Bear Creek Township

Board of Supervisors

2026 Meeting Minutes

January – August 2026

August 20, 2026

Special Meeting

A special meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Thursday, August 20, 2026 at 6:00 PM.

Mr. Suchocki called the meeting to order. Roll was called. Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki were present. Pledge to the flag followed.

Mr. Suchocki explained the purpose of the meeting was to revisit the current status of the Township Zoning Ordinance and Zoning Map amendment process.

The Township has received what has been marked as Ordinance 3 of 2026 and Map Alternate 1 and Ordinance 4 of 2026 and Map Alternate 2 from the Township planning consultants, Environmental Planning and Design, LLC.

Before the motions and vote the Township would like to advise the public of the following: The Municipalities Planning Code provides the procedure for action in regard to the Township's Zoning Amendment and Map change actions currently being pursued. The Township is currently on track in this zoning process which effectively began on April 20, 2026 at a Special Meeting when Resolution 19-2026 was unanimously passed by the Supervisors. If anyone has a specific concern about this procedure, we request that you provide a detailed explanation of the concern with the timeline and reference to dates and action and specific citation to the Municipalities Planning Code for that concern. Specific and detailed concerns meeting these criteria should be emailed to the Township secretary for consideration by the Supervisors.

AJ from Environmental Planning and Design LLC: Based on input received, Alternate Map 1 and Alternate Map 2 had been put together. Alternate Map 1 is comprised of approximately 280 acres. Alternate Map 2 is slightly smaller than Alternate Map 1 and is comprised of approximately 245 acres. A view of both maps was presented with AJ pointing out the differences between the two and referencing the parcels that would be included in each. There are approximately 9 property owners for both maps. Both Alternate Maps are significantly smaller than the original map that was presented with Ordinance 1 of 2026.

Attorney Michael Senape: stated the actual text of the ordinance will be available tomorrow, the larger print of the alternate maps will be available tonight to view but the text ordinance is not yet available.

Mr. Suchocki: Based on the receipt of these new proposed Ordinances and corresponding Maps the following items are to be considered:

1. Mr. Ondich made a motion to forward Ordinance 3 of 2026 and Map Alternate 1 and Ordinance 4 of 2026 and Map Alternate 2 to the Bear Creek Township Planning Commission and the Luzerne County Planning Commission for comment and make available for public inspection Ordinance 3 of 2026 and

Map Alternate 1 and Ordinance 4 of 2026 and Map Alternate 2, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

2. Mr. O'Hara made a motion to continue on schedule with the consideration of Ordinance 2 of 2026 and Map 2 at a Special Public Hearing on August 31, 2026 as previously scheduled and advertised, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

3. Mr. O'Hara made a motion to hold a Special Public Hearing on September 23, 2026 at 6:00 PM to be held at the Bear Creek Township Volunteer Fire Department Building located at 3500 Bear Creek Blvd to consider respective Planning Commissions comments and all public comment on Ordinance 3 of 2026 and Map Alternate 1 and Ordinance 4 of 2026 and Map Alternate 2, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

4. Mr. O'Hara made a motion to direct the Township Solicitor's law office to assist the Township secretary in completing all related advertising, mailing and posting requirements of the Municipalities Planning Code applicable to the Township's Zoning Amendment and map change actions, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

5. Mr. O'Hara made a motion to delay the Township's further consideration of the respective Planning Commissions comments and all public comment received to date regarding Ordinance 1 of 2026 and Map 1 at a later date to correspond with consideration and voting on the Planning Commissions comments and all public comment on Ordinance 3 of 2026 and Map Alternate 1 and Ordinance 4 of 2026 and Map Alternate 2, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

Mr. Petlock asked if the August 31st meeting is still at the Charter School, Mr. O'Hara responded yes. Mr. Petlock further asked about the September 3, 2026 meeting and location. Attorney Senape responded that the September 3rd meeting is still on but the location will be changed to the Bear Creek Township Fire Hall.

PUBLIC COMMENT:

Tim Santey: Old East End Blvd – inaudible

Don Conyngham: 51 Hillbrook – gave statistics in regard to how many gallons of water our aquifer generates per day and how many gallons a hyper data center uses and how it could deplete our water resources. He also stated he could find no Pennsylvania case law pertinent to a township, for lack of industrial space.

Brian Marien: why do we keep reinventing the wheel, we had adequate acreage for a 25-megawatt data center which is considered moderate to large data center. It can fit on 15-30 acres with the appropriate set-backs. Yes there is (inaudible) to change the ordinance to allow a data center to go on that acreage and you still had acreage for something else to go in the industrial zone. The attorney we hired is an expert in municipal law in this area. He indicated we should not expand our industrial zone.

His exact words were “That is a terrible idea”. Based on case law it would be indefensible and has never been successfully challenged. He is willing to come in person or by phone to discuss this with you guys at our expense. The Governor’s executive order yesterday indicated no applications were to be reviewed if the data center project is not consistent with the local comprehensive plan. Last I checked, every data center would be inconsistent with our comprehensive plan. So where do we go with this? Today the planning board voted 4 to 1 to keep the Industrial zone at 66 acres and modify the ordinance accordingly. The vast majority of residents supported that recommendation. It’s my understanding, Mr. Ondich and Mr. O’Hara, that when you were running you had mentioned that you would not expand the commercial or industrial zone. If you expand the zone, you are opening the door to lawsuits and you are violating the comprehensive plan which will also have legal repercussions.

Ben Poole: Thanked the board and all the residents of Bear Creek, he is proud to be a part of this community. Food for thought: China has 1.3 billion people which is 4 or 5 times the population here and 500 data centers, the US has 5000 data centers. This is not real organic demand for these data centers. Speculation on Wall Street has these data centers quickly becoming obsolete.

He feels there are some issues with the proposed expansion of the Industrial zone because all the case law supports not expanding. If you already have an Industrial zone you do not have to expand anything. Also, there is no maximum percentage. People like us have been successful in stopping over one hundred billion dollars of these data centers from being built. The power is really with the people. Mr. Poole states he knows many people with lots of money in the village who would be happy to throw a few million to fight and protect us. We should not be afraid of a lawsuit. Be on the right side of history.

Richard Kresge: (much was inaudible) wanted to make sure the Board knows that it is critical that the engineer review all maps and ordinances and that all steps are followed such as public hearings, legal notices, mailings and postings. Make sure we are covered and do not jeopardize the 180 day laws.

Judith Keats: It boils down to the fact that the court in Pennsylvania don’t look favorably on fair share commercial and industrial issues as it was developed as residential concept. The courts clearly say that looking solely at the percentage of land in township is not enough. The amount of land and the balancing of other factors such as growth, health and safety must be factored in. At least so far the courts have sided with townships that do that balancing on having small amounts of particular zoning districts in their township. There is case law that says we as a community do not have to expand the industrial our zone for a particular business or at all. The legal concerns will arise if we fail to address legitimate housing needs. You are protected under the law and we support you fully if you choose not to expand the zone. We also have the benefit of input from a municipal law expert and the expertise supports that this expansion is not required.

Aaron McGinnis: 416 Crescent Road – Asks the Board of Supervisors to reconsider and reject any plan to expand the industrial zone. The Bear Creek comprehensive plan has as its primary concern the protection of the health, safety, welfare and quality of life for the township residents, concerning township natural resources. It balances these priorities against the potential need for future

development as long as that development is consistent with those priorities. Secondly as per the governors August 8th protective order for data centers the peak demand is 25 mega watts or greater the DEP shall not begin reviewing applications for authorization until after the applicant has demonstrated that the project is consistent with the local comprehensive plan and the project has received all local and municipal approvals. Under PA zoning law a municipality does not have to provide for every size and type of particular use in its zoning code or map. In order to be exclusionary, the ordinance must effectively propose not one use but all uses. There is plenty of room in the existing zoning with no expansion required.

Derek Sutliffe: Moosic – The objection to the 66 acres is that the set-backs are too big. Make the set-backs smaller.

Paul Miller: Cottonwood Road – The ordinance clearly states that a building under 40,000 square feet can still use well water. 40,000 square feet is the size of an NFL Football field and has two stories and is still allowed to touch our well water. Unacceptable. I will repeat what I have said at every meeting. Existing industrial land only, 66 acres, surface and ground water for kitchen, bathrooms and fire protection only. Small scale data centers because that's all that fits on our lot and adjust setbacks as needed.

Patty Shuleski: 801 Sandspring – Everyone here comes prepared, me, I'm worried about our wildlife, air quality and our water. There is no reason that the 66 acres we have that we need to include all of this for one specific company, basically a data center. Now you are opening yourself up to all a junkyard, lets put a used car sale next to it. When you're including the industrial, you're including all industrial, all businesses. You're losing quality, you're losing environmental, you are taking away from what beautiful in here. I drove around Bear Creek the other day because I had to get the dogs out of the house. And I had to have watched at least a hundred people in that whole area cause I figured what better area to drive down Suscon Road and all the way around. Hundred people easy hiking, enjoying the property, picnics and everything else like that. You put a data center in its short the 66 acres we have. You're destroying all that thing that people come up here to enjoy. It's just wrong on so many levels and the people are willing to fight for it.

Mr. Suchocki made a motion to adjourn the meeting, seconded by Mr. Weitz. All were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

August 3, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, August 3, 2026 at 6:00 PM.

Mr. Petlock announced an executive session was held today prior to this meeting to discuss personnel and legal matters.

Mr. Petlock called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich (via phone), Mr. O'Hara, Mr. Petlock and Mr. Suchocki (via phone) were present. Pledge to the flag followed.

MINUTES:

Minutes from the July 6, 2026 meeting were reviewed. A motion was made by Mr. O'Hara to approve the minutes, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

TREASURER'S REPORT:

For month ending July 2026, total income was $55,950.02. Total expenses were $57,577.76. Cash at the beginning of the period was $1,248,888.40. Cash at the end of the period was $1,246,911.49.

RECEIPTS:

Deposits for the month of July 2026 were $58,547.53. A motion to approve the receipts, subject to audit was made by Mr. Petlock, seconded by Mr. O'Hara. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

DISBURSEMENTS:

Expenses for the month of July 2026 were $60,524.44. A motion was made by Mr. Weitz to approve the disbursements, subject to audit, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $2,220.00 in township permits and $1,247.00 in UCC permits for a total of $3,467.50 for the month of July.

FIRE DEPT REPORT:

14 calls were reported for the month of July.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko was not present. His report was available to the public.

ROAD DEPARTMENT FINANCES:

For the month of July 2026 total expenses related to the Road Department were $23,919.67.

OPEN RECORDS REPORT:

Six requests were received. 2 answered and 4 sent off for legal review and extensions requested.

PLANNING BOARD RECOMMENDATIONS:

No recommendations. Board will meet and reviewed the draft ordinances regarding data centers and solar farms on August 17th at 6:30 PM.

RESOLUTIONS AND ORDINANCES:

None

SOLICITOR'S REPORT:

Attorney Senape stated that he is currently focused on the zoning matter at hand and will get up to speed on all other matters for the September meeting. He did suggest that the Board should reach out for an update from the Workers Comp office regarding the Watkins matter.

Bond Issue:

Cell Towers:

Water Issue Rodie Drive:

Land Development:

Weiss Road:

Property Appraisals:

OLD BUSINESS:

ENGINEER'S REPORT:

Mr. Totino was not present.

Rec Board: Mr. Petlock reported that soccer has requested assistance from the Board of Supervisors to purchase U6 and U8 goals, portable bleachers and replace a larger goal for Trailwood. Items without the larger goal would run $2,400-$2,500. They would need to seek pricing for the larger goal.

Mr. O’Hara made a motion to approve $2,400 for the purchase goals and portable bleachers, seconded by Mr. Suchocki. Vote: Mr. Weitz, Mr. O’Hara, Mr. Petlock and Mr. Suchocki; yes.

Mr. Ondich was no longer available by phone.

CORRESPONDENCE/NEW BUSINESS:

SPCA Report: the quarterly report from the SPCA was received and copies were made available to the public.

PUBLIC COMMENT:

Kim Marien: Mrs. Marien, 40 Hillbrook – formally requesting the township retain outside counsel with municipal and environmental law. Expert legal guidance is needed.

Paul Miller: Mr. Miller, 24 Cottonwood – Believes data centers should only be allowed in current Industrial zoning district and expansion of that zoning district is not necessary.

Brian Marien: Mr. Marien, 40 Hillbrook – Urged the Solicitor and Board of Supervisors to review the minutes from the Plymouth Township Council meeting from July 2026 that he provided to them. It covered health and welfare concerns and included 43 conditions and demands that he feels could be included in Ordinance 2.

Cecelia Williams: 468 Old East End – Reiterated the sentiment expressed by the previous speakers. Also wanted to let the Board know that there are areas in front of her home and near the guardrail on Old East End where the road is eroding from run off water from the turnpike. Mr. Petlock told her he would have the road foreman look at it once he returned from vacation.

Mike Harastock: 420 W Lake Rd BCV – Letting the public know he is a candidate for State Representative.

Pete Austin: Asked if the draft ordinance is available. He was told it is available online and copies are available at the township office.

A motion to adjourn was made by Mr. Weitz, seconded by Mr. O’Hara. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

BEAR CREEK TOWNSHIP BOARD O

HELD:

Wednesday, July 29, 202

TIME:

6:00 P.M.

LOCATION:

3333 Bear Creek B
Bear Creek Township,

BOARD OF SUPERVISORS:

ROBERT SUCHOCKI, Chairman

MARK PETLOCK, Vice Chairman

JOHN ONDICH

GEORGE WEITZ

RYAN O'HARA

MICHAEL B. SENAPE, Esquire, Solicitor

PAULA WEIHBRECHT, Secretary

MICHELLE SMOLSKIS
OFFICIAL COURT REPORTER

EXHIBITS

Description

Bear Creek Township

1 - Ordinance

2 - Natural Resource Protection Overlay

MR. SUCHOCKI: All going to call to order the meet July 29th. Stand and pledge

(Pledge of Allegiance.)

MR. SUCHOCKI: All start off by announcing the ex I'm sorry. Roll call.

MS. WEIHBRECHT: Mr.

MR. WEITZ: Here.

MS. WEIHBRECHT: Mr.

MR. O'HARA: Here.

MS. WEIHBRECHT: Mr.

MR. ONDICH: Here.

MS. WEIHBRECHT: Mr.

MR. PETLOCK: Here.

MS. WEIHBRECHT: Mr.

MR. SUCHOCKI: Here.

MS. WEIHBRECHT: Yea

MR. SUCHOCKI: We'll announcing an executive session pursuant to Section 708 84 of Act. No official action was executive session, which was

22, 2026 at 5 p.m., Bear Creek building.

Present at the sessio supervisors and the solicitor and Michael Senape.

A follow up executive held pursuant to Section 708 Sunshine Act with no official said executive session on Wednes 2026 at 5:30 p.m. here at the building. Present was the five our solicitor, James and Michael

Moving on. The super to review the Township actions amendments tonight, data center energy overlay districts, amendm noncurative amendments to the and corresponding maps and date

The supervisors are receive requested recommendations environmental planning and desi and noncurative zoning ordinance curative maps, which requested include but are not limited to and solar energy.

A direct submission recommendations are environmental design to the Bear Creek Township Commissions and Luzerne County Commission for comment, which be received and considered by Township Board of Supervisors hearing to be held on August p.m. to 8 p.m. I need a motion

MR. PETLOCK: I make

MR. ONDICH: Second.

MR. SUCHOCKI: That'll at the charter school. At that discuss and receive public comm input -- I'm sorry. Sorry, gu

MS. WEIHBRECHT: Oka Mr. Weitz?

MR. WEITZ: Yes.

MS. WEIHBRECHT: Mr.

MR. O'HARA: Yes.

MS. WEIHBRECHT: Mr.

MR. ONDICH: Yes.

MS. WEIHBRECHT: Mr.

MR. PETLOCK: Yes.

MS. WEIHBRECHT: And

MR. SUCHOCKI: Yes. school we're gonna approve for future special meetings at the of Supervisor curative amendments ordinance and corresponding ma We also need a motion September 3, 2026 meeting for will also be held at the Bear School, to approve for the adop MR. ONDICH: I'll m MR. WEITZ: Second. MS. WEIHBRECHT: Oka Mr. Weitz? MR. WEITZ: Yes. MS. WEIHBRECHT: Mr. MR. O'HARA: Yes. MS. WEIHBRECHT: Mr. MR. ONDICH: Yes. MS. WEIHBRECHT? MR. PETLOCK: Yes. MS. WEIHBRECHT: And MR. SUCHOCKI: Yes. move on to Ryan. We have a fe we need to make tonight. MR. O'HARA: We're

after the presentation.
MR. SUCHOCKI: Okay. move on. AJ.
MR. SCHWARTZ: I'll the room as best as I can so screen. I apologize for those wall, you may have a hard time. I'm gonna stand here address you guys and try to ad getting into allergy season, starts fading, just tell me an up. If I get in the way, just So, there's multiple need to cover. We're gonna ta basically two parts.
So the first part i about curative amendment types this is what started with the center and solar.
There's a second par we'll refer to as noncurative that's related to the natural protection stuff. So, that's take everybody through.
A little bit of backg

folks, after the last meeting, before the meeting, were asking and I don't want to get too fa want to go back a little bit background why we're all here, In Pennsylvania, ev responsible for accommodating land uses. I didn't write the judge, but that's what has happ So your community, single community, what we call plan, and a single community you have to accommodate all us And it doesn't matter stamping plant, if it is a coal a marijuana dispensary, a group family house, a retail store, a place somewhere in your commun types of uses can occur, okay? And so when new thing land uses, things like, say, years ago we didn't really talk farms, maybe somebody had a so weren't doing municipal or util of the solar installations.

worry about those types of land
And so, dating myself
started practicing 35 years ag
talked about medical marijuana
It didn't exist, right? Pharmaci
well, this is a newfangled thin
15 years ago, and so your ordina
constantly having to change.
updated. They evolve just as
society evolves, and so you gu
through trying to do some update
Okay. So, one of t
think at one of the meetings
Hey, we don't have to accommodate
of uses. If you don't believe
Google and look for the Girsh
the 1970's. It was the landmark
court said every community has
all uses, okay?
Second thing that i
only do you have to accommodate
have to be reasonable in how
the uses, meaning it has to be
use to actually be developed
community.

You can't have what exclusionary-type of zoning, what we would refer to as a de where in the book it says I ca when I go and actually apply it's impossible to do the use, the sneaky thing.

The courts have weig and there's a whole series of defined what you can do and wh and they can kind of describe rails or guardrails. They defi can go on certain things, where the line, you went too far.

And there's different exclusions where you're overly the way that you apply standards, impossible to do the use, that

Somebody had, at one meetings, said, Okay, why can't do we have to worry about these I think where the supervisors lot of sense. Normally, when unique uses, when we're talking and solar farms, I would consider

unique uses, even though, like
probably everybody in this room
phone, okay, probably everybody
everybody's using data centers
really kind of connect the dots
start talking about developing
But the fact that
things, we do have to have a
go. And one of the concepts
is the gal here, she's gonna
and all that stuff, and myself,
have to be kind of balancing
elected body and communities
balance out is what is that re
There is not a book
the shelf and say, Hey, here's
you have to allow for a data
no such thing. There's not a
Here's how much land you need
retail store.
Over the years, reall
50 years, there's been something
share analysis that has kind
those guide rails. It's kind
or a step-by-step test to go

of evaluate what would be a re
of land to provide.
When people started
where can we do this, and I wa
community meeting when you guys
charter school and you had the
one for the data center and on
a lot of people were reacting
or those two different locations,
tiny, very small in terms of
And one of the first
with the supervisors was we ne
that we can withstand legal sc
don't get accused of being excl
So then that's when
had asked us to start looking
locations. The last meeting
you are familiar faces, so a
the last meeting, you saw a lo
areas. Actually, I think four
A, B, C, D. In the case of B
multiple locations, etc.
Following that meeting
asked to evaluate or scrutinize
additional areas. It seemed

meaning the supervisors and ou
solicitor, a lot of people were
why, if we're gonna have to ha
or some of these other types
we place it in the industrial
all fair question. It's up he
interchange. There's some leve
involved. All kinds of discussion
So, what we're gonna
through is looking at two altern
that are in this area expanding
district.
I am not gonna be u
overlay related to data center
stuff, because what we're doing
accommodate that within the in
district, the I-1 district, as
in terms of your zoning map.
MS. YAGLE: To date.
been an overlay.
MR. SCHWARTZ: To d
it's be an overlay, and what
is we don't have to make an ov
need to make the industrial di
Now, why I said we

bigger. Again, there's not a off the shelf and say you need acres to do this type of use, acres to do that type of use. able to provide a reasonable land, for every type of use. Now, that doesn't to have thousands of acres. look to see what courts have years and what the parameters The current industrial 66 acres. It's 66 acres, okay? you through the math the last know? You get to sit near the conditioning, so, you know, th if you get the answer right. many acres are in the Township? UNKNOWN SPEAKER: F thousand. MR. SCHWARTZ: There get to sit by the air conditioning. there's 44,000. There's a lot state land, right, and so we was in the game lands because really regulated through your

While your zoning areas, they're kind of immune regulation, from that type of So, at the end of really have is about 13,500 ac rounding just to use -- so what the 66 acres, I divide it by what do I find, your industrial about .5 percent of the Township. The courts have typic where they feel something a mo tiny pittance, a token amount definitely below two percent, depending upon what topic, four some other topics, like residentia seven percent.

So when I go do the trying to be in an area that percent, I'm somewhere maybe percent, really any of the indu currently are allowed in the district really should be in there's several hundred acres, Okay?

That is to avoid the

what we call tokenism where it a modicum of land.

So, with that said

UNKNOWN SPEAKER:

maybe tilt the table a little would be able to see on this

MR. SCHWARTZ: Ma'am, tried my best. I'm not gonna it takes an awful lot of time junk around.

UNKNOWN SPEAKER: N slight tilt. Just the screen. possibly. Yeah. That.

MR. SCHWARTZ: Now warped.

UNKNOWN SPEAKER: N

MR. WEITZ: Too much. see it.

UNKNOWN SPEAKER: M

MR. SCHWARTZ: All there's two alternatives that Okay, alternative one, just to of reference, this is the turnpi located right here. The heavy 115. Okay?

So the industrial sitting in the industrial distri Sixty-six acres is kind of surr What we tried to do the 66 acres that we know of then began to look at where th the west side of 115, so the road, I'm calling west, not in cemetery and trying to avoid land as we possibly can.

Now, the park can b some municipal land, but we ca over-predominance of the municipa again, it's not really the land terms of data center to be zone manner.

We have included all in the pink. There are a lot properties in that area. I kn that. There's, in fact, about parcels total and there's 70-ish property owners.

That's part of what do, we need to make sure we al of a spot zoning.

As you guys probably has some challenges in terms the topography, but there is There is power. We're getting where there is public water do end of the 115 corridor, and bit of open land that will be of the interchange, the 115 ar There was a second was also explored. I should one, the total area of the indu the I-1, with amendment would The second one now residential neighborhood going It expands the area -- or, sorr the area on the west side of amount of acreage goes down. So we're down to abo There's more parcels because neighborhood and many more uniq owners. So, what we were try again, there's water issues th neighborhood that if there was could some of that stuff be re

long term because of the zoning the type of thing that we were explore.

So, the corridor re terms of the -- pretty much th corridor. To give you a point can't see -- Bella Lane --

MS. YAGLE: It's ri Right before --

MR. SCHWARTZ: Right

MS. YAGLE: Yeah.

MR. SCHWARTZ: Just point of reference, that's Bell going all the way down, all th

(Inaudible crosstalk.)

MR. SCHWARTZ: How Up. All right. Okay. So, on that the supervisors have to most people are kind of focused the industrial district. We industrial district.

I mean, it's just - flush out a couple different different configurations. We variety of different property

In terms of this ne
they would be included, they're
differently than if we would
alternative one, but alternative
the other side of 115.
So that nonresidential
again, you have some nonresidential
that's largely on the east side
cases, it could be on the west
Again, this is expandi
industrial district. There's
involved in this particular to
Data center, solar,
stores that currently are allowe
industrial district, all those
in the industrial district.
We are just building upon the
district standards.
Things like battery
power generation in terms of
We've tried to address that wh
tech stuff. That would also
expanded industrial district,
I see a shaking of
hear ya, but we have to, again,

that we have to address in some form.

(Inaudible crosstalk.)

UNKNOWN SPEAKER: of this, is that all the way Road?

MR. SCHWARTZ: This

UNKNOWN SPEAKER: That's the center of the picture. The left side of the map where

ATTY. SENAPE: Excuse

(Inaudible crosstalk.)

ATTY. SENAPE: AJ.

(Inaudible crosstalk.)

ATTY. SENAPE: AJ, order on behalf of the Supervisors, answer questions tonight. We those for the hearing.

And if at some point audience needs to speak, they their name, spell it for the

MR. SCHWARTZ: I wil and you can referee.

ATTY. SENAPE: So w audience to hold questions of

questions at this point.
MR. SCHWARTZ: Okay.
though, the only thing that's
industrial district modification
the area that's within the pink
The rest of the map
you context. This is your exis
where the state game lands are,
things, okay? I should have
beginning.
UNKNOWN SPEAKER: W
interchanging onto that map?
MR. SCHWARTZ: Michael
like to address any questions?
ATTY. SENAPE: Again,
of order, this is a meeting fo
information and for the Supervisor
information from you.
Questions such as t
should be addressed at the next
MR. SCHWARTZ: Okay.
You guys have any questions?
MR. WEITZ: How many
say was in map one?
MR. SCHWARTZ: 101.

MR. O'HARA: And th
MR. SCHWARTZ: 186.
ATTY. SENAPE: AJ,
two things for the Supervisors,
properties that would need to
number of mailings, can you gi
with either option of what that
MR. SCHWARTZ: So,
solicitor is, I think, trying
the curative amendment, because
modification just to a geographic
discreet geographic area, every
would be affected would have
some way, shape, or form.
If alternate -- you
me. If alternate one, we would
101 properties.
MS. YAGLE: Send the
MR. SCHWARTZ: Send
other one, we would have to po
letters.
Now, in the case whe
multiple people that own multiple
they're still getting the same
just going to the same address.

cover that?

ATTY. SENAPE: Thank

MR. SCHWARTZ: Other

Questions?

(No response.)

MR. SCHWARTZ: Move

MR. O'HARA: Yeah.

MR. SCHWARTZ: Okay.

thing we'd want to go through

text. I'm going to hand out.

pass these down.

So, this is the type

hopefully you can at least star

public review that at the end

motion so that the public can

Okay.

So, the ordinance,

doing an overlay. I think prev

appeared that you guys were go

that maybe the data center and

actually be a separate ordinance,

its own number type of thing.

The way this is laid

are inserted into your existing

we're literally amending.

So, again, the curati
the resolution to be passed in
amendment was to remedy, as th
defect of not having all land
centers, solar farms, utility
addressed in the ordinance, ri
So, when you go thro
gonna see references to, like,
towards the bottom, Section on
text, very first line, Section
your definition section in your
ordinance. Starting at the bo
and going through, keep on goin
Carolyn likes definitions, page
new definitions or modified de
current ordinance. Virtually,
new, correct, Carolyn?
MS. YAGLE: Yes.
MR. SCHWARTZ: All
there's a lot of terms that ne
So there are things like when
terms of solar farms, your util
agrivoltaics, okay? You're go
kinds of newfangled things, al
So, what we tried t

phrase or word that is commonly repeatedly used in the ordinance them as a term. These would your other definitions.

