

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

A RESOLUTION OF MUNICIPAL COUNCIL)
OF THE MUNICIPALITY OF MONROEVILLE)
APPROVING CONDITIONAL USE 01-14-C OF)
#1 COCHRAN AUTOMOTIVE/COCHRAN R.E.,)
L.P., CONCERNING PROPERTY LOCATED)
ON ROUTE 22/WILLIAM PENN HIGHWAY)

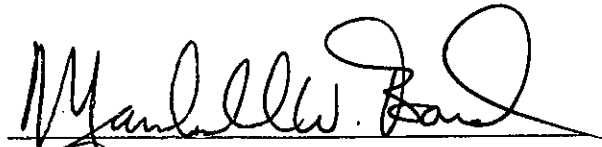
RESOLUTION NO. 01-80


AND NOW, on October 9, 2001, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:

That Conditional Use Application No. 01-14-C of #1 COCHRAN AUTOMOTIVE/COCHRAN R.E., L.P., concerning property located on Route 22/William Penn Highway, for approval for a Major Excavation, allowing 269,759 cubic yards of earth to be moved for site preparation for a Vehicle Sales Room, Vehicle Sales Area, Vehicle Service Area and Restaurant, with a total property area equaling 29.27 acres, is "APPROVED" this date subject to conditions attached hereto as Addendum A.

ATTEST:

MUNICIPALITY OF MONROEVILLE


Marshall W. Bond
Municipal Manager


Abe J. Comunale
Mayor

ENTERED INTO LEGAL BOOK ON: October 19, 2001

ADDENDUM A TO RESOLUTION NO. 01-80
Concerning File No. 01-14-C

The approval of the aforementioned Conditional Use, No. 01-14-C, is subject to the following conditions:

1. Compliance with all applicable Municipal Codes, Ordinances, Resolutions, Policies and procedures, in general, and with Ordinance No. 1443, as amended, in particular.
2. Site Plan approval shall not be official until and unless the Site Plan, as approved by Council and including all conditions of approval by Municipal Council, is filed with the Zoning Officer within ninety (90) days of action by Council.
3. Submission of a Performance Guarantee Improvement Bond in an amount of 100 percent of the cost of grading and erosion control required by Section 508 of Ordinance No. 1535, as amended, as estimated by the Municipal Engineer, and in a form acceptable to the Municipal Solicitor.
4. Applicant agrees to comply with Resolution 00-30, the Monroeville Developer's Agreement, executing said agreement prior to the commencement of any work on the site, or the issuance of a Land Disturbance Permit, Building Permit or Zoning Permit.
5. Applicant agrees to construct sidewalks on Route 22/ William Penn Highway, complying with Ordinance 1016, concerning sidewalk construction and regulations, and as located and approved by the Pennsylvania Department of Transportation.
6. Applicant agrees that no work can commence on the site, no Building Permit or Land Disturbance Permit will be issued, until a Temporary Highway Occupancy Permit is authorized by the Pennsylvania Department of Transportation.
7. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued, until a Highway Occupancy Permit is received from the Pennsylvania Department of Transportation.
8. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued, until a Traffic Signal Permit is received from the Pennsylvania Department of Transportation.
9. Applicant agrees that no Zoning Occupancy Permit or Building Occupancy Permit will be issued or any authorization to use the buildings or property until all highway improvements and traffic signal improvements are constructed and installed as approved by the Municipality of Monroeville and the Pennsylvania Department of Transportation.

ADDENDUM A TO RESOLUTION NO. 01-80
Concerning File No. 01-14-C
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- 10. Applicant agrees to secure a Highway Occupancy Permit from Pennsylvania Department of Transportation for the replacement of the 42-inch culvert, beneath Route 22/ William Penn Highway, prior to the commencement of work on that construction work.
- 11. Applicant agrees that no transportation of earth and other cut material can occur during the AM and PM Traffic Peak Periods of Route 22/ William Penn Highway, specifically no roadway activity prior to 9:00 AM nor between the hours 4:00 PM to 7:00 PM, daily.
- 12. Applicant agrees to secure a Building Permit as per Section 1825.0, Retaining Walls, of The BOCA National Building Code, 1996 for the retaining wall located on the north side of Route 22/ William Penn Highway.
- 13. Applicant agrees to secure a Building Permit as per Section 1825.0, Retaining Walls, of The BOCA National Building Code, 1996 for the three retaining walls located on the south side of Route 22/ William Penn Highway.
- 14. Applicant agrees to comply with the comments or any conditions established by the Municipal Engineer, including:
 - A complete design for the segmental retaining wall shall be prepared by a Registered Professional Engineer, and submitted to the Municipal Engineer for review and approval prior to the commencement of any work on the site.
 - A cut and fill design prepared by a Registered Professional Engineer, that will address existing subsurface conditions of the site, specifications for completing and monitoring the proposed cut and fill activities, specifications for completing and monitoring the stability of the existing and proposed slopes, and an inventory of the kinds of fill materials proposed to be imported to the site. Authorization for the issuance of a Land Disturbance Permit shall not occur for the site until the design is reviewed and approved by the Municipal Engineer.
 - A Geotechnical Engineer shall be on site to monitor all cut and fill activities work performed on the site. Weekly reports shall be submitted to the Department of Community Development. That Geotechnical Engineer shall provide the Municipality of Monroeville with a final certification and acceptances of all fill work performed on the site upon completion of the project. The certification shall address the stability on the site and the placement and compaction of the fill material.

ADDENDUM A TO RESOLUTION NO. 01-80

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- 15. Applicant agrees to secure all necessary permits from the Department of Environmental Resources for encroachment in the wetlands. No Land Disturbance Permit shall be issued until a copy of the permit is submitted to the Department of Community Development, Municipality of Monroeville.

- 16. Applicant agrees that an Erosion and Sedimentation Control Plan must be submitted to and approved by the Allegheny Conservation District prior to the commencement of any work on the site and the issuance of the Zoning Permit or Land Disturbance Permit.

- 17. Applicant agrees to clearly delineate areas of disturbance on properties located on the north and south sides of Route 22/ William Penn Highway, demarcating undisturbed areas, and the limits of grading and tree removal. A Municipal Inspector shall be on the premises during all land disturbance activities and the Applicant agrees to reimburse the Municipality of Monroeville for those inspection costs.

- 18. Compliance with the Fire Official's requirements.