

APPROVED

**SPRINGETTSBURY TOWNSHIP
ZONING HEARING BOARD
MAY 5, 2022**

MEMBERS IN

ATTENDANCE: Dale Achenbach, Chairman
Sande Cunningham, Secretary
Mark Bair
Stacey Ankrum, Alternate

NOT PRESENT: David Seiler, Vice Chairman
Chris Shuttlesworth

ALSO IN

ATTENDANCE: Randall Heilman, Director of Community Development
Timothy Holmes, Zoning Officer
Gavin Markey, Solicitor
Abby Gibb
Sue Sipe, Stenographer

1. CALL TO ORDER:

A. Pledge of Allegiance

Chairman Achenbach called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. He introduced the members of the Board.

2. ACTION ON THE MINUTES

A. APRIL 7, 2022

MS. CUNNINGHAM MOVED FOR APPROVAL OF THE APRIL 7, 2022 ZONING HEARING BOARD MINUTES AS PRESENTED. MR. BAIR SECONDED. MOTION UNANIMOUSLY CARRIED.

Chairman Achenbach asked if the cases were properly advertised. Mr. Holmes responded that notifications had been made.

3. NEW BUSINESS

A. Case ZONE-2022-0007 – 118 Pleasant Acres Road

Lee Smith, Development Coordinator for Creating Opportunities in Neighborhood Environments (CONE)

All witnesses were sworn in.

Mr. Holmes stated this is an application of the appeal of the acting zoning officer's determination. The applicant is proposing a change of a non-conforming use from an office complex to senior housing in the R-10 residential zoning district. The complex was previously used by the York County Magisterial and Administrative Office. The Zoning Hearing Board unanimously upheld the appeal to allow the change from one non-conforming use to another. The applicant was not able to receive the necessary funding at the time in order to apply for the permit in 2021.

Ms. Smith indicated CONE is a non-profit community housing development organization which is a HUD designation project. The City of York or the County of York depending on where the project is located, redesignates at each time. Their purpose is to provide and expand the opportunities for affordable housing in the York County area.

Ms. Smith stated on November 5, 2020 led by their legal counsel Chris Vedder, they presented an application to the Zoning Hearing Board for the property at 118 Pleasant Acres Road. They successfully appealed the zoning officer's determination under §325-193.E a non-conforming use of the building or lands may be changed to the use of an equal or more restrictive classification. November 11, 2021 their application went into the Pennsylvania Housing Finance Agency for an award of low-income housing tax credits. This is a tax credit development for senior housing. Their application was submitted in March 2021 however, they found out they were not awarded the tax credits in October 2021. They had discussions with the property owner, which is an offshoot of Premier Healthcare and decided they would apply a second time.

Their next application for the low-income housing tax credits will be with the Pennsylvania Housing Finance Agency on June 30, 2022. They are actively working on preparing the application and need to show zoning approval conformity for that use when the application goes in. Their only significant change to the application is the number of units being proposed which has been lowered. Back in 2020 their architect felt they could fit in as many as 73 units. After laying out the details the number came down to 50 units. After the first application was not approved, they met with the Tech Services division of PHFA and based on their feedback felt it was important to expand some of the main level community open space areas. Their current application will be submitted with 48 units of low-income housing for seniors in the area. She noted they have also lowered the intensity making the nonconforming use even more desirable.

Ms. Smith stated they are requesting reaffirmation of the original Zoning Hearing Board decision, and if approved, asking that it remain valid through 2023 so if they encounter any difficulties with syndicating the tax credits, layering the financing and subsidy sources for settlement, as well as getting the project to closing they have up until the end of 2023 to be issued the building permits and proceed with the development.

Chairman Achenbach asked Solicitor Markey for his interpretation as how to approach the circumstances.

Solicitor Markey stated the one matter of mention is there are inherent timelines built within the zoning ordinance for the permits after they receive approval. The decision for the approval granted as indicated went out in December 2020. He noted Section 325-187 of the ordinance essentially provides a six-month time period. It can be extended by 90-day intervals by the zoning officer. Apparently, what happened was the financing was a problem so their approval has lapsed. What they are seeking is reaffirmation based on the original application with the materials which are embodied in the formal written decision. Solicitor Markey stated he had no objection to the request, noting they have refiled, paid their fees and

advertised. The surrounding property owners have been notified. He indicated if the Board is comfortable with reaffirming what they heard before and unanimously approve, the reduction in units actually decreases the chance of any inconsistency with nonconformity.

