

RESOLUTION NO. 11-2023-1795

**BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY,
LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL
LAND DEVELOPMENT PLAN AT 1525 E. SUSQUEHANNA STREET,
SALISBURY TOWNSHIP, PENNSYLVANIA**

WHEREAS, on or about July 12, 2022, Erika Perez-Lopez (the "Developer") submitted a Land Development Preliminary/Final Plan (the "Plan") for modification of an existing auto repair shop to a hair and nail salon with one (1) residential unit on an existing 0.83 acre tract of land currently known as 1525 E. Susquehanna Street (the "Subject Property"); and

WHEREAS, on or about November 30, 2022, the Planning Commission of Salisbury Township (the "Planning Commission") reviewed the proposed plan, along with a request for various waivers submitted by the Developer's Engineer dated October 26, 2022; and

WHEREAS, Developer has received and had the opportunity to review the letters of review from the Township Engineer and the Planning and Zoning Officer; and

WHEREAS, on or about November 30, 2022, the Plan was recommended by the Planning Commission to the Board of Commissioners for approval, subject to certain conditions as hereinafter stated:

1. The Developer shall comply with the review comments set forth in the letter from the Township Engineer dated November 22, 2022 and the comments from the Planning and Zoning Officer set forth in the letter dated November 23, 2022.

2. The Developer is hereby granted waivers from the following sections of the Subdivision and Land Development Ordinance of Salisbury Township (the "SALDO"), as follows:

a. SALDO Section 22-302.1.C to permit a combined application for a Preliminary/Final Plan; and

b. SALDO Section 22-1004.4.A to show the required cartway width for Susquehanna Street, there are no site improvements within the Susquehanna Street right-of-way; and

c. SALDO Section 22-1011.2 requiring driveway offsets with a minimum of One Hundred Fifty Feet (150') from any intersection due to the fact that the driveway already exists in its current location; and

d. SALDO Section 22-1011.9.B(1) requiring that driveway entrances for all non-residential subdivisions be rounded at a minimum radius of twenty-five feet (25'). The Plan proposes a ten-foot (10') driveway and said waiver is granted as proposed by the Plan; and

e. SALDO Section 22-1016 regarding planting of shade trees due to the fact that the required shade trees would be within the right of way. Developer shall plant three (3) shade trees within the right of way along Susquehanna Street, and two (2) shade trees on the interior of the Subject Property, due to the existence of an Easement from PPL.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania that the Preliminary/Final Land Development Plan for the Subject Property is hereby APPROVED, subject to the above-referenced conditions.

Subdivision and Land Development Ordinance Section 22-901.1 requires the approved plans be recorded in the Recorder of Lehigh County within ninety (90) days of the approved date. An extension of the ninety (90) day recording period may be granted by the Board of Commissioners following a written request from the Developer for an extension which sets forth the reasons for the request and the specific requested time for the extension from the last. Failure to record the plan or to be granted an extension within the ninety (90) day period will result in the previously granted approval becoming null and void.

The conditions of approval have been made known to the Developer and final approval is deemed expressly contingent upon Developer's affirmative written acceptance of these conditions of approval on a form prescribed by the Township of Salisbury within twenty (20) days of the date hereof.

In the event that the statutory review period for this Preliminary/Final land development plan, as set forth in the Pennsylvania Municipalities Planning Code and the SALDO, should expire prior to the end of the twenty (20) day response period, the Developer's written acceptance of conditions shall be tendered prior to the expiration of this Resolution. The response period shall be deemed to expire on December 11, 2023. The statutory review period expires on November 28, 2023. The vote to conditionally approve the Plan occurred on November 21, 2023.

In addition, Developer shall be responsible for all reasonable costs incurred by the Township, including all reasonable legal and engineering fees incurred by the Township in conjunction with the approval of the Plan.

APPROVED AND ADOPTED this 21st day of November, 2023 by the Board of Commissioners of Salisbury Township at a regular public meeting.

**TOWNSHIP OF SALISBURY
(LEHIGH COUNTY, PENNSYLVANIA)**

By: Debra J. Brinton
Debra J. Brinton
President, Board of Commissioners

ATTEST:

Cathy Bonaskiewich
Cathy Bonaskiewich
Township Secretary