



CITY OF GARDINER

6 Church Street, Gardiner, Maine 04345

www.gardinermaine.com

ORDINANCE REVIEW COMMITTEE

Monday June 26, 2017 @ 3:00 PM

Meeting Notes

Members Present:

Chair Debby Willis Joel Alexander John Burgess
Les Young Clare Marron Patricia Hart, City Councilor
CEO/Assistant Planner, Barbara Skelton

Members Absent:

Louis Sigel

Also Present:

Dorothy Morang, Staff to Ordinance Review Committee
Mark Eyerman, Planner
William & Maryann White

1.) Welcome

Chair Willis opened the meeting and welcomed everyone.

2.) Roll Call

3.) Consideration of meeting notes of May 22, 2017.

Joel Alexander moved to accept the minutes. Les Young seconded the motion.

Vote: 4 in favor. 0 opposed. 1 abstained (Clare Marron was not at meeting. Motion passed.

New Business

4.) Review Land Use Ordinance Sections 7.6 & 10.3.2 Standards for Accessory Animal Husbandry related to Bee Keeping and 10.3.3 Standards for Chicken Keeping Residential

CEO Skelton addressed this agenda item. She noted that Maryann & Bill White had brought up issues they are having with their next door neighbors relative to chickens and bees at a recent City Council meeting. She noted that research of previous ORC meeting minutes show that members were asked to remove bees from the draft list of small animals as defined in Accessory Animal Husbandry. The new draft still contained “bees” and it went forward that way, up with them in additional drafts through the Planning Board review and the City Council adoption. She wanted to know if this is what the ORC wanted or should bees have been taken out.

The Whites’ neighbors had bee hives and the Whites found bees hovering over their swimming pool. CEO Skelton said the bees do not appear to have survived the winter. The issue of chickens relates to drawing rats to the area. CEO Skelton said she has spoken with the neighbors about this. She suggests that we look at both of these issues to see if there needs to be changes made to the current Ordinance.

Maryann and Bill White explained the situation that they have been having relative to the chickens, rats and bees on their neighbor’s property and the effect it is causing on their property. The Whites have had rats in their garage and have seen them coming from the neighbors. They have called in an exterminator to help at their house, but the rats continue to come over to their house from the neighbors. They said the previous owners had chickens and when they got rid of them, the rats went away. The new owners have chickens and they have rats again. They noted that both of their lots are small. It might not be such an issue on a larger lot – some towns do not allow chickens in residential areas.

Les asked what is the ranging distance of rats from their nests? Bill said about 500’.

3:20 pm Pat Hart arrived.

Les asked if anyone had gone out to check to see how the feed is kept. CEO Skelton said she had. The White’s said the exterminator suggested keeping it in metal cans, moving wood piles and maintaining any compost piles.

Chair Willis said she lives out in the country and has had rats from feeding the birds. Dorothy noted that she had taken a complaint from a family on West Street about rats coming from 3 properties around them who have stockpiled garbage bags full of trash –

one place has a whole garage full. Pat noted that she has received complaints about trash also – she noted that maybe we should be looking at both causes of rats.

Mark noted that some communities allow chicken keeping with an annual license and a fee and if it becomes a nuisance, the license doesn't get renewed. It would require inspections and could be by a neighbor complaining to the CEO.

3:36 pm John Burgess arrived.

Bill asked how the Committee came up with the setbacks. Chair Willis said we had done some research of other towns with not a lot of complaints. Pat said we took the most conservative approach. She noted she had rats at one time because of the house next door – a 6-unit apartment and it had a lot of trash left in it. CEO Skelton said the Housing Committee had been looking at the fact that the City doesn't have trash pick-up. Pat asked if the Animal Control Officer deals with rats. CEO Skelton said no – only domesticated animals.

Bill said people are not raising chickens for profit – it's for the novelty of it. It should be subject to inspection of the area, pen, etc. It wouldn't solve the problem of trash, but could solve chickens. Joel noted it may not be the chickens causing the rat problem, it may be the garbage drawing them. Bill said they have documentation from the exterminator that it's the neighbor's chicken feed - kept in plastic containers and their compost pile, etc that is drawing the rats. Clare said maybe we could address the containers. Chair Willis noted that feeding birds and other animals also calls rats.

Mark said most people recommend keeping the feed in covered metal containers. He said when the Agriculture provisions were written, the minimum lot size is 40,000 SF except for residential chicken keeping, which is not determined by lot size, but by setbacks and size of yard space. He said one possibility would be to add requirements that feed & manure be stored in a metal containers or a rat proof container & the property owner be responsible for maintaining a vermin free yard and take action to rid them if they have vermin.

Joel said he is hearing that both the Whites and their neighbors are saying the rats are not caused by their actions. Clare said there are people who couldn't afford to do what the Whites did. Bill White said if people want chickens, they must follow the Ordinance.

CEO Skelton will look at how many permits for chickens have been issued and how many complaints have been received. Chair Willis said this will give us information on how the current Ordinance working, do we keep it, rules, etc.

Bill White said it's not the chickens, it's how they are kept – Maryann asked if there is an Ordinance re-write, are the current permittees grandfathered? CEO Skelton said we would have to ask the City Solicitor. Mark said maybe we need more restrictions and oversight on smaller lots.

CEO noted that the neighbors don't have bees this year. She also said someone on Central St wants to keep bees. Bill said it would be on this Community's head if they allow it and anyone gets hurt. John suggested that the Maine Beekeepers Association will come in and help to move hives if someone wants to get rid of them. They will also provide information on beekeeping.

Chair Willis asked if we need to write a special bee ordinance and not allow bees in certain zones. Mark said people keep bees on roof tops in downtowns. He noted that people keeping honey bees have to be licensed by the State and there are requirements through them. There are also standards noted in the Agricultural Extension on how many can be supported per acre of land. He asked if the Committee is interested in determining if beekeeping should be allowed in HDR and if allowed, look at standards for density of hives? John said we need to bring people in who know about beekeeping. A name suggested by Maryann White is McKenzie Sennett of Albion.

Homework:

Mark asked that members look at the June 8th handout (sample sign chart listed by zone) and give him feedback by the end of the day on Wednesday, June 28, 2017. If it looks good to everyone, he will work on the other zones before the next meeting.

Other

CEO Skelton said we had planned that we would work with Mark on the Comp Plan on July 24th. When should we put the chicken keeping and bee issues on? Mark said he will be available for both July meetings.

CEO Skelton said she is on vacation next week. Some members won't be available on one or more of those dates. Mark suggested meeting on the 17th as well as the 10th. Dorothy will poll members to determine which dates would be best. Upcoming meeting dates are tentative with tentative topics.

5.) Adjourn

Meeting adjourned at 4:34 pm