

TOBYHANNA TOWNSHIP PLANNING COMMISSION
WORK SESSION MEETING
MAY 12, 2022

The May 2022 Work Session Meeting of the Tobyhanna Township Planning Commission (“Commission”) was held on May 12, 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, Michelle Bisbing, Rachel Schickling. Also, present Zoning Officer, Lourdes Aponte, Township Engineer, Bob McHale and Township Solicitor Harry Coleman, Esquire. Al Kerrick was not present.

1. Sam Keiper calls the meeting to order at 6:30 P.M. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Old Business

a. Review of Subdivision and Land Development Ordinance:

Ms. Schickling states that we should get a small committee together with people that use this process. Mr. Keiper states that himself, Ms. Canfield and Mr. McHale had come up with some proposals on how to move forward. Mr. McHale states that he likes the idea of the limited aspect, and we need to take it and put that into the package to help people. There have been other projects that need a simplified version but had to go through the long process. He likes the idea of a limited minor subdivision.

Mr. Coleman stated that he had a conversation with a representative of Pennsylvania Department of Community Economic Development. They come into several municipalities who get together and make an application. There is grant money available. These municipalities would be given a grant to hire a consultant to study the subdivision, consulting on the zoning ordinance and to help redraft it. A discussion was held.

Mr. Keiper states that the ordinance is not streamlined and there are areas that are duplicated. The plan subdivision application procedure just needs to be cleaned up and straightened up and it will work fine. The plan submission procedure has duplicates in it that don't need to be there. A lot of it is pretty much on schedule with very little changes. When you go to the requirements of Article IV of Land Development, and you start looking at them it is very confusing. A discussion was held.

Mr. Keiper states that he understands what Ms. Schickling is saying. Everybody is not necessarily aware of things and trying to do this at meetings is cumbersome. It really should be a committee meeting or work session that someone can bring up ideas or suggestions, put it on paper and come back the planning commission. A discussion was held.

A committee will be formed to look into this and bring back to the Planning Commission.

b. Chicken Ordinance:

Mr. Keiper state that we received a draft ordinance from Mr. Coleman. He spent time with Ms. Aponte and they made adjustments and reconfigured things. Ms. Schickling states that she does not want it to be no less than 2 acres, no chickens period on less than farm acreage. It must be on 2 acres or more. A discussion was held.

Ms. Schickling states that chickens should not be allowed in developments, no coops in the front of the house. Mr. Keiper states that the intent of this ordinance it meant to keep chickens and hens in residential zoned areas. A discussion was held.

Mr. Keiper asks Mr. Coleman if chickens are allowed by right. Mr. Coleman states by this law you are allowed to have chickens in a particular district. Mr. Coleman states that the state regulates the keeping of chickens and the Department of Agriculture enforces it. These laws are popping up in municipalities about the regulation of chickens primarily in residential districts because chickens are pets. Ms. Shickling stated that they are livestock and not pets. A discussion was held.

Mr. Carroll asked how many complaints we have gotten on chickens. Ms. Aponte states one. Ms. Bisbing asked the nature of the complaint. Ms. Aponte states they were not confined, and they were going into the neighbor's property. This has been going on for months before Ms. Aponte was the zoning officer. They wanted to put an ordinance together because there is no way the zoning officer could enforce it. Mr. Carroll states we have a nuisance ordinance, and he would define that as a nuisance. Mr. McHale states that we should put the chickens in the nuisance ordinance. A discussion was held.

Ms. Schickling makes a motion to put the chicken nuisance paragraph into our nuisance ordinance. Ms. Bisbing seconds. Vote carries 3-1

4. New Business: None

5. Open Discussion: None

6. Public Comment: None

Mr. Keiper entertained a motion for adjournment. Ms. Bisbing motions to adjourn, Mr. Miller seconds. Vote carries 4-0. Meeting adjourned at 7:54 PM.

Minutes recorded by Bethanne Eisler