

VILLAGE OF TIVOLI
BOARD OF TRUSTEES
WEDNESDAY, FEBRUARY 21, 2018 – 7:00 PM

PUBLIC HEARING – KEEPING OF HENS MINUTES

Present: Mayor Griffith, Deputy Mayor Majer, Trustee Schneider, Trustee Murphy

Public: Peter Walsh, Kevin Factor, Amy Peterson, Kristofer Munn, John Collins, Susan Huyser, Matthew Kobalkin, Robert and Regina Waterhouse, Corky Clark, Nancy Clark, Ginny LaBarbara, Peter Mauney, Sara Mednick, Arseny Khakhalin

Also present: PANDA; Christine Chale, Counsel

Absent: Trustee Ezrati

On a motion made by Deputy Mayor Majer, seconded by Trustee Murphy, the public hearing was opened at 7:07 PM.

Ginny LaBarbara opened with she has many fowl at home. She has many and they are well cared for. She has a 45 pound turkey. She considers them to be and calls them her kids. She has 5 acres where she keeps them. She gives away eggs, does not sell them. Her animals are well-cared for and are not a nuisance to her neighbors. The Village Board should take into consideration those residents who are causing problems for others, and not those who are carefully caring for their pets.

Nancy Clark spoke of going through a second round with zoning. She went to her neighbors and asked if they would mind if she had chickens; the neighbors said they would not mind. She also asked why the number of 6 chickens came up; and how did the Village Board come up with 6; it was indicated that chickens are sold as a minimum of 6. She spoke of the ZRC and how it had investigated other close areas to see what other places allowed and what their rules were. The ZRC should have been made up of those people who did more investigating.

Amy Peterson spoke on behalf of Dan D'Oca and questioned why Dan's suggestions did not make it into play in the law.

It was declared that a representative from the Cornell Cooperative Extension had come to talk to the ZRC about chickens.

Mayor Griffith addressed the public and mentioned that chickens have been here for years. Present legislation can be very confusing. Chris Chale spoke of the present legislation; and it was brought up that the proposal is "pro" chicken keeping; and it would be a value to have this legislation on paper.

Peter Mauney agrees on some levels, and feels the responsibility of this decision is a heavy weight on a small amount of people.

Mayor Griffith explained there have been issues, and would be more so without a law.

Corky Clark made mention of how he believes the ZBA had passed this and it should be in past minutes. Corky also stated he is unhappy that the current ZEO will be in charge of this new law and the enforcement of such. He mentioned the correlation of a ZEO for hens and how there is Animal Control for dogs.

Trustee Schneider touched upon the differences of opinions and how other's perceive the law.

Trustee Murphy brought up that there are those that have taken care of their hens in the past, and he is sure they will continue to take care of them.

Peter Walsh spoke about the potential of his neighbors having chickens, and if all of his neighbors chose to have chickens, there is a possibility of there being 30 chickens on the neighboring properties, and he feels this is unacceptable.

Corky Clark and Trustee Murphy had a discussion about those who wish to maintain and take proper care of their hens. Also, the topic was brought up that those wishing to have chickens would pay for the permit, and then receive a kit regarding the keeping of hens.

Ginny LaBarbara brought up about how a neighbor used to have a dog that ran through her yard consistently, however, she did not take offense to it. Some people may, however, she did not.

John Collins who resides in the development believes proximity is an issue. He chose the development as a good place to raise children and his family. He believes hens make a lot of noise very early in the morning.

Deputy Mayor Majer spoke of the historic overlay district and hens in those areas.

Amy Peterson brought up the topic of "screening," and feels it is all about esthetics. She gave garden gnomes as an example. Whether garden gnomes or hens, she said it appears to be about people's opinions.

Trustee Schneider mentioned that parking regulations also does take esthetics into consideration.

Trustee Murphy and Deputy Mayor Majer discussed auxiliary structures/hen houses.

Mayor Griffith touched upon Amy Peterson's topic of screening; and feels it related to out of sight/out of mind. Amy said she feels it is now about one area of the Village against another.

John Collins reiterated he feels it is based on proximity, regardless of which area.

Peter Mauney spoke of how people in some parts of the Village like the idea, and people in some other areas do not.

John Collins mentioned he does not wish to be surrounded by chickens. He feels it is city/country against each other.

Trustee Schneider reminded everyone that this forum is to “marry” the opinions of each “side” and to bring the two together and please each groups’ opinions on all accounts.

Peter Walsh asked if the chicken coop/henhouse design would be specific? He would not like to see plywood and tar paper.

Corky Clark asked if this was about micro-management? He does not recall hearing what suggestions or recommendations came from the Cornell Cooperative Extension.

He has not ever seen a record that the Board did, in fact, get information from the Cornell Cooperative Extension.

Mayor Griffith mentioned that following his taking over the office of Mayor, the first person who came into his office came in to talk about chickens.

Ginny LaBarbara brought of nesting boxes, and how chickens sleep on a roosting bar. They huddle together and roost to sleep.

Trustee Schneider stated there is to be 4 square feet per hen. She and Ginny conversed about adequate space for hens and also what space would be appropriate in a “run.”

Trustee Murphy stated the Village’s ZEO would be mindful of this information.

Susan Huyser asked about the R15 district. Attorney Chale spoke about the R15, Historic District, and showed everyone the area on a Zoning Map which she showed everyone around the room. Ginny is north of this district, and the only area where people will eventually not be able to have hens will be the area that is considered and called “the development.” Once chickens that are presently in the development die, they will not be allowed to get more.

Trustee Schneider confirmed that the law and legislation is to most definitely see to the fact that hens are taken care of appropriately. The Village Board wants people to get along well, all, and their neighbors.

Peter Walsh stated that in the summer the odor could be awful some days.

Arseny Khakhalin of 13 Lisa Lane stated that he purchased the home there due to the charm of hens and hearing the sounds of hens when they were looking for a home a few years ago.

Mayor Griffith expressed that the goal was to permit the keeping of backyard hens.

Virginia L compared the smell of chickens to the smell from compost. She stated that compost does smell, as well.

Trustee Schneider read the legislation regarding the composing of chicken manure and how it should be done appropriately.

Susan Huysen mentioned she will miss the sight of hens and other fowl while she is walking.

Mayor Griffith expressed again it is a pro chicken law, and feels it is worth doing. However, does agree that not everyone can or will get what they want throughout the Village.

On a motion by Deputy Mayor Majer, seconded by Trustee Murphy, the public hearing was closed at 8:15 PM.

Respectfully submitted,

Robin L. Bruno
Village Clerk