So, this isn't showin definitions as would be in the These are just the ones that Okay?

All right. You go starting at Section two, which pertaining to Article five, th modification of the industrial So, if you go look at your ordi five is where the industrial described.

The first part is d right. As an example, single-famil by right. They're there, they'r As opposed to uses by special conditional uses, okay?

So, looking at conditi these would be the new things inserting in terms of land uses ordinance, data centers, data data center accessory uses, da

equipment, principal solar ener
accessory solar energy systems,
storage systems, energy generation
distribution facilities.
And then the other
trying to do is kind of clean
I think it's called. We talked
catchall before, 23, parentheses
permitted as conditional uses
in terms of --
MS. YAGLE: Residential.
MR. SCHWARTZ: -- b
currently in the R-1 district.
Section 3 gets into
So, this is where your conditional
is and where you have conditional
described.
So, starting on page
fundamentally going through to
is all the conditions related
uses. So, the conditions are
requirements, if you want to
the standards.
So typically you hav
types of uses, you have uses

right, you have conditional us
have special exceptions. All
that you have already determined
for the districts where they're
In the case of condit
special exception, they're okay
district, but they may have so
that you want to establish some
standards that a use by right
have to deal with, wouldn't ha
with. So that's the point of
Special exceptions
Hearing Board. Conditional us
Everything being proposed is
Okay? So these final pages ar
all the conditional uses.
The draft ordinance
with, we build on that. In so
changed. I think the utility
changed fairly dramatically.
noise standards, vibration, we
additional discussion in terms
additional noise requirements
added for some of the uses.
I don't think for a

uses that really apply to. Th
that can get kind of tweaked
planning process coming here
September into the fall.
Buffer yard standards,
impervious surface standards,
height are all consistent with
currently have in the industrial
we're not changing those. So
the -- or, sorry, lot coverage
building height is 55 feet.
Again, we could make
uses have different heights,
reason, or at least what I was
everybody said let's put it in
district, they're treating it
use, so we just are using the
MS. YAGLE: There a
also that were reflecting upon
received at the last meeting,
glare and the dark sky components,
baseline element for identifying
with the resources and the uses
MR. SCHWARTZ: Go t
So your ordinance, while at th

meeting -- and we're gonna get resource protection -- I made You don't, in zoning, you don't controls over top of -- for st things like that, you do a litt in terms of your land development, do have in your zoning ordinance environmental impact statement So, the bottom of we're picking up on where you a vehicle in the ordinance to evaluation in terms of the natu that we're building off. So, take particular that, because I think that's topics like noise and lighting of things that all can be just part of something that's already this. We're not creating some that somebody doesn't already with. Page 13, you're in you're in vibration. You're what you have to do for a vibrat quality at the bottom of the

Heat, fire, explosion.
these, the first set is all ab
There's almost sister versions
for all the other uses, like
storage, utility scale. When
conditions, you're gonna see
different depending upon the
use has kind of its inherent
and that's what you're trying
health, safety, and welfare re
Emergency management,
response. We mentioned lighting.
Surface waters. Ground water.
Public water supply. Water fe
requirements. These are all
be required as a part of the
approval.
So, looking at the
ordinance, I guess second versio
ordinance, public comments that
charter school, and then comments
and I have gotten along the wa
drafted the conditions. We've
everything that people were hi
either people were concerned

didn't think was being addressed shape, or form.

When you get, there's section on generators, security, communications, decommissioning, analysis, parking and loading, standards.

There is comments developer's agreement, which acknowledgment that the conditiona approval is gonna lead to a de agreement. And then we kind topics should be addressed in agreement.

You're not requiring agreement as a part of the cond that should be land development, are doing is giving the prescripti topics that the developer's ag cover.

There's also a section the host community benefit agre that's where you could enter with the applicant. Say it's storage, battery and BSS.

Fire fighting is a
You may have to, through that
compensated, the fire company
for training, for additional
equipment, those types of things
Getting to page 32,
conditional use application re
needs to be submitted. So we'r
clarity.
Then when you get t
where we get into solar energy,
through that, then you get into
storage, etc. A lot of text.
It's, I think, to a
probably appropriate to start
review, you guys start doing
planning commission, Luzerne
Commission doing a public review
we wanted to go through this
Questions related to text?
MR. O'HARA: So these
you put in here, will they be
industrial zone or just when
center, solar farm, and then
MR. SCHWARTZ: Whateve

particular conditional use is.
MR. O'HARA: Okay.
MR. SCHWARTZ: So
something you want to do down
touch up your industrial standard
the curative amendment resolution
we need -- the curative amendment
the data center and the solar.
stay in that lane.
MR. O'HARA: Okay.
MR. SCHWARTZ: You're
the industrial so there's some
can change, but I can't go clea
industrial.
MR. PETLOCK: Are w
industries in the industrial
not touched upon?
MR. SCHWARTZ: You
MS. YAGLE: Yes. M
through. There is also your
MR. SCHWARTZ: We p
uses. So if there's something
addressed, that's the very firs
zoning officer would be looking
in all other uses.

MS. YAGLE: And it special exception as it's curren
MR. SCHWARTZ: Correc
MS. YAGLE: So you provision today and it would
MR. PETLOCK: Thank
MR. SCHWARTZ: I wo to put that type of catchall matter what the ordinance is. somewhat of a catchall. It's clumsy.
MR. PETLOCK: You c everything, that's --
MR. SCHWARTZ: You of everything. Medical marijuana Tasting rooms.
MS. YAGLE: Event v
MR. SCHWARTZ: Yes. Questions?
(No response.)
MR. SCHWARTZ: Move topic? Yes. Okay. Back to with resources.
So, one of the things remind everybody, when we first

this conversation, when we're ordinance, I made mention in impact statement section, which subdivision land development regulation related to steep sl have regulation related to high farm ag, farmland, those types things that you can regulate, natural bounty that you, that of has, it's an incredible amou those colors are resources.

So, whether they're systems, ground water infiltration, is kind of the woodlands, it's right?

And so when we're l ordinance and I read your commun objectives, your community obje drafted, they're clear, your a kind of a residential and a economy, small scale, that's if you close your eyes, that's as the community.

What we're suggesting a -- this is the noncurative

discussion. So this has nothing
curative amendment, but as a
should create some sort of over
zoning, better control the deve
that as the mechanism to determin
development actually can occur.
So, if you think of
today, I own 100 acres, I go
lot size -- Don, correct me if
terms of -- as you would be wo
this, I got a minimum lot size,
one-acre lot size, I get a hund
okay? I lay out my parcels an
and I'm, at the end of the day,
getting close to the hundred
lose some for storm water and
that's generally the math.
That's blind of I g
slopes, I have a big wetland
some cases people would look
entitlement, and so they may
as a part of land development,
modifications and reduce the
get the same number of houses,
on smaller lots. Can be good,

bad.

What we try to do zoning have a basically a worksh you to work through and determine natural resource you have on property so an applicant would fill in the worksheet, and thei it's residential, that's how get based on what doesn't have natural resources.

It also then gives of that's where the houses woul case of nonresidential, it is envelope where, say, a warehouse retail store, those types of

Okay. So, the idea second part of this, the noncurat create a natural resource protec and what we're trying to do is things.

So, because so much is C-1, if I look at the land allow in C-1, okay, it's basicall family homes, single family ho family homes, and maybe accessory

could have panels on my rooftop. really low key, okay?

The disturbance of is not as much of a concern in opposed to some of your other also have those same resources much higher densities, depending R-1, R 2, whatever, or industrial.

So, the overlay that is the area that is the striped, pattern. That is fundamentally R-2, the B-1, the B-2, and the

MS. YAGLE: And the

MR. SCHWARTZ: And doesn't include the C-1. Now, would do is have somebody work worksheet that's filling in ho their parcel is in a floodplain, wetland, how much is in hydric it establishes development rati you to disturb so much but not

That is then used t balance, which would be kind buildable area, net buildable way we described it in the ordi

what your densities would be
you could determine how many
put on, in my example, the hund
Okay?
So, what we're trying
it as a way of geographically
development where the natural
support the development and th
intensity of the development
with what the natural systems
would be triggered through the
We call this noncurative
doesn't have anything to do wi
centers or the utility scale
to the I-1 district, but they
hand.
So, think of it as
amendment as allowing uses and
parameters, if those uses occur,
control those. The overlay is
can actually fall on a particular
given assuming that it's a perm
Does that make sense?
MR. O'HARA: Yeah.
MR. SCHWARTZ: And,

look at the text on this, we
series of objectives that are
they dovetail nicely with your
development objectives, a purpos
terms of this. This would be
because it's flying over multiple
districts.
MS. YAGLE: And comp
MR. SCHWARTZ: And
comprehensive. So this is a
change to the overall zoning
advertising as different than
amendment. It's a lot fast.
MR. PETLOCK: But w
any of our regulations like th
minimum for lots and stuff of
MR. SCHWARTZ: Nope.
MS. YAGLE: No.
MR. SCHWARTZ: Nope.
The dimensional standards of
districts don't change.
(Hands out document.)
MR. SCHWARTZ: The
standards of your base zoning
change. This is literally just

through a process so they have
And if you go to, you can't mi
to page five. Okay. Again,
what we call a resource protection
what has to be set aside.
So lakes and ponds,
percent of the lake and pond
aside. So that's how you read
you see the one, it's basically
percent.
In column two, Roman
you put in how much land that
And then column three, Roman
where you do the math between
first line times whatever the
You work down through
see, like, hydric soils is .9.
some disturbance of hydric soil
pulsale (phonetic) removal of
soils. Hydric soils is what
ground water resources. Am I
right, Don?
MR. TOTINO: Yep.
MR. SCHWARTZ: Okay.
soils, in Pennsylvania MPC allo

regulate class one, two, and
suggesting to regulate class
don't regulate them equally.
Class one is the pr
precious. It's the most producti
you lose these soils, you never
That's the whole point of the
MS. YAGLE: And they
in the ordinance.
MR. SCHWARTZ: Pardon
MS. YAGLE: They're
the ordinance.
MR. SCHWARTZ: Correct
class one prime ag soils, there
percent protection. Under clas
percent protection.
When you look at you
land development ordinance, th
land development defines steeply
as greater than 25 percent.
consistent with that. Actually,
development, it says you can't
percent or greeter slope. It's
impossible never to disturb an
it at 95 percent.

MS. YAGLE: Because access points just not for lot
MR. SCHWARTZ: May driveway that goes through that soil.
Moderately sloping percent is at 50 percent disturba Being consistent with what your ordinances say.
When you get to page where the math occurs where yo parcel acreage, you deduct out you need to set aside in terms protection. That gives you th balance. And then you take yo your density and you do the ma how many square feet of building many houses you get. Okay?
It has nothing to d it has nothing to do with noise It's just trying to find geograph on the property mother nature could have development and then on that same property that you stay out of, because if we mess

probably messing up our neighbors, stuff can happen.

MS. YAGLE: Does th single family lot?

MR. SCHWARTZ: No.

MS. YAGLE: You want

MR. SCHWARTZ: So, Carolyn's making the point, if that's less than five acres, deal with this, okay?

There's also some o right? It's really tailored, for larger footprints. So wher have, like, a strip center, th where I'm trying to put more have parking lots and those ty that's where this, I think, be Creek appropriate. A lot thinne

The reason the other thick is because of the conditiona requirements. There are all conditional uses. This is a of go through.

MS. YAGLE: And every to be mapped as part of the pr

MR. SCHWARTZ: Yes.
MS. YAGLE: And pres
MR. SCHWARTZ: A lo
This isn't some newfangled thin
MR. PETLOCK: Going
ordinance, is there anything
should be looking at? I know
our comprehensive plan needs
is there anywhere else that yo
our -- that should be addressed
future? Is that a loaded questi
MR. SCHWARTZ: Solicit
I answer the question?
ATTY. SENAPE: Do t
MR. SCHWARTZ: There's
things that you need to look
I'll give you an easy example.
have come in related to, say,
control, okay? We can address
certain types of uses as a part
condition or something like th
guys, that should be just like
standard. There's nothing in
for them.
So that's the kind

at some point in time, I'm not urgent problem right now. Mayb after everybody takes a breath start working on that one. Bu probably a few topics.

There are some standa kind of scattered around the there's even some, like, reorgani you're not changing policy, yo to make it easier for someone find, What am I responsible to kind of tough to do.

MR. PETLOCK: So the that you can give us at a later

MR. SCHWARTZ: Yeah.

MR. PETLOCK: Thank

MR. O'HARA: Okay.

MR. SUCHOCKI: AJ, everything?

MR. SCHWARTZ: Yeah.

MR. SUCHOCKI: Are with the motions?

ATTY. SENAPE: Yeah.

MR. O'HARA: I'm oka have any questions before we

MR. SUCHOCKI: Right
MR. O'HARA: George?
MR. WEITZ: This no
that you have up there, are yo
that we do those changes together
MR. SCHWARTZ: Good
Michael, please step in if I
getting out of kilter.
So, the curative am
the resolution -- the way the
amendment resolution was to re
data centers and whatnot, and
calling this one noncurative,
trying to execute everything
same timeline.
They do have to be
separately, because the first
about the action you previously
to be a public hearing. This
separate -- it has to be a sepa
hearing because it would be ad
separately. It could be the
MR. WEITZ: Okay.
MR. SCHWARTZ: It c
one public hearing, you close

go to the next public hearing.
MR. WEITZ: Okay.
MR. SCHWARTZ: It's
all can kind of parallel, but
brains, they're kind of two se
And I know it's sounds tedious,
write the law.
One thing that the
to clarify, and, George, just
were asking, that's not essential
curative amendment.
MR. WEITZ: Okay.
MR. SCHWARTZ: That
months from now. It could happ
from now. We just think it ma
sense given that you're starting
deal with some of those uses,
try to do it at the same time.
MR. WEITZ: All right
MS. YAGLE: I would
believe that the discussion on
also have a relationship to wh
weeks ago in terms of some of
about the character of Bear Cr
resources here.

