Planning Commission
Schuylkill County
MINUTES – November 12, 2025

Commission Members Present: John Malinchok, Chairman; Bob Lettich, Secretary; Gary Bender; David Sattizahn; Jesse Fey; Mark Emerich

Commission Members Absent: Nicholas Boyle; David Briggs; Joseph Palubinsky

Press Attending: None

Guests: Chad Lello*; Steven Engelman*; Charles Yourshaw

Staff Attending: Susan Smith, Planning Director; Shelby Hostetter, Esq, Assistant County Solicitor

Reviewing Engineers: Lisa Mahall, P.E.; Bill Parulis, P.E.
*attended via ZOOM

The monthly meeting of the Schuylkill County Planning Commission was called to order by John Malinchok on Wednesday, November 12, 2025 at 6:00 PM. This meeting was held in person along with a virtual option using ZOOM.

Mr. Malinchok introduced Mr. Emerich who will be filling the unexpired term of Travis Smeltz. The Planning Commission members and staff then introduced themselves, and Mr. Emerich likewise offered his introductions.

CHANGES TO AGENDA

None

PUBLIC COMMENT

Ms. Smith informed the Planning Commission that two written Public Comments had been submitted.

1. Wayne and Donna Kurtz from 15 Wolfes Rd provided public comment on the CVE Kurtz Land Development Plan. By email that stated that they "are greatly concerned for the Kurtz Solar Business and the effects that might be created with the proximity of the gas pipeline. What kind of excavation and challenges will be involved in regards to disturbing the pipeline? Who is responsible if an event occurs? The pipeline is a stones throw if not under some of the property involved."

2. Amy Austra-Gerneth from Brandonville provided public comment on the Mar-Mel Subdivision (Act 247 Review) in East Union Township. By email she stated that "I'd like to make you aware of a questionable deed associated with the minor subdivision you are scheduled to review this evening. I will not be attending this evenings meeting but felt this information needed to be shared. The amended deed attached, as recorded with the register of deeds, shows spring water boulevard is owned by Mar Mel Industrial, not Spring water bottling company as represented on the map presented with these plans. I believe the amended deed was filed and recorded incorrectly by the courthouse. If this is accurate, I don't know how you can approve these plans under the current circumstances. Also, the owner of Mar Mel Industrial is Daniel Danchision. His wife is Wendy Danchision and she is an East Union township supervisor where this land development project falls. Mar Mel currently leases a portion of their property, formally known as the Brandonville fire company, to an unknown company. There have been numerous complaints about the condition of the property made to East Union code and zoning but due to the relationship, those complaints are ignored. If you drive by this property, you will see storage sheds stacked at least 2 high, no fence around the property and the building is completely sealed off from emergency service access due to the

storage containers. As a resident of Brandonville, Mar Mel's lack of regard to local code is concerning. Also, since there is a natural water course near the proposed subdivision, was a wetland study completed?"

APPROVAL OF MINUTES

The minutes of the regular Planning Commission meeting held on October 8, 2025 were approved by the Planning Commission.

MOTION: On the motion of Mr. Bender, seconded by Mr. Sattizahn, the Planning Commission unanimously approved the minutes of the October 8, 2025 Planning Commission Meeting.

SPECIAL ACTION ITEM(S)

None

EXTENSION REQUESTS

EXTENSION OF TIME FOR A PLANNING COMMISSION DECISION

MAJOR SUBDIVISON PRELIMINARY PLAN FOR DANIEL MCHUGH

Washington Township

MOTION: On the motion of Mr. Bender, seconded by Mr. Fey, the Planning Commission unanimously granted the Extension of Time Request until the January 2026 Planning Commission Meeting.

RONALD K & LUCINDA Z MARTIN POULTRY OPERATION LAND DEVELOPMENT PLAN

Barry Township

MOTION: On the motion of Mr. Fey, seconded by Mr. Lettich, the Planning Commission unanimously granted the Extension of Time Request until April 28, 2026.

EXTENSION OF TIME FOR A PLANNING COMMISSION CONDITIONAL APPROVAL

None

EXTENSION OF TIME EXPIRATION NOTIFICATION

None

CONSIDERATION OF FINANCIAL SECURITY RELEASE

None

COUNTY SUBDIVISION AND LAND DEVELOPMENT PLANS

Five plans were submitted to the Planning Commission.

62 BROWNS ROAD 2-LOT SUBDIVISON

Washington Township
33-13-0003.003

MOTION: On the motion of Mr. Lettich, seconded by Mr. Sattizahn, the Planning Commission unanimously granted Final Plan Approval.

MINOR SUBDIVISON LOT ANNEXATION PLAN CHARLIE M APANCO

Port Carbon Borough
59-04-0167.000
59-04-0170.000

MOTION: On the motion of Mr. Fey, seconded by Mr. Sattizahn, the Planning Commission unanimously granted Conditional Final Plan approval until February 12, 2026.

