

ATHENS TOWNSHIP SUPERVISORS

October 20, 2011 6:00 PM

Chairman Ronald Reagan called the meeting to order at 6:04 PM. Supervisors Maurice Fay, Cheryl Wood-Walter and Robin Smith were also present. Jack Walter was absent. Attorney John Thompson was also in attendance.

Chairman Reagan turned the meeting over to Attorney Thompson at 6:05 PM to conduct the **Chesapeake Appalachia LLC Barrett Water Withdrawal Conditional Use Amendment Hearing**. John explained that the purpose of the hearing was to act on their request to eliminate the fencing requirement along Route 199 at this site. They state that the fence would not meet the intent of the Supervisors. Dan Lopata, Josh Brown and Brian Davis were present for Chesapeake. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 6:30 PM for deliberation. The hearing reconvened at 6:35 PM. Attorney Thompson announced that the Supervisors will grant the request. Motion by Ron, second by Maurice to eliminate the fencing requirement along Route 199, with the roll call vote as follows: Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The hearing adjourned at 6:36 PM.

Chairman Reagan turned the meeting over to Attorney Thompson at 6:38 PM to conduct the **Glenn O. Hawbaker Water Withdrawal Facility Conditional Use Hearing**. They are requesting a water withdrawal facility for use by their business only. They have applied to SRBC for a 249,000 gallons-per-day. Attorney Matthew Brann and Carl Bankert were present for Hawbaker. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 6:53 PM for deliberation. The hearing reconvened at 6:58 PM. Attorney Thompson announced the Supervisors will grant the request with the condition that they secure all necessary Federal, State and local permits. Motion by Maurice, second by Robin to approve the Conditional Use with the stated condition, with the roll call vote as follows: Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The hearing adjourned at 6:59 PM.

Chairman Reagan turned the meeting over to Attorney Thompson at 7:07 PM to conduct the **Aqua Resources, Inc. Water Withdrawal Conditional Use Hearing**. This is proposed for the Skerpon property located on Riverside Drive. They have applied to the SRBC for a 999,999 gallons-per-day permit. They are requesting to use the facility 24 hours per day, 7 days per week. Attorney Joseph Landy and Andrew Silvanic were present for Aqua Resources, Inc. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 8:35 PM for deliberation. The hearing reconvened at 8:48 PM. Attorney Thompson announced the Supervisors will deny the Conditional Use request because 1) the use is not compatible with the residential nature of the neighborhood; 2) there would be an adverse affect on the neighborhood; 3) the use would create undue nuisance or serious hazard to vehicles or pedestrians; and 4) did not show that satisfactory provision and arrangement had been

Page Two  
Athens Township Supervisors  
October 20, 2011

made for ingress and egress to the property. Motion by Maurice, second by Cheryl to deny the Conditional Use request, with the roll call vote as follows: (yes to deny; no to approve) Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The applicant agreed to receive the written decision within 30 days. The hearing adjourned at 8:50 PM.

On motion of Maurice, second by Ron, it was unanimous to offer the “Planning to Manage Secondary Impacts of Natural Gas Development: Practical Steps Local Governments Can Take” class to anyone who is interested in going.

Robin presented a letter from PENNDOT in response to the Board’s request for engine brake retarder prohibition on SR 1056 from the Athens Borough line to the Litchfield Township line. PENNDOT will do a study. PENNDOT will also do an in-depth review of a portion of Wilawana Road in response to a letter from Mr. Lewis Corl.

Chairman Reagan took the Board into executive session at 9:10 PM for pending litigation. The regular meeting reconvened at 9:33 PM.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 9:34 PM.

Respectfully submitted,

Robin L. Smith  
Secretary