

**TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
August 16, 2017**

Present: David Salvaggio, Ralph Luedtke, Wayne Pipkorn, Mark Wittenberg, Rick Goeckner, Dan Wundrock, Edward Downey
Also Present: Tim Rhode, Town Administrator, Brad Hoeft, Town Attorney (via phone), Eric Ryer, Assistant Administrator/Clerk

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Salvaggio called the regular meeting to order at 7:00 pm. The meeting began with the Pledge of Allegiance.

2. MINUTES OF PREVIOUS MEETING:

a. Approval of July 19, 2017 Plan Commission Meeting Minutes*

Commissioner Downey moved and Commissioner Wundrock seconded a motion to approve the minutes from July 19, 2017. The motion passed unanimously.

3. PUBLIC HEARING

a. None

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Discussion and possible recommendation on Ordinance 2017-5, “An Ordinance to allow for chickens in residential zoning districts”*

The raising/keeping of chickens in residential areas is growing in popularity across the nation. Staff fields sporadic inquiries from residents interested in raising chickens in residential districts. Currently, Town Code does not allow for chickens in residential districts aside from E-1. The current draft ordinance would allow chickens in residential districts as a permitted use, not requiring neighbor notification/permission and includes the following provisions:

- allow for chickens in all residential districts (unless an HOA does not allow it).
- requiring a 40 foot setback from the lot line for any portion of the coop and run. A building permit would be required for the location of the coop and run, no matter how simple, so that the structures can be properly inspected following installation.
- the fence height for the run would be limited to 6 feet in height.
- the Plan Commission should discuss and insert a specified hen per acre limit; no roosters allowed.
- chickens would be for personal use with no associated sales.
- an annual license fee with no neighbor signatures required. The license would allow the Town to track who currently has chickens in the case of complaints/issues.

Chairman Salvaggio noted this item was requested by several members of the public for discussion. He noted this would be for a “home flock” and would not apply to the E-1 district. The chickens would be confined to a coop/run and no free range chickens would be allowed. Discussion regarding the coop/run setback from the home/garage ensued. Attorney Hoeft noted the Town Code already prohibits free range chickens as well as other animals at large.

A resident questioned why the setback was set at 40 feet from the lot line and residence. Administrator Rhode noted the City of Cedarburg recently adopted a 25 foot setback in their chicken ordinance. The typical lot size in the City of Cedarburg is about one-quarter acre, while it is 1 acre plus in the Town. Establishing a 40 foot setback was meant to provide buffering between chickens and neighboring residences.

Commissioner Goeckner asked staff if the Town has received any complaints recently regarding chickens. Administrator Rhode noted the Town does receive periodic complaints in regards to free range chickens. The Commission further discussed the setback of the coop and run from the residence. The consensus of the Commission was to have a required setback of 25 feet for the coop and run from the residence.

Attorney Hoeft questioned if the Commission wished to set a limitation on the size of the coop. Commissioner Goeckner stated there should be a restriction on height and square footage. However, he noted the size would be tied in with the number of chickens allowed. Chairman Salvaggio proposed removing language that would specify requirements for feed, water and nesting boxes as that would depend on management style. The Commission then discussed the number of chickens allowed, reaching a consensus of a maximum of six chickens per residence. Roosters would be prohibited. Chairman Salvaggio requested the following language be added: "the selling of eggs, chickens or byproducts is prohibited." The Commission also discussed and settled on requiring the property owner obtain the permit. The cost of the permit as proposed would be \$25 for the initial permit and a \$10 annual license to keep track of who has chickens and have current contact information for issues that may arise.

Attorney Hoeft advised that he have the chance to review the draft ordinance before it advances to the Town Board level to clarify businesses cannot have chickens.

Commissioner Wundrock then made a motion to recommend the Town Board approve Ordinance 2017-5 with the changes as discussed and clarifications per Attorney Hoeft. Commissioner Pipkorn seconded, and the motion passed unanimously.

6. ADJOURNMENT

Commissioner Downey moved to adjourn the meeting. Commissioner Goeckner seconded, the motion carried unanimously and the meeting was adjourned at 7:44 p.m.

Respectfully Submitted,

Eric Ryer
Assistant Administrator/Clerk