

**VILLAGE OF LAKE BLUFF  
COMMITTEE-OF-THE-WHOLE MEETING  
NOVEMBER 13, 2017**

**APPROVED MINUTES OF MEETING**

The Village of Lake Bluff Board of Trustees met as a Committee-of-the-Whole (COW) in the Village Hall Board Room (40 East Center Avenue) on Monday, November 13, 2017. Village President O’Hara called the meeting to order at 6:15 p.m. Village Clerk Joy Markee called the roll.

The following were present:

Village President:	Kathleen O’Hara
Trustees:	Barbara Ankenman Mark Dewart Paul Lemieux William Meyer Aaron Towle
Absent:	Eric Grenier
Also Present:	Joy Markee, Village Clerk Drew Irvin, Village Administrator Peter Friedman, Village Attorney David Belmonte, Police Chief Michael Croak, Building Code Supervisor Glen Cole, Assistant to the Village Administrator

**Consideration of the Minutes from the September 25, 2017 Committee-of-the-Whole Meeting**

Trustee Dewart moved to approve the September 25, 2017 COW Meeting Minutes as presented. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

**Continued Discussion Regarding Short Term Rentals – Public Comment**

President O’Hara introduced the item and invited the Co-Chairs of the Sustainability and Community Enhancement Ad Hoc Committee (“SEC”) to present to the Committee of the Whole (“COW”).

Co-Chair Brian Renner stated that he would provide an overview of the SEC’s consideration of this item and the benefits they have identified. He stated that, when the SEC was formed, it was tasked with examining green issues. The group has since produced a prioritized list of key issues and reviewed it with the COW. They were approached soon after the SEC was formed about residential beekeeping and started to explore this as a pilot program in June 2016. They reviewed peer community ordinances and consulted with subject matter experts. They expanded their review to include residential chicken-keeping as well after residents expressed interest. The SEC has spent a considerable amount of times in public meetings, including at the Public Safety Building and at the Farmers Market, to obtain public input. They have also continued to consult with subject matter experts, as discussed in the packet. From this body of research, the SEC developed two draft pilot programs they now propose for consideration at the Village Board’s discretion. They are intended to be ran for a limited time and may not be permanent.

The Board has options to make as far as an approval process – it could be administrative, reviewed by the Village Board, or reviewed by the SEC.

Co-Chair Marina Puryear reviewed the benefits of the programs. She stated that they would increase sustainability and enhance Lake Bluff's community. The pilot programs are consistent with other green initiatives undertaken by the SEC and by the community, including the promotion of composting, recycling, rainwater reuse, and conservation. Promoting these issues is part of the SEC's mission, and the pilot programs are natural extensions of these areas of concern.

Co-Chair Puryear continued in a discussion of the SEC's areas of interest. Focusing on chickens, she stated that residential chicken-keeping helps residents be less reliant on commercial fertilizers; have better control of weeds and pests; reduce pollutants from fertilizers, kitchen scraps, and grass clippings; reduce exposure to anti-biotics; more nutritious eggs. She also stated that caring for chickens creates rewarding experiences for families, and she shared a story about two autistic boys in Knollwood (unincorporated Lake County) who are caring for chickens. She stated that any residential pet requires care and feeding, and chickens are no different.

Co-Chair Puryear described the importance of supporting bee habitats. In regards to both programs, she said that Lake Bluff's progressive stance attracts home buyers and supports property values. Lake Bluff residents are each other's neighbors, and they share and care for the value and quality of Lake Bluff's neighborhoods. She concluded by saying that the benefits the SEC identified during their research outweighed the potential for harm they could document.

President O'Hara thanked the SEC for their time and consideration, and opened the COW to questions of the Co-Chairs.

Trustee Lemieux asked how the SEC would assess the success of the program at its conclusion. Co-Chair Puryear said that she would look to if more people were becoming interested in participating and if there was an absence of complaints. Co-Chair Renner said that he would also want to measure complaints and if participants continue to keep chickens or bees. He would interview participants and their neighbors to gain insights.

