



**Planning Commission  
Schuylkill County  
MINUTES – August 21, 2013**

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**Commission Members Present:** Gary Bender, Chairman; Charles Ross, Vice-Chairman; James Setlock, Secretary  
Anthony Prudenti; John Malinchok; David Briggs; Bob Lettich; Kenneth Lehman; Gerald Lengel

**Commission Members Absent:** None

**Press Attending:** Al Dietz

**Guests:** Lamar Sensenig

**Staff Attending:** Susan Smith, Director; Lisa Mahall, County Engineer; Glenn Roth, Esq., Assistant Solicitor; Jackie Pellish, Assistant Planner

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The monthly meeting of the Schuylkill County Planning Commission was called to order by Vice-Chairman Ross on Wednesday, August 21, 2013 at 6 PM.

**Approval of Minutes**

The minutes from the July 17, 2013, meeting was approved by the Planning Commission.

**MOTION: On the motion of Mr. Lettich, seconded by Mr. Lehman, the Planning Commission unanimously approved the minutes of the July 17, 2013 Planning Commission meeting.**

**Public Comment**

None

**County Subdivision and Land Development Plans –Conditional Approvals**

Eight plans were submitted to the Planning Commission for Conditional Approval.

1. Ernest L. Klinger, Jr. – Final Plan  
01-10-0057.002
  - Issue remains with deed description.

**MOTION: On the motion of Mr. Ross, seconded by Mr. Lettich, the Planning Commission unanimously granted Conditional Approval until the November meeting.**

2. Klinger/ Byler – Final Plan  
33-05-0008.002
  - Submit Sewage Facilities Planning Module signed by the appropriate municipal official and the Sewage Enforcement Officer (SEO). Written correspondence must be received from PADEP approving the proposed installation of the on-lot septic system prior to final plan approval. (Section 504.F)

**MOTION: On the motion of Mr. Setlock, seconded by Mr. Lengel, the Planning Commission unanimously granted Conditional Approval until the November meeting**

3. Alfred J. Matuk – Final Plan  
30-05-0047.000

- Submit Sewage Facilities Planning Module signed by the appropriate municipal official and the Sewage Enforcement Officer (SEO). Written correspondence must be received from PADEP approving the proposed installation of the on-lot septic system prior to final plan approval. (Section 504.F)
- Plan proposes access through an adjoining property, an Easement Agreement is required. The Planning Commission Solicitor shall review and approve Agreement prior to final plan approval. (Section 504.H)
- The plan appears to have a limit of disturbance greater than 5000 sq.ft., thus an Erosion and Sedimentation Control Plan must be submitted to the Sch. Conservation District. Provide written correspondence that the E&S plan was submitted and approved. (Section 504.J)
- If an NPDES Permit is required, the application shall be submitted to the Schuylkill Conservation District and a copy of the application shall be submitted to the Planning Commission. Written correspondence from the Sch. Conservation District or PADEP indicating that Chapter 102 requirements have been satisfied shall be submitted to the County Planning office prior to final approval. (Section 504.J)

The Planning Commissioner members questioned the County staff whether this plan should have been submitted as a Major Subdivision rather than a Minor Subdivision. The members stated that they were aware that Mr. Matuk has submitted plans in the general vicinity in past years. County staff indicated that they would need to review all of Mr. Matuk's past approved subdivisions in order to provide an answer.

**MOTION: On the motion of Mr. Malinchok, seconded by Mr. Lehman, the Planning Commission voted to table this plan so it could be reviewed further until the next meeting on September 18, 2013.**

8 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Kenneth Lehman, Gerald Lengel, John Malinchok

1 No Vote: Anthony Prudenti

4. Sensenig Tract – Land Development Final Plan  
33-11-0061.000

\*Waiver Requests

- Section 1121.O.2 – requirement for riser of all basins to be constructed of precast concrete or poured in place concrete.

**MOTION: On the motion of Mr. Lettich, seconded by Mr. Malinchok, the Planning Commission granted the waiver request.**

7 Yes Votes: Gary Bender, Charles Ross, James Setlock, John Malinchok, David Briggs, Bob Lettich, Kenneth Lehman, Anthony Prudenti

1 No Vote: Gerald Lengel

- Section 1121.O.11.e – requirement for fence and suitable vegetation screen provided around all basins.

**MOTION: On the motion of Mr. Briggs, seconded by Mr. Lettich, the Planning Commission granted the waiver Request.**

5 Yes Votes: Gary Bender, Charles Ross, David Briggs, Bob Lettich, Gerald Lengel

4 No Votes: James Setlock, John Malinchok, Anthony Prudenti, Kenneth Lehman

- Section 1121.P.4-5 – requirement for storm water pipes to have a minimum diameter of fifteen (15) inches and pipe material.

