

TOBYHANNA TOWNSHIP PLANNING COMMISSION
WORK SESSION MEETING
FEBRURARY 10, 2022

The February 2022 Work Session Meeting of the Tobyhanna Township Planning Commission (“Commission”) was held on February 10, 2022, via the platform GoToMeeting as well as in person at the Government Center Building due to the COVID-19 pandemic.

Present are Marlin “Sam” Keiper, Edwin Miller, Al Kerrick, Michelle Bisbing, Rachel Schickling. Also, present Zoning Officer, Lourdes Aponte, Township Engineer, Bob McHale and Township Solicitor Harry Coleman, Esquire.

1. Sam Keiper calls the meeting to order at 6:30 P.M. A quorum is present.

Mr. Keiper announced that we had an executive session at 6:00 P.M. where we reviewed a presentation about Planning Commission and the process we are going through. We were provided with new copies of the Municipal Planning Code. There were no decisions made as it was an informal presentation of the Planning Commission process and to move forward and improve on it. The executive session concluded at 6:25 P.M.

2. The Pledge of Allegiance is recited.

3. Public comment on agenda items: None

4. Minutes

- a. Consider the Minutes of January 13, 2022, Work Session Meeting. Ms. Bisbing motions to approve the minutes. Mr. Kerrick seconds. Ms. Schickling abstains as she was not there. All in favor. Vote carries 4-0.

5. Old Business

- a. Draft Chicken Ordinance:

Mr. Keiper advises that we have a draft Chicken Ordinance to control chicken and farm animals. Mr. Coleman stated that he prepared a skeleton of the ordinance and wanted to recognize that the code enforcement officer Lourdes was extremely helpful in this process. A discussion was held on this proposed ordinance.

Mr. Keiper asked if there were any public comments

An unknown spectator stated that his daughter lives in Rhode Island and they have an ordinance that you can keep 2 or 3 chickens, no roosters as long as they were caged.

John Simchuck stated that he doesn’t see anything wrong with chickens, it is the roosters that make all the noise.

Kate Poparazzo stated that she can see putting a limitation as no wants to buy a house and live next to a farm. Many people consider chickens a hobby. She sees no harm in chickens but saying no chickens on a property under 2 acres is extremely restrictive.

An unknown spectator states that she agrees with having the chicken contained to a coop.

A discussion was held regarding a reasonable lot size for the chickens. Mr. Keiper entertains a motion to have Mr. Coleman redraft the ordinance and come back to the planning commission. Ms. Schickling motions to have Mr. Coleman redraft the ordinance. Mr. Kerrick seconds. All in favor. Vote carries 5-0.

b. Review of Subdivision and Land Development Ordinance

Mr. Keiper states that the plan is to look at Sections 135-8 through 135-13.

135-8 – Mr. Keiper suggests adding a step to include a pre-submission conference or pre-application meeting and then a sketch plan. We should make it clear that a sketch plan is optional and not required.

135-9 – Add to first sentence “for the submittal processing of plans.”

- (a) Add “agent”
- (b) Add to end of sentence “and the following exclusions provided by MPC Section 503-1.1 iii.”
- (c) No changes
- (d) Mr. Coleman will give input on this

135-10 – Sketch plan. A discussion was held in this regard. Mr. Keiper suggests that we need to look into this further.

135-11 – Minor Subdivision. A discussion was held in this regard.

135-12 – Preliminary Plan Submission

- A (1) 4 copies
- A (2) A discussion was held regarding this, and Mr. Coleman will be contacting the MCPC to find out their process for submission.
- B Date of Consideration – keep at 15 working days.
- C Change language to Township personnel instead of Township Manager.

A discussion was held on the preliminary and final plan. Mr. McHale and Ms. Canfield will come up with some suggestions on this before we can move forward.

6. New Business: None

7. Open Discussion:

Mr. Keiper states that there are a few things in our packet for the Planning Commission that were the new definition classifications that we looked at and pretty much agreed on at our January meeting for review. There is also a list of the existing SALDO definition, existing

Zoning definition, new definitions for a buffer strip and so on. The purpose of this is for everyone to look these over and see what the Planning Commission comes up with and there are a couple of questions you can answer based on what is here.

There was also an item in our packet about a possible rezoning issue that Mr. Coleman has to address to the Board of Supervisors.

8. Public Comment:

Kate Poparazzo stated that they have received notices in their mailboxes as well as news coverage about potential warehouses being built off of the intersection of 115 & 940. They are concerned and want to know if anything has been presented to the Township and what is the Township's opinion of something that dramatic happening in the Township.

Mr. Keiper stated that there was a sketch plan presented to the Planning Commission last week. They want to put a distribution warehouse in a building located in a commercial-industrial zone. There are three parcels of land, one is commercial and the other two are commercial-industrial. They can combine the three parcels if they want. It won't change the zoning boundaries. If their building is shown in commercial-industrial zone, it is a permitted use provided it meets the requirements set forth in the ordinance. There really is no recourse but to approve it if they meet the requirements. Ms. Schickling also stated that it is a lengthy process.

Kate Poparazzo stated that they are already experiencing remarkable truck traffic on the road which was her initial reason for coming tonight. She would like to know what the procedure would be to put into effect an ordinance or a rule in the Township limiting jake breaking or airbrakes at 4:30 a.m. A discussion was held in this regard. Mr. Keiper suggested that she go to the Board of Supervisors and request a no jake brake zone be placed.

John Simchuck stated that he lives on 940 and Rainbow Lane for the last 27 years. He has been asking someone to do something about a big patch of ice that people slide on and out into the intersection. He says that the State told him it was the Township's problem. Mr. Keiper stated that if it is on a Township Road then the Township needs to correct it. Ms. Schickling states that we can ask the Roadmaster to go out and look at it.

Mr. Keiper entertained a motion for adjournment. Ms. Schickling motions to adjourn, Mr. Kerrick seconds. Vote carries 5-0. Meeting adjourned at 8:00 PM.

Minutes recorded by Bethanne Eisler