

TOWN OF TRAPPE
PLANNING COMMISSION
TRAPPE TOWN OFFICE

NOVEMBER 16 2016
7:00 PM

The meeting of the Trappe Planning Commission was called to order at 7:00 pm by Chairman Edgar Harrison. All members were present. Also present were Attorney Brynja Booth, Commissioner Don English, and Planner Jennifer Shull.

The minutes from the September 17, 2016 meeting were approved as presented without objection. No meeting was held in October.

Permits Pending: None

Permits Issued:

T-14-2016 Outten-3772 Seymour Drive-Solar-\$34,398.00

T-15-2016 Rainard-3790 Seymour Drive-Solar-\$14,742.00

T-16-2016 Banks-3753 Seymour Drive-Solar-\$12,776

T-17-2016 Weisenborn-3856 Seymour Drive-Solar-\$17,690

Old Business:

Chairman Harrison called for any old business. There was none.

New Business:

Chicken, Agriculture, and Exotic Animal restrictions. Chairman Harrison opened the floor for discussion about chickens for residential use at which time Council President Norm Fegel asked for the opportunity to give a synopsis on what took place at the most recent Council meeting and the reason the Planning Commission was asked to review the issue again. Two Council adamantly against chickens, one Council adamantly for chickens and two Council who could vote either way. The Council was uncomfortable with the ordinance as presented, and several items came to light they hadn't thought about which is why it is back to the Planning Commission. During the hearing and discussion, it came to light what to do about folks who already had chickens, and should a requirement for a special exception be the key to permitting chickens. Attorney Booth offered additional information. As you know there is nothing in the ordinance addressing chickens, and Jennifer requested clarity one way or the other. You all have looked at the special exception. I wasn't wild about it as it is an additional process and fee. I figured if they complied they should be allowed. What I was trying to do at the Council was formulate a consensus among the Council one way or the other as they have to introduce and adopt it because as the Planning Commission you can recommend all you want, but the Council has to take a vote. There seemed to be a majority of three that would support this concept, we think, we know that if there is something that allows chickens that two will support it. Fegel-should three council persons dictate if the town should or should not have chickens, or should it go to referendum. Booth-if anytime something becomes controversial you put it up to a popularity vote then every time a decision needs to be made the people will want a vote. You are

abdicated power of the Council. You could have a public opinion poll but it is not binding. You make it very clear that it is not binding.

Fegel-it seems to me that after the numerous meetings and public hearing that most people in Trappe don't care. I guess the options are do something or do nothing.

Harrison- the Planning Commission should recommend what they think is right and not what might or might not pass the Council. Let the Council do what it wants. The first issue came to us was purely chickens we sent up to the Council that if you are going to regulate chickens this is the way you should regulate them but we did not recommend passing the ordinance. That is an option for us but not the Council. It is an option again for us if we choose to do that. Remember as noted by Bobby Crosswell we do have an animal ordinance in the town code, for animals at large. It essentially talks about dogs, and any other animals which the Council could look to. The other question he raised was does the regulating of chickens fall under zoning ordinance. I believe that it does. Booth-legally as your town attorney, if you are going to regulate chickens and other animals in different zoning districts this should absolutely go in your zoning ordinance.

Harrison- I agree. Turning to this draft ordinance - animals as described and regulated stating that they aren't permitted except in sanctuaries in ag district. Basically, bans farm animals in every district other than ag district or by special exception. Shull-this is a blending of the first two ordinances that you sent forward but adding a special exception clause for chickens. Fegel-it raises the question what is good for the town? How many people have chickens already? Quidas-how many people are going to continue to fool with them after caring for them thru a winter?

Harrison-let's redirect our attention back to the first half of this ordinance. Is it good for Trappe to have weird and exotic animals, hogs, etc. running around people's yards? Agreement that it is not. So, we all agree that this is a good recommendation. Affirmed. Back to chickens. Is it good for the town?

Baynard-what about the disease issue? Shull-you were advised by someone who doesn't live in town who is trained and informed about poultry as her job. She was informing you from a neutral position whereas Mr. Blades who spoke currently owns chickens. Harrison-it can depend on who is raising them. Do we want to present this to the Council with or without a recommendation?

Fegel-or do we want to present two separate ordinances; one for chickens and one for the other animals? Booth-I recommended that this come back to the Planning Commission as an amendment was substantive. The previous ordinances could have been amended. This last, most recent ordinance is not about chickens-it never mentions chickens but the effect would have banned chickens other than in ag district. Here is another thought as the Planning Commission, the legislative body, you could feel that this issue doesn't warrant regulation. Harrison-the question is What do we think? We. Do we think these regulations are adequate?. Shull-the reason I brought it up is we have a lady in town whose neighbors also in town had chickens often let loose that came into her yard, pooping on her front porch, and chasing her children. Booth-the town code on animals at large could be used to cite folks who let them loose. Harrison-which is why we came up with regulations.

Fegel-what about those who already have chickens? Harrison-I think those already with chickens should have to register them and get them licensed but continue to keep them. Shull- when you say registration process. Do you mean registration but not special exception? If this ordinance is blessed my recommendation to the council would be that anyone that already has chickens, as they were doing it under the presumption that they could, come forward and register them, and verify it but not make them go thru the Special Exception process. Why make them go thru the Special Exception process for something they already have. Fegel-they would still have to conform to the other regulations on setbacks and number.

Harrison-so do we have consensus? Does anyone have an issue with what is proposed and adding a provision grandfathering those already with chickens? Is there a motion to recommend with the amendment to add grandfathering?

Bobby Quidas so moved. Donna Baynard second.

Booth-clarification on the motion. Recommend this ordinance to the Council with the amendment that would permit existing flocks and coops provided that they meet the registration and all the other provisions but a special exception would not be required.

Vote:

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|--------|-------|----------|--------|---------|
| Groves | Fegel | Harrison | Quidas | Baynard |
| Aye | Aye | Aye | Aye | Aye |

Discussion Items:

None

There was no other business before the commission.

The meeting was adjourned at 7:32 pm.

Jennifer Shull, Planner

Edgar Harrison, Chairman