**MOTION: On the motion of Mr. Prudenti, seconded by Mr. Setlock, the Planning Commission granted the waiver Request.**

7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Kenneth Lehman, Anthony Prudenti,

2 No Votes: John Malinchok, Gerald Lengel

**MOTION: On the motion of Mr. Briggs, seconded by Mr. Prudenti, the Planning Commission granted Conditional Approval until September meeting.**

7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Kenneth Lehman, Anthony Prudenti

2 No Votes: John Malinchok, Gerald Lengel

5. Orval T. Shoup, Linda Shoup & Brenda White – Final Plan  
30-05-0036.000 & 30-05-0037.000

\*Waiver requests

- Section 504.B.6 – requirement to draw location map at a scale of 1"=1000' be waived and a scale of 1"=2000' is accepted to help better see where the proposed lot is located.

**MOTION: On the motion of Mr. Setlock, seconded by Mr. Malinchok, the Planning Commission unanimously granted the waiver Request.**

- Section 504.B.7 – requirement to draw the vicinity map/tract map at a scale of 1"=1000' be waived and a scale of 1"=500' is accepted because the scale was a little hard to see on the 24"x36" drawing

**MOTION: On the motion of Mr. Ross, seconded by Mr. Setlock, the Planning Commission unanimously granted the waiver Request.**

**MOTION: On the motion of Mr. Briggs, seconded by Mr. Ross, the Planning Commission unanimously granted Conditional Approval until November meeting.**

6. Janet Antz Boundary line Adjustment/Annexation – Final Plan  
30-04-0025.000 & 30-04-0026.000

- The applicant shall submit new deeds so that the description of the metes and bounds for the property include the new area(s). The deed shall provide a description of the receiving tract, which reflects the proposal to join in common with the acreage to be conveyed. The proposed deed shall include “Parcel [A] has been annexed to Parcel [B] pursuant to the Schuylkill County Subdivision and Land Development Ordinance and neither Parcel [A] nor Parcel [B] can be sold or developed separately from the other.” The proposed deed of annexation must be reviewed by the Planning Commission’s Solicitor prior to plan approval. (Section 404.D)

**MOTION: On the motion of Mr. Lettich, seconded by Mr. Ross, the Planning Commission granted Conditional Approval until November meeting.**

- 7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Gerald Lengel, John Malinchok
- 1 No Vote: Anthony Prudenti

7. Eagle Rock Resort Company (Lot AW-1R) Land Development – Final Plan  
19-06-0025.000

- This plan is a re-subdivision of a portion of Eagle Rock “AW” Section by eliminating proposed lots and constructing a Recreation Area.
- A revised NPDES and Erosion and Sedimentation Plans may need to be submitted to the Schuylkill County Conservation District or PA DEP indicating that Chapter 102 requirements have been satisfied prior to final plan approval. (Section 805.S.5)
- Show an adequate Legend to indicate clearly which features exist and which are proposed. (Section 804.B.6)
- Show all water and sewer lines, electric lines, including size location and invert elevations of each servicing the recreation area. (Section 804.D.6.d)
- Show road details and pedestrian paths to each individual recreational area (macadam and gravel). (Section 804.D.7)
- Show fence detail around swimming pool. (Section 805.S)

**MOTION: On the motion of Mr. Malinchok, seconded by Mr. Lettich, the Planning Commission granted Conditional Approval until the November meeting.**

- 7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Gerald Lengel, John Malinchok
- 1 No Vote: Anthony Prudenti

**MOTION: Mr. Prudenti motioned to initiate court actions against Eagle Rock Resort Company for the violation of the Schuylkill County SALDO (construction of the recreation area without an approved plan). The motion died for lack of a second.**

**MOTION: On the motion of Mr. Malinchok, seconded by Mr. Lettich, the Planning Commission approved a letter to be sent to Eagle Rock Resort Company by the Planning Commissioner Solicitor informing Eagle Rock of the Planning Commission’s displeasure and noting that any similar future actions (proceeding with development without an approved plan) will necessitate court action.**

7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, Gerald Lengel, John Malinchok

1 No Vote: Anthony Prudenti

8. Rangers Hose Company Annexation – Final Plan

45-06-0180.000, 45-06-0182.000, 45-06-0183.000, 45-06-0184.000, 45-06-0185.000 & 45-06-0187.000

- The applicant shall submit new deeds so that the description of the metes and bounds for the property include the new area(s). The deed shall provide a description of the receiving tract, which reflects the proposal to join in common with the acreage to be conveyed. The proposed deed shall include “Parcel [A] has been annexed to Parcels [B], [C], [D], [E] and [F] pursuant to the Schuylkill County Subdivision and Land Development Ordinance and neither Parcel [A], [B], [C], [D], [E] nor [F] can be sold or developed separately from the other.” The proposed deed of annexation must be reviewed by the Planning Commissions’ Solicitor prior to plan approval. (Section 404.D)

\*Waiver requests

- Section 504.A.3 – Plan scale. A waiver is being requested to show the property at a 1”=20’ scale, making the plan more legible.

