

LOWER NAZARETH TOWNSHIP
Board of Supervisors

Resolution #LNT-16-25

RE: Proposed Valvoline Service Station Facilities

WHEREAS, the Lower Nazareth Township Board of Supervisors granted Preliminary/Final Land Development approval for the “Preliminary & Final Land Development Plans, Proposed Popeyes with Drive-Thru and Take 5 Auto Service Station Facilities” project under Resolution #LNT-18-23 on June 14, 2023; and

WHEREAS, the Lower Nazareth Township Board of Supervisors are now in receipt of a Land Development Plan entitled “Amended Preliminary & Final Land Development Plan for Proposed Valvoline Service Station Facilities”, consisting of (19) sheets, dated March 29, 2022 and last revised March 19, 2025, prepared by Stonefield Engineering Design of Princeton, New Jersey, 08542; and

WHEREAS, the intent of the Plan is to change the originally approved Take5 Auto Service Station to the development of a 1,950 s.f. Valvoline auto service station on Tax Parcel #K8-9-6, 3877 Eastgate Boulevard; and

WHEREAS, construction has commenced for the Popeye’s restaurant on Tax Parcel K8-9-6J, 3845 Eastgate Boulevard; and

WHEREAS, the plan is subject to Special Exception approval and variances granted by the Lower Nazareth Township Zoning Hearing Board as outlined in Zoning Appeal #ZA2022-15 Order and Opinion (Exhibit A); and

WHEREAS, the plan is subject to the Conditional Use Order & Opinion (CU2023-04) granted by the Lower Nazareth Board of Supervisors at their June 14, 2023, meeting (Exhibit B); and

WHEREAS, the Applicant has requested waivers to SALDO Article 4, Section 401 and Article 5, Section 501 for submission of a preliminary/final application; and

WHEREAS, the Lower Nazareth Township Planning Commission recommended approval of the requested waiver and amended plan at its February 24, 2025 meeting; and

WHEREAS, the Township Zoning Administrator has reviewed the Amended Preliminary/Final Land Development 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 Preliminary/Final Land Development Plan against the provisions of the 2005 Lower Nazareth Township Subdivision and Land Development Ordinance and has offered comments in his letter dated April 4, 2025; 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 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 5, Section 501: Requires submission of a Preliminary Plan prior to a Final Plan submission.
2. The comments in the Township Engineer's letter dated April 4, 2025 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 must satisfy the requirements of the #CU2023-04 Conditional Use Opinion and Order as executed by the Board of Supervisors Chairman and Secretary.
4. An Improvement Agreement and security are presently in place for the public improvements as required under the 2023 approval.
5. For recording, the applicant shall supply to Lower Nazareth Township:

Land Development Plan

Recording Sheets C-1 and C-4

(2) Sets of Mylar reproducible prints;

(2) Sets of paper prints;

Full Sets, Sheets C-1 thru C-19

(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. 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 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. The Pre-Construction meeting will be coordinated by Lower Nazareth Township and held in conjunction with the Northampton County Conservation District, as necessary. The pre-construction meeting shall not occur until Items 2 and 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 9th day of April 2025 at a regular public meeting.
Motion made by Amy Templeton and seconded by Martin Bouche. The motion carried unanimously.

ATTEST:

BOARD OF SUPERVISORS



Tammi Dravec, Secretary/Treasurer



James Pennington, Chairman