

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-26-23

RE: JLLH Associates, Ltd, Faulkner Subaru Dealership

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled "Preliminary/Final Land Development Plan for Subaru New and Used Car Dealership: JLLH Associates, Ltd.", prepared by Lehigh Engineering Associates, Inc. of Walnutport, PA, 18088, consisting of (10) sheets, dated April 4, 2016 and last revised July 24, 2023; and

WHEREAS, the Board of Supervisors previously approved this land development plan under Resolutions LNT-19-16 and LNT-25-16 for a Hyundai dealership for a different applicant, and

WHEREAS, the Board of Supervisors approved Resolution LNT-40-22 for this applicant, JLLH Associates for a Subaru dealership with no changes to the original land development; and

WHEREAS, the JLLH Associates has since received zoning relief from the front yard setback requirements under Zoning Appeal ZA2023-11; and

WHEREAS, the intent of this current Plan is the development a Subaru dealership with a revised footprint and stormwater management; and

WHEREAS, the Conditional Use approval for #CU2015-03 and zoning appeals #ZA2015-10 and #ZA2016-01 granted are still valid; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the plan at its July 17, 2023 meeting; 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 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 August 3, 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 Preliminary/Final Plan as referenced above, subject to the following conditions:

1. The comments in the Township Engineer's letter dated August 3, 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.

2. All conditions of Resolutions #LNT-19-16, #LNT-25-16, and #LNT-40-22 shall be satisfied.
3. The applicant is responsible for executing an Improvement Agreement and submitting an acceptable form of security for the public improvements. The 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. All comments from the Hecktown Volunteer Fire Company Fire Chief shall be addressed.
5. For recording, the applicant shall supply to Lower Nazareth Township:

Sheets 1 of 10 and 3 of 10

- (2) Mylar reproducible prints;
- (2) 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. 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.

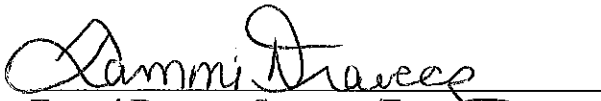
6. No construction shall commence until all outside agency approvals have been obtained, specifically related to stormwater management and sanitary sewer without the approval of the Board of Supervisors.
7. Any changes to the proposed uses and/or the land development in general are subject to Township 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.
8. 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.

9. All correspondence regarding the plan shall be directed to the Township or if directed to the Engineer, the Township shall be copied.
10. 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.

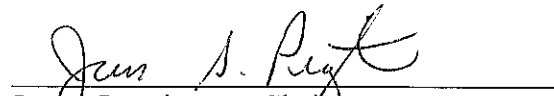
ADOPTED AND APPROVED this 9th day of August 2023 at a regular public meeting. Motion made by Amy Templeton and seconded by Martin Boucher. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Tammi Dravec, Secretary/Treasurer



James Pennington, Chairman