

Planning Commission- County of Wyoming Pennsylvania

Minutes # 690

August 19, 2026

6:00 pm

WYOMING COUNTY PLANNING COMMISSION

Randy Ehrenzeller
Matthew J. Austin
Jeremy Leaidicker

Ed Coleman
Dale Brown
Paul Rowker

Stacy Huber
Roger Hadsall
Robert Thorne

Meeting Location:

Wyoming County Emergency Operations Center
3880 State Route 6, Tunkhannock, PA

I. Call to Order and Pledge of Allegiance

Chairman Randy Ehrenzeller calls the Planning Commission to order. The pledge was taken. Staff Director Matt Jones verbally notified all participants that audio from the meeting would be recorded.

II. Roll Call

Chairman Ehrenzeller stated there are seven (7) members present constituting a quorum.

Present	Absent	Staff
Randy Ehrenzeller, Chair		Matthew C. Jones, Director
	Ed Coleman, Vice-Chair	Meghan Coury, Assistant
Stacy Huber, Secretary		Paul Litwin, Solicitor
Dale Brown		
Roger Hadsall, Treasurer		
Matthew J. Austin		
Robert Thorne		
	Paul Rowker	
Jeremy Leaidicker		

III. Approval of Today's Agenda (additions or deletions?)

Mr. Ehrenzeller asked if there were any additions or deletions to the Agenda. Director Jones said there is one additional announcement that came into the office late. Chairman Ehrenzeller said the Agenda would stand approved with that addition of the announcement.

IV. Public Comment- (If audience members wish to address the commission, please let the Chairman know which Agenda item you wish to address, or that you wish to address an item not on the agenda)

Chairman Ehrenzeller said the public could ask to comment on anything on the Agenda or any other item they would like to bring before the Planning Commission at any time. He said to just get his attention. He asks if there are any comments at this time. There are none.

- V. Announcements: *Director Jones stated that Attorney Paul Litwin alerted him to a news report that had been made a day or two ago. Governor Shapiro has made an Executive Order in the last forty-eight (48) hours. The important thing to know about it is it is an Executive Order and it is not legislation. It has not been passed by either chamber of the legislature. Governor Shapiro seems to be taking a more conservative stance regarding data centers in this Order. It is not particularly substantive. There is no moratorium on new applications issued. To his knowledge no moratorium has passed the house and the senate combined. So that is not happening. This Order indicates that the Governor would like the Department of Environmental Protection to be a secondary body to review water usage proposals by these facilities. Again, this is not legislation it is just an Order.*

There already exists bodies like the Susquehanna River Basin Commission (SRBC) that perform that service already for heavy water users proposing to tap water at twenty thousand (20,000) gallons per day or more within that particular river basin. The Delaware River Basin has a similar animal that does that type of thing. He believes that this would be the same type of effort statewide on the part of the DEP. The Order also talks about the Governor would like to see data centers bring their own "power". In order to be passed under his preferences the facilities would need to bring their own power plant with them. It also talks about a portfolio of renewable energy as being part of that. It doesn't really change the regulatory landscape in any meaningful way that he can tell. He asks Attorney Litwin if his statements reflect a reasonable review based on his understanding of what he read.

Solicitor Litwin stated that the Governor had mentioned some municipalities had tried doing was in the context of zoning called an Extraction or Exaction Fee or Agreement. This would be a way to grease municipalities in order to get permit approvals. It is not law. He said these would be enacted through zoning and not a SALDO.

Commissioner Rick Wilbur said that one thing he noticed in the Order was that the Governor wants to eliminate the fast track on data centers through the DEP. Mr. Wilbur said to correct him if he is wrong but his understanding was that not the legislation that was from something previously. Again, this is common sense. He would think that if he were able to do that in the beginning to fast track through his Order he would be able to reverse that.

Solicitor Litwin said that regulations are a little bit different than statutes. Regulations are in the purview of the Executive Branch. Regulations are supposed to implement law. Mr. Wilbur believes he did this through executive Order to fast track now he's putting in an Executive Order to get rid of fast tracking for this one particular thing. The courts may say that data centers cannot be singled out. This was the biggest outtake he saw regarding the Executive Order.

- VI. Approval of minutes #689 from last meeting of July 15, 2026

Chairman Ehrenzeller asks if there are any comments about the minutes. Members say they are very extensive, comprehensive and thorough. Dale Brown makes a motion for the minutes to be approved. Roger Hadsall seconds the motion and it is approved unanimously.

