

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE


A RESOLUTION OF MUNICIPAL COUNCIL)
 OF THE MUNICIPALITY OF MONROEVILLE)
 APPROVING CONDITIONAL USE NO. 02-3-C) RESOLUTION NO. 02-33
 OF LEVIN FURNITURE/HOLIDAY MERCURY)
 SALES, CONCERNING PROPERTY LOCATED)
 ON OLD WILLIAM PENN HIGHWAY)

AND NOW, on March 12, 2002, it is RESOLVED by Municipal Council of the Municipality of Monroeville as follows:


That Conditional Use Application No. 02-3-C of LEVIN FURNITURE/HOLIDAY MERCURY SALES, concerning property located on Old William Penn Highway, approximately eight-hundred (800) feet east of its intersection with Elliott Road, for a Major Excavation placing approximately 280,134 cubic yards of fill from an adjoining property, for a total property area equaling 6.42 acres, is "APPROVED" this date subject to conditions attached hereto as Addendum A.

ATTEST:

MUNICIPALITY OF MONROEVILLE



 Marshall W. Bond
 Municipal Manager



 James J. Lomeo
 Mayor

ENTERED INTO LEGAL BOOK ON: March 22, 2002

ADDENDUM A TO RESOLUTION NO. 02-33**Concerning File No. 02-3-C**

The approval of the aforementioned Conditional Use, No. 02-3-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 the requirements of Ordinance No. 1016, concerning sidewalk construction and regulations, as located and approved by the Municipal Engineer.
5. Applicant agrees that after approval of the Conditional Use by Monroeville Council, and prior to the issuance of any Grading Permit or Building Permit, all drawings in the application submission shall be submitted to the Department of Community Development in a digital format, preferably AutoCad Version 14, and if not available, a DXF format is acceptable. No work shall be authorized to commence until this information is submitted.
6. 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.
7. Applicant agrees to have 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.

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Concerning File No. 02-3-C
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- 8. Applicant agrees that 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.
- 9. 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.
- 10. Applicant agrees that no work can commence on the site, either grubbing or any grading activity, until a variance has been granted for the Off-Street Parking Requirements of the Monroeville Zoning Ordinance, 1443, as amended.
- 11. Applicant agrees to maintain a vegetative cover on the unused portions of the site per the Erosion and Sedimentation Control Plan section entitled "Contractor's Maintenance Procedure", and to further restore the property by planting trees and shrubs