

**ZONING TASK FORCE  
MEETING OF JULY 11, 2013  
APPROVED MEETING OF JULY 25, 2013**

**Present:** S. Perley, **Chair, (Zoning Representative)**; L. Guild, W. Contardo (**Planning Representatives**); S. Weeks, J. Krahulec, J. Driscoll, J. Moriarity (**Members at Large**); S. Saunders, **Planning Director**; K. Snow, **Zoning Technician**

**Absent:** S. Bogert, (**Zoning Representative**) (J. Tivnan and M. Foote entered the meeting at 10:30 for the start of the public input hearing)

S. Perley called the meeting to order at 10:00 am.

**Minutes:** W. Contardo questioned changes that he had made to the minutes so the minutes were deferred to the next meeting so he could go over those changes.

S. Perley went over the public input hearing, and what will happen there.

J. Krahulec asked if we are taking comments from people outside of Laconia. She said some of the comments were not appropriate as they were from smaller communities and we are a city. W. Contardo said density would be an issue depending on the town. W. Contardo and J. Krahulec said that Laconia is a city not a town, and that there is a difference. W. Contardo said rural or city, we should not consider input from other towns as we have our own identity.

S. Perley clarified that if someone from another town wants to speak, we will remind them they are not a resident so their input won't be included. J. Krahulec said we should just tell people if they are from other towns we won't even take their comments. S. Saunders said this is a public input meeting so she thinks we should allow them the courtesy to speak. W. Contardo said at regular meetings we take input from tax payers and abutters so why listen to people who aren't either.

It was decided to announce that residents of Laconia will speak first, and if time allows residents of other towns will be permitted to speak.

W. Contardo said we are addressing chickens but, taking this out of the agricultural component, what about other animals? J. Krahulec asked if this would allow a precedent. W. Contardo said to read the ordinance amendment regarding chickens.

W. Contardo said he is discussing what he was given. The definition of agricultural eliminates animals. S. Perley said we are not doing this today – today is just chickens. W. Contardo said this definition is not even close. S. Perley and S. Saunders said that will be addressed at a later date.

S. Saunders said there is no conference call with Concord as she could not schedule it. We could try to do that another time, or if she could set it up with just her, she could tape the call. She said that Concord took a while to get back to her so she said she reached out to Durham. They have a new planner, who was not there when their ordinance was put together. He has been there about 6 months and there have been no issues with their ordinance. There have been no comments, no complaints, etc. She said that he expressed surprise that she immediately asked about complaints, and said they have had no issues with it at all.

S. Perley said we are not proposing that chickens can run free all over town. We have tons of controls, fencing, housing, waste. W. Contardo said yes, but no enforcement. S. Saunders said that is not what she said.

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We will act upon complaints. S. Perley said we have no agricultural commission here so complaints go to Zoning.

J. Driscoll asked about permitting, or can a person just do it. S. Perley said they can have the chickens if they can meet setbacks and all the criteria. We can discuss a permitting process.

S. Saunders said an in home business is permitted and dealt with internally. The person is told they must follow the criteria for the use. She will frequently ask them to submit a letter of their intent in case we get questions later on.

S. Perley said enforcement will be by the neighbor, they will make the complaints. W. Contardo said he doesn't believe in that process; he feels that citizens expect our government to watch out for us. We do not want vigilantes. He said he expects someone to have an avenue - recourse - someone that can go out and enforce, not the neighbor. He said if a neighbor wants to help another neighbor that is acceptable. He wants a good quality of life. S. Saunders said this is how this currently works in the city. She said that K. Snow is not out there driving around looking for violations. We usually work on complaints.

W. Contardo said if a process in place, for example 40 addresses, then they could be looked at. He said we have been surveying cities that have accepted an ordinance but what about the ones who refused to allow this use. What is their take on this? New York allows chickens, Boston doesn't, and the ones who don't allow are as important as the ones who do.

S. Perley said these types of changes usually occur because people ask for it. Maybe no one has asked for it in those other cities.

The members moved to the public input session.

