

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Tuesday, November 23, 2010

7:30 PM

Village Hall Board Room

Environmental Concerns Committee

*Trustee Mike Fugiel - Chairperson
Trustee Reid Foltyniewicz - Alternate Chairperson
Diana Lavaque, Nancy Schukat,
Winnie Lyons, Darlene Bartt,
Jason Cooper, Dustin Smith,
Daniel Richardt and Dana Moreau
Staff Liaison: Dave Gorman*

1.0 Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Moreau at 7:30 p.m.

2.0 Roll Call

Present 9 - Trustee Dana Moreau, Diana Urlaub, Winnie Lyons, Jennifer Jendras, Nancy Schukat, Bill Ware, Darlene Bartt, Jason Cooper, and Stefano Durdic

Staff Present:

*Dave Gorman, Asst. Public Works Director
Paul Kuehnlenz, Civil Engineer
Bill Heniff, Community Development Director
Chris Stilling, Asst. Community Development Director*

3.0 Approval of Minutes

The minutes should be amended to show that the meeting began at 7:30 p.m.

It was moved by Bartt, seconded by Schukat, approve with amendments. The motion carried by a voice vote

4.0 Unfinished Business

[050616](#)

Current Solid Waste Contract - Update

Gorman reviewed the tonnage report. Staff is hoping to have an update about the recycling program at Yorktown for the next meeting. That may be a program we could consider for some type of award.

[070424](#)

Clean Air Counts

Gorman reviewed the slide regarding recycling old holiday lights. It makes a point that old holiday lights and extension cords should be brought to Public Works for recycling. Also makes a point that CFLs can be recycled or can be put in the trash although we encourage recycling.

[100601](#)

Proposal to Allow Chickens in Residential Areas

Discussion regarding allowing chickens to be kept within the Village limits.
(DISTRICTS - ALL)

Gorman summarized that at the last meeting the Committee heard a proposal from Citizens of Lombard for Urban Chickens (CLUC). Since then the Village received a petition with 142 signatures asking that the code be amended to allow chickens. The Committee is being asked to send a recommendation to the Board of Trustees. He informed the Committee and the public in attendance that the meeting is not being televised but is being recorded.

Stilling gave a presentation outlining the pros and cons of allowing chickens.

He pointed out that most of the communities that do allow chickens do not have restrictions that could apply in Lombard with the exception of Naperville and West Dundee. Naperville requires a 25' setback and West Dundee requires a 10' setback. The other communities have such severe restrictions that they would limit eligibility in Lombard.

Cooper asked Stilling for clarification of his mention that the Village received numerous complaints. Bartt asked in what time frame the complaints were received. Stilling answered that it was since 2001. Lyons commented that she has heard from people of a chicken walking around Hammerschmidt and Norbury. Which she felt goes to show that it would be difficult to restrict. Durdic commented that he saw a dog running around, his daughter grabbed it and people thanked her. Stilling responded that the Village does have stringent rules for dogs. Durdic went on to say that chickens are unique in that they can provide eggs and food. They're not that much different from any other domestic pet. Lyons interjected that chickens are farm animals, dogs are not. Chickens are outside all the time clucking. Dogs are not. Dogs are licensed and easier to catch. Cooper commented that he has lived here for 5 years and has had several interactions with dogs. Dogs present a much greater danger in town than chickens. Nobody is in danger of being attacked by a chicken and the noise they make is not as much as dogs. He added that he didn't see why the Village wouldn't permit and he is hopeful that it can also be addressed from an environmental standpoint. This committee has a specific charge. Although the Village does need to protect adjacent properties rights so they are not infringed upon, staff also must look at the environmental issues. Industrial agriculture puts a huge burden on the environment and, in his opinion, infringes upon the rights of animals. The local food movement is taking on some steam. A part of the responsibility should be taken on by our communities. He went on to say that he does a lot of work in Iowa and sees what's happening to air and water quality. It's not going to happen if communities like Lombard don't find a way to allow raising local food without infringing on the neighbors. In general this is a good thing. It doesn't have to be large quantities of chickens. Bartt added that the environmental issue and moral issue should take precedence. Realistically, if the Village allows chickens you're not going to have every household in Lombard raising chickens. Chairperson Moreau commented that she has received an equal number of emails for and against. A major concern is additional predators. She asked Stilling how the Village regulates koi ponds. Stilling answered that staff is aware of a few ponds in town. Other than individuals asking to build a structure to keep the pond from freezing there has not been much contact. It was not a serious discussion or concern that came up in talking to other towns.

