

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

**Resolution #LNT-23-23**

RE: McDonald's Drive-Thru Modifications

**WHEREAS**, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled "Preliminary/Final Land Development Plans for McDonald's USA, LLC", prepared by Bohler Engineering, Inc. of Bethlehem, PA, 18018 consisting of (8) sheets, dated May 23, 2022 and last revised April 11, 2023; and

**WHEREAS**, the intent of the Plan is to make improvements to the existing drive-thru and associated drive-thru signage thru installation of a second drive-thru aisle and reconfiguration of parking spaces on a 1.279-acre parcel, Tax Parcel #K8-10A-3E at 3708 Easton-Nazareth Highway, Easton, PA, 18045; and

**WHEREAS**, the Applicant has requested five waivers from the Subdivision and Land Development Ordinance; and

**WHEREAS**, the Lower Nazareth Township Planning Commission recommended approval of the Plan and requested waivers at its June 19, 2023 meeting; and

**WHEREAS**, the Township Engineer has reviewed the Plan and requested waivers against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated August 1, 2023; and

**WHEREAS**, the Township Zoning Administrator has reviewed the Plan against the provisions of the 2001 Lower Nazareth Township Zoning Ordinance, last amended February 8, 2023; 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 following waivers from the Subdivision and Land Development Ordinance are granted:
  - a. Article 4, Section 424.7, Appendix C, C.4: Requirement for all man-made features within 200 feet of the tract boundary be shown on the plans.
  - b. Article 4, Section 424.6, Appendix C, G.5: Requirement for all existing and proposed street right-of-way and cartway widths within 200 feet of the tract boundary be shown on the plans.
  - c. Article 4, Section 425.4, Appendix C, I.4: Requirement for the preparation of a storm drainage plan.
  - d. Article 4, Section 401: Requirement for Separate Preliminary and Final Submission.
  - e. Article 4, Section 425.14: Requirement for submission of a traffic impact analysis.

2. The comments in the Township Engineer's letter dated August 1, 2023 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.
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 Preliminary/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.
4. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets C-1 and C-3

(2) Sets of Mylar reproducible prints;

(2) Sets of Paper prints;

Full Sets (8 Pages)

(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.

5. 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 2 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.

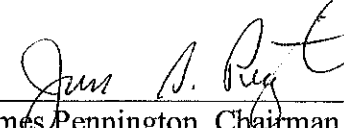
8. The applicant shall accept these conditions in writing, within five days of receipt of the finalized Board of Supervisors resolution, otherwise the application is denied for failure to comply with the express conditions that are contained in this Resolution.

**ADOPTED AND APPROVED** this 9<sup>th</sup> day of August 2023 at a regular public meeting. Motion made by Amy Templeton and seconded by Stephen Brown. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
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Tammi Dravecz, Secretary/Treasurer

  
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James Pennington, Chairman