**PUBLIC INPUT:**

(Jay Tivnan, Planning Representative, and M. Foote, Zoning Representative entered the meeting at 10:30 AM)

S. Perley opened the public portion of the meeting. She welcomed everyone. She explained she also sits on the Zoning Board of Adjustments and is chairing the Zoning Task Force. She explained that the reason for the ZTF is that the Ordinance hasn't been updated in some time and it needs to be addressed. She introduced the other members of the committee.

She explained this is a public input session to get feedback on the possibility of allowing chickens on residential lots in the city. She explained the process followed in changing ordinances. S. Perley said the committee is looking at sections of the ordinance and making recommendations for changes. When they are through, any changes they propose goes to the ZBA. If they approve the changes, then it goes before the City Council who has the final say on what happens. We provide input to the City Council but they have the final say on what is ultimately approved.

S. Perley said that today's public meeting is for input regarding chickens. She read the criteria, stating that it is not the full ordinance. This is the synopsis of what is being proposed. She said the reason we are looking at this is because we have received questions from City residents asking for chickens to be permitted in zones

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where they currently aren't. She said we had received input from people who cannot attend today's meeting, with some being from people who reside outside of Laconia. She asked that people from Laconia speak first, and if time permits we will allow others from outside of the city to speak.

S. Perley opened the meeting to the public.

**Bob Timmins, of Hayes Rd,** stated he has had chickens for 15 years. They are enjoyable for his family, and his neighbors receive eggs. He has had no problems. He keeps them clean, changes water and bedding every day. He said they do get foxes once in a while but that would happen anyway as they are already in the area. He wondered if this proposal will change his use? He asked how this change will affect him. He was asked what zone his property lies in. He is in the CR zone and S. Saunders said the use is currently permitted in the CR zone, so if the ordinance is passed this should not change his ability to have chickens.

**Charlie Drake, Bay Street,** said he is the one who had applied for a zoning variance so this is all because of him. This does affect him, as he wants his fresh eggs. He said that Armand Bolduc said there is no difference in the taste, and that is not true. A. Bolduc also said a chicken can't lay an egg without a rooster and that is not true. The article in the paper said he is a farmer; what kind of farmer is he? He said distance was mentioned and that his proposed coop would be 10 feet away from a line, and 30 feet from the other house. He understands that a number of other lots won't meet this. San Francisco and New York City both permit chickens on much smaller lots. He said he understands he has more property than others.

W. Contardo asked how he would handle chicken waste and C. Drake said he would rototill it into the compost pile. W. Contardo clarified he would not be removing it from the property and C. Drake said no, he would compost it. That adds to his being self sufficient and not adding fertilizer that goes into our lakes. C. Drake said he would be feeding grain to his chickens.

W. Contardo asked about feeding scraps from the table and he said you can but he wouldn't. Grain and weeds are what he would use. He said that the manure does have an ammonia smell but you need to keep up with the maintenance. W. Contardo asked what if the homes are closer than Mr. Drakes and don't have air conditioning and are closer to the property lines, could a person smell the coop and C. Drake said yes, if not maintained.

W. Contardo said maintenance and enforcement are important and C. Drake said absolutely, and he would have permitted the ZBA members to come and use him as an example. He asked for 5-6 chickens, which are within the range they are suggesting.

M. Foote asked about wet rainy days, with continual rain, how often is the pen cleaned out? C. Drake suggested we set guide lines. He said the first gentleman said he does his every day. M. Foote said society is we, we, we. On these small city lots, do we want to attract predators? C. Drake said there are no chickens on Bay Street but there are already skunks there. He gets rid of them himself. He said should he contact the city to do that? No. Of course if you don't clean up after the chickens, or dogs, or feral cats, there are issues. You need to police this.

M. Foote said he has chickens now, as he resides in an area where they are allowed. He has skunks, weasels, fox, and hawks now. He asked if we want to introduce them into the city? We will get more critters in the area as they have more to feed on.

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C. Drake said they are there anyway and M. Foote said more food would be available so he thinks more will come. M. Foote said there is a river on Bay Street and that would attract more critters that way.

S. Perley asked C. Drake what happens to the chickens in the winter. He said they stay in the coop, and don't go out into a pen. She asked about heat and he said that is not required, but you can provide heat and light to keep the same laying schedule.

