

**BOROUGH OF CARROLL VALLEY
PLANNING COMMISSION MEETING
MONDAY, MAY 1, 2017 – 7:00 P.M.
BOROUGH OFFICE**

MINUTES

Chairman Ed Kaplan called the meeting to order at 7:00 P.M. whereby he turned the meeting over to Vice Chair David Lillard. The attendance was as follows:

PLANNING COMMISSION MEMBERS

BOROUGH OFFICIALS, ETC.

Present

Ed Kaplan, Chair
Ron Harris, Mayor
Robert Tyler Pyles
Robert Verderaime
David Lillard
John Schubring

Gayle R. Marthers, Asst. Borough Manager

Absent

Lisa McLeod-Simmons
Mary Davidson

CONSIDERATION OF THE MINUTES OF THE APRIL 3, 2017 PLANNING COMMISSION MEETING

Mayor Harris identified a typographical error on page 1, last line: the word “roaster” should be “rooster”; Mr. Verderaime requested that the verbiage of his motion on page 1 regarding the ordinance be changed from “clarifying the prohibition” to “prohibiting” as he believes this is what said. Members agreed and following additional brief discussion:

***R Harris moved, R. Pyles seconded, that the Commission accept the minutes of the Planning Commission Meeting of April 3, 2017 as amended. Motion passed unanimously.

OPEN TO THE PUBLIC

The following citizens asked to be heard:

Mr. Anthony Wivell of 43 Fruitwood Trail, Carroll Valley; Resident in favor of chickens; he offered the following suggestions to the proposed ordinance:

- In Sections 2-410 and 2-411 there should be a clause to protect those who already have chickens
- In reference to the Annual Inspection Clause – would it be better to put this on the application instead of in the ordinance?

OLD BUSINESS

Keeping of Chickens

Members reviewed the proposed ordinance prepared by Borough Staff. The following points were discussed:

- Definition of “Limited” and reason that is appears in the title
- On Page 3; 1st paragraph; last sentence: define “disposed of properly”. After much debate; members asked that the verbiage be changed to “disposed of like household trash”
- On Page 3; Section 2-410 (c); members questioned the necessity of this paragraph. There was discussion as to whether this same verbiage should be added to all ordinances that conflict with deed restrictions.

- Address the existing owners of chickens; it was established that if the ordinance were to be enacted, all residents would be required to submit permit applications. Existing owners of chickens could become permitted and therefore not face penalties.
- On Page 3; 1st paragraph; 3rd line; the phrase “timely manner” was debated. Following much discussion; Members agreed that a more definitive time frame should be added to Section 2-413. It was suggested that a 5, 7 or 10-day time frame be added in which the resident/keeper of the chickens would be required to clean up the coop area if found to be not in compliance with Section 2-408.
- In reference to the last bullet; it was also suggested that there be a letter “o” added to Section 2-412 that states “All manure, uneaten feed, and other trash shall be removed in a timely manner and disposed of in a sanitary manner.”
- Members discussed the placement of this ordinance in Chapter 2 under Animals versus in Chapter 27 under Zoning.
- Mr. Pyles shared that his research into the commercial coops for chickens found that most are 16” in height. He asked that members consider changing the construction requirements in Section 2-407 (a) from 18” to 16” for this reason. Members agreed by consensus to ask that this language be changed.
- Members asked that language be added that more clearly outlined the enforcement of the ordinance to include time frames for compliance if found non-compliant and a more detailed description of the Appeal Process.
- In Section 2-419; use the definition of “person” that is consistent with that developed by Members through the comprehensive review process.

Following much discussion:

*** R. Pyles moved, R Harris seconded that the Planning Commission recommend to Borough Council approval of the Ordinance regarding the Keeping of Domesticated Chickens with the caveat that the referenced changes be included. Motion passed on a 4-2 vote; Mr. Kaplan and Mr. Verderaime casting the no votes.

Commission Responsibilities/Attendance Policy.

Members reviewed the draft policy provided by Borough Staff to Council dated January 6, 2017.

Following much discussion;

***R. Pyles moved that the policy be recommended for acceptance by Council. Failing to receive a second on the motion; discussion continued resulting in following recommendations:

- Define a timeframe for “un-notified” i.e. 24 hours, 12 hours, 15 minutes prior to the meeting
- The document address only Planning Commission or only Committees meeting monthly
- Increase the number of absences to four (4) or $\frac{1}{3}$ of the total meetings
- Article 2 of the PA Planning Code under PA Title 53 allows for Alternate Commission Members to be appointed by the Governing Body (Council) and then at the discretion of the Committee Chair; said Alternates can be called upon to ensure a quorum. The issue of Alternates led to the following clarifications:
 - Alternates should only be used if there is no quorum without them
 - On-going attendance is not required of Alternates
 - Alternates are non-voting members unless asked to fill the seat of a non-attending member
 - Recommend 3-5 Alternates be appointed

Following additional discussion:

***R. Verderaime moved; R. Pyles seconded that Members recommend that the Board, Commission, and Committee Member Attendance Policy be adopted with the inclusion of the

appointment of Alternates; the number of which be left to the discretion of the Council. Motion passed unanimously.

Comprehensive Ordinance Review: Chapter 27: Zoning.

Mr. Rob Thaeler and Mr. Harlan Lawson were present to lead the discussion that centered around the Zoning Districts. The Borough's current districts were compared to tentative new district descriptions prepared by the County's consultants. Members questioned the standard by which the Borough is held by the State in reference to the need to zone for all possible land uses. Mr. Thaeler stated that there are no written standards; instead, the Code speaks to the requirement that sufficient size parcels in appropriate areas be set aside for every possible land use. Following discussion; Members asked that the proposed districts be overlaid onto the existing zoning map for comparison and ease of understanding. This hybrid map will be prepared for the June meeting.

ADJOURNMENT

*** E. Kaplan moved; R. Pyles seconded that the meeting adjourned at 9:15PM. Motion passed unanimously.

Gayle R. Marthers, Borough Secretary