

ZHB MINUTES OF MAY 12, 2016

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The Penn Township Zoning Hearing Board (ZHB) met on Thursday, May 12, 2016 at 7:00 p.m. in the Penn Township Municipal Building to conduct a hearing concerning Brian and Rachel Fuller of 200 Schoolhouse Road. A list of visitors is on file in the Township Office.

Secretary conducted the roll call of the ZHB.

Present:

Brian Foster, Vice-Chairman
David Clark, Member
Larry Watts, Alternate
Barbara Van Horn, Alternate
Dennis Shatto– Zoning Solicitor
Helen Klinepeter- Secretary

HEARINGS

The ZHB opened the hearing at 7:04 p.m.

Visitors Sworn In: Helen Klinepeter, Nila Kauffman, James Fuller, and Brian Fuller

Evidence

Twp 1 – Madden letter dated March 15, 2016

Mr. Foster opened the Hearing and explained that the Hearing was for Brian and Rachel Fuller for a variance of Section 803, Permitted Uses. Mr. B. Fuller explained that he has two (2) miniature horses and 11 chickens. He offered that we would like to have the animals for a responsibility and educational purposes. Mr. B. Foster asked the size of the lot and how long the animals were on the property. Mr. B. Fuller offered that the lot is .55 acres and that the horses have been on the property since Christmas and the chickens for 5 or 6 years. He continued that the chickens are for eggs and poultry.

Mr. Foster asked about a manure management plan. Mr. B. Fuller offered that the manure is used in the garden and the excess is taken to his father's farm. There are some plastic barrels to haul the manure in.

Ms. Van Horn asked if the Fullers realized this was not a permitted use. Mr. B. Fuller offered that this is complicated because the horses are pets. Mr. Clark asked what the Planning Commission views on this. Secretary replied that the Planning Commission did not really know how to take the situation. Their recommendation to the Board of Supervisors was to attend if the Board thought it needful. Mr. Fuller offered that he talked to one of the Supervisors and he was in favor of it, but he is not talking for the Board of Supervisors.

Mr. Shatto asked if the horses were classified as horses or ponies and if there was anticipation for more chickens. Mr. B. Fuller replied that they are considered horses and just has been bred to be miniature. There is no plan to add more chickens. Mr. Foster asked if there are plans for additional animals. Mr. B. Fuller replied in the negative. Mr. Clark asked what the lifespan of the horses? Mr. B. Fuller offered 30 years and can be used as service animals.

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Mr. Shatto asked how long the Fuller's have lived at this location. Mr. B. Fuller offered 10 years. Mr. Shatto asked the Secretary if a Zoning Permit would be needed. Secretary offered that a Zoning Permit would still be required and the decision would be attached to the Permit.

Mrs. Kauffman offered that she had no problem with the animals being there but that the manure smell was a problem at the time and especially in the summer.

Mr. J. Fuller offered that he is in favor of the application and that he has been through a couple of these hearings in Wheatfield Township. He understands that conditions can be placed on variances decisions. He continued that his grandkids do not watch television and appreciates his son and daughter-in-law instilling hard work and responsibility in the kids.

Mr. Foster asked if there was a manure schedule. Mr. B. Fuller offered that he would be willing to have a manure schedule and that the manure is placed in containers. Mr. Shatto asked how much the horses weigh. Mr. B. Fuller stated 250 to 300 pounds, the size of a large dog. The ZHB recessed from 7:20 until 8:10 p.m.

Upon a Clark/Watts motion, the ZHB voted unanimously to grant the variance request as presented with the following conditions:

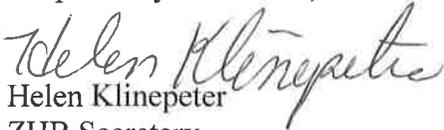
1. The relief is limited to the current number of horses and chickens.
2. The manure will be cleaned up a minimum of 2 times per week.
3. All reasonable odor control will be maintained.
4. With any order complaints a reasonable solution will be found.

After discussion, and upon a Foster/Clark motion, the ZHB voted unanimously to close the hearing at 7:49 p.m.

MINUTES Upon a Clark/Watts motion, the ZHB voted unanimously to approve the ZHB minutes of January 14, 2016.

Upon the completion of all business, and upon a Van Horn/Watts motion, the ZHB voted by unanimously to adjourn the ZHB meeting at 7:50 p.m.

Respectfully Submitted;


Helen Klinepeter
ZHB Secretary