So it's looking at
in which to consider what those
where they are, and how they
a relationship between land us
land development, so --
MR. WEITZ: Okay.
MR. O'HARA: Everyone's
good?
MR. PETLOCK: I'm
MR. SUCHOCKI: All
gonna move on. Ryan's gonna
have a few motions that we need
MR. O'HARA: So, fir
you put maps one and two up fo
Does the public mind if we turn
them? Because it's hard for
and see these.
MS. YAGLE: So I can
up at the same time. Just one
And for the ease of reading le
going to put number one on the
two on the right just so -- I
when we were moving those around
that straight and big?
MR. WEITZ: It works.

MS. YAGLE: Okay. at -- one is on the left and Thank you.
MR. O'HARA: So we'l motions. One motion will be alternative one to go for advert one motion will be for alternative this time I'll make a motion wants to choose alternative nu forward with.
MR. WEITZ: I'll sec
MS. WEIHBRECHT: Oka made the motion to approve numb made the second?
MR. WEITZ: Uh-huh.
MS. WEIHBRECHT: Oka vote for alternative one. Mr.
MR. WEITZ: Yes.
MS. WEIHBRECHT: Mr.
MR. O'HARA: Yes.
MS. WEIHBRECHT: Mr.
MR. ONDICH: Yes.
MS. WEIHBRECHT: Mr.
MR. PETLOCK: Yes.
MS. WEIHBRECHT: And

MR. SUCHOCKI: Yes.
MR. O'HARA: We don' motion. Okay. So at this time motion to advertise curative alternative number one.
MR. WEITZ: I'll se
MS. WEIHBRECHT: Ok to advertise curative amendment number one. Mr. Weitz?
MR. WEITZ: Yes.
MS. WEIHBRECHT: Mr.
MR. O'HARA: Yes.
MS. WEIHBRECHT: Mr.
MR. ONDICH: Yes.
MS. WEIHBRECHT: Mr.
MR. PETLOCK: Yes.
MS. WEIHBRECHT: And
MR. SUCHOCKI: Yes.
MR. O'HARA: I'd lik another motion to advertise re ordinance text file inclusive center related uses and provisions industrial-oriented uses applicab consideration within the I-1 which is the information we we

MR. WEITZ: I'll se
MS. YAGLE: That al
solar, correct?
MR. WEITZ: Yes.
MR. O'HARA: That's
MS. WEIHBRECHT: Mr
MR. WEITZ: Yes.
MS. WEIHBRECHT: Mr
MR. O'HARA: Yes.
MS. WEIHBRECHT: Mr.
MR. ONDICH: Yes.
MS. WEIHBRECHT: Mr.
MR. PETLOCK: Yes.
MS. WEIHBRECHT: Mr.
MR. SUCHOCKI: Yes.
MR. O'HARA: And I
make a motion to advertise the
protection overlay map, which
now.
MR. PETLOCK: I'll
MS. WEIHBRECHT: Oka
and Mr. Petlock. On the vote,
MR. WEITZ: Yes.
MS. WEIHBRECHT: Mr.
MR. O'HARA: Yes.

MS. WEIHBRECHT: Mr
MR. ONDICH: Yes.
MS. WEIHBRECHT: Mr
MR. PETLOCK: Yes.
MS. WEIHBRECHT: An
MR. SUCHOCKI: Yes.
MR. O'HARA: Then make a motion to advertise the protection overlay text, which provided here that we went over paper.
MR. WEITZ: I'll sec
MS. WEIHBRECHT: And Mr. Weitz?
MR. WEITZ: Yes.
MS. WEIHBRECHT: Mr.
MR. O'HARA: Yes.
MS. WEIHBRECHT: Mr.
MR. ONDICH: Yes.
MS. WEIHBRECHT: Mr.
MR. PETLOCK: Yes.
MS. WEIHBRECHT: And
MR. SUCHOCKI: Yes.
MR. O'HARA: And the to make a motion to direct our

deliver EPD option to Planning proceed with all necessary mail and posting of properties and documents and maps to Bear Cree office, Luzerne County law libr review of the EPD option of or MR. SCHWARTZ: Can You're meaning the map of altern correct?

MR. O'HARA: That's alternative one.

MR. SCHWARTZ: Okay.

MR. O'HARA: The map

MR. PETLOCK: I'll

MS. WEIHBRECHT: On Mr. Weitz?

MR. WEITZ: Yes.

MS. WEIHBRECHT: Mr.

MR. O'HARA: Yes.

MS. WEIHBRECHT: Mr.

MR. ONDICH: Yes.

MS. WEIHBRECHT: Mr.

MR. PETLOCK: Yes.

MS. WEIHBRECHT: Mr.

MR. SUCHOCKI: Yes.

ATTY. SENAPE: Gentle go any further, I just want to court reporter, the text that originally, the ordinance, I've Bear Creek Township Board of Exhibit 1 and the date. The will take it and reference it transcript. And then the Natura Protection Overlay, it'll be but Exhibit 2.

MR. O'HARA: Okay.

MR. SUCHOCKI: All going to move on to public comm that signed up. The Supervisors answering any questions tonight. will be all answered at the Au when everybody has a chance to over here and see what we're

Anyone that signed speak, we ask that you come to us know where you're from, your we're giving everybody two minu last meeting to tell us anything say.

ATTY. SENAPE: Just

a court reporter, she needs to name, your address, the spelling and if you could try and speak she can take down anything that say.

MR. O'HARA: Don Co

MR. CONYNGHAM: Guil Your Honor. For the record, C-O-N-Y-N-G-H-A-M, like the va Hillbrook Drive, Bear Creek To Pennsylvania, 18702. Anything talk?

ATTY. SENAPE: You

MR. CONYNGHAM: Thank Honor. I keep seeing these pu announcements on the TV set an a senior citizens if they call have turnpike fines or anything they're trying to rush you, ba down, it's a scam. I feel like this.

And I don't think i And I don't think it's you. being rushed from the people benefit the most from this.

to do that, too.
THE AUDIENCE: Yes.
MR. CONYNGHAM: Than
support. I do point out to yo
to steal his thunder, I don't
up to talk, but there's a local
is in the midst of desperately
rescind it's conservator, or
it is.
I'm glad, tickled p
you're adopting the natural pr
You need to do that almost up
you do the overlay for the deve
months later adopt it, some sl
gonna say you did it just to
you should have rights to protec
Bear Creek without them?
Now, I talked to you
how fragile the aquifer is.
talked to anybody professional
And if not, could I ask that
you -- I'm not gonna bring them
guys for 47 years. If I bring
be a ringer. You pick a name
yellow page, call him and ask

in Bear Creek -- is like, or Township. Listen to him.

Our aquifer is half bring somebody in here pumping gallons an hour, you don't have There's people in this room th dealing with lousy well water.

MR. O'HARA: Thank Mr. Conyngham.

MR. CONYNGHAM: Two Thank you.

MR. O'HARA: Mr. Pet

MR. AUSTIN: Peter East End Boulevard, Bear Creek.

COURT REPORTER: You it A-U-S-T-I-N?

MR. AUSTIN: That's AJ? You referenced a couple percent, two, four, seven percen you have any specific case law reference and provide that? last time. I would just like clarification on where that is see that in writing.

MR. SCHWARTZ: After

ATTY. SENAPE: AJ, it's public comment.
MR. SCHWARTZ: Yeah.
ATTY. SENAPE: You respond.
MR. AUSTIN: Yeah. just saying. If not, I'll put it. Secondly, can we get regula like AutoCAD or other drawings So we can actually zoom in and everything getting all fuzzy.
And, lastly, I see 31st meeting. So that's a Mond then I guess you'll take public as well, at the charter school.
And then so you have take public comment incorporate evaluate it, determine what to then vote on it three days late make sense. I mean, I looked on my -- or am I misunderstanding
ATTY. SENAPE: Again, comment.
MR. AUSTIN: Okay.
ATTY. SENAPE: You

the right to make the comment.
MR. AUSTIN: Well, what I mean, it's only three what it seems to me. I'd apprec response on that. Thank you.
MR. O'HARA: Brian
MR. MARIEN: Marien, Drive, Bear Creek.
COURT REPORTER: Sp name, please.
MR. MARIEN: M-A-R-I-E-N directed at all of you, data to five million gallons of wate carry a radius of influence or five miles away from the center, expand indefinitely based on and/or lack of aquifer recharging rainwater.
Any well falling wit five-mile expanding radius from will experience drawdown resultin water pressure, increased well potential for the well drying
Here comes the punch Pennsylvania law currently stat

private well is depleted or co
homeowner must file suit in ci
the data center.
First, you must have
assessment of your well by a
beforehand right out of the ga
they'll tell you it's some othe
Wells are not monitore
DEP. Industrial high volume
centers are not required to re
They run your water dry, you're
You must successfully
negligence or malice or their
is considered reasonable based
capacity.
The rest I'm gonna
he's gonna expand upon next to
Township relies entirely on gr
its domestic water supply. Ex
water from outside the area is
Exploitation of the
resources can lead to direct
health with special concern fo
resources.
The land development

provides standards for the deve
nonresidential projects assuring
of adequate community facilities,
water supply.

In order to protect
supply in Bear Creek, development
carefully controlled, balanced
water quality, and future growth
meticulous consideration to we
the water quality against the
growth.

MR. O'HARA: Dawn A
MS. ALEXIS: Dawn A
A-L-E-X-I-S, 1700 Bald Mountain
Creek Township, 18702.

I just have a few n
headlines that I would like ev
about. Deforestation for an
center flooded a West Virginia
twice due to storm water runoff.

California's largest
project is suing to gain access
River due to the need for 760,00
water per day.

Virginia just released

environmental scientist report for six moths finding declines aquifer feeding the data centers. Data center noise continuous 24/7 industrial hums ultrasound, and backup generator well as use that commonly breach limits. Neighbors in the commun headaches, vertigo, nausea, sl and high blood pressure. Average utility costs where data centers are located the country by six to eight pe guest today opinionated the gr continued inflation was utility to data centers. Fifteen states are statewide moratorium on data Pennsylvania is one. New York state that has enacted a statewid Seventy-four percent Pennsylvanian voters oppose bu centers in their communities, (phonetic) University poll in The citizens are mee

in this room at 5:00 for discussi
everyone is welcome. Thank yo
MR. O'HARA: Thank
MR. WERNER: Yeah.
W-E-R-N-E-R. I counted about
in here. Say three or four ha
think that's pretty unusual.
some people say, Ah, that's on
percent.
I don't fall for the
scam, okay? Oh, it's only a
of industrial use. It's still
I heard the same thi
built the Rising Ridge Camp,
acres, we're gonna develop a
X percent. Percentages are a
use those to justify anything.
percent of people know that.
Mark Petlock is right
right at the last meeting, we'r
specific uses for everything.
So the catchall now is we're
other uses.
Well that's great u
other use comes along, and then

zone is still too small and we again.

I also don't fall scam. Guess what, the lawsuit guy money, too. It costs Mark too.

Conyngham's right, Think about it.

MR. O'HARA: Paul

MR. MILLER: Could Blight go before me? He should the list.

MR. O'HARA: Brian

MR. BLIGHT: Brian B-L-I-G-H-T, 26 Sandspring Road

I'll make this as q folks, but AJ said there's no That's wrong. There is. It's Comprehensive Plan, signed in It has not changed since.

Brian's excerpts ref unquote. I'll read this now, may not know our Comprehensive is an essential guide for drafti and protecting the way of life

Township.

The Comprehensive community's roadmap for land adopted statement of shared pr housing, open space, roads, lo that guides zoning, permits, decisions. It reflects years input and was written to preserve low-density, rural character

Courts and planning adopted plans as persuasive ev municipal police. Example, in Bituminous Coal Association V. judges relied on comprehensive consistent local practice, reme consistent local practice, when use actions. The precedent sh adopted plan, steady enforced, when a township defends its lo choices.

While the plan allows industrial district for low-impact it was not sized or intended large-scale facilities such as

Proposals to expand

overlays or post-hoc zoning ch
conflict with the plan. Can't
core purposes, undermine the
that produced it and set a prec
should be exceptions that erode
of our community expects. Can'
Any amendment or ov
considered if it clearly and
advances the public good, which
have shown not to be. Can't
History informs the
plan, practiced for decades,
benchmark guiding our ordinances
expectations. Respecting the
Plan --
MR. O'HARA: Thank
ATTY. SENAPE: Mr.
just state the case that you
slower for me?
MR. BLIGHT: Certainly.
Keystone Bituminous Coal Associat
Benedictis. That's what I have
was 2005 or 2004.
ATTY. SENAPE: Do y
court it was issued by, or a

MR. BLIGHT: I don't.
ATTY. SENAPE: It's Bituminous?
MR. BLIGHT: Yeah.
ATTY. SENAPE: Versus
MR. BLIGHT: D-E-B-E-N-E-D-I-C-T-I-S.
ATTY. SENAPE: Thank
MR. O'HARA: Paul
MR. MILLER: Paul M Cottonwood Road. This is our plan, it's 112 pages. Most co are about eight to ten.
This plan defines B Township as a tourism, environmenta community, which means most re outside to work and come back
A key theme to this conservation of Bear Creek Town recreational character, and go actions taken by the Township initially assessed on its effect Township's character.
It also says the env quality of Bear Creek Township's

and vitality of its recreational very fragile. Clean and plentifu air, open spaces, vegetation, be irreparably damaged by develo undertaken without concern for environment and careful planning control.

It repeatedly says water, conserve our open spaces, air quality, reserve the rural character.