L. Guild said chickens can't stand heat, so how do you keep them cool in the summer? C. Drake said they go outside and provide their own cooling. L. Guild said he has raised 200 chickens, and they died if not cooled properly, he needed to hose them down.

L. Guild said he hopes this is not becoming a hobby, as people have to know how to take care of them. You have to feed them properly, you can't take off on the weekend as they need to be taken care of. He asked if the eggs will be candled. What is the responsibility if blood spots are found? C. Drake said if there are blood spots that means the eggs are fertile. L. Guild said he hopes this is not the latest vogue. This is not fun and games, you are dealing with live creatures.

L. Guild said that manure is a problem. C. Drake can rototill it in but a lot of people can't. The manure is rich. There is a compost pile on Meredith Center Road. L. Guild asked how the dead chickens are disposed of. C. Drake said you can bury them and L. Guild said that is good in a rural area, but what about small congested area. C. Drake said you can bury them and that adds to your compost.

W. Contardo asked if you can eat a chicken if it dies and was told no. C. Drake asked if you can you eat a dog if it dies - no. W. Contardo said that is not the same. W. Contardo asked if most people would know that, and C. Drake said they should if they have done their research.

W. Contardo asked how many eggs 5 chickens will produce, and told one a day per chicken. W. Contardo said that is 35 eggs in one week, can you eat that many? C. Drake said he uses that many as he cooks and bakes as well. C. Drake said if more eggs are available you make creative use of them. You make egg salad and eat fried eggs. He said he is just one person but if you have a wife, kids, etc, you use more eggs.

J. Krahulec mentioned the crisis in China and asked L. Guild how you can tell if a chicken is ill. L. Guild said there is no way to tell. C. Drake said they are tested before you buy.

M. Foote asked if a duck is a chicken and was told no. He said a duck can lay eggs, a turkey lays eggs, what makes a chicken a chicken. He said he is just pointing out that other eggs can be eaten by a society. If everyone in a block with 10 houses, gets 5 chickens, you have 50 chickens on the block, so now what happens?

**Armand Bolduc** said he raises chickens. He did make a statement about the rooster but meant to say for fertilizing. If you have a chicken without roosters, they are not happy. He said we already have problems with cats and dogs. If you get half a dozen chickens all over the place, they smell. He said he raised them all his life but hasn't in 15 years because it is cheaper to buy eggs than to feed the chickens. If you have a dog, a license is required. If chickens are permitted, we should have some sort of process. He said Mr. Drake probably has a big enough area, but each property needs to be looked at to make sure it meets the criteria.

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Manure cannot be put into the trash per Ann Saltmarsh at DPW which means it will probably be left on the side of the road as other trash is now. These people will be just like kids who want a rabbit and get tired of it after a month. Their water freezes in the winter, so it needs changed or you put in a heat lamp, which could cause a fire, in a tight area, and you would burn down more than one house.

If allowed the chickens needs to be monitored like dogs are. All animals have to be taken care of. He has bison, and they are hard to take care of, but he does it. Weasels, fox, and coyotes will be in the neighborhood. Weasels need only a small hole. They don't eat the chicken. They just kill for the blood. Chickens like to dig, and will go under the fence. Take all of these issues into consideration.

W. Contardo asked about feeding them. He asked for A. Bolduc's input on table scraps. A. Bolduc said he has only given grain and shells, grit. W. Contardo asked if table scraps will make the problem worse because you have other products in your yard and A. Bolduc said yes. He said he used to candle the eggs, and size them, and sell them. He said he understands you won't be allowed to sell eggs, so if they are given away and someone gets sick, what happens?

J. Driscoll asked how long a chicken can live and was told years.

**Linda Pilliard**, Rollercoaster Road, said that chickens do not belong in the city, and she has had them all her life. She said it is not fair to the chickens or to people in cities who choose not to live on a farm. They are smelly. They are fairly tidy, and they do lay eggs in nests. They need variety in their diet to lay good eggs. Grit is important. A rooster is not needed. They do clean things up themselves. You need the manure to be removed often. She said they can be quite loud. They come in a variety of breeds, shapes, forms, and vocal prowess. They can create problems with predators. They are a good, versatile, strong animal, and are her choice pet, but she doesn't feel they belong in a city.