Mr. Bair stated he was present at the meeting when this was originally presented and as he recalled this was a very good use for a property which remains empty. He recalled the extensive presentation outlining the plan and indicated he was comfortable at the time with the plan and the fact that the number of units have been reduced.

Chairman Achenbach asked Solicitor Markey if the extension could be granted tonight or is there a series of renewals that have to take place.

Solicitor Markey stated his expectation would be the time period requested would begin to run from the date of the formal decision to be signed next month. After that the events and approval for this evening would expire on December 31, 2023.

Ms. Smith stated in her timeline provided in the updated packet, 2024 is determined to be substantial completion. She noted they should be able to obtain building permits by the end of 2023 even with potential setbacks along the way.

Chairman Achenbach asked if a status report would be helpful to receive from time to time.

Solicitor Markey stated a status report could be submitted to the zoning officer to keep him up to date on where they are at in the financing process.

Ms. Smith indicated that would be fine, however, they will simply be waiting for the PHFA to make a decision which will take months. By submitting the application by June 30, 2022, they are hopeful they will receive a decision by the end of 2022 as to whether an allocation has been received.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Donald Osmolinski

Witness was sworn in.

Mr. Osmolinski commented he is the caregiver of his mother who lives two doors down from the property and is 89 years old. He grew up in the house. He felt it was a good use rather than the building deteriorating.

MR. BAIR MADE A MOTION IN THE CASE OF ZONE-2022-007 CONE, BASED ON SOLICITOR MARKEY'S RECOMMENDATION TO RE-AFFIRM THE APPLICANT'S APPROVAL OF APPEAL BASED ON §325-193.E IN KEEPING WITH THE CONTENT OF THE DECISION OF ZONING HEARING BOARD-2020-0010 DATED DECEMBER 8, 2020 WHICH WOULD PROVIDE THAT THE APPLICANT CREATING OPPORTUNITIES IN NEIGHBORHOOD ENVIRONMENTS IN CONE HAS SATISFIED THE CRITERIA OF §325-193.E OF THE ZONING ORDINANCE TO CHANGE THE USE OF THE PROPERTY AT 118

PLEASANT ACRES ROAD IN SPRINGETTSBURY TOWNSHIP, YORK COUNTY IN THE R-10 MEDIUM LOT SINGLE FAMILY RESIDENTIAL DISTRICT FROM ITS PRESENT USE, OFFICE-GENERAL - A NONCONFORMING USE, TO SENIOR HOUSING A DWELLING MULTI-FAMILY USE A DIFFERENT NON-CONFORMING USE SINCE THE PROPOSED USE IS OF EQUAL OR MORE RESTRICTIVE CLASSIFICATION. SUBJECT HOWEVER, THE DWELLING MULTI-FAMILY USE SHALL BE LIMITED TO SENIOR HOUSING AS DEFINED IN THE ZONING ORDINANCE AND ACCESSORY COMMON ROOMS AS STORAGE FOR USE BY THE OCCUPANT AND THE ADMINISTRATIVE MANAGEMENT OFFICES.

SECONDED BY MS. CUNNINGHAM. MOTION UNANIMOUSLY PASSED.

MS. CUNNINGHAM MADE A MOTION IN THE CASE OF ZONE-2022-007 CONE TO GRANT THE APPLICANT UNTIL DECEMBER 31, 2023 TO PULL ALL APPLICABLE PERMITS FOR THE PROJECT UNDER THE ZONING ORDINANCE FOR SPRINGETTSBURY TOWNSHIP. SECONDED BY MR. BAIR. MOTION UNANIMOUSLY PASSED.

B. Case ZONE-2022-0005 – 1410 Eden Road

Richard Biscoe, OBO Molimo LLC
Attorney Chris Naylor, Barley Snyder

Witnesses were sworn in.

Mr. Homes stated this is an application requesting a variance to allow continued construction of a non-conforming test wall accessory structure that exceeds the height of the principal structure by approximately 15 feet. It is not located in the rear yard per the requirements of township ordinance §325-134. They would like to expand the test wall more than the 25% that is allowed in §325-193 for non-conforming structures.

