

**LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS**

Minutes of the meeting held March 9, 2021

A workshop meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:03 P.M. by Chairman Henry on the above date at the Lower Paxton Township Municipal Center located at 425 Prince Street, Harrisburg, Pennsylvania.

Board members present in addition to Mr. Henry were Robin Lindsey, Norman Zoumas, and Paul W. Navarro. Also in attendance were Bradley N. Gotshall, Township Manager, and Steve Stine, Township Solicitor.

**Pledge of Allegiance**

Mr. Zoumas led the Pledge of Allegiance.

**Public Comment**

There was none.

**Announcement**

Mr. Henry announced that the Board of Supervisors met in executive session before the meeting, and they would meet again afterward.

Presentation of Resolution 21-06 and the Township's Two-Year Emergency Operations Plan

Adam Kosheba, Director of Public Safety, presented the Dauphin County Department of Public Safety Emergency Operations Plan. This plan serves as a bridge between the municipality's Emergency Operations Plan and the Pennsylvania State Emergency Operations plan. PEMA has encouraged the regionalization of local emergency management programs, including municipality adoption of the county plan.

The Dauphin County Department of Public Safety Emergency Operations Plan is on file at the Township's Municipal Center.

Mrs. Lindsey made a motion to approve Resolution 21-06 and the Township's Two-Year Emergency Operations Plan. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote and there was a unanimous vote of approval.

Presentation of Proposed Amendments to Section 203-403 of the LPT Zoning Code  
Allowing for the Keeping of Bees and Hens

Ashley Pollart and Colin Powell, 4925 Colorado Avenue, were present to propose amendments to the Township's Zoning Codes 403.D.2 and 403.D.12 to allow people in the community who have smaller yards to keep hens and honeybees. The Township's existing Ordinances do allow residents to keep hens and honeybees in their backyard, however, they would like to see the Ordinance revised to better reflect the yard sizes in the community.

Ms. Pollart announced that through conversations with neighbors and a petition shared with residents on Change.org, she obtained more than 600 signatures in support of making the Ordinances less restrictive. She noted that the PA Department of Agriculture already regulates honeybee keeping with local inspectors and registration requirements.

Mr. Navarro wanted to know how often the PA Department of Agriculture inspects the beehives. Ms. Pollart explained that the hives are inspected every season or once a year and there are seven inspectors assigned to the state of Pennsylvania.

Mr. Zoumas wanted to know if the beekeepers have been trained or certified. Ms. Pollart explained that there are local training programs available through the PA Beekeepers Association and PA Department of Agriculture. The PA Beekeepers Association provides some resources for the training information in their model ordinance.

Mrs. Lindsey noted that Ms. Pollart had mentioned that the honeybees do not sting people at all. Ms. Pollart explained that the honeybees do sting but are not likely to sting anyone unless someone is trying to get into the hive or standing too close to it.

There was a discussion about the safety of beekeeping.

Robert House, 243 Allen Road, Carlisle, PA, announced that he has kept bees for over 11 eleven years and manages over 200 beehives as a hobbyist, or what is called a sideline beekeeper. He has beehives in Etters, York, Carlisle, and Boiling Springs and most of the yards contain at least 20 individual beehives. He noted that the Borough of Carlisle would have linked honeybees to an ordinance that applies to other nuisance animals, and they do not have an ordinance to regulate beekeeping, however, he has an agreement with them to keep bees. About two years ago the Borough of Carlisle allowed Dickenson College to place beehives in the borough and he maintains the beehives at Dickson College, Carlisle, PA.

Mr. House announced that he is the Vice President of Capital Area Beekeepers and there are approximately 185 members in this organization, and they meet every month at the Farm Show Complex in Harrisburg. He is a life member of the State Beekeepers Association and Franklin County Beekeeper's Association and attends the York County Beekeepers Association meetings. The Capital Area Beekeepers offers a training program for new beekeepers.

Mr. House noted that he buys and sells bees and brings them into the state and to date, he has sold 707 bees in Central Pennsylvania, and this number is likely to increase this spring.