**Shelly Ellington**, 17 Chapin Terrace, said she lives in the Lakeport area. If a neighbor has a chicken, and is in violation, what is currently done. S. Perley said to call the city and something will be done by enforcement. She said she did call as she has a chicken in her neighborhood, at 14 Chapin. S. Ellington said she feels bad, and it is now personal as she found out the chicken's name, Rosie. Rosie the chicken roams the neighborhood. Her owner goes away for the weekend and leaves the chicken. It has cornered her cat. She said she was raised with a fighting rooster so she doesn't like feathered friends. She said this chicken needs to be kept in a pen. We need to be able to report violations. The owners went away on Memorial weekend, and the chicken was all over the place looking for food and water. How big is a lot going to be, how big is a pen, and who will make sure Rosie gets into a pen.

**Lisa Morin, 42 Valley Street:** She said she is here today as a tax payer. She printed information off from UNH which she passed out. She said she feels some comments made here were about personal responsibility. She knows the city would be involved but feels that neighbors need to communicate with neighbors. Will the chicken coop start a fire? She said she is more worried about the neighbors 10 year old with his fireworks. She had a lantern that recently fell. She said she has more issues with those types of things than she does with a chicken coop.

On pet waste, she has a dog herself and feels that dog poo should be of more of a concern than chicken waste as that should be addressed by an ordinance. She doesn't feel having chickens will be a multiplier effect.

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She feels there is more of an issue with dog waste when people don't pick it up. Her area has a number of storm drains and the dog waste runs right into them now.

She feels registering chickens with the city is a good idea. The cooperative extension offers workshops so maybe we could make that a requirement. They would have to show a certificate. She feels landlords will take care of that as a concern, as lots of dogs and cats are not permitted by them. The lot size will handle many cases.

We are having a society of people that are more connected with where their food comes from. That is more related to gardens but chickens are a part of it. It is not the responsibility of the city if someone gets sick from eating an egg. That should not be under city purview.

She said she is offering as a consideration that people who are in congested areas, the concept of a remote location. Maybe have a boarding facility for chickens. W. Contardo asked if she would support agriculture use, like the community garden off of Parade Road, something like that? Maybe even at the same location? People could take care of them, feed/water. L. Morin said she meant more like boarding a horse. W. Contardo said he means more like the community co-op and L. Morin said she has read of community coops.

W. Contardo asked if dog poop is tilled into the lawn and was told no. W. Contardo said there is a difference. L. Morin said she meant that chicken manure would be managed, either used in your own yard or composted. W. Contardo said we don't want droppings in the water supply and L. Morin said details could be left up to the committee. She said people don't pick up after their dogs where she lives, so that is more of a concern for her now, and she feels that the manure would be managed via ordinance. L. Morin said she is promoting security. She said that 57% of kids in the city are getting free lunches and this could aid in that program.

L. Morin said because people don't pick up after their dogs, they get vermin who eat it. They are already there. We just had a bear at Dairy Queen, the animals are there now.

**Arlene Woodward, 17 Orange Court:** She said she has no problem with chickens, she is not opposing them, but they take a lot of work, and can be unpleasant if not kept up with. There are responsible pet owners and some that are irresponsible. She said she has no problems with people having chickens if there are strong ordinances and they are strictly enforced. Someone suggested this morning doing something like the community gardens - a community coop. She said she grew up on a farm, and likes idea of raising her own food, if you have the land and know how. She does not know how much grain costs now but wonders if having 5 chickens and having to pay for grain, you won't have a pay back. If the ordinance is strictly enforced and the property owners follow the stipulations on how much land, etc, she would not oppose. She said she lives right off the river, and already has a lot of odors. She has skunks and raccoons now. If the chicken coop is built well, and maintained, and you are vigilant won't have animal attacks. She said she is not for or against, but would want a strong ordinance and to see them strictly enforced.