The existing test wall was granted building permits in 2018 without requiring Zoning approval. The applicant finished the first portion with the first permit, with another permit in 2018 to continue with another portion completed. In 2021 they applied for a building permit to continue the construction of the test wall and the zoning officer flagged it as non-conforming. They are planning on expanding it more than 25% for a non-conforming structure.

Att. Naylor related the history stating a building permit was submitted and approved in 2018. At that time no zoning issues were flagged and the applicant proceeded with construction. However due to manpower and other intervening factors, the wall did not get completed within the time of the permit. Only when construction resumed and the permit was reapplied, did it surface from the acting zoning officer that three variances were needed to proceed.

Att. Naylor stated he determined the history is relevant and should be considered by the Board in its deliberation and decision. He also noted they meet the legal requirements for the three dimensional variances being requested.

Att. Naylor indicated the first variance is the accessory structure be located in the rear of the principal structure. It is currently located on the side for the reason it was put in the footprint of a prior structure to avoid an increase in impervious surface and difficulties in relocating it.

The second variance is the height of the accessory structure which the ordinance requires that it be no higher than the primary structure. In this case the test wall would exceed the height of the primary structure.

The Township has taken the position that it is a non-conforming structure because the zoning relief was not applied for or secured.

Att. Naylor distributed the exhibit packet to the Board. He noted there are six separate exhibits.

Through testimony administered by Att. Naylor, Mr. Bisco stated the following:

- Molimo LLC is an architectural product testing firm whose main purpose is to test building products for co-compliance and performance. These are primarily exterior products. In addition and more applicable to the test wall in this case, is that other architects and general contractors will erect portions of the building on the steel wall which undergoes intense testing to make sure the building meets requirements.
- Mr. Bisco acts as consultant, indicating he is familiar with the property and his father-in-law, Henry Taylor, is the landlord and owner of the property.
- Mr. Bisco is an authorized agent on behalf of the owner, Mr. and Mrs. Taylor.
- Molimo is the tenant to the property.
- Exhibit 1 is an architectural drawing of the overhead, showing the existing building which is the main building and the interior space. It also shows the area where the wall is expected to be constructed. The next page shows the details of the construction with the height of the test wall 48 ft.
- Exhibit 2 is an older view of the site which indicates what was in place at the property. A gray outbuilding shown on this image is where the wall was intended to sit on that footprint. The engineers advised at the time, that was the best approach because all of the permeability issues had been dealt with.
- Exhibit 3 provides a spatial understanding of what the “front” of the building looks like from Eden Road. Their intention is to take the wall that is shown and build the same to the left to create one structure.
- Exhibit 4 is another view of the property. The structure to the left is the existing building. The structure to the right showing above the blue sheds is the test wall.
- The existing building was there prior to Molimo and was the site of the former 84 Lumber building, which is 24,000 sq. ft.

- Where the parking lot is shown is the building is taller than the side of the building that faces the wall which is identified on Exhibit 3, and the height from ground to peak is 36 ft.
- The test wall is made of steel and is a two-sided wall as shown on Exhibit 1, Pg.2. There is a super structure made of I-beams and there are steel panels which are attached to both sides which is meant to provide a flat weldable surface in which these portions of the building get constructed on and then tested.
- The test wall is proposed to be located as shown on Exhibit 1 since initially the engineers engaged to create the design made the suggestion that placing it over the footprint of the old outbuilding was the best case scenario from permeability issues and putting it at the back of the property was not viable because of the amount of real estate that was needed. It would not have allowed their equipment to maneuver around the site.

History of the case:

- Towards the end of 2017 a business decision was made to begin construction of the wall to support the needs of the business.
- They did not seek permit approval since because it is a test wall and there was no means to classify the structure.
- Mid- construction a township representative visited and informed them they could not continue until approval.
- They met with the township officials to determine an inspection schedule and how to gain approval of the wall.
- They did receive approval and finished the wall late 2017 and early 2018.
- The permit for that section of the wall which was 50 ft. was in February 2018.
- They went through the second permitting process to gain approval for the remainder of the wall issued in May 2018.
- Construction then resumed and the wall was fully erected and inspected.
- Due to manpower and labor issues they could not continue.
- They did not realize the permit would expire so soon and would have to reapply.
- Due to Covid-19 no additional investment was put into the project.
- At the end of 2021 a decision was made to finish the wall so contact was made with the Township. Another engineer was obtained due to the death of the former engineer.
- The applicant was contacted by the Township interim zoning officer advising they would need to apply for a variance.