Mr. House mentioned that beekeeping is very safe, and he has not had any problems with residents who live near the beehives. He announced that he supports the proposed Ordinance to allow beekeeping in smaller yards in the Township.

There was a discussion about beekeeping maintenance, regulations, and safety.

Ms. Pollart presented a model Ordinance recommended by the PA State Beekeeping Association and proposed to change the existing Ordinance which regulates beekeeping allowing hives to be located a minimum of 10 feet from any lot line and if a 10-foot distance cannot be obtained, a "flyaway barrier" should be installed.

The "flyaway barrier" shall be at least six feet in height, shall be placed alongside the hive (s), shall be located within five feet of the hive (s), and shall extend at least two feet on either side of the hive (s).

Mr. Henry suggested that the word "should" be changed to "must" so that the Ordinance can be enforced.

Ms. Pollart announced that there are some common misconceptions regarding noise and odors from chickens, noting that chickens do not tend to make much noise unless they are laying an egg. The hens at their loudest, have the same decibel level as humans having a conversation which is 60-70 decibels. The roosters are the loud birds; their crows can reach over 90 decibels, which is the same as a dog's bark. The other misconception is the odor from hens, noting that it is true of any animal or human; however, the odor from a chicken is no more pungent than that of other animals and they produce less waste than other animals. Mr. Powell added that the chicken's waste can be used in compost for gardens, but dog waste cannot be used.

Ms. Pollart noted that the experts of the Penn State Extension office, recommend six hens on a one-quarter acre lot if the coop can be kept 25-feet from property lines. They also recommend hens be kept to their confined area and are restricted from having free range.

Mrs. Lindsey expressed some concern about the chickens laying eggs at night while people are sleeping.

Mr. Powell explained that he grew up on a farm in Elizabethtown and the chickens did not lay eggs at night. Ms. Pollart noted that chickens need light to lay an egg, so in the winter months the production of eggs decreases because there are not enough hours of daylight.

Mrs. Lindsey wanted to know if they planned to sell the eggs. Ms. Pollart explained that they did not plan to sell the eggs; the chickens would be their pets and have names, and they would eat the eggs.

Mr. Zoumas wanted to know if the chickens would die in subfreezing temperatures. Ms. Pollart explained that if chickens are kept properly, they will not die.

Mr. Navarro announced that he is a Nurse Practitioner and growing up he lived on a 70-acre farm with chickens and goats, etc. He expressed some concern about the excess of eggs laid by the chickens, noting that the excess of eggs would bring rodents and rodents would then begin eating the chickens. He noted that there is a reason for the set-back guidelines and the amount of land needed to have chickens.

Mr. Navarro indicated that he supports residents having chickens, but the Board must evaluate the impact that raising chickens would have on everyone in the Township, and having chickens in a small residential area could have an adverse effect on other residents. Secondly, if the eggs are sold to others, they must be cleaned a certain way to prevent someone from getting E. coli. The issue would then become about who might be responsible if someone were to get the E. coli virus from the eggs and there would be a need for additional regulations. He noted that Ms. Pollart and Mr. Powell would likely be good at beekeeping and raising chickens, however, there will be some people who may not be so good at raising chickens and beekeeping.

There was a discussion about the enforcement and adverse impact of raising chickens.

Mr. Navarro noted that the Board could revise the Ordinance to permit residents to raise chickens in their back yard, but it would require more staff time to regulate and enforce the Ordinance.

Mr. Zoumas noted that the Board members would be surprised to know that many residences have chosen to ignore the Township's Ordinance and there are not many complaints about it.

Mrs. Lindsey added that she spoke with Nick Gehret, Codes Enforcement Officer and the Township has received quite a few complaints about chickens running loose and the odor.

Mr. Gotshall offered to gather more information about the many complaints received from residents.

Mrs. Lindsey mentioned that she received a complaint a few weeks ago and she told the individual to contact the Codes Enforcement Officer to lodge an official complaint; however, the resident was reluctant to do so because they wanted to remain anonymous for fear of retaliation from their neighbors. She expressed some concern about allowing residents to raise chickens on their property if the property is less than one acre in size.

