

## ZONING HEARING BOARD HEARING July 1, 2014

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The members of the Pequea Twp. Zoning Board met on 1 July 2014 at 19:00 in the meeting room of the Pequea Twp. Municipal Building.

The meeting was called to order by Vice Chair Robert Mellinger.

**Members present:** James Haines, Robert Mellinger, Mark Meyer and Tom Haas. With Janice Longer present as council to the board.  
Chair lady Johns was not present.

### **Old Business:**

The board approved the 3 June 2014 minutes with a motion by James Haines, seconded by Mark Meyer.

### **New Business:**

The Board will hear a request from Jacob Zook of 1560 W. Penn Grant Road, Willow Street, PA for a Special Exception for a kennel to raise dogs. The lot is in the Ag Zone and is not served by public water or sewer.

### **Formal Party Status:**

Mr. and Mrs. Richard Mills of 11 Silvermine Road.  
Mr. and Mrs. Michael Gerberich of 8 Silvermine Road.  
Mr. and Mrs. Vernon Grant of 6 Silvermine Road.  
Mrs. and Mrs. Douglas Young of 4 Silvermine Road.  
Mr. and Mrs. Richard Sprout of 2307 News Danville Pike.  
Mr. and Mrs. George Reisinger of 2309 New Danville Pike.  
Mr. and Mrs. Chris Luby of 3 Mohawk Drive.  
Mr. and Mrs. Michael Pecheiro of 2 Apachee Drive.  
Mr. and Mrs. James Bolinger of 9 Mowhawk Drive.  
Ms. Debbie Adams of 105 Arrowhead Circle.

### **The Hearing:**

Applicant is currently operating a kennel on property without proper zoning permit for structure placed on property.

Mr. Zook testified to the following:

- Adequate parking on property. approx.. 6 parking spaces.
- 12x24 structure with wire enclosure, housing 5 female dogs.
- 100' from all property lines and 200' from adjacent residence.
- Kennel to be cleaned twice per day with waste spread on pasture, corn and pumpkin ground.
- No nutrient plan needed.
- Dogs would be in kennel and not in outdoor recreation area.
- No plans to screen area. Currently in grass.
- Sec 1919 K cannot be met without additional variance. It was pointed out to Mr. Zook that another meeting would need to be advertised and held for this issue.

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- No adjacent property information provided.
- Natural ventilation, natural light. No artificial lighting would be used.
- No signage on property.
- Cannot control noise of dogs barking.
- Husky, Elkhounds, Bichon, Pomeranian breeds.
- Two litters per year @ five pups. Several dogs could have litters at a time.
- Customers will view dogs at property.
- Traffic has been not more than two people at a time.
- No limit on the hours of operation.
- Advertisement is by online means.
- Odor control would be by keeping waste cleaned up and washed out.

### **Party questions:**

Mr. Pecheiro commented on the kennel being built without a proper permit. In addition, he questioned if a storm water study would be required if the driveway needs to be widened. He expressed concerns about the handling of dog waste as described by Mr. Zook. Intent of kennel was questioned. Is it for boarding or raising and selling? How many dogs are currently on property now? 16 adults and 8 pups. What recourse does the Twp. Have to deal with this.

Mrs. Pecheiro questioned where are the male dogs being housed currently? Are they treated humanely? Where is the recreation area for the male dogs?

Mr. Luby questioned if the applicant has ever had a license to raise dogs before. What possessed you to just build a kennel?

Mr. Mills questioned where dogs are kept after birth.

Mr. Young questioned if loud diesel engine that runs at all hours is part of the operation. Where are the separate pens? Any boarding provided?

Mr. Gerberich questions the adjoining property classification. Questioned the location of kennel in relation to the house. Expressed concern for contamination of water in the stream that runs through the property.

Mr. Luby commented on the current noise level.

Mr. Gerberich fears of dogs at large. He stated that three dogs are currently running the neighborhood. Questioned if dogs will have licensees at all times.

Mrs. Sprout told of a pipe that had been drug into her yard by two Jack Russell's.

Ms. Adams questioned if the dogs are vaccinated for rabies?

**The Decision:** The board adjourned for an executive session at 20:30. Upon return, at 20:56 It was noted that many answers by Mr. Zook came across as evasive and not direct unless pressed. The application that was submitted was also deficient. It was also reiterated that without a Variance from Sec 1919 (k), requirements could not be met.

Vice Chair Robert Mellinger made a motion with a second by Mark Meyer with all in favor, to deny the Special Exception Application for a dog kennel at 1560 West Penn Grant Road, Pursuant to Section 503(b) of the Twp. Zoning Ordinance.

The meeting was adjourned at 21:00 and Lisa Miller was the court reporter.

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Respectfully submitted,

*Thomas A. Haas*

Tom Haas

7/1/14 Zoning Hearing Board Sign In

~~Bob Rudolph~~

~~R.E. Deyontor~~

Michelle & Mike Herpich

Vernon & Donna Grant

Doug & Kathy Young

Rick, Donna Hannah Sprout

Debbie Adams

Christine & George Bessinger

Roxanne Bolinger

Chris & Kelly Ruby

Nancy & Mike Rechin

James Bolinger

Larry Voss

Suzanne M. Mills

Richard A. Mills

Elaine Jones