

Special Meeting
Conditional Use
Cemex Construction Materials Atlantic, LLC
January 16, 2020

A special meeting of the Shenango Township Board of Supervisors was held on Thursday, January 16, 2020, at 6:00 p.m. at the Shenango Township Municipal Building, with Supervisors Frank Augustine, Albert Burick, III, and Brandon Rishel present.

The purpose of the hearing was to consider the application for Conditional Use submitted by Cemex Construction Materials Atlantic, LLC, for the development of a 593-acre underground limestone mine near East/Northeast of the intersection of Conner School Road and Chewton West Pittsburgh Road.

The hearing was called to order and opened with a salute to the flag.

Mr. Augustine announced the purpose of the hearing, then turned the hearing over to Hearing Officer Gary Jones.

Mr. Jones had the following exhibit marked at this time for administrative purposes:

Exhibit S1 - Notice of Public Hearing on the conditional use Application of Cemex Construction Materials Atlantic, LLC, published in the New Castle News on December 26, 2019 and January 2, 2020, and Affidavits of posting and photos

Mr. James Manolis, representing Cemex, made an opening statement.

Mr. Manolis marked the following exhibits at this time on behalf of Cemex:

Exhibit No. 1 - Application submitted by Cemex on December 5, 2019, along with all the exhibits

Exhibit No. 2 - Compilation of all deeds for the Conditional Use Application

Exhibit No. 3 - Affidavit from Mike F. Egan, Vice-President of Cemex, which shows Cemex owns the property

Mr. Manolis offered Exhibits No. 1, No. 2 and No. 3 into evidence, to which there was no objection by Mr. McConnell, and they were admitted into evidence.

The stenographer swore in each witness before they testified.

Mr. Manolis called the following witnesses on behalf of Cemex:

Mark Davies
Mark Phillian

Mr. Manolis marked the following exhibits at this time on behalf of Cemex:

Exhibit No. 4 - RAR illustration of room-and-pillar mining

Exhibit No. 5 - A letter from PennDOT dated October 30, 2019, and the application of Cemex dated September 23, which PennDOT approved

Exhibit No. 6 - Township Application for Conditional Use filed by Cemex

Exhibit No. 7 – RAR's response letter to Gateway's letter

Mr. Manolis offered Exhibits No. 4, No. 5, No. 6 and No. 7 into evidence, to which there was no objection by Mr. McConnell, and they were admitted into evidence.

A recess was taken from 7:20 p.m. to 7:33 p.m.

Mr. Manolis re-called Mark Davies as a witness.

Mr. Manolis said he had nothing further to present.

Public Comment:

Michael Ferraro, Jr.
Gary Mayberry
Tim Wells
Ruth Borio
Mike Presnar
Thomas Groves
Frank Ferrucci, Sr.
Norge Borio
Rick Strickler

Mr. McConnell called the following witness on behalf of Shenango Township:

Jonathan Garczewski

Mr. McConnell offered into evidence Township Exhibit No. 1, the January 10 report, to which there was no objection by Mr. Manolis, and it was admitted into evidence.

Motion by Mr. Burick second by Mr. Augustine to table a decision pending the decision of the Zoning Hearing Board. Motion carried.

Motion by Mr. Augustine second by Mr. Burick to adjourn.

Hearing adjourned at 8:45 p.m.