- A Deed of Annexation must be submitted to the County Planning Office for review and approval by the Schuylkill County Planning Commission's Solicitor prior to final plan approval (Section 404.D). All deeds must include specific language as required in Section 404.D. Examples of deeds can be found on the County Planning website under "Subdivision and Land Development". Please note that per County policy, the Planning Commission Solicitor is afforded at least one (1) week for review of submitted documents.

ANNEXATION FINAL SUBDIVISION PLAN BECKER ANNEXATION PLAN

Barry Township
01-15-0120.000
01-15-0123.000

MOTION: On the motion of Mr. Fey, seconded by Mr. Lettich, the Planning Commission unanimously granted Final Plan Approval.

RONALD K & LUCINDA Z MARTIN POULTRY OPERTATION LAND DEVELOPMENT PLAN

Barry Township
01-06-0060.000

MOTION: On the motion of Mr. Fey, seconded by Mr. Sattizahn, the Planning Commission unanimously agreed that the applicant would not be required to submit a Landscape Plan.

MOTION: On the motion of Mr. Fey, seconded by Mr. Lettich, the Planning Commission unanimously approved the following waiver requests:

- Requirement that the stormwater basin shall be located 50' from any structure (Section 1121.O.1.a). The Planning Commission granted a waiver of 10-feet.

- Requirement that the minimum grade of basin bottom shall be 2% for sheet flow and 1% for channel flow (Section 1121.O.9). The Planning Commission granted a waiver of a flat bottom to comply with the NPDES requirement.

CVE KURTZ SOLAR PROJECT FINAL LAND DEVELOPMENT PLAN

Washington Township
33-11-0001.003
33-11-0001.004

MOTION: On the motion of Mr. Lettich, seconded by Mr. Emerich, the Planning Commission granted Conditional Final Plan approval until February 12, 2026.

5 Yes Votes:	John Malinchok; Bob Lettich; David Sattizahn; Jesse Fey; Mark Emerich
1 No Vote:	Gary Bender

- The Final Land Development Plan to be recorded must include all plan sheets of the Erosion and Sediment Control Plan and Post Construction Stormwater Management (PCSM) Plan. (Sections 802.C, 804.H, 1121)
- All plan sheets shall be consecutively numbered from Sheet 1 through the full set of plan sheets. (Sections 802.C, 804.H)
- Limit of disturbance should be shown on Plan Sheets LD 200, 201, and 202. (Section 804.D)
- The easement for access and utilities proposed for parcel 003 crossing parcel 004 must be shown on the Final Plan and draft easement documents provided for review. (Section 804.G, 1117)
- A copy of the original NPDES permit shall be provided. (Section 804.H)
- The NPDES Permit Number, with issuance date and date of the amendment shall be noted on the plan cover sheet. (Section 804.H)
- A Washington Township Driveway Permit for the access to T-645 shall be provided. (Section 805.J)
- The sight triangle and sight distance measurements for the driveway shall be shown on the Final Plan. (Section 1117)

ACT 247 REVIEWS

PLAN REVIEWS

County staff reviewed 6 plans for the October Planning Commission meeting cycle.

1. Minor Subdivision & Land Development Final Plan of Lands of Mar-Mel Industrial, LLC, East Union Township
2. Minor Land Development Final Plan over Lands of Triple R Farm, LLC, Hubley Township
3. Record Plan for Hemlock Drive, North Manheim Township

4. Preliminary/ Final Land Development Plan for Hickory Drive Storage Units, West Brunswick Township
5. Final Plan of a Minor Subdivision for Jackie L. and David L. Kister, West Penn Township
6. Savlik/ Zimmerman Annexation II, West Penn Township

MOTION: On the motion of Mr. Fey, seconded by Mr. Sattizahn, the Planning Commission unanimously approved the Municipal Plan Reviews with the addition of including the public comment regarding the Mar-Mel Subdivision Plan along with the review.

ORDINANCE REVIEWS

None

PROJECT REVIEW LIST

The Planning Commission members reviewed the October Project Review Report.

ZONING REPORT

The Zoning Report for the month of October was reviewed by the Planning Commission.

MOTION: On the motion of Mr. Lettich, seconded by Mr. Fey, the Planning Commission unanimously accepted the Zoning Report.

	October	**Year To Date**
Number of Permits Requested	29	205
Total Fees Collected	$2,900	$22,900

PLANNING DIRECTOR'S REPORT

The Planning Director and the Planning Commission discussed the possibility of holding a separate meeting to review proposed zoning amendments. This meeting would be informational and educational in nature only and would not involve any decision-making. The Planning Director also suggested that, in addition to data center, the Planning Commission consider a potential zoning amendment addressing large- or utility-scale Battery Energy Storage Systems (BESS).

NEW BUSINESS

None discussed.

ADJOURNMENT

There being no further business to discuss, on a motion by Mr. Fey seconded by Mr. Lettich, the meeting was adjourned. The next scheduled meeting date is December 10, 2025.

Attest: _____

Secretary: _____