Lee Stahl, 440 E. Maple Street

Mr. Stahl introduced himself. He has 8 years as a licensed wildlife specialist. He works with the Forest Preserve District and works as a bird specialist at Brookfield Zoo. He mentioned that people are still concerned about the topic of diseases. Consider cats and dogs; you don't hear things in the paper regarding hookworm, giardia, rabies or the numerous other parasites these animals can transmit, because it doesn't usually happen. There were rumors about concerns regarding salmonella or avian flu. Avian flu has not been in the United States yet, and regarding Salmonella, any raw product you buy has a label telling you to wash your hands after handling and cook thoroughly. That's because they can not guarantee that it's disease free. These animals are housed very differently than urban chickens would be. You would hear it from a neighboring community quickly if that were an issue. As far as predators, coyotes are already here. All of the methods used to eradicate

them did not help and have allowed the numbers to increase. The urban environment allows younger ones to have a niche. Having chickens in a predator proof coop is not going to increase the population. There was one case of a person being bitten by a fox because someone stuck their hand in the den. There are hundreds of dog and cat bites, but you are not going to hear of anyone being bitten by a chicken or chased down by one. He would be far more concerned about a dog. The likely hood of a chicken harming anyone, it's not going to happen. The people that want to do this are serious about it and they are going to be very mindful of the regulations. There are very easy ways of building structures that are very attractive. (He showed pictures of structures) They don't need a huge amount of space. Regarding smell, four chickens can't compete with the amount of output three dogs can do in the backyard. They are also quieter than dogs and they are not nocturnal.

Mary Beth Lynch, 500 W. Maple Street

Ms. Lynch stated that she had chickens until the late 70's. They were wonderful. They were never a nuisance. They recycle by eating food scraps and egg shells. She does remember one chicken getting out, she walked out and picked it up. They were very tame. When her husband came home they would come up to the fence to be fed. They did slaughter a couple. She went on to say that in this economy she thinks if people want to recycle and get fresh eggs everyday, why not. Just because we haven't done it does not mean it's not right.

Harold Hoffman, 1157 S. Ahrens Avenue

Mr. Hoffman said that his hometown is a small town downstate. He spent a lot of time on farms. Chicken coops are noisy, messy and stinky, and unless you put something in the code they can be ugly. A chicken can't be housebroke. If he saw a neighbor had a chicken coop he would not look for a house in Lombard. It will detract from property values and will stop people from moving into the community.

Ben Peinsipp, 439 N. Lombard Avenue

Mr. Peinsipp suggested that since we have garden plots for rent in Madison Meadow, perhaps there could be chicken coops as well. That would take care of the setbacks and smell.

Dan Hildebrand, 312 S. Lodge Lane

Mr. Hildebrand commented that during high school and college, he lived in the far southern suburbs by Dutch Farms. They stink, they're messy and they're noisy. If you put four chickens in a coop and have 2-3 coops in a neighborhood it would be bad. Yes, we have predators in the area but they roam, if you give them a destination that's where they will go. He went on to say that you're going to have rats, mice, coyotes and snakes. If you're by Madison Meadows the predators will be coming to that location.

