

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING  
MINUTES  
September 23, 2020

**CALL TO ORDER:**

Bruce Steigerwalt called the meeting to order at 6:00 PM at the Mahoning Township Building (Public Works Building), 2685 Mahoning Drive East, Lehigh, PA 18235

**PRESENT:**

Bruce Steigerwalt, Chairman; Myron Blahy, Supervisor; David Pollock, Supervisor; Brian Reeser, Supervisor; Thomas Nanovic, Solicitor; Peter Eisenbrown, Engineer and Natalie D. Haggerty, Secretary-Treasurer

**ABSENT:**

Robert Slaw, Vice Chairman

**PUBLIC COMMENT:**

None

**APPROVAL OF MINUTES:**

**MOTION**

David Pollock made a motion to approve the Minutes of the September 9, 2020 Board of Supervisors Meeting. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

**NEW BUSINESS:**

**Summit Ridge and Sage Meadows** (Richard Strauss) Introduced BP Development, Bruce Perissi President. They are looking to sell lot home packages and finish the infrastructure. Requesting for a little relief from the township for the lack of one signature. Attorney on behalf of BP Development addressed the board. The multi parti agreement is one concern, these people are not affected at all, want to get the infrastructure in and its impossible by the expiration of the letter of credit. We would need two years. One major issue is the provision in the agreement that says we cannot sell until the required improvements are installed. We must be able to sell. There is Phase 1 plan with a conditional approval in which the conditions have not all been met. There is no phase two approval. We were negotiating an agreement with the bank that has never been signed. Tom will locate his last rendition and email it to their attorney. The plan was approved as a single 65-70 lot plan and then phased into two phases. Thirteen people bought lots as a single plan. There should be a new development agreement with a new letter of agreement. Only purchasing phase one at this point. Phase two (residue) will be held by bank.

**LVH Mahoning Township Municipal Authority Preliminary Plan Major Subdivision and Lot Consolidation**

**MOTION**

Bruce Steigerwalt made a motion to grant LVH Mahoning Township Municipal Authority Final plan major subdivision and lot consolidation conditional final plan approval. Conditions being:

- A letter from the Mahoning Township Municipal Authority that their comments are incorporated and that we also adjoin the pump station plan as sheet two of the subdivision (not to be recorded).

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- Note the approval of the conditional use and date
- Note variances on final plan
- Mylar
- Conditions of LTL review letter dated September 14, 2020:

CONFORMANCE WITH THE ZONING ORDINANCE

1. The plan now notes that the ‘public use’ of the resulting parcel is for a pump station would require a Conditional Use, as per Section 116-42-B.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE

1. Sections 99-27.B(1)(d) and 99-27.B.(2)(b). The plan must contain the seal/signature of the design professional along with the notarized signatures of both record owners involved in the project.

Seconded by Myron Blahy. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

**LVH Final Land Development Plan (8/3/20)**

**MOTION**

Bruce Steigerwalt made a motion to grant conditional final plan approval for the LVH Final Land Development Plan Carbon Campus conditioned upon:

- The items listed in LTL Consultants two letters dated September 15, 2020  
**LVH – Carbon Campus** Preliminary *Land Development Plan Compliance Review Conditional Preliminary Approval 2<sup>nd</sup> Review*

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. Section 99-19. The developer must provide information from the Lehighon Borough Water Authority regarding the public water supply to the project, which will entail the extension of the existing water main.

The design engineer has provided copies of plans and correspondence with the Water Authority. We are not aware that final approval has been provided.

2. Section 99-20. The developer must provide information from the Mahoning Township Municipal Authority regarding the connection to public sewer. We note that this entails extension of a sewer main, regional pump station upgrades, etc.

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The design engineer has provided copies of plans and correspondence with the Municipal Authority. We are not aware that final approval has been provided.

3. Section 99-24. Installation of required improvements. The developer should indicate if they plan to complete construction of the required improvements prior to final plan approval or if they plan to provide financial security for same to obtain final plan approval.

We understand that the applicant will likely commence with earth moving once all design work is complete and NPDES approval has been granted.

STORMWATER

1. Section 99-10.F.(2).(g).[1] –Regarding drainage easements that are provided on the plans: *Comments addressed.*
2. Section 99-10.F.(2).(h).[4] – This section requires that drainage structures that are to be located within state highway right-of-way areas shall be approved by PennDOT. A PennDOT HOP approval shall be provided for the proposed stormwater facilities located within the S.R. 0443 right-of-way area.

The applicant is working with PennDOT on the design.