VII. Correspondence: Review of Chronological Report from July 2, 2026 through August 5, 2026.

Mr. Ehrenzeller said Item VII is a Review of the Chronological Report from July 2, 2026 through August 5, 2026. He asks if there are any questions or comments about the chronological report. Hearing no questions or comments the report will stand approved as presented.

VIII. Subdivision and Land Development

A. Review Minor/Unique Plans Report from July 2nd through August 5th, 2026.

Mr. Ehrenzeller said members have copies and he asks if there were any questions or comments on the Minor/Unique Plans Report. Dale Brown commented that one of the subdivisions listed that there was no change in the amount of land. He indicated that is listed at the top of the second page. This was the Greenley Subdivision in Eaton Township. The purpose of the subdivision is noted “to create a one lot subdivision for a residential home. The remaining land will remain as is.”

Director Jones said the synopsis are sometimes blurbish and don’t always capture all the details. He said he has just issued the review letter yesterday for the Eaton township property. They are looking to subdivide one new building lot within a large parent tract. The parent parcel already has a preexisting home, well and septic on the property. This subdivision would be a new lot within it. A shared access drive would link it up with the main road. The new lot would have a newly proposed home, septic and well. The remaining house, well and septic would remain on the residual parcel. There would be no further changes or additional proposals.

Dale Brown said if you were making a separate lot for an additional house, well and septic it has to be taken away from something. Director Jones asked if he would want a change to prior to posting if he desired it. He declined the need for a change. Mr. Ehrenzeller said the Report would stand approved as presented.

IX. Old Business:

Mr. Ehrenzeller said they would Discuss Revised Draft Amendment to the Wyoming County Subdivision and Land Development Ordinance: the purpose “To Establish Enhanced Land Development Application, Review, and Plan Design Requirements for High-Intensity Nonresidential Land Developments and Related Large-Scale Development Impacts.” He stated that there was a copy of the proposed Ordinance with all the accumulated comments that were added at last month’s meeting. He appreciates Matt Jones compiling it all so it can be reviewed in detail. They can proceed paragraph by paragraph or if members have any comments of particular items in the proposed Amendments. He asked if there are any comments at this time.

Mr. Ehrenzeller said he had one comment on the wording on page 5 of 8. On the bottom there is an underlined section dealing with maximum level ambient sound. There is a target level there of 55 decibels. Again, this would be similar to the 10,000 square foot trigger. He asks if there would be any concerns that this is more related to a zoning ordinance.

Director Jones said that he believes the discussion has been had for months. The consensus at the last meeting was a motion to include the 55 decibel trigger with the idea that under emergency or

maintenance purposes turbines or back-up generators could go up to 70 decibels. This would be allowed for those outlying purposes. This is captured in the July 15th minutes and there was a motion made to keep this language. It is worth mentioning that this reconciled version reflects the Commissioners accepting all the Planning Commission's edit suggestions that came out of your recommendations that were made at your June and July Planning Meetings.

Solicitor Litwin said that the difference between this version of the Ordinance and the last one is that it talks about meeting the 55 decibel level limit in the mitigation screening measures that are shown on a Plan rather than an operational standard. Attorney Litwin said that an expert would be needed to show how their Plan would be designed to meet the 55 decibel limit at the property line. A county hired engineer would review a Plan presented to the Planning Commission Board to confirm this. Mr. Ehrenzeller thanks Attorney Litwin for his clarification. He asks if there are any further questions or comments.

Dale Brown said if no one else has a question or comment he sees no reason to review the Ordinance line by line. Attorney Litwin said it might be helpful to get something in the minutes establishing the 10,000 square foot trigger and the reason for that number.

Director Jones said that the original idea to have square footage as part of the definition of what defines a high-intensity non-residential development originally came from Attorney Litwin. Matt Jones said he had originally balked at it being one of the possible triggers along with heat generating and noise generating features. Upon reflection he supposed if a building is proposed and it is larger than 10,000 square feet the concern was the County's fire-fighting capabilities in rural areas. Wyoming County is served by an army of fire tanker trucks with a hose and tank and they arrive on the scene with about 3 minutes of water power and then the water runs out. You can demand a water reservoir on site, a pond or an impoundment similar to the one at Proctor and Gamble. They used this reservoir years ago when a fire broke out. This is how the fleet of fire tanker trucks was able to manage that fire.