Emily Prasad, 340 W. Maple Street

Ms. Prasad started by asking if anyone knows a cat lady, her house stinks. She went on to say that there is a huge difference between living next to Tyson or four hens in a chicken coop. This is a chance for Lombard to make a decision based on facts, evidence and forward thinking instead of fear. All of the potential nuisances are all very well regulated by our village ordinances. Four hens produce less waste than a medium size dog. You could go get three Bull Mastiffs. Flock is the technical term for two or more birds. Nobody is looking for large amounts of birds, nobody wants to slaughter them, they are pets. If you look at the pictures the coops are attractive well built and well maintained. Municipalities that adopt these ordinances do not have problems.

Robert Ripper, 1061 S. Fairview Avenue

Mr. Ripper explained that he is there on behalf of a group that is opposed to chickens. They feel strongly that there is a considerable amount of downside to allowing chickens. Oakbrook requires 10 acres. The key seems to be separation. One reason the group is opposed is that they are concerned about property values. The house next door has two dogs and the waste smells and the barking does go on continuously. He questioned the resources of the village to be able to properly monitor and inspect these. 20-25 residents doing this would require at least three staff members. A coop requires daily maintenance. Although the group here sounds like they are dedicated, you're opening this up to the whole population. If people don't do the right thing it's hard for the village to deal with it. In this time of tight budgets, the money has to come from somewhere for the increase in cost. The group also thinks this type of activity is overwhelmingly a public health issue. There could be criminal activity; who is going to deal with it if people are selling eggs. Overall the group is asking the committee not to pass this. Not to change the ordinance. Lombard is an urban community and we have residential zoning. What's happening here is by passing this, it would take away a residential zones peace and tranquility by allowing agriculture.

Mr. Stahl spoke again. He has been researching the real estate issues online and came across articles stating that it did not lower property values because someone has kept some birds on their property. Regarding predators, chickens would not impact the number of predators because they're already here. They are very territorial. They don't live much past six years, most only make it to three years. Nobody can deny that they wouldn't be attracted and check out a coop, but they're not going to be able to get to it. Even if they got an occasional chicken it's not going to suddenly magnify the coyote population. They also see cats and small dogs as possible prey, so would we need to get rid of cats and dogs. 90% of their diet is rodents. They are actually a useful predator. People will have to deal with them as they move into the area, they have even trapped coyotes in downtown Chicago. Same with the fox. We haven't heard statistics on the real estate, nor facts or figures.

Mary Beth Lynch pointed out that she sells real estate and is very successful in this town. Four chickens in a backyard would never devalue a property. There are houses with school buses in front all day, teenagers hanging out in parks with loud music or dogs next door. Those are things that would deter people from looking at a house. She doesn't believe that four chickens are going to give off the smell or noise like a chicken farm or a stockyard. Most people would not slaughter their chickens, they would be using them for eggs.

Frances Gockman, 703 S. Stewart Avenue

Mrs. Gockman spoke in regard to property being devalued. She stated that she has lived in Lombard for over 40 years and would not want to live next door to chickens. Cats and dogs are domestic animals that are kept in the home, chickens are kept outdoors. She asked who is going to monitor how many chickens there are. You hear of people with 30-40 cats. She asked if she would have to monitor her neighbors chickens. Animals would be attracted to chickens. If she had a small child she would be afraid to leave them in the yard. Chickens will devalue property simply because who is to know that everybody on the block is going to have chickens. She thinks it's a nuisance. She went on to say that she moved into the community to have a nice peaceful existence and does not want to have the zoning changed.

Dan Hildebrand stated that he is also a realtor and obviously not in favor. He further stated that he agrees with the boy scout who suggested putting a community coop in an industrial area. It would be easier to maintain and control.

Durdic thanked the public in attendance for stating opinions in a peaceful and eloquent manner.

Chairperson Moreau asked if fencing is required in the communities that do allow chickens, in case the chickens do not remain in the coop. Stilling replied that the other communities were not specific.