Finally, it says the and development must be the ap traditional and innovative land agricultural and open space la techniques, and environmental part of the planning development

By properly applying our ordinance, the ordinance data centers on current industrial only. Surface and ground water humanitarian purposes only, ba kitchens, and fire protection.

Small scale data cen the space of our industrial zo

setbacks to ensure the small will fit. Thank you.

MR. O'HARA: Mark

MR. POPPLE: Mark

MR. O'HARA: Address?

MR. POPPLE: Pardon

MR. O'HARA: You ha address.

MR. POPPLE: 645 La Bear Creek. Question for you, engineer, when were you hired?

ATTY. SENAPE: Not session. Sorry.

MR. POPPLE: All rig

ATTY. SENAPE: You questions for the next hearing, can't start taking questions and rejecting them from others. meeting to present information.

MR. POPPLE: -- quest asked, it says right in your

ATTY. SENAPE: Comment comment. That's not questions.

MR. POPPLE: I'll c

ATTY. SENAPE: You

question for the August 31st respectfully.

MR. POPPLE: Okay. waste any more time getting cu one site offered to the Township didn't touch the wells, and th whole thing got started. It corner of the Township bordered townships. It was a long distan the homes.

Now you have a outline all of Trailwood and all the all the way down to the charter

MR. BLIGHT: Read t Plan. That violates that.

ATTY. SENAPE: Mr. and give him an opportunity to

MR. POPPLE: Just w offered something that was in from people, why would you pick you picked? That's it.

MR. O'HARA: Frank

MR. HOEGEN: I only so I'll wait until the August

MR. O'HARA: Morgan

MS. POPPLE: I only as well.
MR. O'HARA: Okay. this writing.
MR. SUCHOCKI: Mark
MS. WEIHBRECHT: Oh left.
MR. O'HARA: Mark
MS. WEIHBRECHT: I leave. I think I saw Mark go
MR. O'HARA: Derek
MR. SUTCLIFFE: Derek D-E-R-E-K, S-U-T-C-L-I-F-F-E, Avenue, Moosic 18507. I paid turnpike to be here tonight.
From the Pennsylvania Municipal Deskbook, Seventh Ed It's basically a two-page essay, 108, Exclusionary Zoning and Doctrine.
On page 107, paragraph municipality excludes an industri or institutional use that is objectionable, it must justify I don't need to explain why we

centers are inherently objectionabl
And on page 108, th
the first paragraph, Nevertheless,
landowner challenging a zoning
fair share theory should provide
regarding the percentage of un
the municipality or risk a dete
it has failed to meet its burden
ordinance invalid, there is no
rule that a municipality's fair
particular use is to be bared
percentage of land being availabl
In some circumstances,
allocation of land may meet th
requirement, particularly if
demonstration of a greater need
Can anyone tell me
of a data center anywhere in
UNKNOWN SPEAKER: N
MR. SUTCLIFFE: And
know who's tested that already,
tested in Dickson City, they've
use application and a zoning
they denied the appeal against
think it's Dickson City Developmen

represented by Michael Mey, at a wholly owned subsidiary of Construction. Thank you.

MR. SUCHOCKI: All all the speakers we have that Right?

MR. O'HARA: Yeah.

ATTY. SENAPE: Gentle adjourn, I just want to have for the audience of the next motions that were made, just everyone in the audience. Do secretary to read it back or

MR. SUCHOCKI: The August 31, 2026 from 6 p.m. to be held at the Bear Creek Charte

The second meeting September 3, 2026 at 6 p.m. at Charter School.

ATTY. SENAPE: Just up, I promise. So, the solicitor' be taking care of the advertising newspapers and the written noti mailed and posted working with

The proposed documents

available for public inspection
municipal building and at the
that'll be sometime Friday afte
MR. O'HARA: Thank
motion to adjourn.
MR. PETLOCK: I seco
MS. WEIHBRECHT: Al
ALL MEMBERS: Aye.
MR. SUCHOCKI: Thank

(Meeting adjourned.)

C E R T I F I C A T

I hereby certify that the proceedings evidence are contained fully and accurat notes taken by me of the above-cause is a correct transcript of the same t ability.

Michelle Smolskis
Official Court Rep

(The foregoing certificate of this tran apply to any reproduction of the same unless under the direct control and/or the certifying reporter.)

Special Combined Work Session
Bear Creek Twp Supervisors/Planning Commission
Re: Presentation EPD Environmental & Design
July 16, 2026

Roll Call Supervisors:		**Roll Call Planning Commission:**	
George Weitz	P	Robert Becker	A
Ryan O'Hara	P	Anthony Ciliberto	A
Robert Suchocki	P	Richard Kresge	P
John Ondish	P	Mark Petlock	P
Don Totino	P	Scott Sherwood	P
Michael Senape	P	James Senape	P

Meeting opened with the Pledge of Allegiance.

This is a work session between the Bear Creek Township Supervisors and the Planning Commission. A presentation by EPD Environmental and Design was given to the boards by AJ from EPD. A series of maps of different locations were shown. Copies of the presentation are going to be sent over to the Bear Creek Township office.

It was found that our ordinance does not have standards. Should include resources in ordinance, farm; impose standards A1/C1.

J. Ondish – asked about flood plan? Answer was yes, which means that the entire federal land is out.

M. Petlock – Planning code updated as well? Answer was yes, but that is a different topic to be addressed later.

R. Kresge – Rule of thumb for measurements? Ratios? Answer – State law guide rails conservative, dependable. R. Kresge also asked if these sites that were shown are potential sites? Answer – yes, but not all are recommended.

M. Senape did address that this is a fact-finding meeting for the elected officials so that they can make the best decisions for the residents of Bear Creek Township.

M. Petlock stated that there are different scales of data centers/solar farms. Krypto currency are larger and more elaborate. Noisy. Power plants, batteries are being used for power.

Caroline Yeager –

G. Weitz – Adequate for land use going forward. A1/A2, spot zoning, red areas are concerning. Steep slopes, soils. Permission to control.

S. Sherwood to include in comprehensive plan – 23 years. Use – conditional/exceptional use recommendation, more communities are going toward conditional use.

R. Kresge – Hold things to a higher standard. Re-tool ordinance – not a complete re-write.

Senape, this is not an easy job for the elected officials.

S. Sherwood – Started working on it? The clock is ticking is expressed. What are the resources on the selected areas? Answer – will be a challenge – one location had water the others would need wells.

Opened up to public comments at this time. Please keep your comments to 2 minutes.

Donald Cunningham: Natural resources not protected. Why not? Has there been a study to look at it? Answer – yes.

M. Popple asked what 3 areas? Could the maps be shown to the public? It was explained to Mark that multiple areas have been looked at.

Deanna Evans – read from Exhibit 1

Ben Poole – Stated that 99% of the people are against this as this will pollute the water as well as the air. NY has put a moratorium on data centers.

Paul Miller – stated that "we" elected you to do what's right for Bear Creek Township.

Christine Fazzi – We should work together to make this not happen. Get facts together, help community to not happen. Timeline. Protect our natural resources. Ever changing world.

D. Cunningham – 750 rotten salt waters. Pull up salt water – ruin wells.

Marla Anthony (Ben Kuhl) – Quantitative computer is the future. The US is not up to speed. Data centers will be obsolete in the future. Quantitative computing is the future.

S. Sherwood – this should include dark sky compliance.

Pete – Comments submitted – under consideration.

AJ is on our team, comments made. PA-MPC provide for all uses. PA land use.

Again, it was stressed that the time frame is ticking fast.

Zoning compelled to file challenge will end up in court. We must deal with use. How best to comply with law and contain control. You must regulate land use.

We need to address land uses. Resource protection, regulate intensity of development. Get scale to be consistent with Bear Creek Twp. There are ways of dealing with timeline. We have 1 month. Data center – Industrial use.

It was asked why the public could not see the maps. R. Suchoski explained that this was a work session between the Supervisors and the Planning Commission to draft an ordinance. It was decided that the TV would be turned so that the public could see the maps. Working on a curative amendment.

Atty. Senape did stress that this is not a final map, it is a work in progress.

Behind Forest Park and behind the golf course.

M. Petlock made the motion to adjourn the meeting at 6:53 p.m., R. O'hara seconded, all in favor.

DEANN Exhibit 1

foreign influence and called us anti-tech extremists. All of us with our APPS & GPS.

- The President issued an executive order to facilitate data center development, directing agencies to streamline reviews, prioritize high capacity projects and support infrastructure critical to AI. It specifically directs agencies to streamline permitting for data centers, data center energy projects, and expidite permits under The Clean Water Act. Many aspects will require changes to existing regulation and likely end up in litigation.
- The PA Farm Bureau is trying to stop PPL from running Data Center transmission lines through Farmer Fields. They came up with Senate Bill 225 - proposing Eminent Domain reform to protect and compensate owners against Eminent Domain over reach abuse. Two words expect to hear more as more citizens oppose data centers. Please call state Rep to Pass Senate Bill 225.
- Eminent Domain - data centers are being fast-tracked everywhere and are being allowed even in Superfund sites - contaminated by hazardous waste - Brownfield sites - perceived to have environmental contamination In wetlands, other protected lands & conservation districts They have no regard for the environment or land or alternate
- The Environmental Protection Agency wants to scrap the requirement for Public feedback on some new industrial facilities - especially data centers
- On July 14th Fish & Wildlife service changed the definition of "harm" under Endangered Species Act, So projects causing habitat degradation are no longer going to be considered harming endang species - opening the way to legalize destruction of the places endang species live.

Why so many so fast

points to ponder —

- Data centers are Resource Ravenous
- Before they consume 1 gallon of water to cool equipment, the site will be dewatered by pumping and removing groundwater before construction because they're such massive structures.
- Data centers should be required to have their own wastewater treatment plants but also an onsite filtration plant w/ reverse osmosis to clean the wastewater, as areas of high mineral content will scale and damage cooling towers.
- How prepared are our Emergency Personel for Thermal Runaway, a chemical reaction triggered by excessive heat in lithium batteries. A single cell heating past its threshold vents toxic gas & ignites adjacent cells that can't be quelled like other fires, and requires mitigation of corrosive smoke. A fire protection engineer from National Fire Protection Assoc. says this tech is evolving too fast, that it's like building an airplane as the concept of a plane itself is still being invented.
- Tech evolves and becomes obsolete for other tech. At this moment, a speculative bubble of Data Center construction threatens our health, landscape, wildlife and futures - but next week, someone might invent a chip that does 10^x the computing for 1/10 the power - making data centers obsolete tax write offs for millionaires
- Data Center Job Creation is Short Term & rooted in their contruction - not in ongoing operations. Once built they're no longer a force for job creation or growth.
- Under current administration, a task force was built whose sole job is to sue states trying to ethically regulate A.I.
- 3 Senators asked the FBI to investigate anyone opposing data centers. They say local opposition is fueled by

June 1, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, June 1, 2026 at 6:00 PM.

Mr. Suchocki announced executive sessions were held on May 20th and 27th to discuss personnel matters.

Mr. Suchocki called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara, Mr. Petlock and Mr. Suchocki were present. Pledge to the flag followed.

MINUTES:

Minutes from the May 4, 2026 meeting were reviewed. A motion was made by Mr. Petlock to approve the minutes, seconded by Mr. O'Hara. Vote: all were in favor.

TREASURER'S REPORT:

For month ending May 2026, total income was $181,522.89. Total expenses were $57,298.75. Cash at the beginning of the period was $1,216,636.07. Cash at the end of the period was $1,341,096.05.

RECEIPTS:

Deposits for the month of May 2026 were $181,522.89. A motion to approve the receipts, subject to audit was made by Mr. O'Hara, seconded by Mr. Ondich. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

DISBURSEMENTS:

Expenses for the month of May 2026 were $57,062.91. A motion was made by Mr. Weitz to approve the disbursements, subject to audit, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $1,125.00 in township permits and $13,795.50 in UCC permits for a total of $14,920.50 for the month of May.

FIRE DEPT REPORT:

16 calls were reported for the month of May.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko reported for the month of May grass and weed whacking was done throughout the township. Parks and properties were maintained; picnic tables were pressure washed. Ditch work done. Equipment and vehicles maintained.

Mr. Petlock asked if we were going to bid out the ditch work at Old East End or see if the road department would be able to handle it. Mr. Totino and Mr. Kachinko will check the project out and discuss if it is something they would be comfortable handling.

ROAD DEPARTMENT FINANCES:

For the month of May 2026 total expenses related to the Road Department were $32,500.82.

OPEN RECORDS REPORT:

One request was received and answered within the designated time frame.

PLANNING BOARD RECOMMENDATIONS:

Board met and reorganized and reviewed the draft ordinances regarding data centers and solar farms.

RESOLUTIONS AND ORDINANCES:

None

SOLICITOR'S REPORT:

Attorney Vinsko reported:

Bond Issue: Attorney Vinsko will be updating the Board via email within the next few days.

Cell Towers: No update.

Water Issue Rodie Drive: No update

Land Development: No update.

Weiss Road: Waiting on Dennison Twp to pass ordinance.

Property Appraisals: Being done by Alan Rosen.

OLD BUSINESS:

ENGINEER'S REPORT:

CORRESPONDENCE/NEW BUSINESS:

Rec Board Movie Night: A movie night in the park will be held on Tuesday, June 9th at the Rec field. The public is invited and refreshments will be available.

Electronic Recycling Event: Scheduled for Saturday, July 11th from 9:00 am to Noon.

PUBLIC COMMENT:

Kristeen Harrison: from Oakridge Road asked for an update on speed bumps/humps in regard to slowing traffic down on Oakridge. Mr. Totino said they would be speed humps which will have striping and will go up and come back down gradually. They can be permanent or removable. He will price them out. He also said placement is important for safety reasons. Ms. Harrison asked if the speed limit had to be 25mph. Mr. Totino said in order to receive liquid fuels funding for the road; the speed limit must be at least 25mph. He also said if we were to lower the speed limit there would be no enforcement.