Trustee Lemieux stated that this is not an ordinance yet. He asked if the SEC's intent would be that chicken manure be composted rather than disposed of in residential trash. The Co-Chairs responded that this was the SEC's intent.

Trustee Lemieux asked how many would be in the pilot program. Trustee Renner responded that part of the design of a pilot program is to create wide legislative discretion. Speaking personally, and not on behalf of the SEC, he is inclined to be very selective initially. He described the process contemplated by the program for neighbor notification, and he stated that he does not anticipate a huge initial flood of applicants.

Trustee Towle thanked the SEC for their hard work. He stated that he favored local food systems. He asked the group to describe how to stop predators from harming permitted animals. Co-Chair Puryear stated that these animals are kept immediately adjacent to Lake Bluff in unincorporated Lake County, and provided an example of one such animal-keeper who has not had issues with predation. Trustee Towle asked if predators would pose a risk to small pets. Co-Chair Puryear said that this risk already exists today. Co-Chair Renner said that there probably will not be many participants, and that Deerfield is an example of success.

Trustee Towle asked what would be done about a neighbor who was allergic to bees. Co-Chair Rener talked about his personal bee allergy, and said that the pilot program provides for notification of adjacent neighbors and a chance for them to raise any concerns. He said that people do not have the right to keep these animals except after this review. Trustee Meyer asked what permittees would be required to do to ensure the safety of passersby. Co-Chair Rener responded that it was infeasible for permittees to carry epi-pens due to liability concerns. He stated that these bees are normally passive and docile, and do not sting aggressively. AVA Cole described the purpose of requiring a flyway barrier to ensure that bees fly up and away from adjacent spaces rather than through them. Co-Chair Rener described the requirement that the permittee post warning signage.

Trustee Dewart said that active engagement of the public is important. He stated that some of the requirements proposed by the SEC are legislative, and others are guidelines. He reviewed some of the programs available at the State level, including the state beekeepers association and the Department of Agriculture's voluntary hive inspection program. He said that the SEC should encourage applicants to move beyond the immediate novelty of these animals and to recognize them as a responsibility. Owners who are on autopilot will not be useful for a pilot program. He discussed the idea of a lot size limit, noting that the space necessary for these animals could monopolize small back yards. Co-Chair Puryear said that the pilot program required four square feet per chicken; Trustee Dewart responded that this would require just under a five foot by five foot area at a minimum and asked about chicken manure. Co-Chair Puryear responded that a chicken produces 1.5 ounces of manure per day, while a full size Labrador produces one pound per day.

Trustee Meyer stated that the COW now has the scoop on the poop.

Trustee Ankenman said that she was worried a resident would find out about the proposal after it was too late to object, such as when the resident noticed the noise but was already discomforted. She believes this will lead to bad conflict resolution. Trustee Rener explained the mechanisms in place in the pilot to deal with that, including: notifying adjoining neighbors of an application; the Village's nuisance ordinance, as it is applied to dogs; and the Board's ability to cancel the pilot at any time. He also discussed the idea of requiring a renewal when adjacent property owners change. Trustee Ankenman asked how nuisance enforcement work. Village Administrator Irvin explained the administrative enforcement process.

Trustee Dewart asked what the initial term of the program would be. He asked if it would be two to three years, and discussed measuring outcomes. AVA Cole explained various options for structuring the end date of the pilot program, including a fixed sunset or an indefinite period with periodic reviews. Co-Chair Rener stated that the idea was not to impose a fixed deadline.

Trustee Towle stated that the pilot program has many guidelines, and asked if there would be inspections to ensure conformance with these guidelines. Co-Chair Rener responded that the SEC did not want to impose a permanent burden on the Village and on participants, and so the pilot aims for a balancing point between over-regulating and under-regulating. He stated that volunteer inspection programs exist, and that the Village Board has wide latitude in how they structure a pilot.

