

**Waterford Township Supervisors
Conditional Use Hearing
June 1, 2022**

Chairman Senger called the hearing to order at 6:30 p.m., followed by the salute to the flag. Supervisors Kondzielski and Smith were in attendance as were Roadmaster Jerry Hanas, Sec'y/Treas Sharon Risjan, Zoning Officer Lindsay Ethridge, Planning Member Ron Eliason, Dale Blum, Larry Thompson and Derick Brown.

Chairman explained the application filed by Darren Smith for Conditional Use approval for "Mineral Excavation" pursuant to Table 201 of the Waterford Township Zoning Ordinance at a property identified by Erie County Tax ID Number (47)033-051.0-007.00, and more commonly known as 14234 Middleton Road, Waterford Township, Erie County, PA.

Chairman noted that this is in an A1 Conservation district and that Mr. Smith has secured a DEP non-coal operators license for his small mine.

Zoning Officer Lindsay Ethridge indicated there were four items that were needed to meet Waterford Township Zoning Ordinance's S.410. Mineral Excavation requirements:

1. All operations must be conducted no closer than three hundred (300) feet from an existing dwelling, park, school, hospital or other community or institutional building, and no closer than one hundred (100) feet to any road right-of-way, stream or cemetery. *Mr. Smith has 485' distance.*
2. All operations must be conducted no closer than one hundred (100) feet or fifty (50) feet while maintaining a 2 to 1 slope, from an adjacent property unless said property is under common lease or ownership. *Mr. Smith has 125' distance.*
3. The operator shall file with the Zoning Officer written proof that he has met all permit, registration and bonding requirements of applicable State laws and regulations. Written proof shall include copies of all pertinent documents (permits, etc.). *Mr. Smith has 60 days to produce final permits.*
4. The operator shall submit to the Board for approval a plan for the restoration of the area to be excavated, which shall include anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater intervals than five (5) feet, steps which will be taken to conserve the topsoil, and the location of future roads, drainage courses or other contemplated improvements. *(see attached)*

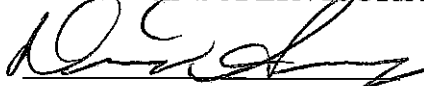
Public comment on this proposed Conditional Use –

1. Planning Commission member Ron Eliason advised that the Planning Board recommended approval with the stipulation that Mr. Smith secure the State permit.

The hearing was closed at 7:38 p.m.

Motion was made by Kondzielski, seconded by Senger, to approve this Conditional Use with the provision that within 90 days, Mr. Smith secure the State's required permit, and submits a copy to the Waterford Township Zoning Officer. Vote: 2/0

BOARD OF SUPERVISORS:


David Senger, Chairman


Flory Kondzielski, Supervisor

Darren Smith, Supervisor

ATTESTED:


Sharon Risjan, Secretary