**Jana Bean, 271 Gilford Avenue:** She said she has been doing research on chickens for about a year and has friends who have chickens. She is a responsible pet owner. She would hope that if they are permitted, people would think things through. She sees lots of animals that are poorly taken care of. She sees them being given away. She feels we can find a good compromise. She thinks that people who want chickens are going to be responsible. You can see a puppy and make the impulse purchase, but that is not the case with chickens. You must actively research. She said that Lisa Morin made good comments. She wants to see this work. She grew

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up in a city but enjoys chickens. She said she enjoys visiting with her friends chickens, as they are great animals.

W. Contardo said if someone owns a dog and they realize they no longer want it or can't take care of, they have the option to take it to a shelter or give it away. They just don't let them run around the street. People could just open the pen and let a chicken run around like other woman mentioned. W. Contardo said a chicken can sustain itself without a person feeding or watering it. If only 5 chickens are allowed per lot, and now 50 or 100 people are doing it, that is a lot of chickens.

He said he had chickens when he was little, and now doesn't remember how they got rid of them. He said there is no avenue for people to get rid of them. What happens to them? They open the gate and let it go, hoping someone will take care of them. He said he doesn't feel that is compassion for the animal, that is the need for escape for someone who now can't deal with them. They need a place to be taken care of.

J. Bean said there are web sites if you do research. She said we have a lot of feral cats now so doesn't think chickens would live too long if let run loose. J. Bean said people do that now with dogs – let them run loose. W. Contardo said there is a vehicle in place. J. Bean said there is something in place for chickens now, as she found that in her research. If this ordinance is passed, that is how she would get her 5 chickens.

J. Tivnan asked if she would be in favor of registering the chickens and J. Bean said she thinks that is a good idea. If you have to take a class and register the chickens, she feels that would weed people out. W. Contardo clarified that she lived in a city, and never had chickens and she said that is correct. He asked why she wants them as she has limited experience. She said that is correct, she is familiar with them from visiting her friends. She has chicken sat before but has no real experience.

M. Foote asked if, in doing her research, she looked up Key West at all and J. Bean said no, should she? M. Foote said to check it out as their town is going through issues with free range chickens.

**Lisa Morin:** She said she has been to Key West, and the chickens are very contained on the islands, and they don't have a lot of predators to challenge the chickens. She said to check out the video on Mad City Chickens as there are a lot of places where this has worked. She said we are talking about irresponsible owners. She called the Humane Society and they don't have facility to take in chickens but the seacoast does. She said she did not do any more research on that but they do have a program in place to find them homes.

W. Contardo said the key in Key West are the predators so she is saying we need more predators to keep the population down? She said no, we have predators now.

S. Perley said we not talking about people having 20,000 chickens and W. Contardo said we are talking about a lot of people having them. S. Perley said we are listening to what the people have to say. W. Contardo said L. Morin said Key West doesn't have predators to keep population down.

**No one else from the public spoke.**

Armand Bolduc asked if could have an evening meeting as many people could not attend during the day and S. Perley said we could try to do that.

S. Perley closed the meeting to the public.

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**Next Meeting:** Dates were discussed and it was decided to have the meeting on the 25<sup>th</sup>.

S. Saunders said to bring all comments along.

W. Contardo said he wants us to get input from communities that have not allowed chickens. Boston doesn't want them, but NYC does. Find out why they don't allow them.

J. Krahulec said she doesn't care what other cities do, what is best for Laconia? Is this a benefit for Laconia? How long have we been working on the ordinances. Do chickens help our property values. We can ask Steve Weeks that. She said to just say no.

S. Saunders said that is what we are deciding. We have had lots of requests to allow chickens in additional zones. If the committee decides no, we will move on.

W. Contardo said for the next meeting, the committee will look at saying no or if yes, and how best to move forward. M. Foote said imagine living in the Weirs, like Methodist Circle, and everyone having chickens? J. Krahulec said it would not be permitted as the lot size is too small, but said the Ames' could have them.

**Adjournment:** The motion to adjourn was made by L. Guild with the second by M. Foote

The meeting adjourned at 11:30 am.

Respectfully submitted,

Kristine Y. Snow