**MOTION: On the motion of Mr. Malinchok, seconded by Mr. Ross, the Planning Commission granted the waiver Request.**

**MOTION: On the motion of Mr. Briggs, seconded by Mr. Lengel, the Planning Commission unanimously granted Conditional Approval until November meeting.**

**County Subdivision and Land Development Plans – Final Approvals**

One plan was submitted to the Planning Commission for Final Approval.

Moon Lake – Final Plan

01-07-0029.000

**MOTION: On the motion of Mr. Prudenti, seconded by Mr. Briggs, the Planning Commission unanimously granted Final Approval**

**Act 247 (Municipal) Reviews**

Eleven municipal subdivision/land development plans were reviewed by County staff including:

1. Final Land Development Plan Higher Ground Worship Center, Final, Hegers Township
2. Kutash Subdivision Lot Annexation, Final Blythe Township
3. James P. and Carol E. Tierney 2-Lot Minor Subdivision, Final, West Penn Township
4. Spicher Subdivision, Final, Hegers Township
5. McAdoo DG, LLC Proposed Dollar General Site Plans, Final, Kline Township
6. Final Subdivision of Property Ernest L. Klinger, Jr., Final, Hegers Township
7. Final Plan- Boundary Line Adjustment for Terry and Karen Kupres and Cynthia A. Boris, Final, Rush Township
8. Newswanger Minor Subdivision, Final, Wayne Township
9. Preliminary Subdivision Plan, The Villas at Pine View Phase 2, Preliminary, Pine Grove Township
10. Breiner/Boyer Minor Subdivision/Annexation, Final, West Brunswick Township
11. Final Subdivision of Property, The Forrest Koppenhaver Estate, Final, Hegers Township

**MOTION: On the motion of Mr. Malinchok, seconded by Mr. Lettich, the Planning Commission unanimously approved the Municipal Reviews.**

**All Other Act 247 (Municipal) Reviews - None**

**Act 537 Reviews - None**

**Project Review List**

The Planning Commission members reviewed the Project Review List for the month.

**Zoning Report**

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

	<u>July 2013</u>	<u>Year To Date</u>
<b>Number of Permits Issued</b>	20	122
<b>Total Fees Collected</b>	\$2,560	\$24,220
<b>Total Construction Costs</b>	\$210,078	\$6,641,183

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

**Planning Director's Report**

Ms. Smith reported that the municipal officials will be asked to provide information and projects as part of the update to the Schuylkill County Transportation Improvement Inventory. Ms. Smith indicated that the projects will again be scored and prioritized using a more quantified rather than qualitative approach. The tenants of the prioritization – safety, proximity to industrial/commercial, borough/village/town centers will remain the same as the previous update to the inventory.

**New Business**

1. Time Extension  
Eagle Rock- Algonquin Valley

**MOTION: Mr. Malinchok motioned to reject the Time Extension for Eagle Rock Algonquin Valley, seconded by Mr. Setlock.**

3 Yes Votes: James Setlock, Bob Lettich, John Malinchok

5 No Vote: Gary Bender, Gerald Lengel, Charles Ross, David Briggs, Anthony Prudenti

**MOTION: On the motion of Mr. Prudenti, seconded by Mr. Briggs, the Planning Commission granted the Time Extension until November meeting.**

5 Yes Vote: Gary Bender, Gerald Lengel, Charles Ross, David Briggs, Anthony Prudenti

3 No Votes: James Setlock, Bob Lettich, John Malinchok

2. Pennsylvania Statewide Historic Preservation Plan

**MOTION: On the motion of Mr. Lettich, seconded by Mr. Ross, the Planning Commission approved the recommendation to the Board of Commissioners that the resolution in support of the Pennsylvania Statewide Historic Preservation Plan be approved.**

7 Yes Votes: Gary Bender, Charles Ross, James Setlock, David Briggs, Bob Lettich, John Malinchok, Anthony Prudent

1 No Vote: Gerald Lengel

**Adjournment**

There being no further business to discuss, on a motion by Mr. Briggs, seconded by Mr. Lettich, the meeting was adjourned. The next scheduled meeting date is September 18, 2013.

Attest: \_\_\_\_\_

Secretary: \_\_\_\_\_