Village Clerk Markee agreed with Trustee Dewart about education of residents. She stated she has learned some things in studying this topic, including the risk of salmonella and how some chickens stop laying within two years but still live to be ten years old. She was not sure if this information was accurate. Co-Chair Rener reviewed the expert testimony received by the SEC. He stated that any animal has a chance to cause illness inside or outside the home, and that 80 people recently became sick from a

disease outbreak attributable to puppies. He discussed how some fowl, such as parrots, are already kept in homes and stated that chickens should not be within the home.

President O'Hara summarized the COW's options and asked the Trustees to state their preferred course of action forward.

Trustee Dewart said that the pilot needs fine tuning that incorporates the COW's discussion, and that he would like to review it when it is closer to a final product.

Trustee Meyer said that he wants to pay close attention to neighbor notice and objection. He discussed possible health conditions which may concern a neighbor. He asked for more research about some of these environmental risks, such as if any studies showed that residential bee hives increase the risk of stinging beyond that already present in a neighborhood.

Trustee Lemieux said that he was skeptical, but that he is overwhelmed by the thoroughness of the SEC's consideration. He discussed his experience in chicken-keeping, and said that they do attract predators in his experience. He stated that prior boards were concerned about the appearance of accessory structures, and that these activities would promote additional accessory structures.

President O'Hara concluded the COW's discussion early to allow for public comment, stating that the COW needed more information and something more final to consider. She invited members of the public forward to comment.

Ms. Kate Briand, resident, came forward to address the COW. She read comments similar to her recent Letter to the Editor in the Daily North Shore and focused on key points, noting that many chickens end up being given up for adoption; that the activity promotes outbuildings; that chicken eggs come from large scale hatcheries; that it is difficult to identify hens from roosters at a young age; that warmth is a concern in our climate; and that the laying time of chickens is not long. She asked why the SEC had not required registration with the Illinois Department of Agriculture or tried to regulate disposal of slaughtered chickens.

Ms. Sandy Hart, resident, came forward to address the COW. She is speaking as a resident, but she is also a Lake County Board Member. She appreciates the SEC's consideration of this matter, and said that Lake Bluff is a leader for sustainability in Lake County. The County sees this as a sustainability issue. While many hypothetical concerns were raised during their consideration of allowing chickens, none have been realized. She stated that 72 chicken permits and 22 bee permits are in effect in Lake County, and that only two complaints have been recorded. She compared the neighborhood burden of chickens and beekeeping to dogs. She stated that this is an important initiative, and that the County will soon examine eliminating its lot size requirements due to the program's success.

Ms. Liz Leutwiler, resident, came forward to address the COW. She is a member of the SEC and wanted to emphasize some points presented by the Co-Chairs. She stated that the SEC's task is to enhance and sustain Lake Bluff's community. She moved here because Lake Bluff is not Lake Forest – she believes it has an independent spirit. She believes the movement towards local food systems is not a trend, but rather a long-term change. She believes Lake Bluff residents are starting to become afraid of change, but she moved here because she was proud of Lake Bluff's willingness to change. She stated that this is a pilot program and that it is not cheap for someone to participate, and so people would not do so hastily. She believes this is a great educational opportunity for adults as well as children, and that we must

change as the world is changing. She asked that Lake Bluff’s attitude be like a teacher’s: to say “Yes, and…” instead of putting up barriers.

Mr. Frank Swanton, resident, came forward to address the COW. In the interest of time, he stated that he had sent his written comments to the Board.

Mr. James Arnold, resident, came forward to address the COW. He stated that many good points have been made. He has lived in Lake Bluff for six years, but grew up on a farm that raised chickens. He does not believe it is a joke. The coop of 60 chickens produced manure that could be smelled for 50 yards, and they are livestock, not pets. They attract predators in a five-mile radius. Sturdy coops are not enough to protect the chickens. He discussed the realities of having to kill chickens.

Ms. Ellen Glassmeyer, resident, was invited forward to address the COW. She stated that she would speak during the Village Board period for public comment instead.

**Adjournment**

As no further business came before the Committee of the Whole, Village President O’Hara called for a motion to adjourn. The motion was made by Trustee Lemieux and seconded by Trustee Dewart. The motion passed on a unanimous voice vote and the meeting adjourned at 7:11 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator