

**BOROUGH OF CATASAUQUA
LEHIGH COUNTY
RESOLUTION NO. 11 - 2018**

**A RESOLUTION CONDITIONALLY APPROVING THE PRELIMINARY/FINAL
LOT LINE ADJUSTMENT PLAN OF M&G LAND HOLDINGS, LLC**

Administrative History

WHEREAS, on May 4, 2018, M&G Land Holding, LLC, 325 W. Union St., Catasaqua, PA 18032 (hereinafter, "Developer"), as the owner of property known as 325 Union St., Catasaqua, PA 18032, PIN 640828149497-1 (hereinafter, "Lot 2"), filed a lot line adjustment plan to adjust the lot line between Lot 2 and an adjacent property owned by Rock Hill Materials Co., having PIN 640818837073-1 (hereinafter, "Lot 1"), for approval by Borough Council (hereinafter, "Council") pursuant to the Subdivision and Land Development Ordinance, as amended (hereinafter, "SALDO"), and the Zoning Ordinance, as amended; and

WHEREAS, Developer proposes to adjust the lot lines so as to effect a transfer from Lot 2 to Lot 1 of approximately 0.81 acres, all as more particularly set forth in a lot line adjustment plan consisting of one sheet and prepared by Lehigh Engineering Associates, Inc. (hereinafter, "LEA"), dated April 24, 2018, and last revised July 2, 2018 (hereinafter, "Plan"); and

WHEREAS, Lots 1 and 2 are located in the Borough's Town Center (TC) Zoning District; and

WHEREAS, the Plan proposes no new development, however additional right-of-way for School and Pineapple Streets will be offered for dedication; and

WHEREAS, the Developer requests certain waivers of the SALDO as more particularly described herein; and

WHEREAS, the Plan was reviewed by the Borough's Planning Commission at a public meeting on August 15, 2018, at which time the Commission recommended conditional approval of the Plan and approval and conditional approval of certain waivers and deferrals; and

WHEREAS, Council reviewed the Plan at a regularly scheduled, public meeting on September 4, 2018; and

WHEREAS, the purpose of this Resolution is to formally record the decision of the Council with respect to the Plan in accordance with the applicable provisions of the Municipalities Planning Code, as amended, the Zoning Ordinance, the SALDO and the other Ordinances and Resolutions of the Township relating to land development.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Borough Council of the Borough of Catasaqua, Lehigh County, Pennsylvania as follows:

1. The Plan is conditionally approved.

2. Developer shall comply with the following conditions of Plan approval:

a. Satisfaction of Review Comments 1 (relating to plan notes concerning waivers and deferrals) and 2 through 4, all as set forth in The Pidcock Company review letter, dated August 7, 2018, a true and correct copy of which is attached hereto as **Exhibit A** and incorporated herein by reference;

b. Dedication of additional right-of-way along School and Pineapple Streets, subject to the review and approval of the Borough Engineer and Solicitor;

c. Recording of revised deeds for Lots 1 and 2 immediately following recording of the Record Plan, which deeds shall reflect not only the lot line adjustment but the dedication of right-of-way as well; and

d. Payment by Developer of all consultant review fees incurred by the Borough in connection with review of the Plan.

3. The following SALDO deferrals, as set forth in a letter from LEA, dated July 2, 2018, attached hereto as **Exhibit B** are approved as follows

a. Section 235-14.D, requiring installation of curbs along streets abutting Lots 1 and 2, is deferred until such time as the Borough shall notify the owners of such Lots of the necessity of installing the same;

b. Section 235-14.E, requiring installation of sidewalks along streets abutting Lots 1 and 2, is deferred until such time as the Borough shall notify the owners of such Lots of the necessity of installing the same; and

c. Section 235-14.F, requiring installation of street trees along streets abutting Lots 1 and 2, is deferred until such time as the Borough shall notify the owners of such Lots of the necessity of installing the same.

4. The following SALDO deferral, as requested in **Exhibit B**, is denied as follows:

Section 235-14.H, requiring installation of monuments is denied. Developer shall install monuments in connection with the dedication of right-of-way for School and Pineapple Streets, with the requirements for all other monuments being waived.

5. The following SALDO waivers, as requested in **Exhibit B**, are granted:

a. Section 235-22.B(1)(k), requiring that certain existing conditions be depicted on the Plan, is waived subject to the condition that Developer shall depict and identify utility services and applicable easements; and

b. Section 235-22.B(2)(f), requiring contour mapping and datum information.

6. Approval of the Plan is further conditioned upon the Developer exercising good faith to timely secure all outside agency approvals, if any; timely fulfilling all conditions of Plan approval as set forth in this Resolution and timely recording the Plan in accordance with Section 513 of the MPC.

7. This Resolution is conditioned upon receipt by the Developer of all, necessary outside agency approvals. If in the sole opinion of the Borough, any such approval results in a material modification of the Plan, as approved herein, the Borough may require the filing, review and approval of an amended plan.

8. The conditions of Plan approval have been made known to the Developer, and the same are contingent expressly upon Developer's affirmative, written acceptance of said conditions on a form prescribed by the Borough. Said form is to be executed by the Developer and Rock Hill Materials Co., as an interested landowner, and returned in such a manner as to be received by the Borough on or before the close of business on September 17, 2018. If an unconditional acceptance of the conditions of approval is not received as set forth herein, the application for approval shall be deemed DENIED based upon Developer's failure to fulfill the said conditions or agree thereto.

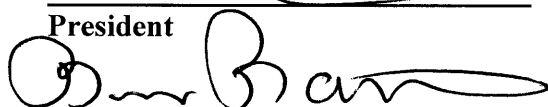
9. The foregoing Administrative History is incorporated herein by reference.

ADOPTED, this 4th day of September, 2018, by the Borough Council of the Borough of Catasauqua, Lehigh County, Pennsylvania, in lawful session duly assembled.

**BOROUGH OF CATASAUQUA
BOROUGH COUNCIL**



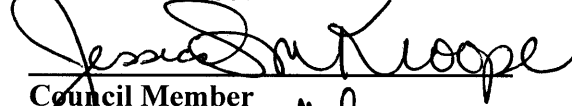
President



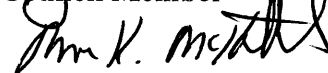
Council Member



Council Member



Council Member



Council Member

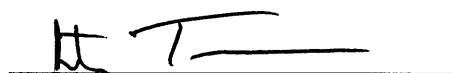


Council Member



Council Member

ATTEST:



Secretary