

TOWN OF TRAPPE  
PLANNING COMMISSION  
TRAPPE TOWN OFFICE

AUGUST 17, 2016  
7:00 PM

The meeting of the Trappe Planning Commission was called to order at 7:02 pm by Chairman Edgar Harrison. Members present were Bobby Quidas, Donna Baynard and Norm Fegel. Les Groves was absent. Also present were Attorney Brynja Booth, Commissioner Don English, Planner Jennifer Shull, Karla Cherry, Michael Sullivan and Emma Wingate .

The minutes from the July 20, 2016 meeting were approved as presented without objection.

Permits Pending:           None

Permits Issued:

T-08-2016-LANGRELL-3798 Marvel-Solar \$18,656

T-09-2016-JOHNSON-29314 Greenfield Avenue-Demolition

T-10-2016-JOHNSON-29314 Greenfield Avenue-New home \$100,000

**Old Business:**

Chairman Harrison opened the discussion on the keeping of chickens in residential districts by having town attorney, Brynja Booth, present information on a proposed ordinance modeled after the Town of Federalsburg. Booth noted that communities seem to be divided on the issue, and those that permit them like Federalsburg have a limit on the number of birds, prohibit roosters, and have designated setbacks from property lines as well as a maximum size for the bird coop. Harrison reviewed that at the last meeting the board suggested reducing the number of hens from five to three. He then invited members of the audience to speak.

Michael Sullivan stated that it was a timely discussion as he and his wife had talked about possibly getting a few chickens. He stated it was a lot like dogs-if it's not a nuisance it should be permitted. He would enjoy getting fresh eggs knowing how the birds were cared for and what they ate. He saw it as a hobby. Karla Cherry stated that as a poultry inspector there are strict laws due to the fear of avian flu. The poultry industry anticipates such an outbreak will occur in this area in the future, and if it does, all birds in a five-mile radius would be eradicated-this impacts people's livelihoods. An ag license is required and has to be renewed every year-if the town is considering this ordinance she suggested adding that a copy of that license be required to be submitted to the town annually. Backyard chicken eggs are not to be sold for public consumption. There are several licenses required by the state and they can be found on line. Cherry suggested amending the permitted number of birds to four as the chicks sold on line are often sold in pairs. When asked if the chicks are tested for Avian Flu she stated that Tractor Supply does not test chicks.

Emma Wingate stated she came to the meeting for more information as she didn't want chickens in her yard, or near her. She raised the question how would the issue be enforced. It's a pain to everyone. She and her husband didn't move to Trappe to have chickens next door running onto her property.

Ms Cherry suggested requiring the clipping of the wings to prevent flying, and she also noted that some breeds of hens do crow. Ms Booth stated the proposed ordinance prohibits roosters and crowing hens.

Comments from the board: Bobby Quidas made several observations: 1. Chickens are more trouble to take care of than value; 2 he has a concern about attraction of fox, raccoon and the like which carry rabies into town when there has already been an issue; 3 one egg per chicken per day isn't much; 4. How are we going to tell when someone disposes of a chicken-as slaughtering is prohibited in the draft document. General discussion on amending the draft ordinance to a maximum of 4 birds with no changes to setbacks or minimum lot size.

Motion by Donna Baynard, second by Bobby Quidas to forward to the Council the statement that they have prepared an ordinance regulating chickens in residential districts in response to Commissioner RD Diefenderfer's request, and the Planning Commission offers no recommendation on action.

All in favor-Aye carried.

**Other Old Business:**

Attorney Booth updated the board on the regulations impacting signage stating the tension between regulating signage and free speech. Planner Shull stated a new business, Marshall Auction, has moved into town and desires signage and it makes sense to move the issue forward. Booth modified the previously approved sign ordinance developed by the board to be compliant with the Supreme Court decision. The area is murky as you cannot regulate content of a sign, and upon closer inspection it appears the regulations relate more to temporary signs such as election signs, banners, etc. Booth distributed her revised ordinance to the board for review and comment. After removing distinction between non-profit and commercial; and establishing that small temporary signs would not be subject to a permit there was consensus. Signs under 4 sq. ft. are not required to get a permit provided that not more than 3 are posted on a property at a time. Signs larger than 4 sq. ft. regardless of temporary or permanent need a permit.

Motion by Donna Baynard, second by Norm Fegel to forward to the Town Council the sign ordinance with the recommended changes for consideration of introduction.

All in favor-aye carried.

**New Business:**

Text Amendments-Commercial Poultry Houses-at Planner Shull's request Attorney Booth did some research on commercial poultry house as she is drafting similar legislation in Somerset County to regulate the placement of these operations. Presently Maryland Dept. of Environment requires a discharge permit similar to a wastewater permit; and if the poultry operator meets the criteria they will get a poultry license without much discussion. It was noted that Trappe has only restriction on a commercial operation-a setback of 200 feet from the street; and that agricultural operations are permitted in both the AG(agriculture) and M(Manufacturing) district. Given that the town has only one parcel designated as a future industrial/manufacturing area there was discussion that perhaps more restrictions should be considered given the impact a commercial operation would have on the town.

Motion by Bobby Quidas, second by Donna Baynard to prepare an ordinance for the Council's consideration that would prohibit the keeping of, or slaughtering of livestock in the M (manufacturing district).

**Discussion Items:**

Planner Shull read a public announcement from the City of Cambridge seeking public input on the Cannery Square Park project that received Department of Natural Resource funding.

There was no other business before the commission.

The meeting was adjourned at 8:38 pm.

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Jennifer Shull, Planner

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Edgar Harrison, Chairman