Linda Evans: Ms. Evans – in regard to the draft ordinance for data centers and solar farm, she stated that she was under the impression that the state is requiring municipalities to come up with an ordinance/plan and wanted to know if the township was given a specific deadline as to when the Board must have an approved plan. Attorney Vinsko responded that the state did not give us that directive, the state law requires us to have one; our curative amendment says the passage of it has to be September 3, 2026.

Ms. Evans inquired about public meetings concerning this and wanted to know if it would occur after the planning board came up with a draft. She asked if the public input would have any bearing on what is going to be drafted. Attorney Vinsko said absolutely, the drafts are just drafts. That's why they require a public hearing, so they can have input and this gives the Board time if there is a substantial change that it can go back to the planning board and county and so on. The public hearing is scheduled for June 17th at 6 PM at the Charter School and will be continued on July 15th, 6 PM at the Charter School. All other meetings will be advertised and nothing will be passed before these public hearings. Final draft will also be available to the public.

Peter Austin: Thanked the Board for the work done by the road department on Old East End Blvd. Mr. Austin then went on to ask about the public hearing on June 17th and July 15th. Attorney Vinsko explained that it is the same public hearing, just continued over two nights so everyone has a chance to give input. Depending on changes, there could be yet another. Everything will be announced and available on the Township Facebook and website. Mr. Austin asked if anyone had reached out to neighboring municipalities to see if they have ordinances that they are working on. Attorney Vinsko said basically every municipality around has something in the works or has already completed one. Discussion continued.

Patty Shuleski: said it was her understanding if you don't have (memorandums?) on it and someone came in an bought up the whole neighborhood that you pretty much could not fight them on it. Attorney Vinsko said that is partly correct. He said there is a process called the landowner curative amendment. If the township does not have anything, someone could come in and propose the ordinance, propose the district and the township supervisors would still have the obligation to put it somewhere but if it is not exactly right, they could file a lawsuit after 60 days and it goes to the courts instead of the Board of Supervisors.

A motion to adjourn was made by Mr. Petlock, seconded by Mr. Weitz. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

May 4, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, May 4, 2026 at 6:00 PM.

Mr. Suchocki called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara, Mr. Petlock and Mr. Suchocki were present. Pledge to the flag followed.

Mr. Suchocki announced an executive session was held this evening just prior to the start of this meeting to discuss personnel and legal matters.

MINUTES:

Minutes from the April 13, 2026 meeting and April 20, 2026 special meeting were reviewed. A motion was made by Mr. Petlock to approve the minutes, seconded by Mr. O'Hara. Vote: all were in favor.

TREASURER'S REPORT:

For month ending April 2026, total income was $75,907.42. Total expenses were $39,961.54. Cash at the beginning of the period was $1,230,150.10. Cash at the end of the period was $1,265,487.73.

RECEIPTS:

Deposits for the month of April 2026 were $75,907.42. A motion to approve the receipts, subject to audit was made by Mr. Ondich, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

DISBURSEMENTS:

Expenses for the month of April 2026 were $40,569.79. A motion was made by Mr. O'Hara to approve the disbursements, subject to audit, seconded by Mr. Ondich. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich and Mr. Petlock; yes. Mr. Suchocki abstained.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $695.00 in township permits and $1,016.13 in UCC permits for April.

FIRE DEPT REPORT:

13 calls were reported for the month of April.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko reported for the month of April that they pressure washed tables at the Rec, put new infield in at Chappy field, cut grass and weed whacked, put soccer nets up at Trailwood, used weed killer at Rec and where needed, fixed siding at Swanson garage, hauled stone for and started ditch project. Dave received his CDL.

ROAD DEPARTMENT FINANCES:

For the month of April 2026 total expenses related to the Road Department were $13,747.37.

OPEN RECORDS REPORT:

None.

PLANNING BOARD RECOMMENDATIONS:

None but will meet May 18th to reorganize.

RESOLUTIONS AND ORDINANCES:

None

SOLICITOR'S REPORT:

Attorney Vinsko reported:

Bond Issue: No update.

Cell Towers: No update.

Water Issue Rodie Drive: No update

Land Development: No update.

Weiss Road: Waiting on Dennison Twp to pass ordinance.

Property Appraisals: Being done by Alan Rosen. We should have a report in the next few weeks.

Abandoned Home: Property has been secured so matter will be removed from agenda.

OLD BUSINESS:

Bond Issue American Asphalt: Attorney Vinsko said everything has been submitted and we should have an answer soon if they are going to do anything, otherwise we will sue for the money. They have a right to reject and force repairs by American Asphalt. We have the updated bonds and generally they have 90 days to respond. We have given them notice and are approaching the 60-day mark.

ENGINEER'S REPORT:

DCNR Grants: The township has applied for two grants. One for Trailwood and one for the Rec Field. Trailwood was to complete a pickleball/tennis court, do improvements to the walking trail and to

install a cross-fit adult work out area. At the Rec Field we will be continuing the walking trail, adding ADA parking, fencing and a dog park. Should know by the Fall if we are awarded.

CORRESPONDENCE/NEW BUSINESS:

SPCA Report: No intakes for the first quarter. Financial statement attached.

Electronic Recycling Event: Scheduled for July 11th.

PUBLIC COMMENT:

Peter Austin: Would like to know what the plan is for the Old East End Blvd drainage issues. Mr. Totino stated the road dept is currently doing the swales and will potentially be putting in a French drain. He will get pricing and see if it is something the road department can handle or if it needs to be contracted out.

Mr. Totino asked Mr. Austin if PennDOT got back to him about the pipe. He said he spoke with Gene from District 4 and he is looking to see what can be done.

Mr. Petlock asked Mr. Totino about Pike Road and he said he has not heard back but will contact District 4 and also inquire about Meadow Run Road as well.

Ridge Road: Mr. Totino said they will line stripe the road and see if it slows traffic down at all. Next step will be a speed hump if needed.

Patty Shuleski: Came to meeting this evening to ask about the Data Center Survey that was put out. Attorney Vinsko said the Township zoning ordinance does not address data center and the Board was looking to get an idea of the opinions of the residents of the township. The Board has passed a curative amendment that stops anyone from filing an application for a data center or solar farm or anything related until they can all aspects addressed. The survey was not to cause problems but to gauge the temperature surrounding the matter. When the amendment to the zoning ordinance is issued, there will be 5 different hearings where people can come and communicate, look at the maps and have public comment.

Ms. Shuleski also asked about the windfarm and if all we are paid on turbines even if they are not in operation. Attorney Vinsko assured her the township is paid regardless.

Linda Evans: Also asked about the survey for data centers and where did the questions come from. Mr. Weitz stated our IT company helped us formulate the questions. Ms. Evans said since there was an overwhelming amount of people against data centers, can’t the township prohibit them. Attorney Vinsko said you cannot. They could file their own curative amendment and put it where they want and force the Board of Supervisors within 60 days to accept it. If they don’t accept it, they take it to the courts and make us pay all their fees and put it where they want. So, with the curative amendment that the township filed no one can put anything in until we have addressed it in our zoning ordinance.

Discussion continued and Attorney Vinsko cited issues happening in other municipalities.

Attorney Vinsko explained that the area the township will designate must be large enough to accommodate and must be reasonably available. You cannot designate an area such as game lands because they would not be available for purchase.

Mr. Totino added if they are to be allowed as per the ordinance, they will be a conditional use or a special exception. They would have to go before hearings to be approved.

Linda Evans: asked if private property could be included in the areas designated by the township. Attorney Vinsko said it can. It will be an overlay of an area, not a specific zoning district. Someone cannot just sell their land for a data center if they are not included in the overlay.

Mr. Suchocki assured the audience that there will be public hearings where everyone can come to voice their opinions and concerns.

Pete Austin: Asked if there will be a committee to oversee the process. Attorney Vinsko said the Board of Supervisors, the Planning Board, and our engineer will be overseeing the process and the township can employ others to assist in the matter if needed.

A motion to adjourn was made by Mr. Petlock, seconded by Mr. O'Hara. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

April 20, 2026

Special Meeting

A special meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, April 20, 2026 at 6:00 PM.

Mr. Petlock called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, and Mr. Petlock were present. Mr. O'Hara and Mr. Suchocki were present via telephone. Pledge to the flag followed.

Mr. Petlock announced an executive session was held on April 16, 2026 concerning zoning issues and legal matters.

Mr. Petlock explained the purpose of the meeting was to present a resolution which would declare the Township Zoning Ordinance substantively invalid as per section 609.2 of the Pennsylvania Municipalities Planning Code. Mr. Petlock turned the meeting over to Attorney Vinsko.

Attorney Vinsko explained that tonight's meeting was scheduled for general meeting purposes as well and was advertised in the Times Leader as a special meeting.

We have a resolution declaring the Bear Creek Township zoning ordinance substantively invalid and enacting a curative amendment pursuant of section 609.2 of the Pennsylvania Municipalities Planning Code. As part of that there were findings of fact that we have to have the Board of Supervisors confirm and declare. What was found:

The ordinance must have all uses considered. The Bear Creek Township ordinance does not consider data centers. It also does not consider solar farms. The resolution that has been drafted confirms that as a finding of fact and say a curative amendment will be enacted for that purpose.

Attorney Vinsko said a line will be added to this resolution and it will be reaffirmed at the next meeting stating "Now therefore be it resolved by the Bear Creek Township Board of Supervisors that the Board has included as having finding the fact that the current zoning ordinance is defective as it does not address data centers nor solar farms as required by the Pennsylvania Municipalities Planning Code. We will add the lines that the zoning ordinance, because it is substantively invalid, we are going to enact a curative amendment pursuant to 609.2 of the Pennsylvania Municipalities Code.

Mr. Petlock asked what the procedure was moving forward.

Attorney Vinsko explained once this is passed there are certain procedures. Within 180 days of today we have to formally pass the revised ordinance with data center and solar farm information included and any other zoning issues that the public or Board want to address/change. A public hearing must be held regarding the zoning amendments, the proposed amendments must be submitted to the Luzerne County Planning Commission and the Bear Creek Township Planning Commission 30 days prior to the hearing. Once the information is received back we will have to post notice and mail notice to people whose zoning will be affected. The Board will then have the final meeting before the 180 days to pass it. At the conclusion of a curative amendment the process cannot be used again for 36 months.

Mr. Weitz asked if this will stop any applications for 180 days? Attorney Vinsko said anything related to a data center or solar farm cannot be considered during this time.

Resolution 19-2026: Mr. Petlock asked if we have a motion to approve this resolution declaring the zoning ordinance substantively invalid and enacting a curative amendment. Mr. Ondich made the motion, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Suchocki and Mr. Petlock; yes.

PUBLIC COMMENT:

Peter Austin: Asked basically who would oversee these changes. Mr. Petlock stated that Board as well as the planning board, BHW and the code enforcement and sewage enforcement officer will review and be involved as well as public will be kept up to date and will be given the opportunity to voice their opinions.

It was asked if it is correct that there are 3 commercial properties. Attorney Vinsko offered that the industrial area of Bear Creek Twp is only about 6 acres of land. Data centers require a substantial amount more. What we are doing is called an overlay district which may cover different zoning districts. This will determine where these can be built.

Attorney Vinsko also explained that just this morning the legislature passed what the public utility yearly output water was and model ordinances for data centers.

Mr. Petlock reiterated that the Township cannot just ban data centers. That this would just open us up to lawsuits.

Jodell Salata: Asked how much acreage for a data center? Attorney Vinsko said minimum of 50 acres. There are different ones that may require different sizes.

Mr. Werkheiser: Says he assumes that someone has reached out to us in the prospect of potentially building a data center or solar farm in our township since we have the acreage and don't have a high population. Attorney Vinsko said not guaranteed since there are a lot of factors including water, electricity, access to power lines as well ancillary issues.

A motion to adjourn was made by Mr. Weitz, seconded by Mr. Petlock. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

April 13, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, April 13, 2026 at 6:00 PM.

Mr. Petlock called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara and Mr. Petlock were present. Pledge to the flag followed.

MINUTES:

Minutes from the March 2, 2026 meeting were reviewed. A motion was made by Mr. O'Hara to approve the minutes, seconded by Mr. Weitz. Vote: all were in favor.

TREASURER'S REPORT:

For month ending March 2026, total income was $134,389.99. Total expenses were $71,499.83. Cash at the beginning of the period was $1,165,865.92. Cash at the end of the period was $1,230,040.86.

Mr. Suchocki joined the meeting.

RECEIPTS:

Deposits for the month of March 2026 were $134,389.99. A motion to approve the receipts, subject to audit was made by Mr. O'Hara, seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

DISBURSEMENTS:

Expenses for the month of March 2026 were $70,215.05. A motion was made by Mr. Ondich to approve the disbursements, subject to audit, seconded by Mr. O'Hara. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

Mr. Petlock announced an Executive Session was held today just prior to this meeting to discuss employee matters.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $825 in township permits and $8,146.79 in UCC permits for March.

FIRE DEPT REPORT:

15 calls were reported for the month of March.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko reported for the month of March that they treated roads as needed, installed signs, ran the road sweeper, installed lights on the skid steer, prepared the pavilion for the season, turned the water on at the rec field and met with the engineer regarding projects.

ROAD DEPARTMENT FINANCES:

For the month of March 2026 total expenses related to the Road Department were $21,268.75.

OPEN RECORDS REPORT:

One request received and answered.