Att. Naylor referred to Exhibit 5 of which Page 1 is the authentication information provided by Mr. Holmes. Page 2 and 3 show the building permits as referred to by Mr. Biscoe. The last page displays corresponding building permit numbers assigned to sections of the wall.

Mr. Biscoe stated at no time during 2018 was Molimo advised of the need to obtain zoning relief related to the test wall. He first became aware of the requirement when an email was received by Mark Snyder from Patrick Walsh of First Capital Engineering as shown on Exhibit 6. Mr. Biscoe confirmed Mr. Walsh advised what zoning requirements were needed.

Att. Naylor referred to the requirement for the test wall being on the side and not the rear yard. Mr. Biscoe stated the building sits along Eden Road and Route 30. The front entrance is along Eden Road so in essence it sits in the front. As for it having to be behind the primary existing building, that was before Molimo's involvement. The footprint of the former lumber shed was already there when Molimo came into possession of the property.

Mr. Biscoe stated he did not believe the test wall if expanded as proposed, would alter the essential character of the neighborhood. He indicated he did not believe expansion of the test wall as proposed, would not substantially or permanently impair appropriate use or development of adjacent properties, and the location would be detrimental to the public welfare to expand the test wall as proposed.

Mr. Biscoe explained the 48 ft. height of the test wall is used because many of these structures are mock-up structures and 48 ft. is suited to accommodate a four-story mock-up. The length allows accommodating clients so every section allows for more square footage. He noted the current facility is completely booked.

Mr. Biscoe stated in the event the variances would not be approved, a financial hardship would be incurred since they have already purchased steel to erect the wall and not have a place to put that steel. He also noted they have clients at this time who are asking for a schedule as to when the area will be available for testing which would also account for lost revenue. The expenditures were made in reliance on the approval.

Ms. Cunningham asked about the inspections done on the wall. Mr. Biscoe stated there were inspections but they did not get an UNO. Ms. Cunningham commented about the fact their company did not realize the permit expired. Mr. Biscoe explained because it went through the full approval process and with no flags raised, there was an assumption made if they go back into the construction project they would have to go through the administrative process. Ms. Cunningham expressed concern that it was a significant oversight that the permit expiration date was not tracked.

Chairman Achenbach asked who are their clients and customers. Mr. Biscoe stated their primary clients are general contractors who are building large commercial buildings from 10 stories to 100 stories. He noted their services provide the grounds for testing and also the testing expertise for third party accreditations.

Chairman Achenbach asked in determining how to view the permanence of the structure and how it fits into the ordinance, if the test wall is a permanent structure that will remain for an indefinite length of time, as long as the test site is providing testing of materials.

Mr. Biscoe concurred noting a similar test wall located in Manchester Township was completed.

Att. Naylor referred to Exhibit 6 pointing out when the acting zoning officer based on his analysis and guidance to the applicant and the zoning determination, he is characterizing the test wall as an accessory structure. He noted the historical background was given to the Board to provide perspective on the partial wall. The reason for the background information was to point out that for three years no one flagged a zoning issue.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Solicitor Markey stated the zoning review is not to be punitive in nature. He conceded Ms. Cunningham's concerns were valid. In reviewing the ordinance and what the applicant provided as indicated by Mr. Holmes, the Board should take into account the law as submitted by Att. Naylor and make the decision as any other dimensional variance. He noted the cases cited by Att. Naylor are accurately reflected and it calls upon the fact these are dimensional variance requests and as such there is a reduced burden of proof. There is also recognition in the case law that the applicants are entitled to a natural expansion in the development of their business when a non-conformity is found, therefore it is not reasonable to shut them down and not allow them to expand because they legitimately existed before the Township would have changed the designations that make it a non-conformity. From a legal perspective Solicitor Markey stated he did not have an objection to the three variances. He did not believe it can be punitive in the review, but that it is up to the Board to determine whether or not that calls upon credibility in the testimony.

Chairman Achenbach stated in considering the conditions for a variance, a determination needs to be made as to whether or not the applicant has created the problem that is leading to the variance requests, and should that be a factor in the decision.

Chairman Achenbach commented based on their presentation and their experience with the Township, did the Township in any way contribute to the problems as the project moved along.