3. Section 99-10.F.(2).(h).[7] – This section requires all pipes must meet PennDOT specifications. Specify on Sheet DET1 a stone material for the pipe bedding and initial backfill which complies with Class I, Class II or Class III. *Comment addressed.*
4. Section 99-10.F.(7).(c) – This section requires a plan for erosion and sediment control shall be prepared and submitted to the Carbon County Conservation District. A copy of the PADEP NPDES permit approval shall be provided to the Township. The applicant is working on finalizing the design and obtaining NPDES approval.
5. Appendix I - Section C.(1) – This section requires all calculations are subject to approval by the Township. The following general stormwater review comments are provided:

*Comments addressed, except as noted below.*

- (a) For the constructed filter detail:
  - Label and dimension all 3 proposed ‘layers’ of the filter.
  - Provide detail [composition breakdown] of the proposed top layer of “planting soil”.

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- Provide information on the 'lifespan' of the filter, and potential need for replacement of same. To reduce clogging and provide easy capture of debris and solids, the designer may want to consider adding snouts on the last inlet of each pipe run, into each basin.

The designer's response indicates that the final design for this aspect of basin construction is in process.

6. Given the layout, we would recommend that a blanket easement be offered to the Township for access to the stormwater facilities, should the need arise for same.

The designer's response indicates that the applicant and Township will be discussing this item.

7. For the typical Anchoring System detail on Sheet DET1;  
*Comments addressed.*
8. Provide a construction detail for a storm manhole lid with an open grate, that are being used on the manholes for the steep slope pipe run areas.  
*Comment addressed.*

GENERAL

1. The comments from the County Planning Agency should be addressed.  
*Comment addressed.*
2. Regarding PennDOT related aspects of the project:
  - a) The applicant will need to seek and obtain many PennDOT permits, for items such as roadway improvements, utility extensions, driveway access points, temporary construction access, etc.
  - b) The project will entail the installation of a new traffic signal at the easternmost entrance point. It is our understanding that the developer will be asking the Township to take over ownership and maintenance responsibilities for same. Ultimately the Township and developer will need to reach an agreement regarding the signal, that will include posting of financial security.
  - c) As the project will entail the installation of new storm sewer facilities in S.R. 0443, PennDOT will typically look for the Township to take responsibility for maintenance of same. As the Township will not want to take on additional maintenance, the applicant will need to provide same. Ultimately the Township and developer will need to reach an agreement regarding the stormwater facilities, that will include posting of financial security.

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- d) To the extent that PennDOT will require the Township to maintain proposed features beyond the signal and stormwater, such as pavement markings and signage, the Township will look to the developer to maintain same. Ultimately the Township and developer will need to reach an agreement regarding these items, that will include posting of financial security.

For all the above items, the designer's response indicates that they are working on design issues with PennDOT, and that they will be working with the Township on various agreements that will be required.

3. We suggest that the designer consult with the Building Code Official to review the ADA parking information provided on the plans, in terms of location, quantity, sizes, grades, etc. to ensure same is accurately represented in the design stage.

*Comment addressed.*

4. Related to the fire/safety related aspects of this project:

- a) Review and written input from the local Fire Marshall should be provided on items included and not limited to the following:

- Hydrant spacing
- Hydrant locations
  1. We note that the one hydrant, located along S.R. 0443, appears located to negatively impact traffic entering the site if a fire truck is staged at this hydrant.
- Fire Lanes around the facility and any required pavement marking and/or signage
- Hydrant details
- Site circulation
- Standpipe connections/locations
- Backup fire flow staging and logistics

*Comment addressed.*

- a) Input from the Building Code Official should be provided regarding fire flow requirements for the proposed buildings.

The designer's response indicates that the project architect has been in contact with the Building Code Official.

5. To construct the various improvements for this project, the plans reflect both temporary and permanent construction items on lands other than the subject lot [Lot 1], including the following:

- a. Lot 2 – of the proposed 2 lot subdivision, as though it is in the same ownership at the present time, this lot could be sold to a different entity at any time.
- b. Lands of the Beck Family Trust [on the southern side of S.R. 0443] on four different tracts.

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- c. Lands of Mahoning Township Municipal Authority [on the southern side of S.R. 0443] on two different tracts.

The developer will need to provide evidence of the appropriate temporary and/or permanent easements and/or right of way acquisitions for same as the plans move forward.

The designer's response indicates that the applicant will provide the necessary agreements.

2. Regarding various construction aspects:

- a) In several locations, proposed storm pipe installation will require the placement of significant fill [variable up to 25' in depth] beneath the pipe. The plan must provide information regarding the fill material types, compaction efforts, etc. to ensure the integrity of the utility. We note this occurs in at least 2 locations – for the pipe run between MX01-3 to M01-20 and CB 2-13 to CB 2-14.