Ms. Pollart proposed to change the existing Ordinance to allow no more than six hens on a lot of  $\frac{1}{4}$  acres. The hens must be confined to the resident's property and the coop must be set back a minimum of 25 feet from all lot lines. Pigeons, roosters, ducks, geese, and/or similar fowl (except for hens) shall not be kept on a lot of less than one acre. However, if the total weight of such fowl exceeds 500 pounds, then the requirements shall be met for "Raising of Livestock or Poultry." She noted that Susquehanna Township has a looser restriction for keeping chickens, they have a 30-foot set back without acreage limits, and they do not receive calls regarding nuisances.

Link Martin, 5218 Crestwood Drive, Hobbyist, and member of the Capital Area Beekeepers Association. Mr. Martin mentioned that he is an avid hobbyist and has been raising bees for the past three years, but not on his property because he cannot keep the bees in his yard and must travel to enjoy this hobby.

Mr. Martin announced that he supports the proposed changes to the Township's Ordinance and asked the Supervisors to evaluate a reasonable alternative to the current prohibition, specifically the acreage size because it is too restrictive. He asked the Supervisors to consider updating the current regulations by using the Model Ordinance that has already been established by the Beekeepers Association.

Mr. Martin noted that the millennials will move to the Township as the seniors age out and they would like to support the environmental changes. By allowing residents to keep honeybees in smaller areas it will be conducive to an improved environment.

Kevin Anderson, 4609 Coventry Road, announced that he supports amendments to the existing Ordinance to allow residents to keep bees and hens. He noted that a lot of areas in the Township which was once a field or farm has been developed and it will never go back to farms or fields again, and everyone should do whatever they can to accommodate honeybees and support their ability to pollinate flowers, trees, and food sources.

Mr. Anderson noted that he feels residents should be able to keep hens in their yards, even if they end up with more eggs than they can consume because it's always nice to share the eggs with family members.

Mr. Zoumas asked Mr. Stine if a homeowner's association (HOA) can override or amend the rules. Mr. Stine explained that a homeowner's association can develop their own rules for what is permitted in their development, however, the Township's Ordinance would still apply and be enforceable regardless of what rules the HOA has implemented

Robert House, Carlisle, PA, commented on the Township's existing Ordinance to keep chickens in the backyard. He noted that there is a difference between a free-range chicken that is kept on a farm, compared to a chicken kept in a coupe. He added that people who follow the law should not be punished because of the people who will break the law.

Mr. Navarro reiterated that the Board has a lot of decisions to make; the Ordinance could have restrictions that would allow it to work, but the Supervisors must evaluate the impact on all residents. The reality is the Township may have to hire someone else to enforce those restrictions.

Mr. Henry interjected noting that no one had commented about the costs of changing the Ordinance. The purpose of the workshop meeting is to address the issue which was brought forth by residents of the Township. Ms. Pollart and Mr. Powell put a lot of work into researching this topic, and it will save a lot of staff time. The Board is willing to listen and consider changes to the Ordinance, hence, the reason for the meeting. He agreed that a property owner should be able to do whatever they want on their property, however, the Supervisors must evaluate the impact on all residents.

Mr. Henry asked the Board members to ponder on the proposed changes to the Ordinance and convey those thoughts to Mr. Gotshall who will evaluate the information to determine what areas they are interested in amending. He suggested that the information be presented at next month's workshop meeting.

Mr. Henry thanked everyone for attending the Board meeting to provide input on the topic.

#### Announcements

Mr. Henry announced that the next Board meeting is scheduled for Tuesday, March 16, 2021, beginning at 7:00 P.M. at the Municipal Center.

#### Adjournment

There being no further business, Mr. Zoumas motioned to adjourn the meeting. Mrs. Lindsey seconded the motion. The meeting adjourned the meeting at 8:36 P.M.

Respectfully submitted,



Shellie R. Smith  
Recording Secretary

Approved by,



Chris Judd  
Secretary