a detention basin if water depth exceeds four feet.
  - g. Article 7, Section 774.32.e: Requirement for minimum bottom slope of detention pond to be 1 percent.
3. The Applicant must satisfy the requirements of the #CU2020-01 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. Pursuant to the Sewage Facilities Planning Module for the Hanoverville Road Sewer Service Area, nine (9) edu's have been assigned to the subject tract. Agreement modifications and related approvals for sanitary sewer connection shall be complete prior to commencement of construction. Should any additional edu's be required for this property, the Property Owner, Applicant, successors, heirs and/or assigns shall be responsible for costs associated with acquiring the allocation, to and including amendments to the Township's Act 537 Plan and agreements with Hanover Township and/or the City of Bethlehem, along with modifications to the Sewer System necessitated by their need for additional allocation.
6. The Record Plans shall be signed by Bethlehem Township Officials prior to submission to Lower Nazareth Township for recording.
7. 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 C-101, C-102, C-301, C-302, C-1001, C-1002, C-1003, LC-1, CG-301, CG-401, and CG-501

- (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.

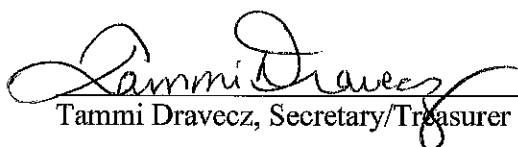
Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property addresses on the above plans. Upon satisfaction of all conditions of approval and placement of signatures on the Plans, the Township shall record, within ninety (90) days of said satisfaction,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


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. 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 7 above have been completed to the Township's satisfaction.
10. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
11. 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 10<sup>th</sup> day of March 2021 at a regular public meeting. Motion made by Ann Templeton and seconded by Martin Boucher The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
Tammi Dravec, Secretary/Treasurer

  
James Pennington, Chairman