

MAHONING TOWNSHIP CONDITIONAL USE HEARING  
BEHAVIORAL HEALTH  
July 12, 2023

**CALL TO ORDER:**

Robert Slaw called the meeting to order at 5:30PM at the Mahoning Township Building 2685 Mahoning Drive East, Lehighton, PA 18235

**PRESENT:**

Robert Slaw, Chairman; Ronald Reeser, Supervisor; Deborah McGowan, Supervisor, Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer.

**ABSENT:**

Myron Blahy, Vice-Chairman

**CONDITIONAL USE HEARING:**

Behavioral Health seeks conditional use approval to use property located at 2466 Mahoning Drive East, Lehighton, 82ft long 60ft wide and 14ft high classroom building to be used as an educational facility. Owned by Behavioral Health and is partially zoned R-1 Agricultural-Rural and R-2 Low Density Residential pursuant to the township Zoning Ordinance. Pursuant to section 116.16.B and 116.24.A of the Zoning Ordinance appropriate public uses and essential services are permitted in the R-1 Agricultural-Rural and R-2 Low Density Residential as conditional uses; this has gone before the Planning Commission.

Attorney Nanovic introduced Township exhibits:

1. Application for Conditional Use
2. Legal notice that appeared in the Times News on both 6/22/23 & 6/29/23
3. An affidavit indicating the 5 property owners, was sent by 1<sup>st</sup> class mail notice of meeting.

For the record the only people in attendance at the hearing besides the Supervisors and Press, was the Applicant.

Dr. Scott Strausberger, was called as a witness and sworn in.

Background for Dr. Scott Strausberger; Director of Mahoning Valley Academy. The current building houses a program for students who are on the Autism Spectrum and the additional classroom space would allow us to service more students. The total number of students with the addition would be 101 students at maximum capacity. On average the building would house 85-90 students. This facility services local districts and also districts in several adjoining Counties. Part of Scotts history is creating programs that serve underserved populations.

The Zoning Ordinance question and concerns:

Are there any adjoining similar uses: Response: No

To your knowledge is there any adjoining zoning district in which the use is permitted: Response: Not to my knowledge.

Is there sufficient area to effectively screen the conditional use from adjacent different uses, are you planning to screen the building at all? Response: Not at this point

Do you know whether the above question is required by the Sub-Division Ordinance? Response: I do not know.

Will the use detract from permitted uses in the district? Response:

Did you explore any other sites in the Township before deciding on this building? Response: Yes

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Why was this area selected? Response: Because the presence is of specialized group of students that we serve and the specialized staffed that are needed is in the area, the space played a deciding factor, and also because of the services and therapy that the kids needed are already located within the structure that exists.

Is there sufficient parking? Response: YES

Are there any issues with traffic control? Response: No, many of the students come individually, usually specialized transportation and with only a few students at a time.

Do any students drive? Response: No, the students do not drive

Any potential adverse effects on any adjoining properties by this use? Response: No

The Board question and concerns:

How many districts do you service? Response: Technically HBA services 42 schools across 6 different counties. Specifically, this location services 17 school districts, give or take.

Regarding expansion over the next 10 years and the growing need, would you put up a more permanent structure or add modulars as needed? Response: The organization's future plan is to move services into other counties. According to our current plans there will be no additional expansion at this site.

Tom confirmed that current students have Autism along a certain spectrum and the students are not delinquent or adjudicated and asked if there was any issue granting approval conditional that no students will be put here by the court system. Response: The placement process is through the district and not the Court system.

Robert stated that the above discussion will be one of his conditions.

Scott replied that although he cannot guarantee the students won't ever have a run in with the law, historically any issues have been mostly because of a situation when a student who is on the autism spectrum would have a melt down and the police become involve.

Robert asked for assurance that this school will be kept primarily for autism rather than some other court ordered situation.

Scott stated they are very specific to the diagnostic criteria of students they accept.

Scott encourages, to ease any concerns, to come to the facility and see what goes on.

**MOTION**

Robert Slaw made a motion to grant Behavioral Health a conditional use dependent on the condition that students that attend this school are specific to Autism or likeminded individuals and not court appointed, juvenile delinquent or adjudicated and this will not become a juvenal detention school. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes and Deborah McGowan, yes. 3-0 vote. Motion carried.

**ADJOURNMENT:**

**MOTION**

Robert Slaw made a motion to adjourn the meeting 5:43PM. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; and Deborah McGowan, yes 3-0 vote. Motion carried.