- b) In many areas, related to the site work aspects of the project, specialized inspections will be required for this project. This primarily includes the inspection and testing of fill for utility placement, building pads, stormwater facility berms, etc. The Township and developer should discuss this aspect of the project and notation be added to the plan regarding same. Compaction requirements related to the building pads should be coordinated and specifically discussed with the Building Code official.

*Comment addressed. We note that the cost estimate will need to contain a line item for geotechnical inspection.*

- c) The Cover sheet should indicate the plan sheets that will be recorded. It is unclear why the table lists that Sheets ESC1 and ESC2 are not to be recorded.

*Comment addressed.*

The preliminary conditional approval from the Board indicates that all items must be addressed prior to the start of construction.

**LVH – Carbon Campus Final *Land Development Plan 2<sup>nd</sup>* LTL Plan Review**

CONFORMANCE WITH THE ZONING ORDINANCE

1. All zoning items were addressed at the Preliminary Plan stage.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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- 1) Section 99-10.F.(2).(h).[4]. This section requires that drainage structures that are to be located within state highway right-of-way areas shall be approved by PennDOT. A PennDOT HOP approval shall be provided for the proposed stormwater facilities located within the S.R. 0443 right-of-way area.
- 2) Section 99-19. The designer has provided copies of information with Lehighton Borough Water Authority regarding the public water supply to the project, which will entail the extension of the existing water main. We are not aware that final approval has been provided.
- 3) Section 99-20. The designer has provided copies of information from the Mahoning Township Municipal Authority regarding the connection to public sewer. We note that this entails extension of a sewer main, regional pump station upgrades, etc. We are not aware that final approval has been provided.
- 4) Section 99-24. Installation of required improvements. The developer should indicate if they plan to complete construction of the required improvements prior to final plan approval or if they plan to provide financial security for same to obtain final plan approval. In addition, the cost estimate will need to include a line item for special inspections related to the geotechnical services that will be required.
- 5) Section 99-27.B(2)(f). The appropriate planning module approval from DEP shall be provided.

STORMWATER

Appendix I - Section C.(1) – This section requires all calculations are subject to approval by the Township. For the constructed filter detail, once the design is finalized, the following must be provided:

- Label and dimension all 3 proposed ‘layers’ of the filter.
- *Provide detail [composition breakdown] of the proposed top layer of “planting soil”.*
- Provide information on the ‘lifespan’ of the filter, and potential need for replacement of same. To reduce clogging and provide easy capture of debris and solids, the designer may want to consider adding snouts on the last inlet of each pipe run, into each basin.

GENERAL

- 1) Regarding PennDOT related aspects of the project:
  - i. The applicant will need to seek and obtain many PennDOT permits, for items such as roadway improvements, utility extensions, driveway access points, temporary construction access, etc.
  - ii. The project will entail the installation of a new traffic signal at the westernmost entrance point. It is our understanding that the developer will be asking the Township to take over ownership and maintenance responsibilities for same. Ultimately the Township and developer will need to reach an agreement regarding the signal, that will include posting of financial security.

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- iii. As the project will entail the installation of new storm sewer facilities in S.R. 0443, PennDOT will typically look for the Township to take responsibility for maintenance of same. As the Township will not want to take on additional maintenance, the applicant will need to provide same. Ultimately the Township and developer will need to reach an agreement regarding the stormwater facilities, that will include posting of financial security.
- iv. To the extent that PennDOT will require the Township to maintain proposed features beyond the signal and stormwater, such as pavement markings and signage, the Township will look to the developer to maintain same. Ultimately the Township and developer will need to reach an agreement regarding these items, that will include posting of financial security.

Based upon a zoom meeting we attended on August 14, 2020, the designer is working with PennDOT and finalizing various design elements. The status and timing for issuance of any of the numerous permits that are involved is unclear

- 2) To construct the various improvements for this project, the plans reflect both temporary and permanent construction items on lands other than the subject lot [Lot 1], including the following:
  - a. Lot 2 – of the proposed 2 lot subdivision, as though it is in the same ownership at the present time, this lot could be sold to a different entity at any time.
  - b. Lands of the Beck Family Trust [on the southern side of S.R. 0443] on four different tracts.
  - c. Lands of Mahoning Township Municipal Authority [on the southern side of S.R. 0443] on two different tracts.

The developer will need to provide evidence of the appropriate temporary and/or permanent easements and/or right-of-way acquisitions for same as the plans move forward.

