

# PINE GROVE TOWNSHIP ZONING HEARING BOARD

175 OAK GROVE ROAD, PINE GROVE, PA 17963

Blue additions to Ordinance  
Red correction to Ordinance

July 12, 2018 Workshop Meeting Minutes

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**CALL TO ORDER** – Vice-Chairman Michael Guigley called the July 12, 2018 meeting to order at 6:30 PM with the Pledge of Allegiance. Attending were Board Members Michael Guigley, Dale Reichert, 1<sup>st</sup> Alternate Margaret Davenport, Zoning Hearing Board Secretary Cynthia Hummel, Joan Schwer South Schuylkill News and Bobby Brown.

**DECLARATION OF QUORUM** – A quorum was declared.

**MEETING MINUTES** – Davenport moved to approve the Zoning Hearing Board Workshop minutes for June 28, 2018, Reichert seconded the motion, all were in favor and motion carried 3 to 0.

**NEW BUSINESS** – No new business to discuss.

**OLD BUSINESS** – Davenport gave a brief overview of the items discussed at the June 28<sup>th</sup> workshop. The Board reviewed information Hummel distributed from the internet about beehives and Joan Schwer mentioned Wayne Township has beehives in their Township. After a brief discussion the Board will continue discussing beehives and will contact Wayne Township to see if they have an Ordinance. The Board discussed the definitions for fowl, stables, puppy mills, general home occupation, and manufactured homes. They continued reviewing the example, *Pets, Keeping of*, from the Township Engineer (Benesch) and the manufactured home definition, and the Housing and Urban Development Part 3280 Manufactured Home Construction and Safety Standards (HUD-Code) information received from the Township Zoning Officer (Lehigh Engineering). The following items were approved:

## **Ordinance Changes:**

Mobile Home/Manufactured Housing is to be changed to Manufactured Home and **Mobile Home is to be removed everywhere in the Ordinance.**

## **Definitions:**

**Manufactured Home** – A manufactured home is any home, factory built to the Housing and Urban Development Part 3280 Manufactured Home Construction and Safety Standards (commonly known as “the HUD-Code”), built on a permanent chassis and is designed for use with or without a permanent foundation. A HUD-coded home will display documentation called the Certification label and the Data Plate. Manufactured home does not include - recreational vehicles, travel trailers, parked trailers and other similar vehicles.

**General Home Occupation** – Routine accessory and customary non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building that:

1. in conducted primarily by a permanent resident of the dwelling
2. meets the definition, standards and limitations of a general home occupation and light home occupation.

**Puppy Mill** – an establishment that breeds puppies for sale, typically on an intensive basis and in conditions regarded as inhumane.

**Stable** – a building in which domestic animals are sheltered and fed; especially: such a building having stalls or compartments.

## **New Ordinances:**

D. No numerical restrictions shall apply to animals of less than 3 months age although commercial breeding shall only be permitted as a “General Home Occupation” or as a kennel.

### **E.Fowl**

- a) A maximum total of 6 waterfowl, guinea fowl, gallinaceous, jungle fowl, pigeons, chickens, ducks, geese and similar fowl but do not including roosters, shall be kept on lots of 20,000 square feet minimum. Such animals shall be kept on the property of the applicant. Additional number of pigeons may be permitted if the applicant proves compliance with the State Carrier

Pigeon Act. If there is more than 2 such fowl on a lot, they shall be kept in a pen a minimum of 50 feet from any dwelling other than that of the owner of the animals. Any commercial keeping of such fowl shall require approval as a "Raising of Livestock" use.

- b) All hens shall be in compliance with all of the following development standards and requirements
  - i. Roosters are prohibited.
  - ii. Hens shall be kept in a securely fenced area within the rear yard of the residential property. A coop and pen are required.
  - iii. The coop and pen shall comply with the following development standards:
    - 1. Setbacks. For keeping of six or fewer hens, the coop shall be set back a minimum of five feet (5') from side or rear property lines. For keeping of more than six hens the coop shall be set back a minimum of 10 feet from side and rear property lines. For all keeping, the coop shall be located a minimum of 25 feet from habitable structures on adjacent properties; greater distances are encouraged where practicable.
    - 2. Coop height. Coops shall be no taller than ten (10') feet in height.
    - 3. Coop and pen design and maintenance. The coop and pen shall be designed, constructed, and maintained such that the hens are securely contained.
    - 4. Ongoing maintenance and care. The coop and pen shall be maintained in a clean and sanitary condition. All enclosures shall be constructed and maintained to prevent rats or other rodents from being harbored underneath, within, or within the walls of the enclosure. All feed and other items associated with hen keeping shall be managed to minimize contact with rodents.

The board continued reviewing the example of *Pets, Keeping of* and decided to **replace the F.Horse definition from the June 28<sup>th</sup> workshop and** change section F. to the suggestions of the former Zoning Officer. The former Zoning Officer suggested adding *Horses, Keeping of* but after a discussion the board decided to change the *Horses, Keeping of* to **All 4-legged grazing animals, except dairy cows**. Below is the approved definition.

- F. All 4-legged grazing animals, except dairy cows. The keeping of 4-legged grazing animals for the pleasure of the occupants of the property is permitted subject to the following conditions:
- a) The property shall be at least three (3) acres in area
  - b) No building or structure for the housing of the 4-legged animal shall be established closer than 200 feet to any property line.
  - c) No manure storage area shall be established closer than 200 feet to any property line. Manure shall at all times be covered.
  - d) All grazing or pasture areas utilized for the keeping of 4-legged animals shall be fenced.
  - e) Domestic wells, septic systems, streams, and drainage facilities shall be fenced and kept in an all-season ground cover.

Hummel explained the Zoning Officer suggested reviewing setback for accessory building and stipulate square footage and distances; the current setbacks are the same for all accessory buildings not matter what the size of the building (sheds, garages, etc.). Davenport mentioned the prior Zoning Officer also had suggestions of §603 Residential accessory building structures – detached garages and suggested changing it to *40 foot garage size ie" the maximum square footage for any garage serving a dwelling shall be 2,000 square feet"*. After a brief discussion the board decided not to accept either Zoning Officer's suggestion and to change §604.B.1 from five feet (5') to ten feet (10') which will read:

**Ordinance Changes:**

§604.1.B The minimum distance between any accessory buildings or structures shall be **ten feet (10')** . The minimum distance between any accessory building or structure and a principal building shall be **ten feet (10')**.

Bob Brown explained his opinions being a resident of a private development (Swatara Village). Brown said the development was zoned by the County approximately 15 to 20 years ago into 140 lots, for single dwelling homes with one (1) accessory building and most homes do not have 10' between each other. He asked the Board why are they required to come to the Township for permits to install a shed; the HOA is regulated by DCCR Federal Government standard. Hummel mentioned they are required to obtain zoning and building permits from the Township and the safety inspections when building structures. Hummel explained the information is on the recorded plan, from the County, and the Zoning Officer uses the plan to makes his determination; at one time the Township would receive a letter from the HOA with the zoning permit application stating the HOA was in favor of the permit but this practice has stopped. Mr. Brown said he will save his other questions for another board meeting.

**CORRESPONDENCE** – No correspondence received.

**ADJOURNMENT** – Reichert made a motion to adjourn the meeting at 8:18 PM. Davenport seconded, all were in favor and motion carried 3 to 0.

Respectfully Submitted,

Cynthia Hummel  
Zoning Hearing Board Secretary

Approved on July 26, 2018 at Zoning Hearing Board Meeting

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