Solicitor Markey stated he did not believe so, noting there are provisions in the zoning ordinance that indicate just because the zoning officer ratifies and it is contrary to the provisions of the zoning ordinance it can come back that the provided services are detrimental.

Mr. Bair expressed concerns about the structural safety of the wall. Mr. Biscoe stated the engineer was acquired by an outside firm and sealed by a professional engineer. He noted the continuing construction will be handled the same way with the exact same design.

Mr. Bair asked Mr. Holmes if the site would be inspected during the construction process. He noted his concern as to whether the wall will be stable in a heavy wind situation, i.e., tornado. He wanted to be reassured the general public would be safe in the event of a high wind occurrence.

Mr. Biscoe stated the wall is designed with a super structure inside of the spine so the load gets distributed across each of the stanchions and is done by linear foot. He noted the base is several feet thick with substantial rebar. He indicated their professional engineer Doug Snyder who did the structural design has his professional seal on the drawings which in the state of Pennsylvania conveys legal substantiation. He also noted the drawings are sealed as required by the Township as well as the applicant.

Chairman Achenbach summarized the variances –

- Exceeding the height of the primary structure
- Accessory structure in the side yard
- Expanding a pre-existing non-conforming structure by another 25%

Solicitor Markey suggested one option would be if the applicant is willing to continue their case to the next hearing in order to have their structural engineer consult with the township engineer to get his input to the structural integrity and safety of the proposed wall. Mr. Holmes could convey the opinion of Mr. Luciani on the public safety issue.

Att. Naylor referred to Solicitor Markey's comment about the dimensional variances and he stated the lapse in the permit as a determination is irrelevant in regards to the variances requested. The hardship is not that which befell them by the permit lapsing, it is the hardship of the property configuration in the existing structures. The question is does the applicant meet the dimensional variance scenario which Att. Naylor determined they did.

Att. Naylor requested the Board consider approving the variances subject to a condition the applicant demonstrate full compliance with structural engineering in order to proceed under the variances. He explained the continuance issue is problematic because they cannot compel third parties to appear. He submitted there is detrimental reliance, and that a permit was approved. Had the applicant built the wall they would have expended time and money and it would be completed. Att. Naylor stated if the Board approves the variance requests the slate is clean in spite of the lapsed permit and the delay in time as there is recorded approval of the structure as it exists and it complies with all applicable regulations.

Solicitor Markey recommended the condition such that the applicant shall provide proof of satisfactory structure integrity to the township engineer or the township structural engineer consultant and be confirmed by sight.

Mr. Heilman stated he was comfortable with that condition and would be able to get it taken care of whether it be First Capital Engineering or a consultant provide the verification.

MR. BAIR MADE A MOTION IN THE CASE OF ZONE-2022-0005 MOLIMO LLC. THAT THE THREE VARIANCES BE GRANTED SUBJECT TO THE CONDITION AS HIGHLIGHTED ABOVE BY SOLICITOR MARKEY. SECONDED BY MS. CUNNINGHAM. MOTION UNANIMOUSLY PASSED.

B. Case ZONE-2022-0006 – 4038 Old Orchard Road

Debra Turnow

All witnesses were sworn in.

Mrs. Turnow stated she is requesting a variance to allow chickens to be kept in an enclosure in the backyard of her property. The property is 2-3/4 acres. There are various trees and two farm ponds stocked with fish. She will be adding a vegetable garden plus pollinator gardens. She would like to have chickens as a source of organic eggs as well as fertilizer for the gardens.

Mrs. Turnow stated the following information and benefits of chickens in an urban homestead:

- Sustainability – both in food production and improving the health of the land
- Health – it is important for her to know where her eggs are coming from and what the chickens are being fed.

- Size of the land do not need a lot of land to keep chickens
- Her chickens will be green pets – they will be fed organically and there will be no pesticides or insecticides used around them.
- Noise – chickens are generally not noisy except roosters and she will not have roosters.
- In regards to odors – she takes care of her land and will take care of the chicken coop – she noted she will dispose of waste through composting.
- The chickens will be kept in a clean and well-maintained coop and run.
- Pests – she will be fastidious about keeping the environment very clean to discourage any pests for the safety of her family, neighbors and the chickens.
- All feed will be kept in pest proof galvanized containers with secured lids.
- The feed put out for chickens will be done in such a way there will be little or no waste.
- The chickens will not be free-range but will remain in their coop or run for safety reasons and to make sure they are always on her property.