- FAA Aviation and PennDOT Aviation Permits
- Mylar

Seconded by David Pollock. Bruce Steigerwalt, yes David Pollock, yes; Myron Blahy, yes and Brian Reeser, yes 4-0 vote. Motion carried.



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**Budget Workshops**

**MOTION**

Myron Blahy made a motion to advertise budget workshops for October 29<sup>th</sup>, November 5<sup>th</sup>, November 12<sup>th</sup>, and November 19<sup>th</sup>, 2020 @ 6:00PM. Seconded by Brian Reeser. Bruce Steigerwalt, yes David Pollock, yes; Myron Blahy, yes and Brian Reeser, yes 4-0 vote. Motion carried.

**Motion to advertise the sale of police car on Municibid**

**MOTION**

David Pollock made a motion to advertise to sell Car #31 on Municibid. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

**OLD BUSINESS:**

**American Tower: TABLE**

David Pollock questioned if the right of way that is current an easement for utilities or the way to get into the tower or a right of way? Response: The way to get in to the tower. Bruce Steigerwalt asked if all are agreeable to the prepared agreement. All in agreement, Tom will prepare for next meeting.

**Lynwood Estates: TABLE**

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**CORRESPONDENCE:**

David Pollock made a motion to accept and place on file the correspondence dated September 23, 2020. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes 4-0 vote. Motion carried.

\*\*\*CARBON COUNTY PLANNING COMMISSION, IVAN O MEIXELL, JR. PLANNER  
RE: SUBDIVISION REVIEW, MINOR SUBDIVISION – SCOTT H NEEB

\*\*\*NANOVIC LAW OFFICES, THOMAS NANOVIC  
RE: SUMMIT RIDGE DEVELOPMENT PERMISSION TO COMMUNICATE WITH  
PROPERTY OWNERS

\*\*\*PA DEPT OF TRANSPORTATION, JOHN G MELVILLE, AVIATION SPECIALIST  
AND LICENSING SUPERVISOR  
RE: PROPOSED LEHIGH VALLEY HOSPITAL – CARBON HELIPORT INSPECTION

\*\*\*DAWN CHRISTMORE  
RE: AMERICAN TOWER/FIRST AMENDMENT TO LEASE REVISED DOCUMENTS

\*\*\*ZION EVANGELICAL LUTHERAN CHURCH, CONNIE FLEXER, SECRETARY  
RE: PARKING LOT CONCERNS  
Bruce and David will go out and look at.

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\*\*\*CARL FAUST, ZONING OFFICER  
RE: COPY OF VIOLATION LETTERS SENT

\*\*\*PLANNING NUTS AND BOLTS, GROWING A STRONGER CARBON COUNTY  
RE: TWO DAY WEBINAR

\*\*\*NANOVIC LAW OFFICES, THOMAS NANOVIC  
RE: AMERICAN TOWER, FIRST AMENDMENT

\*\*\*LTL CONSULTANTS LTD, PETER EISENBROWN  
RE: SUMMIT RIDGE PHASE 1 FINAL PLAN 3<sup>RD</sup> LTL PLAN REVIEW AND COST  
ESTIMATE

\*\*\*LEHIGHTON WATER AUTHORITY  
RE: COPY OF LETTER SENT TO NATE OILER, PE. REGARDING AVAILABILITY OF  
WATER SERVICE TO SITE

\*\*\*COPY OF SITE PLAN PACKERTON LNG STATION  
Bruce will contact Carl Faust to see what they are doing, whose doing it and do they need  
permits.

**COMMITTEE REPORTS:**

**POLICE:** Nothing to report. Audie is currently doing background checks on applicants

**ROAD:** David Pollock shared the road department needs \$7000 for Breezewood. Advised to  
use the millings if he can get them.

**OFFICIALS:**

Tom Nanovic: Shared the written decision for MTMA conditional use hearing, it is prepared and  
ready for action.

**MOTION**

David Pollock made a motion to approve the MTMA conditional use written decision. Seconded  
by Brian Reeser. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes and Brian  
Reeser. 4-0 vote Motion carried.

I shared the LVH security agreement, please let me know your thoughts.

I prepared the ordinance amendment to the police pension. Please review.

Bruce Steigerwalt: I attended the COG meeting and question of use of the sweeper by Beaver  
Meadows and not being notified for invoicing also question of insurance. Discussed the Census  
and importance.

**ADJOURNMENT:**

**MOTION**

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David Pollock made a motion to adjourn the meeting at 8:06 PM. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Myron Blahy, yes; David Pollock, yes and David Pollock, yes 4-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty  
Secretary-Treasurer