

**COLLEGE TOWNSHIP COUNCIL PUBLIC HEARING
ORDINANCE O-14-08
KEEPING OF CHICKENS IN RESIDENTIAL AREAS
Thursday, July 17, 2014**

ATTENDED BY:

COUNCIL:

L. Eric Bernier, Chair
Mary C. Shoemaker, Vice-Chair
Lynn B. Herman
Carla Stilson
D. Richard Francke

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Michael W. Heath, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Linda Chencharick, Recording Secretary

ABSENT:

Robert T. Long, Jr., Finance Director
Mary E. Wilson, Asst. Township Secretary

CALL TO ORDER

Chair Bernier called to order at 7:04 PM the duly advertised July 17, 2014, College Township Public Hearing on Ordinance O-14-08, Keeping of Chickens in Residential Areas.

Ordinance O-14-08, Keeping of Chickens in Residential Areas, proposes to amend the College Township Code, Chapters 200-11A, Use Regulations, and 95, Dogs and Cats. The intent of this proposed ordinance is to permit the keeping of chicken hens in residentially zoned areas by the citizens of College Township and would permit no more than four (4) chicken hens per lot less than one (1) acre and permit one additional hen for each additional quarter-acre above one (1) acre in lot area. Chicken coops and outside runs are proposed to be located on a lot so that they are no closer than 40 feet to an existing occupied building on an adjoining property or the setback distance required by the established building setbacks within the lot's respective zoning district, whichever is greater. Coops and runs would be prohibited in the front or side yards.

PUBLIC COMMENT:

Mr. John Kenyon, Green Acres Lane, supported the proposed ordinance, as written.

Ms. Melanie Fink, Julian Drive, expressed concern for the lack of coverage by the local newspaper on this topic. Ms. Fink voiced her opposition to the proposed ordinance based on chickens being permitted to be housed closer to her property than to the hen owners' homes; its infringement on the privacy of nearby neighbors; the inability to restrict the keeping of chickens in residential subdivisions where homeowners' associations do not exist; and on the unknown outcome for abandoned hens.

Ms. Ruthann Houtz Pressler, Thompson Street, opposed the proposed ordinance based on the possibility of chickens running loose; their odor; and the possibility of chickens being in close proximity to houses in the Village of Lemont.

Mr. Patrick McGrady, Gerald Street, stated that coops can be odorous and hens noisy. Mr. McGrady offered recommendations for the proposed ordinance, including adding an enforcement clause in Chapter 95, Section 5; considering changing the setback from 40 feet to 80 feet or making the 40-foot setback start from the property line; and suggested that residents desiring chickens get permission or consent from their neighbors before being able to acquire hens or required licensing or permitting.

Ms. Greta Lindwall, Puddintown Road, supported the proposed ordinance, as written.

Ms. Erica Runkle, Cortland Drive, supported the proposed ordinance and would have no objection to any requirement for licensing hens.

Mr. Travis Pillen, moving into College Township soon, supported the proposed ordinance and noted that raising urban chickens is different from raising rural chickens.

Ms. Kim Clouser, Gerald Street, opposed the keeping of chickens due to the smell; and loose chickens coming onto their property.

Mr. Ed Galus, Rock Road, thanked College Township for its good enforcement of its present chicken ordinance and wished them good luck with the revised ordinance.

Ms. Katherine Watt, Hamilton Avenue, has chickens at her State College Borough residence and supported the proposed ordinance allowing hens in College Township.

Mr. Steve Lyncha, Patrick Circle, stated that the proposed ordinance is the same as the one presented to the previous Council, which was denied. This same ordinance was recently presented to Planning Commission for another review, and the planning commissioners voted unanimously again to recommend that Council deny this ordinance. Mr. Lyncha opposed the ordinance, as written, based on not doing enough to protect adjoining property owners; the

ability to have coops closer to neighbors' homes than to the hen owners' homes; and the possibility of chickens being abandoned after their egg-laying days have ended. Mr. Lyncha supported the idea of having chickens/coops next to the owners' homes so that any negative impacts would be on the owners and not the neighbors.

Ms. Scott Stilson, Puddintown Road, supported the proposed ordinance, as written, but would not oppose noise and permitting clauses being added to the ordinance, nor would he oppose a requirement that a coop be closer to the hen owners' homes than to neighbors' homes. However, Mr. Stilson felt that the setbacks and screening are sufficient, as stated in the proposed ordinance.

Ms. Jennifer Landry, W. Whitehall Road, supported the proposed ordinance and stressed the benefits of hen ownership, such as eggs and bug control. Ms. Landry also expressed support for coops being closer to the homes of the hen owners.

Ms. Tanya Loesch, Limerock Terrace, supported the proposed ordinance, as presented.

Ms. Kristi Branstetter, Green Acres Lane, supported the proposed ordinance, based on the benefits of hen ownership, such as 4-H projects for children.

Mr. Steven Branstetter, Green Acres Lane, stated that those interested in hen ownership are, for the most part, concerned about the wellbeing of their hens. If not, the described enforcement would be in place to be exercised, as also described for owners of dogs who do not pick up after them.

Ms. Cheryl Tagante, Merry Hill Road, offered full support for the proposed ordinance and stated that she looks forward to being able to have hens.

Mr. Marshall Peters, E. Branch Road, supported the keeping of hens in residential areas and, if revisions are needed, asked for consistency between the application of the ordinance allowing hens and the ordinance allowing dogs or cats. Mr. Peters encouraged Council to consider this ordinance regardless of the knowledge that some will violate it, as enforcement steps described in the ordinance offer the Township the ability to address any violations.

Mr. Tom Leithauser and son, Luke, Dale Street, offered their support for the keeping of chickens. Master Luke added that this ordinance would allow him to finally have a bird.

Ms. Tyler Rose, Lemont, did not oppose the ordinance, but expressed concern for loose hens getting hit by vehicles; hens drawing predators to their vicinity; and possible diseases carried by hens being spread to other animals or humans. Support for the ordinance was conditioned upon ownership of hens being done in a safe, healthy manner by people qualified to take on the responsibilities.

Mr. Morgan Forney, Oak Ridge Avenue, offered support for the proposed ordinance; would accept the responsibility associated with the keeping of hens; and agreed with the suggestion that the ordinance be consistent with the ordinance governing the keeping of dogs.

Ms. Bethany Bowne, E. Branch Road, supported the proposed ordinance and suggested a dual requirement of 40-foot setbacks and a 10-foot setback from any property line and/or with the adjoining consent of neighbors.

Mr. Stilson, Puddintown Road, noted that, when faced with what to do with hens that an owner no longer wants, the hens can be given to a local farm or they can be consumed.

Staff clarified that slaughtering of hens would be prohibited in College Township.

Hearing no additional public comment, Chair Bernier called for a motion to close Public Hearing on Ordinance O-14-08, Keeping of Chickens in Residential Areas.

Ms. Shoemaker moved to close the Public Hearing on Ordinance O-14-08, Keeping of Chickens in Residential Areas.

Mr. Francke seconded the motion.

Motion carried unanimously.

ADJOURNMENT:

Chair Bernier adjourned the July 17, 2014, Public Hearing on Ordinance O-14-08, Keeping of Chickens in Residential Areas, at 7:44 PM.

Respectfully submitted,

Adam T. Brumbaugh

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Township Manager/Secretary