

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

**Resolution #LNT-08-22**

RE: CarMax Phase II Land Development

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Amended Preliminary/Final Land Development Plans for Proposed CarMax”, prepared by Bohler Engineering of Philadelphia, Pennsylvania, consisting of (43) sheets, dated October 21, 2021 and last revised January 11, 2022; and

**WHEREAS**, this plan represents Phase II of the land development plan approved under Resolution #LNT-22-16;

**WHEREAS**, the intent of the Plan is development a 27.1-acre parcel for an automobile dealership where Phase II consists of a 39,574 s.f. service building, a 3,703 s.f. building with carwash, additional customer and employee parking, and an area for vehicle display and storage; and

**WHEREAS**, the subject property is Tax Parcel #K8-9-8 with an address of 3835 Easton-Nazareth Highway, Easton, PA, 18045; and

**WHEREAS**, this land development is subject to the Conditional Use approval granted by the Lower Nazareth Board of Supervisors at their May 11, 2016 meeting; and

**WHEREAS**, the Applicant has requested (2) waivers from the Subdivision and Land Development Ordinance; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the Phase II plan at its November 15, 2021 meeting; and

**WHEREAS**, the Township Engineer has reviewed the Amended Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated January 18, 2022; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Final Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, last amended January 27, 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 Final Plan as referenced above, subject to the following conditions:

1. The comments in the Township Engineer’s letter dated January 18, 2022 shall be 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 401, and Article 5 Section 501: Requirement for Separate Preliminary and Final Submission;

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 Amended 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 Amended Plan has been recorded.
4. The applicant shall supply to Lower Nazareth Township for recording:  
Sheets C-101, C-301, C-607, C-610, C-611 and C-612  
(2) Sets of Paper prints;  
(2) Sets of Mylar reproducible prints;  
  
Full Sets (Entire Set, 43 Sheets)  
(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.

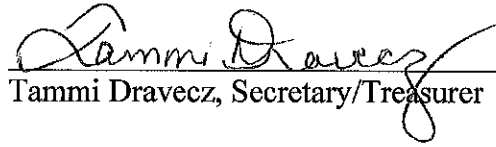
Per the Northampton County Uniform Parcel Identifier Ordinance, the applicant is responsible for placement of property address on the above plans. Upon satisfaction of all conditions of approval and placement of signatures on the Plans, the Township shall record, within ninety (90) days of said satisfaction, 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 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 or 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 Subdivision 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 executed 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 January 2022 at a regular public meeting. Motion made by Stephen Brown and seconded by Amy Templeton. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
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Tammi Dravecz, Secretary/Treasurer

  
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James Pennington, Chairman