

**HOPEWELL TOWNSHIP
YORK COUNTY PA
PLANNING COMMISSION
MINUTES FOR OCTOBER 17, 2023
MEETING ROOM & STREAMING VIA ZOOM
7:00 PM**

Chairman Ann Yost called the October 17, 2023, meeting to order at 7:00pm. Also in attendance were Joe Shanabrough, Tom Malkie, Chuck Webster, Butch Hensel, Manager Katie Berry, Zoning Officer Cliff Tinsley, and Attorney Andy Miller.

Approval of Minutes:

Yost called for a motion to approve the September 19, 2023, Planning Committee meeting minutes. Joe Shanabrough motioned to approve, and Tom Malkie seconded. Motion carried.

Continued discussion of the adoption to amend the Zoning Ordinance to regulate chickens- Attorney Miller started off by stating that this was originally tabled from 2015 and has come up a few times recently. The existing zoning ordinance bans roosters on residential lots but does not have any limits on chickens. The Board of Supervisors has had some preliminary discussions on whether or not any changes should be made in the ordinance and has asked the Planning Commission to look at the ordinance and give them input on whether or not any changes should be made or how it could be changed. In 2015 there were two proposals that limited chickens to 5 per one acre lot. Atty Miller gave some examples of ordinances in some other townships and wanted the public to know there has been no other discussion other than whether or not the ordinance is working as it should currently or if there is a need to regulate chickens. Yost stated they would like to craft something that's reasonable and enforceable. Tom Malkie mentioned that having some type of reasonable regulation is better than nothing at all due to this coming to the Planning Commission in the first place. Butch Hensel commented that he is also in favor of making some type of change to the ordinance. Yost then opened the floor to public comment.

Public Comment Some residents commented to the Board on their own situation with chickens- Heather and Nabil Eddahmouni of 19303 Barrens Rd, George Weisenborn of 17964 Ridge Meadow Rd asked that if this was tabled in 2015 and hasn't been looked at since then, what is the issue now and he mentioned that he is also not in favor of having an ordinance on this. Yost explained that it was never adopted, and they would definitively like to make a decision. Zoning Officer Cliff Tinsley interjected by reminding everyone that this is about regulations for chickens in the residential zone not the agricultural zone and to give him some guidance on how to handle the chicken complaints that he has received. Dave Hansen of 599 Marsteller Rd feels it doesn't

make sense in some resident's situations to have these regulations. Kaitlin Baker of 18213 Zeigler School Rd, Pat Lamb of 17265 Dolf Rd (East Hopewell), David McClure of 13474 Center Rd and Marion Mack of 19367 Barrens Rd S also commented. Yost then asked if anyone in the room or anyone Via Zoom was in favor of regulating the number of chickens. There was no one in favor. She then stated there was another way to handle this and it would be to regulate the nuisance instead of the number. Jacob Smith of 17120 W. Liberty Rd asked if there was already a nuisance ordinance and Tinsley stated there is one, but it refers to livestock, not chickens. Steve Boyer of 14979 Leib School Rd suggested using the word fowl vs chickens. Amber of Little Rd speaking on behalf of her mother who lives in residential. Yost asked that the zoning officer craft a stand-alone ordinance based on the recommendation of the solicitor that would allow keeping of chickens in a residential zone. Alan Rehmeyer of 1683 Seiling Farm Rd made a suggestion on what to add to the ordinance in regard to free ranging. Yost then stated that the Planning Commission will craft a recommendation to the Board of Supervisors.

Yost recommended that the HWT Board of Supervisors craft a stand-alone ordinance that addresses chickens in the residential zones and that such ordinance places no limits on numbers or area regulations but should provide performance provisions associated with no free range, appropriate containment and no nuisances similar to the nuisance provisions that are in 27-317 which is the Domestic Livestock. Butch Hensel seconded.

There was no more public comment.

Adjournment Yost adjourned the meeting at 8:00 pm



Recording Secretary

Katie Berry