

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

**Resolution #LNT-26-22**

RE: Caliber Collision Land Development

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled “Preliminary/Final Land Development Plans for Nazareth Jandy Boulevard, LLC, Proposed Caliber Collision”, prepared by Bohler Engineering of Bethlehem, Pennsylvania, consisting of (27) sheets, dated December 28, 2021 and last revised March 25, 2022; and

**WHEREAS**, the intent of the Plan is to develop an automobile collision repair center on a 3.63-acre parcel, subdivided from Lot 9 of the Jandy Subdivision; and

**WHEREAS**, the Lower Nazareth Township Zoning Hearing Board granted a Special Exception approval and variance related to this site as outlined in the Zoning Appeal #ZA2022-01 Order and Opinion (Exhibit A);

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the Plan at its February 28, 2022 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 Applicant has requested five (5) waivers from the Subdivision and Land Development Ordinance (SALDO); 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 April 6, 2022; 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 April 6, 2022 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 401: Requirement for Separate Preliminary and Final Submission.
  - b. Article 4, Section 424.7: Requirement to depict all man-made features within 200’ of the tract boundary;

- c. Article 4, Section 424.7: Requirement to depict all existing and proposed street rights-of-way and cartway widths within 200' of the tract boundary;
  - d. Article 4, Section 421: Require a minimum plan scale of 1"=50';
  - e. Article 7, Section 774.32.e: Require a minimum detention basin floor slope of 1%.
3. All comments from the Hecktown Volunteer Fire Company Fire Chief shall be addressed.
  4. The applicant is responsible for executing an Improvement Agreement and submitting an acceptable form of security for the public improvements. 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. 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. For recording, the applicant shall supply to Lower Nazareth Township:
    - Sheets C-101, C-301, C-302, and C-605
    - (2) Sets of Mylar reproducible prints;
    - (2) Sets of Paper prints;
    - Full Sets of Entire (27) 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. 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. 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. 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 13<sup>th</sup> day of April 2022 at a regular public meeting. Motion made by Robert Hoyer and seconded by Steve Brown. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

Lori A. Stauffer  
Lori Stauffer, Township Manager

James A. Pennington  
James Pennington, Chairman