Mrs. Turnov stated her desire is to keep a good relationship with her neighbors. She noted the neighbors on either side of their property have indicated they have no problems with the chickens.

Ms. Cunningham noted the drawing provided shows the chicken coop will be 30 feet from the property line. She noted the criteria for keeping livestock states the building required shall not be located within 200 ft. of any lot line. She asked if the chicken coop could be moved to comply with the requirement. Mrs. Turnov stated this would require moving the coop to the back of her property when she could not see it. Mrs. Turnov stated she would have four to six chickens.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Patricia and William Smith – 526 Wellington Drive

Witnesses were sworn in.

Mr. Smith stated the southern part of Mrs. Turnov's property joins the western portion their property. He was concerned with odors associated with having the chickens adjacent to his property.

Mrs. Smith was of the opinion there should be no deviations to variances. She noted being raised on a farm it is hard to control the chicken environment.

Mr. and Mrs. Smith expressed their concerns and indicated they were against Mrs. Turnov's request for the chickens.

Donald Osmolinski – 4015 Wilshire Drive

(Previously sworn in)

Mr. Osmolinski stated he lives on the northeast corner of Mrs. Turnov's property, approximately 75 ft. away. He stated his concern was in regards to the compost piles which he felt attracts groundhogs and other wildlife. He noted a situation where Mr. Turnov was treated for rabies due to a raccoon biting their dog. While the chickens may be safe in their coop, he felt they would attract undesirable animals.

Jeff Turnov (husband of Debra Turnov)

Witness was sworn in.

Mr. Turnov pointed out on the drawing the distance away from the neighboring property is 240 ft., which indicated any place where the chicken coop would be placed it would not meet the requirement.

Solicitor Markey recommended the following conditions placed on the variance if approved:

1. **All areas used for pasturing, grazing or exercising, shall be securely fenced so they are not free range.**
2. **All poultry shall, except while pasturing, grazing or exercising, be housed in a building erected and maintained for sheltering same.**
3. **The building required by Subsection A(2) of § 325-125 shall be located within, no closer than 30 feet of any lot line.**
4. **The accumulation and storage of odor-producing substances shall not be permitted.**
5. **No more than four chickens and no roosters shall be allowed.**
6. **The poultry shall be limited to personal use and enjoyment and not for commercial purposes.**

Chairman Achenbach commented if the applicant was allowed to maintain chickens on their property with granting the variance and restricting the number of chickens would the Board tolerate the location of the chicken coop as depicted on the application.

Ms. Cunningham concurred having the coop closer to their house would be better than further back on the property to keep it away from the neighbors who are most affected.

Chairman Achenbach stated if the variance was granted and if there would be any disruption of the neighborhood due to the chickens, the Township in the interest of the neighbors would initiate the enforcement of the ordinance to control any adverse effects in the neighborhood.

Mrs. Turnov stated she would be satisfied with four chickens. She noted chickens lay eggs for approximately three years. Life expectancy is approximately 5-6 years.

In reference to her husband being exposed to rabies, Mrs. Turnov confirmed there was a rabid raccoon which bit their dog. Consequently, both she and her husband received the rabies vaccine. She noted there are wild animals seen in the area and did not believe having chickens in a secure pen would escalate that concern.

MR. BAIR MOVED IN THE CASE OF ZONE-2022-0006 4038 OLD ORCHARD ROAD TO GRANT THE VARIANCE WITH THE CONDITIONS SPECIFIED BY SOLICITOR MARKEY AS HIGHLIGHTED ABOVE. IT WAS NOTED BECAUSE THE CHICKENS WILL BE MAINTAINED FOR THE PURPOSE OF EGG LAYING, REPLACEMENT WILL BE PERMITTED AS NECESSARY PROVIDED THEY DO NOT BECOME A NUISANCE IN ANY WAY WITH A MAXIMUM OF FOUR CHICKENS. SECONDED BY MS. CUNNINGHAM. MOTION UNANIMOUSLY PASSED.

5. **ADJOURNMENT**

CHAIRMAN ACHENBACH ADJOURNED THE MEETING AT 8:20 P.M.

Respectfully submitted,

Secretary
/ses