PLANNING BOARD RECOMMENDATIONS:

None

RESOLUTIONS AND ORDINANCES:

Resolution 17-2026: A resolution authorizing the purchase of an attachment for the mini excavator not to exceed $10,000. A motion to approve was made by Mr. Suchocki, seconded by Mr. O'Hara. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

SOLICITOR'S REPORT:

Attorney Vinsko reported that written reports were given to the Board. He reported:

Data Center/Solar Farm Ordinances: Working on a location and ordinance. There has been no formal application made at this time. To make sure that we are compliant with the municipalities planning code, the Board of Supervisors have a 40-page collective memo with exhibits on exactly what the procedures are. The township engineer will be looped in as well.

Solar Farm Ordinance: Has been circulated among the Board as well.

Attorney Vinsko explained the procedures needed for these types of zoning amendments. It must be advertised, go before municipal and county planning. There needs to be a public hearing. There will be a zoning map with an overlay showing the proposed changes. If there are additional changes made it would need to go through the process again. The final step will be the passage by the Board of Supervisors. If anyone has any zoning requests, now would be the time to address them.

Mr. Petlock asked that once we start our timeline, can someone come in and try to circumvent our changes beforehand since we are trying to make these zoning changes. Right now, can anyone come in with an application but if we start the clock do they have to follow the new rules? Attorney Vinsko stated that they would have to follow the rules as long as you have your engineering, your ordinance and your overlay, if they want to put it somewhere else, they can come and comment but so long as it's in the bounds of the law that's the Boards decision after public comment. The only way they would be

able to circumvent everything is one of two ways. 1 you don't take any action and they come in with a landowner curative amendment but then still you have to make the decision. 2 your determination on the size and location is literally not conducive under the law they can stop and sue and say you have to put it somewhere else, that does not mean the applicant is going to get it where they want it. You are still the board of supervisors and you will make that determination. If that fight does not resolve itself and goes to the court of common pleas, the judge can put it anywhere they want. They usually take deference to the Board of Supervisors. Legally you can't say you can't have a data center but you must have a location where they are allowed.

Mr. Weitz asked if an application came in this evening, what rules are to be followed since we technically don't have an ordinance? Attorney Vinsko stated if there were an application, the application would go to the zoning officer and he would have to deny it because there is no ordinance. They can appeal to the zoning hearing board and if denied there, then appeal to the court of common pleas. The only way they could proceed is with a landlord curative amendment. They would have to submit something to the Board of Supervisors saying here is our ordinance and map. That does not say the Board would have to put it where they asked. What it does say that within 60 days you have to come up with an ordinance and location that is good under the law and can fit the size needed.

Mr. Weitz asked about something he heard of from PSATS that said the Board could file something that would give the township a 180-day buffer. Attorney Vinsko said the Board could file a curative amendment for the township. No one could file anything until the zoning is complete during this time. He also advised that during this time all zoning issues could be addressed. Mr. Totino suggested bringing in Luzerne County GIS mapping on top of the township zoning to help clean up the township map where there are issues. Uses and special exceptions can also be looked at. An ordinance would be needed for this to be done.

Bond Issue: No update.

Cell Towers: No update.

Water Issue Rodie Drive: No update

Land Development: No update.

Weiss Road: Bear Creek Twp side of the work is completed. Dennison now must complete.

Property Appraisals: Received a proposal from Alan Rosen for $10,000 for the appraisals, agreed to $8,500 with a $3,000 retainer up front.

Resolution 18-2026: A motion to approve the appointment of Alan Rosen for the appraisals of the township properties at a cost not to exceed $8,500 was made by Mr. Ondich and seconded by Mr. Weitz. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

Abandoned Home: No update.

OLD BUSINESS:

ENGINEER'S REPORT:

Pike Road: Mr. Totino had an 11x7 showing the turnpike and PennDOT right of way. It also shows where an inlet and cross pipe should be. He will contact PennDOT for them to address the issue. Mr. Kachinko reported that a rep from PennDOT met with him and he planned on putting a dye into the water to see where the water is coming from.

Road Paving: Mr. Totino said cost of paving has gone up 22% due to the rising price of oil. He presented a list of different options for paving to include the following areas: WHP-Azalea, Promontory and Old Ford; Then Willowbrook, Cottonwood, Frontier, Balsam and Recreation Road to the DPW gates. He suggests we wait a month or two to see if prices come down.

Swanson was brought up at a meeting about water flooding. Our road crew will clean out the ditches and we will wait for PennDOT to do their work first.

DCNR Grant: Applications will be submitted by the end of the month.

Mr. Totino also thanked the road dept for their work on Chappy Field.

CORRESPONDENCE/NEW BUSINESS:

PUBLIC COMMENT:

Bob Turinski: Mr. Turinski presented a petition to the Board regarding the gate at Trailwood Park. He would like the Board to go back to locking the gate at night. The Board said they would discuss the matter.

A motion to adjourn was made by Mr. Petlock, seconded by Mr. Suchocki. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

March 2, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, March 2, 2026 at 6:00 PM.

Mr. Suchocki called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara, Mr. Petlock and Mr. Suchocki were present. Pledge to the flag followed.

MINUTES:

Minutes from the February 2, 2026 meeting were reviewed. A motion was made by Mr. Ondich to approve the minutes, seconded by Mr. O'Hara. Vote: all were in favor.

TREASURER'S REPORT:

For month ending February 2026, total income was $166,401.70. Total expenses were $34,866.96. Cash at the beginning of the period was $1,034,062.23. Cash at the end of the period was $1,166,096.75.

RECEIPTS:

Deposits for the month of February 2026 were $166,401.70. A motion to approve the receipts, subject to audit was made by Mr. Petlock, seconded by Mr. Ondich. Vote: all were in favor.

DISBURSEMENTS:

Expenses for the month of February 2026 were $34,367.18. A motion was made by Mr. O'Hara to approve the disbursements, subject to audit, seconded by Mr. Weitz. Vote: all were in favor.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $575 in township permits and $6,264.13 in UCC permits for February.

FIRE DEPT REPORT:

14 calls were reported for the month of February.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko reported that the majority of the month was winter maintenance. Plowing and treating roads. A quote for street signs was received from Bassler and Mr. Kachinko will seek a quote for the signs from Bradco as well. The street sweeper is up and running and Mr. Smith was trained on its use. Mr. Smith also continues to work towards his CDL and is expected to test soon. Mr. Kachinko has a list of roads that are in need of repair and Mr. Suchocki said the Board will review it. Mr. Ondich thanked the road department for the good job they did in keeping up with the storms especially being a man down.

ROAD DEPARTMENT FINANCES:

For the month of February 2026 total expenses related to the Road Department were $15,957.59.

OPEN RECORDS REPORT:

No requests were received for the month.

PLANNING BOARD RECOMMENDATIONS:

None

RESOLUTIONS AND ORDINANCES:

Resolution 13-2026: A resolution adding George Weitz as an authorized signer onto all Bear Creek Township accounts at Peoples Bank and removing Ruth Koval. A motion to approve was made by Mr. O'Hara, seconded by Mr. Ondich. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

SOLICITOR'S REPORT:

Attorney Vinsko reported:

Data Center/Solar Farm Ordinances: Information has been circulated among the Board. At this time there will be no movement on this ordinance as it must go before the Planning Commission and a Public Hearing.

Bond Issue: No update.

Cell Towers: Attorney Vinsko is researching other means of making income on the towers and is waiting on information from the County.

Water Issue Rodie Drive: No update

Laurel Run Road House: Attorney Vinsko reported Mr. Alber is working on the matter.

Land Development: Discussion was held at executive session.

Weiss Road: Need to schedule a public hearing within the next 45 days. GIS map has been updated.

Property Appraisals: Being handled by Alan Rosen.

Abandoned Home: No update.

OLD BUSINESS:

ENGINEER'S REPORT:

DCNR Grants

Resolution 14-2026: Mr. Petlock made a motion to apply for a small community grant for Trailwood Park through DCNR. This grant would allow the completion of the pickle ball/tennis courts as well as the drainage improvements and CrossFit area. The grant amount would be for $100,000 and would be matched with the $70,000+ grant received through LSA for a total of $170,000+ to complete the project. Mr. Ondich seconded the motion. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

Resolution 15-2026: Mr. Petlock made a motion to apply for a c2p2 grant through DCNR. This grant will be a 50/50 match to the CDBG grant monies already secured. The grant amount sought is $166,378 which will match the amount of the CDBG grant for a grand total of $332,756. This project will include a possible dog park, drainage improvements, softball field dugouts and finish the fence project. Mr. Weitz seconded the motion. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

An additional grant up to $5,000 will be sought through DCNR later in the year for professional service for a study for a tentative park in the Forest Park development. No resolution needed yet.

RFQ's for Professional Services for Recreational Park Project:

Resolution 16-2026: A motion was made by Mr. Weitz to table the awarding of the RFQ's sought for the removal of architectural barriers for the Recreational Park project. Submissions were received from A&E Group, Pennoni Associates, Acela Architects & Engineers and from POZ Engineering. The motion was seconded by Mr. O'Hara. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

CORRESPONDENCE/NEW BUSINESS:

Rec Board: March 18th is the next meeting. Discussion will surround the 250 celebrations.

Power Supplier: Mr. Petlock will investigate renewal prices and keep the Board updated.

PUBLIC COMMENT

Peter Austin: Mr. Austin asked if the township was applying for funding for the water issue near Old East End Blvd. Mr. Totino explained that grant program was not currently available.

Paul Christianson: Lives in White Haven Pocono and says road patches only last about a month on their roads, but he mainly came to the meeting this evening to discuss data centers. He asked for the status on data centers in the township, location and ordinance. Attorney Vinsko explained that there have been 3 drafts of the ordinance. The county and state have put out drafts as guidance. Once we get a version of the ordinance we are comfortable with, it will go to the Planning Commission for review and there would be a public hearing and then come back to the Board of Supervisors.

Attorney Vinsko said it comes down to location, resources (energy/water) and unknowns (noise). Another issue would be the decommissioning of the data centers in the future and the creation of ghost towns. Attorney Vinsko stated no applications for data centers have been received as of yet in Bear Creek Township. Discussion followed.

Nicky Pachucki: asked if halfway houses are allowed in the Township. Attorney Vinsko stated it is only allowed in an I1 district as a conditional use. Mr. Petlock asked what about group homes? Attorney Vinsko said group homes are different, they are permitted in certain districts.

Christine Harrison: lives on Oakridge Road and has concerns with people speeding on their road because it is a cut through from 115 to Laurel Run Road. She said the speed limit sign isn't very visible. Has a problem backing in and out of her driveway. Wants to know what can be done. She suggested making it a one way or a dead end or putting in speed humps. The Board said they would discuss and come up with some options. Road department will check on the signs.

Bill Sennett: asked for an update on the LSA grant that the township applied for on behalf of the Fire Department. Grants have not yet been awarded.

A motion to adjourn was made by Mr. Petlock, seconded by Mr. Weitz. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

February 2, 2026

Regular Meeting

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, February 2, 2026 at 6:00 PM.

Representatives from PennDOT were present prior to the regular meeting to discuss a planned drainage project.

The Route 115 Section D53 project is a drainage improvement project. The purpose of the project is replacement of the existing storm sewer drainage system which consists of old corrugated metal pipe with new Reinforced Concrete Pipe or Thermoplastic Pipe, replacement of existing bituminous curb with concrete curb, shoulder repairs from washouts, guide rail replacement and replacement of existing culvert on the Unnamed Tributary to Laurel Run which addresses structural and hydraulic deficiencies of the existing structure, and provides continued access to local residents, businesses, and emergency services. Utility relocations will take place in order to safely construct the project.

Traffic and local residences and businesses on Route 115 and will be maintained using half width construction.

Access to the intersection with Route 115, Swanson Road and Old East End Blvd will be restricted and detoured.

It is anticipated that construction will begin spring/summer 2027 and will be complete by fall of 2029.

Mr. Petlock called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara and Mr. Petlock were present. Mr. Suchocki attended via phone. Pledge to the flag followed.

MINUTES:

Minutes from the January 5, 2026 meeting were reviewed. A motion was made by Mr. Weitz to approve the minutes, seconded by Mr. Ondich. Vote: all were in favor.

TREASURER'S REPORT:

For month ending January 2026, total income was $40,864.90. Total expenses were $65,288.74. Cash at the beginning of the period was $1,046,316.14. Cash at the end of the period was $1,033,007.25.

RECEIPTS:

Deposits for the month of January 2026 were $40,864.90. A motion to approve the receipts, subject to audit was made by Mr. O'Hara, seconded by Mr. Weitz. Vote: all were in favor.

DISBURSEMENTS:

Expenses for the month of January 2026 were $56,173.79. A motion was made by Mr. Ondich to approve the disbursements, subject to audit, seconded by Mr. O'Hara. Vote: all were in favor.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $100.00 in township permits and $1,201.73 in UCC permits for January.

FIRE DEPT REPORT:

17 calls were reported for the month of January.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Kachinko reported that the majority of the month was winter maintenance. Plowing and treating roads. Cold patch road repairs were made. The old ambulance bay was cleaned as well as the Community Room boiler room and muni storage areas.

ROAD DEPARTMENT FINANCES:

For the month of January 2026 total expenses related to the Road Department were $38,309.51.

OPEN RECORDS REPORT:

No requests were received for the month.

PLANNING BOARD RECOMMENDATIONS:

None

RESOLUTIONS AND ORDINANCES:

SOLICITOR'S REPORT:

Attorney Vinsko reported an Executive Session was held on January 28th to discuss real estate litigation and other matters.

Data Center Ordinance: Will be added to March agenda.

Bond Issue: No update.

Cell Towers: Attorney Vinsko requested marketing info for tower from SBA.

Water Issue Rodie Drive: No update

Laurel Run Road House: Attorney Vinsko reported Mr. Alber is working on the matter.

Land Development: Discussion was held at executive session.

Weiss Road: Waiting on update.

Property Appraisals: Being handled by Alan Rosen. Attorney Vinsko expects an update some time next week.