Schukat asked for clarification of a comment from Jendras that chickens only lay eggs for a few years. Jendras answered that they live about 15 years, but they only lay for 18 months-3 years. Mr. Stahl added that it really depends on they're health and the breed that they are. Breeds that don't lay as many may have longer production. Schukat said that if they're pets, it's not really for the eggs then. Mr. Stahl replied that some people have them for pets and some people will have them for dinner when they are done with their egg laying. Lyons commented that if in fact you do want them for egg laying, but they are pets, you may want to get more so you have eggs. Then you have a dozen eggs. Mr. Stahl answered that every person would have their own set of rules to deal with that. The other option is people are forced to buy eggs from the grocery store which is hormone and antibiotic laced.

Cooper discussed the permitting issue. He pointed out that if a resident has a dog they have a license, but there is no inspection. If there is an issue it comes upon the neighbor to call the police. The issues that could potentially happen with a dog are more severe than with a chicken. He has no fear of letting kids out next to chickens. For enforcement purposes, it could be set up that in order to get a permit, you have to get a building permit for the coop then the Village could charge a fee and monitor the set backs and require predator proof installations. Stilling added that at a minimum the Village would want to inspect the coops.

The resident that resides at 1045 S Norbury interjected asking what they would do with the dead chickens. She also said that she has a condemnable house that the Village does not check on, so how are they going to check chicken coops. She asked if people wanted a goat for the milk could they get that.

Schukat asked if there would be a big expense to the Village to put these things into place. Stilling replied that it would depend upon what parameters were approved. If this does get approved, staff would prefer a private service to do this. The Village would have to have a mechanism in place to account for that particular item and then costs would be passed back to the applicant.

Adams commented that there's pros and cons to every issue. One of the reservations he has is the enforcement. This could lead to neighborhood spats. He further commented that he was not sure what parameters would be set for licensing/permitting, but this would be getting back to our roots again.

Jendras said that she did not think that we should not allow things just because some people can not meet requirements, however, chickens technically are farm animals and there would have to be serious restrictions on the ability to keep them. She suggested that there should be a fenced yard, set back should be a minimum of 50' from a property line, should limit to two hens, no roosters and the code should not be amended to say poultry, it should say chickens only. Durdic responded that he was concerned with restricting it to two. If you lose one then you're down to one and they are a social creature. He prefers allowing four. Jendras replied that she thinks lots in Lombard are too small for four. Chairperson Moreau pointed out that by requiring a 50' set back, that would be a large lot. Jendras responded that Lombard is not set up to be agricultural. She added that she did not know if people would take the time to clean the coop everyday so there might be an odor. In that situation not sure that 50'

is enough to keep the smell away in the summer when its steaming hot. Bartt interjected that as far as odor issues, if you have three bull mastiffs that has to be more of a concern than four chickens. She also pointed out that if these coops are moveable it would be hard to enforce a setback. Durdic asked if a moveable coop would still be an accessory structure. Stilling answered that it would fall under accessory use. Chairperson Moreau asked what percentage of lots would qualify if there were a 50' setback. Stilling replied that there are 11 lots in town that are 150'. The average lot size is 60'.

General discussion ensued regarding setbacks.

Cooper pointed out that there are a lot of things that neighbors do that you don't prefer. This is not distinctly different to the degree that we would restrict someone. He stated that he thinks four chickens is reasonable and 25' is a reasonable setback.

Lyons commented that the majority of towns that they researched all have wide lots, so there must be a reason. If everyone of them thinks that way why should we be different. Cooper replied that the committee should make a decision that is best for our town not just do what everyone else does.

It was moved by Durdic, seconded by Cooper, that this matter be recommended to the Board of Trustees for approval to amend Village Code 90.04 to allow no more than four chickens, no roosters, to include a setback to be determined and to include licensing. The motion carried by the following vote:

Aye: 5 - Diana Urlaub, Bill Ware, Jason Cooper, Darlene Bartt, and Stefano Durdic

Nay: 3 - Winnie Lyons, Jennifer Jendras, and Nancy Schukat

5.0 Public Participation

6.0 New Business

An award for green practices will be discussed at the next meeting.

7.0 Other Business

8.0 Information Only

9.0 Adjournment

It was moved by Bartt, seconded by Durdic, to adjourn at 9:30 p.m. The motion carried by a voice vote