He now believes having a building 10,000 square feet or larger would trigger these special reviews for water requirements and considerations. He spoke to a local firefighter whose opinion he values. Before telling him his preconceived square footage figure the fireman stated that a 10,000 square foot building would be his suggestion for a water reservoir. This fireman stated the same concerns regarding extra water needs to accommodate fighting a fire of that size. He is suggesting that the Planning Commission give their blessing to this restriction. Attorney Litwin said the rationale makes perfect sense and he believes it's defensible.

Mr. Ehrenzeller said the Motion would be to set the 10,000 square foot as a trigger for a specific review process that is in the Ordinance. Dale Brown made a Motion to approve and Stacey Huber seconded the motion. It was approved unanimously.

Mr. Ehrenzeller asks if this specific wording is contained in the Ordinance. Attorney Litwin says yes and it comes under the definition of what will have an additional review. Matthew Austin asks if a business, company or family were to build something that would meet a single one of these triggers how many waivers would they need to request to avoid the intent of some of these. Attorney Litwin said the SALDO does not prohibit any of these large-scale developments. What it does is provide guidelines for additional things that need to be shown and proved in the planning process. If a single family wanted to build a 10,000 square foot structure then they would either ask for a waiver

or they would have to meet those standards. For residential you would not have issues with glare, traffic, water or with anything. The only concern would probably be the fire issue. Director Jones said if it is small potatoes residential it won't fall under this. Matt Austin said he doesn't want to see it be restrictive to the community at the same time. Jeremy Leaidicker questioned if an 11,000 square foot pole barn was presented for development would be considered as a trigger. Matt Jones said it might merit review for safety purposes. Jeremy Leaidicker said the project may not have the same components in place. Matt Jones said it would be brought to the Planning Commission to see if the Board would judge it to be case for a waiver or not. If there is not any hot computers, servers, equipment, lithium-ion batteries and chemicals present perhaps the Planning Board would grant a waiver for the extra water requirement. Mr. Dale Brown said that health and safety is always have to be remembered. Matt Austin said we are always trying to think ahead.

[Editor's Note: The trigger will not apply, by definition, if a development is exclusively residential in nature].

Attorney Litwin said we will have this advertised and adopted and as we learn more the Ordinance can always be amended further. This is just to get standards in place. Mr. Ehrenzeller asks if there are any questions from the Commission members or from the audience members before the vote. There were no questions or comments.

Mr. Ehrenzeller said he would like to hear a Motion to approve the revisions to the SALDO that have been presented and discussed. Robert Thorne made a motion to accept the revisions and Roger Hadsdall seconded the motion. It was unanimous to approve Ordinance Amendments relating to High Intensity Non-Residential Land Developments and related Large Scale development impacts. The amendments have been approved.

Director Jones said for the audience edification he wants to make clear the next step that is planned is that the Board of County Commissioners plan to adopt this amendment to the County Subdivision and Land Development Ordinance. This will be done at its normally scheduled public business meeting on Tuesday, September 8th at 10:00 a.m. There will be a public hearing proceeding that meeting at 9:30 a.m. for anyone who may want to hear about the details in this Ordinance amendment or provide public comment. Then the Commissioners will take up the consideration to vote on it at 10:00 a.m. as part of their normal business meeting that day. There are advertising requirements as part of that legal process. Our public notice did appear in today's newspaper as scheduled. It also appeared in last week's Wyoming Examiner as well. There are various processes of getting it out there have been undertaken. The Ordinance can be viewed in the County Planning Office in the County Courthouse in Tunkhannock. We have copies of it here tonight if you want to look at it in more detail. It is also posted publicly on our webpage at the Office of Community Planning.

Mr. Ehrenzeller thanks Matt Jones for this update.

X. New Business:

Mr. Ehrenzeller asks if there is any New Business to discuss. There is nothing to report from Staff. He asks if there is anything to report from the Planning Commission Board Members. There was none to report. He asks if there are any questions from the visitors or guests. There were no comments.

XI. Adjournment:

Mr. Brown made a motion for Adjournment and was seconded by Mr. Hadsall. The meeting was adjourned.

Commissioner Wilbur thanked the Planning Commission for their work vetting and recommending adjustments to the SALDO Amendment.

The public meeting concluded at 6:24 p.m.

Visitor and Guests: Commissioner Rick Wilbur, Commissioner Ernie King, Mauri Rapp, Rocket Courier, Eric Mark, Press Examiner, Bruce Higley, Landowner, Richard Fitzsimmons, Landowner, Megan Phillips, Landowner, Nicholson Township

Commission staff may be reached at:

WYOMING COUNTY OFFICE OF COMMUNITY PLANNING

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