OLD BUSINESS:

Well Isolation Exemption request: A representative for Alan and Gayle Pezzner was present to discuss their request. SEO Steve Egenski did not have an issue with the request but had some concerns that the new system would be on one parcel while the house would be on that parcel and an adjoining one. Attorney Vinsko asked that an agreement or easement be written up and be filed with the Recorder of Deeds. It should include both PIN numbers and state the system would serve both lots.

Mr. Weitz made a motion to approve the Well Isolation Exemption request pending the requested easement be filed, seconded by Mr. Ondich. Vote: all were in favor.

ENGINEER'S REPORT:

DCNR Grants: Mr. Totino reported he spoke with Christine Dettore from DCNR and there are three grants eligible for the township parks.

A grant to do a study to see what could go there, what residents want and best options for that particular area. A recommendation would be given. The grant would cover 100% of the cost for the study. (Forest Park)

A grant that would use the LSA grant ($75,000) we received as matching funds. The project costs cannot be over $170,000 total costs. (Trailwood) Pickle ball court/baseball field/crossfit.

A grant that could use the CDBG grant as a 50/50 match. Fencing could be finished, dugouts for softball and possible dog park. (Rec Field)

This is a rolling grant, no expiration. No master plan needed for the existing park.

Resolution 12-2026: Mr. Ondich made a motion to move forward with applying for these available grants, seconded by Mr. Suchocki. Vote: all were in favor.

CORRESPONDENCE/NEW BUSINESS:

Emergency Shelter: Jim Smith from the Charter School has asked for some representation from the Board of Supervisors in creating an emergency plan and shelter to serve Bear Creek Township and the surrounding communities. A meeting will be held on March 5th to discuss.

Rec Board: Met and reorganized for the year. They will continue to meet throughout the year on the third Wednesdays of every other month starting in March. The rec board asked if the Board of Supervisors will look into putting an electronic sign board in front of the municipal building. Mr. Totino suggested we look at Costars for purchase of a sign and possibly have the road department install it. A permit will be needed from PennDOT.

PUBLIC COMMENT

A motion to adjourn was made by Mr. O'Hara, seconded by Mr. Weitz. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary

January 5, 2026

Organizational Meeting

The organizational and regular meeting of the Bear Creek Township Board of Supervisors was held at the Bear Creek Township Municipal Building on Monday, January 5, 2026 at 6:00 PM.

Judge Dotzel swore-in Board members Mark Petlock and George Weitz and tax-collector Tracey O'Day before the meeting began.

Mr. Suchocki called the meeting to order. Roll was called. Mr. Weitz, Mr. Ondich, Mr. O'Hara, Mr. Petlock and Mr. Suchocki were present. Pledge to the flag followed.

Mr. Suchocki, as temporary Chairman, declared all positions vacant.

Mr. Suchocki as Chairperson – motion Mr. Ondich, second Mr. O'Hara.

Mr. Petlock as Vice-Chair – motion Mr. O'Hara, second Mr. Ondich.

Mr. Ondich as Roadmaster – motion Mr. O'Hara, seconded Mr. Petlock.

Paula Weihbrecht as Secretary/Treasurer – motion Mr. O'Hara, second Mr. Ondich.

Mr. Weitz as Open Records Officer – motion Mr. Petlock, second Mr. Ondich.

Zoning Officer Reports to Mr. Weitz – motion O'Hara, second Mr. Ondich.

BHW as Zoning and Code Enforcement – motion Mr. O'Hara, second Mr. Petlock.

Steve Egenski as Sewage Enforcement Officer – motion Mr. Weitz, second Mr. Petlock.

Tom D'Angeo as Alternate Sewage Enforcement Officer – motion Mr. Petlock, second Mr. Ondich.

Pennoni Associates as Township Engineer – motion Mr. Petlock, second Mr. Weitz.

Vinsko & Assoc as Solicitor for the Board of Supervisors – motion Mr. Petlock, second Mr. Weitz.

Vinsko & Assoc as Solicitor for the Planning Board – motion Mr. Petlock, second Mr. Weitz.

Angelo Terrana as Solicitor for the Zoning Hearing Board – motion Mr. Petlock, second Mr. O'Hara.

Ed Jasulevicz as Primary EMA – motion Mr. Petlock, second Mr. Weitz.

Jim Serafin as Assistant EMA – motion Mr. Petlock, second Mr. Ondich.

First Monday of each month at 6:00 PM as Regular meeting day and time – motion Mr. Petlock, second Mr. Weitz.

Karen Kollar as Planning Board Secretary – motion Mr. Petlock, second Mr. Ondich.

Paula Weihbrecht as Zoning Hearing Board Secretary – motion Mr. O'Hara, second Mr. Ondich.

Mark Petlock as Planning Board Members – motion Mr. Ondich, second Mr. Weitz.

Ruth Koval as Zoning Hearing Board Member – motion Mr. Petlock, second Mr. Ondich.

Ruth Koval as Vacancy Board Member – motion Mr. Petlock, second Mr. Ondich.

Mr. Petlock as Convention Voting Delegate – motion Mr. Ondich, second Mr. O'Hara.

Peoples Bank as General Fund Depository – motion Mr. Petlock, second Mr. Weitz.

Township Secretary/Treasurer as Administrator of the Pension Plan – motion Mr. O'Hara, second Mr. Suchocki.

Mr. Ondich made a motion to appoint the following to the Rec Board, seconded by Mr. O'Hara:

Supervisor at Large: Mark Petlock Charter School Rep: Nicki Pachucki

Bear Creek Camp: Collin Grooms Rising Light Ridge Rep.: Lonnie Zannetti

Baseball Representative: Greg Perez Soccer Representative: Lindsey Kovalik

At Large member: Donald Totino At Large member: Jim Serafin

A vote was taken on all the previous nominations and was unanimously approved.

Mr. Ondich made a motion to require at least 2 Supervisors to sign all checks and necessary bank papers, seconded by Mr. Petlock. Vote: all were in favor.

Mr. Petlock made a motion to pay mileage at IRS approved rate for township travel, seconded by Mr. Weitz. Vote: all were in favor.

Mr. Ondich made a motion to appoint each Supervisor to do labor as needed, to the extent not prohibited by Second-Class Township Code, seconded by Mr. Petlock. Vote: all were in favor.

Township Healthcare poll: The Supervisors were polled asking if they intend to take the Township paid healthcare, the healthcare stipend or neither for 2026.

Mr. Weitz: Healthcare

Mr. Ondich: Stipend

Mr. Suchocki: Healthcare

Mr. O'Hara: Stipend

Mr. Petlock: Neither

Resolution 1-2026: A resolution establishing the Bear Creek Twp. fee schedule for 2026. Motion to approve made by Mr. Petlock, seconded by Mr. Ondich. Vote: All were in favor.

Resolution 2-2026: A resolution establishing the Bear Creek Township Uniform Construction Code Fee Schedule for 2026. Motion to approve made by Mr. O'Hara, seconded by Mr. Petlock. Vote: all were in favor.

Resolution 3-2026: A resolution setting the Township Per Capita Tax rate at $0.00. Motion to approve made by Mr. Weitz, seconded by Mr. Ondich. Vote: all were in favor.

Resolution 4-2026: A resolution appointing BHW as third-party administrator of the Uniform Construction Code. Motion to approve made by Mr. Petlock, seconded by Mr. O'Hara. Vote: all were in favor.

Resolution 5-2026: A resolution establishing a millage rate for Bear Creek Township for 2026 to retain the millage rate at .4412 and further that the Bear Creek Volunteer Hose Company shall be awarded 1/4 mil (.1103) for 2025. Motion was made by Mr. Petlock, seconded by Mr. Ondich. Vote: all were in favor.

Resolution 6-2026: A resolution retaining the Bear Creek Township Homestead Exemption at a value of $20,000 property reduction. Motion to approve was made by Mr. O'Hara, seconded by Mr. Petlock. Vote: all were in favor.

Resolution 7-2026: A resolution reappointing Bear Creek Volunteer Hose Co. as primary fire and rescue unit in Bear Creek Township. Motion made by Mr. Ondich, seconded by Mr. Weitz. Vote: All were in favor.

Resolution 8-2026: Ambulance Service – A resolution continuing the current arrangements with the primary BLS responder being Plains Twp., which does not include the WHP development. White Haven Ambulance is the primary BLS for the WHP development. Plains Twp. Ambulance will remain the primary ALS responder for the entire Bear Creek Township. Motion was made by Mr. Petlock, seconded by Mr. Ondich. Vote: all were in favor.

REGULAR MEETING

Mr. Suchocki announced an Executive Session had been held on December 27, 2025 to discuss personnel and legal matters.

MINUTES:

Minutes from the December 1, 2025 meeting were reviewed. A motion was made by Mr. Petlock to approve the minutes, seconded by Mr. O'Hara. Vote: all were in favor.

TREASURER'S REPORT:

For month ending December 2025, total income was $30,186.46. Total expenses were $49,496.26. Cash at the beginning of the period was $1,076,079.47. Cash at the end of the period was $1,045,666.61.

RECEIPTS:

Deposits for the month of December 2025 were $30,251.57. A motion to approve the receipts, subject to audit was made by Mr. Petlock, seconded by Mr. O'Hara. Vote: all were in favor.

DISBURSEMENTS:

Expenses for the month of December 2025 were $60,804.43. A motion was made by Mr. O'Hara to approve the disbursements, subject to audit, seconded by Mr. Petlock. Vote: all were in favor.

ZONING OFFICER'S REPORT:

Mr. Weitz reported $1,195.00 in township permits and $1,392.25 in UCC permits for December.

FIRE DEPT REPORT:

Mr. Suchocki reported 19 calls for the month of December.

STATE POLICE REPORT:

The report was not available.

ACT 537 REPORT:

No update.

ROAD DEPARTMENT:

Mr. Watkins reported that the majority of the month was winter maintenance. Plowing and treating roads. The Chevy 6500 is still out of service, waiting on parts. The hot water pressure washer has been repaired. Mr. Watkins asked if they can get some modified or cold patch to make road repairs. The Board suggested cold patch.

ROAD DEPARTMENT FINANCES:

For the month of December 2025 total expenses related to the Road Department were $23,438.70.

OPEN RECORDS REPORT:

Two requests received. Documentation of paving projects from 2021 was requested and provided.

PLANNING BOARD RECOMMENDATIONS:

None

RESOLUTIONS AND ORDINANCES:

Resolution 9-2026: A Resolution adopting the Luzerne County 2025 Hazard Mitigation Plan Update, approving it as the official Hazard Mitigation Plan for Bear Creek Township. A motion to approve was made by Mr. Petlock, seconded by Mr. Ondich. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

SOLICITOR'S REPORT:

Attorney Vinsko reported:

Bond Issue: Notice has been given to the insurance company and American Asphalt. The insurance company is working on releasing the bond and they will litigate that in the next 25 days.

Cell Towers: Attorney Vinsko reviewed the offers from each interested company.

Everest: Lump sum payment of $279,000 or 10-year installment plan of $36,500 per year for a total of $365,000.

AP Wireless: Lump sum of $250,000 or 7 annual payments for a total of $346,000.

SBA: $490,000, no closing costs and the Township keeps ownership. Called back right before the meeting and increased the amount to $510,000.

Attorney Vinsko wants to review the actual agreements and they will circulate the information among the Board.

Mr. Ondich made a motion to accept the $510,000 offer from SBA pending the Attorney's review of the contract, seconded by Mr. Petlock. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

Water Issue Rodie Drive: No update

Laurel Run Road House: Attorney Vinsko reported he is working with Mr. Suchocki and Mr. Alber. Waiting on repairs to be made on the home. Mr. Alber will proceed with citations if necessary.

Land Development: Memo sent to the Board regarding the matter.

Weiss Road: Waiting on Dennison Township to complete needed steps.

Property Appraisals: Being handled by Alan Rosen and Attorney Vinsko also requested an update from the county listing all Township owned property or easement.

OLD BUSINESS:

2026 Budget:

Resolution 54-2025: Mr. Petlock made a motion to approve the 2026 Budget as presented, seconded by Mr. Suchocki. Vote: Mr. Ondich, Mr. O'Hara, Mr. Petlock, Mr. Suchocki and Mrs. Koval; yes.

ENGINEER'S REPORT:

PennDOT project: drainage and road repair from Swanson to Old East End Blvd on Bear Creek Blvd (Route 115). Representatives from PennDOT will be in attendance at the February 2nd meeting to present project details and answer any questions.

LSA Grant: The township was awarded $75,000 recently for the Trailwood Park Improvements Project. The project includes a tennis and pickle ball court.

CDBG grant: We need to put an RFQ out for engineering services. Grant is for $164,000.

CORRESPONDENCE/NEW BUSINESS:

Well Isolation Distance Exemption: John Belles was present to represent the Pezzner's from West Mountain Lake Drive. They are proposing to install a GEO Tech sand filter system that will increase the distance from the well from 47 feet to 52 feet and will also increase the distance from septic system from 52 feet to 107 feet.

Mr. Petlock asked if the existing well would stay. Mr. Belles said it would stay; it will be replaced with a new system. The new system will increase the distance. Mr. Petlock asked if there are water test samples and what is the condition of the well casing. Mr. Belles stated they will do the requested tests.

Mr. Petlock asked Mr. Belles to meet with Mr. Alber to make sure everything is in order. Discussion continued.

Engineering Rate Letter: The Board received a letter from Pennoni Associates outlining the rates for service for 2026. Mr. Petlock made a motion to approve the rate schedule, seconded by Mr. O'Hara. Vote: Mr. Weitz, Mr. O'Hara, Mr. Ondich, Mr. Petlock and Mr. Suchocki; yes.

PUBLIC COMMENT

A motion to adjourn was made by Mr. Petlock, seconded by Mr. Weitz. Vote: All present were in favor.

Respectfully submitted:

Paula Weihbrecht, Secretary