

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-23-24

RE: Burger King Land Development Plan

WHEREAS, the Lower Nazareth Township Board of Supervisors are in receipt of a Land Development Plan entitled "Site Development Plans for Burger King", prepared by Carter Engineering of Watkinsville, Georgia, consisting of (9) sheets, dated July 5, 2023 and last revised April 22, 2024; and

WHEREAS, the intent of the Plan is to construct a dual drive-thru at the existing Burger King restaurant, a 1.30-acre parcel, Tax Parcel #K8-10A-3F at 3706 Easton-Nazareth Highway, Easton, PA 18045; and

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

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the Plan at its April 15, 2024 meeting; 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 May 17, 2024; and

WHEREAS, the Township Zoning Administrator has reviewed the Plan against the provisions of the 2023 Lower Nazareth Township Zoning Ordinance, last amended April 24, 2024; 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 of the SALDO are granted:
 - a. Article 4, Section 421 related to plan scale.
2. The comments in the Township Engineer's letter dated May 17, 2024 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 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.

4. The applicant shall supply the following to Lower Nazareth Township for recording:

Sheets C1.0 and C4.0

- (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. 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.

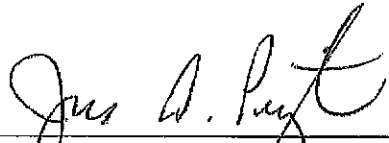
5. Any changes to the proposed uses and/or the land development in general are subject to Township review and may require additional review and approval by the Board of Supervisors and/or outside agencies. Under no circumstances, shall any site work nor construction occur that is not depicted on the 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 SALDO and a formal Notice to Proceed is issued by the Township. Said pre-construction meeting shall not occur until Items 2, 3 and 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 22nd day of May 2024 at a regular public meeting. Motion made by Martin Boucher and seconded by Stephen Brown. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS


Tammi Dravec, Secretary/Treasurer


James Pennington, Chairman